

A Short Guide to Managing Health and Safety at Work in the Health and Social Care Sector

Our vision:

**Healthy, safe and
productive lives
and enterprises**

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Introduction

This short guide is intended for employers, managers and supervisors of health and social care services. It provides guidance on the key elements of health and safety management in the health and social care sector.

The Safety, Health and Welfare at Work Act 2005 (hereinafter referred to as the Act) sets out the main legal provisions for safeguarding employees and those that may be affected by work carried out at the place of work. Employees can include fixed-term and temporary employees, part-time employees, agency staff, locums, and students receiving training or work experience at the health and social care facility. Employers need to be clear about the employment status of all employees, as they have specific duties to their employees. The Act places duties on employers and employees.

Duties of the employer

The employer (the term includes self-employed persons) is required to manage health and safety in the workplace and to ensure so far as reasonably practicable the safety, health and welfare of employees and others at the workplace. Section 8 of the Act outlines the duties of the employer.

The employer is responsible for providing:

- a safe place of work,
- safe systems of work,
- welfare facilities for employees,
- safety, and for preventing risks to their employees from articles or substances,
- instruction, information, training and supervision,
- plans for emergencies and dangerous situations, and
- protective equipment where it is needed.

* Please note that the above list is not exhaustive.

Duties of the employee

Under Section 13 of the Act, employees have

responsibilities to take reasonable care of themselves and other people affected by their work activities. The employee must:

- co-operate with their employer in order to enable the employer to comply with health and safety legislation,
- report hazards or hazardous activities to management,
- attend any safety and health training provided by the employer,
- take account of training and instructions given by the employer or any person acting on the employer's behalf, and
- not be under the influence of an intoxicant at work to the extent that they may endanger themselves or others.

* Please note that the above list is not exhaustive.

Managing health and safety

The Act emphasises the need for employers to manage safety, health and welfare at work in order to prevent workplace injuries and ill-health. Managing health and safety at work involves an initial review of the arrangements in place to secure the safety, health and welfare of his/her employees. It includes developing a health and safety policy which confirms the employer's and management's commitment to ensuring a healthy and safe place to work. It involves identifying standards to be achieved, how this will be done and monitoring and reviewing performance.

The basis for the management of health and safety is the written Safety Statement. The Safety Statement must be based on the identification of hazards and the assessment of risk as described in the section below on Risk Assessment.





Safety Statement

Section 20 of the Act requires that employers prepare a written programme to safeguard the safety and health of employees and other people who might be at the workplace. This written programme is known as the Safety Statement.

The Safety Statement must specify how the safety, health and welfare of employees will be secured and managed. The Safety Statement must include:

- the health and safety policy confirming the commitment of the employer and management to securing a safe and healthy place of work;
- the duties of the employer and employees with regard to health and safety;
- the responsibilities of key personnel (this must include names and the applicable job title or position with regard to safety, health and welfare, such as the responsibilities of the senior manager or director of nursing and so on; it is important to ensure that there are clear lines of responsibility and good awareness of responsibilities allocated);
- the arrangements for employee consultation and for communicating health and safety information (this should include the name(s) of the safety representative(s) and members of the safety committee, where appointed);
- emergency plans, such as evacuation procedures and arrangements for contacting emergency services;
- a written risk assessment(s), which is a key part of the Safety Statement in which work-related hazards are identified and the associated risks assessed (the control measures to eliminate or reduce the risk must also be identified and documented - refer to Risk assessment section below); and
- any other arrangements for securing safety, health and welfare at work and the resources provided in order to do so, such as arrangements for occupational health expertise, immunisation arrangements for employees, health surveillance, and arrangements for working with contractors or others who share the building.

The Safety Statement should be signed by the responsible person (for example, the employer or senior manager) and dated. The Safety Statement must be kept up to date. It should be reviewed at least annually (but more often if required), and any time there are changes at the workplace that might affect employees health and safety. The Safety Statement must be brought to the attention of all employees at the commencement of their employment and at least annually or following any amendments. The Safety Statement must also be brought to the attention of others at the workplace (such as contractors) who may be exposed to specific risks to which the Safety Statement applies.

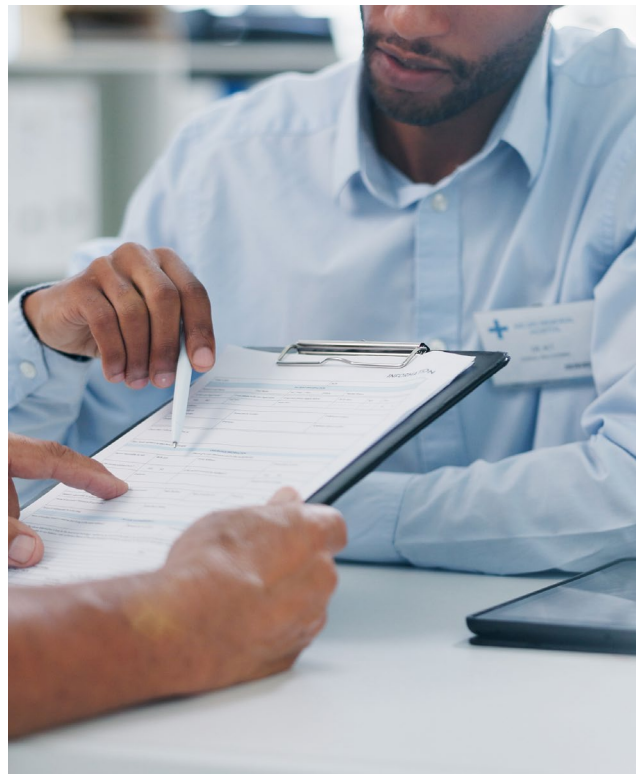
A copy of the Safety Statement, or a relevant extract from it, must be available for inspection by a HSA inspector at or near the place of work to which it relates.

Risk Assessment

Section 19 of the Act requires employers and those in control of a place of work to identify hazards and assess their risk. The employer or responsible person must identify hazards in the workplace(s) under their control and assess the risks presented by those hazards. Employers must record the risks and outline controls to reduce or remove the risk of the hazard identified. This is known as a risk assessment.

Some risk assessments may be simple and arise directly from an observation such as obstructions in the corridor creating a tripping hazard, some hazards may be more complex for example, the risks associated with certain people moving and handling activities.

A risk assessment is a written document that records the following three-step process:



Step 1: Identify the hazard(s)

The first step is to identify all the hazards in the workplace. A **hazard** is anything with the potential to cause injury or ill-health. Hazard identification should aim to proactively determine all sources, situations or acts (or a combination of these) arising from an organisation's activities. Therefore, the hazard identification process should be applied to:

- routine and non-routine activities (for example, periodic, occasional and emergency activities),
- all people who have access to the workplace (for example, service users, visitors, contractors and delivery personnel),
- human behaviour and capabilities, and other human factors,
- infrastructure, equipment and materials at the workplace (whether provided by the organisation or others), and
- the design of work areas, processes and operating procedures and their adaptation to human capabilities.

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Hazards

Hazards may be considered under the headings of physical hazards, chemical agent hazards, biological agent hazards and psychosocial hazards:

Physical Hazards	Chemical Agent Hazards	Biological Agent Hazards	Psychosocial Hazards
<ul style="list-style-type: none">• Manual handling activities involving heavy, awkward or hard to reach loads and people moving and handling.• Equipment which has been poorly maintained, is used incorrectly, or not suitable for the task.• Slips, trips and falls hazards such as wet or poorly maintained floors and steps.• Hazards associated with driving for work such as poorly maintained work vehicles.• Fire hazards such as blocked fire escape routes, poorly maintained fire fighting and fire detection equipment.	<ul style="list-style-type: none">• Chemical agents in health and social care settings may include;<ul style="list-style-type: none">- cleaning- disinfecting agents- sterilising agents- medical gases- latex- hazardous medicinal products- maintenance products e.g. adhesives,- gardening products e.g. weedkiller.• Information on hazards can be found on the product label, product data sheet and Safety Data Sheet (SDS). This information will help you to identify hazards and controls associated with the use, storage, transport and disposal of the chemical.	<ul style="list-style-type: none">• Biological agents may include any; virus, bacteria, protozoan, parasite, fungi or toxin that can cause infection or allergy e.g. exposure to blood and body fluids, exposure to airborne pathogens such as tuberculosis or Legionella.• The employer is required to carry out a risk assessment to assess any risk to the health and safety of an employee from exposure to a biological agent (actual or potential) at work.	<ul style="list-style-type: none">• Psychosocial hazards and risks may include:<ul style="list-style-type: none">- Work-related violence and aggression- Lone working- High dependency clients- Work-related stress- Bullying at work- Conflicting demands and lack of role clarity- Poor communication or lack of communication- Lack of support from colleagues or management- Job insecurity- Night work and shift work.

Step 2: Assess the risk

Risk means the likelihood that someone will be harmed by a hazard, together with the severity of the harm suffered. Risk also depends on the number of people who might be exposed to the hazard.

In assessing the risk, you should assess:

- who might be harmed and how,
- how likely it is that a hazard will cause harm,
- how serious that harm is likely to be,
- how often and how many workers are exposed, and
- the effectiveness of the control measure(s) already in place.

It is important to consider the various categories of staff who may be exposed, the service users and those who may not be in the workplace all the time, e.g. visitors, contractors, cleaning staff, students, members of the public or people who share the workplace. Consider those who may be more vulnerable such as pregnant women, people with different abilities or disabilities, new or inexperienced workers, workers whose first language is not English, night workers and shift workers, workers who have recently changed roles or jobs or started work in a new workplace.

There are specific Regulations outlining requirements relating to risk assessments for certain types of hazards at work, including manual and people handling, work equipment, chemical agents, biological agents, display screen equipment, night work and shift work, and pregnant employees. The HSA website has further information in relation to the above topics.

Step 3: Put control measure(s) in place

Employers may already have some safety measures in place, the risk assessment will tell whether these are adequate.

Employers are required to do all that is reasonably practicable to minimise the risk of injury. Consider firstly if the hazard can be removed and if not, consider what controls are necessary to make sure the risk is as low as reasonably practicable.

Once the three step process to carrying out a risk assessment is complete, it is important to:

Record the findings of your risk assessment(s) and talk to your employees

The Safety Statement and risk assessment(s) must be recorded. The Safety Statement and risk assessment(s) may refer to specific procedures that are detailed in other documents, such as operating instructions for equipment, infection control guidelines, and people handling risk assessments, as well as service users' care plans. The employer can decide whether to combine these documents or whether it is more helpful to keep them separate, which may be the case if the information needs to be readily accessible near the work activity. If kept separate, the documents should be cross-referenced in the Safety Statement or risk assessment. The employer must ensure that employees are made aware of the risks and precautions and that they know how to access the relevant health and safety information.

Review, monitor and update risk assessment(s)

Risk assessments must be kept up to date. Risk assessments and control measures must be reviewed whenever:

- there is evidence that the risk assessment is no longer valid,
- an injury or illness is caused by a particular hazard, or
- there is a significant change proposed in the workplace, either to the premises, plant, work practices or procedures.

Following the review, the risk assessment must be amended as appropriate.

Measuring health and safety performance

Health and safety performance should be measured, monitored and evaluated. Health and safety performance should be measured against identified standards and compliance with legal requirements ensured. There must be a good fit between what you say you do (policies, procedures, Safety Statement etc.) and what you do in reality. There should be a review mechanism in place to ensure that the good fit is maintained into the future. Measuring performance may include taking account of trends in accidents and incidents, progress with compliance with training requirements, progress with implementation of additional control measures identified through the risk assessment process etc. Continuous improvement is necessary to ensure good health and safety performance.

Duties of the employer to others

Duties of employers to people who are not in their employment

Employers have responsibility for the health and safety of people who do not work for them but may be affected by their workplace or work activities. This may include service users, visitors and volunteers.

An example of how people may be affected by the undertaking of work in a workplace is an unsafe premises causing injury or harm to a service user or other person, such as a trip on an uneven floor surface, faulty equipment, and so on.

Co-operation and co-ordination with contractors and others

When employing a contractor (for example, a building contractor or cleaning contractor), employers must make enquiries about the contractor's procedures (including health and safety) and ensure that the contractor has an up-to-date Safety Statement. The contractor must be made aware of any relevant health and safety issues that may affect his or her employees' health and safety (or those of anyone employed by the contractor) while working on the premises.

Where two employers share a workplace, there must be co-operation and co-ordination between them in order to ensure compliance

with health and safety legislation. Relevant extracts of the Safety Statement relating to hazards and risks must be exchanged so that the employers and their employees are aware of any risks that may affect them.

Safety representatives and safety consultation

Employers must consult their employees with regard to safety, health and welfare at work and provide them with certain information on these matters, including the results of risk assessments. Consultation on health and safety matters between employers and employees helps to ensure co-operation in the prevention of accidents and ill-health.

The employer shall ensure requirements outlined in Section 26 of the Act are adhered to. Consultation arrangements may include a safety committee which exists for the purpose of consultation regarding the safety, health and welfare at work of employees. Details must be included in the Safety Statement including the members of the safety committee. Requirements of the safety committee are outlined in Schedule 4 of the Act.

As part of the consultation process, employees have the right to select safety representative(s). The employer must recognise the rights and entitlements of a safety representative outlined in Section 25 of the Act. The name of the safety representative(s) must be included in the Safety Statement. The [HSA Safety Representatives and Safety Consultation Guidelines, Annex 2](#) outlines the elements that should be included in training for Safety Representatives and members of Safety Committees.



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Information, instruction, training and supervision

The employer must ensure that managers and employees have suitable information, instruction, training and supervision to do the job safely. Induction should include the key elements of the Safety Statement, fire and emergency procedures and health and safety related policies and procedures.

Job analysis and risk assessment should identify where specific training is required, such as skills required for dealing with aggressive people, manual handling etc. Employees' understanding of the training received should be assessed and training programs should be evaluated. Refresher training may be needed to ensure that staff maintain their skills.

Safety supervision is a legal obligation under occupational health and safety law. Under the Act, the employer must provide the degree of supervision necessary for work to be carried out safely and without risk to the health of employees and other people at the workplace.

Reporting and investigating incidents

It should be the policy in the workplace that all employees and any others working on the premises report any work-related accidents, including near-miss events, to the person in charge or supervisor without unreasonable delay. Employees must follow local accident and incident reporting procedures and report all accidents and incidents to their employer (or the person in charge or supervisor) as soon as possible.

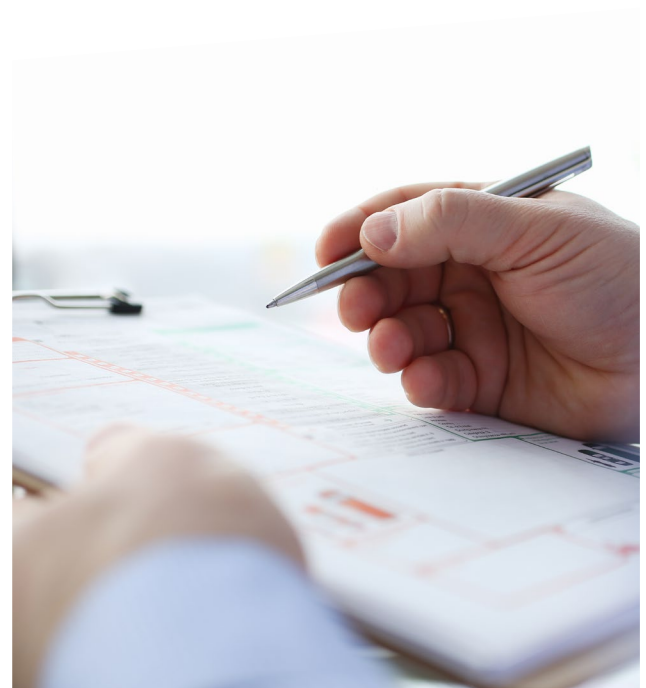
Investigating and analysing work-related accidents and incidents is crucial for managing health and safety. When an accident or incident happens, it often means that current control measures are not enough.

There are a number of reasons for having reporting procedures in place:

- They ensure that any person suffering injury, ill health or harm can be attended to.
- They allow the cause(s) of an incident to be identified, any related workplace or activity to be made safe, and any recurrence to be prevented.
- They allow the facts of an incident to be established and recorded in the event of any legal proceedings and determine if any further reporting is required.

In accordance with the Act, the following must be reported to the HSA:

- The death of any employee or self-employed person that was caused by a work-related accident.
- An injury sustained in the course of employment which prevents an employee or self-employed person from performing their normal work duties for more than 3 consecutive days, excluding the day of the accident.
- The death of a non-worker as a result of a work activity.
- The injury of a non-worker as a result of a work activity, where the injury required treatment by a registered medical practitioner.



Non-fatal injuries and dangerous occurrences should be reported to the HSA within 10 working days of the event.

Fatal accidents in a workplace should be reported immediately to the HSA or the gardaí so that the necessary action, including any investigation by the HSA, can take place. Subsequently, the formal accident report form should be submitted to the HSA within 5 working days of the death.

A record of all work-related accidents and dangerous occurrences should be maintained and retained for record purposes for 10 years from the date of the incident.

How to report

You can report in two ways:



Online

Accidents at:

<https://webapps.hsa.ie/>

Dangerous occurrences at

https://www.hsa.ie/eng/topics/accident_and_dangerous_occurrence_reporting/



Paper

IR1 Form: The paper form can be completed for accidents and sent to the HSA Contact Centre,

**Health and Safety Authority,
The Metropolitan Building,
James Joyce Street, Dublin 1.**

To request a hard copy of the IR1 form, please email contactus@hsa.ie or phone **0818 289 389**



Further Information & Resources

For further information,
please see the [HSA Website](https://www.hsa.ie).

Contact our HelpDesk:
Email: contactus@hsa.ie
Phone: 0818 289 389
or visit: www.hsa.ie



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