



## Health and safety: small businesses

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Health and safety legislation applies to all work places, small businesses and the self-employed. There is recognition that businesses should not be overburdened with any unnecessary red tape and that a proportionate approach to compliance should be taken. The Health and Safety Executive has produced guidance aimed at small businesses and government reviews by Lord Young and Professor Ragnar Löfstedt aim to simplify the legislation (much of it European in origin) while securing improvements to safety at work.

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### 1 General

The *Health and Safety at Work etc Act 1974* (HSWA) and regulations made under it, set out the general duties which employers have towards employees and members of the public, and which employees have to themselves and to each other. Section 2(1) of the HSWA provides that it is the duty of every employer to “ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees.” The main requirement on employers is to have a risk assessment carried out of potential hazards which may cause harm.

### 2 Written policies and risk assessments

Section 2(3) of the 1974 Act provides that an employer with five or more employees must prepare a written health and safety policy statement, together with the organisation and arrangements for carrying it out, and bring this to the notice of employees. Undertakings with fewer than five employees are exempted from this written requirement by dint of the *Employers' Health and Safety Policy Statements (Exception) Regulations SI 1975/1584*.

### 3 Listing the laws

While health and safety laws apply to the smallest of businesses, there is recognition that small businesses and low-risk environments should not be unduly burdened with red tape. The Health and Safety Executive has published *An introduction to health and safety* targeted at small businesses.<sup>1</sup> This lists the relevant laws and includes advice on risk assessment and a sample policy statement.

### 4 Practical advice

A more practical [online guide](#), *Health and safety made simple: The basics for your business* is also available.<sup>2</sup> This includes a section, *Write a health and safety policy for your business*, which has a straightforward template for both a health and safety policy and a risk assessment.<sup>3</sup> A printable version of this guide is also available [online](#).<sup>4</sup>

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<sup>1</sup> <http://www.hse.gov.uk/pubns/indg259.pdf>

<sup>2</sup> <http://www.hse.gov.uk/simple-health-safety/index.htm>

<sup>3</sup> <http://www.hse.gov.uk/simple-health-safety/write.htm>

<sup>4</sup> <http://www.hse.gov.uk/pubns/indg449.pdf>

## **5 Future reforms and government policy**

The Department for Work and Pensions [website](#) brings together relevant documentation on health and safety reform including periodic updates on the implementation of recommendations made by Lord Young in his review *Common Sense, Common Safety*.

A key recommendation of Lord Young was that “the current raft of health and safety regulations should be consolidated into a single set of accessible regulations.” This latter agenda is being taken forward by the Löfstedt review (details of which are also available on the [DWP website](#)).