

# Health and Safety Training and Supervision

## What you need to know if you use contractors

**All workers** are entitled to work in an environment where the risks to their health and safety are properly controlled. The new Health and Safety (Offences) Act reinforces the need to provide good safety management with the introduction of more stringent penalties for firms that break the law on health and safety.

### Health and safety law says:

- **employers and host companies have a shared duty to protect contractors health and safety;**
- **employers and host companies must ensure contractors are properly trained to work safely;**
- **you cannot transfer your legal responsibilities to another person or business.**

### As a host company it is your responsibility to ensure that:

- your employees and your managers know that you have a responsibility in law for the health and safety of all workers, including contractors, even if you do not directly employ them;
- everyone who works for you, including contractors, knows how to work safely and without risk to health;
- you meet your shared responsibility with the contractor's employer:
  - to train contractors to be sure they know what hazards and risks they may face; and,
  - to ensure contractors know how to deal with them and any emergency procedures.

Contractors can face particular problems because they may not be familiar with the business they are working in or its particular hazards. The risks can be reduced through effective partnership and co-operation between the employer and the host company, by following good practice in areas such as risk assessment and communicating health and safety information.

It is important that both the host business and employer clarify and agree at the start of an assignment the practical arrangements for health and safety training, day to day supervision, direction and control of the work that the contractor will be doing.

Each new placement poses health and safety risks. It's essential that the host business and the contractors themselves share information to ensure contractor health and safety is properly protected. The employer and host company will need to agree about what health and safety information, instruction and training contractors need, and clarify who will provide it to meet legal duties you both have under health and safety legislation.

Host businesses have a responsibility to give appropriate instruction and readily understandable information AND to check that contractors have understood training once it's been given and are continuing to follow procedures correctly. Training should be repeated from time to time if the work it relates to is only done occasionally. For example, if someone fills in for someone else when they are away; a process is not often done; or emergency procedures.

### Why is health and safety training of contractors important?

Preventing accidents and ill health caused by work is a key priority for everyone at work. Over 200 people are killed each year in accidents at work and over one million people are injured. Over two million suffer illnesses caused by, or made worse by, their work.

Providing health and safety information and training helps you to:

- ensure your employees and contractors are not injured or made ill by the work they do;
- meet your legal duty to protect the health and safety of your employees and contractors working for you on short term assignments.

Effective training:

- will contribute towards making your employees and contractors competent in health and safety;
- can help you avoid the financial costs of accidents and occupational ill health.

The law requires that you provide whatever information, instruction and training are needed to ensure, so far as is reasonably practicable, the health and safety of your employees and contractors.

### The law

The **Health and Safety at Work etc Act 1974** requires you to provide whatever information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health and safety at work of your employees.

This is expanded by the **Management of Health and Safety at Work Regulations 1999**, which identify situations where health and safety training is particularly important, e.g. when people start work, on exposure to new or increased risks and where existing skills may have become rusty or need updating.

You must provide training during working hours and not at the expense of your employees. Special arrangements may be needed for part-timers or shift workers.

You need to assess the risks to your employees while they are at work and to any other people who may be affected by the way you conduct your business. This is so that you can identify the measures you need to take to comply with health and safety law, which includes training and the provision of information.

Like many employers, you may not be in a position to provide this training on your own, in which case you will need competent help. If possible, you should appoint one or more of your employees. However, if there is no one with the relevant knowledge, experience and skills in your organisation that can be relied on to deal effectively with health and safety training, you need to enlist someone from outside. In some circumstances you may need a combination of internal and external help.

**The Safety Representatives and Safety Committees Regulations 1977** and **the Health and Safety (Consultation with Employees) Regulations 1996** require you to consult your employees, or their representatives, on health and safety issues. Representatives appointed under either of these sets of regulations are entitled to time off with pay for training in their duties.

**The Health and Safety (Training for Employment) Regulations 1990** ensure that learners doing work experience are covered by health and safety law.

There are a number of other regulations which include specific health and safety training requirements, e.g. asbestos, diving and first aid.