

# Shaw Trust Direct Payments Support Services

## Information Sheet 3: Introduction to Health and Safety Awareness

### Sheet Outline:

- Introduction to Health and Safety Awareness
- The law and how it affects you
- Sourcing further information

### Outcome:

- To increase awareness of Health and Safety issues

## Introduction to Health and Safety Awareness

When a Personal Assistant comes into your house, you both take on responsibility for Health and Safety:

- It is your responsibility to provide a healthy and safe work place for your Personal Assistant and not to do anything, or ask them to do anything, which may cause harm
- It is your Personal Assistant's responsibility not to do anything which might endanger your or their safety. They must report anything that may in their opinion cause harm in the future.

Health and Safety affects everyone – it is part of the many things that happen in your home during the day: reaching for something, boiling a kettle, cutting food, using cleaning products, just moving around the house – all of these activities could result in an accident. However, increasing awareness of Health and Safety and using common sense usually results in the avoidance of anything untoward.

*“As a general principle, local councils [DPSS] should avoid laying down health and safety policies for individual direct payment recipients.”*

*(DOH Guidance pg. 24)*

This means that we will not be able to provide you with policies and procedures however this Information Sheet is intended to introduce the subject of Health and Safety and signpost you towards information from the Health and Safety Executive.

# The Law and How it Affects You

Health and Safety is about preventing people from being harmed or becoming ill by work by taking the right precautions and by providing a satisfactory working environment.

## Why are there Health and Safety laws?

Health and Safety at work is so important that there are rules which require all of us not to put ourselves or others in danger. The law is also there to protect the public from workplace dangers.

## Do Health and Safety laws apply to me?

Yes. Health and Safety law applies to all businesses, (however small) and to all employees including the self employed. A lot of this legislation is applicable to Personal Assistant employers and you should seek guidance from a health and safety professional in order to establish how best to comply with the legislation.

Free guidance can be obtained from the Health and Safety Executive via their website [www.hse.gov.uk](http://www.hse.gov.uk)

## What is the Health and Safety Executive?

The Health and Safety Executive (HSE) is a government organisation that works to protect the health, safety and welfare of workers by enforcing health and safety law across the country and offering advice and support. This is undertaken in association with the Environmental Health Department of your local council who will also offer you impartial advice and guidance.

Health and Safety law places specific responsibilities on both employers and employees eg: it is up to the employer to provide a safe place in which to work, but the employee also has to show reasonable care for his or her own safety as well as those who may be affected by their actions.

The settings in which you employ a Personal Assistant are generally covered by the Health and Safety at Work Act 1974 (HASAWA). This Act has been updated and supplemented by many sets of regulations and guidelines which extend it support it or explain it. The regulations most likely to affect you are:

- Manual Handling Regulations 1992
- Health and Safety First Aid Regulations 1981
- Management of Health and Safety at Work Regulations 1999

- Control of Substances Hazardous to Health Regulations 2002 (COSHH)
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)

NB: This is not an exhaustive list and is provided for information purposes only. Before making any decisions as to what does or does not apply to your personal situation you should seek professional advice as other regulations may also apply.

## **What Do I Need to Do?**

As an employer you will need to ensure that your workplace is safe and that the risks associated with operating within your workplace are reduced to their lowest possible level. To do this you will need to carry out a risk assessment (or indeed a series of risk assessments) which will identify:

- the hazards that are present
- what the risks are in relation to these hazards
- what control measures are required in order to minimise these risks

You and your employee have a shared responsibility for maintaining a safe working environment which basically means that you both have a duty to continually share information and where needed review, modify or change your current risk assessments.

Further advice and guidance as to how to complete a risk assessment can be obtained from the HSE (a link is provided at the end of this document under the heading 'Risk Assessment')

## Sourcing Further Information

The Health and Safety Executive has published a series of free leaflets and booklets which provide information and guidance about Health and Safety. Ask your Support Officer for support with accessing these resources.

### General Health and Safety

#### *“Health and Safety Law What You Should Know”*

This leaflet is primarily aimed at employees, but gives a good overview of employers and employees duties.

#### *“An Introduction to Health and Safety”*

This is a detailed booklet that covers major health and safety risks and could help you decide if an issue is relevant to you. It also provides a ‘fill-in-the-blanks’ Health and Safety Policy and Risk Assessment.

These can be downloaded free of charge from [www.hsebooks.com](http://www.hsebooks.com) or by following links from [www.hse.gov.uk](http://www.hse.gov.uk).

### Risk Assessment

#### *“Five Steps to Risk Assessment”*

This gives a detailed overview of doing risk assessments, and has a ‘fill-in-the-blank’ risk assessment included. This can be provided by the DPSS or downloaded from [www.hsebooks.com](http://www.hsebooks.com) or by following links from [www.hse.gov.uk](http://www.hse.gov.uk).

### Home Working

#### *“Home Working”*

This leaflet gives guidance to employers and home workers on the health and safety issues involved in home working. This can be provided by the DPSS or downloaded from [www.hsebooks.com](http://www.hsebooks.com) or by following links from [www.hse.gov.uk](http://www.hse.gov.uk).

### Fire Safety

#### *“Twelve steps to prevent a fire in your home”*

#### *“Fire safety for people with sight, hearing or mobility difficulties”*

These are useful government leaflets about Fire Safety and include many relevant points. These booklets and other related information, can be downloaded from [www.firekills.gov.uk](http://www.firekills.gov.uk).

## Manual Handling

*“Getting to grips with Manual Handling”*

This booklet explains the problems associated with manual handling and sets out best practice in dealing with them. The advice is intended for managers of small firms or similar organisations but the general principles are relevant to all workplaces. This can be downloaded free of charge from [www.hsebooks.com](http://www.hsebooks.com) or by following links from [www.hse.gov.uk](http://www.hse.gov.uk).

## First Aid

*“First Aid at Work – Your Questions Answered”*

This short leaflet explains your First Aid responsibilities as an employer, and includes a useful list of what items may be held in a first aid box.

*“Basic Advice on First Aid at Work”*

This leaflet contains basic advice on first aid for use in an emergency. It is not a substitute for effective training.

These can be downloaded free of charge from [www.hsebooks.com](http://www.hsebooks.com) or by following links from [www.hse.gov.uk](http://www.hse.gov.uk).

## Food Hygiene

*“Food Hygiene – A Guide for Businesses”*

This may be of help if your personal assistants are involved in food preparation. This can be provided by the DPSS or downloaded from [www.food.gov.uk](http://www.food.gov.uk).

## Smoking in the Workplace

Website: [www.hse.gov.uk/contact/faqs/smoking.htm](http://www.hse.gov.uk/contact/faqs/smoking.htm)

This contains downloaded information from the Health and Safety Executive (HSE), together with a number of other contacts, about smoking in the workplace. The DPSS can send you a copy, or the information can be accessed on the above website.