
**THE MORAL, LEGAL
AND FINANCIAL
REASONS FOR
MANAGING SAFELY**
A MANAGER'S GUIDE



it all starts with you™

INTERNATIONAL
WORKPLACE

INTRODUCTION

Health and safety is everyone's responsibility.

Managing health and safety is more than that.

Responsibility for managing health and safety – your own, and other people whom you manage, supervise or look after – can fall into three distinct categories:

- Moral
- Financial
- Legal

A **moral responsibility** exists because it is not right that people should be harmed by work. Work should be a fulfilling, rewarding and beneficial activity.

A **financial responsibility** exists because accidents and ill health are errors that cost money, waste resources, disrupt business and endanger the success of an enterprise.

A **legal responsibility** exists because the moral and financial responsibilities on their own have not always proven to be sufficient to ensure that workplaces are safe and healthy.

This guide will look at each in turn.



KATE GARDNER

Health and Safety Trainer,
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WHAT IS HEALTH AND SAFETY?

Many organisations view 'good' health and safety as simply the absence of any serious accidents. But this is a very narrow definition.

The term 'safety' implies 'being safe, freedom from risk or danger'. But health is also an important issue at work. Everyone can recognise that, if an employee bypasses a guard to a machine, the employee's safety is put at risk. However, the fact that the employee may be working in a poorly ventilated room where hazardous fumes are present may be ignored.

Also, many work-related health effects take a long time to be realised. The use of asbestos in the 1950s and 1960s is a good example, where the ill effects of working with it did not emerge until 20 to 30 years later.

Of course, health and safety isn't just relevant in hazardous industries such as construction, or where people may come into contact with dangerous substances or working practices.



HEALTH AND SAFETY IN THE WORKPLACE

Health and safety is relevant everywhere.



Hazardous industry

Sometimes, workplaces have obvious dangers – a piece of machinery, heavy loads, vehicles, chemicals, and simply tasks that, if not done right, present a danger to people's health and safety. Construction is the most dangerous industry of all, accounting for the most workplace deaths in the UK and across the globe. Hazards are everywhere, so it's essential you work safely.



Customer-facing

Whilst you might not work in a typically hazardous environment, you may have a lot of interaction with people – perhaps in difficult or emergency situations, where tensions run high. When lots of people interact, and the job just needs to get done, health and safety can get missed...



Offices

Even what might seem like low-hazard workplaces have health and safety risks. Perhaps you work in an office, or a shop, and have limited exposure to hazardous activities. Remember, there are still things like electricity, and places to slip and trip. Perhaps you have a stressful job, or difficult and demanding colleagues. Perhaps your company is too busy keeping up with market demands to consider health and safety...



Public sector

When budgets are being slashed and time pressures are on, it's easy to overlook safe working practices. Perhaps you don't have time to consider the 'right' way to do a job, and cutting corners seems easier. Whilst health and safety might cost money, an accident will cost more...

THE EFFECTS OF AN ACCIDENT

A serious accident may have an effect on:

The injured party

“I was involved in a workplace accident, and have been told I’ll never be fit for work again. I’m in pain, and I can’t do the job I loved. I have to visit the hospital regularly, and can’t do any of the things I used to enjoy, like sport, or being active with my kids. My earnings are next to nothing. My future isn’t particularly bright.”

The company

“As a company, we’ve been prosecuted for the accident that occurred on our premises, and were lucky to get away with a fine. I’ve heard that some directors and managers can face prison sentences. We’ve had to take on extra staff, as well as letting people go. The costs of investigating the accident were huge, and our insurance premium is now really high. We’re facing a personal injury claim too. On top of this, some of our clients don’t want to work with us anymore, as they’ve seen negative things in the press. We’ve lost business, as well as a valued member of staff. The business may well not survive.”

Other work colleagues

“I worked with the guy who was hurt, and saw the accident happen. I don’t really want to do the same job now, even if safety has been improved. Everyone feels very down about it, and I know some of my colleagues are looking for jobs elsewhere.”

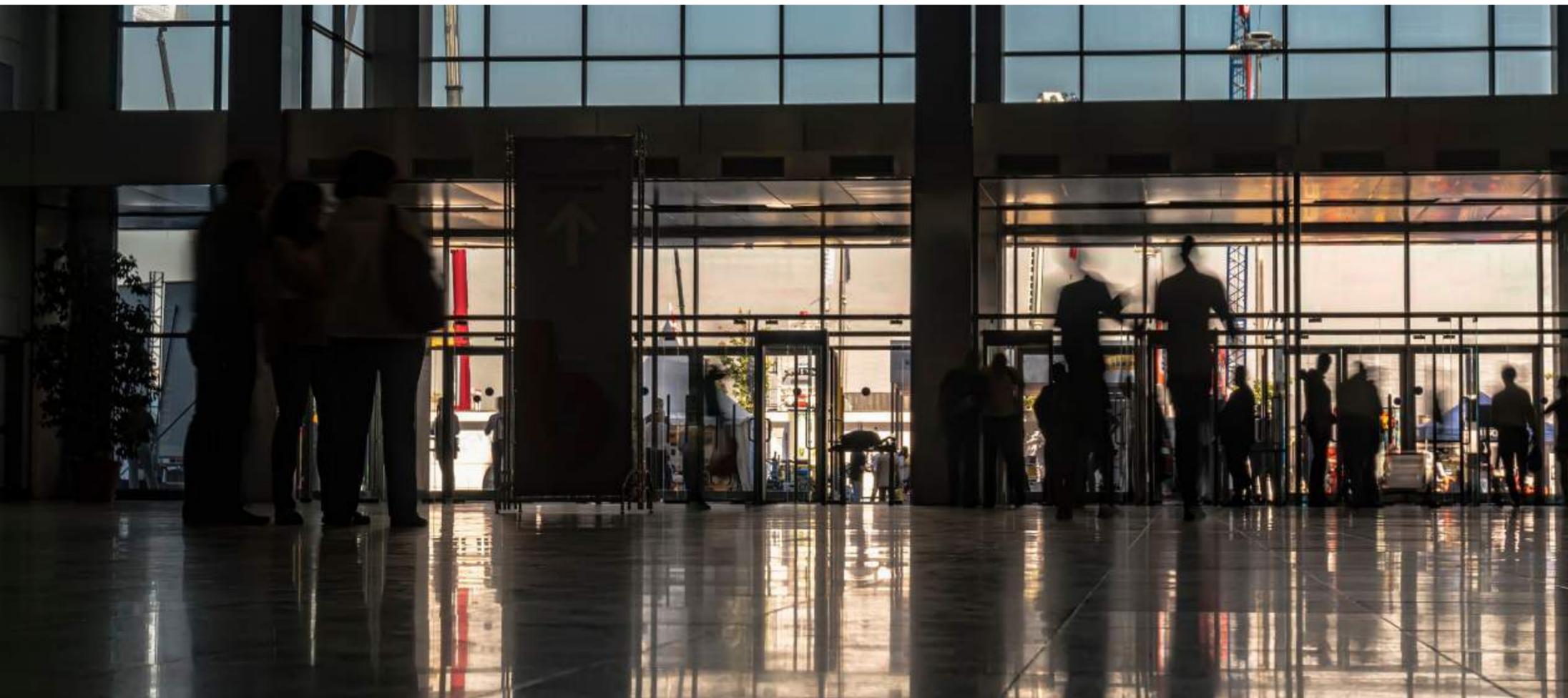
There are many reasons why organisations should attempt to prevent accidents from occurring. These generally fall into three categories – moral, financial and legal. Let’s go into more detail.

MORAL

All of us have a general moral duty of care to each other. No one likes to see other people being injured, made ill or affected by anything that is dangerous.

A responsible employer would expect that their employees can work safely and not be affected by their work – and that at the end of the day, the

employee will return home in the same condition in which they arrived to work. This moral duty also extends to any other people who may be affected by the workplace or activities carried out (e.g. contractors, visitors and members of the public). Furthermore, the duty extends to protecting the environment.



FINANCIAL

Where health and safety laws are breached, an enforcement authority may decide to prosecute, and if found guilty a company can face a fine or individuals a prison sentence. If sufficiently serious, the fines can be unlimited, and may also include remedial and publicity orders.

In England and Wales, offences that are tried in a Magistrates' Court now carry an unlimited fine or imprisonment up to six months. For serious matters that go to a Crown Court and are tried before a judge and jury, an individual can be handed either an unlimited fine, up to two years' imprisonment, or both.

Paying fines imposed by the courts and settling compensation claims are two obvious costs. But

there will be additional costs that are often not so easy to see – lawyers' fees, specialist reports, experts' opinions – and the cost of having people working on the case and not doing their normal duties will almost certainly have to be met. Adverse publicity can also seriously affect the organisation in terms of image, public relations, loss of customers, loss of potential orders, etc.

An injured party may not be able to return to their normal duties, and therefore the organisation may have lost a valuable member of the team. Retraining may be necessary after an accident, if it is found that employees were previously untrained or not aware of the safety rules. A change may need to be made in the way activities are carried out, to prevent another incident occurring.



LEGAL

Health and safety legislation affects all organisations. If something goes wrong, there is always the potential for someone to be prosecuted. Prosecution results in a court appearance, and if found guilty, a fine may be imposed. Employers also have a general duty of care to protect employees and other persons from hazardous activities in the workplace. If an employee is injured as a result of the work that is carried out, they may be entitled to make a claim for compensation.

In some countries it is a legal requirement to report on and record occurrences of dangerous occurrences, injuries and diseases. Reporting requirements vary, however, and in some countries there is no legal obligation to report. Indeed, in the UK there is no actual legal requirement to investigate accidents. Many accidents often go unrecorded even when there is a legal obligation to do so.

Where a country does have occupational safety and health laws in place, this may include a

requirement to record and report on workplace incidents and diseases and notify the enforcing authorities. Reportable incidents can differ, depending on local laws and regulations, but may include:

- Occupational deaths;
- Specified types of non-fatal occupational injuries;
- Occupational diseases; and
- Dangerous occurrences.

In some countries there may also be a requirement to report injuries that involve absence from the workplace above a specified number of days – for example, in the UK, the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) require if an employee is off work for seven or more days the accident or incident must be reported.



KEY TAKEAWAYS

- > A moral responsibility exists because it is not right that people should be harmed by work. Work should be a fulfilling, rewarding and beneficial activity.
- > A financial responsibility exists because accidents and ill health are errors that cost money, waste resources, disrupt business and endanger the success of an enterprise.
- > A legal responsibility exists because the moral and financial responsibilities on their own have not always proven to be sufficient to ensure that workplaces are safe and healthy.
- > Health and safety is relevant everywhere, even in typically 'low risk' industries.
- > A serious accident doesn't just have an effect on the injured party but also the company and other work colleagues.



FURTHER READING

[IOSH: Ten reasons why health and safety is important in your business](#)

[HSE: How to manage health and safety](#)

[HSE: Leading and managing for health and safety](#)

IOSH MANAGING SAFELY from International Workplace

Study online or by virtual
classroom.

All of the content in this guide is taken from International Workplace's IOSH Managing Safely course.

The course covers:

- Basic principles of health and safety – moral, financial and legal
- Concept of safety management – using the Plan/Do/Check/Act model
- Importance of health and safety strategy, plans and objectives
- Management of occupational risk – risk profiling
- The legal framework – criminal and civil, corporate manslaughter, corporate and personal liabilities
- Enforcement arrangements
- Safety leadership – key actions a senior manager can take
- Reviewing your health and safety performance and risk management arrangements