

Health & Safety

Duties of employees

Employees do not get off scot free here. Duties are placed on you as well. You must:

- look after your own health and safety as well as that of others;
- follow the training you have received when using any work items your employer has given you;
- take reasonable care of your own and other people's health and safety;
- co-operate with your employer on health and safety;
- tell someone (your employer, supervisor, or health and safety representative) if you think the work or inadequate precautions are putting anyone's health and safety at serious risk.

This phrase *so far as is reasonably practicable* (SFAIRP) is widely encountered in health and safety law. It means that the risk in a particular situation can be balanced against the time, trouble, cost and physical difficulty of taking measures to avoid the risk.

This is, in the end, a judgement. Guidance is available from the HSE but ultimately the decision about whether a measure is practicable is for the courts.

E.g. providing a rubberized surface over a whole playground at the cost of £1,000,000 to prevent grazed knees is clearly not reasonably practicable.

Providing suitable ear defenders for workers in a noisy workshop, clearly is.

One of the most important aspects of the Act is that it allows all sorts of other health and safety law to be passed in the form of secondary legislation which, to all intents and purposes, by-passes Parliament. We will look at the most important of these regulations in future Bulletins. <<