

SPS 2 DEC

**Shoemakers Cottage
Threadneedle Street
Bergh Apton
Norwich
Norfolk
NR15 1BJ**

Tel / Fax: 01508 480133

HEALTH AND SAFETY POLICY AND MANUAL

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Prepared by:

ARKSAFE Ltd.

5 Bars Hill
Costock
Leicestershire
LE12 6XY

Tel: 01509 854394

Fax: 01509 852667

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1. HEALTH AND SAFETY POLICY STATEMENT

It is the policy of SPS 2 DEC that operations carried out by the Company are in accordance with the requirements of the Health and Safety at Work Act 1974, both in the spirit of the act and its legal obligations. The Company accepts its responsibilities towards its employees and any other person who may be affected by the work undertaken by the Company.

Mr. Simon Smith, as “Senior Manager with Special Responsibility for Health and Safety” is responsible for implementing this policy. His duties, and those of other managers and employees, are detailed in the Company's Safety Manual.

In order to avoid accidents and incidents, good working practices are essential. Therefore all employees must familiarise themselves with their duties as detailed in the Health and Safety Manual. SPS 2 DEC recognises that every employee has a vital role to play if high standards are to be achieved, maintained and improved upon.

The Company requires that all employees take a pro-active role in improving health and safety performance and encourages constructive suggestions on how methods of work can be improved to make them safer, and thereby reduce the inherent levels of risk.

The operation of this policy will be monitored by Mr. Simon Smith, assisted by Arksafe Ltd., the Company's Retained Safety Advisors. Arksafe are available to advise all employees and appointed sub-contractors on matters relating to health and safety.

This Health and Safety Policy and Manual will be subject to an annual review and will be updated during the interim period, in the event of any changes in legislation or codes of practice causing the need for policies and procedures to alter.

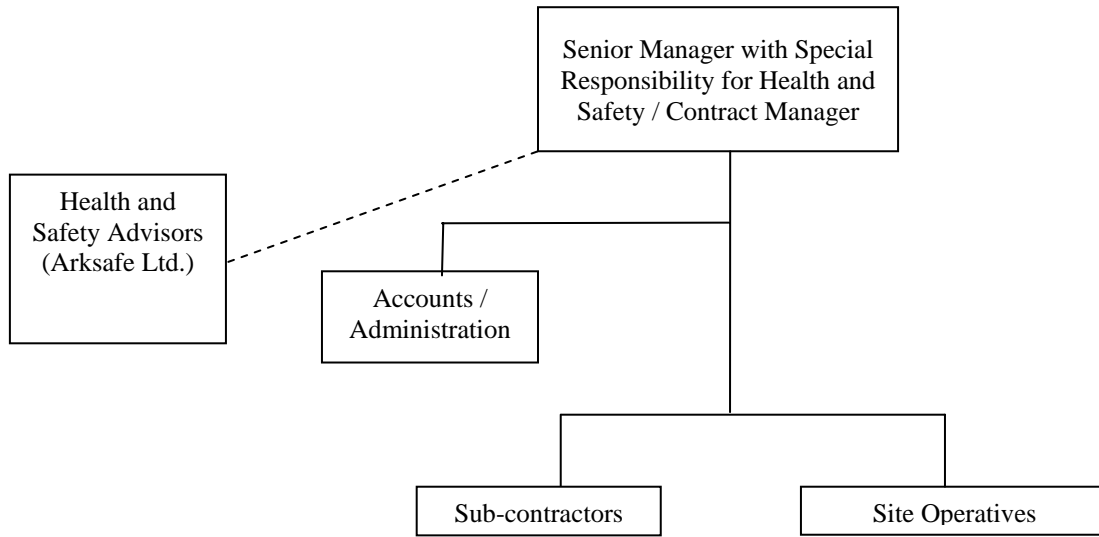
This statement will be displayed in a prominent position at all workplaces and sites. A copy of the Company's Safety Manual, with full details of the organisation and arrangements for implementing the policy, will be also made available to all employees for reference.

Signed

Position

Dated

2. ORGANISATION CHART



3. DUTIES

3.1 *Duties of The Senior Manager with Special Responsibility for Health and Safety*

In addition to his other duties as the Company's General Manager and Contract Manager, the Senior Manager with Special Responsibility for Health and Safety, Mr. Simon Smith, has responsibility for:-

- a) Providing a Company statement on any issue of health and safety that requires a formal statement.
- b) Ensuring that he is informed of and takes action concerning any correspondence to/from the Health and Safety Executive, or any other statutory enforcement agency.
- c) Having regular meetings with the Company's Safety Advisors with a view to reviewing performance in the last period, setting objectives for the next period, and receiving feedback in general on health and safety issues.
- d) Considering the implications of and taking necessary actions following the recommendations of safety reports and audits, and responding to any problem areas observed when on routine inspections.
- e) Ensuring that all employees are informed of any major health and safety issues affecting or likely to affect the Company.
- f) Promoting a pro-active approach to positive health and safety and risk management through the Company's management structure.
- g) Ensuring that there is adequate health and safety advice and awareness at all levels of the Company; ensuring that all employees are made aware of the Company's Health and Safety Policy and that they receive adequate training and consultation to enable them to undertake their roles and duties.
- h) Making full provision for safe methods of working and adequate welfare facilities at all Company workplaces.
- i) Ensuring that all statutory health and safety regulations are followed and the necessary health and safety planning, assessments of risks and safe working method statements are produced and brought to the attention of the relevant people.
- j) Holding regular meetings with employees and contractors to receive comments and suggestions on ways in which health and safety performance can be improved.
- k) Ensuring that sub-contractors employed by the Company are competent to undertake the work required of them, and are aware of their health and safety responsibilities.
- l) Setting a good personal example and having adequate knowledge of health and safety legislation relating to the Company's work.

3.2 *Duties of Managers Responsible For Organising And Managing Contract Work*

Any manager responsible for contract work must implement the Policy by:-

- a) Having adequate knowledge of, and observing the requirements of, construction regulations and other legislation and codes of practice.
- b) Ensuring that all persons working on site are adequately trained to enable them to carry out their duties. This includes ensuring that a thorough site induction talk on the risks, working methods, emergency and welfare provision is carried out before any work starts on a site.
- c) Ensuring that the Management of Health and Safety at Work Regulations 1999, the Construction Health, Safety and Welfare Regulations 1996, and the Construction, Design and Management Regulations 1994 are followed, and that the necessary health and safety plans, risk assessments and method statements are produced and brought to the attention of the relevant people.
- d) Ensuring that adequate emergency provision is made on contract sites.
- e) Making full provision for safe methods of working and adequate welfare facilities at the tender stage of all contracts.
- f) Ensuring that all plant sent to site is safe, is in accordance with manufacturer's specifications, and when applicable, has been tested and thoroughly examined in accordance with regulations.
- g) If hiring plant with hired operators, ensuring that the operators are trained and certificated to operate the plant (and that they have copies of their training certificates on site).
- h) When hiring plant and equipment, ensuring that items meet current U.K. and EC requirements, especially with regards to guarding, operator noise levels, environmental noise levels and emissions.
- i) Ensuring that site staff and employees at all levels receive appropriate training to undertake their tasks safely.
- j) Monitoring health and safety performance through site meetings, acting on the recommendations of safety advisor reports, and responding to actual site conditions observed when on routine site inspections.
- k) Holding regular meetings with site employees and other site operatives to receive comments and suggestions on ways in which health and safety performance can be improved.
- l) Liaising with the Company's safety advisors and taking charge of problems which cannot be controlled at site level, especially with regards to control of sub-contractors.
- m) Setting a good personal example and having adequate knowledge of health and safety legislation relating to the Company's work.

3.3 Duties of a Site Supervisor (Or Any Other Person In Control Of A Site Or Task)

The person in control of any site has the following duties:-

- a) To understand the Company Health and Safety Policy and ensure that it is brought to the attention of all employees and contractors working on any site.
- b) To have adequate knowledge of, and observe, the requirements of relevant health and safety regulations and codes of practice.
- c) To ensure that all statutory registers and records are maintained and that all persons working on any site are adequately trained to enable them to carry out their duties.
- d) To ensure that the necessary risk assessments have been carried out and recorded and that detailed safe working method statements adopting “best working practice” approach are used for any identified high risk activities.
- e) To ensure that adequate arrangements are made with regards to fire precautions, first aid equipment, trained first aiders or appointed persons, and that adequate emergency procedures are all in place.
- f) In planning a site, to ensure the establishment and continuity of appropriate welfare facilities, parking and safe storage arrangements.
- g) To organise a site so that work is carried out to the correct standard, with minimum risk to operatives and other persons, equipment, materials, and members of the public, both during and outwith site hours.
- h) To encourage employees and any contractors to be pro-active in developing a positive approach to health and safety performance.
- i) To undertake (or arrange for others to carry out) site induction talks for new arrivals onto site.
- j) To ensure that any accident/incident is properly investigated and reported in accordance with Company policy and the requirements of statutory legislation.
- k) To set a good personal example at all times.
- l) To ensure that concise instructions are given to operatives, detailing what precautions/actions must be taken to minimise risks.
- m) To ensure that new employees, apprentices, young persons or occasional site workers are aware of risks to their health and safety and the relevant precautions to be taken.
- n) To report any defects in work equipment to the Senior Manager with Special Responsibility for Health and Safety, together with details of any dangerous practices observed on the site.
- o) To ensure that all plant, tools and equipment are being used correctly.

3.4 *Duties of All Employees*

The Health and Safety at Work Act 1974 requires all employees and self employed persons to take reasonable care of themselves and others who may be affected by their acts or omissions, and to co-operate with the Company by observing the Company's procedures, so enabling the Company to comply with its statutory duties.

In particular, all employees can assist by:

- a) Taking a pro-active role in assessing the Company's health and safety performance and suggesting ways in which improvement can be made.
- b) Using the appropriate protective equipment (e.g. head protection, eye protection, hearing protection, footwear etc.) as required for the job.
- c) Keeping personal tools and equipment in good condition.
- d) Reporting all defects in plant and equipment, together with any unsafe acts, to their immediate supervisor.
- e) Only operating plant and equipment and carrying out tasks for which they have been trained and are familiar.

It is important that all employees feel capable of doing the tasks to which they are assigned. If any person is in any doubt then he/she should inform his/her immediate supervisor.
NEVER TAKE CHANCES.

3.5 *Duties of the Company's Health and Safety Advisors*

The Company retains external competent Health and Safety Advisors whose duties are:-

- a) To encourage a pro-active approach to health and safety matters and to take a positive attitude to risk management functions.
- b) To keep themselves up to date with current legislation and best working methods and to disseminate this information throughout the Company.
- c) To assist management with all issues relating to health and safety.
- d) To carry out regular inspections and safety audits and report on their findings. In addition, they should assist the Company's managers by advising on working methods and training requirements.
- e) To assist the Senior Manager with Special Responsibility for Health and Safety, through regular consultative meetings at prescribed intervals, to comment on the Company's health and safety performance and assist in setting future objectives.
- f) To take whatever action they consider necessary if, in their opinion, they are confronted with a serious risk to health and safety, and report the occurrence and action taken to the Site Supervisor, and if need be, the Senior Manager with Special Responsibility for Health and Safety.

4. ALCOHOL, DRUGS AND MEDICATION

SPS 2 DEC is committed to ensuring the health and safety of its employees, sub-contractors and members of the public. In line with this commitment the Company stipulates that all employees and sub-contractors should themselves ensure that they are fit to perform the work required of them by the Company.

Any employee or sub-contractor who appears to be under the influence of alcoholic drink, drugs or medication places not only himself / herself at risk, but also those who may be affected by his/her work. This cannot and will not be tolerated by the Company.

The Company therefore operates a zero tolerance policy towards any employee or sub-contractor who appears to be under the influence of alcoholic drink, drugs or medication whilst at work. No employee or sub-contractor appearing to be under the influence of alcoholic drink, drugs or medication will be allowed to work for the Company. Consequently, any employee found to be under the influence of alcoholic drink, drugs or medication whilst at work may face instant dismissal under the Company's disciplinary procedure and any person contracted by the Company will be asked to immediately leave its site.

If any employee believes that he or she is under the influence of any substance that would impair his/her work, then the employee concerned should immediately contact his/her line manager. Provided such instances do not become commonplace, the employee will usually be instructed to remain off work until the effects have passed and he/she is fit for work. In such instances, where the employee does not attempt to start work, disciplinary action may not be taken. If however, such instances are repeated over a short period, and the employee is often unavailable for work, the Company may invoke its disciplinary procedures and insist that the individual seeks counselling and advice as a condition of continuing as an employee.

However, the Company will only take a sympathetic attitude towards its employees provided they report their condition prior to starting work. The nature of the Company's activities mean that site workers especially would be at an unacceptable risk to their own safety and the safety of others if found working under the effects of alcohol, drugs or even prescribed medication. The risk consequences of mistakes at site level are severe and therefore site operatives should never attempt to work under such circumstances, and the Company is likely to deal with any transgressor as having committed "gross misconduct".

5. TRAINING

5.1 *All Company Employees*

The Senior Manager with Special Responsibility for Health and Safety will carry out a regular review of health and safety training needs. He will ensure that a training programme for all levels of staff and employees within the Company is in place, in order to provide the skills and knowledge to allow each employee to undertake their duties in accordance with statutory legislation and codes of practice. In carrying out the review, particular attention will be paid to persons whose roles have changed or any legislative changes that require employees to receive further training in order to perform their required tasks. Employees taking on additional responsibility may also need additional training.

The training requirements will be agreed and a future action plan devised. The Senior Manager with Special Responsibility for Health and Safety will monitor and ensure that the training schedule is completed.

5.2 *Inductions*

All employees will receive a health and safety induction on engagement with the Company to include:-

- ◆ The safety rules of the Company (and where they are located)
- ◆ Safety hazards and health risks
- ◆ Substances hazardous to health
- ◆ Workwear and PPE
- ◆ Good housekeeping
- ◆ Fire risks and prevention, emergency procedures, location of extinguishers and assembly points
- ◆ Accident reporting (including RIDDOR)
- ◆ Designated accessways and walkways
- ◆ Welfare facilities, cloakroom and toilets
- ◆ First aid provision and appointed persons

The person responsible for giving the induction will record confirmation of the induction in each inducted employee's personnel file.

5.3 *Plant and Other Specialist Training*

All plant operatives, whether employed or hired by the Company, must be trained and certificated in accordance with approved training schemes run by approved plant training providers.

Training and certification of competence will also be required to erect items such as tower scaffolds and to operate special tools such as abrasive wheels.

If the Company is required to undertake work in any workplace where there may be a special risk, then the Company will ensure that the operatives are advised of the risks beforehand and are fully trained to work safely in any such environment.

The Senior Manager with Special Responsibility for Health and Safety will ensure that all such records of training are maintained.

6. MONITORING AND REVIEW OF THE COMPANY'S HEALTH AND SAFETY PERFORMANCE

6.1 *Formal Review Of Company Health and Safety Performance*

The Senior Manager with Special Responsibility for Health and Safety and other Company managers have specific responsibilities to monitor the implementation of the Company's Health and Safety Policy and to review the Company's performance.

Items to be monitored and reviewed are:-

- a) Any significant accidents or incidents.
- b) Any matters arising from audits or site visits by external Health and Safety Advisors.
- c) Any criticisms from Health and Safety Executive, clients or other parties.
- d) The Company's "health and safety objectives". Have they been achieved?
- e) New legislation, guidance notes, or H.S.E. initiatives.
- f) The Health and Safety Manual and working procedures.
- g) Training requirements.

On the basis of this formal review, the health and safety objectives will be set for the next period.

6.2 *Inspections and Reports By External Health and Safety Advisors*

In situations where the Company employs external Health and Safety Advisors to carry out routine site inspections or audits of the Company's procedures, they will monitor working practices and submit a formal report to the Senior Manager with Special Responsibility for Health and Safety.

Where independent Health and Safety Advisors carry out an inspection, three copies of the report will be sent to the Company, one for the Senior Manager with Special Responsibility for Health and Safety, one for the Site Supervisor (or person in charge of the task) and one to be included into the site file for inspection purposes.

7. CONSULTATION WITH EMPLOYEES AND SUB-CONTRACTORS

7.1 *Feedback from Employees on Health and Safety Issues*

The Company has a pro-active approach to health and safety, and recognises the benefits of employees having a significant input into the Company's health and safety procedures. Employees also play a vital role in providing feedback on actual performance, and identifying hazards that have previously been missed. Therefore, all employees and contractors are encouraged to assist the Company to maintain a safe and healthy workplace.

Because of the Company's size and structure, and also because the Company's management and workforce are in daily contact, no designated health and safety representatives will be selected to represent the workforce. Instead, all personnel employed by the Company will be encouraged to contribute ideas on improving health and safety standards. The Company will hold regular consultative sessions at site level, allowing managers and employees to discuss policy issues and other more immediate matters concerning health and safety objectives and performance. All employees will be encouraged to contribute their views on health and safety issues.

Employees and contractors are encouraged to continually liaise with their immediate manager or supervisor to assist in the identification of any health and safety hazards that have not previously been identified and suggest ways of improving health and safety in the various workplaces run by the Company.

7.2 *Consultation with Sub-Contractors*

All contractors engaged by the Company must be competent (see section on the Construction, Design and Management Regulations (CDM) - Selection of Sub-Contractors) and provide evidence to support this. In addition, the Company must provide details of the significant risks that contractors will encounter on the site where they will work.

This will be achieved via the project Health and Safety Plan (where CDM applies), or by the provision of site risk assessments on smaller projects. Pre-start meetings with contractors will review the identified risks and cover the risk precautions that must be in place before the contractor starts work, and also during his work at that site. Site meetings will also be held as appropriate with contractors to review and amend these provisions as necessary.

When contractors are submitting their proposals to the Company, they will be asked to identify any significant risks their work will create both to themselves and to others who may be affected by that work. These will be subject to an agreed safe working method statement and, if appropriate, an amendment or addition to the project Health and Safety Plan.

8. REPORTING OF ACCIDENTS AND DANGEROUS OCCURRENCES

All accidents and incidents must be recorded in the Company's accident book, irrespective of whether the injured person is an employee, self-employed person, sub-contractor or authorised visitor. This applies to all injuries, no matter how slight, and to any near-miss incidents. The Company accident forms must be completed for any accidents that have involved lost time or damage to plant or equipment.

Guidance on the action to be taken, depending on both the nature of the incident and the person who has been injured, can be found in the Health and Safety Executive's leaflet - HSE 31 (Rev 1) – "Reporting an Injury or Dangerous Occurrence."

The Company employs Arksafe Ltd. as specialist Health and Safety Advisors and they are available to assist in the investigation and reporting of accidents and incidents. In the event of any incident that is thought to be in the "reportable" category (see paragraphs 8.1-8.7), the Senior Manager with Special Responsibility for Health and Safety will contact the Health and Safety Advisors and discuss the details and issues involved. Should the Health and Safety Advisors deem that the incident should be reported, the Health and Safety Advisors will undertake this duty on the Company's behalf and supply details of the report back to the Company, via the Senior Manager with Special Responsibility for Health and Safety, as a record.

Should an independent investigation of any accident or incident be required, Arksafe Ltd. will undertake this on the Company's behalf, and send a written report (with statements as necessary) back to the Company via the Senior Manager with Special Responsibility for Health and Safety.

8.1 *Violence to Employees*

If a person is injured due to an act of violence sustained whilst at work, and as a result of the injuries the person is unable to work as normal, the incident is classed as a work accident.

Appropriate action must be taken according to the extent of injuries and the length of absence from work.

8.2 *Incidents Involving Members of the Public, Visitors and Unauthorised Visitors*

If any member of the public or uninvited visitor is involved in an incident, and/or is injured, details must be entered in the accident book and the Company notification form completed. The relevant manager must also notify the Senior Manager with Special Responsibility for Health and Safety, as soon as possible, and should discuss whether a full investigation is required. Appropriate action will then be instigated by the Senior Manager with Special Responsibility for Health and Safety.

If the incident is such that the injured person has to be taken to hospital (by whatever means) the incident must be reported to the Health and Safety Executive Incident Contact Centre by the quickest possible means (e.g. telephone or fax).

8.3 *Major Accidents and Fatal Accidents to Employees, Self Employed, Sub-Contractors and Authorised Visitors*

A major injury is defined as any of the following:-

- ◆ Fracture other than to fingers, thumbs or toes.
- ◆ Amputations
- ◆ Dislocation of the shoulder, hip, knee or spine.
- ◆ Loss of sight (temporary or permanent)
- ◆ Chemical or hot metal burn to the eye or any penetrating injury to the eye.
- ◆ Electric shock or electric burn leading to unconsciousness or requiring resuscitation. or admittance to hospital for more than 24 hours.
- ◆ Any other injury leading to hypothermia, heat induced illness or unconsciousness; or requiring resuscitation or admittance to hospital for more than 24 hours.
- ◆ Unconsciousness caused by asphyxia or exposure to a harmful substance or biological agents.
- ◆ Acute illness requiring medical treatment, or loss of consciousness arising from absorption of any substance by inhalation, ingestion or through the skin.
- ◆ Acute illness requiring medical treatment where there is reason to believe this resulted from exposure to a biological agent or its toxins or infected material.

In the event of any of the above, the person in control of the site must:

- a) Inform the Senior Manager with Special Responsibility for Health and Safety urgently.
- b) The Senior Manager with Special Responsibility for Health and Safety will then inform the Health and Safety Advisors as soon as possible, and they will inform the HSE as soon as all the details of the incident have been ascertained.
- c) If the injured person is a sub-contractor, inform their employers of the accident.
- d) Complete the Company's accident report form and enter details in the accident book.
- e) Inform the Principal Contractor if applicable.

8.4 *Industrial Diseases*

There are a number of specified industrial diseases that must be reported to the Health and Safety Executive. If such a situation is suspected, the Health and Safety Advisors should be contacted and they will advise appropriate action.

8.5 Accidents Resulting In An Employee's Absence from Work For More Than 3 Days (including days which would not normally be working days)

For any accident resulting in necessary absence from work for more than 3 days, but not included in the major injury category listed above, the Site Supervisor (or person in charge of the task) should:-

- ◆ Enter the details in the accident book.
- ◆ Complete the Company's accident book and prepare an initial summary report, sending copies to the Senior Manager with Special Responsibility for Health and Safety. The Site Supervisor (or person in charge of the task) should indicate on this form if he feels a full investigation is required. A copy must be retained on the site. The Senior Manager with Special Responsibility for Health and Safety will report the incident to the Health and Safety Executive (via the Health and Safety Advisors).
- ◆ Inform the Principal Contractor or Client if applicable (i.e. if the Company are not in overall control of the site).

8.6 Accidents Resulting In A Sub-Contractors Absence From Work For More Than 3 Days (including days which would not normally be working days)

If a sub-contractor's employee is injured and off-site treatment is required, then the Site Supervisor (or person in charge of the task) may not be aware that the sub-contractor has been absent for more than 3 days. The duty under RIDDOR is for the employer of the injured employee to report the accident. Therefore the Company has no duty to report accidents to sub-contractors to the HSE. Nevertheless, the Company should keep a record of accidents and incidents involving sub-contractors. In such a situation the Company manager in charge of the site should:-

- ◆ Enter details of the sub-contractor's accident in the Company's accident book.
- ◆ Prepare an initial summary report sending one copy to the Senior Manager with Special Responsibility for Health and Safety. The Site Supervisor (or person in charge of the task) should indicate on this form if he feels a full investigation is required. Retain a copy on site.
- ◆ Inform the Client or Principal Contractor if applicable (i.e. if the Company is not acting in this role).

8.7 Dangerous Occurrences

There are a number of specified incidents that, although they may not result in an injury or damage to property, must be reported to the Health and Safety Executive "by the quickest practicable means." If an incident occurs which it is felt may be reportable, the Senior Manager with Special Responsibility for Health and Safety should be contacted and he will act accordingly.

The duty to report a dangerous occurrence lies with the person in control of the premises or site i.e. the Client or Principal Contractor. Guidance can be found in the Health and Safety Executive's leaflet - HSE 31 (Rev 1) "Reporting an Injury or Dangerous Occurrence".

9. FIRST AID AND WELFARE FACILITIES

9.1 *First Aid Treatment Facilities - Sites*

The Company will provide a first aid box, stocked to a size appropriate for the numbers on site or at any workplace. If the site or work is of a special nature, additional items will be provided as required.

The Company will ensure there is a trained first aider in all workplaces. Notices will be posted indicating the location of the first aid treatment facility and the names of the trained first aiders.

9.2 *Welfare Facilities*

The Company will provide welfare facilities at all workplaces and sites in accordance with the requirements of the Health and Safety at Work Act and the Construction (Health, Safety and Welfare) Regulations 1996, namely:

- Suitable office accommodation for managers
- A canteen or rest room.
- Facilities for heating food and boiling water for drinks
- Facilities for storing and drying clothing and P.P.E.
- Toilets and facilities for washing (separate Ladies and Gents facilities will be required if both sexes are employed in or visit a workplace).

NB. On sites where there is contaminated ground or contaminated materials are present, special hygiene facilities may be required. If so, such arrangements will be detailed in the site Health and Safety Plan, or in the site risk assessments on smaller projects.

9.3 *Drinking Water*

An adequate supply of fresh drinking water must be provided in all workplaces. If normal mains running water is not available, then a supply of water should be provided via containers clearly marked "DRINKING WATER".

10. FIRE PRECAUTIONS AND EMERGENCY PROCEDURES

10.1 *General Fire Precautions*

The Company will exercise its responsibilities to assess and minimise the risk of fire at all work locations in accordance with the Fire Precautions (Workplace) Regulations 1997.

Adequate fire prevention and emergency procedures together with suitable means of fire detection, raising the alarm and fire suppression will be put into place at all work locations.

All potential fire hazards must be identified in risk assessments and steps must be taken to remove the hazards from site or to minimise the risks. No smoking areas will be established in any area where there is a significant risk of fire.

10.2 *Maintenance of Fire Equipment At All Locations*

The Senior Manager with Special Responsibility for Health and Safety will ensure appropriate maintenance contracts are in place for the maintenance, testing and inspection of fire extinguishers.

The Senior Manager with Special Responsibility for Health and Safety will carry out a review of the emergency equipment and procedures on a regular basis.

10.3 *Site Operations*

Where work is carried out that increases the risk of fire (e.g. hot grinding or burning), then portable fire extinguishers will be required adjacent to the specific workplace. The person undertaking such work must ensure that all loose combustible or flammable material is moved away from the working area, and that the fire extinguisher remains close-by and available for immediate use, should the need arise. Certain operations may require specific types of extinguishers relevant to the risk and additional extinguishers/hoses will be provided if required.

Restricted permit to work procedures should be in place for hot work activities.

Site accommodation will be provided with adequate fire extinguishers. These extinguishers will be located internally adjacent to entry/exit doors and will only be used in emergency. The equipment provided within the site accommodation must not be removed for site use. Additional extinguishers will be provided for specific locations or operations if the risk assessment identifies a need.

All fire equipment will be maintained / serviced at least annually. Any discharged extinguishers should be immediately withdrawn from site and returned for re-charging.

Specialist sub-contractors may be required to perform specific high-risk operations. All specialist contractors must undergo the Company's approval procedures for contractors, and must have their own fire prevention measures in place before they will be allowed to start work.

10.4 *Emergency Procedures*

If the Company is appointed as Principal Contractor, it will produce emergency procedures for the project and these will be detailed in the project Health and Safety Plan. All employees and contractors will be advised of these procedures via the site induction talks.

If the Company is working as a contractor on a site under the control of a Client or Principal Contractor, then the Company will follow the emergency procedures laid down by the Client for that workplace, or by the Principal Contractor for that project.

11. CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS

11.1 *Outline of the Regulations*

The Construction Design and Management Regulations 1994 (CDM) place duties on all parties involved in construction work, including Clients, the design team and those involved in the actual construction. Although most of the Company's work is in painting and decorating, there are a number of instances when the work will be of a sufficient scope and size, or of a specific nature, that will take it within the scope of the CDM.

The Client must appoint a Planning Supervisor to ensure that health and safety is taken into account at the design and planning stage of the project, together with a competent Principal Contractor to manage and co-ordinate the contractors on site.

The Planning Supervisor must produce a Pre-Tender Health and Safety Plan, identifying the major hazards that will be encountered on the project. This should be sent to all prospective Principal Contractors tendering for the project, so that they can assess the health and safety requirements and make provision for these in their cost estimates for undertaking the project.

The Client (or agent) must appoint a Principal Contractor to co-ordinate health and safety activities on site. The Principal Contractor must develop the Health and Safety Plan as required, and prepare information for the Health and Safety File.

The Client must ensure that the Planning Supervisor, Principal Contractor and contractors are competent. Provided that a company has sufficient competence, it could be appointed as both Planning Supervisor and Principal Contractor.

Contractors who sub-contract work, must similarly ensure that their sub-contractors are competent.

11.2 *Application of the Regulations*

Whenever demolition work is taking place, the regulations apply.

With regards to construction work, the regulations will apply to work which is expected to involve:-

- more than 30 days of construction activities, or more than 500 person days of construction work, and
- there will be 5 or more workers on site.

If this size/timescale criteria is exceeded, the regulations will apply in full.

If this size/timescale criteria is not exceeded, the only requirements of the regulations that will apply are those relating to the designer of the works.

11.3 Company In The Role Of “The Client” For A Construction Project

If the Company is commissioning construction work on premises owned by the Company, or if as a developer they are having construction work undertaken on their behalf, then the Company must fulfil the duties of the ‘the Client’ under CDM. These are to:-

- a) Appoint a competent Planning Supervisor with adequate resources to fulfil the role, as soon as practicable after the decision has been taken to proceed with the project.
- b) Provide the Planning Supervisor with any existing Health and Safety File, or to co-operate with him in providing him with the information he requires.
- c) Appoint a competent Principal Contractor with adequate resources to fulfil the work.
- d) Be satisfied that the designers and other contractors are competent.
- e) Ensure that construction work does not commence unless the Principal Contractor has a satisfactory Health and Safety Plan in place.

11.4 Company Taking The Role Of “Designer”

CDM places a number of duties on designers. The definition of a designer is much broader than the obvious role undertaken by an architect or structural engineer. It includes the work undertaken by persons such as temporary work designers, falsework design, design or specification of ground support systems, design or specification of facade retention or building propping systems etc.

The duties on a designer apply regardless of the project’s size or duration. The duties are very similar to the existing common law requirement to take reasonable care for the persons who could be affected by the design. Under CDM these duties are to:-

- a) Ensure that in preparing any design, he gives adequate regard to the need to minimise the foreseeable risks to anyone undertaking construction or cleaning work in or on the structure at any time, and of anyone who may be affected by such work.
- b) Combat at source risks to the health and safety of any person at work carrying out construction or cleaning work in or on the structure at any time, and to the health and safety of any person who may be affected by such work.
- c) Give priority to measures that will protect both persons carrying out construction or cleaning work at any time and also others affected by their work over measures that only protect persons carrying out such work.
- d) Ensure that the design contains adequate information about any aspect of the project, structure or materials (including articles or substances) which might affect the health or safety of any person carrying out construction or cleaning work in or on the structure at any time, or of any person who may be affected by the work of such a person at work.
- e) Co-operate with the Planning Supervisor and with any other designer who is preparing any design in connection with the same project or structure as necessary to enable each of them to comply with the requirements and prohibitions placed on him in relation to the project by or under the relevant statutory provisions.

11.5 *Company Acting as Planning Supervisor*

If the Company acts as Planning Supervisor, a suitably competent person must be nominated and his duties are to:

- a) Liaise with the designers and, so far as is reasonably practicable, ensure that the designers fulfil their legal duties.
- b) If there is more than one designer, ensure that there is adequate liaison and co-operation.
- c) Advise the Client with regards to competence of contractors and/or project resources.
- d) Ensure that a Health and Safety File is prepared and eventually handed over to the Client.
- e) Ensure that before construction work begins, a Health and Safety Plan is prepared.
- f) Project notification - if the project is notifiable the Planning Supervisor must notify the Health and Safety Executive of the project (the Company's Safety Advisors will assist with this if applicable).

11.6 *Company Acting as Principal Contractor*

If the Company is acting as Principal Contractor the duties and responsibilities are to:-

- a) Take the outline Health and Safety Plan from the Planning Supervisor and develop it into a management document to control health and safety throughout the project.
- b) Take reasonable steps to ensure co-operation between all contractors sharing the site.
- c) Ensure, so far as is reasonably practicable, that all contractors (and persons) follow the rules contained in the Health and Safety Plan.
- d) Take reasonable steps to ensure that only authorised persons are allowed on site.
- e) Ensure that the project notification details are displayed.
- f) Liaise and co-operate with the Planning Supervisor.
- g) Give reasonable direction to any contractor, with regards to health and safety.
- h) Ensure that any specific site rules are included in the Health and Safety Plan
- i) Disseminate information to contractors on the risks associated with the work.
- j) Ensure that contractors' employees are aware of any site rules contained in the Health and Safety Plan, and have been trained in the site's emergency procedures.
- k) Make suitable arrangements, taking into account the nature and size of the project, for employees and contractors to advise, discuss and comment on issues that will affect their health and safety.
- l) Maintain a project Health and Safety File and present this to the Planning Supervisor at the end of the project.

11.7 *Company Acting as a Sub-Contractor To Another Principal Contractor*

When the Company is acting as a sub-contractor to another Principal Contractor, its duties are:-

- a) To inform all employees and sub-contractors of the site's emergency procedures, and any relevant aspects of the project Health and Safety Plan.
- b) To co-operate with the Principal Contractor on health and safety issues, advising him of any new hazards or shortcomings in existing procedures.
- c) To advise the Principal Contractor (and Client where necessary) of any injury or dangerous occurrence.

11.8 *Health and Safety Plan*

The Planning Supervisor is responsible for producing an outline Health and Safety Plan for the project. The plan can be revised as required by either the Planning Supervisor or Principal Contractor.

The Health and Safety Plan should set out the arrangements for the management of health and safety issues of the project, and the monitoring of contractors' compliance with statutory provisions. It should also identify the significant risks that contractors should take into consideration when planning and tendering for the work, and it must also state the welfare arrangements that have been made for the project.

It is the duty of the appointed Principal Contractor to develop the plan into a full management control document for the health and safety aspects of the project. This detailed plan must be agreed with the Client and Planning Supervisor before on site work commences.

11.9 *Health and Safety File*

The Planning Supervisor should prepare the initial Health and Safety File and pass it to the Principal Contractor, who must maintain and update it throughout the construction phase. At the completion of the project, the Planning Supervisor must review the file before handing it to the Client, and ensure that the file contains the following information:-

- a) Design criteria (such as the paint system, in the case of some specialist coatings).
- b) General details of the materials used and any potential hazards (e.g. from fire)
- c) Details of the expected lifespan and any regular maintenance requirements.
- d) Any procedural, suppliers or maintenance manuals, or similar documents relevant to maintenance.

N.B. Where the Company is Principal Contractor, on any project, it must also ensure that it receives as fitted / as built information from any subcontractors employed on the project, such as drawings, manuals, design criteria and test certification (as appropriate).

11.10 Information for Employees

Under CDM employees are entitled to information about health and safety (especially information about the significant risks) during the construction phase of a project.

They must be given an opportunity (by the Principal Contractor) to comment on the health and safety aspects of the project; i.e. the Principal Contractor must make arrangements to consult with the site's employees.

11.11 Selection of Sub-Contractors

All sub-contractors will be required to conform to current health and safety legislation and HSE codes of practice. Sub-contractors will be issued with a list of minimum requirements that they will be required to have in place before being considered for work with the Company (See Section 19).

Any sub-contractor used by the Company must have been vetted and placed on a Company approved list.

12. PROCEDURES TO BE FOLLOWED WHEN ESTABLISHING A NEW SITE AND CLOSING A COMPLETED SITE

12.1 Company Appointed As Principal Contractor, Or Main Contractor On Smaller Projects.

When the Company have been appointed Principal Contractor or main contractor, the following actions should be instigated:-

- a) The manager in charge of the contract must undertake key risk assessments and prepare method statements as required. Help, where necessary, should be sought from the Client and other designers. Where CDM applies this will be in the form of a detailed Health and Safety Plan, using information supplied from the Planning Supervisor. The plan must be agreed with the Client and Planning Supervisor before work commences on site.
- b) Where CDM applies, the Company must obtain from the Planning Supervisor a copy of the notification of new works, as sent to the Health and Safety Executive (i.e. if the project lasts longer than 30 days or 500 person days of work).
- c) Where a Health and Safety File exists for the premises, the Company must obtain it, and ensure that the file is continuously updated with appropriate information throughout the project.
- d) The Manager in charge of the contract (or appointed deputy) should fully brief site operatives, prior to commencement of each project.
- e) The Manager in charge of the contract must ensure that the relevant statutory documentation and information posters are sent to site (see next section).

12.2 Site Documentation And Information Posters

- ◆ A copy of the project Health and Safety Plan (CDM projects only), project risk assessments, COSHH risk assessments and safe working method statements.
- ◆ A copy of the notification of the project (CDM projects and domestic projects greater than 30 days only).
- ◆ Health and Safety Law poster (where a site office/welfare facility is established).
- ◆ The appropriate scaffold and plant inspection registers (any site where scaffolds are erected, excavations are made and are left, or mobile plant utilised).
- ◆ BI 510 Accident Book (all workplaces).
- ◆ Employer's liability insurance certificate (where a site office/welfare facility is established).
- ◆ A copy of the Company Safety Policy (all workplaces).
- ◆ First aid boxes to reflect the number of employees (all workplaces).
- ◆ Appropriate fire fighting equipment (all workplaces).
- ◆ Copies of statutory certification for any lifting appliances or other work equipment (where applicable).

12.3 *On-Site Induction Training*

The manager in charge of the contract, or delegated representative, will carry out induction training either before, or on arrival at site, informing the team of the significant risks identified within the scope of the particular project, together with the site's emergency and first aid procedures. He will cover:-

- ◆ The significant risks and precautions to be taken, and safe working methods to be followed.
- ◆ The P.P.E. requirements.
- ◆ Where/how to obtain additional P.P.E. as required.
- ◆ Details of site emergency procedures.
- ◆ Details of site welfare arrangements.
- ◆ Details of any method statements relevant to the actual work the person is involved in.
- ◆ The site rules in general.
- ◆ Where applicable, the arrangements, rules and safe working procedures contained in the Health and Safety Plan.

Confirmation of the induction talk and a register of the persons inducted must be recorded in the site diary or the induction register.

12.4 *Items Of PPE To Be Supplied For Use By Site Operatives*

The following general items will be provided in accordance with the Personal Protective Equipment at Work Regulations:-

- ◆ Safety helmets for all tasks where there is a risk of falling objects or the person sustaining a head injury through contact with an object at head height (this includes climbing scaffolds and towers).
- ◆ Protective gloves, appropriate to the task.
- ◆ Appropriate respiratory protection from substances that may be encountered. N.B. alternative types of protection may be required to protect against different types of dusts, fumes or mists.
- ◆ Goggles to BS 2092 impact grade 1, type 'C D M' and to EN 166.
- ◆ Any personal fall-arrest harness systems and lanyards if any work is to be performed on a fragile roof or on an unprotected edge at height.
- ◆ Any specific items highlighted in the Health and Safety Plan or risk assessment.

12.5 *The Company As A Sub-Contractor To Another Contractor*

Where the Company is acting as a sub-contractor, it should receive from the Principal Contractor, or the contractor responsible for hiring its services, details of the project-specific risk assessments and site rules. These will be contained in the Construction Phase Health and Safety Plan where CDM applies. The Company should provide to the Principal Contractor, or the contractor responsible for hiring its services, risk assessments for the work that it is to undertake, together with method statements for any tasks identified as high risk.

If the Company is working on a short-term project, it should request, and ensure that it receives, details of the site's health and safety risks from the Client, together with any site rules. The Company will take these into account when undertaking the risk assessments for the project, together with method statements for any tasks identified as high risk.

12.6 Contract Completion

At the end of the contract, the contract start-up pack must be returned to the Senior Manager with Special Responsibility for Health and Safety, who will ensure that the accident book and Form 91 weekly inspection register are archived for future reference.

12.7 Project Maintenance File / Health and Safety File

Where CDM applies, the Principal Contractor should obtain the Health and Safety File from the Client, via the Planning Supervisor, containing information about the existing environment, structures, services etc. This information should be used in drafting the Health and Safety Plan and selecting methods of operation.

Throughout the contract the project Health and Safety File should be updated. It will be returned to the Client (on CDM projects via the Planning Supervisor) at the end of the contract for the Client to retain for future use and to pass on to the new owners or managers should the Client pass on ownership or management of the property.

Where CDM does not apply, the manager in charge of the contract will prepare the operation and maintenance details for the Client.

13. MANAGEMENT OF HEALTH & SAFETY AT WORK REGULATIONS - RISK ASSESSMENTS AND SAFE METHODS OF WORKING

13.1 Risk Assessments

Under the Management of Health and Safety at Work Regulations 1999, the Company is required to carry out risk assessments of the work being undertaken to identify the principal risks to their employees, other work people and visitors or members of the public.

As a result of these assessments, risks can be categorised into high, medium and low risks and the precautions that must be taken to control and minimise the risks can be evaluated. For high-risk situations, detailed method statements will be required.

The Company's approach to risk assessments is as follows:-

Generic Assessments – Appendix A includes details of most of the significant risks that will be encountered on projects normally undertaken by the Company, together with details of the Company procedures for controlling these risks. These procedures must be followed and enforced by managers and supervisors at each work location.

Site specific risk assessments – On all projects, the manager in charge of the contract (with assistance from the Company's Safety Advisors if required), before the start of site operations, should:-

- ◆ Consult with the Client or Client's Agent (Planning Supervisor under CDM), and where applicable referring to the Health and Safety Plan, produce site specific risk assessments for any areas identified to be giving rise to a special risk.
- ◆ Check the generic risk assessments and confirm which are valid for the project, and amend any procedures as necessary.
- ◆ Review the existing risk assessments contained in the project file and bring the significant risks and precautions to be taken to the attention of the relevant employees and contractors.

The most common generic risks found in the Company's normal working activities and standard precautions to reduce those risks are found in Appendix A. However, it should be noted that these risk assessments, and the precautions required to minimise them, will vary with the work locations, and specific tasks. Therefore, they should not be seen as providing risk minimisation solutions, until site and task specific elements have been considered. The blank Risk Assessment Proforma at the end of Appendix A should be completed to supplement the generic risk assessments and precautions with any additional site-specific or task-specific risk assessments and/or precautions identified on each project.

Ongoing review of the risk assessments - as the work progresses, additional unforeseen hazards may be encountered. The manager in charge of the contract, with assistance from the Safety Advisor, if required, should be vigilant of the need to re-assess risks and working methods because of a change in circumstances, and must be prepared to make changes as necessary.

13.2 Safe Methods of Working

The Company has a number of standard, prescribed safe methods of working for when undertaking operations that have significant risks. These will be followed when undertaking work which is shown to carry significant risk elements and may be amended to include additional safeguards according to the specific features of a project or site.

Site-specific working methods will also be laid down for each location, for activities where individual circumstances in a location affect the risk elements and standard precautions.

13.3 Personal Protective Equipment

It is Company policy that all employees under the Company's control will wear personal protective equipment as stipulated by the risk assessment for their task at all times. On contract sites, safety helmets, high visibility clothing and safety footwear will normally be worn at all times.

In addition, items such as respirators, eye protection, safety harness, high visibility clothing etc. will be used as indicated by the risk assessment or as instructed by the manager in charge of the contract.

Facilities will be provided by the Company for the storage and cleaning of such equipment.

13.4 Key Guidance For Risk Minimisation

In undertaking risk assessments and determining the necessary precautions, guidance should be sought from approved codes of practice published by the Health and Safety Executive and the following appendices to this policy:-

Electrical Safety:

Appendix B: Tests Required On Site Electrical Equipment

This is essential guidance on the requirements for testing and inspecting electrical tools and equipment used on contract work.

Manual Handling:

Appendix C: A Basic Approach To Manually Lifting A Load

This is essential guidance for operatives on how to lift or move a load safely.

Hazardous Substances:

Appendix D: Hazardous Substances: What Do The Symbols Mean?

Brief guidance on the meanings of the hazardous warning symbols often found on the more hazardous paints and solvents used in the Company's operations.

Asbestos Awareness

Appendix E: Beware Asbestos: the Hidden Killer

Warnings to all employees and contractors regarding the hazardous nature of asbestos, the need for vigilance and the procedures to be followed in the event of the discovery of any suspected asbestos materials.

14. ACCESS - RISK OF A PERSON FALLING (WORK AT HEIGHT REGULATIONS 2005)

The Work at Height Regulations 2005 place a duty on all employers and designers of work tasks to reduce the risks incurred when working at height, through the design of the work task.

The duty to reduce the risks of working at height to the lowest practicable level extends to the following areas:-

- Eradicating or minimising risks of working at height by the original design of structures or equipment (including future maintenance tasks).
- Eradicating or reducing the requirement for persons to access areas at height to the lowest practicable level by specifying designing in safe permanent access, or including aids to securely fix temporary access.
- Reducing the actual heights requiring to be accessed to a minimum.
- Minimising the numbers of people undertaking high level work to the lowest practicable safe level and minimising the actual time spent at height.
- Using the hierarchy of control approach to risk assessment, to assess the risks and to select the safest practicable means for accessing any required task at high level.
- Undertaking risks assessments for all tasks above floor level.
- Formulating safe systems of work for undertaking all high level tasks, and ensuring that the appropriate personnel are adequately trained, equipped and competent to undertake those tasks.

The duty of care extends to all parties responsible for creating tasks requiring high level access. This includes not only those responsible for specifying safe means of access for undertaking work at height and managing the work itself, but also those who are involved in the specification of materials that may require future access at high level for maintenance purposes.

As the Company is involved in painting and, in the course of its work, the specification of specialised coating systems, where work at height is involved, emphasis should be put on specifying paint systems and materials that require less frequent maintenance or re-painting. It will be down to the managers of individual contracts (with advice from the Company's Health and Safety Advisors as required) to determine a suitable and safe means of access for work at height, in accordance with the requirements of the Work At Height Regulations 2005, to ensure that the chosen methods of access are adhered to, and that any equipment provided is erected and used safely.

15. CONTROL OF SUBSTANCES HAZARDOUS TO HEALTH

Under the Control of Substances Hazardous to Health Regulations 2002, every employer is required to identify all substances in use, and to assess their risks to their employees (and others), taking into account the manner in which they are used and the quantities involved.

A "Substance Hazardous to Health" is any substance which:-

- Is listed in the current 'CHIP' list and /or carries a hazard warning symbol.
- Has an occupational exposure limit (see HSE document EH40 'Occupational Exposure Limits').
- Is a biological agent. e.g. Leptospirosis
- Is a dust of any kind, when present in a substantial concentration.
- Presents hazards to health comparable to those listed above.

There are other hazardous substances, but because they have legislation specifically covering their use, they are not covered by COSHH regulations e.g. asbestos, lead and substances which are hazardous because they are radioactive, asphyxiants, at high pressure, at extremes of temperature, or are flammable or explosive.

For a brief generic guide to the hazards created by the most common categories of hazardous substances used in the workplace, see Appendix D.

15.1 *Identification and Assessments*

The following are factors to be considered in undertaking a COSHH assessment:-

- ◆ Which hazardous substances are being used?
- ◆ What quantities of the substances are involved?
- ◆ What form is the substance in? e.g. liquid, dust, solid, vapour
- ◆ How can the substance cause harm? e.g. by inhalation, skin contact, absorption through the skin or ingestion.
- ◆ Who could be exposed to the substances and for how long?
- ◆ Can the substance be substituted by a non-hazardous or less hazardous substance?

In gathering this information reference should be made to the manufacturer's product data sheet, **but the data sheet is not a COSHH assessment** and the Company should use such data, along with the above points of reference, to determine the potential risk. It is the assessment of the specific application of each substance in the working environment, and any potential residual effects once applied, that determines the degree of risk from its use.

15.2 *Instructions and Training*

The Company will ensure that employees are trained and properly instructed in the use and storage of any hazardous substance, and are aware of the importance of using washing facilities before consuming food or drink.

All managers and supervisors must ensure that employees are properly instructed before using hazardous substances.

Smoking must not take place when working with hazardous substances.

16.3 *Small Plant and Equipment*

Small items of plant and equipment can be particularly noisy, but in general are only used for short periods of time. Whenever possible, quiet plant should always be selected. Small plant and equipment that generally exceeds levels of 85dB(A) includes:-

Type Of Equipment	Typical noise levels
Abrasive Wheel/Disc cutting machines	up to 100dB(A)
Hammer drills	up to 100dB(A)
High-speed portable saws	90dB(A)

The manufacturer or supplier will normally indicate on the piece of equipment if noise levels are likely to be excessive and hearing protection is required.

Hearing protection should be used whenever abrasive disc machines and pneumatic breakers are used, irrespective of the exposure time.

17. DRIVERS OF COMPANY VEHICLES (AND DRIVERS USING OTHER VEHICLES FOR COMPANY BUSINESS)

Drivers of Company vehicles must be authorised by the Company to drive the particular vehicle or category of vehicle and must have a valid driving or operator licence for that category of vehicle. No driver on Company business is authorised to drive at excessive speeds while on Company business, and the Company will not condone any driver who breaks the statutory speed limit or drives in a manner which is hazardous to him/herself and/or others.

All Company vehicle drivers must be confident of driving the particular vehicle they are required to drive. If any driver is unsure of how the vehicle he is required to drive is operated, he should inform his/her supervisor and request further training. N.B. Supervisors should note that, even if a driver is licensed to drive a category of vehicle, it does not necessarily mean that he has enough familiarity with the vehicle to be sufficiently competent and confident to operate that particular vehicle in a safe manner.

Every driver is responsible for his/her own safety, the security of his/her vehicle and the protection of third parties. If a driver is feeling unwell or has an injury that might significantly impair his/her ability to drive, then he/she should not operate the vehicle.

17.1 *Guidance For Drivers And Operators Of Mobile Plant*

No person should ever drive or operate any motor vehicle or item of mobile plant or equipment unless trained, suitably qualified and authorised by the Company to do so.

However, qualification and experience are not enough to ensure a safe driver or operator. Of paramount importance is that the driver or plant operator is fit and able to be in control of the vehicle or item of plant and does not attempt to drive or operate it in a condition whereby his/her physical performance, perception or reflexes are in any way impaired

There is no universal definition of what constitutes “fit and able”. Clearly any driver or plant operator must in himself feel in control of his/her task and capable of operating the vehicle or item of plant safely. However, it is easy to recognise situations in which drivers or operators should not attempt to operate motor vehicles or plant and equipment, for example:-

17.2 *Drink and Drugs*

No driver or operator should ever drive a vehicle or operate plant under the influence of alcoholic drink or any drug (including prescribed medicines) that adversely affects their capabilities. Please note that the influence of alcohol and drugs may affect individuals in different ways and may last a considerable period after the drink or drug has been taken.

Also note that the residual effects, such as hangovers or drowsiness, can be as dangerous as the effects of the substances themselves. Company policy is that no person operates any vehicle or item of plant if under the influence of any substance that could affect his or her performance, or if their performance is impaired by the residual effects of taking such a substance.

17.3 *Use of Mobile Telephones*

Mobile telephones have been highlighted as major distractions and the cause of many road traffic accidents and industrial accidents involving powered work equipment. Company policy is that mobile phones are not to be used when driving or operating vehicles or powered work equipment. Calls should never be made while driving or operating plant. Incoming calls should be responded to only when the driver or operator has ensured that his vehicle or item of plant is in a safe position and is switched off.

17.4 Fatigue

Fatigue has become one of the biggest causes of serious injury and death among drivers and machine operators. Increasingly, the authorities are prosecuting persons who wilfully continue to drive or operate high-risk equipment if it can be shown that they were too tired to undertake their tasks safely. Company policy is that no person operates any vehicle or item of plant if they are tired or show any symptoms of drowsiness.

Drivers working alone should stop for a break and refreshment and not continue their journey until they feel fully recovered. Those working in pairs should swap over driving at the earliest opportunity, as soon as the driver feels any signs of fatigue, and at least every two hours on any long journey.

17.5 Ill-health

Ill health is a broad definition of a debilitating illness that could affect driver or operator performance. From headaches, to stomach pains or cramp, ill health could be serious or apparently trivial. However, the ailment only needs to be enough to distract the driver or operator for the consequences to be very serious indeed. Company policy is that no person operates any vehicle or item of plant if feeling unwell such that their performance is impaired.

17.6 Injury

Injuries, whether sustained at work, at home or during recreational activities, can impair driver performance. For example a stiff neck may prevent a person from checking risks behind him/her. A damaged leg or groin may prevent a driver from making an emergency stop. In fact, any injury that is painful enough to provide even a momentary distraction is potentially a serious risk.

Company policy is that no person operates any vehicle or item of plant if their performance is affected by an injury, however sustained.

The above represent examples of situations that can adversely affect driver or operator performance. It is important that every driver and plant operator sees themselves as responsible for the management of the vehicle or item of plant they operate. As such, they are responsible for the effects of their actions on their work colleagues, as well as anyone else affected by their actions. They also have a responsibility to themselves and their families. Motor vehicles and commercial plant are high-risk items and potential killers. It is both the Company's and the individual driver's or operator's responsibility to ensure that they are used in a safe manner. If any driver or operator is in any doubt about their capabilities, they should not start the vehicle or item of plant, or, if the debilitating condition occurs later, they should park the vehicle or item of plant safely and switch it off. It must be left in a safe position and locked. Then the supervisor or line manager must be informed. **It is not worth risking a life.**

17.7 Reporting Traffic Accidents and Driving Offences

All persons who intend to drive a Company vehicle are required to inform the Company if they receive any caution or penalty whilst driving a Company vehicle, or if they accumulate any penalty points whilst driving a private vehicle.

In the event of an accident occurring to any driver whilst on Company business (regardless of whether the vehicle is owned privately or by the company), the Company must be informed as soon as possible and the incident must also be reported to the police.

18. WASTE DISPOSAL AND ENVIRONMENTAL PROTECTION

Anyone who “imports, produces, carries, keeps, treats or disposes of any controlled waste, or a broker who has control of such waste” is subject to a Duty of Care regarding the disposal of that waste.

Controlled waste is defined as any household, commercial or industrial waste, including building and demolition waste. Therefore all waste that leaves site is defined as controlled waste and must only be moved after a transfer note has been issued.

18.1 *The Duty of Care*

The “Duty of Care” states that all those subject to it must:-

- a) Prevent others from depositing, storing, treating or otherwise disposing of waste without a valid licence or contravening the licence conditions; or act in a manner likely to cause environmental pollution or harm to human health.
- b) Prevent the waste from escaping
- c) Ensure that waste is transferred to an authorised person
- d) Include with the waste transfer a written description to enable others to comply with the duty and avoid committing an offence under Section 33.

18.2 *Definitions*

Waste Producer - The waste producer is the party undertaking work that creates the waste.

Waste Manager - A person who keeps, treats or disposes of controlled waste.

Waste Broker - A person who arranges the transfer of waste but does not himself control what happens to it.

Waste Carrier - A person who transports waste. The company should be registered with a waste regulation authority and have a licence to confirm this registration.

18.3 *Duties of a Waste Producer*

A waste producer is responsible for providing an accurate description of the waste, including:-

- The type of premises or business from which the waste is generated.
- The process that produces the waste and the quantity of waste.
- The name of substances which comprise the waste including a physical and chemical analysis, if applicable.

The waste producer is also responsible for:-

- The care of the waste whilst he holds it.
- The packaging of the waste to prevent its escape during transfer.
- Using a registered (or exempt) carrier to transport the waste.
- The final disposal of the waste depending on the degree of his involvement in the selection of the waste carrier, manager or broker.

Any suspicious circumstances which may indicate a breach of the duty in the disposal chain should be reported to the Waste Regulations Authority.

18.4 Duties of a Waste Carrier

The Waste Carrier is responsible for:-

- The adequacy of packaging and security of the waste whilst under his control.
- Ensuring that a description accompanies the waste and that this description is accurate.
- Ensuring that any alteration to the waste is recorded in the description of the waste.

Any requests for contract vehicles to transport waste must be made to the Site Supervisor or manager in charge of the contract who should ENSURE that the contractor is registered for the transport of waste. Waste carriers are subject to the Controlled Waste (Registration of Carriers) and Seizure of Vehicles Regulations 1991.

18.5 Duties of a Waste Manager

The Waste Manager is responsible for:-

- Carrying out the disposal operation in accordance with the conditions of the Waste Regulation Authority Licence.
- Checking the description of the waste they receive. Sample checks on the composition are considered to be “good practice” and should be implemented.
- Ensuring that correctly completed documentation accompanies the waste.

18.6 Duty Holders

All duty holders should look out for breaches of the duty committed by others in the chain. Breaches of the duty should be reported to the Waste Regulation Authority and further dealings with the offenders should be reconsidered.

Duty holders are only expected to do what is “reasonable in the circumstances”. The extent to which they should check up on others in the chain depends on the nature of the waste, how it is to be dealt with and what the holder might “reasonably be expected to know or foresee”. It is, for example, more important to check up on a consignment of toxic chemical waste than a load of waste paper.

18.7 Waste Transfer Notes and Consignment Notes

A waste transfer note or a special waste consignment note must be issued before any waste is transported off site.

18.8 Completion of Site

On completion of the site, all **Waste Transfer Notes** and **Special Waste Consignment Notes** should be archived with the contract papers and retained:-

- for a period of 2 years in the case of transfer notes.
- for a period of 3 years in the case of special waste consignment notes.

19. SELECTION OF CONTRACTORS

All companies contracted to the Company will be required to conform to current health and safety legislation and HSE codes of practice and to follow the Company's health and safety procedures. Contractors will be issued with a list of minimum requirements that they will be required to have in place before being considered for work with the Company (see Appendix F).

Any sub-contractor used by the Company must have been approved and placed on a Company-approved list.

The Company uses an assessment questionnaire (see Appendix G) which must be completed by the sub-contractor and the response assessed by the manager in charge of the contract.

If the Senior Manager with Special Responsibility for Health and Safety feels it is appropriate, he may ask for a more in-depth health and safety audit to be carried out on the company, before granting approval.