

Basic Health & Safety Policy

(notes taken from presentation given by Joanne Housley from Bradford Environmental Health)

Legally companies can't get away from the fact that they have to prepare a written statement of their general health and safety policy and the organisation and arrangements for carrying out that policy, and to bring this to the attention of all employees. There is an exemption for employers who carry on undertakings where there are less than 5 employees. However undertaking is not the same as establishment, so could have number of establishments each employing less than 5 but if they all form part of the same undertaking and the total number of employees is 5 or more then a written policy is needed.

WHAT I WOULD STRESS FOR ALL THOSE OF YOU CURRENTLY BREATHING A SIGH OF RELIEF is that regardless of whether the policy is written down or not the same principles apply **SO YOU MAY AS WELL DOCUMENT THEM.**

Your health and safety policy is a plan detailing how you are going to manage health and safety issues. It sets out your commitment to manage the risks associated with your business and that you are meeting your legal duties. It informs other people of their duties and what action they have to take to fulfil those duties.

If you want to tender for a contract or are successful in obtaining a contract then you will want a written policy and risk assessments.

If all of those reasons have not already

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convinced you - then if an accident or incident occurs and you are subject to either legal or civil action it may play some part in your defence if you are able to produce a documented health and safety management system.

The rest of Joanne's presentation can be found on our website. If you require help with writing a H&S policy contact; the HSE 0845 345 0055; Bradford Council Environmental Health 01274 433928; and/or Bradford Area Occupational Health and Safety Forum.

Other presentations from our last seminar can also be seen on our website www.baohsf.org.uk

Noise and the Entertainment Industry

In April 2008 the Music and Entertainment industry will find they have to adhere to stricter noise legislation. Pubs, Clubs and other venues where music is played will all come under the spotlight to monitor and control Noise to protect their staff. This does not mean that ear defenders will have to be worn at concerts. The legislation only applies to workers and even then protection is only required if weekly exposure is above a certain level. The legislation has been introduced to protect employees' hearing and their future careers. Those who are required to wear hearing protection in hearing protection zones will have a legal obligation to adhere; otherwise it would be classified as an offence under the legislation.

The new Control of Noise at Work Regulations 2005 allowed a two year grace period for the Music and Entertainment industry; it was a special case as this industry deliberately created noise. This legislation was successfully introduced to other industry sectors in 2006. With evidence of hearing damage caused by live music, there is a call for employers to control the risk of noise to employees and where possible to freelancers. The new legislation requires that employers protect the hearing of their employees by monitoring, controlling and reducing the exposure to noise levels that have the potential to cause harm to hearing.

The legislation stipulates that when the exposure to noise cannot be reduced by other means hearing protection such as ear plugs can assist in protecting workers hearing. There are a number of different types of hearing protection

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available ranging from disposable hearing plugs to flat response earplugs which offer more suitable protection for live performers as they can still hear all frequencies. Other protection such as ear muffs only blocks out background noise and do not affect the ability to hear speech.

The Music and Entertainment industry is defined as “workplaces where: a) live music is played, or b) recorded music is played in a restaurant, bar, public house, discotheque or nightclub, or alongside live music or a live



dramatic or dance performance”.

If you work in the music and entertainment industry it may be necessary to have a professional assessment of the implications of this legislation at your workplace. This may involve noise measurement and interpretation. To find out more about how Envirocare can help please contact Andrea Beswick on 01274 738668 or email andrea@envirocare.org.

The Big Plan

Bradford’s Sustainable Community Strategy framework had three main critical issues that related to some of the recommendations of the Forum

these are:
Healthier Communities Critical Issue 4 – Mental Health and Well-being – proposed aspiration and action 3 (4.3) to ensure good workforce and employment policies, and increase access to support to enable people with mental health problems to return, maintain or obtain employment.
Older People’s Critical issue 5 – Financial security and employment and learning opportunities – proposed aspiration 2 (5.2) Reduce worklessness amongst people aged 50+
Economic Development and Enterprise Critical issue 2 – Employment Rates. Proposed aspiration and action 2 (2.2) Support for disadvantaged groups. Jane attended a short listing workshop for the National Indicators chosen for the Local Area Agreement. The following have been recommended for ‘must have’ inclusion indicators in the LAA:

NI 153 Working age claiming work benefits in worst performing neighborhoods – this links into critical issue 3.2 in the Sustainable Community Strategy – to increase employment rates. It helps to capture narrowing the gap.

NI 166 Average earnings of employees in the area delivering occupational health and safety services. Paul Spurrier from the HSE comments:

As far as the two NIs are concerned I find it interesting that Bradford have chosen NI 153 rather than NI 173 (people falling out of work onto incapacity benefit). I think that the Forum can have an input to NI 153 in a number of ways. Firstly from the perspective of providing training events for dutyholders. This leads to dutyholders being better informed, which leads to them improving their health and safety standards which reduces the likelihood of an employee suffering injury or ill health at work thereby contributing to reducing the number of working age people claiming out of work benefits (this is the theory at least).

In addition, if you are providing support and assistance to new business start up, in the form of information

packs, visits, training events, etc, this should enable the new business to be better informed about its duties and therefore be less likely to suffer financial penalty as a result of non compliance with health and safety law. This will lead to a greater likelihood of the business surviving and offering employment opportunities for people and thus reducing the number of working age people claiming benefit.

Finally, I think the Forum can contribute to NI 153 by helping to ensure a level playing field for businesses ie by contributing as above but also by raising examples of poor health and safety/business practice with the appropriate regulator. This helps ensure that those businesses trying to ‘do-it-right’ are not undermined or undercut by those businesses that make an amoral calculation and decide not to comply with the law.

As far as NI 166 is concerned I don’t think that I can offer as much as for NI 153, however by contributing towards business success as above and a thriving business community, you will help to drive up the average wage for the area.

Dame Carol Black's Review

The National Director for Health and Work, Dame Carol Black has published the first ever review into the health of the working age population. Titled 'Working for a Healthier Tomorrow'. The proposals in the report focus on keeping people healthy at work, and also on helping them return to work after illness.

The report recommends the launch of a new “fit for work” service to target people in the early stages of sickness.

For details of the report visit:
www.workingforhealth.gov.uk/Carol-Blacks-Review/

Forum Funding Crisis

The Forum is currently experiencing a funding crisis. Ian Greenwood the Leader of the Labour Group and Kris Hopkins, Leader of the Council have been briefed about this, and both Councillors have shown support for the work of the Forum.

Cllr Greenwood believes we should be funded by the PCT and has written to John Chuter the Chief Executive of the PCT saying he is extremely concerned. He went on to say that Occupational Health advocacy is extremely important and actually addresses the fundamental underpinning medical/social agenda which the PCT are so articulate in at the moment, and has asked for an urgent reconsideration.

The Bradford Occupational Health Project is also facing a funding crisis. Both organisations have written to the Strategic Health Improvement Partnership asking for a further funding of 12 months to allow time for consideration of a long term solution to the funding issue.

Here is a reminder of what the Forum does and the Bradford Occupational Health Project:

Bradford Area Occupational Health and Safety Forum offers advice, information and support for employers and their employees in the Bradford Area. Its 600+ membership is largely made up from Small to Medium Enterprises. It has a Working Group is made up from 16 members from public, private, voluntary and trade union organisations. The Forum raises occupational health and safety awareness by holding free seminars four times a year, via its Well @ Work newsletter and website <http://www.baohsf.org.uk/>. The Forum has produced a local occupational health and safety strategy 'Securing Health Together in the Bradford District 2006-2009' which it is trying to implement, by working strategically with partner organisations. The Forum helps to prevent the causes of occupational ill health, tackles health inequalities and promotes reasonable adjustments in the workplace. It also lobbies for better rights and services.

Bradford Occupational Health Project / Workers' Health Advice Team BOHP/WHAT offers independent occupational health advice, advice on sickness benefits, representation at medical appeal tribunals, advice on keeping your job including disability discrimination, advice on rehabilitation and independent counselling for workers suffering from stress related illness. Workers can self refer to the service and last year it dealt with 681 enquires. It provides a telephone advice service for workers in Bradford, an appointment service, a confidential counselling service for workers suffering from mental distress, an advice service for workers and ex-workers suffering from asbestos related disease, consultancy support to Bradford RSI Support Group and works with others with an interest in health and work locally, regionally and nationally. It is the only source of free occupational health advice for workers from Small and Medium Enterprises whose employers do not have in house services.

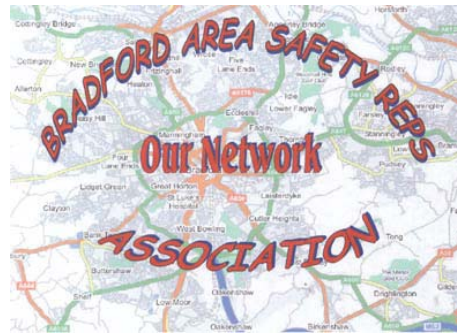
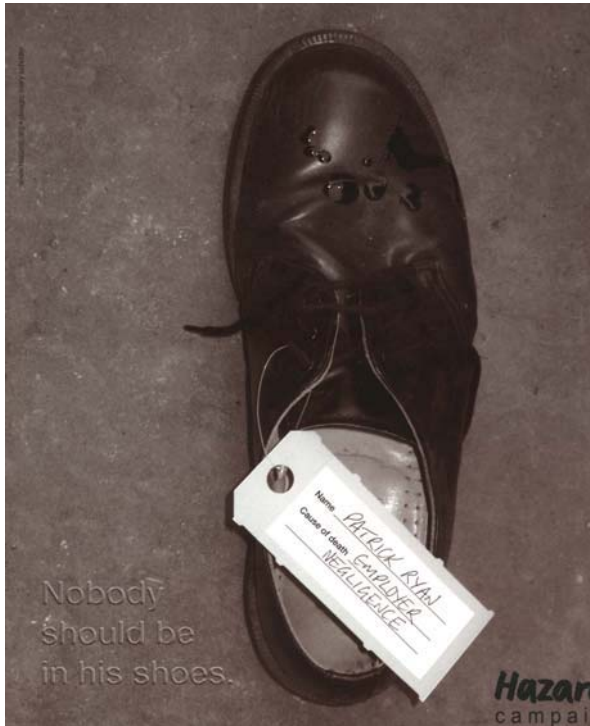


WHAT
Workers' Health Advice Team



Workers' Memorial Day 2008

Mon 28th April—12 noon



International Workers' Memorial Day tribute in Bradford

You are invited to come and pay your respects with BASRA. Meet outside Bradford City Hall at the Workers Memorial Tree (on the grassed area near the big screen).

If you can not attend the memorial please try to take a minutes silence at midday.

Contact: Bradford Area Safety Reps Association on 01535 691049 for more details

Remember the dead and fight for the living

BAOHSF

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WHAT

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see the Forum website at www.baohsf.org.uk

To receive newsletters, seminar lists and keep in touch please complete this forum membership slip

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