

Health and Safety

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“Beware of falling coconuts”

Accidents do happen

UK: population approx 55m - one person is killed and 6000 people are injured per day in work-related accidents

Accidents at work – legal consequences

Legal consequences for employer

- Inspector may stop work until dangerous practices cease
- Prosecution

Claim for compensation in civil law by injured employee

- Negligence
- Employers' liability

Prevention of accidents

Minimum legislation usually provides for compulsory employers' liability and insurance so that employees have some redress for death or injury at work in any other countries. There may be some safety legislation for factories and other dangerous work.

Countries with health and safety legislation are likely to have strict rules, codes of practice and enforcement that apply to any kind of workplace. This is aimed at the prevention of accidents rather than relying on punishment and compensation after an accident.

Occupational health and safety legislation

This requires the employer (and, usually, the self-employed)

- To take precautions to prevent accidents and damage to health at work
- Most developed countries have such laws eg Britain (and other EU countries), Canada, Australia, New Zealand, Australia, USA (see relevant websites)

The essentials of OH&S law

Essentially a law that imposes a general duty on an employer to take reasonable care for the health, safety and welfare of his employees.

- As in the UK, this may also extend to the employer, the self-employed, visitors, students and volunteers in work premises.
- The “workplace” can include any working environment, not necessarily indoors, such as field studies, farm and house visits
- The employer must have a written health and safety policy that is communicated to employees.
- There is extensive further regulation for specific working situations
- It is based on what is reasonable not absolute
- The key essential of health and safety lies in the principles of management and risk assessment (see further down below)

Working in another country

If you are working (or researching, volunteering or studying) in a country with established health and safety legislation, you are likely to be very clearly informed about your obligations. If you are not instructed, you should make careful enquiries and read all the notices and advice, especially if you have come from a country that does not have such standards.

If you are going from a country where you have worked under health and safety law to a location where there are no, such provisions you should consider the following:

- If you supported by an institution in your home country or working under a grant, you are likely to have to do a risk assessment (see below) and undertake to follow guidance before you leave.
- Bear in mind that the situation that you find on arrival may be different from your expectations and your risk assessment may have to be adjusted. Your hosts may require you to follow their rules and/or do a local risk assessment in addition.
- If you have no guidance at all you can do your own risk assessment and management. This will help you and your co-workers, who may have little or no knowledge of this concept. The notes below are based on the UK law (which conforms to European Community law but the procedure can be used in any circumstances).

Management of health and safety

The management of health and safety enables an employer to fulfil the duties laid down in law. It can also be followed on a voluntary basis in the absence of law at work. It can also be applied in other circumstances, for example, to sport (eg. hiking, mountaineering, scuba diving), social activities (eg. parties and clubbing) and travel.

This is carried out by risk assessment. This must be adequate, suitable and sufficient.

The five steps to risk assessment

1. Identify hazards ie anything that can cause harm
2. Identify/assess risks ie the chance, high or low, that somebody will be harmed by the hazard
(Ask who may be harmed and how?)
3. Evaluate the risks
 - Consider how likely it is that each hazard could cause harm
 - Can I get rid of the hazard? Can I prevent access to the hazard?
 - Does any risk remain after precautions have been taken?
 - If not, can I control the risks so that harm is unlikely?
 - Is the risk high medium or low?
 - Aim to make all risks low
 - Try a less risky option
 - Organise work to reduce exposure to the hazard
 - Issue personal protective equipment (eg gloves, goggles, respirator)
 - Provide training
 - Provide welfare facilities (eg washing, first aid)
4. Written record of assessment
 - Make a record of your assessment and date it
 - Inform employees, co-workers and others affected
5. Review the risk assessment
 - At regular intervals
 - In the event of new situations, eg new activities, personnel, equipment,

REFERENCES

British Health and Safety Legislation and literature

There are numerous leaflets that can be obtained from the Health and Safety Executive or downloaded from its website. Search under HSE.

Key documents are:

An introduction to health and safety INDG259 1997

Five steps to risk assessment INDG163(rev) 1998

A guide to risk assessment requirements

Essentials of health and safety at work 3rd Edn 1994

COSHH: a brief guide to the Regulations INDG136 1999

There are also websites that show the legislation and its application in eg Canada, Australia, New Zealand, USA. Search under Health and Safety on the government and legislation websites. Also see the CARICOM website for a model law for the Caribbean (some such countries have legislation).

Websites specifically relating to, or providing a lead to, health and safety in fieldwork and allied situations are numerous, for example:

- Royal Geographical Society www.rgs.org. Includes Geography Outdoors (former Expedition Advisory Centre); “The Expedition Handbook” and “Expedition Medicine”
- Institute of Biology www.iob.org Formerly produced guidance on safety in fieldwork so may provide advice. Runs courses eg “Risk Assessment of Educators”
- Universities Many have websites on safety in fieldwork, including risk assessment forms and guidance on specific working environments. See for example:
www.ounce.ox.ac.uk/info/safety/fieldwork.php
www.arci.ed.ac.uk/safety/field_arch1/index.htm
www.safety.ed.ac.uk/part8/part8.shtm
- Government foreign and health departments often issue advice and information and guidance for those going overseas.

Insurance

Ultimately, good law or not, accidents can happen at any time. You could be insured against as many risks as possible, particularly for medical treatment and evacuation, personal liability and loss of money, tickets and property. Look out for the limitations of any policy.

Professional indemnity cover can be a problem for veterinarians and other professionals in countries where this aspect of the insurance market has not developed and local practitioners do not insure against professional negligence (malpractice). If you are working overseas briefly as an extension to your home practice, you may be able to get your home insurer to provide extra cover.