

# HEALTH AND SAFETY AT WORK ACT 1974

The Health and Safety at Work Act 1974 is the main piece of legislation under which nearly all the other regulations are made. It is for this reason that only this piece of legislation is specifically referred to in this Unit.

Employers have a legal duty under this Act to ensure, so far as is reasonably practicable, the health, safety and welfare at work of the people for whom they are responsible and the people who may be affected by the work they do.

Under this Act it is also important to be aware that all people at work, not just employers, have a duty to take reasonable care to avoid harming themselves or others through the work they do.

Risks should be reduced "so far as is reasonably practicable". This term means the duty-holder (in most instances the employer) can balance the cost against the degree of risk although obviously any Health and Safety Inspectors would expect that relevant good practice is followed.

## **According to the Act:**

Employers must safeguard so far as is reasonably practicable, the health, safety and welfare at work of all the people who work for them and "other person". This applies in particular to the provision and maintenance of safe plant and systems of work, and covers all machinery, equipment and substances used.

People at work also have a duty under the Act to take reasonable care to avoid harm to themselves or to others by their working practices, and to co-operate with employers and others in meeting statutory requirements. The Act also requires employees not to interfere with or misuse anything provided to protect their health, safety or welfare in compliance with the Act.

## **Other Legislation**

There is an array of health and safety regulations and codes of practice which affect people at work. There are regulations for those who, for example, work with electricity, or work on construction projects, as well as regulations covering noise of work, manual handling, working with VDUs, or dealing with substances hazardous to health, etc. The specific requirements for all or any of these can be obtained from HSE local offices.

As many of the regulations are only relevant to certain workplaces or working practices no specific reference has been made in the Knowledge Requirements to any of these regulations. The phrase "your responsibilities for health and safety as required by any specific legislation covering your job role" is intended to relate to those specific pieces of legislation important to your workplace and/or working practices which you should be able to find out about.

The Health and Safety Executive (HSE) is the body appointed to support and enforce health and safety law.

They have defined two important concepts as follows:

**Hazard** "a hazard is something with potential to cause harm"

**Risk** "a risk is the likelihood of the hazard's potential being realised".

Almost anything may be a hazard, but may or may not become a risk. For example:

- 1 A trailing electric cable from a piece of equipment is a hazard. If it is trailing across a passageway there is a high risk of someone tripping over it, but if it lies along a wall out of the way, the risk is much less.
- 2 Toxic or flammable chemicals stored in a building are a hazard, and by their nature may present a high risk. However, if they are kept in a properly designed secure store, and handled by properly trained and equipped people, the risk is much less than if they are left about in a busy workshop for anyone to use - or misuse. •
- 3 A failed light bulb is a hazard. If it is just one bulb out of many in a room it presents very little risk, but if it is the only light on a stairwell, it is a very high risk. Changing the bulb may be a high risk, if it is high up, or if the power has been left on, or low risk if it is in a table lamp which has been unplugged.
- 4 A box of heavy material is a hazard. It presents a higher risk to someone who lifts it manually than if a mechanical handling device is properly used.

