

# Health and Safety

## Why do we need a Health and Safety Policy?

It is good practice, and sometimes a legal requirement or a funders requirement, that organisations have in place a Health and Safety Policy. The policy should do the following

- ⊙ Help to prevent accidents
- ⊙ Help to prevent legal actions brought against the organisation
- ⊙ To reduce the insurance premiums
- ⊙ To maintain a safe and efficient working organisation

## Health and Safety at Work Act

The Health and Safety at Work Act 1974 is the main general piece of health and safety law and provides a framework under which more detailed regulations are made. The act is written in very general terms and sets out employers' general duties to ensure the safety, health and welfare at work of their employees and others who may be affected by the work. It also sets out what employees, and others such as manufacturers and suppliers, must do. Health and Safety Executive (HSE) provides guidance on how to comply with regulations

## What should be in a Health and Safety Policy?

<b>Policy Statement</b>	a simple paragraph of approx. 2 or 3 sentences about what you will do to address health and safety and how you will do this.
<b>Organisation and Responsibilities</b>	Should outline the responsibilities of the organisation as a whole including those of the trustees etc.
<b>Safety Officer and their Responsibilities</b>	Should appoint the person responsible for implementing, monitoring and updating the policy on a regular basis and the person to whom any health and safety issue should be reported.
<b>Reporting Accidents</b>	All health and safety issues should be reported in an official capacity to the Safety Officer, who will investigate and keep a record of any incidents.
<b>Fire Evacuation Procedures</b>	All staff must be aware of the procedure for evacuation in the event of fire. It is a good idea to have this displayed on an obvious wall as well as in the policies and procedures document.
<b>Good Housekeeping</b>	All staff should be made aware of behaviour around the office that can lead to health and safety issues and be informed of how to prevent likely accidents.
<b>Electrical Equipment</b>	All electrical equipment should be made safe and checked regularly and measures should be taken to prevent equipment from becoming unsafe. This is likely to be the responsibility of the Safety Officer.

There may be other elements of health and safety that should be included depending on the size and activities of the organisation. You should refer to the Health and Safety at Work Act to get more details on what else you might need to include.

### Get more info

For more guidance on what policies and procedures you should have and guidance on putting them in place go to 4H [www.volresource.org.uk](http://www.volresource.org.uk)  
For more information on the Health and Safety at Work Act go to Her Majesty's Stationery office at 5H [www.hmsso.gov.uk](http://www.hmsso.gov.uk)  
For advice on Health and Safety ring HSE Information Line: 0541 545500  
B:STRONG Capacity Building organisation: 0121 464 2550

## Insurances

*Do we need insurance for our group?*

In order to protect your group from legal claims against you, you will need to have in place some liability insurance. Just as with any other insurance, liability insurance means that should anyone either someone involved in the organisation or a member of the public, sue you group the insurance company will take on the risk and respond to any allegations of legal liability against their clients. It is also good practice for groups to have in place Buildings and Contents insurance and to make sure that this covers all equipment owned by the group.

*How do we get insurance for our group?*

Insurances can be put in place through any normal insurance company. It is important though, to ensure that, as a voluntary organisation, you are covered without it costing too much in premiums.

Paul Eden from MCIS Group suggests the following ways that you as a group can try and bring down your liability insurances

- ⊙ Ensure that Health and Safety, Risk Assessment and Risk Management are in place and are kept up to date and relevant.
- ⊙ Make the insurer aware of any accreditations that the organisation has got including Investors in People, qualifications of staff etc.
- ⊙ Make sure that the insurer is aware of the differences between the voluntary and commercial sector and different risks that this presents.
- ⊙ Ensure that they understand the organisations activities including work with volunteers, day to day activities and fundraising.
- ⊙ Pass off risks to other organisations where possible e.g. use a professional organisation to manage and insure events.
- ⊙ Be prepared to consider changing your approach in some areas if it will have a possible effect on the insurance but will not affect the organisations core activities.

*Get more info*

For other suggested insurers go to the National Council for Voluntary Organisations website at 2H [www.ncvo-vol.org.uk](http://www.ncvo-vol.org.uk)

For more guidance on setting up policies and procedures and Risk Assessment, go to 3H [www.volresource.org.uk](http://www.volresource.org.uk)

## Risk Assessment

A risk assessment is nothing more than a careful examination of what, in your organisation, could cause harm to people, so that you can weigh up whether you have taken enough precautions or should do more to prevent harm. Risks assessments can form part of your health and safety policy and could also help to reduce your insurance costs. Guidelines to risk assessments are included in Appendix 8 and 9.

## Equal Opportunities

What is an Equal Opportunities Policy?

A written document, which sets out how an organisation ensures that everyone within its remit, has equal access to its services and is treated fairly. The policy should set out both the principles behind the group's policy and practical steps it will take to implement it. Each group should develop its own policy according to its individual circumstances, so that it can be used as a tool to eliminate both direct and indirect discrimination and to ensure that the group/organisation is doing what it sets out to do. An example of a equal opportunities is included in Appendix 7.

Who should it cover?

The policy should be wide ranging, including areas such as ethnic origin, religious belief, disability, gender, marital status, income level, age and sexuality.

What should it cover?

- ⊙ **Membership** – the group should make sure everyone who is eligible for membership finds it easy to join. For example a group for all women should be welcoming to disabled women, black women and lesbians amongst others.
- ⊙ **Services** – the group should ensure there is equal access to services, taking into account the different needs of users such as mobility or dietary requirements.
- ⊙ **Employment** – the group should ensure equality of opportunity in the recruitment, training and employment of paid staff, volunteers and management committee members. Good employment practices, such as written grievance and disciplinary procedures, should be included.
- ⊙ **Reviewing the policy** – the policy should be reviewed regularly to make sure it is effective and up to date. The group should keep information on who uses the service to help with the reviews. This could include numbers of users, their gender, age and ethnic group. Users should be encouraged, but not forced; to give information and all details must be completely confidential.
- ⊙ **Publicity** – consideration should be given to making information about the group available to people with different needs. For example, publicity might be made available on tape, in different languages or in Braille.
- ⊙ **Discrimination/harassment** – there should be a procedure for dealing with and monitoring incidents or allegations of discrimination and harassment. Discrimination is where a person or organisation prevents or makes it difficult for someone to access a job or service because, for example, of their disability or race. Harassment is behaviour which prevents someone for doing their job or using a service e.g. a man who makes persistent unwanted sexual advances to a woman which might make her feel so uncomfortable she resigns from a management committee or leaves a group

## Complaints Procedure

*How do we write a Complaints Procedure for our Organisation?*

The complaints procedure should be produced and verified by your management committee or Board of trustees because, in most cases it will be they who are responsible for dealing with any complaints that are registered against the organisation. Service users should be made aware that there is a policy and procedure in place as soon as possible after they come into contact with the organisation. Complaints Procedures will differ between organisations and the format and procedure is up to the committee or Board of Trustees but, generally, should normally cover the following areas:

- ⊙ How does a service user make a complaint? Does it need to be in writing or is a verbal complaint regarded as formal?
- ⊙ How is the complaint registered? A register should be kept, updated and possibly signed by the person either dealing with or receiving the complaint.
- ⊙ Who is the complaint dealt with by and how long do they have to respond?
- ⊙ What happens if the complainant is not satisfied with the response, who does the complaint then go to?

Normally, the last part of the cycle is repeated until either the complainant is satisfied with the response or the complaint is referred to the furthest point that it can be, usually the Board or arbitration. At the end of the procedure there should be a statement to say that the decision at this last stage is final.

The procedure should also include an opportunity for the complainant to have an advocate.

Depending on the nature of your organisation, your complaints procedure may be influenced by other organisations, for example, an organisation that you're delivering a service on behalf of. They may already have a complaints procedure that they wish you to adhere to so check in your contract or service level agreement before producing your own.

*Get more info*

ACAS aims to improve organisations and working life through better employment relations and solve problems and improve performance. They are available on 1H [www.acas.co.uk](http://www.acas.co.uk) or 08457 47 47 47

## Grievance and Personal Harassment Procedures

What is a grievance?

Grievances arise when a member of staff or an employee feel unhappy with the actions of another member of staff or volunteer. It is good practice for all organisations to have in place a procedure to deal appropriately with such instances. Grievances are normally highlighted as a result of one of the following:

- ⊙ Inconsistent application of the rules of the organisation
- ⊙ Pay and Conditions
- ⊙ Style of Management
- ⊙ Issues between work colleagues including personal harassment

Where possible, organisations should encourage informal discussion to resolve any grievances that are brought to light. However, if gross misconduct is alleged then formal procedures must be used immediately. If the employee wishes the grievance to be formally recorded and investigated they should make this clear at the outset. It should be made clear to the employee that they have the right to be accompanied through the procedure by someone of their choosing.

Procedures are similar to those in the Complaints Procedure and should include the necessary steps in dealing with a grievance:

- ⊙ How does an employee/volunteer register a grievance? Does it need to be in writing or is a verbal complaint regarded as formal?
- ⊙ Who is the grievance dealt with by and how long do they have to respond?
- ⊙ What happens if the complainant is not satisfied with the response, who does the grievance then go to?

Again, this last part of the cycle is repeated until the complainant is satisfied with the response/action or the grievance has reached the furthest point that it can, normally the Board or ACAS and they should be made aware that whatever decision given is final. Depending on the grievance and the result of the investigation, the person to whom the grievance is directed, may then need to receive disciplinary action; for this the organisation will have to have in place a Disciplinary Procedure.



## Disciplinary Procedure

What is a Disciplinary Procedure?

A Disciplinary Procedure is designed to enforce rules of conduct and behaviour at work. This includes behaviour towards other workers, adherence to policies (including equal opportunities) and work performance. When drawing up a disciplinary procedure, it may be useful to follow the ACAS code of practice on disciplinary practice and procedures, which says that procedures should:

- ⊙ Be in writing
- ⊙ Specify to whom they apply
- ⊙ Provide for matters to be dealt with without undue delay
- ⊙ Provide for proceedings, witness statements and records to be kept confidential
- ⊙ Indicate the disciplinary actions that may be taken
- ⊙ Specify who has the authority to take the various forms of disciplinary action
- ⊙ Provide for workers to be informed of the complaints against them and, where possible, all relevant evidence before any hearing
- ⊙ Give workers an opportunity to state their case before decisions are reached
- ⊙ Give worker the right to be accompanied
- ⊙ Ensure that, except for gross misconduct, no worker is dismissed for a first breach of discipline ensure that no disciplinary action is taken until the case has been carefully investigated
- ⊙ Ensure that workers are given an explanation for any penalty imposed
- ⊙ Give a right of appeal – normally to a more senior manager – and specify the procedure to be followed.

Within the procedure it should make clear, and include examples where possible, the rules covering:

- ⊙ Unsatisfactory Conduct
- ⊙ Misconduct
- ⊙ Serious Misconduct
- ⊙ Gross Misconduct

The procedure should also include details of the Period of Warnings, which explains how long it is before verbal, written and formal warnings are disregarded.

## Data Protection

Generally, most organisations that keep information on other groups or individuals needs to register with the Data Protection Act, however, some organisations are exempt. To check whether or not you need to apply you can go onto the website and complete a questionnaire that will tell you whether or not you need to register on [www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk) this site will also guide you through actually registering.

## Example of Equal Opportunities Policy (The Organisation)

The (organisation) include a brief description on your group's aims and objectives.

Within this framework, the (organisation) is committed to equality of opportunity for all young people.

Accordingly:

- a. The (organisation) is committed to extending its aims, its purpose and method to young people in all parts of society.
- b. No young person should receive less favourable treatment on the basis of, nor suffer disadvantage by reason of:
  - class;
  - ethnic origin, nationality (or statelessness) or race;
  - gender;
  - marital or sexual status;
  - mental or physical ability;
  - political or religious belief.

### **Staff and volunteers**

To carry out its work (organisation) seeks to appoint effective and appropriate staff/ volunteers, all of whom are required to accept fully the responsibilities of their commitment. The overriding considerations in making all appointments for (organisation) shall be the safety and security of young people, and their continued development in accordance with the purpose of the (organisation).

Accordingly, all those whom the (organisation) accepts as volunteers must be 'fit and proper' persons to undertake the duties of the particular position to which they have been appointed and, where appropriate, uphold the responsibilities of such position.

In making an appointment to a particular post, be it management or a support position it may be appropriate to consider the gender and/or ethnicity of the potential appointee, in particular to ensure appropriate needs and circumstances are allowed for.

The physical and mental ability of a particular potential appointee to fulfil a particular role will always be a relevant factor to consider.

Within these constraints, and those imposed by the need to ensure:

- the safety and security of young people;
- the continued development of young people; and
- equal opportunities for all;

No person volunteering their services should receive less favourable treatment on the basis of, nor suffer disadvantage by reason of:

- age
- class;
- ethnic origin, nationality (or statelessness) or race;
- gender;
- marital or sexual status;
- mental or physical ability;
- political or religious belief.