

IOSH Managing Safety

Study notes

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MODULE1 - Introducing managing safely



The key learning points that we would be discussing in the module are:

- The three key moral, legal and financial reasons for managing safely
- Manager responsibility and accountability for safety and health in the workplace

What is the definition of the term Accident?

An unfortunate incident that happens unexpectedly and unintentionally, typically resulting in damage or injury.

Now in order to understand the importance of managing safely lets do it in a small example:-

Think about a serious accident in your workplace that had occurred recently. Think about how it had impacted your organisation.

There are three fundamental reasons for an organisation to manage health and safety risk:

- Moral
- Legal
- Financial

Moral

Moral reasons are based on the concept of an employer owing a duty of reasonable care to his employees. An employee does not expect to risk life and limb, or physical health as a condition of employment.

It is unacceptable to place employees in situations where their health and safety is at risk. Statistics relating to accidents/incidents and ill- health help to reinforce the message that health and safety should be effectively managed. In addition to the obvious duties owed by an employer to his workers, he also has a moral obligation to protect other people whose health and safety may be affected by his undertaking, e.g. contractors or members of the public.

Legal

Over the years many moral obligations have been turned into health and safety law. For example the International Labour Organization's (ILO) Occupational Safety and Health Convention 1981, C155 identifies some basic general legal duties of employers towards their employees in Article 16:

1. Employers shall be required to ensure that, so far as is reasonably practicable, the workplaces, machinery, equipment and process under their control are safe and without risk to health.
2. Employers shall be required to ensure that, so far as is reasonably practicable, the chemical, physical and biological substances and agents under their control are without risk to health when the appropriate measures of protection are taken.
3. Employers shall be required to provide, where necessary, adequate protective clothing and protective equipment to prevent, so far as reasonable practicable risk of accidents or of adverse effects on health.

There are strong legal reasons for employers to manage risk:

- Preventive – enforcement notices can be issued by enforcement inspectors
- Punitive – where the criminal courts impose fines and imprisonment for breaches of legal duties. These punishments can be given to the company or to individuals within the company.
- Compensatory – where employees are able to sue in the civil courts for compensation.

Financial

Accidents and ill-health are costly. These costs may be calculable arising directly from the accident, such as sick pay, repairs to damaged equipment, fines and legal fees, or more difficult to assign a monetary value to such as lost orders and business interruption. Obtaining realistic cost estimates of the impact of more subtle items such as loss of morale (leading to lower productivity) and loss of good will / public image (resulting in lower sales) may be next to impossible.

All employees are required to have certain types of insurance against accidents, ill-health or other problems, such as:-

- Employers liability insurance
- Public liability insurance
- Motor vehicle insurance

These insurances will cover some of the costs of accidents and ill-health, e.g. compensation claims from employees and damage to motor vehicles. However, many of the costs cannot be insured against.

Some of the costs that cannot be insured are:

- Product and material damage
- Lost production time
- Legal costs
- Overtime and other temporary labour costs to replace the injured worker
- Time spent in investigating accidents
- Fines from criminal prosecution
- Loss of highly trained and / or experienced staff
- Bad publicity leading to loss of contracts and / or orders

There are clearly financial benefits to be gained from positive health and safety management. Employers with good health and safety management systems in place are likely to save substantial sums on the costs of accidents that would otherwise have happened.

Roles and Responsibilities

Responsibility for ensuring that the workplace is safe and free of health risk rests with the employer. As we noted earlier, the ILO Convention C155 and Recommendation R164 make the duty of the employer clear.

Directors and Senior managers have a duty to ensure that their organization's meets this obligation. In particular they are responsible for setting up policy and allocating resources to allow that policy to work effectively – this includes the provision of competent health and safety advisors. They must demonstrate clear commitment and leadership. Which usually includes appointing a senior manager with responsibility for health and safety.

Middle Managers and Supervisors have a duty to ensure that the part of the organisation under their control is safe and free of health risk. Safety specialist are responsible for giving correct advice and guidance to the organisation and its workers. Workers have a duty to take reasonable care of their own health and safety and the health and safety of others.

Controllers of premises are responsible for ensuring that the premises that they control are safe to use as a workplace and that access to and from the workplace is safe. The self-employed have a duty to take reasonable care of their own health and safety and the health and safety of others.

Contractors are responsible for their own safety and the safety of others who their work might affect. Clients are also responsible for ensuring that the contractors they engage are competent and supervised.

Benefits of Managing Health and Safety Properly

- Enhance your reputation
- Increase your business profit
- Reduce waste and lower insurance premium

- Maintain a healthy, happy workforce.

Remember managing health and safety is an integral part of your job and not an addition to your job.