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Health & Safety... the buck stops here

Health and Safety Actions Required of Directors and Board Members – the new Health & Safety Commission/Institute of Directors Guidelines

A Changing Culture

The culture of health and safety responsibility is changing but not fast enough for many. While the current legal framework seeks to ensure companies, schools and hospitals conduct themselves safely and responsibly, the view is often expressed that it does not provide sufficient protection. Increasingly the media and the courts are looking to individual directors, trustees and officers to make health and safety their personal responsibility.

The New Guidelines

The Health and Safety Commission (HSC) and Institute of Directors (IoD) has, this week, published a guidance note which seeks to promote a change in the way health and safety is managed by all directors and board members in the UK, no matter the size of their business.

While not of statutory effect, there is little doubt that evidence of compliance with the guidelines will be crucial in demonstrating to employees, investors, the public and ultimately the courts that leadership of health and safety has been effectively undertaken. Accordingly, health and safety policies, practices and priorities need to be reviewed by business leaders to ensure they and their businesses are not exposed.

The Essential Principles

The document sets out three essential principles for leadership of health and safety in the UK. They are:

- Strong and active leadership from the top
- Worker involvement
- Assessment and review

Within these principles, issues such as communication, integration of health and safety with business decisions and monitoring of performance are fundamental core factors. Directors will have to analyse their business's health and safety procedures and ensure that their compliance with the rules is adequately demonstrated.

Agenda for Change

To assist in this task, the guidelines set out an agenda for embedding the principles in business. There are 4 action points:

- **Planning**
The board should set the direction for effective health and safety management.
- **Delivery**

Deliver health and safety by an effective management system.

- **Monitoring**
Monitoring and reporting are vital parts of a health and safety culture.
- **Reviewing**
A formal boardroom review of health and safety performance is essential.

Take action now

While the guidelines do not have the force of law, the HSC has already indicated that organisations that follow it "will normally be doing enough to help follow legal obligations" under health and safety law. Directors are well advised to seek to implement them to protect their business, their employees and themselves

How can McGrigors Help?

McGrigors is a market leader in health and safety and provides a full range of services including working with companies and management in framing and reviewing health and safety policies. If you would like to discuss the guidelines or any other aspect of health and safety law with them, please contact Laura Cameron or Katherine Metcalfe.



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