

P2) Identify three main pieces of health, safety and welfare legislation relevant to the construction and the built environment sector and describe legal duties of employees and employers in terms of such legislation.

There is a lot of different legislation which have been established with a direct effect to the construction industry, these legislations must be taken in consideration when starting a building project. The legal duties of the legislations must be followed by the employees and employer.

- **The Control of Substances Hazardous to Health Regulations 2002**

These regulations (often known as the COSHH regulations) require employers to assess and prevent (or at least adequately control) the risks to health from the use of any hazardous substances used in the workplace. ▲ hazardous substance is one which has, by law, to be labeled as 'very toxic', 'toxic', 'harmful', 'irritant' or 'corrosive'. It therefore includes many chemical substances such as paints and cleaning materials, as well as wood dust.

The obligations to employers are to:

- ▲ Assess the risks.
- Decide what precautions are needed.
- Take steps to reduce or adequately control exposure to hazardous substances.
- Ensure that control measures are utilized and maintained.
- Monitor exposure.
- Carry out health surveillance of employees who have been or are likely to be exposed.
- Have in place emergency procedures to deal with accidents/incidents.
- Ensure that employees are properly informed, trained and supervised.

Educational establishments must have in place appropriate measures to ensure that the risks to the health and safety of pupils/students from exposure to hazardous substances are minimized.

- **Work at Height Regulations 2005**

These Regulations apply to all work at height, both internal and external, where there is a risk of a fall liable to cause personal injury. There are now no height limits. The Regulations place duties on employers, the self-employed, and any person who controls the work of others to the extent of their control (for example the Estates

Directorate and administrators who may contract others, such as window cleaners to work at height). The Regulations do not apply to the provision of instruction or leadership in caving or climbing by way of sport, recreation, team building, or similar activities.

Requirements

The Regulations require Departments to ensure that:

- All work at height is properly planned and organised.
- Those involved in work at height are competent.
- The risks from work at height are assessed and appropriate work equipment is selected and used.
- The risks from fragile surfaces are properly controlled.
- Equipment for work at height is properly inspected and maintained.

There is a simple order for managing and selecting equipment for work at height:

- Avoid work at height wherever possible.
- Use work equipment or other measures to prevent falls where working at height cannot be avoided.
- Where the risk of a fall cannot be eliminated, use work equipment or other measures to minimise the distance and consequences of a fall should one occur.

Action required

- Departments and Institutions following current good practice for work at height should already be doing enough to comply with the Regulations. Department heads should ensure that risk assessments already in place for work at height activities are reviewed. Duty holders must make sure that all work at height is planned, organized and carried out by competent persons and that the hierarchy for managing risk for work at height is being followed. Duty holders must also ensure that the most appropriate work equipment is to be used and that collective measures to prevent falls (such as guardrails and working platforms) are in place before measures which may only mitigate the distance and consequences of a fall (such as nets), or which may only provide personal protection from a fall.
- **The Health and Safety at Work Act 1974**

The Health & Safety at Work Act 1974, also referred to as HASAW or HSW, is the primary piece of legislation covering occupational health

and safety in the United Kingdom. This act is making further provision for securing the health, safety and welfare of persons at work, for protecting others against risks to health or safety in connection with the activities of persons at work, for controlling the keeping and use and preventing the unlawful acquisition. Also possession and use of dangerous substances, and for controlling certain emissions into the atmosphere, to make further provision with respect to the employment medical advisory service and to amend the law relating to building regulations.