

# Safety and Health at Work Guide



**Over half a million working people sustained an injury at work last year.<sup>1</sup> These upsetting incidents can have impacts that extend beyond the individuals affected – disrupting operations and staff morale, and could lead to Health and Safety Executive (HSE) investigations, legal action, fines, and compensation. The financial and reputational damage can be significant.**

Many incidents can arise from inadequate employee training – despite your best efforts. Which is why we've created this guide to help and support you with the adoption of safe practices in your workplace. You'll learn:



**1.** Three smart ways to reduce health and safety costs in your business.



**2.** Common health and safety claims and how to build robust claims defensibility.



**3.** Health and safety enforcements: what to look out for.

We hope you find this guide interesting, informative, and above all, useful.

<sup>1</sup> [hse.gov.uk/treework/site-management/training.html](https://www.hse.gov.uk/treework/site-management/training.html)

# Three smart ways to reduce health and safety costs in your business

Poor health and safety management systems get expensive quickly. Ill health, injuries and accidents stack up, with a wide range of related knock-on costs.

According to the latest figures from the Health and Safety Executive (HSE), Office of National Statistics (ONS) and Labour Force Survey (LFS):<sup>2</sup>

## 565,000

working people sustained an injury.

## 61,713

injuries to employees were reported under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations).

## 36.8m

working days were lost due to work-related illness and workplace injury.

## £18.8bn

was the estimated cost of injuries and ill health from current working conditions.



Let's explore how you can adopt smarter health and safety compliance in your business in a bid to reduce related costs...

<sup>2</sup> hse.gov.uk/statistics

# 1. Safety incentive programmes

Safety incentive programmes recognise workers for reporting injuries, illnesses, near misses, or hazards.

To make yours successful:

## Do

- ✓ Understand the importance of recognition rather than reward. Encouraging safe behaviour does not have to stem from cash rewards. Repeated recognition from superiors is more personal and meaningful than tangible reward schemes. Use rewards as an icing on the cake.
- ✓ Set high standards from the beginning so that best-practices are part of your culture. Everyone from the CEO to managers must be fully involved in creating a safety-first culture otherwise employees may not buy into it.
- ✓ Commit appropriate time and money to the programme. Employees may perceive your programme as poorly thought out if you do not have enough resources to support it.
- ✓ Involve employees in the process. Often front line employees will notice more hazards than management may do. Receive their suggestions when implementing a scheme to encourage their full participation.
- ✓ Be sure that everyone has an equal chance to be recognised or not everyone will buy into your scheme.

## Don't

- ✗ Focus on the reward only. Encourage a culture of safety first and educate your employees about best-practice standards.
- ✗ Focus on injury numbers only. Programmes based solely on reducing injury rates could discourage employees from reporting near misses and inaccurate reporting. Instead, focus on encouraging programmes that inspire safety conscious behaviours.
- ✗ Use programmes in isolation. They are most effective alongside a full safety programme including training and meetings.
- ✗ Make it complicated. Programmes are there to make your workplace as safe as possible for your employees. Do not limit this by making them hard to use or unclear, or you risk discouraging people from using it fully.
- ✗ Expect the programme to run itself. Get a mixture of employees and management to run the scheme or risk it running out of steam.



### Remember

Safety incentive programmes should not be about paying people but for recognition and motivation for making welfare a top priority in the workplace.



# 2. A safety culture survey and behaviour survey

Safety culture surveys and behaviour surveys are a great way to assess your business's safety culture and employee behaviour. They provide an opportunity to better understand employees' normal behaviours when at work, further promote what works well and seek to improve where necessary.

Safety culture survey	Behaviour survey
<p>A <b>safety culture survey</b> provides a quantitative benchmark and candid insight into how employees <b>actually feel</b> about your current safety management - be it within the traditional 'workplace', or relating to driving at work activities.</p>	<p>A <b>behavioural survey</b> is much more specific, asking questions on certain activities/operations such as driving or operating machinery, and very much focuses on <b>employees' behaviours</b>.</p>

There's a number of factors that might lead you to conducting a safety culture survey or a behaviour survey, such as:

- Increasing frequency and/or severity of health and safety or vehicle-related claims.
- Increasing staff sickness and absence.
- Senior management reassurance and seeing how internal communications have landed.
- Development of a robust health and safety risk management framework.
- Promote greater awareness of workplace risks.
- Gaining better control of workplace risks – especially if you have multiple premises in operation.
- To identify joint solutions to health and safety, mental health and wellbeing concerns.
- Identify areas where a less positive safety culture may exist.





The ability to focus resources on strengthening the areas of weakness identified, and learning from positive feedback, can bring huge benefits to your business:

1. Improved understanding of safety culture, employee perceptions and behaviour.
2. Improved safety engagement and behaviours.
3. Reduced accident rates, absence and sick leave.
4. Reduced costs – insurance premiums, legal costs and temporary staff.
5. Improved standing and reputation among suppliers, clients, and partners.
6. Improved staff attraction and retention – creating a better place to work.
7. Improved efficiency, quality and productivity.
8. More consistent and effective internal communication.
9. Improved mental health and wellbeing - with employees feeling supported and heard in the workplace.

By making data-driven decisions and involving your employees in the process, you'll be on the right path to creating a successful safety culture. Which, in the long-run, can go a long way to keeping employees safe, reducing costs and claims, and improving competitive advantage.

# 3 Accredited training courses

Training can often feel like a 'nice to have' that many businesses, who may be pushed for time and resource, can let slip by the wayside.

However, investing in health and safety training is not only an important exercise, but also a legal requirement.

General training topics include fire safety training, general health and safety awareness training, or manual handling training. However, there may be some situations where you'll need to provide additional training, particularly if your employees are at higher risk. This can include:

- If your risk assessment shows that new equipment or new process requires training to ensure safe use.
- Or if your employees are engaged in higher-risk workplace activities such as working in confined spaces, working at height, or working with a forklift.



The best way to achieve health and safety training success is to get people fully involved, having fun and learning by doing.

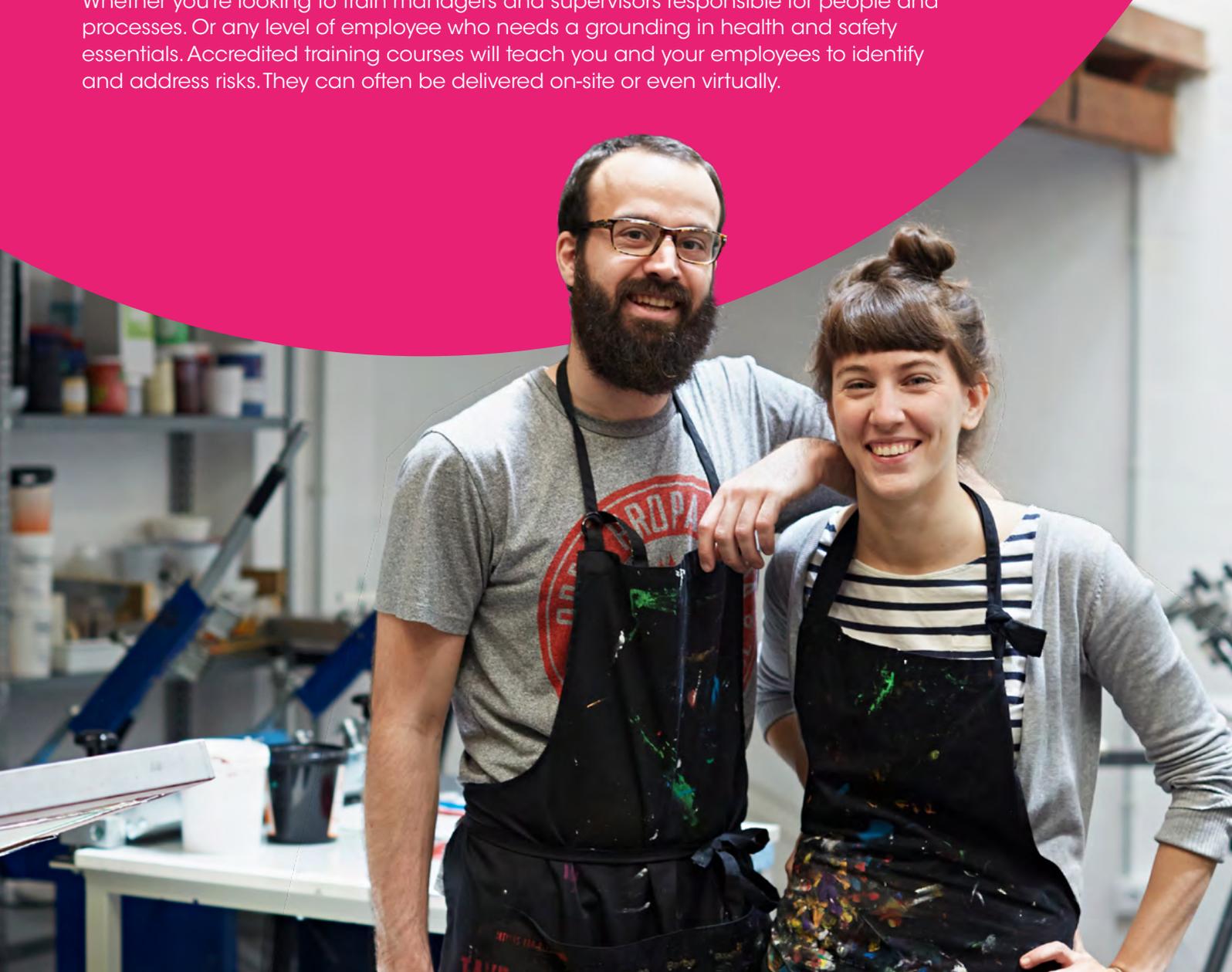


Health and safety training designed and quality controlled by a chartered body for health and safety professionals, the Institution of Occupational Safety and Health (IOSH) for example, is a great way to bring about positive change to your business - regardless of industry or sector.

An IOSH-accredited Managing Safely course for instance covers:

- The key reasons for managing safely and a recap of some of the key terms.
- Why leadership is important and how to create a positive safety culture.
- What a health and safety plan needs to include.
- Undertaking a risk assessment exercise and how best to communicate the findings.
- Looking at what can be measured.
- How to review performance.
- Understanding the hierarchy of control
- How to undertake accident investigation

Whether you're looking to train managers and supervisors responsible for people and processes. Or any level of employee who needs a grounding in health and safety essentials. Accredited training courses will teach you and your employees to identify and address risks. They can often be delivered on-site or even virtually.



# Common health and safety claims and how to build robust claims defensibility



When incidents happen and claims are made, insurance premiums can skyrocket the following year.

Dealing with incidents and compensation claims when they occur is known as 'claims defensibility' – and the right processes here can help soften the impact from a claim if the worst should happen.

Claims defensibility is based on two interrelated principles:

- 1.** Putting in place a vigorous system of risk control – from risk management to training – designed to prevent accidents from happening in the first place.
- 2.** Maintaining a clear process through which to gather the evidence required to defend health and safety claims and investigations in the event of an incident.<sup>3</sup>

Both aspects of claims defensibility are crucially important if an employee is injured at work.

Let's dive into some common injuries at work and claims made, plus the steps you can take to build robust claims defensibility.

<sup>3</sup> [static.aviva.io/content/dam/documentLibrary/risk-solutions/aviva\\_claims\\_defensibility\\_lps.pdf](https://static.aviva.io/content/dam/documentLibrary/risk-solutions/aviva_claims_defensibility_lps.pdf)

# Common incidents and claims

According to the HSE, the common causes of health and safety-related incidents include:<sup>4</sup>

## 30%

slips, trips or falls on same level

## 18%

handling, lifting or carrying

## 11%

are a result of an employee being struck by a moving

## 9%

are caused by acts of violence

## 8%

by falls from height

However, the breakdown of compensation claims made by employees following an injury tells a slightly more diverse story:<sup>5</sup>

- Electric shock.
- Eye injury, sight loss or blindness.
- Head or brain injuries.
- Fractured/broken bones or dislocated joints.
- Muscle strains.
- Slips and trips.
- Falls.
- Exposure to dangerous substances.
- Chemical burns.
- Hearing damage.
- Struck by falling object.
- Collision.

### Be aware of the heightened risk of illegitimate claims

Amidst the current cost of living crisis, the risk of an illegitimate workplace injury claims may be heightened. There may be instances where an employee purposely causes accidents in order to claim lost income to cope with soaring expenses. This emphasises the importance of robust claims defensibility.



<sup>4</sup> [hse.gov.uk/statistics/overall/hssh2122.pdf](https://www.hse.gov.uk/statistics/overall/hssh2122.pdf)

<sup>5</sup> [the-compensation-experts.co.uk/accident-at-work-claims/](https://www.the-compensation-experts.co.uk/accident-at-work-claims/)

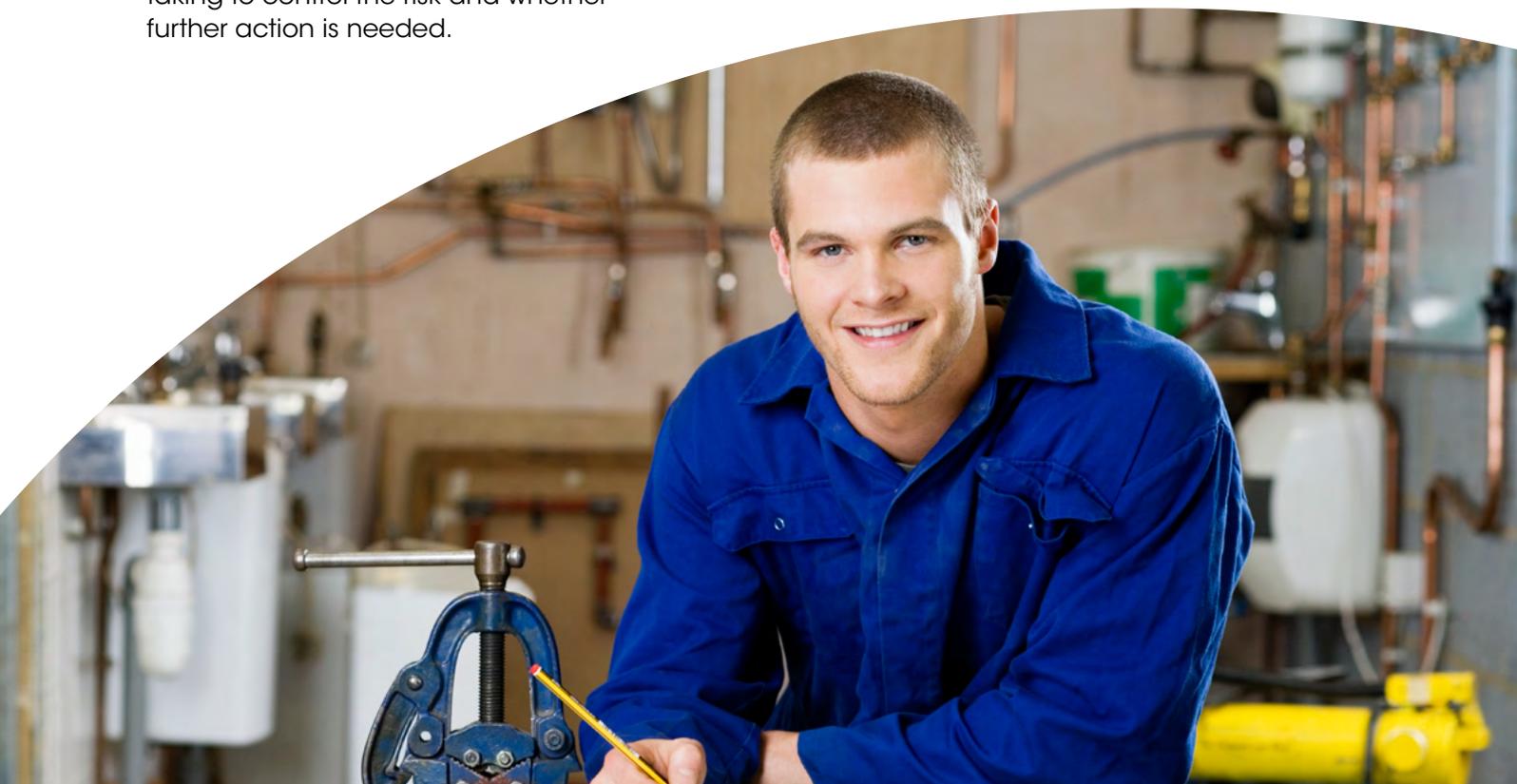
# How to build a robust claims defensibility position

## 1. Risk control

Prevention is the starting point and is a crucial foundation for a robust claims defensibility position. It's also a legal requirement under the Management of Health and Safety at Work Regulations 1999.

Of course, every business will face its own set of health and safety risks, and should design its own tailored programme of injury prevention controls. Some common steps include:

- **Identify hazards**  
Perform a detailed risk assessment to identify hazards that could cause a workplace injury.
- **Identify who could be harmed and how**  
For each hazard, think about which employees might be affected, when and how.
- **Evaluate and control risk**  
Consider the likelihood that someone will be harmed, any steps you are already taking to control the risk and whether further action is needed.
- **Implement and record**  
Keeping a record of your risk assessment, findings and steps you've taken to control risk is vital to claims defensibility.
- **Review your risk controls regularly**  
Update and review your risk assessment and control measures periodically to ensure they remain effective, that any new hazards are identified and the risks controlled, and any issues spotted by employees are investigated.



## 2. Incident response and management

The other major element of building a robust claims defensibility position lies in the immediate response should a health and safety incident occur. Here, acting quickly to support the injured employee and gather a detailed body of evidence as to how the incident occurred is crucially important.

Any incident, no matter how irrelevant should be record. Typically, for every one fatality, there's 10 major incidents, 100 minor incidents and 1,000 near misses. These should all be recorded.

For every incident you should:

- **Draw a quick sketch of the area where the incident occurred** – showing where the door is, the stairs, machinery, tables etc, and importantly, where the person tripped. Mark an 'X' on the sketch to highlight where the injured person (IP) fell.
- **Take photographs** of what caused the incident (for example the carpet if that caused the injured person to trip) AND where they ended up (you can also mark this location on the sketch mentioned above). Take lots of photos from various different angles (close-ups, distance-shots etc.) and detail where you took the photos and why you chose those angles.
- **Gather documentary evidence** – including what they were doing and how they were doing it, plus any risk assessments or training the individual has been on. You should also gather what inspections you undertake in that area (e.g. tripping hazards), how you do it (walk around the site) and how often you take these inspections (weekly for example).
- **Take witness statements from both the injured person (IP) and those who were around to see it** - always refer to the injured individual as the IP. When taking a statement from the IP, ask how they got injured, along with the 'who', 'what', 'where', 'when' and 'why'. For witnesses you should take statements. Even if someone didn't see anything, get them to sign a statement saying that. Whoever you're taking statements from always ask open questions and get the information as soon as possible to record the facts as they appear at the time and prevent any skewed version of events.
- **Capture CCTV** - download from 5-10 minutes before the incident occurring and 5-10 minutes afterwards.



By law some types of injuries and near-misses must be reported to the HSE. **You can find guidance on this here.** It's also important to notify your employer's liability insurance provider – not least because your insurer will play a key role in deciding how you should respond to a compensation claim.

# Health and safety enforcements: what to look out for

Breaches of health and safety law can be costly. Did you know the HSE charges £163 per hour for an intervention it has to take for breaches of health and safety law?<sup>6</sup> That's on top of any potential fines, fees, and prosecutions that could come later.



Receiving an enforcement notice or being subjected to a prosecution from the HSE can be crippling both financially and to your reputation. Latest figures from the HSE indicate:<sup>7</sup>

**6,900+**

enforcement notices were issued.

**1,740**

were prohibition notices.

**5,190**

approximately of these notices were for improvement.

**290**

criminal prosecutions were completed with a 96% conviction rate.

Here's some checks you can make to help ensure you're covered in case an inspector comes knocking at your door.

<sup>6</sup> [hse.gov.uk/fee-for-intervention/what-is-ffi.htm](https://www.hse.gov.uk/fee-for-intervention/what-is-ffi.htm)

<sup>7</sup> [hse.gov.uk/aboutus/assets/docs/the-annual-report-and-accounts.pdf](https://www.hse.gov.uk/aboutus/assets/docs/the-annual-report-and-accounts.pdf)

<b>The Control of Substances Hazardous to Health (COSHH) and occupational hygiene</b>		
Hazardous substances	Have appropriate COSHH assessments been completed for substances in use in your business?	
	If you're welding, do you know the makeup of the fume and required control measures?	
	If welding is undertaken, can the fume be controlled at source via the use of on-tool extraction? Is Local Exhaust Ventilation a suitable alternative?	
	If you use metalworking fluids, have you assessed the risks to workers of long term exposure and inhalation? Do you have bacterial testing measures in place with records kept?	
	Has appropriate training, instruction and supervision been given to employees about hazardous substances within the workplace themselves? (consider cutting fluid, wood dust and welding fumes). Have you communicated the risks / COSHH assessment findings?	
	Has air/exposure monitoring been undertaken and recorded to ascertain suitable controls are in place?	
	Is Respiratory Protective Equipment required, if so what type? <ul style="list-style-type: none"> <li>• Is a minimum assigned protection factor required?</li> <li>• Has face-fit testing been completed? (using Fit2Fit accredited tester)</li> </ul>	
Noise and vibration	Have noise risk assessments been undertaken for the workplace and hearing protection zones / control measures implemented?	
	Have Hand Arm Vibration (HAV) and Whole Body Vibration (WBV) assessments been undertaken for the workplace and control measures implemented?	
	Is health surveillance in place where required for: hazardous substances, noise and vibration?	

<b>Machine maintenance and guarding</b>	
Has the task been risk assessed and a safe system of work developed?	
Are you following the manufacturer's guidance by making sure the correct guarding is being used?	
Has the operational manual been reviewed to consider requirements for maintenance?	
Have the operators and engineers been appropriately trained in process and maintenance requirements?	
Is there a lock-out, tag-out procedure in place?	
Prior to starting the work has the machinery been purged of any stored energy or hazardous substances?	

<b>Working at height</b>	
Is a suitable and sufficient risk assessment in place? <ul style="list-style-type: none"> <li>• Has it been completed by a competent person with involvement of the employees undertaking the work?</li> <li>• Has it been communicated to relevant parties? (i.e. those completing the work and those who may be affected by hazards arising from the work).</li> </ul>	
Is the work at height planned, organised and carried out by competent persons?	
Is a safe system in place such as a permit to work?	
Has adverse weather been considered if working outside?	
Is access equipment being used? Is so, what is the maintenance schedule? Is it the right equipment? Has it had its LOLER examination?	
Is a work-restraint system in place? Is it suitable to prevent employees from accessing the edge/an area where they could fall?	

<b>Workplace transport</b>	
Has an appropriate risk assessment been completed that considers transport?	
Has this considered blind spots? Bends? Pedestrian interactions? Gradients?	
Is the site large enough for the activities required? Loading/unloading, reversing etc.?	
Do drivers have the required training and licensing to drive the vehicle?	
Has the banksman/traffic marshal been identified as a control measure required?	

<b>DSEAR (Dangerous Substances and Explosive Atmospheres Regulations)</b>	
Has a DSEAR assessment been undertaken if required?	
Can the dangerous substances identified be substituted for a less hazardous alternative, the quantity reduced, or the work process changed to reduce the risk?	
Are measure in place to reduce employees exposed to effect of dangerous substances?	
Are employees training in DSEAR? E.g. hazardous area classification for gases and liquids, and controlling dust explosion risks?	
Is an appropriate evacuation and emergency procedure in place?	

<b>DSEAR</b> <b>(Dangerous Substances and Explosive Atmospheres Regulations)</b>	
<p>The Fire Safety (England) Regulations 2022 introduce new duties under the Fire Safety Order for building owners or managers (responsible persons).</p> <p>The Building Safety Regulator (BSR) will regulate high-rise buildings. These are buildings with seven or more storeys, or that are 18 meters tall or high, and either:</p> <ul style="list-style-type: none"> <li>• Have at least two residential units</li> <li>• Are hospitals or care homes (during design and construction).</li> </ul> <p>Please note there are different legislation in Scotland - the Fire (Scotland) Act 2005, the associated Fire Safety (Scotland) Regulations 2006, and the Building Scotland (Amendment) Regulations 2022 - fire safety and cladding. And in Northern Ireland - the Fire and Rescue Services (Northern Ireland) Order 2006, and the Fire Safety Regulations (Northern Ireland) 2010.</p>	
Has a suitable and sufficient fire risk assessment been completed by a competent person?	
Has any remedial actions been identified and an action plan created to close down the actions?	
Are all access and egress points clear from obstruction?	
Is the fire alarm system being checked weekly for any faults?	
Is the fire alarm panel free from any faults?	
Have you got sufficient nominated people trained as fire marshals?	
Is there an emergency response procedure in place?	
Are muster points free from obstruction?	

<b>Stress</b>		
Question	Yes	No
Have you implemented/reviewed a stress risk assessment based on the HSE's six management standards?		
Have you considered stress and mental health training for your workers?		
Have you considered Mental Health First Aiders for your workforce?		
Have you considered an Employee Assistance Plan (EAP) for your employees?		



Professional support from external consultants is a great way to make sure you're ticking all the right boxes and avoiding costly fines and prosecutions. After all, if you're more aware of legal requirements, you're less likely to get things wrong.

# About the author – Smei business insurance

As an award-winning\* insurance broker, smei has been helping customers like you protect their small and medium-sized businesses since 2002. We aim to arrange the right business insurance for the UK's high street shops and small businesses at a competitive price, simply and without fuss.

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## **\* Feefo Award**

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