

A woman with blonde hair, wearing a dark blue and white checkered dress with a white collar, is sitting on a light-colored wooden table in a modern office. She is smiling and looking towards the camera while using a silver laptop. In the background, other office workers are visible, including a man in a red sweater and another man in a dark shirt. The office has large windows and indoor plants.

**| SAFE AND SOUND LEARNER  
& EMPLOYER HANDBOOK |**

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## Who We Are

Hello, and welcome to Babington's Safe and Sound Team.

The aim of this handbook is to provide you with information, advice and guidance around Safeguarding, Prevent and Protect, British Values, Equality and Diversity and Health and Safety, within Babington and your responsibility as an Employer and a Learner.

## Support Us to Support You

The following information will help us in meeting our commitment to ensuring and promoting a fair and respectful culture of working throughout everything we do. If this is already a priority in your business and you have your own policies in place, then you are already a step ahead.

## Our Team

Here at Babington, we have a dedicated team who are able to provide you with advice and guidance around those areas. Our Safeguarding Team acts as a conduit between Babington and external agencies to ensure a safe environment for our Learners. **Our On-Duty Designated Safeguarding Officers are available, Monday to Friday from 8.30a.m to 5p.m on 07557 265040 or [safeguarding@babington.co.uk](mailto:safeguarding@babington.co.uk)**

## SAFE AND SOUND TEAM DEDICATED TO KEEPING YOU SAFE

If you have a safeguarding concern relating to a learner, please contact

[safeguarding@babington.co.uk](mailto:safeguarding@babington.co.uk)

Or call 07557 265040



**Phil Lythgoe**  
Designated Safeguarding Lead & Safe &  
Sound Manager



**Shannon O'Donnell**  
Designated Safeguarding Officer

We have created an online Learner Safeguarding Alert Form, where our learners or employers can make contact with the team should they have a safeguarding or welfare concern.

It's as simple as scanning the QR Code, please complete the form and it will automatically send a message to the Safeguarding team to alert us of any concerns that you may have.



It's a straightforward referral process to ensure that individuals find it easy to report concerns or seek help or advice.

## **Safeguarding**

Babington believes that it is always unacceptable for learners and employees to experience abuse of any kind and recognise its responsibility to safeguard the welfare of all by a commitment to embed practices that protect all.

Babington recognise that:

- The welfare of all is of paramount importance.
- All people, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identify, have the right to equal protection from all types of harm or abuse.

In order to help us to achieve this it is essential that anyone coming into Babington's premises or in to contact with our learners and employees, respects and adheres to our guidelines.

In simple terms, safeguarding is the set of proactive and reactive measures that Babington has in place to protect its learners and employees from harm.

## Your Responsibilities

All parties working with an individual undertaking a learning programme with Babington, regardless of the capacity, have a responsibility and a duty of care to ensure that the individual is safe and protected, as far as possible from any personal risk or abuse. Whilst we hope that the need to raise a safeguarding concern is a rare one, you need to be aware of what to do if an individual discloses something that indicates they may be at risk. You also need to know how to recognise changes or indicators in an individual that may raise a cause for concern.

**16- to 18-year-old learners will always be at greater risk of a safeguarding or a prevent concern. Therefore, there is a greater duty of care needed towards these young learners.**

- Babington will ensure every 16-18 learners coming onto programme attends a safeguarding Induction delivered by the Safe & Sound team. This is normally diarised for the month after their respective starter date.
  - Employers need to ensure they report all concerns immediately to Babington where a 16-18 year old learner who has erratic / poor time keeping, prolonged periods or trends of absence or going missing. In the first instance please contact your skills coach who will then inform the safe & Sound team to investigate further. Any of the above concerns could mean there is a potential safeguarding concern for the learner.
  - Act in partnership with Babington to work in accordance with any policies, procedures, regulations, codes of practice and information or training provided.
- 
- Employers have a duty of care for all employees and learners should be treated as such. Employers need to ensure learners are protected from potential harm. Employers should ensure that appropriate and adequate arrangements are in place where a suitable mentor or Single Point of Contact (SPOC) is available to listen, support and guide learners.
  - The mentor / SPOC should be able to raise a concern with Babington should there be a need to do so. The Safe and Sound team at Babington, are able to provide support, advice and guidance around the concerns they have raised about a learner. Should an
  - employer, mentor or SPOC need additional training on Safeguarding or Prevent they can contact the Safe and Sound team who would provide assistance or signpost to the appropriate agency.
  - Concerns must be reported on the same day the concern occurred, no later than 17:00 (Details are listed above on how to get in touch).
  - Familiarise yourself with any new information provided to you by Babington.
  - All parties must be vigilant in order to intervene at the earliest opportunity to avoid serious harm or risk to a learner.



- It is important to note that a large proportion of safeguarding concerns reported, can be quickly resolved without escalation, so however small the concern, if it a concern at all, it is always worth reporting.

### **What do we mean by 'abuse'?**

There are many forms of abuse and most, we hope or imagine will never take place in our communities, on our doorsteps or in our workplaces, but abuse does not discriminate, it can happen to any walk of life, and we need to be alert to the signs. Here are some categories of abuse:

## Children and Young People

**Physical abuse:** this may involve hitting, shaking throwing, burning, or scalding, drowning, suffocating or otherwise causing physical harm to a child or young person. Physical harm may also be caused when a person or carer fabricates the symptoms of, or deliberately induces illness in a child/young person.

**Emotional abuse:** this is the persistent emotional ill-treatment of a child/young person such as to cause severe and persistent effects on the child/young person's emotional development. Some level of emotional abuse is involved in all types of ill treatment of a child/young person so it's important to be aware of what is happening.

**Sexual abuse:** this involves forcing or enticing a child/young person to take part in sexual activities, including prostitution; whether or not the child/young person is aware of what is happening.

**Neglect:** this is the persistent failure to meet the child/young person's basic physical and/or psychological needs, likely to result in the serious impairment of the child/young persons health or development. Neglect may occur during pregnancy as a result of maternal substance abuse.

50,780  
CHILDREN  
Identified as  
needing child  
protection plans in  
the UK in 2023

Source: [explore-education-statistics.service.gov.uk](https://explore-education-statistics.service.gov.uk). (Children in need 2023).

## Vulnerable Adults

The care and support statutory guidance identifies ten types of abuse that apply to vulnerable adults, which are similar to those that apply to children/young people, these encompass:

- Physical abuse.
- Sexual abuse.
- Domestic violence or abuse.
- Psychological or emotional abuse.
- Financial or material abuse' neglect and acts of omission.
- Modern slavery.
- Organisational or institutional abuse.
- Discriminatory abuse.

4,746

Potential victims of modern slavery  
were referred to the Home Office in  
January 2023-March 2023

Source: Home Office, National Referral Mechanism Statistics: UK, March 2023

## Other forms of abuse

Abuse of young people and vulnerable adults can take many forms. These include, but are not limited to:

Child Sexual Exploitation (CSE)

Child Criminal Exploitation (CCE)

Bullying and cyberbullying

Child Trafficking

Domestic Abuse

Emotional Abuse

Female genital mutilation

Grooming

Neglect

Non-recent abuse

Online Abuse

Physical Abuse

Sexual Abuse / Harm and harassment

## Keeping Children Safe in Education 2023 Update

KCSIE (Keeping Children Safe in Education) is a guidance which sets out what schools and colleges (including FE/HE Providers) must do to safeguard and promote the welfare of young learners under the age of 18.

The update in September 2023 focused on the below key areas:

### WHAT YOU NEED TO KNOW.

#### Absence:

Appropriate safeguarding arrangements in place and staff understand the process for children who are absent from education, particularly on repeat occasions and / or prolonged periods.

#### Staff Training:

All staff should receive appropriate safeguarding and child protection training (including online safety which, amongst other things, includes an understanding of the expectations, applicable roles and responsibilities in relation to filtering and monitoring).

#### Equality Act:

There is also a duty to make reasonable adjustments for disabled children and young people.

### DSL:

The DSL should take lead responsibility for safeguarding and Child Protection (including online safety and understanding the filtering and monitoring systems and processes in place. This should be explicit in the role holders job description.

### Online safety: Filtering and monitoring.

The online safety policy should reflect and include appropriate filtering and monitoring on college devices and networks. This should include the use of mobile and smart technology.

Governing bodies and proprietors should consider the number of and age range of their children, those who are potentially at greater risk of harm and how often they access the IT system along with the proportionality of costs versus safeguarding risks.

To support schools and colleges to meet this duty, the Department for Education has published filtering and monitoring standards which set out that schools and colleges should:

- identify and assign roles and responsibilities to manage filtering and monitoring systems.
- review filtering and monitoring provision at least annually.
- block harmful and inappropriate content without unreasonably impacting teaching and learning.
- have effective monitoring strategies in place that meet their safeguarding needs

Governing bodies and proprietors should review the standards and discuss with IT staff and service providers what more needs to be done to support schools and colleges in meeting this standard.

### Safer Recruitment:

Schools and colleges should inform shortlisted candidates that online searches may be done as part of due diligence checks.

### Organisations or Individuals using school / College premises.

377. Schools and colleges may receive an allegation relating to an incident that happened when an individual or organisation was using their school premises for the purposes of running activities for children (for example community groups, sports associations, or service providers that run extra-curricular activities). As with any safeguarding allegation, schools and colleges should follow their safeguarding policies and procedures, including informing the LADO.

### Marriage Age change:

In addition, since February 2023 it has also been a crime to carry out any conduct whose purpose is to cause a child to marry before their eighteenth birthday, even if violence, threats or another form of coercion are not used. As with the existing forced marriage law, this applies to non-binding, unofficial 'marriages' as well as legal marriages.

Read the full KCSIE Update Guidance [HERE](#)

## Prevent Duty

Babington are committed to supporting the Prevent Duty agenda and have a responsibility to raise awareness and raise concerns if we feel any of our learners are showing indicators of behaviours which would suggest that they are at risk of radicalisation. The major risk associated with radicalisation is that it can lead to extremism.

### **Extremism as is defined in law as:**

**“Vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect for those with different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas”**

**From the Counter Terrorism and Security Act 2015**

**[www.legislation.gov.uk](http://www.legislation.gov.uk)**



Types of extremism that exist within our communities are: White supremacists; Nazi parties; Anti-Semitism; Holocaust denial; Race and religious hatred; Animal rights extremism; Far right extremism; Religious extremism; Nationalist extremism and Homophobia.

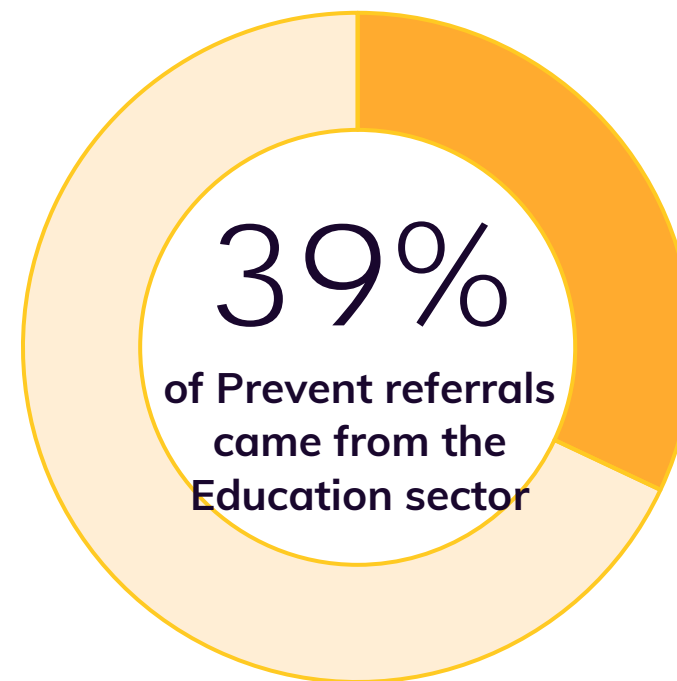
### What is Prevent?

Prevent is a government policy which requires colleges, schools and other public bodies to share the responsibility for preventing people from being drawn into terrorism.

From 2015 all schools, child care providers, colleges and other further education providers are subject to a duty under Section 26 of the Counter-Terrorism and Security Act 2015, to have “due regard to the need to prevent people from being drawn into terrorism”. This is known as the Prevent Duty. The Prevent Duty is not designed to discourage students from having political and religious views and concerns – quite the reverse, the aim is to support them to use those concerns and act on them in non-extremist ways.

**Prevent is 1 of the 4 elements of CONTEST, the Government's counter-terrorism strategy. It aims to stop people becoming terrorists or supporting terrorism**

- Pursue: to stop terrorist attacks
- Prevent: to stop people becoming terrorists or supporting violent extremism
- Protect: to strengthen our protection against terrorist attack
- Prepare: where an attack cannot be stopped, to mitigate its impact



Source: Home Office, National Referral Mechanism Statistics: UK, March 2023

## Radicalisation and Extremism

Babington has a legal duty to protect all learners from radicalisation and thereby being drawn into terrorism or extremism.

Underpinning the radicalisation process is an extremist ideology that seems appealing and credible, often because it appears to make sense of the person's feelings of grievance or injustice.

Personal vulnerabilities or local factors can make a young person more susceptible to extremist messages. These may include:

“The terrorist threat to the UK is unrelenting and evolving, and as I noted earlier this year announcing our refresh of CONTEST, it is rising.

To combat this, the tools to counter-terrorism must evolve.

CONTEST, our counter-terrorism strategy, has 4 pillars: prevent, pursue, protect, and prepare.

Prevent aims to stop people becoming involved in terrorism by tackling radicalising ideologies at their root.

**Ex Home Secretary Suella Braverman (Sep 2023).**

- Being rejected by peer, faith or social group/family
- Pressure from persons linked to extremism
- Victim or witness to race or religious beliefs/lifestyle/politics
- Identity confusion
- Recent religious conversion
- Under-achievement
- Poor family support
- May possess literature related to extreme views
- Experience of poverty, disadvantage, or social exclusion
- Extremist influences
- A series of traumatic events global, national, or personal

Concerns of this nature are dealt with through the process called Channel where highly qualified individuals may deem necessary to arrange interventions to prevent further radicalisation taking place. The process of radicalisation is often viewed in a similar way to grooming and can take place over significant periods of time.

## Vulnerability to Radicalisation

Radicalisation can happen over a long period of time. In some cases, it is triggered by a specific incident or news item and can happen much quicker. Sometimes there are clear warning signs of radicalisation, in other cases the changes are less obvious.

The following behaviours listed here are intended as a guide to help you identify possible radicalisation:

### Outward appearance

- Becoming increasingly argumentative
- Refusing to listen to different points of view
- Unwilling to engage with children who are different
- Becoming abusive to children who are different
- Embracing conspiracy theories
- Feeling persecuted
- Changing friends and appearance
- Distancing themselves from old friends
- No longer doing things they used to enjoy
- Converting to a new religion
- Being secretive and reluctant to discuss their whereabouts
- Sympathetic to extremist ideologies and groups

### Online behaviour

- Changing online identity
- Having more than one online identity
- Spending a lot of time online or on the phone
- Accessing extremist online content
- Joining or trying to join an extremist organisation

It should be noted that individuals taking their religion more seriously choosing to grow a beard or wearing a head scarf for religious reasons are NOT signs of extremism.

It is your own professional judgement which will lead you to decide to refer a safeguarding concern whether that relates to extremist exploitation or any other kind of exploitation.

If you have any concerns about a learner, notice any changes in behaviour, appearance or anything that concerns you, please contact our Designated Safeguarding Officer immediately on **07557 265040** or [safeguarding@babington.co.uk](mailto:safeguarding@babington.co.uk) who will contact the appropriate authority.

If you would like to find more about the Prevent duty or would like more guidance around Channel, you can visit the government website where you will find information booklets; <https://www.gov.uk/government/publications/channel-guidance>.

## British Culture & Values

Babington are committed to actively promoting British Culture & Values in everything we do. Equality and diversity form a strong thread throughout all our delivery; learners are all encouraged to treat all people, regardless of their age, disability, gender, racial heritage, religious belief, sexual orientation or identify with equal respect. The culture in British society today is rich and diverse and our aim is to ensure all our learners are prepared, through high quality training and work experience, to be equipped to be an active citizen contributing to society.

### The British Culture & Values are defined as:

- **Democracy** - a system of government by the whole population or all the eligible members of a state, typically through elected representatives.
- **The rule of the law** - the "authority and influence of law in society, especially when viewed as a constraint on individual and institutional behaviour; (hence) the principle whereby all members of a society (including those in government) are considered equally subject to publicly disclosed legal codes and processes".
- **Individual liberty** - the liberty of an individual to exercise freely those rights generally accepted as being outside of governmental control.
- **Mutual respect and tolerance** - for those with different faiths, beliefs and backgrounds.

Mutual respect and tolerance include encouraging our learners/ employees to respect other people with regard to the protected characteristics of the Equality Act (2010).

## Online Safety

In simple terms, online safety refers to the act of staying safe online. It is also commonly known as internet safety, e-safety and cyber safety. It encompasses all technological devices which have access to the internet from PCs and laptops to smartphones and tablets.

Being safe online means individuals are protecting themselves and others from online harms and risks which may jeopardise their personal information, lead to unsafe communications or even effect their mental health and wellbeing.

Operating within an online space is something most of us simply do subconsciously, but have you ever stopped to consider the potential dangers which exist on the web?

In an ever-changing world, ensuring your own safety online has never been more important.

### What are the risks?

Aside from the more obvious risks such as online bullying, grooming or device addiction, the way we are engaging with the online world means that we have to take stock of our own mental health and wellbeing, the type of content we are viewing and what we are posting online.

This includes the heightened concern around fake news and what impact social media influencers may be on our behaviour.

The number of varying social media applications continues to grow too. Previously, if you educated yourself on the mechanics of Facebook, Snapchat, and Instagram, you would pretty much be covered.

However, we are now in an age where a multitude of 'apps' exist, and they are more complex than ever before. Whilst the above remain popular, there are an increasing number of newer apps like TikTok, YOLO, FaceApp, Telegram, Nextdoor and LIKEE. All of these are all free to download and available at the touch of a button.

Such are the range of risks we now need to be aware of and the different platforms that we can access, it is not easy to keep up to date.

## How to stay safe online

There are many ways to keep yourself safe online, here are just a few suggested ways you can do this:

- Do not post any personal information online – like your address, email address or mobile number.
- Think carefully before posting pictures or videos of yourself. Once you've put a picture of yourself online most people can see it and may be able to download it, it's not just yours anymore.
- Keep your privacy settings as high as possible.
- Never give out your passwords.
- Do not befriend people you do not know.
- Do not meet up with people you have met online.
- Remember that not everyone online is who they say they are.
- Think carefully about what you say before you post something online.
- Respect other people's views, even if you don't agree with someone else's views it doesn't mean you need to be rude.
- If you see something online that makes you feel uncomfortable, unsafe or worried: leave the website, turn off your computer if you want to and report it immediately.

For further advice on online safety, please see the following organisations for additional advice on staying safe online.

**Social media guides** - Find out more about the safety features available on popular social networks - [UK Safety Internet Centre](#).

**Grooming or other illegal behaviour** - you should in an emergency contact the emergency services by calling 999, or otherwise make a report to CEOP - [Child Exploitation Online Protection Centre](#).

**Criminal content online** - Criminal content in the UK includes child sexual abuse images, criminally obscene adult content as well as non-photographic child sexual abuse images – [Internet Watch Foundation](#).

**Online terrorism** - You can report terrorism related content to the police's Counter Terrorism Internet Referral Unit – [Counter Terrorism Police](#).

**Reporting Scams** - If you have been 'scammed, ripped off or conned'- [Action Fraud](#).

## Equality, Diversity and Inclusion

Babington is committed to embedding our company values throughout everything we do. Our vision is to 'create a safe and respectful learning environment for all.' Babington is committed to meeting the legal requirements of the Equality Act 2010.

In the UK, companies are legally required to adhere to certain practices that ensure discrimination is eliminated and expectations of equality are always met in the workplace.

All workers must be treated equally and be given the same set of opportunities regardless of their race, age, gender, sexuality, disability, culture or anything else that might be discriminated against.

The legislations in place are in existence to ensure that an inclusive working environment is always fostered, and that any form of 'difference' should never prove to be an obstacle in career progression or indeed getting a job in the first place.

There are a variety of discrimination acts that are there to make sure that companies are adhering to the minimum standards, and indeed the legislation in place is wide ranging and comprehensive. These acts include:

- Equality Act
- Human Rights Act
- Sex Discrimination Act
- Disability Discrimination Act
- Race Relations Act

Under the Equality Act 2010, there are nine protected characteristics.

## Protected Characteristics

Each characteristic is addressed in the Act in summary as follows:

### Age

The Act protects employees of all ages but remains the only protected characteristic that allows employers to justify direct discrimination, i.e. if an employer can demonstrate that to apply different treatment because of someone's age constitutes a proportionate means of meeting a legitimate aim, then no discrimination will have taken place.

### Disability

The Act includes a new protection arising from disability and now states that it is unfair to treat a disabled person unfavourably because of something connected with a disability. An example provided is the tendency to make spelling mistakes arising from dyslexia. Also, indirect discrimination now covers disabled people, which means that a job applicant could claim that a particular rule or requirement disadvantages people with that disability.

The Act includes a provision which makes it unlawful, with limited exceptions, for employers to ask about a candidate's health before offering them work.

### Gender Reassignment

It is discriminatory to treat people who propose to start to or have completed a process to change their gender less favourably, for example, because they are absent from work for this reason.

### Marriage & Civil Partnership

The Act continues to protect employees who are married or in a civil partnership. Single people are however not protected by the legislation against discrimination.



### **Pregnancy & Maternity**

The Act continues to protect women against discrimination because they are pregnant or have given birth.

### **Race**

The Act continues to protect people against discrimination on the grounds of their race, which includes colour, nationality, ethnic or national origin.

### **Religion or Belief**

The Act continues to protect people against discrimination on the grounds of their religion or their belief, including a lack of any belief.

### **Sex**

The Act continues to protect both men and women against discrimination on the grounds of their sex, for example paying women less than men for doing the same job.

### **Sexual Orientation**

The Act continues to protect bisexual, gay, heterosexual and lesbian people from discrimination on the grounds of their sexual orientation.

## Types of Discrimination

The 2010 Act also extends some of these protections to characteristics that previously were not covered by equality legislation. Employers and business owners now need to be aware of the seven different types of discrimination under the new legislation.

These are:

**Direct discrimination** – where someone is treated less favourably than another person because of a protected characteristic.

**Associative discrimination** – this is direct discrimination against someone because they are associated with another person who possesses a protected characteristic.

**Discrimination by perception** – this is direct discrimination against someone because others think that they possess a particular protected characteristic. They do not necessarily have to possess the characteristic, just be perceived to.

**Indirect discrimination** – this can occur when you have a rule or policy that applies to everyone but disadvantages a person with a particular protected characteristic.

**Harassment** – this is behaviour that is deemed offensive by the recipient. Employees can now complain of the behaviour they find offensive even if it is not directed at them.

**Victimisation** – this occurs when someone is treated badly because they have made or supported a complaint or grievance under this legislation.

For more information relating to Equality and Diversity, please see the links below.

The Equalities and Human Rights Commission - [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

The Government Equalities Office <https://www.gov.uk/government/organisations/government-equalities-office>

**More than a third (36%)  
of UK adults  
experienced workplace  
discrimination.  
The most common  
being age  
discrimination.  
66% of students say  
they have been  
discriminated against  
either whilst in a job or  
when applying for one.**

Source: [ciphr.com/workplace-discrimination-statistics/](http://ciphr.com/workplace-discrimination-statistics/)

## Health and Safety

Did you know Babington has responsibility for the Health and Safety of its learners, both at college and at work whilst they are on one of our training programmes. Responsibility for Health and Safety also lies with your workplace (employer) and YOU.

We will briefly outline the Health and Safety law relevant to your occupational area, the responsibilities and duties of Babington, your workplace and you. Under the above (and following) legislation, learners are considered as employees, both at college and at work. Babington and your workplace are considered as employers.

### Health and Safety at Work Act 1974 (HASAWA)

This is the primary piece of legislation covering occupational Health and Safety in Great Britain. It provides the legal framework to promote, stimulate and encourage high standards in Health, Safety and Well-being to prevent employees being harmed or becoming ill from the work they do. The Health and Safety Commission (HSC) makes policy and the Health and Safety Executive (HSE) carries out and enforces the policy via inspectors.

Further information and guidance about the HASAWA can be found here: [Health and Safety at Work etc Act 1974 – legislation explained \(hse.gov.uk\)](https://www.hse.gov.uk/legislation/1974.htm)

## Employer Duties

*Section 2* - of this Act states that employers must Safeguard, so far as is reasonably practicable, the Health, Safety and Welfare of all employees. This applies to the provision and maintenance of:

- Safe plant and safe systems of work (covers all machinery, equipment and appliances used).
- Safe use of handling, use of storage, maintenance and transport of (work) articles and substances.
- Provide necessary information, instruction, training and adequate supervision whilst at work.
- A safe place of work, including safe access and egress.
- A safe working environment with adequate welfare facilities.

There is an 'absolute duty' on employers to have a Health and Safety Policy and, where there are 5 or more employees, to prepare and revise as necessary a written statement of the safety policy, how it will 'organise' (roles and responsibilities) to promote it and what 'arrangements' (policies and procedures) are in place to carry it out.

Employers must consult with employees on health and safety matters.

*Sections 3 & 4* - Responsibilities are placed on employers to safeguard the health and safety of the self-employed (contractors), employees of other companies and the public.

*Section 7* - Employees have a duty under the Act to:

- Take reasonable care of their own health and safety and that of others who may be affected by their acts or omissions.
- To co-operate with their employer, so far as is necessary, to enable the employer to comply with his/her duties under the Act.

*Section 8* - The Act also requires no persons to intentionally or recklessly interfere with or misuse anything provided in the interest of health, safety or welfare. ("no person" implies the duty is not limited to just employees)

## Management of Health and Safety at Work Regulations 1999 (MHSWR 1999)

Management of Health and Safety at Work Regulations 1999. The Regulations were introduced to reinforce the Health and Safety at Work etc Act 1974. The MHSWR places duties on employers and employees including those who are clients, designers, principal contractors or other contractors.

### **Under this Act an employer has a duty to:**

- Assess the risk to health and safety of their employees and to anyone else who may be affected by their work activity.
- Implement procedures for serious and imminent danger (e.g. fire evacuation procedures).
- Provide provision of relevant and comprehensible information to employees on the Health and Safety risks that have been identified by the assessments.
- Ensure that, where necessary, contacts are made with external services, this particularly applies with regards to first-aid, emergency medical care and rescue work.
- Provide adequate Health and Safety training (in working hours) at recruitment, on exposure to new risks, change of job role etc. The training must be repeated periodically where appropriate.
- Specific risk assessments of the work of 'new and expectant mothers' and the taking of appropriate control measures based on the risk assessment result.
- Carry out specific risk assessments when employing or about to employ 'young persons' (under 18 years of age).
- Take into account the capabilities of their employees before entrusting tasks.
- Temporary Workers.

Ensure consideration is given to the special needs of temporary workers on fixed term contracts or employed through an employment business. The employer must provide health and safety information on qualifications required to perform the task safely and requirements for health surveillance. Further information and guidance about the MHSWR 1999 can be found here: [The Management of Health and Safety at Work Regulations 1999 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukhr/1999/12/1/1)

## Employee Duties

Employees must:

- Use all machinery, equipment, dangerous substances, means of production, transport equipment and safety devices in accordance with any relevant training and instructions.
- Inform their employer (or specified fellow employees) of dangerous situations and shortcomings in the employer's Health and Safety arrangements.

## Manual Handling Operations Regulations 1992 (Amendment 2002)

Although you will not be expected to carry, lift, push or pull loads as an everyday duty at work you may be asked to carry/move boxes, desks, filing cabinets etc. Your employer has a duty to provide you with the necessary training to carry out the job safely and risk assess the work. You have a duty to follow your employer's instructions.

The main common injuries due to manual handling tasks are:

- Spinal disc herniation
- Prolapsed spinal disc
- Muscle strain and sprain
- Torn or overstretched tendons and ligaments
- Hernia
- Cuts, bruising, fractures and crushing injuries

Further information and guidance about the MHOR 1992 can be found here: [The Manual Handling Operations Regulations 1992 \(as amended\) \(MHOR\) - OC 313/5 \(hse.gov.uk\)](#)

## Employees must

- Make full and proper use of any safe systems of work put in place by the employer

As part of your induction at Babington you will be taught the correct procedure for lifting, carrying, pushing and pulling loads.

## Workplace Health, Safety and Welfare Regulations 1992

These regulations implement most of the requirements of an EEC Workplace Directive and impose a minimum legal standard on a range of health and safety issues in the workplace including:

- Working environment – cleanliness, temperature, ventilation, lighting, room dimensions, workstations (ergonomics).
- Safety – windows and skylights, doors, stairs, partitions, floors, pedestrian and vehicle routes.
- Facilities – toilets, drinking water, washing (hot & cold running water, soap and hand-drying facilities) and clean eating facilities, seating, rest rooms, changing rooms (where special work clothing is required).
- Housekeeping – maintenance of workplace, equipment and facilities, drainage.

Further information and guidance about The Workplace Health, Safety and Welfare Regulations 1992 can be found here: [Workplace health, safety and welfare - L24 \(hse.gov.uk\)](#)

## Health and Safety (Display Screen Equipment) Regulation 1992 (Amendment 2002)

These regulations require employers to carry out an analysis and assessment of the workstation.

Workstations must meet certain basic requirements that enable them to be appropriately adjusted and used without unacceptable risks to Health and Safety.

Your employer has a duty to:

- Assess display screen equipment workstations (and decide if the person using the workstation meets the criteria for a 'user').
- Reduce risks which are discovered. Most common injuries are to the eyes, wrists and back.
- Make sure that workstations satisfy minimum requirements which are set for the display screen itself, keyboard, desk, chair and working environment.
- Plan display screen equipment work so that there are breaks or changes of activity.
- Provide appropriate information and training for display screen equipment users.
- Provide free eye examinations for persons identified as users, this must be provided on request.
- Pay for basic spectacles if they are required for DSE work.
- Provide such items as footrests and document holders.



Where an employee is working from home. If that work involves the use of DSE the employer has a duty to:

- Ensure a risk assessment is carried out for the DSE workstation used at home.
- Docking stations, separate keyboards and mice are provided if laptops are frequently used.

Further information and guidance about The Health & Safety Display Screen Equipment Regulations 1992 can be found here: [OC 202/1:: The health and safety \(display screen equipment\) regulations 1992, as amended by the health and safety \(miscellaneous amendments\) regulations 2002 \(hse.gov.uk\)](#)

## The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)

RIDDOR is the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013. They maintain requirements that the responsible person must notify, and subsequently send a report to, the relevant enforcing authority (Health and Safety Executive or the Local Authority) by an approved means in relation to fatal and certain non-fatal work-related accidents, specified diseases contracted by persons at work and certain specified dangerous occurrences.

RIDDOR is the law that requires employers, and anyone else with responsibility for health and safety within a workplace, to report and keep records of:

- Work-related deaths.
- Serious injuries.
- Cases of diagnosed industrial disease.
- Certain 'dangerous occurrences' (near miss accidents).
- Injuries that result in more than seven days incapacity from routine work.
- A non-employee is killed or taken to hospital.

Further information and guidance about RIDDOR 2013 can be found here: [Reporting of Injuries, Diseases & Dangerous Occurrences RIDDOR \(hse.gov.uk\)](https://www.hse.gov.uk/riddor/)

## The Control of Substances Hazardous to Health Regulations 2002 (COSHH)

Originally introduced in 1998, the COSHH Regulations were revised and enlarged to incorporate provisions required by new EEC directives. Many office workers are under the mistaken impression that COSHH regulations have nothing at all to do with them. Did you know that many office machines such as photocopiers give off fumes? I bet your office cleaners use bleach, even felt tip pens emit gas! Whilst these may not be hazardous in small quantities, they can all be classified as potentially dangerous.

Every employer shall ensure that the exposure of their employees to substances hazardous to health is either prevented or, where this is not reasonably practicable, adequately controlled.

These regulations require employers to provide:

- An assessment of Health risks and the selection of suitable control measure.
- Suitable and sufficient information, instruction and training.

Further information and guidance about COSHH 2002 can be found here: [Control of Substances Hazardous to Health 2002 \(COSHH\)](https://www.hse.gov.uk/coshh/)  
([hse.gov.uk](https://www.hse.gov.uk/))

## Health and Safety (First Aid) Regulations 1981 (Amendment 2018)

The Health and Safety (First-Aid) Regulations 1981 require employers to provide adequate and appropriate equipment, facilities and personnel to ensure their employees receive immediate attention if they are injured or taken ill at work. These Regulations apply to all workplaces including those with less than five employees and to the self-employed.

As a minimum, a low-risk workplace such as a small office should have a first-aid box and a person appointed to take charge of first-aid arrangements, such as calling the emergency services if necessary. Employers must provide information about first-aid arrangements to their employees.

Workplaces where there are more significant health and safety risks are more likely to need a trained first aider. A first aid needs assessment will help employers decide what first aid arrangements are appropriate for their workplace

**A First Aider** - The role of a first aider is to give someone this help, while making sure that they and anyone else involved are safe and that they don't make the situation worse. They will hold a current first aid certificate (usually awarded by the St John Ambulance or the British Red Cross and normally includes a formal exam at the end of the training).

**An Appointed Person** - The role of this appointed person includes looking after the first-aid equipment and facilities and calling the emergency services when required. They can also provide emergency cover, within their role and competence, where a first aider is absent due to unforeseen circumstances (annual leave does not count).

Not every company needs to provide a first aid room. However, every organisation must have a first aid box or kit. The contents (and number) will vary, depending on the size of the company, and on how potentially hazardous the workplace.

Further information and guidance about The Health and Safety First Aid Regulations 1981 can be found here: [First aid at work - The Health and safety \(First Aid\) Regulations 1981 \(hse.gov.uk\)](#)

## The Electricity at Work Regulations 1989 and Provision & Use of Work Equipment (PUWER) Regulations 1988

The use of electrical equipment in the workplace is covered by both the above regulations.

Many deaths and injuries result in poorly maintained electrical equipment, and fires start by faulty electrical appliances. All electrical equipment should be maintained and checked at appropriate intervals to ensure it is safe and in good repair.

Managers and others responsible for electrical equipment maintenance should ensure:

- Equipment is maintained in a safe condition.
- Information and training are available to equipment users to ensure safety.
- Safe procedures for inspection and testing are used.
- Records of inspection and testing are maintained.

**Make sure you use all equipment how you have been trained to use it and make a visual check of all electrical equipment before each use.**

Further information and guidance about The Electricity at Work Regulations 1989 can be found here: [The Electricity at Work Regulations 1989 - HSR25 \(hse.gov.uk\)](#)

## The Regulatory Reform (Fire Safety) Order 2005

The Regulatory Reform (Fire Safety) Order 2005 was introduced in October 2006. Fire and rescue authorities and other bodies ('enforcing authorities') have a duty to enforce fire safety in non-domestic premises.

The Order places the responsibility on individuals within an organisation to carry out risk assessments to identify, manage and reduce the risk of fire.

Where 5 or more are employed, the findings must be formally recorded and the information regarding significant risks communicated to employees and others affected.

A "Responsible Person" needs to be appointed for each premises, who is required to carry out or arrange to be carried out an assessment of the risks of fire and take such steps as are necessary to reduce or remove the risk.

This risk assessment will need to consider amongst other things;

- The safety of employees and visitors to premises if a fire were to occur.
- The protection of property from fire and the job security of employees.
- Fire-fighters and other emergency services should they have to enter a property to perform their duties.
- The impact that a fire may have on nearby property and the environment.

**In addition to the Risk Assessment, the Responsible person must:**

- Consider who may be especially at risk.
- Get rid of or reduce the risk from fire as far as reasonably practicable and provide general fire precautions to deal with any possible risk left. This will include the following.

**There must be:**

- Means of Escape.
- Signs.
- Notices.
- Emergency Lighting.
- Fire Detection and Alarm systems.
- Fire Fighting Equipment.
- Fire Doors and Compartments.
- Staff Training provided.
- Carry out Fire Drills within induction. This must include what to do in the event of a fire emergency.

**They must also:**

- Take other measures to make sure there is protection if flammable or explosive materials are used or stored.
- Create a plan to deal with any emergency and, in most cases, keep a record of findings.
- Review the findings when necessary.

## General Fire Advice

You should be careful at all times to reduce the risk of fire. The following precautions should be meticulously observed:

- Premises should be kept clear of waste and rubbish, particularly the storerooms, attics and basements, bottoms of lift shafts, staircases and under the stairs.
- 'No Smoking' signs must be adhered to.
- Electrical installations should be regularly checked, and staff instructed to report frayed leads and faulty equipment at once.
- If your office does not have central heating, heating appliances should be fixed rather than portable, and fitted with fireguards. Staff should be warned to keep combustible materials well away from fires and heaters.
- Always ensure that doors marked 'Fire Door' are kept closed as they prevent flames and smoke from spreading, thus keeping the escape route clear.

When you leave your place of work at the end of the day, make sure that:

- All electrical, gas and oil equipment not required to operate overnight is switched off.
- Equipment in use overnight is safe.
- All electrical equipment such as computers, copying machines, machinery and other objects with flexible cables are unplugged.
- Fire doors and smoke-stop doors are closed.
- Windows are closed, outside doors are locked and the premises are secured against intruders.

Further information and guidance about The Regulatory Reform Fire Safety Order 2005 can be found here: [The Regulatory Reform \(Fire Safety\) Order 2005 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukreg/2005/1750)



## The Work at Height Regulations 2005 (Amendment 2007)

The Regulations apply to all work at height, where there is risk of a fall liable to cause personal injury. They place duties on employers, and those who control any work at height activity (such as facilities managers or building owners who may contract others to work at height).

Work at height means work in any place where, if precautions were not taken, a person could fall a distance liable to cause personal injury. You are working at height if you:

- work above ground/floor level
- could fall from an edge, through an opening or fragile surface or
- could fall from ground level into an opening in a floor or a hole in the ground

Work at height does not include a slip or a trip on the level, as a fall from height has to involve a fall from one level to a lower level, nor does it include walking up and down a permanent staircase in a building.

As part of the Regulations, Employers must ensure;






- All work at height is properly planned and organised.
- Those involved in work at height are competent and have received full training.
- The risks from work at height are assessed, and appropriate work equipment is selected and used.
- The risks of working on or near fragile surfaces are properly managed.
- The equipment used for work at height is properly inspected and maintained.

Employees must ensure they use the equipment provided in the manner they have been shown and trained how to do. You must report any

deficiencies in the equipment or procedures to your supervisor. Further information and guidance about The Working at Height Regulations 2005 can be found here: [The Work at Height Regulations 2005 \(legislation.gov.uk\)](http://www.legislation.gov.uk)

## Health and Safety (Signs and Signals) Regulations 1996

A safety sign is one which gives information about Health and Safety by means of a combination of geometric form, safety colour and symbol or text or both. They are used to provide information on prohibited acts, warnings, mandatory acts and safe conditions where employers cannot adequately reduce the risks without them. Further information and guidance about Safety Signs and Signals can be found here: [Safety signs and signals. The Health and Safety Regulations 1996. Guidance on Regulations - L64 \(hse.gov.uk\)](http://www.hse.gov.uk)

Safety Colour	Warning Purpose	Examples of Use	Contrast colour	Symbol Colour	Typical sign
RED	Prohibition	No Smoking	WHITE	BLACK	 No smoking
	Fire	Extinguisher Point	WHITE	WHITE	 For use on any fire
YELLOW	Caution, risk of danger	Identification of hazards	BLACK	BLACK	 DANGER Toxic hazard
BLUE	Mandatory action	Obligation to wear protective equipment	WHITE	WHITE	 Wear safety helmet
GREEN	Safe Condition	First Aid points	WHITE	WHITE	 First aid

*We have not covered all the health and safety law relevant to your occupational area, just the most appropriate at this time. As you can see from the brief outline of the above legislation/regulations, you have a duty and responsibility for the health, safety and welfare of YOURSELF AND YOUR COLLEAGUES as well as abiding by the policies and procedures YOUR EMPLOYER instigates.*

**If you are ever in any doubt or need to report a concern or disclosure – please seek advice from one of our On-Duty Designated Safeguarding Officers on 07557 265040 or [safeguarding@babington.co.uk](mailto:safeguarding@babington.co.uk) or [healthandsafety@babington.co.uk](mailto:healthandsafety@babington.co.uk)**