
THE FOUNDATIONS OF HEALTH AND SAFETY

ELEMENT

1



LEARNING OUTCOMES

On completion of this element, you should be able to demonstrate understanding of the content by applying what you have learnt to familiar and unfamiliar situations. In particular, you should be able to:

- 1 Outline the scope and nature of workplace health and safety.
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- 2 Identify the reasons for practising good standards of health and safety.
.....
- 3 Identify the key internal and external sources of health and safety information.
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The Scope and Nature of Workplace Health and Safety

KEY INFORMATION

- **Health** – the absence of illness or disease.
- **Safety** – the conditions in the workplace resulting in the absence of a risk of personal injury.
- **Welfare** – the provision of basic facilities.
- **Accident** – an unplanned, undesired event that leads to injury, damage or loss.
- **Dangerous occurrence** – a specified event that has to be reported to the enforcing authority by law.
- **Near-miss** – an unplanned, undesired event that has the potential to cause injury, damage or loss but does not do so.
- **Work-related ill health** – a disease or illness caused by a person's work.
- **Health, safety and workplace fire law** – the established laws of a particular country relating to health and safety. Most countries place legal obligations on employers, employees and others who could be affected, e.g. contractors.
- **Health, safety and workplace fire law enforcing authorities** – the bodies given legal responsibility to regulate and control the activities of individuals and organisations with regards to health and safety.

MEANINGS AND DISTINCTIONS

The subject of health and safety is, like all subjects, full of its own language and terminology. Here are a few important meanings:

Health, Safety and Welfare

Health and safety at work is a general term to cover a wide range of effects that may be created by activities and events which occur at the workplace. Exactly what is covered?

- **Health** can be considered as the absence of a disease or illness. Health relates to both the body and the mind and covers physical ill health (such as cancer) and psychological ill health (such as stress).
- **Safety** relates to the conditions at the workplace and is an absence of risk of serious personal injury. For example, walking behind a reversing vehicle isn't safe as it could result in injury if the vehicle strikes the person.
- **Welfare** relates to the general well-being of employees at the workplace and the provision of basic facilities to promote well-being. These facilities include drinking water, rest areas, toilet and hand-washing provisions.

Accidents, Dangerous Occurrences, Near-Misses and Work-Related Ill Health

There are several types of event commonly considered in relation to health and safety:

- **Accidents**

Accidents are undesired and unplanned events, which may cause personal injury, damage to property or equipment, or loss of output, or all three. The following are examples of workplace accidents:

- A worker is injured when he puts his hand into a machine from which the guard has been removed.
- A worker running to the car park trips and falls, spraining his ankle.

Neither of these events occurred deliberately – a deliberate act would not be an accident.



An accident at work

The Scope and Nature of Workplace Health and Safety

- **Dangerous Occurrences**

These are events defined under national laws and regulations, with **potential** to cause an injury or disease to persons at work, or to the public. These events typically involve serious potential for injury, even though no injury, in fact, resulted – they usually involve some form of loss or damage to equipment. Examples of this type might include explosions, when a factory is empty of employees, or collapse of scaffolding during a night-time gale.



This worker is not using this equipment correctly and has therefore increased the potential for injury



A rock falls from the edge of this excavation, but lands on the ground without causing injury or damage - a near-miss

- **Near-Misses**

These are any form of accident that could result in injury or loss but does not. Examples include a worker pulling their hand out of a machine, just getting a smear of oil on their fingers, or an employee stumbling and regaining balance without falling.

Near-misses are significant in that lessons should be learnt from them in order to prevent them recurring and, perhaps, causing harm the next time.

- **Work-Related Ill Health**

Work-related ill health conditions are diseases or medical conditions caused by a person's work.

Work-related ill health may be either physiological or psychological:

- **Physiological problems** are physical conditions caused by exposure to hazardous agents. Such agents include noise, chemicals, biological agents and ergonomic hazards. We will cover these more in Elements 9 and 10.
- **Psychological problems** are usually related to stress and include such illnesses as depression. Stress may be created by short-term events or longer term exposure to pressure. We will cover stress more in Element 10.

Health, Safety and Workplace Fire Law and Supporting Guidance

Most countries have laws relating to health and safety in the workplace in order to protect people at work. As you would expect, the detailed legal duties placed on employers and employees dealing with issues such as hazardous substances, manual handling, and so on, vary between countries. There is a general recognition that most of the responsibility lies with the employer – since he provides the work, the workplace, the tools, systems, methods, etc. Throughout the world there are also behavioural expectations of both employers and employees with regard to health and safety. These include, exercising reasonable care in order to protect others from the risks of foreseeable injury, health problems or death at work.

The workplace should be a safe environment in which employees and contractors can carry out their occupations with minimal risk to their health or safety. As fire can present significant risks to health and safety, including risks to life, effective fire safety management by employers is required to reduce the risk of fire occurring in the workplace. How this is achieved will vary between countries, but its basis will be a legal framework, which places specific duties on employers for fire risk assessment and fire prevention.



Banning potential fire hazards in the workplace could help prevent fires

To enable an employer to understand their various duties and responsibilities under law, supporting guidance is often published by the relevant authorities. This guidance may have some sort of legal status in its own right, or it may simply be guidelines that illustrate how the requirements of the law might be met. This supporting guidance may be published by the government, or by the enforcing authority, or by some other relevant authority. It can be very useful in helping organisations and individuals understand their legal duties.

Health, Safety and Workplace Fire Enforcing Agencies/Labour Inspectors

Governments make laws and courts decide on guilt and pass sentence on those who are guilty. In between the two we have various agencies who can enforce laws, investigate, provide advice and so on.

Typical agencies include the following:

- **Enforcement Agencies/Labour Inspectors**

In many countries, the government may delegate health and safety enforcement to a special agency. Such an agency is effectively the health and safety police. Individual inspectors working for the enforcement agency will have statutory powers granted to them so that they can carry out their enforcement functions. In some circumstances, they may be, or enlist the aid of, the police.

- **Fire Authorities**

Fire authorities often have a role to play – either in enforcing specific aspects of fire legislation, or simply acting as advisers to employers regarding fire safety.

REVISION QUESTIONS

1. In the context of health and safety, what is meant by:
 - (a) Health?
 - (b) Safety?
 - (c) Welfare?
2. Define:
 - (a) An accident.
 - (b) A dangerous occurrence.
 - (c) A near-miss.(Suggested Answers are at the end.)

The Reasons for Practising Good Standards of Health and Safety

KEY INFORMATION

There are three main reasons for practising good standards of health and safety:

- **Moral reasons** – it is morally unacceptable for people to be injured while at work.
- **Legal reasons** – most countries have laws that place responsibilities on organisations and individuals with regard to health and safety.
- **Financial reasons** – poor health and safety can result in high costs to the business – both financial (e.g. cost of repairs, lost production, fines, etc.) and non-financial (e.g. loss of public image).

The responsibility for health and safety at work rests primarily on the shoulders of the employer. It must, therefore, be a priority for management to ensure that appropriate measures and practices are in place to create safe working conditions. This responsibility is placed on employers because of the focus of most health and safety legislation. However, there are also compelling moral and financial reasons for employers to be concerned with health and safety.



Workplace injury

MORAL

The Numbers of Work-Related Fatalities, Injuries and Incidence of Ill Health

The introduction of legislation, together with an extensive programme of publicity and advice on accident prevention, has brought about a consistent reduction in the number of both fatal and non-fatal accidents at work. However, there continues to be an unacceptably high toll in terms of death, injury and financial loss associated with incidents in the workplace.

TOPIC FOCUS

The following figures, which are based on statistics compiled by the UK Health and Safety Executive, help to illustrate the extent of the problem in the UK. Each year, on average:

- 150 employees are killed at work, a rate of 0.5 per 100,000 employees.
- 250,000 other injuries to employees are reported – a rate of 610 per 100,000 employees.
- 28 million working days are lost:
 - 24.6 million as a result of work-related ill-health.
 - 4.7 million as a result of workplace injury.
- 1.1 million people are suffering from an illness they believe was caused or made worse by their current or past work.
- 2,000 people die of mesothelioma, and thousands more from other occupational cancers and lung diseases.

All of the above statistics come with a cost attached - failures in health and safety can be extremely costly.

Remember that these figures apply to the well-regulated UK working environment. The figures may be higher in countries which are less well-regulated.

The Reasons for Practising Good Standards of Health and Safety



Fishing is one of the highest-risk employment sectors

LEGAL

The Inclusion of Health and Safety in National Law

Acceptable standards of health and safety are not simply a moral obligation. There are also legal requirements to be met in the form of statute law.

GLOSSARY

STATUTE LAW

The written legal standards of a country.

As we have seen, the responsibility for health and safety at work rests mainly on the employer. Management must ensure that appropriate measures and practices are in place to create safe working conditions in order to comply with the law. However, there will also be other parties who have legal duties for ensuring acceptable health and safety standards in a workplace. For example, individual workers are often assigned a legal duty to take reasonable care of their own health and safety and the health and safety of others who might be affected by their actions.

A breach of health and safety legislation is usually a criminal offence – whatever part of the world you are in. As a result, a company may face heavy fines. It is not uncommon to hold individuals within companies to be responsible and actually imprison them, or levy a personal fine on them.

GLOSSARY

CRIMINAL LAW

A legal standard, which, if breached, is considered a “crime” and may result in prosecution as a punishment.

In addition, civil liability may also arise. Civil liability arises, mainly, from a breach of the duty of care owed to others under the law. As a result, compensation may be payable for injuries sustained. In terms of health and safety, the most important civil liability arises as a result of negligence.

GLOSSARY

CIVIL LAW

A branch of law established to create a route for compensation for injured parties.

An example of health and safety being enshrined in national statute law is the UK’s **Health and Safety at Work, etc. Act 1974**.

TOPIC FOCUS

In the UK, the **Health and Safety at Work, etc. Act 1974** requires that an employer must ensure reasonable standards of health, safety and welfare at work for his employees and for all other people who might be affected by the employer’s activities. It also recognises that many other parties have a part to play in ensuring acceptable standards in the workplace, and places duties on individual workers (including supervisors and managers), landlords of workplaces and designers, manufacturers and suppliers of equipment and substances used for work.

A detailed understanding of this Act is not required for the course, but an understanding of the principle at work is.