



NEBOSH Certificate NGC1/3 Organising for health and safety

Suggested answers to revision questions

A1 *In essence, the Swan Hunter case interprets the duty under section 2(2)C of HASAWA as extending beyond an employers own employees to all non-employees (broadly summarised as 'contractors') who may be working on the site.*

(c) The provision of such information, instruction, training and supervision as is necessary to enable ... the health and safety at work of his employees ...

HASAWA section 2(2)

The judgement in the Associated Octel case determined that activities such as repair and maintenance were an integral part of any company's work activity ('undertaking') and thus the employer has to stipulate to the contractor(s) all relevant health and safety information.

A2 *Information that an employer might require from a prospective contractor ... in the case of a small contract, it would be sensible to ask for:*

- *references*
- *details of work recently undertaken*
- *membership of trade or professional bodies - this may be compulsory: for example, if the work involves gas supplies, a CORGI-registered contractor is required*
- *copies of their safety policy and, perhaps, relevant working procedures*

In the case of a large contract, the employer should additionally be requesting:

- *accident statistics and reports*
- *full procedural details of how the proposed work will be undertaken, including arrangements for subcontractors*
- *'profiles' of the key members of the potential contractor's staff*
- *information on the training and experience of those who will be undertaking the contract work*
- *feedback from the contractor regarding the information that they might need from you, the employer*

A3 *Contractors and contract work represents a particular working challenge because:*

- *contractor's personnel may not be familiar with the processes and procedures*
- *contract work will almost always involve activities and relationships outside the normal activities of the organisation:*
 - » *demolition*
 - » *repair*
 - » *commissioning new equipment, and so on*
- *the contractor's personnel may change from day to day, particularly if sub-contractors are used*





A4 In our text, we defined communication as:

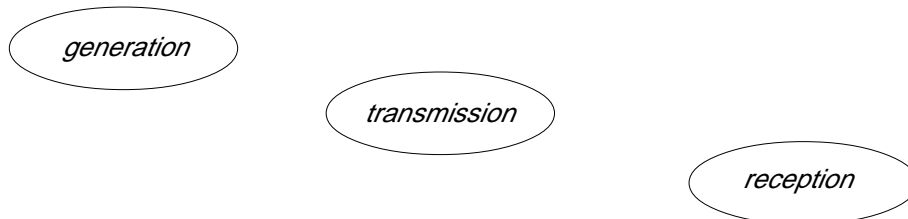
The process by which information is passed between individuals and / or organisations by means of previously agreed symbols.

It does not slip easily off the tongue does it? Non-the-less, it is a reasonable definition in that it does introduce all the key words or concepts:

information transfer ... individual or organisation ... agreed symbols / 'language' / system

As we have said before, a definition can be a good starting point because, by embellishing and expanding upon your definition, you can generate a good answer.

As far as causes of poor communication (a NEBOSH favourite question) are concerned, you should be thinking in terms of a communication model involving:



and your answer can provide examples of failures at these three stages:

- *mis-heard instructions in a noisy environment (transmission)*
- *poor instructions for the assembly of a new piece of kitchen equipment (generation)*
- *clear, well laid-out instructions on kitchen equipment misunderstood by someone who is not qualified to be assembling the equipment (reception, with other communications failure[s] down the line being the cause of an unqualified person wrongly wiring up the waste disposal unit on the sink)*

You should be able to add many more examples involving people with poor hearing, tired and stressed workers, electronic failures and so on - refer back to the study material if you need.

A5 Inter-departmental communications failures (how long have you got?), some of many causes:

- *hostility / competitiveness leading to communications being wilfully or unintentionally mislaid or ignored*
- *different communications systems being used by various departments: paper, electronic, verbal ... the problem being the 'translation' from one system to the other - an 'urgent action required' note on a piece of paper may have no electronic equivalent*
- *different departments have different priorities*

A6 Be careful with this fairly common question - it does not say 'forms of communication', it says 'forms of communication media'. The implication (and the evidence of examiner's comments) is that they are looking for words on media such as:

- *posters*
- *newsletters*
- *electronic notice boards*
- *written work instructions, and so on*





It seems that the word 'media' in the question precludes the mention of forms of communication such as normal conversation / phone calls etc. You could of course argue for the inclusion of conversation etc and our approach in the exam would be to write something like this:

In addition to the most common form of communication (namely speech) media with particular uses in health and safety include and so on

A7 Site entrance display board

"The accident record must be good or they wouldn't shout about it" - an immediate reaction on the part of visitors entering the site and a powerful tool in promoting the safety culture in the organisation; you can be pretty sure that workers will soon notice if the figures shown are massaged in some way.

A8 Forms of written health and safety communication might include:

- *company safety policy*
- *accident reporting (including RIDDOR)*
- *permit to enter, permit to work*
- *written system(s) of work*
- *inter-departmental memos*
- *minutes of meetings*

Please note that although you may know of companies where (say) the minutes of meetings are only distributed electronically, this is no reason to miss them out of your answer.

A9 Sources of information available to the health and safety professional

A one word answer would of course be the internet, but the examiners will clearly be wanting you to describe some of the sources available through the internet:

- *HSE publications (free downloading of some HSE material)*
- *commercial windows into sources such as research reports, HSE publications, legislation, British Standards, equipment suppliers; these commercial windows ('portals' seems to be the popular new term) are offered by a number of companies: Technical Indexes, Barbour Index, HSEDirect, Croners*
- *internal accident data and reports*
- *accident reports from other companies - particularly in the case of higher risk environments (or should we say higher hazard environments? ... discuss)*
- *commercial auditing, inspection and record-keeping packages (there are many from which to choose); these computer-based packages can help direct and inform the monitoring and inspection activities of the safety professional*
- *information on chemicals - hazard data sheets etc*
- *exhibitions*
- *journals*
- *local area meetings of organisations such as RoSPA, IOSH*

A10 The two sets of Regulations specifically concerned with the representation of employees:

- *The Safety Representative and Safety Committee Regulations 1977*
- *The Health and Safety (Consultation with Employees) Regulations 1996*





A11 This was because one of the main recommendations of the Robens Committee (from which HASAWA evolved) was that representatives from both sides of industry needed to be involved to overcome the root cause of so many accidents - apathy in the workplace. The SR and SC Regs were an attempt to overcome this apathy.

A12 Guidance on the 1977 Regulations - the Brown Book.

A13 The legal rights of safety representatives include the right to:

- represent employees in consultations with the employer*
- investigate complaints, potential hazards and accidents and make appropriate representations to the employer*
- carry out their own inspections of the workplace*
- consult with, and receive information from, inspectors*
- attend relevant safety meetings*

A14 For safety representatives, the employer must provide:

- adequate facilities (room, phone, access to typing facilities ...) and time*
- access to the internal communications system*
- training to enable performance of duties (time off for training)*

A15 Non-union workforce

The original Management Regulations of 1992 amended the 1977 Regulations by placing a duty on employees to consult with employees on matters relating to health and safety at work; eventually the European Court decided that this did not go far enough and in 1996 further Regulations were introduced.*

The unification of the 1977 and the 1996 Regulations are now at the consultative stage with new legislation expected in a year or so.

** we expanded on this in our study material.*

A16 Safety committee membership

- safety representative(s)*
- production manager*
- line manager(s)*
- director with specific health and safety responsibilities*
- company doctor/nurse*

A17 Some of the factors upon which the effectiveness of the safety committee's work will depend include:

- level of organisation of the meetings and the associated activities such as booking rooms and sandwiches and parking spaces*
- realistic, previously agreed agenda and prompt circulation of accurate and clear minutes, including unambiguous details of actions to be taken*
- quality of the chairing of meetings*
- competence and expertise of committee members and the technical support available to them*
- status of the committee*





A18 We refer you back to the study material for our comments on the situations described.

A19 Assessing a consultant

Be prepared to spend time discussing matters with the prospective consultant. The sort of questions to which you need answers include:

- *qualifications and experience of consultant and associated staff*
- *what back-up is offered, particularly if the job broadens as new problems are identified*
- *professional indemnity insurance*
- *are written reports part of the service?*
- *previous contracts, references*
- *what is the nature of the follow-up provided?*

