

GENERAL GUIDANCE FOR REFUSING WORK

An employer's duty under the Health and Safety at Work etc. Act 1974 is to provide a safe and healthy workplace, **this includes:**

- a safe place of work;
- a safe system of work;
- safe equipment, plant and machinery;
- competent managers and workers able to recognise the risks in operational activities and then apply the correct control measures;
- carrying out risk assessments as required by regulations, and taking steps to eliminate or control these risks;
- informing workers about all potential hazards associated with any work process, chemical substance or activity, including the provision of instruction, training and supervision;
- appointing a 'competent person' responsible for health and safety.

If an employee, or sub-contractor, has reason to believe that the task that they have been instructed to undertake is likely to endanger themselves, any other person or the environment **then they must:**

1. Stop work immediately.
2. As far as reasonably practicable, ensure that all precautions to prevent injury, ill-health or damage to property or the environment are taken.
3. Move to a position of safety.
4. Inform the on-site supervisor of the concerns immediately.

It is the Supervisor's duty to investigate the raised concerns and take the **following actions:**

- Suspend the work until a new safe system of work can be put in place which reduces the risk to an acceptable level has been agreed by all interested parties.
- Consult the Site Manager or 'on-call' manager as necessary and agree a new safe system of work with all parties.
- If a new safe system of work cannot be agreed upon then the perceived hazardous task will be stopped and the supervisor will record formally the refusal to work on the Grounds of Health, Safety and Environment Risk.
- Where the refusal to work is upheld the Supervisor will recommend a revised safe system of work (seeking advice where necessary).

If an employee feels their expressed concern is being dismissed unfairly by the on-site Supervisor, an escalation process should be invoked.

The employee should escalate their concern directly to the responsible Project Manager, or if they feel necessary, a Director and/or Health and Safety representative. Contact details for senior staff members should be readily available via notice boards and Health and Safety Law Posters. This process must be explained during the site / workplace induction.

The Refusal to Work on the Grounds of Health, Safety and Environment Risk should be formally recorded in writing with further action then taken by the senior team to rectify or to refuse work to the Client.

If any further action is required to prevent a recurrence, this action must be passed to all persons affected.

No person should be discriminated against for raising or reporting valid health, safety and environmental issues.