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Note: While care has been taken in the production of these materials, no responsibility is taken by the author or the Law Society. Practitioners intending to utilise this template for their clients or in their practices should make themselves fully aware of the legal requirements, the meaning of the clauses, and where necessary take specialist advice.

SAMPLE HEALTH AND SAFETY POLICY

Guidance note:

Sample contracts, policies and guidelines prepared by the Law Society are as general specimens only. They are information tools only and should not be regarded as legal interpretation. They are not a substitute for professional advice from an appropriately qualified and experienced source.

Sample contracts, policies and guidelines will need to be tailored to the needs of individual firms/practitioners, who should in all cases consult the relevant legislation and codes of practice. Employment and Equality Law is the subject of frequent changes, whether by legislation (domestic and European), or as a result of case law.

Risk assessment and safety statement

In addition to a Health and Safety Policy, Firms must comply with the obligations of the Safety, Health and Welfare at Work Acts 2005 to 2014. These Acts require every employer to carry out a risk assessment for the workplace. The risk assessment should identify any hazards present in the workplace, assess the risks arising from such hazards and identify the steps to be taken to deal with any risks.

An employer must also prepare a safety statement which is based on the risk assessment. The statement should also contain the details of people in the workforce who are responsible for safety issues. Employees should be given access to this statement and employers should review it on a regular basis.

NB The health and safety policy below should be based on the mandatory risk assessment and safety statement undertaken and endorsed by a health and safety specialist. Ultimately, it is more important for the person who carries out the risk assessment to sign off on the health and safety policy, rather than a lawyer. If there are any health and safety issues particular to the place of work or nature of work, then these should be expressly referred to in the health and safety policy. This is for the safety specialist to stand over.

Bullying

One of the employer's duties is to prevent improper conduct or behaviour (which includes bullying). An employer should have established procedures for dealing with complaints of bullying in the workplace and deal with such complaints immediately. It is advisable for an employer to have an established grievance procedure to deal with complaints of bullying and a sample grievance procedure is available from the precedents section of the Law Society website. The [Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work](#) sets out guidance notes for addressing bullying in the workplace.

SAMPLE HEALTH & SAFETY POLICY

It is the intention of [Insert firm name] (the “Firm”) to safeguard the health, safety and welfare of all its employees by all reasonable and practical means. The Firm and its employees must comply with the Safety, Health and Welfare at Work Acts 2005 to 2014, (the “Acts”). These Acts apply to all employers, employees (including fixed-term and temporary employees) and self-employed people in their workplaces. The Firm and its employees must also endeavour to conduct its operations in such a way as to ensure that members of the public or other individuals at our place of work (who are not employees of the Firm) are not exposed to unnecessary risks.

It is the Firm’s policy to exercise vigilance, to detect and, where possible, remove hazards from the workplace, to provide training and instruction to ensure employees perform their work in a safe and proper manner, and to provide safety equipment and clothing where necessary.

The Firm will promote standards of safety, health and welfare that comply with the provisions and requirements of the Acts and other relevant legislation, standards, and codes of practice. The Firm will, insofar as is reasonably practicable, periodically review the system in place for the management of occupational safety and health and where necessary improve it. The Firm will also consult with staff on matters related to safety, health and welfare at work.

In order to prevent workplace injuries and ill health the Firm is required, among other things, to:

- Provide and maintain a safe workplace that is well designed and maintained, and which uses safe plant, machinery and equipment which is well designed and maintained
- Provide a safe means of access to and egress from the place of work
- Provide safe systems of work
- Provide welfare facilities and arrangements that are well designed and maintained
- Prevent risks from use of any article or substance and from exposure to physical agents, noise and vibration
- Prevent any improper conduct or behaviour likely to put the safety, health and welfare of employees at risk
- Provide instruction and training to employees on health and safety
- Provide suitable and maintained protective clothing and equipment
- Ensure that Emergency Plans are tested and revised regularly

[insert name] [insert position] has overall responsibility for health and safety at the Firm. Day to day management of health and safety is the responsibility of the Firm’s Safety Officer. The Firm’s Safety Officer is [insert name].

The Firm expects employees to recognise and undertake their responsibility to work safely and efficiently and to adhere to the Firm’s safety rules and regulations while at work. All employees have an obligation under the Acts to do everything they can to prevent injury to themselves and to others. Employees also have a responsibility to

report hazards or potentially hazardous situations to their manager and/or the Firm's Safety Officer.

All employees have the following duties while at work:

1. To take reasonable care for their own health and safety and that of other person(s) who may be affected by their acts or omissions at work;
2. To co-operate so far as it is necessary to enable the Firm to perform any duty or comply with any requirement imposed under any statutory provision affecting safety health and welfare at work;
3. To neither interfere with nor misuse anything provided in the interests of health, safety or welfare;
4. Not to be under the influence of any intoxicant in the workplace to the extent that it is likely to endanger his or her own safety, health or welfare at work or that of any other person;
5. Not to engage in improper conduct or behaviour that is likely to endanger his or her own safety or that of any other person;
6. To attend such training and, as appropriate, undergo such assessment as may reasonably be required by the Firm or as may be prescribed relating to safety, health and welfare at work or relating to the work carried out by the employee;
7. To undergo any reasonable medical or other assessment if requested to do so by the Firm.

Employees also have a duty to:

1. Avoid taking unnecessary risks.
2. Wear the appropriate safety equipment and clothing.
3. Report without delay defects in vehicles, equipment or appliances.
4. Report without delay all incidents that have led to (or equally important MAY lead to) injury or damage.
5. Assist in the investigation of accidents with the aim of introducing controls to prevent their re-occurrence.
6. Avoid improvising in a manner that may entail unnecessary risks.
7. Suggest ways of eliminating hazards.
8. Set a personal example.
9. Avoid intentionally or recklessly interfering with safety measures provided.

REPORTING OF ACCIDENTS AND INCIDENTS/NEAR MISSES

Accidents

The Firm requires you to immediately report to <insert name/title> any accident resulting in loss or injury and any accident that could have resulted in loss or injury. You must also co-operate with the Firm in the investigation of the incident and the completion of the injury/incident report form (available at [insert location]).

Incidents/Near Misses

Details of all incidents/near misses must be reported on the injury/incident forms, and all details should be accurately recorded

To encourage all reporting of incidents and near misses, forms may remain anonymous.

FIRST AID

There are First Aid boxes strategically located around the building as follows:

[Insert locations]

Anyone using the first aid boxes should report the items that have been removed to [insert names/titles/contact details] so that they can be replaced.

First Aiders are available in the Firm as follows:

[insert names/titles/contact details]

FIRE

In the event of fire alarm activation:

1. Leave the building by the nearest available exit.
2. Do not stop to collect personal belongings.
3. Comply with instructions of the Firm's fire wardens/security.
4. Assemble at the nearest assembly point for the building.
5. Do not re-enter the building until given the all clear by the Firm's fire wardens/security.