

Health and Safety in Work

Every employer with 5 or more employees has a statutory obligation to prepare and keep up to date a "written statement of his general policy with respect to health and safety at work of his employees and to bring the statement and any revision of it to the notice of all his employees" (Health and Safety at Work (NI) Order 1978).

All employers, regardless of the number of employees are obliged:

- to provide an "approved leaflet" or display an approved Health and Safety Law poster at a place reasonably accessible to employees whilst at work or to provide a leaflet outlining Health and Safety laws to each of their employees
- to provide "... such information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health and safety at work of his employees" (Health and Safety at Work (NI) Order 1978). In addition the Management of Health and Safety at Work Regulations (NI) 2000 requires that "every employer shall ensure that his employees are provided with adequate health and safety training".
- to carry out a "*risk assessment for the purpose of identifying the measures*" required to comply the relevant statutory provisions (Management of Health and Safety at Work Regulations (NI) 2000. There are special risk assessment (and other) provisions in relation to new and expectant mothers.
- to "establish and give effect to appropriate procedures to be followed in the event of serious and imminent danger to persons at work in his undertaking", which would no doubt include fire, terrorist attacks and bomb threats (Management of Health and Safety at Work Regulations (NI) 2000)

An employer must consult an employee or their safety representative on matters relating to health and safety at work such as:

- any change which may substantially affect an employees health and safety at work, e.g. procedures, equipment or working methods
- arranging for competent people to help satisfy health and safety laws



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- giving information on the likely risks and dangers arising from work, measures to reduce or eliminate these risks and how to react with a risk or danger
- the planning of health and safety
- the health and safety consequences of introducing new technology

Generally an employer's duties include:

- making the workplace safe and without risks to health
- ensuring plant machinery are safe and that safe systems of work are set and followed
- ensuring articles and substances are moved, stored and used safely

- providing adequate welfare facilities
- giving employees the information, instruction, training and supervision necessary for your health and safety

There is a specific statutory duty on employers to carry out a risk assessment in respect of pregnant women and new mothers (Management of Health and Safety at Work Regulations (NI) Order 2000). If a particular risk is found in respect of any individual, the employer must, if it is reasonable to do so, and would avoid the risk, alter her working

conditions or hours of work; and if that would not be reasonable the employer must suspend her from work.

The duties imposed by Health and Safety at Work (NI) Order 1978 are statutory duties separate from and in addition to all employers' common law general duty to provide employees with a safe working environment.

Employers must report all work-related health and safety incidents specified in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR).