
**APSE Facilities, Catering and
Cleaning Management Seminar 2016
Health & Safety Update**

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The times they are a changing.....



Current Health & Safety Landscape

- Corporate Manslaughter prosecutions increasing
 - First large organisation has been charged (NHS Trust)
- Increase in level of fines for h&s prosecutions and likely to continue
 - New guidelines from the Sentencing Council expected to take effect in February 2016
 - Unlimited fines in Magistrates Courts (England & Wales)
- Construction (Design and Management) Regulations 2015
 - Impact for small construction works

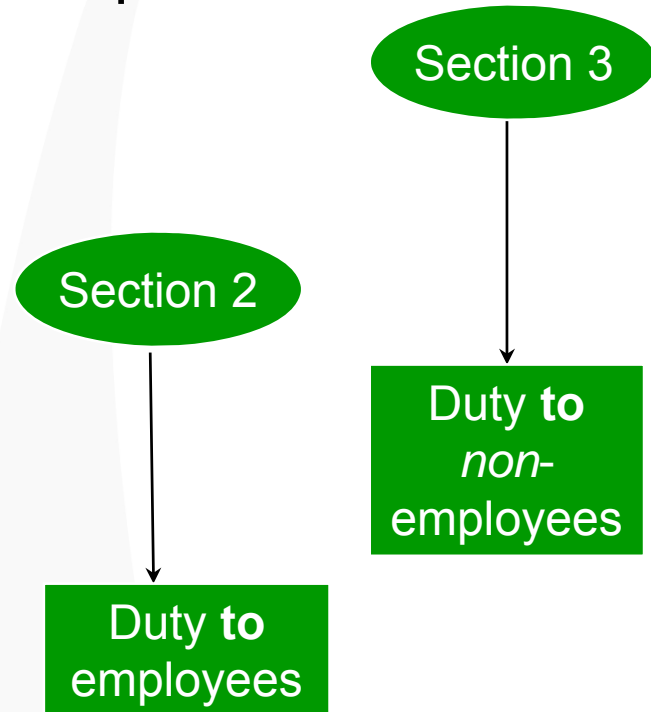
H&S Responsibilities of Running FM



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Corporate H&S duties

Corporate



Duty to “ensure” the health safety and welfare of employees

Duty to “ensure” the health and safety of non-employees

“So far as is reasonably practicable”

Corporate H&S duties

Corporate

Duty to “ensure” the health safety and welfare of those who work within them

Section 4

Duty on those in control of premises

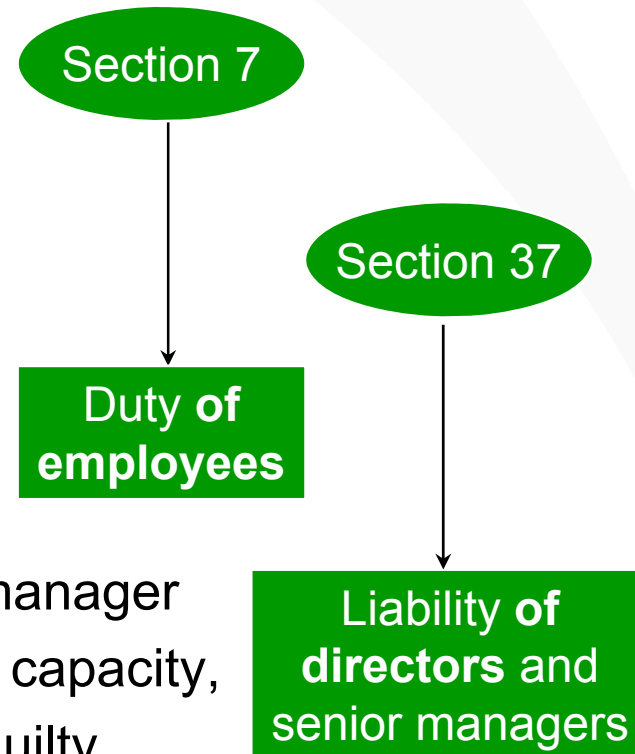
“So far as is reasonably practicable”

Individuals H&S duties

Duty to take reasonable care of self and others affected by work (s.7)

Where an offence... has been committed with the **consent**, **connivance**, or...attributable to any **neglect** on the part of any director, manager ... or a person who purports to act in that capacity, he/she as well as the company shall be guilty of that offence (s.37)

Individuals



Leadership – Tone at the Top

IOD Guidance (Leading
H&S at Work)

www.iod.com/hsguide

Relevance for Directors/senior
managers

Relevance for s37 HSWA

Relevance for Corporate
Manslaughter



The Need for Risk Assessment: Management of Health & Safety at Work Regulations



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So what?

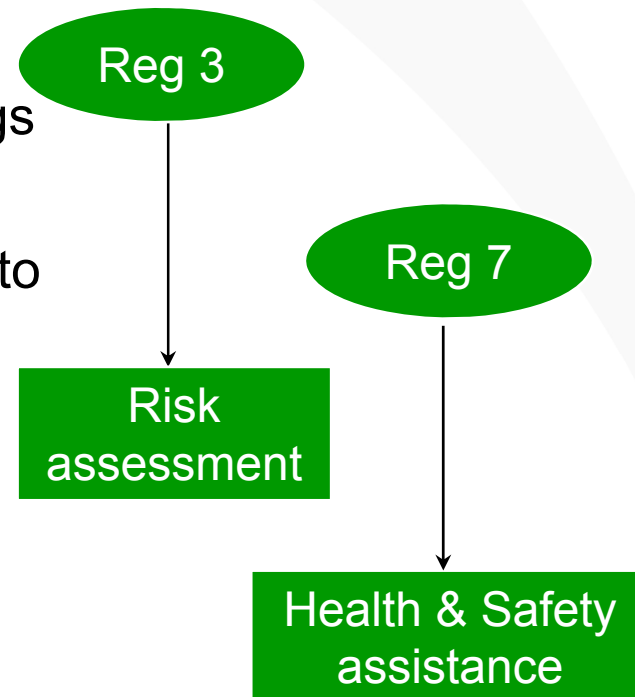


- **Risk assessments are key!!**
 - what was foreseeable (law / standards / guidance)
 - reasonable controls

MHSWR

Undertake a suitable and sufficient risk assessment and record significant findings

Appoint one or more competent persons to provide health & safety advice



Risk Assessment

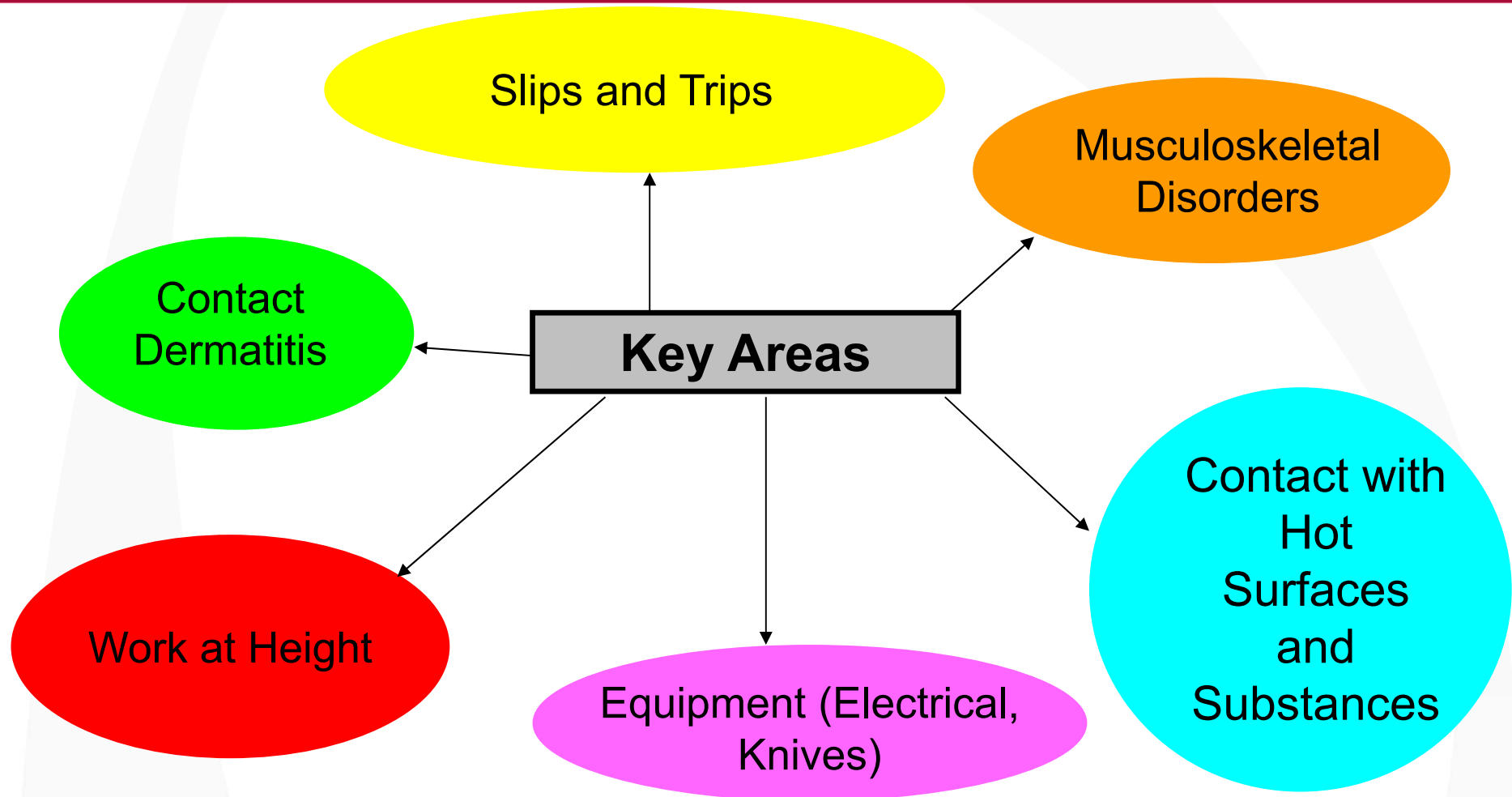
- Remember the need to co-operate and co-ordinate with other employers where you share a workplace (regulation 11)
- Working in another employers undertaking (regulation 12)
- In the event of enforcing authority investigations risk assessments are key documents
- Are they specific to the activity and location ?

Practical Issues for Catering and Cleaning



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Key Risks



Help and Guidance

- Cleaning Industry Liaison Forum
- HSE Information Sheets, eg Slips and Trips
- Caring for Cleaners : How to Prevent Musculoskeletal Disorders (HSG 234)
- HSE website example risk assessments (catering & cleaning)
- HSE Hospitality Industry Case Studies
- FAQ's HSE website

Summary

- Know your responsibilities
- Carry out meaningful risk assessment
- Maintain your equipment
- Train your staff
- Keep good records
- Be aware of what is happening in your industry

Q&A





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