

Health and Safety Guidance Notes

INTRODUCTION

Under Health & Safety legislation all employers of five or more employees are required to have a written statement of their health and safety policy. There is no statutory prescription as to the content of the policy, but the need for and the terms of such a policy are intended to ensure that the employer has a clearly defined understanding of what these health and safety responsibilities and goals should be.

Individual Charges of the Scottish Episcopal Church are generally considered to be distinct employers. These guidance notes contain a form of basic policy document which has been designed to fit the minimum requirements. It largely consists of a statement of general principles which Vestries should be following. Church premises are, or should be, low-risk environments, and health and safety requirements (particularly risk assessments) should be straightforward enough and a matter of common sense.

It is essential that regular risk assessments (including fire risks) be carried out and that the results are recorded in addition to adopting a Health and Safety policy.

A leaflet, "Five Steps to Risk Assessment" is available from the Health and Safety Executive - *See Appendix A*. Further advice is also available on regulations covering the management of asbestos, gas and electrical safety at:

http://www.firekills.gov.uk/safety_code/01.htm

So far as fire safety assessments are concerned, please consult the document:
Fire Safety Responsibilities - *See Appendix B*.

It is strongly recommended that the following policy statement (or a variant of it adapted to the needs of a particular charge) be adopted by all Vestries regardless of their number of employees. A copy should be displayed at all main entrances to all buildings.

Finally, there is a separate, section which covers particular rules that may have to be applied to the use of hall premises by outside groups. Whether this section will be required will depend on the nature and use made of the particular Charge's accommodation. Such rules do not need to be part of the policy statement but should be issued as a separate document to hall users or referred to in any letting agreement. Clearly, it is important that all users are aware of their fire safety responsibilities.

USE OF THE SAFETY POLICY AS A TOOL OF INSPECTION

A good safety policy statement is an aid to inspection. The policy statement should outline who is responsible for key issues and how, when and what they should be doing as part of those responsibilities.

HEALTH & SAFETY POLICY STATEMENT

This is the Health & Safety Policy Statement of

[*St Anywhere's Scottish Episcopal Church.*]

The general policy of the Vestry is:

- To provide adequate control of the health and safety risks arising from all of the Church's activities.
- To consult with employees and any other relevant persons on matters affecting their health and safety.
- To provide and maintain safe plant and equipment.
- To ensure safe handling and use of substances.
- To provide information, instruction and supervision for employees, where required.
- To ensure all employees are competent to do their tasks, and to give them adequate training, if necessary;
- To prevent accidents, so far as is reasonably possible.
- To maintain safe and healthy working conditions and premises.

RESPONSIBILITIES & RISK ASSESSMENT

Responsibility for health and safety matters rests with the Vestry which will carry out regular risk assessments (including fire safety assessments) for the Church building and all associated properties. The [*Property Convener or Safety Officer... insert as appropriate*] shall be responsible for dealing with Health and Safety matters arising on a day to day basis [*please ensure that this person's contact details are readily available*]. Employees, volunteers and all those using the Halls should take appropriate steps to protect their own health and safety and all potential risks or concerns should be reported to the [*Hall Letting Secretary, Property Convener, Safety Officer ... insert as appropriate*] as soon as possible.

ACCIDENTS & FIRST AID

A first aid box is kept at [*insert as appropriate*]

All accidents and cases of work-related ill health will be recorded in an Accident Book. The book is kept [*in the Vestry by ----- amend/insert as appropriate*]

The [*Property Convener or Safety Officer etc*] is responsible for reporting accidents to the Local Authority where there is an obligation to do so.

FIRE AND EVACUATION

The [*Property Convener or Safety Officer etc*] is responsible for ensuring that fire risk assessments are undertaken and implemented and that appropriate fire safety measures and evacuation procedures are in place. This will include an annual inspection of all gas installations, gas boilers and fire extinguishers. The timely inspection of all fixed and portable electrical equipment will also be carried out.

MANAGEMENT OF ASBESTOS

The [*Property Convener or Safety Officer etc*] has put in place an appropriate asbestos risk-management plan and will ensure that it is kept up to date.

USE OF HALLS

All users of Halls, particularly external groups, and the leaders thereof are reminded that they are required to take all reasonable steps to ensure that their activities are safe and the persons that they are responsible for are not subject to risk. In particular all users and leaders should be aware of the fire safety procedures. The following rules will apply to use of the Halls. Group leaders and members of groups are required to comply with these rules as a condition of using the Halls:-

Set of rules – *to be added and should be specific for the establishment (or a document should be referenced and be readily available.)*

OTHER ITEMS (*as appropriate*) e.g. **PREPARATION OF FOOD**

BY ORDER OF THE VESTRY

Vestry Official

Date:

APPENDIX A

HEALTH AND SAFETY RESPONSIBILITIES

The following is a brief summary of some of the main issues that should be addressed by all Charge Vestries of the Scottish Episcopal Church in the Diocese of St Andrews, Dunkeld and Dunblane..

HEALTH AND SAFETY GENERALLY

In most cases the application of "common sense" should suffice. If there is a safety risk then it is likely that this will be obvious to the layman and its resolution should be equally self-evident. Potential hazards should be dealt with and checks should be carried out at appropriate intervals. Whenever unusual situations arise and there is any doubt, then the Diocesan Office should be consulted immediately.

WHAT ARE OUR RESPONSIBILITIES?

The Vestry is responsible for ensuring that all premises under its control whether or not they are workplaces are kept as safe as is reasonably practicable and that employees, members of the Charge and members of the general public are not exposed to avoidable risks. This responsibility exists irrespective of any requirement arising out of the 1974 Act or regulations made under it. The Act is intended to apply to workplaces.

Under the Act the basic duties are as follows:-

- Employers have a duty to ensure, so far as reasonably practicable, the health and safety and welfare at work of all their employees.
- Employers and the self-employed must conduct the undertaking for which they are responsible so as to ensure, so far as reasonably practicable, persons not in their employment are not exposed on their premises to risks to health or safety.

These statutory duties are framed with what might be called the "normal workplace" (e.g. a factory or office) in mind. However, they do apply to Church premises although it may be said that they add comparatively little to the general duties referred to above.

WHAT PREMISES ARE WE RESPONSIBLE FOR?

- All church properties, although the Act applies to any premises where employees of the Charge work.
- Churches are workplaces because clergy, organists and cleaners etc work there.
- Church Halls will be workplaces if any duties involve people working there.
- Rectories are not workplaces as they are essentially residences for clergy and their families (and clergy are self-employed) but if for example the church secretary works regularly in a room in the Rectory then that room may be deemed to be a workplace and as such it should be kept as safe as possible as members of the charge may be visiting it regularly.

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WHOSE SAFETY ARE WE RESPONSIBLE FOR?

- Not only employees but anybody visiting or entering the premises.

WHAT DO WE HAVE TO DO?

Review safety (including fire safety) issues regularly. Regulations do require that employers and self-employed make regular assessments of hazards and risks but there is no requirement in undertakings with less than five employees for these assessments to be recorded. It is however, good practice to ensure that some regular record is kept, preferably an appropriate reference in the Vestry Minutes to the fact that the safety of particular premises had been examined with details of what action had been taken, or was required, to deal with any problem. A leaflet *Five Steps to Risk Assessment* is available from the Health and Safety Executive website (Select Risk Management in the health and safety topics dropdown box) at:

<http://www.hse.gov.uk/risk/index.htm>.

- Have in place a Health and Safety Policy – this is mandatory for establishments with five or more employees and highly recommended for all other establishments.
- Make it clear who is responsible for dealing with safety issues on behalf of the Vestry. This could be the Property Convener but an appointed Safety officer is preferable.
- Ensure that there are safe systems of work in place. Normally the duties of such employees as organists or cleaners will not involve systems of work as such. However, specific tasks may require that particular attention be paid to the health and safety of the employee. For example, if light bulbs in inaccessible places have to be changed then it is essential that consideration is given to the individual's safety: nobody should be expected to climb a high ladder unassisted or to crawl out over an unsupported ceiling. Similarly, nobody should be expected to carry heavy loads without assistance. In certain cases it may be necessary to call on specialist outside assistance to carry out particular tasks.
- Avoid "obvious" hazards such as wires across accesses or frayed electrical cables.
- Have appliances and installations checked at appropriate intervals:
- GAS appliances and installations must be serviced annually and records kept in a place that is readily accessible.

APPENDIX A (cont)

- ELECTRICAL installations and systems should be maintained to prevent danger as far as is reasonably practical. There are no servicing and record obligations as in the case of gas installations and in the normal case the inspection carried out under the quinquennial survey will suffice. However, regular inspections of electrical appliances (fixed and portable) should be checked at appropriate intervals.
- Store cleaning materials securely
- Pay particular attention to parts of premises where children may be present.
- Keep a basic first aid box on the premises. Guidance as to contents and on first aid generally may be found on the Health & Safety Executive web site at:

<http://www.hse.gov.uk/firstaid/legislation.htm>

- Keep an accident book in the prescribed format. The accident book should be in the Health & Safety Executive prescribed form to comply with Data Protection requirements (mandatory from December 31 2003). This is available from the HSE Books website at:

<http://hsebooks.co.uk/books/>

- The book also provides advice on the reporting requirements in respect of serious accidents.
- Display a Health & Safety poster in the approved format. Copies may be obtained from HSE Books as above.

Further general guidance (including copies of leaflets) is available on the HSE website, the homepage for which can be found at:

<http://www.hse.gov.uk>

A very helpful publication which can also be obtained from HSE Books (Ref HSG192) is “Charity and Voluntary Workers – A guide to health and safety at work” which is tailored for use by charities and voluntary organisations and contains lots of practical suggestions and case studies.

Also useful will be the NHS Scotland site:

<http://www.safeandhealthyworking.com>

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APPENDIX B

FIRE SAFETY RESPONSIBILITIES

From 1st October 2006 the obligations requiring the carrying out of Fire Safety assessments under the Health & Safety legislation in respect of workplaces have been replaced with the relevant requirements of the new Fire Safety legislation. The assessment obligations are largely unaltered.

A methodical approach is required and it is recommended that Vestries conduct a structured Risk Assessment, record the findings of this assessment and carry out any remedial actions so identified. These results and actions must be recorded in an appropriate minute and be available for inspection at quinquennial visitations.

Detailed guidance on what is expected in respect of assessment and implementation can be found in the Scottish Executive/Safer Scotland Fire Safety Guidance Booklet: and it is strongly recommended that Property Conveners obtain a copy which is available on the internet for download at:

http://www.infoscotland.com/firelaw/files/Summary_Guide_Full_doc.pdf

FIRE REGULATION CHANGES IN SCOTLAND

The following is a list of “top ten facts” regarding the recent changes:

1. Fact

Existing fire safety legislation has been repealed and replaced with a new fire safety regime.

2. Fact

Fire certificates have been abolished. If you have an existing fire certificate it is no longer valid.

3. Fact

The new fire safety regime is based on the principles of risk assessment and the requirement to take steps to prevent fire and mitigate the detrimental effects of a fire on the premises to ensure the safety of all persons.

4. Fact

The new fire safety regime applies to nearly all non-domestic premises in Scotland along with those Houses in Multiple Occupation which require a licence.

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5. Fact

If you have any degree of control over premises covered by the fire safety regime then you are likely to have some responsibility for fire safety but this responsibility will be in direct proportion to your level of control i.e. the more control you have, the greater your responsibility. But additionally, an employer will always retain responsibility for the safety of his or her employees.

6. Fact

More than one person can have fire safety responsibilities for the premises. For example, an employer, owner, landlord, tenant or a contractor carrying out repair work may each have fire safety responsibilities for the premises and are required to co-operate with each other and co-ordinate their fire safety measures.

7. Fact

If you have responsibility through having some degree of control, you are required to undertake a fire safety risk assessment in respect of the premises to the extent of your control and you need to consider the outcome of this assessment and take appropriate action as necessary.

8. Fact

You must review your fire safety risk assessment regularly and update it if required.

9. Fact

In some cases, the fire safety risk assessment will have to be recorded, such as when a license or registration is required for the premises and the enforcing authority has issued a formal 'alterations notice' requiring this or where an employer employs five or more employees. '

10. Fact

Premises covered by the fire safety regime may be inspected or audited by an enforcement officer to ensure compliance with the law (in most cases the enforcing authority will be the local Fire and Rescue Service).