



The purpose of this guide is to set out a summary of what duties businesses and employers have under Jersey Health & Safety legislation and what steps to take in order to comply with those duties.

## **Why is health & safety important in the workplace?**

- Failure to comply – can be held personally liable and can be prosecuted
- Can be further losses internal to the business – e.g. working days lost due to injury, uninsured losses and loss of the business reputation

## **Who ensures compliance with Health & Safety legislation?**

- The Jersey Health & Safety Inspectorate polices the adequacy of health and safety practices carried out by private and public enterprises in Jersey

## **How to effectively manage health & safety within the workplace**

- Draw up a plan
- Draw up a comprehensive health and safety policy
- Health and safety policy needs to be drawn up to form an integral part of the organisation's culture, its values and performance standards
- Health and safety policy to be periodically reviewed and amended as necessary
- The policy must be prepared in a language, or if necessary in more than one language, which will be understood by every employee

## **Key aspect of the law is formulating a risk assessment**

- General duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all employees, in particular:
  1. The identification and assessment of risks to health and safety to which employees are exposed at work
  2. The provision and maintenance of plant and systems of work that are, so far as is reasonably practicable, safe, and ensuring the absence of risks to health regarding the use, handling, storage and transport of articles and substances
  3. The provision of information, instruction, training and supervision as is necessary to ensure the health and safety at work of all employees
  4. The maintenance of the place of work (including access to and from the site) in a condition that is safe and without risks to health
  5. The provision and maintenance of a working environment for employees that is, so far as is reasonably practicable, safe, without risks to health, and adequate as regards facilities and arrangements for their welfare at work
  6. Every employer must conduct their undertaking in such a way as to ensure that non-employees are not exposed to risks to their health and safety

## **How should a risk assessment be presented?**



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- An employer employing 5 or more employees has a duty to prepare a written statement of:
  1. The employer's general policy regarding the health and safety of its employees
  2. The organisation of responsibilities with respect to that policy
  3. The arrangements in force and measures taken by the employer to implement that policy

### **Practical solutions - the "5 step approach"**

1. Look for the hazards
2. Decide who might be harmed and how
3. Evaluate the risks and decide whether the existing control measures are adequate or whether more should be done
4. Record your findings
5. Review and revise the assessment as necessary

*This note is intended to provide a brief rather than a comprehensive guide to the subject under consideration. It does not purport to give legal or financial advice that may be acted or relied upon. Specific professional advice should always be taken in respect of any individual matter.*