

TORR FORENSIC PARTNERSHIP

Management of Health and Safety at Work Regulations 1992: An Overview

1. Introduction

1.1. These regulations are of a wide-ranging, general nature and overlap with many other regulations. They have as a basis a duty on employers and the self-employed to assess all risks to workers and others who may be affected by their undertaking.

2. Risk assessment

2.1. Employers must make an assessment of the risks to the health and safety of employees to which they are exposed at work.

2.2. Assessments must be revised if there is any reason to believe they are no longer valid.

2.3. An employer of five or more people must make such an assessment in writing, and must record the group of employees identified as being at particular risk.

2.4. The objective of the assessment is to identify measures needed to comply with duties under health and safety legislation.

3. Health and safety arrangements

3.1. All employers must bring into effect appropriate arrangements for the planning, organisation, control, monitoring and review of protective and preventive measures.

3.2. Employers engaging five or more employees must record the arrangements in writing.

4. Health surveillance

4.1. Employers must ensure that appropriate health surveillance is provided for employees.

4.2. The surveillance must cover all aspects of work related health, where a risks are identified in the assessment.

5. Health and safety assistance

5.1. Employers must appoint sufficient competent (by virtue of training, knowledge and experience) persons to enable them to undertake assessments and bring into operation protective and preventive measures.

5.2. The employer must ensure that the time and means at the disposal of the appointed persons are adequate having regard to the size of the undertaking and the risks to employees.

5.3. There are specific requirements to give information regarding risks to persons appointed for this task.

6. Serious and imminent danger

6.1. Employers must establish procedures to be followed in the event of serious and imminent danger arising.

6.2. Sufficient competent persons must be nominated to implement such procedures in relation to evacuation from premises.

6.3. Such procedures must be designed to enable persons at risk to stop work and immediately go to a place of safety should serious, imminent danger arise.

7. Information for employees

7.1. Employers must provide employees with the relevant easily understood information on risks, protective and preventative measures and serious and imminent danger procedures.

8. Co-operation and co-ordination

8.1. Employers sharing a workplace on a temporary or permanent basis must co-operate to ensure compliance with the requirements of these regulations.

8.2. Relevant and comprehensible information relating to risk, protective measures and serious, imminent danger, must be made available to other employers whose employees are sharing the workplace.

8.3. Employers must ensure that any person working in his undertaking who is either self-employed, or an employee of another employer is provided with instructions regarding any risks to their health and safety, arising out of the undertaking.

8.4. This regulation applies also to self-employed persons, in their capacity both as employer and employee.

9. Capabilities and training

9.1. When assigning tasks to employees, employers must take into account their capabilities as regards health and safety.

9.2. Every employee must be provided with adequate health and safety training at the following key events:

On recruitment

on change of duty or responsibility

on introduction of new equipment

on changes to existing equipment

on introduction of new technology

on the introduction of a new system of work

9.3. Training is to be repeated as appropriate and adapted to take into account changes in risk.

9.4. Training must take place in working hours.

10. Employees duties

10.1. Employees must not use equipment or substances provided by the employer other than in accordance with relevant training and instructions. Employees must not interfere with equipment or substances provided by the employer.

10.2. Employees have a duty to notify employers of dangers to health and safety arising out of work and of any shortcomings in the employer's arrangements for health and safety.

11. Temporary workers (Including those hired from employment businesses)

11.1. Before any temporary worker commences employment the employer must advise him of any qualifications of skills required to carry out the work safely and of any health surveillance to which that worker is entitled.

12. Safety representatives

12.1. Employers must provide safety representatives with such facilities and assistance as they may reasonably require to carry out their functions.

12.2. Employers must consult safety representatives with regard to:

New measures which may substantially perfect employees health and safety
appointment of persons to deal with safety matters
nomination of persons to deal with serious and imminent danger
information which must be provided to employees
planning and organisation of health and safety training
health and safety implications of the introduction of new technology

12.3. These requirements are in addition to those in the Safety Representatives and Safety Committee's Regulations, 1977.