

Health and Safety Policy	
This is an O'Neil/Ross Policy	
Authors	Harry Ross
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This policy forms part of the contract of employment that applies to O'Neil/Ross Freelance Contractors and Employees

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1. Incident Reporting

Introduction

All accidents and incidents must be reported to Director on the O'Neill/Ross Accident Report Form. Serious accidents and incidents must be reported to the Director by the quickest possible means. Where doubt exists about what constitutes a serious accident Director must be contacted for clarification.

Guidance: Reporting

Certain serious incidents must be reported to the enforcing authorities within defined time limits - hence the need to draw any accident or near-miss to attention straight away. Once informed, O'Neill/Ross will make arrangements for a formal report to be made to the relevant enforcing if necessary.

Serious accidents and incidents are:

- a member of the public taken to hospital as a result of O'Neill/Ross work activities;
- an absence from work of more than three days due to a work-related accident;
- fractures, dislocations or amputations;
- loss of sight or eye damage;
- hospitalisation for more than twenty-four hours as a result of an injury;
- unconsciousness;
- injury requiring resuscitation;
- explosive injuries needing first aid, explosion misfires and projections beyond danger zones;
- serious outbreaks of fire;
- fatality;
- diving accidents;
- hypothermia;
- those which result in symptoms indicating exposure to biological, chemical or pathological agents;
- overturning, collapsing or serious failures of lifting machinery;
- collapse of a scaffold 5 metres high or near water;
- contact with overhead power lines;
- pressure system failures which have the potential to cause injury
- reportable occupational diseases.

Why do we need to report accidents?:

- to ensure action is taken to prevent recurrence at that site or elsewhere
- to help monitor and improve health and safety performance
- to meet statutory requirements - O'Neill/Ross is required by law to report certain types of accidents/dangerous occurrences and ill health to the appropriate enforcing authority (usually the Health & Safety Executive). If required, the Director normally undertakes this but they require early and accurate information. The enforcing authority may, on the basis of information submitted, undertake their own investigation into the accident;
- to provide information for responding to claims made against the O'Neill/Ross;
- to enable O'Neill/Ross to respond quickly and accurately to external enquiries.

The length of any resulting absence from work and continuing nature of injury will need to be carefully monitored by the Director or the O'Neill/Ross Head of Department in charge and reported to the Director for a Return To Work Fitness Assessment. The Director will add these details to the form.

Those involved in road traffic accidents or acts of violence should inform the appropriate authorities in addition to reporting the accidents to their manager under this policy.

Requirement: Reporting

Your completed form should be handed to the Director or sent to the **O'Neill/Ross Office**;

Human Resources
O'Neill/Ross
37 Pembroke Road
London
W8 6PW

Do not delay in reporting absence from work - send the form on the first day and then inform the Director if the absence is more than three days and again when the person returns to work.

The requirement to report accidents applies irrespective of:

- the severity (eg injury, potential for injury or damage to property or equipment;
- the location (eg at home or overseas) or
- the status of the person eg (staff, artist, contractor, member of the public.)

The reporting requirement also includes those that are violent incidents; or are road traffic accidents which result in injury, the potential for injury or serious damage.

Road traffic accidents which involve O'Neill/Ross vehicles or hired vehicles for O'Neill/Ross use must also be reported to the Director on a Motor Accident Form.

The responsible manager must also ensure that all other interested parties are informed of the incident.

Requirement: Employee's Responsibilities

Employees who are involved in, or witness, an accident must tell their manager by the quickest possible means.

If a witness, they must inform their manager if a colleague is injured and unable to report the accident or if the accident involves members of the public.

Employees who believe that some aspect of their work, or use of work materials, may have caused a health problem must report it to their manager.

Requirement: Contractor Accidents

Contractors involved in serious accidents on O'Neill/Ross premises, or whilst undertaking work on behalf of the O'Neill/Ross, must report the accident to the O'Neill/Ross Manager responsible for the work by the quickest possible means. Reporting to O'Neill/Ross will not negate the contractor's own duty to inform their line management or the Enforcing Authorities.

Requirement: Record Keeping

O'Neill/Ross will have arrangements for retention and storage of the original reports, evidence and other documents needed to meet statutory and other requirements. Primary records will be kept for a minimum of 6 years from the date of the accident. All potential evidence, e.g. equipment involved in an accident, photographs or video footage must be labelled, dated and retained securely for at least three years.

Definitions

Accident

An accident is an unplanned event, or sequence of events, arising out of work activities which results in:

- injury or ill health,
- potential for harm to people, or
- damage to property or equipment.

Incident

'Incidents' are those circumstances and near misses that have the potential to cause harm.

Ill Health

Ill health is any occupational illness, disability or other physical problem which reduces the function of an individual over a period of time.

Serious Accidents

Serious accidents and incidents are:

- a member of the public taken to hospital as a result of O'Neil/Ross work activities;
- an absence from work of more than three days due to a work-related accident;
- fractures, dislocations or amputations;
- loss of sight or eye damage;
- hospitalisation for more than twenty-four hours as a result of an injury;
- unconsciousness;
- injury requiring resuscitation;
- explosive injuries needing first aid, explosion misfires and projections beyond danger zones;
- serious outbreaks of fire;
- fatality;
- diving accidents;
- hypothermia;
- those which result in symptoms indicating exposure to biological, chemical or pathological agents;
- overturning, collapsing or serious failures of lifting machinery;
- collapse of a scaffold 5 metres high or near water;
- contact with overhead power lines;
- pressure system failures which have the potential to cause injury
- reportable occupational diseases

2. Infectious and Contagious Diseases

Introduction

This statement outlines the action to be taken by any member of staff, who either is in contact with or contracts an infectious disease, to avoid endangering the health of others.

Contact with infectious or contagious diseases

Staff who have knowingly been in contact with an infectious or contagious disease should report the fact immediately to their manager and take one of the following actions:

If they have been in contact with:

- Diphtheria
- Typhoid
- Poliomyelitis
- Paratyphoid
- Scarlet Fever Food Poisoning (including severe diarrhoea or vomiting)
- Dysentery
- Cholera

Or if they develop any symptoms which it is believed could be as a result of contact with infectious or contagious diseases, particularly those contracted overseas: staff should consult their own doctor immediately and not report for duty until medical advice has been obtained on whether it is necessary for them to remain away from work. If it is necessary, they should not resume work without a clearance certificate. If it is not considered necessary to remain away from work, they should nevertheless ensure that they report to their own doctor any general indisposition occurring within 21 days of the date of contact, or within seven days for diphtheria.

If they have been in contact with tuberculosis they should consult their own doctor immediately and follow the instructions given.

If they have been in contact with:

- Measles
- Chicken-Pox
- Shingles
- Mumps
- Hepatitis
- Whooping Cough
- Meningitis
- Encephalitis
- German Measles

they need not normally remain away from work. If, however, they feel unwell or develop any local or general symptoms they should stay away from work, consult a doctor immediately and produce a clearance certificate before returning to work.

The illnesses stated in the above paragraphs are not an exhaustive list and any member of staff who has been in contact with infectious or contagious diseases not mentioned above, or who develops any symptoms, should seek advice either from their own doctor.

Catering staff

Catering staff should follow the procedure outlined above. However, if they have been in contact with Poliomyelitis, Typhoid Fever or Paratyphoid Fever, they must not be employed on duties involving the handling of food until their Manager has obtained the consent of a Medical Professional.

Payment

If staff are advised by their doctor to stay away from work because they have been in contact with a contagious disease, their absence will be treated as special leave on full pay.

Staff suffering from contagious or an infectious disease

Staff who have reason to believe that they are suffering from any infectious disease listed above, should remain off duty and consult their own doctor immediately. If the diagnosis confirms their suspicions, they should send a medical certificate to the Director without delay. Staff must stay away until certified free from infection and fit to return to work. In no circumstances should they resume work until their clearance certificate has been obtained.

On receiving the medical certificate the Director will inform log the following details:

- Name
- Department
- Disease
- Date of diagnosis.

Staff should also inform Director if there is doubt about the diagnosis, or if a period of observation is considered necessary, even though they are allowed to return to work during this period.

3. Alcohol Dependency

Introduction

This statement outlines how O'Neill/Ross will address constructively and sympathetically those employee problems related to alcohol.

Definition

Problem drinking is any form of drinking, intermittent or continual, which repeatedly interferes with an employee's health, performance, conduct or safety of colleagues.

Where other employees are placed at risk, the manager will act immediately to remove the potential risk.

Apart from high alcohol consumption, some of the warning signs and symptoms are:

- Impaired performance;
- Lateness and absenteeism;
- Irritability, tremor, slurred speech, impaired concentration, memory lapses, deterioration in personal standards and dress;
- Bouts of anxiety and depression.

These are only indicators. Other conditions may have the same symptoms and a proper diagnosis can be made only by someone who is suitably qualified.

Specialised help

Problem drinkers may need specialised help such as:

- Counselling with or without short term medical care;
- Membership of a self-help group
- Care and advice from a general practitioner;
- Attending hospital or a specialist clinic.

Where appropriate, O'Neill/Ross will provide advice or make arrangements for access to these facilities.

In many instances absence from work will be minimal or not necessary at all. Where time-off is required, it will normally be on the same basis as Paid sick leave.

The role of managers

The manager or colleagues are often best placed to detect early evidence of an employee having alcohol related problems. Managers and colleagues have a responsibility in this area as it is recognised that it is a disservice to staff to ignore the evidence. It is the particular responsibility of a manager to draw to the attention of an individual member of staff that their drinking habits are interfering with their ability to work efficiently or to maintain an acceptable standard of behaviour.

When a manager knows or suspects that an employee has problems which are alcohol related, the following principles apply:

1. All problems and concerns are discussed with the individual, including difficulties with performance and/or conduct, and concerns about alcohol dependency. If individuals so wish, they may be accompanied by another member of staff (other than a practising lawyer).
2. The individual has the opportunity to be referred to a Health Professional for a confidential discussion before any corrective course of action is determined.

3. Where the reference to Health Professional is rejected, or the individual refuses to accept that there is an alcohol related problem or no alcohol related problem is identified, the normal procedures for any unsatisfactory work performance or conduct are followed.
4. Where an alcohol related problem is diagnosed formal discussions with the individual are held to agree a course of action to overcome the problems.
5. This will incorporate an appropriate treatment programme and any conditions that apply including review periods. Clinical details will remain confidential.
6. In the event of a relapse the case is considered on its merits to determine whether a further opportunity for treatment should be offered.
7. Provided that the individual acknowledges the problem, complies with medical advice and treatment prescribed and achieves control of their drinking habits, they will suffer no insecurity of employment because of the alcohol dependency, unless other factors have to be taken into account.
8. Failure to comply with medical advice and treatment may result in termination of employment. This may be on health grounds in appropriate circumstances.

Absence for treatment

Any absence will be treated as sick leave and on return to work, staff will resume the same job unless the nature of their earlier problems has rendered them unfit or unsuited to do so or when it would be inconsistent with the long term resolution of their problem drinking.

When an individual cannot return to the same job, normal redeployment procedures will apply.

Breach of discipline

If an employee refuses diagnosis or help, or discontinues a programme of rehabilitation, this may or may not be regarded as a breach of discipline, dependent on the circumstances. Where it is not regarded as a breach of discipline, any subsequent poor performance or unsatisfactory conduct will be dealt with under normal procedures. In this context, drunken behaviour, unauthorised absence, lateness, drinking on duty or presenting oneself for work in a state of inebriation, may all be grounds for dismissal.

Occasional excessive consumption of alcohol

Employees who, because of an occasional excessive consumption of alcohol, behave in a manner contrary to normal standards of conduct and safety, can expect such behaviour to be dealt with under the disciplinary procedure in the first instance.

4. Security

Security is integral to the vision and performance of O'Neill/Ross. Our overall objective is to carry out our operations in a way that provides and maintains a secure working environment for the protection of our employees, the people we work with and for those who visit us.

We will achieve this by:

- continual and effective improvement of security performance
- compliance, as a minimum, with all applicable legislation, O'Neill/Ross requirements and any other adopted requirements
- implementation and continued improvement of an occupational risk management system that meets the requirements of O'Neill/Ross
- the setting and review of security objectives and targets
- review of the management system and policy to ensure their suitability, adequacy and effectiveness
- provision of suitable and sufficient security information, instruction and training to enable all staff to carry out their jobs competently
- selection and monitoring of competent third parties to ensure appropriate standards of security are achieved
- effective communication and cooperation with third parties so they are aware of our security expectations

Security is everyone's responsibility, and a prime responsibility of all levels of management. O'Neill/Ross expects everyone to contribute towards achieving the company's overall objective.

O'Neill/Ross will provide adequate and appropriate resources to implement this policy and will ensure it is properly communicated and understood.

5. Smoke Free

Introduction

The Smoking, Health and Social Care (Scotland) Act 2005, the Smoking (Northern Ireland) Order 2006 and Health Act 2006 prohibit smoking in premises if they are:

1. used as a place of work
2. where members of the public might attend that workplace

The law makes it the responsibility of employers to prevent smoking in the workplace in enclosed or substantially enclosed areas.

Policy

O'Neill/Ross does not permit smoking in the O'Neill/Ross Office or in any lease or hire vehicle (with the exception of performers in England, see next section). Smoking is prohibited in all internal enclosed or substantially enclosed areas including conservatory.

This policy applies to all O'Neill/Ross buildings and vehicles and covers staff, other workers, contractors, performers, contributors and visitors.

O'Neill/Ross is responsible for providing appropriate signage indicating that smoking is not permitted.

Smoking is not permitted in any O'Neill/Ross lease or hire vehicle. If any person covered by this policy uses their own vehicle for business use then smoking is permitted as long as they are paying due care and attention to the rules of the road.

Action will be taken against any individual who smokes in a O'Neill/Ross building or vehicle. Where staff find it difficult to or unable to give up smoking, they will be managed sympathetically and provided with reasonable support and assistance.

Smoking on set

Under the statutory regulations, smoking is prohibited in enclosed or substantially enclosed areas. In Scotland, Wales and Northern Ireland smoking is not permitted in studios or any enclosed or substantially enclosed area. For recordings or performances which require smoking to be portrayed, other artificial products will need to be used.

In England (where there is an exemption to the smoke free legislation) performers are able to smoke for the purpose of artistic integrity. Smoking by any persons other than the performer is prohibited, and the performer may only smoke for the purpose of portrayal in a live recording, and not during rehearsal. Care must be given not to expose others to second hand smoke for extended periods of time. Where a performer is required to smoke during a live recording, this must be included as part of the overall risk assessment process.

Production Location

Smoking is not permitted on any enclosed O'Neill/Ross production location (unless, the location is exempt under the legislation, defined above). If an outside (i.e. unenclosed) area of the location is used for smoking, then the individual must ensure that they dispose of any smoking materials safely.

Where the production requires an actor, presenter or contributor to smoke in an unenclosed area all best efforts should be made to ensure that they and those involved in the production are not exposed to the smoke for a prolonged period of time.

Failure to Observe the Policy

All managers have a responsibility to enforce the Policy and it is important that the Policy is implemented in a consistent and effective manner.

An individual discovered smoking in a O'Neill/Ross building or vehicle should be required to stop smoking and:

- in the case of a member of staff it will be treated as misconduct and be subject to disciplinary action;
- in the case of a freelance or contractor a warning that a further breach could result in that contract being brought to an end;
- in the case of a visitor, a requirement to leave the premises.

Disciplinary action or other appropriate action will also be taken against an individual who endangers the safety of others by casually discarding a cigarette such that it could create a fire risk or by smoking in an enclosed or substantially enclosed area.

In addition to O'Neill/Ross policy, those who do not comply with the smoke-free legislation are liable to a fixed penalty fine and possible criminal prosecution.

Support for Smokers

Managers will be sympathetic to the needs of smokers where it is practical. They will decide the appropriate arrangements, taking account of circumstances, under which staff can leave their place of work to take breaks to smoke. There is no right to take additional work breaks for the purpose of smoking.

Managers will also deal sympathetically with staff who wish to give up smoking. Support to people who want to stop smoking is provided free from the NHS, e.g. from GP surgeries, local NHS Stop Smoking Service and the NHS Smoking

Helplines:

- England and Wales Smoking Helpline: 0800 169 0 169
- Northern Ireland Smoking Helpline: 0800 85 85 85
- Scotland Smoking Helpline: 0800 84 84 84

Safety Provisions

O'Neill/Ross premises will be subject to regular risk analysis to ensure that the provisions relating to the Smoke Free Policy do not result in any unnecessary risks.

All fire incidents will be thoroughly investigated as to their cause and the Smoke Free Policy will be kept under review in the light of the findings of any investigation.

Regular fire drills will be implemented in the O'Neill/Ross Office and any individual who fails to co-operate with the fire drill will be subject to disciplinary or other appropriate action.

Responsibility

Heads of Departments are responsible for ensuring compliance in their Department.

Overall responsibility for this Policy rests with the Director.

This policy was created by Harry Ross

This policy has been approved and adopted by ONR management Committee:

Name: Harry Ross

Signed: 

Date: 01/05/2017

It will next be reviewed on: 01/05/2019