

# Risk assessment

A guide for UNISON safety reps

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## Introduction

No one should be put at unnecessary risk at work. Work related death, injuries, and ill-health are not acceptable, and are mostly avoidable.

Your employer has a responsibility to ensure that work does not harm employees and others. It is both the right thing to do – and the law. The Health and Safety at Work Act (HSWA) requires employers to ensure the health, safety, and welfare at work of all their staff, plus any others who may be affected, such as service users and visitors.

The main tool for employers to ensure that the work of their organisation does not cause harm is to carry out proper risk assessments. The safety of employees, visitors and the public depend on this; and it is a requirement in law under the Management of Health and Safety at Work Regulations (The Management Regulations).

Some particular hazards also have specific regulations which require assessments to be undertaken. These include: asbestos, chemicals and other hazardous substances, computer based work, fire, ionising radiation, lead, manual handling, noise, personal protective equipment and pressurised systems. Topic specific regulations may have more detailed requirements which must be followed. However, these requirements are in addition to and not instead of the Management Regulations. Therefore, if the Management Regulations have additional requirements, these must also be followed.

UNISON has produced guidance on many of the hazards that have specific requirements to risk assess. This guidance can be obtained in the usual way, either from UNISON's website or by ordering it from UNISON (see Further sources of information below).

Safety reps have an important role to play in ensuring that employers carry out risk assessments and that those risk assessments are sufficient to avoid or reduce the chances of someone being hurt. A failure by employers to carry out risk assessments, or doing them badly, means that risks get missed and workers get hurt.

The rest of this guide will explain exactly what a risk assessment is, how these should be done by employers, and how safety reps can ensure that those carried out by the employer are good enough.

## What is a risk assessment?

A risk assessment need not be a complex process. It can be relatively simple and may be broken down into a number of steps. Put simply, it is a way of identifying the hazards (things that may cause harm) from work and assessing the risk (likelihood or chance) that these hazards will cause harm to employees or others. Having established what the hazards and risks are, the employer then needs to put in place “reasonably practicable” steps to avoid or minimise those risks.

There is no set way of doing a risk assessment, so employers may choose the approach they wish, but the approach needs to be systematic, thorough, and completed. One way of doing this is the Health and Safety Executive's (HSE's) five step approach to risk assessment.

### It couldn't be simpler!

UNISON believes that for employers to conduct a suitable and sufficient risk assessment (as is required by the law) they should at the very least follow the five step approach set out below. UNISON also believes that by using this approach, a risk assessment need not be a burden nor too complex. However, it is possible that larger organisations or those with major hazards may find the HSE's five steps to risk assessment approach too simple for their requirements.

If you need any specific advice for your workplace contact your branch health and safety officer or branch secretary who may be able to assist. If not, they may pass on your query to the UNISON regional officer, who may in turn contact UNISON's Health and Safety Unit. There is also sector specific advice that can be located via UNISON's “Coronavirus: your rights at work” advice page (see Further sources of information)

## Five steps to risk assessment

### Step 1 – identify the hazards

A hazard is something which may cause harm to you or other people, and identifying the potential hazard is the employer's first step in a risk assessment. The harm may occur at the time of doing the work, or may happen at a later date, possibly even years later.

Those listed below are just some of the many potential hazards. There are plenty more and your employer must consider which of them may present a chance of harm to employees or others that come into contact with the work or business.

Potential hazards can include:

- Physical hazards such as: awkward or fixed positions (postures); asbestos; chemicals (liquids, gases, dusts, mists or fumes) and other hazardous substances; computers, and display screens/monitors; diesel; drugs; electricity; fire; lead; machinery; manual handling; nanomaterials; noise; non-ionising radiation; paints; repetitive movements; slips, trips and falls; solvents; transport; and vibration.
- Biological hazards such as: HIV/AIDS; COVID-19; animal and plant allergens; diseases from animals; hepatitis; lab cultures; legionnaire's disease; MRSA; and TB.
- Psychosocial hazards such as: a lack of consultation, support, or participation; a lack of control over work; boredom and isolation; bullying; long hours; shiftwork; monotonous or paced work; violence (either verbal or physical by clients, patients, or the public); work-related stress; and work overload.

One way for the employer to identify hazards of concern is to consult its workers through their safety reps. This is a very effective way to identify hazards because you and your colleagues are doing the job, know how it is done in practice, know what doesn't work, and know what causes problems. Being more familiar with the work means reps and their members are more likely to notice things than others less familiar with the work.

For a similar reason, the work being assessed can be observed to see how it is actually done in practice, rather than supposedly done in theory. It is also important not to forget the less obvious hazards from non-routine operations and long-term hazards to health.

### **Myth buster**

An employer need not consider every hazard, only those that have the potential to cause harm in relation to the task, job, or place under consideration. Therefore, if the employer owns a newly built building and is therefore certain that it contains no asbestos, then no further action on risk assessing asbestos within the building need be taken (unless some equipment within it may contain asbestos). If the hazard does not apply in the circumstance, then the risk assessment for this issue need go no further.

### **Safety rep checklist**

- Has the employer considered all the potential hazards (see above) for the way the work is actually done?
- Is your employer informed about the potential hazards?
  - Have you as a safety rep, your members, and other workers been asked about any potential hazards?
  - Has your employer considered other relevant sources of information (see above)?

## **Step 2 – decide who might be harmed and how**

Next, employers must consider all of their workers. This needs to include those who work off site, in the community, at another employer's site, part-time, at night, at home, or who are non-routine such as maintenance. They must give particular attention to those who are more vulnerable such as young or inexperienced workers or new and expectant mothers, older or disabled workers or those with underlying health conditions or special risk factors. Employers must also consider others who are not their employees but may be harmed by the work or business, including visitors, the public and

employees of other organisations.

A gender sensitive approach should be taken when considering who might be harmed and how, including the different reproductive hazards faced by men and women (such as risks to an unborn child). It is also important not to forget either gender when considering a job or task mostly performed by one. Issues that only affect one gender such as the menopause must also be taken into account when considering, for example, workplace temperatures. See the UNISON guide, Gender Safety and Health for more information (go to Further sources of information).

As well as gender the risk assessment may have to take into account issues such as race, age and underlying health conditions. These for example have all been important factors during the COVID-19 pandemic (see COVID-19 risk assessment)

Next, employers must think about how workers might be harmed. These could include violence; stress; lone working; hazardous chemicals and industrial diseases; slips, trips and falls; and manual handling. These are just some examples. Some of these hazards may be relevant to your workplace, whilst others may not, but you will probably identify others.

To identify who might be harmed and how, the employer should consult you, the safety rep. Remember you and the workers probably know more about the job and the problems in practice.

### **Safety rep checklist**

- Has the employer considered all those who might be harmed, whether employed by them or not, whether at the employer's main or only work-site or elsewhere off-site, and including particularly vulnerable persons, such as young, inexperienced or older workers, new or expectant mothers?
- Has the employer considered all the ways in which their staff and others may be harmed?

### Step 3 – assess the risks and identify ways to avoid or reduce that risk

Assessing the risk means estimating the chance or likelihood of someone being harmed. Once they have worked out this risk, employers then need to reduce the chance of it happening as far as is “reasonably practicable.”

#### Assessing the level of risk

There are numerous ways of assessing the level of risk. They all involve making an estimate which should be informed by the evidence and other sources of information, and require judging what level is acceptable. There is no one correct way of doing this, and a particular method that works in one circumstance may not be appropriate in other circumstances. However, the method used by the employer must be “suitable and sufficient”.

Risks may be ranked by giving them a score. This could be “zero” for no risk, “one” for a slight risk of a not very serious injury, “two” for a moderate risk

(where either more people are likely to be injured or more serious injury is likely to occur), and “three” for a high risk (where there is a significant chance of serious injury or death).

Ranking risks may assist with prioritising those which an employer needs to deal with immediately, which can be planned for, and which may require immediate but temporary solutions and longer-term planning for permanent solutions. So for example, a risk of electric shock from a faulty computer that could lead to death would require immediate attention. A risk from a faulty lift may temporarily be dealt with by taking it out of service, and then arranging for it to be serviced or replaced.

A slightly more complex but thorough method of assessing the level of risk is to use a matrix (or table – see the example below). Here the seriousness of harm is multiplied by the likelihood (risk) of it happening, but first the seriousness of harm and likelihood have to be assessed and given scores. The scoring could be:

Level of harm		Likelihood	Score
No injury	or	Almost impossible	1
First aid only		Unlikely	2
Unable to do usual work one – three days		Possible	3
Unable to do usual work for more than three days		Likely	4
Major injury or death		Almost certain	5

So where the harm may amount to a major injury or death, this gets a score of 5. If the chance of this happening is believed to be “likely”, then this gets a 4. If you follow the “5” in the column below along to where the “4” in the row meet, it shows a risk rating of “20” (see below).

Harm	5	5	10	15	20	25
	4	4	8	12	16	20
	3	3	6	9	12	15
	2	2	4	6	8	10
	1	1	2	3	4	5
	0	1	2	3	4	5
Likelihood						

So an employer might prioritise taking action as follows:

Risk rating	Action
1 - 4	No further action
5 - 9	Re-assess after the next review
10 - 16	Within three months
17 - 25	Immediately

Employers should incorporate factors such as race, gender, age and underlying health condition into their calculations. An example of how to do this can be found in UNISON’s COVID-19 “Risk assessments for Black, disabled and other vulnerable workers” (see “Further sources of information”).

Clearly these methods of risk assessment are still not an exact science, as it depends upon someone’s judgement.

That is why it is important that employers and managers consult with their safety reps to get a second opinion on the level of risk. In turn you may have to seek the view of your members. Remember those doing the job are often in the best position to know how dangerous their job is, and what measures are required to make it safe.

The risk assessment must enable the employer to prioritise so that the most serious issues are dealt with first, and to enable a timetable to be set for implementing the necessary actions to prevent, where reasonably practicable, or otherwise control and minimise the risks.

### Prevention and control – avoid or reduce

Since the employer’s duty is to prevent or control the risks, they must consider whether it is possible to prevent the risk by removing or avoiding the hazard or substituting it with a safer alternative. So for example it may be possible to use a hoist/sling to lift patients, instead of lifting them manually.

However, when a substitute is being sought, this must also be risk assessed. There is a possibility that the proposed replacement could introduce new but less hazardous risks that need to be prevented or controlled, or even a more serious hazard or greater risk.

### Case study

*The cleaners of an office block complained to their supervisor that a new cleaning solution was causing irritation to their throats. Other members of staff who were working late in the offices while the cleaning took place had also complained. The facilities manager sought an alternative cleaner from the supplier. When the safety rep read the safety data sheet for the new alternative, she found that the new cleaning substance was more than needed as it could also be used to clean ovens, and was a potential carcinogen (that is, it may have been cancer causing). The end result was to go back to using the original safer product but change the way it was being used, so rather than spraying it onto the surface of the cupboards (allowing some of it to escape into the air to be breathed in) it was sprayed directly into the cleaning cloth and applied to the cupboards this way.*

Where there is a risk of harm which cannot be prevented or avoided, then employers are expected to take “reasonably practicable” steps (appropriate action) to control or minimise the risks. Put simply, the more likely it is that harm will occur, and the more serious that harm could be, the more the employer is expected to do.

For a very simple example, if the risk of getting a splinter from doing a particular task is so high that it happens every time the task is carried out, then the employer would be expected to take reasonably practical steps to prevent this risk. A tool with a wooden handle might have a new handle fitted, or perhaps the handle could be sanded to remove any splinters. If the job involves picking up the odd bit of scrap wood or rusty metal, then appropriate protective gloves might be the solution.

The steps expected to be taken by an employer to tackle a risk that occurred only once in 10 years, might be far less than if the risk occurred monthly. However, if by comparison, the risk of harm is a high risk of death, then the employer would have to do much more to avoid this risk.

### The principles of prevention

The Management Regulations lay down general principles of prevention for employers to apply when tackling hazards:

- Avoid the risk (or hazard).
- Evaluate (assess) the risks which cannot be avoided.
- Combat the risk at source. If for example, materials are received in heavy packages, ask for smaller packages or units to be delivered.
- Adapt the work to the individual (especially the design of workplaces, choice of work equipment, and ways of working).
- Adapt to technical progress and advances which may be safer.
- Replace the dangerous by the non-dangerous or less dangerous. This could mean, for example, replacing a toxic cleaning product with a less toxic one. However, when doing this, employers need to risk assess the replacement for any new or potentially worse hazards (see the previous case study above).
- Develop a coherent prevention policy to cover all the areas of work.
- Prioritise collective protective measures over individual protective measures. For example if there is a risk of a fall from a work platform, install a barrier in preference to providing safety harnesses.
- Give appropriate instructions to employees.

Once again, to identify appropriate measures to prevent or reduce the risk of harm, the employer should consult you, the safety rep.



### Case study

*Manual handling injuries used to be a common occurrence at Hereford Hospital. A survey had suggested that over a 12-month period, one in five health workers had suffered back pain so severe that they were forced to take time off. Over the years, several health care assistants and nurses had had to give up work due to their injuries.*

*A new type of lifting equipment, the pat slide, was discovered by the UNISON branch and has saved numerous health workers from the pain, misery and cost of back injury; and has made the transfer of patients less traumatic and painful. The pat slide is now a common piece of equipment in hospitals.*

There may already be measures in place to prevent or control the risks and these may be adequate. Alternatively, there may be no measures in place, or it may be that those that are, are no longer adequate. Sometimes, new systems, methods, materials or substances might become available that reduce the risk and are not currently being used because they did not exist the last time the risks were assessed. So part of the assessment is to consider whether the current measures of prevention or control are working, and whether they can be improved upon.

It may be appropriate for the employer to provide health surveillance. This will be where:

1. There is an identifiable disease or adverse health condition related to the work;
2. It is possible to detect the illness or condition;
3. There is a reasonable likelihood that it may occur in the given circumstances of the work; and
4. The surveillance may lead to further protection.

The law for some specific hazards also sets criteria for health surveillance particular to these hazards. The type and frequency of the surveillance should be decided by a competent person (having appro-

priate knowledge, training and/or experience) referring to suitable guidance (such as from the HSE) or by a qualified medical practitioner.

### Myth buster

If there is no risk of harm from an identified hazard, then no further action needs to be taken. However, a measure implemented to eliminate one hazard, may have introduced new ones, even if the overall level of risk is lower. For example, if there is no risk of a fall from height when window cleaning, because an extendable tool is used from the ground, then this hazard need be considered no further. However, this does involve a manual handling task which will need to be risk assessed.

In addition, employers are not expected to get rid of all risks, just those for which it is reasonably practicable (see below). Risks are a part of life. If we never crossed a road, we'd be less likely to get run over, but we would not be able to carry out our life very well either. So what we do, is take sensible practical steps to make sure that we cross the road safely to try to avoid harm – we check for traffic, and cross when we consider it safe to do so.

Similarly, employers are not expected to remove the risk of all hazards from the workplace, because that would probably prevent getting any work done.

However, they are expected to take “reasonably practicable” steps to avoid or otherwise control the risks.

So employers should be adopting measures to prevent or minimise the risk of death, serious injury or ill-health. This applies to all jobs and all hazards. For example, it was often said at the beginning of the COVID-19 pandemic that as the disease was in the community it was not possible to prevent people being infected at work. However, employers can still take measures to minimise and significantly reduce that risk whether that means allowing workers to work from home, enforcing strict social distancing and reducing the numbers of workers in the workplace or providing appropriate PPE.

For other risks, employers are expected to take

proportionate steps to prevent where possible (given proportionate means) or otherwise control and thereby minimise the risks.

### **Safety rep checklist**

- Has the employer made a suitable and sufficient assessment of the risks?
- Are the measures of prevention and control kept under review?
  - Are they used and do they work/are they effective? If not why not, or are there newer and better alternatives?
  - Have the principles of prevention been applied
- Are there any other measures that you or the other employees can think of that could further reduce the risks faced?
- Should health surveillance be provided, or improved?

### **Step 4 – record and apply the findings**

Employers should make a record (on paper or electronically) of risk assessments once they have been carried out. It should include the significant findings and the details of any groups of employees particularly at risk: what are the hazards and risks, who may be harmed and how, what measures are being taken to prevent or reduce the risks and why, and who is responsible for ensuring that these are implemented or followed up.

If the employer has five or more employees, they must make this record, but it is good practice for very small employers to do this as well. Having this record shows that they have carried out a risk assessment, should a health and safety inspector carry out a visit. The employer will also be able to refer to it in future as a reminder, when for example they review their assessment, to check that they have done everything that is required, and whether there is anything more that can be done.

It is important that any steps identified to prevent or reduce the risks in the assessment are carried out. A risk assessment which is just filed away, without

these measures being implemented, is of little use and does not meet the requirements of the law.

The employer should share the findings with the safety rep and the employees doing the tasks or working in the place assessed. It is good practice for your employer to share this information with you. Employees need to know about the risks identified, the preventative and protective measures, and the procedures for serious and imminent danger (see below). This will enable them to implement or carry out the necessary precautions and understand why they are necessary.

### **Myth buster**

Employers do not need stacks and stacks of paperwork, but nor can they choose not to record anything. Huge folders that discourage anyone from looking at the risk assessments are of no use to anyone, but not recording anything makes it difficult to check at a later date that all the issues were considered and all the steps to prevent or control the risks have been put in place.

### **Safety rep checklist**

- Has the employer recorded the key findings of the risk assessment, including:
  - The hazards
  - The risks
  - Who may be harmed and how
  - The measures taken to prevent or reduce the risks?
- Does the risk assessment record who will ensure that it is implemented or at least followed up?
- Have you been consulted on the risk assessment?
- Have the employees been informed of:
  - The risks,
  - The measures the employer has taken to prevent or reduce the risk of harm,
  - The measures they need to apply,
  - What to do in the event of serious and imminent danger (see below)?
- Has the employer implemented the measures of prevention and control?

- Is there a date given for when the risk assessment should be reviewed?

### **Step 5 – review the risk assessment and update it as necessary.**

Even a good risk assessment that has been applied cannot just then be forgotten about. How regularly there are reviewed should depend on what new developments there have been such as:

- The nature of the hazard, the likelihood that someone may be harmed, and the severity of that harm.
- New hazards (e.g. respiratory pandemics such as COVID-19)
- Changes in government guidance
- Any accidents and incidents at work
- Increases in sick absence, or any trends picked up through occupational health surveillance
- Introduction of new technology,

A review should usually take place at least every year.

### **Safety rep checklist**

- Is it time for the periodic review of risk assessments?
- Have there been any changes which indicate that the risk assessments should be reviewed?

## Who conducts the risk assessment, and who is consulted?

The employer is responsible for carrying out risk assessments, or ensuring that they are carried out.

### **Competent persons – to carry out the assessments**

Risk assessments should be conducted by “competent persons” with a preference for someone who already works for the employer, rather than an external consultant. To be competent, the individual should have a knowledge and understanding of the work being assessed and the applicable hazards, the principles of risk assessment and prevention of risk, and up-to-date health and safety measures. They should also be able to: identify health and safety issues; assess the need for action; design, develop, and implement strategies and plans; promote health, safety, welfare advances and good practices; and know their limitations and when to call in specialist expertise.

If management cannot find the competent person from within their workforce, they should obtain the best advice and guidance possible. Sometimes this may involve getting help from outside the organisation. For example, during the COVID-19 pandemic many employers required the advice of air conditioning engineers. However, if this occurs regularly this can prove expensive and it may be better for the employer to train or recruit their own staff in managing the hazards in question.

Employers should not delegate risk assessments to safety reps just because they are a safety rep – it is not the job of a safety rep to carry out risk assessments. If your employer is trying to delegate this role to safety reps, then speak with your local UNISON steward, branch safety officer, or branch secretary. However, it is possible that a safety rep may as part of their regular job with the employer, be delegated the task of conducting or reviewing some risk assessments. In this case, to avoid any conflict of interest, the rep in question may wish to consult with another safety rep.

## Safety reps and workers – right to be consulted

It is a legal right of safety reps to be consulted on the appointment of the competent persons and on matters affecting their members' safety.

What is being consulted on would be whether the workplace is safe, and what measures are required to keep staff safe. This could include ways of reducing the risk, such as engineering or administrative controls, use of personal protective equipment or any other safety measure. This consultation must be meaningful and take place in "good time".

See UNISON's guide for health and safety reps (stock no. 1684) and the UNISON guide, Health and Safety Inspections at Work (stock no. 1939) for more information on the rights of safety reps. It is not the role of a safety rep to carry out a risk assessment, but it is important they are consulted on both the process, and, most importantly, the outcomes.

Safety reps and workers can certainly play an important role in judging whether a risk assessment is suitable and sufficient (see below). They are most likely to know how the job is done, whether the measures in place to prevent or control the risks are practical, and if they are effective. They may identify hazards, risks, the failings of safety measures, and solutions that those less familiar with the work may otherwise miss. Research shows that health and safety measures are far more effective when they involve safety reps and workers, so health and safety must not just be left to management.

It is also important for the purposes of consultation that non-union members are also consulted by safety reps. Employers are required to consult on health and safety with all workers. If union safety reps cover all workers for consultation, the employer needs do no more than consult with those reps. If however non-members are not covered by a union safety rep, then the employer has to make separate arrangements.

### Safety rep checklist

- Are safety reps consulted on the appointment of

competent persons?

- Are risk assessments carried out by competent persons? This means someone who:
  - Has a knowledge and understanding of the work, the applicable hazards, the principles of risk assessment and prevention, and of up-to date health and safety measures;
  - Is able to identify health and safety issues; assess the need for action; design, develop, and implement strategies and plans; promote health, safety, and welfare advances and good practices; and identify their own limitations and know when to call in specialist expertise.
- Are safety reps and workers meaningfully consulted on all matters affecting their members' safety.

## What to do if workplaces don't have any safety reps, or if there is no union recognition?

The first step is to ensure that as many workplaces have an appointed safety rep. The COVID-19 pandemic has shown the importance of branches appointing safety reps to as many workplaces as possible. Once a safety rep is appointed, they have the right to be consulted on and request information on employers' risk assessments.

Your branch may also though include members who are in a workplace where there is no union recognition and therefore they are not be covered by the Safety Rep Regulations. It is important branches to provide these members with as much support as possible and ensure that employers at least comply with their basic obligations.

These workers would be covered by the Health and Safety (Consultation with Employees) Regulations 1996, which although providing fewer rights than the Safety Rep Regs, does require employers consult with their employees on "the introduction of any measure at the workplace which may substantially affect the health and safety of those

employees". These should either be directly or through an appointed rep. Health and safety issues, such as COVID-19, can be used to organise these workplaces, with the aim of getting the employer to recognise UNISON.

## A suitable, full & sufficient risk assessment

The Management Regulations require the employer to conduct a suitable and sufficient risk assessment – which means it must identify the hazards; decide if they have the potential to cause harm; identify those at risk and how, including particularly vulnerable groups; and identify further measures of prevention and control that need to be applied (see steps 1-5 above).

The risk assessment must be based on real life situations – how, where and when the work is actually carried out. For example, it should be based on the actual number of staff that are available to do the work, not theoretical staffing levels.

Employers may sometimes carry out what are called "generic risk assessments" that involve risk assessing a sample rather than assessing every individual task, job or workplace. The HSE accepts that generic risk assessments may be used, but only if jobs and workplaces they are applied to are very similar.

### Safety rep checklist

- Have all the hazards been considered, including chemicals and other hazardous substances, tasks, manual handling equipment (e.g. hoists and slings used in health & social care settings), and work organisation (e.g. shiftwork or nightwork)? See step 1 above for more information.
- Have any specific regulations been considered and complied with, for example those covering hazardous substances, asbestos or fire? See the introduction at the beginning of this guide for more information on this.

- Have all the risks been assessed? See step 3 above.
- Have all those at risk been considered, including those off-site, or who work outside of normal office/opening hours such as security and cleaners, and those who may be particularly at risk or vulnerable? See step 2 above for more detail.
- Has how the work is actually done been assessed rather than how the work is "supposed" to be done?
- Have existing measures of prevention and control been reviewed – are they working, used, or have they been superseded by newer methods? Again, see step 3 above for more on this.
- Have non-routine or infrequent tasks been considered, such as maintenance, or what to do in the event of an accident or emergency situation?
- If generic risk assessments have been used, have they been used only where appropriate and with any necessary alterations?

## Make contact with members and non-members

Members and non-members alike value UNISON's health and safety work, so representing members and the workforce in general on these issues can be used as an organising and recruitment opportunity. It is therefore important to talk to your colleagues about risk assessments, and to advertise your successes.

If a non-member raises concerns, this is an opportunity to ask them to join UNISON. Even if they do not join, the issue raised may be a risk to members, so you may still want to raise it in a general way with management.

## What if something is still wrong?

An employer should not expect work to be done unless it has been risk assessed, and the workers concerned have been informed about the hazards, risks, and the methods of prevention and control.

Regulation 8 of the Management of Health & Safety at Work Regulation (MHSWR) requires employers to have procedures in place for staff, when faced with serious, imminent, and unavoidable danger.

The UNISON branch may therefore want to negotiate a policy with the employer on how this should be applied, and ensure that no work is carried out unless the work has been risk assessed.

UNISON has also produced advice on the rights of workers, under employment law, (see Further sources of information).

You may also want to investigate any concerns further by speaking or holding a meeting with members and non-members, carrying out a survey, or conducting a workplace safety inspection. Further guidance is available from UNISON in the following guides: Health and Safety – a guide for UNISON safety reps (stock no. 1684), Health and Safety Inspections at Work (stock no. 1939).

### Safety rep checklist

- Has the branch considered negotiating a policy that no work is carried out unless it has been risk assessed, with relevant information being passed to the workers? Also speak to your employer about developing a policy on what workers can do when faced with serious, imminent and unavoidable danger.
- If you have concerns about whether a risk assessment is suitable and sufficient, and these are not being taken seriously:
  - Put your concerns in writing.
  - Ask to be consulted on the risk assessment in question with an explanation of the criteria.
  - Ask for a joint review.

- Consider investigating your concerns further by speaking or holding a meeting (either physically or virtually) with members and (where appropriate) non-members, carrying out a survey and/or conducting a workplace safety inspection.

### Risk assessment checklist for safety reps

#### The hazards

- Has the employer considered all the potential hazards for the way the work is actually done?
- Is your employer informed about the potential hazards?
  - Have you as a safety rep, your members, and other workers been asked about any potential hazards?
  - Has your employer looked at the HSE website and other relevant trade, professional, and health and safety publications?

#### Who may be harmed and how?

- Has the employer considered all those who might be harmed, whether employed by them or not, and whether at the employers main or only work-site or elsewhere off-site, and including particularly vulnerable persons?
- Has the employer considered all the ways in which their staff or others may be harmed? Not just those safety related incidents such as slips and trips, but also those that are biological, such as exposure to dangerous substances, and those that are psychosocial, such as bullying, stress and violence.

#### Assessing the risks, and prevention and control

- Has the employer conducted a suitable and sufficient assessment of the risks?
- Are the measures of prevention and control kept under review?
  - Are they used, and do they work/are they effective? If not, why not, or are there newer and better alternatives?
  - Have the principles of prevention been applied?

- Are there any other measures that you or the other employees can think of that could further reduce the risks faced?
- Should health surveillance be provided, and if so, is it adequate?

### **Recording and applying the findings**

- Has the employer recorded the key findings of the risk assessment, including:
  - The hazards
  - The risks
  - Who may be harmed and how
  - The measures taken to prevent or reduce the risks?
- Does the risk assessment record who will ensure that it is implemented or at least followed up?
- Have you been consulted on the risk assessment?
- Have the employees been informed of:
  - The risks
  - The measures the employer has taken to prevent or reduce the risk of harm
  - The measures they need to apply
  - What to do in the event of serious and imminent danger?
- Has the employer implemented the measures of prevention and control?
- Is there a date given for when the risk assessment should be reviewed?

### **Reviewing the assessment**

- Is it time for the periodic review of risk assessments?
- Have there been any changes which indicate that the risk assessments should be reviewed? These changes may include new information about the hazard or nature of the risks, new ways of working or new and different equipment, new ways of preventing or controlling risks, “accidents” at work, work-related ill-health, a violent incident, a near-miss, or particular

trends in sickness absence statistics or with occupational health surveillance which suggest a level of harm occurring.

### **Competency and consultation**

- Are safety reps consulted on the appointment of competent persons?
- Are risk assessments carried out by competent persons? This means someone who:
  - Has a knowledge and understanding of the work, the applicable hazards, the principles of risk assessment and prevention, and of up-to-date health and safety measures.
  - Is able to identify health and safety issues; assess the need for action; design, develop, and implement strategies and plans; promote health, safety, and welfare advances and good practices; and identify their own limitations and know when to call in specialist expertise.
- Are safety reps and workers meaningfully consulted on all matters affecting their members’ safety.

### **Suitable, sufficient, and generic?**

- Have all the hazards been considered, including chemicals and other hazardous substances, tasks (eg manual handling), equipment (hoists/lifts), and work organisation (e.g. shift-work)?
- Have any specific regulations been considered and complied with, for example those covering hazardous substances, asbestos, or fire?
- Have all the risks been assessed?
- Have all those at risk been considered including those off-site, or who work outside of normal office/ opening hours such as security and cleaners, and those who may be particularly at risk or vulnerable?
- Has how the work is actually done, been assessed, rather than how the work is “supposed” to be done?
- Have existing measures of prevention and control been reviewed – are they working, used, or have they been superseded by newer methods?
- Have non-routine or infrequent tasks been

considered, such as maintenance, or what to do in the event of an accident or emergency?

### **What if something is still wrong?**

- Does the employer ensure that no work will be carried out (except in exceptional circumstances) if there is serious and imminent danger?
- Has the branch considered negotiating a policy that no work is carried out unless it has been risk assessed (with relevant information being passed to the workers) and a procedure on how the branch and the employer then agree as to when it is safe for the work to continue and that the tasks have been suitably and sufficiently risk assessed
- If you have concerns about whether a risk assessment is suitable and sufficient, and these are not being taken seriously
- Put your concerns in writing
- Ask to be consulted on the risk assessment with an explanation of the criteria
- Ask for a joint review (don't forget the resources below, from page 19 onwards, which may be of help).
- Consider investigating your concerns further by speaking or holding a meeting with members and non-members, carrying out a survey, and/or conducting a workplace safety inspection.



## COVID-19 risk assessment

Epidemics are a form of infectious disease or virus that has the potential to affect large proportions of the population in a country. A pandemic is the same but on a larger scale that can travel across multiple countries and has the potential to affect significant numbers in all affected countries.

We have recently experienced a Global Pandemic of COVID-19, also known as “coronavirus”. This is a highly infectious and potentially dangerous virus. Other coronaviruses include the common cold, although COVID-19 is, of course, much more serious.

The main symptoms of coronavirus are:

- a high temperature
- a new, continuous cough
- Loss of smell or taste

Symptoms vary, and at least in its early stages, people who have the virus have been known to display very mild symptoms (such as a runny nose). In addition, even when not displaying any symptoms, they may still be infectious.

### **When/how is COVID-19 transmitted?**

SARS-CoV-2, the virus that causes COVID-19, is primarily transmitted between people through respiratory particles (droplet and aerosol) and indirect contact through fomite transmission (contact with contaminated surfaces). When someone with COVID-19 breathes, speaks, coughs or sneezes, they release droplet or aerosol particles containing SARS-CoV-2.

Aerosol particles can also be released when certain procedures or support treatments are performed in health and care settings. A person can be infected when these particles are inhaled, or come into contact with the eyes, nose or mouth.

Transmission risk is highest where people are in close proximity (particularly within 2 metres) and/or in poorly ventilated indoor spaces, particularly if individuals are in the same room together for an extended period of time.

It is important that measures are taken to prevent people showing symptoms from passing on the virus to others. However, it is possible you can pass on the virus without or before showing any symptoms.

### **Effects of COVID-19**

People with COVID-19 generally develop signs and symptoms, including mild respiratory symptoms and fever. Most people infected with the COVID-19 virus have a mild illness and recover.

COVID-19 can make some people very ill, and the disease can be fatal.

People who have COVID-19 can infect others from around 2 days before symptoms start, and for up to 10 days after. They can pass the infection to others, even if they have mild symptoms or no symptoms at all.

### **Compliance with and role of government guidance**

All four countries of the United Kingdom have produced guidance on how employers can protect their staff. In some cases, this has been supported by regulations that place additional legal obligations on employers. Otherwise they can be seen as guidance on how employers may meet their general obligations under health & safety law, as outlined in this document.

### **What employers must do?**

As explained above, employers have a duty to risk assess hazards and put in place measures to preferably eliminate them. Also as explained above, the government has given guidance on how employers can comply with this duty. However, employers must still conduct risk assessments to find out what measures are required. While many

of these would have already been identified by government guidance, there still may be additional measures required, and in addition the risk assessment may identify how guidance should be applied.

### Rights of safety reps

Employers have a legal duty to consult with Safety Reps on anything affecting their members' safety. This should include the outcomes of any COVID-19 risk assessment. As explained, safety reps also have the right to conduct their own workplace inspections, either jointly, or on their own. This may provide additional information that can be shared with, and added to, the employers' risk assessment. However, the duty to conduct the risk assessment and keep their workers safe from COVID-19 remains with the employer. The employer must consult with you on its findings, and they would need to demonstrate this consultation has been meaningful and in good time, which means enough time for you to consider the matters being raised and provide them with informed responses. They must also provide you with the necessary information, including risks to employees' "health and safety identified by their risk assessment" and "preventive and protective measures designed to ensure employees' health and safety".

Although employers may not always agree with you, they are expected to listen and take into account what you have to say, before making their final health and safety decisions.

### COVID-19 hazards, risks & risk assessment

As explained above, a hazard is something that can cause harm, while the risk is the chance, high or low, that any hazard will actually cause somebody harm. COVID-19 is the hazard, while the likelihood and severity of the resultant illness is the risk. The greater the risk of illness the more time and effort the employer is required to devote to eliminating or minimising that risk.

### Areas to Risk Assess for COVID-19



This order allows the organisation to implement control measures on a global scale within their premises, to adjust practices across the board and then ensure that any people with special issues or access needs are assessed in line with their own personal circumstances

#### Premises

- where are they /how large are they/ what is the capacity?
- what / where are the toilets and welfare facilities and communal areas (inc. lifts & stairs and access points)?

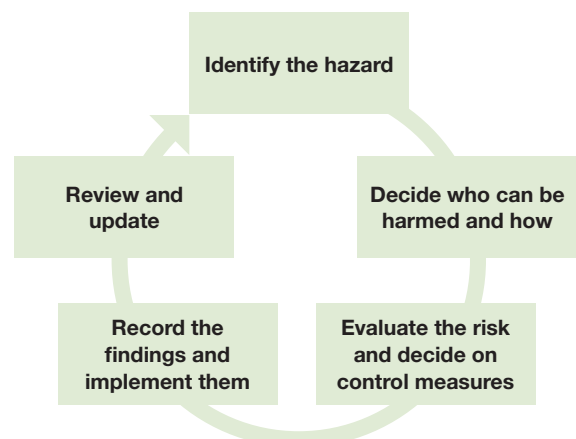
#### Practices

- what type of service does your employer provide and how does it operate?
- do workers deal with the public or any other external groups alongside your own staff?

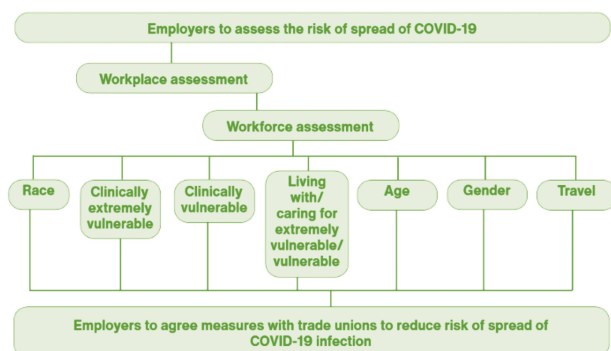
#### People

- who are they?
- are they vulnerable or particularly at risk, or have access needs?
- how do they get to their place of work?

The principles of Risk Assessment should still be followed for a COVID-19 risk assessment



The below chart shows the how the risks of vulnerable groups of staff should be incorporated into a risk assessment.



For more details on this see UNISON Guide on *Risk assessments for Black, disabled and other vulnerable workers* highlighted under the Further sources of information section of this guide.

## 1) Identify the hazards

### How are people exposed to COVID-19?

UK Public Health bodies believe COVID-19 is primarily transmitted between people through respiratory (droplet and aerosol) and contact routes.

Transmission risk is highest where people are in close proximity (within 2 metres). Also, the more people and places you come into contact with the more likely you are to be exposed to the virus.

However airborne transmission can occur in health and care settings in which procedures or support treatments that generate aerosols are performed, and that is why additional PPE is required when working in these areas (see “UNISON’s Coronavirus: your rights at work” for advice on PPE and for guidance on what to do if you work in the health or social care settings, where these procedures may be used (listed in Further sources of information)).

Airborne transmission may also occur in poorly ventilated indoor spaces, particularly if individuals are in the same room together for an extended period of time. The HSE advises improving ventilation by:

- Removing pockets of stagnant air in occupied spaces where possible by opening windows and doors, and if this is not possible or sufficient, the use of ceiling fans or desk fans;
- By adjusting air conditioning systems.

The Chartered Institute of Building Service Engineers (CIBSE) provides additional advice on the risk of aerosol transmission and air conditioning systems. It recommends:

- Switching air conditioning to fresh air source;
- Keeping ventilation on for longer, with lower ventilation rates when people are absent. It is not recommended to switch ventilation systems off in any buildings.

Additional sources of information on how the disease is transmitted, including that provided by the HSE and CIBSE, can be found below in “Further sources of information”.

### Where are most likely sources of infection in the workplace?

Workplaces are very diverse, however the more people, objects and places that you have contact with, the greater your chance of coming into contact with the virus.

Common places of transmission are:

- Entrance areas
- Doors (and how they open / close)
- Toilets & (hand) washing facilities
- Lifts & stairs
- Bedrooms/personal living spaces
- Wards, classrooms, office space
- Kitchens & other food preparations areas
- Meeting rooms, restaurants/eating/drinking areas and other communal areas
- Halls/passageways
- Driving cabs (transport workers)

- Crowded outdoor areas such as parks, gardens, play areas & courtyards

### **COVID-19 Hazards in workplace created by tasks, environment & people**

Although these may vary from organisation to organisation and from premises to premises, things to consider include:

#### **Work tasks**

- Are people directly facing each other?
- How many colleagues does each worker come into contact with?
- Do workers come into contact with members of the public/service users?
- Working environment
- Desk spacing and layout – is there sufficient space to apply social distancing?
- How many people are there in your area and in the building?
- Where are the communal areas and how many people use them?
- What cleaning arrangements are in place to minimise the spread of infection?
- How well ventilated is the area that the work activity is being carried out in?

#### **Individual staff**

- Reasonable Adjustments/personal circumstances
- Pre-existing health conditions or risk factors
- Age / Ethnicity / Obesity factors
- New and expectant mothers

## **2) Decide who might be harmed and how**

Any risk assessment must assess how and who may be at most risk of harm. Those most at risk of harms from COVID-19 are:

- If you are disabled, over 70 or have an underlying health condition. The government lists workers who are “extremely vulnerable” and “vulnerable” (see details below)
- Older workers (although those over 70 are most at risk the older you are the more at risk you are)
- Those with poorer health (even if not classed as high or moderate risk the poorer your health the more at risk you are)
- Ethnic origin: Significant data suggests that black people are disproportionately affected by COVID-19
- Gender: Data suggests that men are disproportionately affected by COVID-19

Regional variations: There is increasing evidence of significant regional differences in the rate of infection.

Vaccination (including booster doses) has reduced the risk of severe infection and hospitalisation in many groups previously at high risk of harm from COVID-19.

### **If you are disabled, over 70 or have an underlying health condition**

Since 19th July 2021, people who are disabled, pregnant, over 70 or have an underlying health condition who may have previously been told to ‘shield’, have been advised to follow the same guidance as everyone else, whilst also being advised to think about taking extra precautions to stay safe during the coronavirus pandemic.

Extra protections need to be in place for people who are immunosuppressed, due to medication or an underlying health condition, and have a reduced ability to fight infections and other diseases, including COVID-19.

Public health guidance advises people who are immunosuppressed to work from home if they can. If they cannot work from home, they should talk to their employer about any temporary arrangements that could be made to reduce the risks.

### **3) Evaluate the risk and decide on the control measures**

As explained, the greater the level of risk the more time and resources employers must devote to managing it.

Where possible, they must eliminate the risk.

If that is not possible, employers must do everything that is reasonably possible to minimize it.

It is not possible to completely eliminate the risk of you catching COVID-19, but it is possible to eliminate this risk of infection in your employer's workplaces by working from home.

Where working from home is not possible, employers can reduce the risk.

As well as complying with general health & safety legislation (see above), they must also comply with the Control of Substances Hazardous to Health (COSHH) Regulations. These provide further measures explaining how the principles of risk prevention (see above) or "Hierarchy of Control" to "rank" how effective controls can be and the order in which they should be used (see chart below for further guidance on how these could be applied to COVID-19). Although it is often called a hierarchy, they must consider all measures, and how effective they are when applied together. Any safety or control measure (including PPE) should be funded by the organisation.

## How to minimise risk – example using the hierarchy of control

Control Step	Control Measure
<b>Eliminate</b>	Work from home, and don't come into work unless you have to, to avoid workplace exposure
<b>Substitute</b>	Substitute personal contact by, for example, providing information online or by phone, using technology such as Skype to conduct meetings.
<b>Engineering Controls</b>	<p>Erect Perspex "sneeze screens" and other barriers;</p> <p>Opening windows and doors where possible, use of ceiling &amp; desk fans;</p> <p>Switch air-conditioning from "re-circulation" to "fresh air source", ventilation kept on for longer at lower ventilation rates, when people are absent.</p> <p>Using HEPA filtration units in areas where carbon dioxide levels are high and ventilation cannot be improved.</p>
<b>Administrative Controls</b>	<p>Reduce the risk of infection at source by reducing the number of people in the workplace. Have team members in on a rota basis at different times to observe social distancing. Having the same team members on each rota will minimise exposure further by reducing the number of people they come into contact with;</p> <p>In care settings, strict segregation of Covid &amp; Non-Covid areas;</p> <p>Regular testing of workers and service users for COVID-19;</p> <p>Apply strict social distancing. Reduce the number of people in, and restrict access to, communal areas, and in some cases close them. Restrict access to lifts (taking into account mobility issues) and make staircases "one-way" to observe social distancing;</p> <p>Prioritise collective over individual measures. For example, putting in place measures that prevent workers coming into contact with potentially infected people is often more effective than just relying on PPE (see below).</p>
<b>Personal Protective Equipment (PPE)</b>	PPE must be used by all those providing direct, close up (within 2 metres) personal care to service users and considered where social distancing is not possible. See UNISON COVID-19 PPE guide on website.

#### 4) Record the findings

As detailed above, employers should make a record (on paper or electronically) of risk assessments once they have been carried out. It is particularly important to ensure employers take note of groups of staff particularly at risk of serious harm.

Please see draft forms at the end of this guide for some risk assessment templates

#### 5) Implementation and Review

Risk Assessments are live documents, they should be reviewed regularly and at least when there has been any change in circumstances or risk factors.

Once the findings have been recorded, a schedule for implementation should be drawn up. Factors your employer will take into consideration with regards to timescales are:

- Risk score- both initial and residual;
- Benefit / impact of implementation ;
- Time to implement;
- Cost to implement (reps will want to ensure these do not override staff safety).

Once timescales are agreed, the risk assessment should be regularly reviewed and updated. It should be reviewed at least annually but in the current situation you would expect your employer to review it more regularly taking account of:

- Changes to government guidance;
- Improved understanding of how COVID-19 is transmitted (including new variants, aerosol transmission), health outcomes ( e.g. Long Covid), and how the disease affects vulnerable groups;
- Technological developments such as testing and tracing and vaccines.

## COVID-19 vaccine

The COVID-19 vaccine has now been offered to most people over the age of 12 in many areas of the UK.

The vaccine will be administered in two doses for the majority of adults. A third 'booster jab' is now available for all 16 year olds and over, 3 months after their 2nd dose. Clinically at risk 12 to 15 year olds or those who live with someone who has a severely weakened immune system are also entitled to a third or booster dose three months after their second dose.

The vaccine provides increased protection, but safety measures such as hand washing and being in well ventilated environments are still necessary.

## Escalation of concerns

This pandemic has posed huge challenges for our reps who have often been faced with many situations that require them to act to protect the safety of their members. This is a step by step guide on how to escalate their concerns.

1. Document the concern: It is important to document (write down) any concerns. You will need to record what the concern/hazard is, what level of risk does it pose to your members, and what measures, if any, have been put in place to protect the safety of your members. You will need to consider the following

- How has the actions of the employer (or lack of them) endangered the safety of staff?
- Has the employer breached in any way their legal obligations?
- Has the employer's risk assessment been full & sufficient?
- Has the employer considered all the possible ways people could become infected?
- Have they considered all those more at risk (see

Risk assessments for Black, disabled and other vulnerable workers (set out in Further sources of information)?

- Has the employer put in place every reasonably practicable preventive measure?
- Has the employer followed government guidance?

2. Once you have understood your members' concerns you will need first to raise these concerns with your employer. Again, emphasise why you believe the safety of staff is being endangered, why any existing safety measures are inadequate, and how the employer is in breach of the law. Document these conversations, including the employer's response. Whether or not they agree to additional safety measures you believe are required, it is important to document everything, as this written record may help you in the future

3. If your employer has not done enough to keep your members safe there are some additional actions you may wish to take. You may seek further advice and support from your branch or region, who may suggest some further actions to take, including further approaches to your employer. Again, keep a written record of these conversations.

4. You may decide to report your concerns to the regulatory authority. In some cases, this will be the HSE, whilst in others it may be your local authority health department. Whoever investigates your concern, the steps they follow will be similar to that described below.

You will need to demonstrate that you have exhausted all means of trying to solve the problem through discussions with your employer. The HSE will ask you to submit any evidence of the problem (photos as well as written evidence) and what you have done to solve it.

The HSE will then assess if it is something they should investigate.

If the HSE believes further action is necessary it will contact your employer by phone, in writing or a site

visit. It will make that assessment within 24 hours (during the working week) of receiving your concern. Then, within 21 days, it will tell you what action it is taking.

Before you raise a concern with the HSE it is worth having a look at how and when it investigates (see further sources of information). It is important to note that it doesn't investigate everything that is reported, but only the most serious work-related incidents, injuries or cases of ill health. Therefore, when you submit a concern you will need to document why the failure of the employer was a clear threat to the safety of those you represent.

More information on how to raise a concern, who to raise it with, and how these concerns are investigated, can be found in Further sources of information.

5. RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) puts duties on employers to report certain serious workplace accidents, occupational diseases and specified dangerous occurrences (near misses).

For the purposes of RIDDOR COVID-19 must be reported if it comes under any of the categories listed below.

- Disease due to occupational exposure of a biological agent;
- Death caused by occupational exposure to a biological agent
- A work-related dangerous occurrence – which only applies in very specific circumstances such as where a vial breaks and the biological agent is released leading to exposure to COVID-19.

Note: For the HSE to judge that a COVID infection was work related it "should be more likely than not that the person's work was the source of exposure to coronavirus as opposed to general societal exposure".

Even if the employer deems it not RIDDOR reportable they must still make a record if either



they or the employee feel it was work related in compliance with Social Security (Claims and Payments) Regulations 1979.

More information on the above is available under "Further sources of information; HSE sources."

6. Imminent and serious danger: As mentioned above, health & safety law requires your employer to put in place measures for staff to follow when faced with serious & imminent danger. This includes:

- Establishing appropriate procedures for staff to follow in the event of serious and imminent danger;
- Enabling staff concerned to take "appropriate steps in the absence of guidance or instruction and in the light of their knowledge and the technical means at their disposal to stop work and immediately proceed to a place of safety".

In addition, employment law provides limited protection for staff who are seriously concerned about whether it is possible to safely return or remain at work. However, these are complicated, and if you or your members are considering any action in relation to this legislation you should read UNISON's legal guidance (See Further sources of information).

## Further sources of information

### **UNISON guidance and other materials (all available from the UNISON Shop (<https://shop.unison.site>))**

*Health and Safety Inspections at Work* (stock no.1939) – UNISON guide for safety reps on workplace safety inspections.

*Health and Safety Reps Guide* (stock no.1684) – UNISON guide on the role and rights of safety reps.

*Are you at Risk?* (stock no. 2720) – an awareness-raising leaflet on risk assessment aimed at members and non-members.

*Are you at Risk?* (stock no. 2447) – an awareness-raising poster on risk assessment aimed at members and non-members.

*Gender, Safety and Health* (stock no. 1982) – UNISON guide for safety reps.

*Hazardous substances at work* (stock no.3506) – a guide for UNISON safety reps

### **COVID-19 List of sources**

Guidance for safety reps – <https://www.unison.org.uk/unison-health-and-safety/coronavirus-guidance-health-safety-reps>

Risk assessments for Black, disabled and other vulnerable workers COVID-19 guidance for UNISON branches <https://www.unison.org.uk/content/uploads/2020/10/26104.pdf>

Covid-19 Pandemic Return to Work Legal Advice for Branches <https://www.unison.org.uk/get-help/services-support/legal-services/>

Advice on suitable PPE to help manage coronavirus – <https://www.unison.org.uk/coronavirus-rights-work/personal-protective-equipment-coronavirus>

Advice and guidance for members and activists on measures to prevent the spread of COVID-19 – <https://www.unison.org.uk/coronavirus-rights-work>

How to work safely: Leaflet for members working safely on returning to work after the COVID-19 lockdown – <https://shop.unison.site/product/how-to-work-safely>

COVID-19 and Ventilation: Guidance for UNISON Health and Safety Representatives [https://www.unison.org.uk/content/uploads/2021/07/26474\\_final.pdf](https://www.unison.org.uk/content/uploads/2021/07/26474_final.pdf)

### **HSE sources**

HSE webpages on risk assessment – <http://www.hse.gov.uk/risk/index.htm>.

HSE web page on air conditioning and COVID-19 <https://www.hse.gov.uk/coronavirus/equipment-and-machinery/air-conditioning-and-ventilation.htm>

Reporting a health & safety issue (to the HSE) <https://www.hse.gov.uk/contact/concerns.htm>

How and when the HSE investigates. <https://www.hse.gov.uk/enforce/when-how-investigate.htm>

What authority should I report an issue to? <https://www.hse.gov.uk/contact/authority.htm>

RIDDOR reporting of COVID-19 <https://www.hse.gov.uk/coronavirus/riddor/index.htm>

Further HSE RIDDOR information including what the law says on whether a COVID-19 death is work related <https://www.hse.gov.uk/coronavirus/riddor/riddor-reporting-further-guidance.htm#work-death>

### **Other sources**

Public Health Guidance on the how COVID-19 can be transmitted <https://www.gov.uk/government/publications/wuhan-novel-coronavirus-background-information/wuhan-novel-coronavirus-epidemiology-virology-and-clinical-features>

CIBSE guidance on air conditioning <https://www.cibse.org/coronavirus-covid-19/coronavirus,-sars-cov-2,-covid-19-and-hvac-systems>

### **Training for UNISON Safety Reps**

A number of topical health and safety courses,

including one on the roles and rights of a safety rep (and which also covers the risk assessment process) are available from UNISON – <https://learning.unison.org.uk/>

For information on either becoming or recruiting UNISON safety reps go to <https://www.unison.org.uk/news/2020/06/unison-sets-recruit-safety-repsamid-covid-crisis/>

For information on either becoming or recruiting UNISON safety reps go to <https://www.unison.org.uk/news/2020/06/unison-sets-recruit-safety-repsamid-covid-crisis/>

### **Specific help, advice, and case studies**

If you have any specific problems where you need help or advice, your local branch health and safety officer or branch secretary may be able to assist. If not, they may pass on your query to a regional officer, who may in turn contact UNISON's Health and Safety Unit.

And do not forget UNISON Direct, a service dedicated to providing information and advice for members. The number is 0800 0 857 857.

We also want to share your experiences and successes. So if you have a case study, an example of good practice, or a local campaign or story to share, email UNISON's Health and Safety Unit at [healthandsafety@unison.co.uk](mailto:healthandsafety@unison.co.uk), or write to UNISON, Health and Safety Unit, UNISON Centre, 130 Euston Road, London, NW1 2AY.

## Draft forms (see pages 28-32)

Photocopy the forms for multiple use. Insert the relevant details and amend as appropriate.

UNISON Un-assessed Risk Report Form – for where a suitable and sufficient risk assessment has not been conducted.

Risk assessment Form

UNISON Request for Risk Assessment Records – for where you have not been provided with a copy of the risk assessments.

UNISON Request for a Risk Assessment Review – for where the employer needs to review a risk assessment.



## UNISON Un-assessed Risk Report Form

The Management of Health and Safety at Work Regulations 1999 require employers to make a suitable and sufficient risk assessment of the hazards from work and implement measures to prevent or control exposure to these hazards.

A risk assessment has not been carried out as required by law – the relevant details are specified further down. An assessment should now be carried out, in consultation with the relevant safety reps (as indicated below).

Task, area of work, job, or hazard: .....  
.....  
.....

Description of problem/hazard/risks: .....  
.....  
.....  
.....  
.....  
.....

Name(s) and signature(s) of safety rep(s): ..... Date: .....  
..... Date: .....

Management reply (including action taken with date or reasons why action not taken):  
.....  
.....  
.....  
.....

Name and signature of manager: ..... Date: .....

## RISK ASSESSMENT FORM

Activity / Task Details:	Assessed by:	
Department / Area / Region:	Trade Union / Worker Rep:	
Date of Assessment:	Responsible Manager:	
Review Due Date:		

S.#	Activity	Hazard Involved	Associated Risk	Persons at Risk	Initial/Actual Risk		Control Measures	Residual Risk		Responsible Person
					Likelihood	Severity		Likelihood	Severity	
1										
2										
3										
4										
5										

**Note:** For estimating the likelihood, severity and Risk Value use the risk assessment matrix.



(keep a copy of this form)

## UNISON request for Risk Assessment Record/s

The Management of Health and Safety at Work Regulations 1999 require employers to make a suitable and sufficient risk assessment of the hazards from work and implement measures to prevent or control exposure to these hazards.

Employers are required to provide employees with comprehensive information on the risks, the preventative and protective measures, and procedures for serious and imminent danger. Safety reps are also entitled to inspect, have copies of, and be consulted upon risk assessments.

Please provide the safety reps indicated below with a copy of the risk assessment(s) for the task(s), area(s) of work, job(s), or hazard(s) as detailed:

.....

.....

.....

.....

.....

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From - name(s) and signature(s) of safety rep(s):

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To - name of manager:

..... Date: .....



## UNISON request for a Risk Assessment Review

The Management of Health and Safety at Work Regulations 1999 require employers to make a suitable and sufficient risk assessment of the hazards from work, implement measures to prevent or control exposure to these hazards, and keep these under review.

The risk assessment(s) as specified may be/is/are no-longer valid for the reasons given, and should therefore be reviewed, in consultation with the safety reps (as indicated below).

Task(s), area(s) of work, job(s), or hazard(s):

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Description of problem/hazard/risks:

● The assessment was last reviewed more than a year ago (give date): .....

● The risk assessor was not able to conduct a suitable and sufficient risk assessment/s because they did not:

- Have enough training
- Have enough time
- Have enough relevant information or knowledge
- Consult with staff and safety reps

● An accident, near-miss, or ill-health incident has occurred (give details):

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● The following control measures are not working/being used (give details):

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● There has been a significant change in the matter it relates to (give details):

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● Other reason(s) (give details):

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Name(s) and signature(s) of safety rep(s):

..... Date: .....

..... Date: .....

Management reply (including action taken with date or reasons why action not taken):

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Name and signature of manager:

..... Date: .....





