



your health and safety rights

members' factcard

union for professionals



HEALTH AND SAFETY RIGHTS AT WORK

As a worker, **you have the right** to work in a place where risks to your health and safety are properly controlled. Health and safety is about preventing you getting hurt at work or being made ill by work. Your employer is responsible for health and safety and as an employee you must help in that task. These are requirements of the Health and Safety at Work Act 1974 and associated regulations.

WHAT YOUR EMPLOYER MUST DO FOR YOU

- Identify, assess and tell you the risks to your health and safety from current or proposed working practices.
 - Develop with you and/or your health and safety rep the precautions needed to protect you in a way that you can understand. So that you know how to do your job safely, recognise when something is wrong and know what to do to put it right and/or to report it.
 - Consult you on anything that may harm or affect your health and safety, including proposals for change (organisational, procedural) or new technologies.
 - Tell you what to do in an emergency.
 - Provide toilets, washing facilities, drinking water and adequate first-aid facilities.
 - Provide free of charge:
 - the health and safety instruction, training and supervision you need to do your job safely
 - any equipment and protective clothing you need, ensuring it is properly looked after
 - health checks if there is a danger of ill health because of your work.
-

- Report certain injuries, diseases and dangerous incidents online at www.hse.gov.uk.
- Have insurance that covers you in case you get hurt or are made ill through work. Display a copy of the current insurance certificate where you can easily read it, such as a noticeboard or intranet.
- Work with any other employers or contractors sharing the workplace or work so that everyone's health and safety is protected.

Key law: the general duties of an employer are found in Section 2 of the Health & Safety at Work Act. More specific duties, including risk assessment, principles of prevention, H&S assistance and arrangements for emergencies, are set out in the Management of Health and Safety at Work Regulations 1999.

WHAT YOU MUST DO TO HELP

- Follow the training you receive and procedures you agree when carrying out your work or using tools or equipment (including a car) provided for work.
 - Take reasonable care of your own and other people's health and safety.
 - Co-operate with your employer on health and safety. This includes wearing the necessary personal protective equipment (PPE).
 - Tell someone (your employer, supervisor or health and safety rep) if you think the work or precautions are inadequate and are putting someone's health and safety at risk. Or if you think a procedure is impractical or unworkable. If you make do or develop an unapproved way of working and something goes wrong, you could be hurt or held accountable. So speak up and stay safe.
-

YOU HAVE THE RIGHT TO

- STOP WORK and leave the area if you think you are in danger
- INFORM your employer about health and safety concerns without fear of recrimination
- TIME OFF with pay for training if you are a health and safety rep
- REST of at least 20 minutes if you work more than six hours at a stretch, and paid annual leave
- HEALTH CHECKS if you work nights, before you start and regularly thereafter.

Key law: your duties as an employee are found in Section 7 of the Health & Safety at Work Act and Regulation 14 of the Management of Health and Safety at Work Regulations 1999.

FOR FURTHER INFORMATION

- Prospect has more information including FAQs and links at: http://www.prospect.org.uk/advice_and_services/health_and_safety/index
- Members' Guides and factcards are also available – online or in hard copy
- HSE webpages at www.hse.gov.uk

IF YOU NEED HELP

First, talk to your employer, line manager or Prospect health and safety rep. If you still need help, approach your Prospect lay rep or section/branch lead. They may need to refer you to your branch's full-time officer to negotiate on your behalf. If expert health and safety information is required, the negotiator will liaise with Prospect's Research & Specialist Services. The same goes for escalating a health

and safety complaint or concern. Prospect prefers in-house resolution and regards referral to an external regulator as a last resort, ideally sanctioned by a full-time officer.

WANT TO BE A PROSPECT H&S REP?

Research shows health and safety reps help reduce accidents and ill health by around 50% when employers support and involve them in decisions affecting the health and safety of the workforce.

Appointed health and safety reps have additional rights, notably paid time off for training and to fulfil their role. Simply let your section or branch know your interest and if appointed, your employer. Prospect will also be informed, making you eligible for Prospect health and safety bulletins, training, attending biennial conference and giving you a stronger voice on health and safety where you work.

Find out more via our online toolkit for H&S reps at:
http://www.prospect.org.uk/advice_and_services/health_and_safety/toolkit/index

Do volunteer.

You can make a difference!

And we can help.



Prospect

New Prospect House, 8 Leake Street, London SE1 7NN

Tel: 020 7902 6600

www.prospect.org.uk

Published by Prospect.

Free to Prospect members.

Printed by Prospect © May 2012
