

Health and Safety Management Systems: Management Briefing

Key Considerations

Taking a responsible approach to Health and Safety management not only reduces the risk of accidents, injury and ill health, but can bring significant business benefits to an organisation. Despite this, organisations can fail to manage their health and safety effectively.

Statistics published by the UK Health and Safety Executive (HSE) reveal that during 2011-2012:

- 27 million days were lost overall (on average each person suffering took 17 days off), 22.7 million due to work-related ill health
- 150 workers were killed at work, a rate of 0.5 per 100,000 workers
- 114,000 other injuries to employees were reported, 24,000 of which were major and some of which could have had the potential to be fatal injuries
- 1.1 million people who worked during the last year were suffering from an illness they believed was caused or made worse by their current or past work, 452,000 of which started in that year.

In addition to the risk of breaches in legislation, prosecution, fines and lost productivity, organisations also face the risk of rising operating costs, insurance premiums and civil litigation.

Recommendations for Employers

An Occupational Health and Safety Management System (OHSMS) promotes a safe and healthy working environment. It can help an organisation to manage staff related risks to health and safety in the workplace, enabling greater control of insurance costs and improved performance from its existing business practices.

Case Law

There is no specific case law relating to management systems generally; however an effective management system gives an organisation the means to achieve all its legal compliance aims in health and safety. This is the most effective way to avoid liability and potential litigation.

Legal Duties

The Health and Safety at Work etc Act 1974 places a duty on employers to protect the health, safety and welfare of their employees and other people who might be affected by their business.

The Management of Health and Safety at Work Regulations 1999 require employers to develop and implement appropriate arrangements for effective planning, organisation control, monitoring and review of preventative measures.

The Corporate Manslaughter and Corporate Homicide Act 2007, enables a corporate organisation to be prosecuted for corporate manslaughter where a person's death is caused as a result of the organization falling far short of the standard that can be reasonably expected. In order to be prosecuted, it must be demonstrated that a substantial element of the breach was due to the failure of the senior management of the organisation. An effective health and safety management system, properly implemented, is a good way of demonstrating that the organisation's senior management have an effective system for managing health and safety.

Employers must do whatever is reasonably practicable to ensure the health and safety of their employees and those affected by their activities. This means making sure workers and others are protected, to the extent that is reasonable and possible, from anything that may cause harm, effectively controlling any risks to injury or health that could arise in the workplace.

Standards Available

There are no recognised International Organisation Standardisation (ISO) certifiable standard for occupational health and safety management. ISO has historically been wary of becoming involved in occupational health and safety. The following standards however, are recognised in the UK and Europe.

BS OHSAS 18001:2007:

- affords a model on which to base a systematic approach to managing health and safety within a whole business
- guidance is contained in the accompanying publication BS OHSAS 18002:2008
- BS OHSAS 18001 can be effectively aligned and integrated with other popular standards such as BS EN ISO 9001 (Quality) and BS EN ISO 14001 (Environment).

HSG 65:

- UK HSE (Health & Safety Executive) guidance is aimed with providing guidance and advice on good practice in health and safety management. The guidance was revised and reissued in 2013
- it explains how great the human and organisational losses can be when health and safety risks are not properly controlled
- it raises the importance of related issues including leadership, employee involvement and other aspects that are often grouped under the heading of health and safety “culture”
- HSG 65 is not an approved code of practice (ACOP) and does not provide detailed requirements for compliance with legal requirements
- HSG 65 is well known for describing the “Plan, Do, Check Act” model for managing health and safety.

ILO OSH:2001:

- developed by the International Labour Organization (ILO) these guidelines call for coherent policies to protect workers from occupational hazards and risks while improving productivity
- they present practical approaches and tools for assisting organisations, competent national institutions, employers, workers and other social partners in establishing, implementing and improving occupational safety and health management systems
- aligns closely with HSG 65, but has greater emphasis on employee involvement
- reflects the European emphasis on worker involvement.

Disclaimer

These example Director's Briefings are provided by Hettle Andrews for general guidance on matters of interest. In making these documents available to a general and diverse audience it is not possible to anticipate the requirements or the hazards of any subscriber's business. Users are therefore advised to carefully evaluate the contents. Hettle Andrews does not accept any liability whatsoever for injury, damage or other losses which may arise from reliance on this information and the use of these documents.

Copyright of these documents remains with Hettle Andrews and whilst subscribers are permitted to make use of them for their own purposes, permission is not granted for resale of the intellectual property to third parties.