



Health and Safety in General Practice

By Roving Practice Managers
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All new employees should read the Health and Safety Policy and any relevant risk assessments should be completed.

Introduction

The basis of British health and safety law is the **Health and Safety at Work etc. Act 1974 (the Act)**. The Act sets out the general duties which employers have towards employees and members of the public, and employees have to themselves and to each other. The Management of Health and Safety at Work Regulations 1999 generally make more explicit what employers are required to do to manage health and safety under the Act.

The Act requires employers to ensure, as far as reasonably practicable, the health, safety and welfare of their employees and anyone else who may have access to their premises (e.g. patients, other workers, visitors, contractors, out of hours staff). *Employees / workers also have a duty to look after their own health and safety. We also have a responsibility to look after people under our care, not to expose them to undue risks, and ensure that they are safe whilst we have direct responsibility for their welfare.*

Under legislation, employees are protected from detriment or dismissal if they take action on certain health and safety grounds, for example:

- bringing to their employer's attention a concern about circumstances at work which they reasonably believe to be harmful to health or safety; or
- in the event of danger which they reasonably believe to be serious and imminent and which they could not reasonably be expected to avert, leave or propose to leave the workplace or any dangerous part of it, or (while the danger persists) refuse to return

Employers are required, by law, to either display The Health and Safety Executive (HSE) - approved law poster or to provide each of their workers with the equivalent leaflet (available as a free download from HSE):

- **HSE Health and safety law poster - 'Health and Safety Law - What you need to know'**
- **HSE Health and safety law leaflet - 'Health and Safety Law - What you need to know'**

Partners can be personally liable for failures by the practice to abide by Health & Safety legislation.

Under the Management of Health & Safety at Work Regulations employers must ensure that employees and visitors are aware of hazards and emergency information about the premises. A pictorial representation, which can be displayed in the building and given to visitors, is a straightforward way to achieve this:

- **FPM policies and procedures library: PA index - 'Building hazards and emergency information poster'**

Employees and employers can claim damages for breaches of health and safety regulations.

Since 27th October 2003, workplace safety and fire regulations allow employees and employers to claim damages for breaches of the regulations. Employees can claim damages from their employer in a civil action, where they suffer injury or illness as a result of the employer breaching the Management of Health and Safety at Work Regulations 1999 ("the 1999 Regulations") or the Fire Precautions (Workplace) Regulations 1997. Employers can also bring actions against employees for breach of their duties under the 1999 Regulations.

Find out where your accident reporting book / system is and read the policy.

Practice Manager Information

New Practice Manager - Review each risk assessment and policy periodically (e.g. annually – get them in your outlook calendar as reminders). Reviewing your risk assessments is a key task for the incoming practice manager. Then additionally, revise where necessary (e.g. if the working environment has changed, building works, new procedures or equipment have been implemented or the premises have been altered).

The legislation states that any organisation employing five or more people must have a written **health and safety policy**, and must carry out a **risk assessment** which examines what could cause harm to people in the workplace, and evaluates whether sufficient precautions have been taken to minimise such risks, or whether further actions are required.

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Practice action

Practices should ensure that they comply fully with the requirements of the Health and Safety legislation:

- **Checklist of mandatory health and safety actions**
- **Keep an accident book for any accidents on site.**

Risk assessment

Risk assessments can usually be carried out by practice managers without the need for specialist assistance. Risk assessment involves examination of the workplace and working practices to identify what could cause harm to people, together with consideration of the measures needed to eliminate or minimise these risks.

Reminder - employers must carry out a risk assessment for every expectant / new mother /breastfeeding employee and also a BAME risk assessment for Covid-19.



Additionally, to comply with our duties under **COSHH**, we:

- Identify any hazardous substances present in the workplace.
- Assess the risks and put in place an assessment of any workplace hazardous substances that pose a risk to health.
- Put in place control measures around hazardous substances and ensure that these are up to date.
- Measure the concentration of hazardous substances in the air breathed in by workers in any instance where:
 - Exposure limits might exceed the workplace exposure limit (WEL).
 - Failure or deterioration of control measures could lead to serious risks to health.
 - Control measures may not operate correctly.
 - Provide employees with suitable and sufficient health and safety information, supervision, and training

Health and Safety Executive. Control of Substances Hazardous to Health Regulations 2002 (COSHH)

www.hse.gov.uk/nanotechnology/coshh.htm

The risk assessment process:

Step 1 - Identify hazards.

Undertake an inspection of the subject of the risk assessment, e.g., the working environment, drugs handling, fire safety, sharps handling/injuries, etc. Seek as much information as possible, by executing the following tasks, for example:

- common sense observation
- asking employees what hazards they are aware of
- checking suppliers' instructions and information on equipment and materials
- checking records of accidents and sickness which may point to hazards

Common hazards to look out for (these are examples only and the list is by no means exhaustive):

- uneven/slippery flooring, loose carpeting, worn steps
- unprotected cabling
- flammable materials and fire risks
- overfull filing cabinets that may topple
- sharp corners and open drawers
- broken or weak seating
- inadequate arrangements for the storage and movement of heavy items (e.g. O2 cylinders)
- inadequate storage of/security of/access to drugs
- glass doors
- incorrect treatment of clinical waste
- needlestick injuries
- unsafe electrical equipment
- unsafe or broken toys or play equipment in waiting/consulting rooms

Longer term health risks:

- poor lighting that can lead to eye strain and headaches
- poor seating leading to back and muscular pain
- poor air quality
- potential (as yet unquantified) health risks to mobile phone users

Step 2 - Decide who is at risk

For each hazard identify who could be affected (employers are responsible for the health and safety of everyone who could be affected, not just employees), for example:

- doctors and clinical staff
- office staff
- patients, visitors, contractors
- especially anyone who may be particularly vulnerable or need special treatment (e.g. the disabled, the elderly, the young, new and expectant mothers, lone or overnight workers)

Step 3 - Evaluate the risks

Identify what precautions exist, whether the precautions are adequate, and what further action is required, for example:

- is a cautionary sign sufficient?
- can the hazard be removed altogether?
- how can the hazard be controlled so that the risk of injury is minimised? A good example here is Covid-19 and PPE.
- identify any remaining risks
- identify the action(s) to be taken in the event of an accident

Step 4 - Record the findings

Record the findings and ensure that actions which have been identified are carried out.

Step 5 - Review

Review your risk assessments regularly and your policy. Ensure that all new starters are risk assessed as needed and risk assessments are put in to place. Also, consider new risk assessments as your practice adapts and you have changes in the patients it sees or the services it provides.

Where you are on a **shared site** e.g. a health centre or rent out offices for community staff it is advisable to work with their H&S person to ensure that you are both operating in a mutually beneficial way for all staff and visitors.

If you **have an incident**, remember who is here for you. Always tell your insurer early so you follow their required actions and talk to the LMC if you need further advice, they will be able to signpost you. Complete a **significant event report** and learn from it and make relevant changes and adapt your policy and risk assessments as needed. Also, check the **CQC and RIDDOR** requirements to check that you have advised them.

Tip- It is useful to have a CQC and RIDDOR reminder on your accident / incident forms to act as a reminder to check and report what is needed

Further information

A lot of the above information is freely available on the First Practice Management website which has other useful resources to assist you.

www.firstpracticemanagement.co.uk/health-and-safety-guidance/health-and-safety-introduction/

During **COVID** this additional information on making your workplace safe is of use:

www.hse.gov.uk/coronavirus/working-safely/index.htm it also has risk assessment templates.

NHS England has some good information and a template for **Black and Minority Ethnic and other higher risk groups**

www.england.nhs.uk/midlands/wp-content/uploads/sites/46/2020/06/BAME-and-other-at-Risk-colleagues-Assessment-Form.docx

Sample **policies** are available and there is one specifically for General Practice here on Team Net in Master Copies that you can adapt to meet your needs.

Royal College of Nursing. Promoting safety in the workplace rcni.com/hosted-content/rcn/first-steps/promoting-safety-workplace

A useful place for online **staff training** is Blue Stream and it is recommended that all staff are trained soon after their arrival at the practice.

www.bluestreamacademy.com/

CQC reporting: [Regulation 18: Notification of other incidents | Care Quality Commission \(cqc.org.uk\)](https://www.cqc.org.uk/resources/legislation/regulation-18-notification-of-other-incidents)

RIDDOR reportable incidents: www.hse.gov.uk/riddor/examples-reportable-incidents.htm and the report must be within 10 working days of the incident.

The detail



- [Legislation.gov.uk](https://www.legislation.gov.uk) legislation - 'Health and Safety at Work etc. Act 1974'
- [Legislation.gov.uk](https://www.legislation.gov.uk) legislation - 'The Management of Health and Safety at Work Regulations 1999'
- Health and Safety Executive (HSE) website
- HSE industry specific guidance - 'Health and social care services'
- HSE Health and safety law poster - 'Health and Safety Law - What you need to know'
- HSE Health and safety law leaflet - 'Health and Safety Law - What you need to know'
- HSE guidance leaflet - 'Health and safety regulation: a short guide'
- HSE guidance - 'Health and safety made simple: The basics for your business'
- TUC guidance - 'Health and safety'
- ACAS guidance booklet - 'Health and employment'
- ACAS advisory booklet - 'Health, work and wellbeing'
- GOV.UK guidance 'Employing people: Health and safety at work'
- Healthy Working Lives (NHS Health Scotland) guidance - 'Health and Safety Legislation'