

## HOW TO DRAFT A SAFETY STATEMENT

Under section 12 of the Safety, Health and Welfare at work Act, 1989 ("the Act") every employer must as soon as possible prepare or cause to be prepared a statement in writing which is known as a **Safety Statement**. This statement specifies the manner in which safety, health and welfare shall be secured in the workplace. The purpose of the document is to require employers to assess the workplace over which they have control and to identify the hazards to safety, health and welfare in that place of work.

**It is not possible to publish a generic safety statement as the risks in each workplace vary depending on the activity being carried out.**

### Summary

1. The Safety Statement says:

(a) What the employer wants to achieve - a statement of general policy on safety and health, which is signed by a member of senior management and is dated

(b) Who is to do it - the employer's organisation used for safety and health.

(c) How is it to be done - the employer's arrangements for safety and health.

(d) When and what is to be checked - planned review and revision as required.

2. The completed full Safety Statement must be relevant to the business and workforce.

3. It must be brought to the notice of all employees, as must any revisions.

4. Representatives of the workforce must be consulted in good time on matters affecting safety and health.

5. Although the general contents are specified by the Act, there is no legally required format for a policy. There is extensive guidance on the subject published by the HSA.

It is also good practice for the Safety Statement to:

6. Stress the need for co-operation between management and workforce before the policy can be effective.

7. Draw the attention of employees to their own responsibilities under Section 9 of the Act.

8. Cover the safety and health of visitors and contractors, where they could be affected by business activities.

9. Cover occupational health matters such as alcohol or drugs abuse and stress.

10. Refer to environmental responsibilities, if relevant to the business activities.

### Introduction

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document is to require employers to assess the workplace over which they have control and to identify the hazards to safety, health and welfare in that place of work.

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## Why do I need a Safety Statement?

Failure to comply with the section 12 Safety Statement requirement is a criminal offence. Civil liability may also attach.

## Key components of a Safety Statement

There are four main components to a Safety Statement:

1. **General Policy Statement** - this spells out the commitment of the organisation to safety and health. The reduction/elimination of accidents and the protection of health should be explicitly stated as a key feature of the organisation's activities and measure of success.
2. **Organisation** - defining who does what.
3. **Arrangements in force** - should characterise the particular arrangements established to achieve the targets set out in the general statement, such as first aid, training and fire precautions. This will also include a listing of all significant hazards and associated policies and procedures for eliminating or reducing the associated risks.
4. **Review** - all Safety Statements should be subject to periodic review to minimise the risk of the policy falling out of date and failing to address either legal standards or practical issues which arise within the organisation.

**General Policy Statement.** The first part of the Safety Statement is a statement of commitment that you will manage your undertakings in such a way that, as far as you are able, the safety of staff, visitors, clients, contractors, members of the public etc will be assured. This is where you identify all possible stakeholders in a well run operation, and declare your intention to look after their interests.

**Organisation.** The second section should outline the management organisation describing who is responsible for delivering the commitments that you have made in the opening statement. This is an opportunity to inform individual members of staff what they are expected to do. Staff need to know what is expected of them - and this may be defined in the Safety Statement, but may need to be repeated in job descriptions and need to be raised at staff reviews.

**Arrangements.** The final section is the most specific - detailing what you do in practice for first aid, accident reporting, fire safety, hazardous substances, manual handling, electrical safety etc. and all other specific issues that should have been picked up as critical in the risk assessments. Under the Act the employer is required to retain the services of a competent advisor in safety and health. This part of the safety statement is an ideal place to document whatever has been arranged for managers and staff in terms of access to advice or training for competence.

**Reviews.** The policy needs to be audited, to ensure that it remains up to date.

## **Component one - the statement of general policy on safety and health**

When drafting the policy statement, in order to make a realistic commitment to safety and health, statements should be included that say:

- (a) the business has a commitment to achieving high standards of safety and health;
- (b) it will manage the workplace and work to ensure the safety of employees and that of others who may be affected by its activities;
- (c) safe conditions, equipment and systems of work will be provided and maintained;
- (d) sufficient instruction, information and training will be provided to enable employees to work safely;
- (e) people in the organisation have specific safety responsibilities (and where these are listed);
- (f) it will be reviewed periodically, and revised if necessary

## **Component two - the employer's organisation for safety and health**

This part of the Safety Statement is the means by which everyone in the business is made aware of the things they are expected to do to help achieve a safe workplace - i.e. it sets out their responsibilities. There is no legally prescribed method for stating the management responsibilities which make up an employer's organisation for safety and health, but it must be relevant to the business. It is critical to the success of the Safety Statement that people are only given responsibilities for matters over which they have control.

Management accountability starts at the top from the person identified in the Safety Statement as having control of the business. Smaller organisations may simply nominate named individuals. This helps those people and other employees identify with their responsibilities directly, rather than in a general job description.

## **Allocating core responsibilities**

Ensure that someone has responsibility for:

- making employees aware of the Safety Statement and how it applies to them;
- ensuring that subordinates are discharging their safety responsibilities properly
- receiving information from staff about dangers and giving information about hazards of the business
- investigating, recording and reporting injuries, ill health and certain dangerous occurrences to the HSA when necessary
- confirming mechanical and electrical safety, even if these are done by contractors;
- fire safety, including drills, alarm checks, extinguishers, emergency lighting and other fire fighting equipment;
- first Aid provisions such as training First Aiders and ensuring there are adequate contents in the First Aid boxes;
- ensuring that staff are given adequate instruction , information and training to perform their job safely;
- carrying out an adequate general risk assessment of the workplace, with more specific detailed risk assessments if required;
- ensuring that any building or maintenance work on the premises complies with the requirements of the Safety Health and Welfare at Work (Construction) Regulations 1995

## **Employee responsibilities.**

Employees' legal responsibilities (under s.9 of the Act) are to:

- take reasonable care of their own safety and health and that of others who may be affected by their actions;
- co-operate with management to meet the employer's legal duties
- use any device or protective equipment intended to help secure their health or safety;
- report to management any defects in equipment or other dangers immediately, or as soon as it is safe to do so; and
- not intentionally or recklessly interfere with or misuse anything provided in the interest of health, safety or welfare.

## **Component three - the employers' arrangements for safety and health**

The arrangements component of the Safety Statement is prepared after carrying out a detailed risk analysis of the workplace. Each hazard is identified and where such a hazard can potentially cause a significant danger to a person's health or safety the degree of risk is quantified and arrangements, precautions, procedures etc are developed to eliminate or reduce the level of risk to an acceptable risk. These arrangements, precautions etc. must be written down in the Safety Statement.

Arrangements and procedures can involve any combination of:

- design, specification
- inspection
- maintenance
- operating procedures
- training, supervision or monitoring procedures

which are needed to control an identified risk (see below)

This part of the Safety Statement will give actual procedures to manage risks and hazards, as outlined below. Before arrangements can be established to control hazards, they need to be identified in risk assessments.

## **The general risk assessment**

An initial risk assessment of any place of work may find many hazards, but legally only the significant hazards must be written down and incorporated in the safety statement.

## **Specific risk assessments**

Specific risk assessments examining in more detail those dangers discovered in the general risk assessment, will be necessary, for example:

- fire safety
- electrical safety
- mechanical safety, including maintenance and testing
- display screen equipment
- manual handling operations
- noise
- hazardous substances
- the workplace environment (heating, lighting, ventilation, toilet facilities, etc)
- special hazards such as welding which need permits-to-work

## **Checklist for the arrangements for safety**

The checklist below can be completed when checking existing Safety Statement arrangements or setting up new ones

1. Has a general risk assessment (GRA) been carried out to identify which hazards need arrangements for their elimination or control?
2. Has someone carried out Specific Risk Assessments for each hazard found by the GRA?
3. Do the arrangements give all the hazards for which risk assessments have been done? [e. g. have there been checks for noise problems, lifting heavy loads by hand, employees

working away from their base?]

4. Are procedures laid down for dealing with the identified hazards, including instruction, information and training?

5. Are there procedures for ensuring that non-employees are aware of risks they may face from the business?

6. Have contractors given an assessment of the risk their operations might produce for employees of your own business AND for their own?

## **Component four -review and revision**

Section 12(5) of the Act may require that a Safety Statement's contents are to be altered under the direction of a HSA inspector if he/she is dissatisfied with the quality of its material. As such the contents of the Safety Statement need to be revised periodically and as and when required. The HSA recommend this in their guidance publications.

The Safety Statement must be revised, if significant changes have occurred, such as:

- the creation of a new department, for example an export department when foreign business increases;
- the introduction of a new process, such as a solvent-based component cleaning operation;
- take-overs or mergers;
- transfer of responsibilities from one manager or director to another;
- closing down or selling part of the business, since the Safety Statement must be relevant, so references to a non-existent part of the organisation must be removed;
- change of premises (which will alter such arrangements as fire safety procedures, evacuation and assembly or alarm testing);
- changes in legislation, Approved codes of Practice, Codes of Practice, Guidance notes, Irish Standards, International Standards, etc;
- changes in technology that may affect the interpretation of "reasonably practicable"