

What to expect when a health and safety awareness officer calls

A brief guide for businesses, employees and their representatives



This is a web-friendly version of leaflet WCOVL100

About this leaflet

This leaflet is intended for those in business who have duties under health and safety law ('dutyholders'), for example employers, the self-employed and those in control of workplaces. It explains what a health and safety awareness officer (HSAO) is and what they do. It also tells you what you can expect when an HSAO calls and what happens following their visit.

It also tells employees and their representatives what information they may expect from an HSAO as a result of the visit.

Who enforces health and safety law?

Health and safety law relating to work activities is enforced by inspectors from the Health and Safety Executive (HSE) or by inspectors from your local authority. Further details are given in *What to expect when a health and safety inspector calls* (HSC14). This can be found on the HSE website at: <http://www.hse.gov.uk/pubns/hsc14.htm>.

Inspectors have the right to enter any workplace without necessarily giving notice. An inspector would expect to look at specific issues associated with your workplace, the work activities, your management of health and safety and to check that you are complying with health and safety law.

Unlike inspectors, HSAOs do not have powers to enter your premises without your agreement; they enter your premises **solely with your consent**. HSAOs do, however, have powers to enforce certain aspects of Employer's Liability Compulsory Insurance (ELCI) legislation, and they will inform you of your duties as an employer under this important legislation.

What is the role of the health and safety awareness officer?

HSAOs are specially trained staff whose role is to support HSE's regulatory work, promote health and safety awareness and provide information to employers, employees and others who may be affected by work activities. This wide-ranging work includes working with other organisations and partners (such as Learning and Skills Councils, Business Links, training organisations, FE colleges, ethnic business groups, local authorities, trades unions and business and safety groups) to stimulate greater health and safety awareness among dutyholders.

When HSAOs visit your business, their primary role is to give you information, guidance and advice and to collect information about your business that will be used solely by HSE in any further contact with you.

During their visit, an HSAO will observe work activities in your workplace as well as the standards of housekeeping, the quality of welfare facilities and any obvious

problems such as noise, transport, manual handling or dust and fumes. They will also be able to tell you about any guidance, publications and other sources of advice and information that are relevant to your business. However, HSAOs are **not** health and safety inspectors and they will not give advice on technical matters (eg the suitability of a machine guard) or express an opinion on compliance with the law.

Before leaving, the HSAO will want to talk with your safety or employees' representative. This is an important aspect of HSE's visiting procedures.

What happens after a health and safety awareness officer visit?

After a visit and on return to their office, the HSAO will set up a record of your business (which will be used by HSE in any further contact with you). They will make a note of their visit and, if appropriate, will write to you confirming the issues discussed, enclosing any relevant leaflets that they did not leave with you during the visit. They will also send a copy of this letter to your safety or employees' representative.

Sometimes, it may also be necessary for an inspector to visit you. This could be because there are particular hazards in your workplace or because the HSAO considers there are issues that an inspector would wish to discuss with you. If the HSAO believes that a visit by an inspector may be necessary, they will tell you at the time of their visit. However, it may not always be apparent that a visit by an inspector is appropriate until the HSAO has returned to their office and discussed their visit with an inspector.

Information to employees or their representatives

During their visit, the HSAO will check that those in charge, eg the employer(s), have arrangements in place for consulting and informing employees or their representatives, eg safety representatives, about health and safety matters. Employees or their representatives should always be given the opportunity to speak privately to the HSAO.

If the HSAO does send the dutyholder a letter, they will also send a copy to the safety or employees' representative under separate cover.

Complaints

Complaints against HSAOs are rare. However, if you have a complaint that these procedures have not been followed, you can contact the HSAO's manager (through the address at the end of this leaflet) to discuss the matter. The manager's name will also be quoted on the top of any correspondence you receive from the HSAO. You can either speak or write to the HSAO's manager; they will investigate your complaint and tell you what is going to be done about it.

If you are still not satisfied, you can write to the Chief Executive of HSE, who will see that your complaint is followed up promptly and fairly. You may also wish to write and ask your MP to take up your case with HSE, with ministers, or with the independent Parliamentary Commission for Administration (the Ombudsman).

You can contact the Chief Executive of HSE at:

Health and Safety Executive
Redgrave Court
Merton Road, Bootle
Merseyside L20 7HS

Further information

HSE produces a large number of free and priced publications to help you comply with the law. HSE free and priced publications are available by mail order from HSE Books, PO Box 1999, Sudbury, Suffolk CO10 2WA Tel: 01787 881165 Fax: 01787 313995 Website: www.hse.gov.uk/pubns/books/index.htm (HSE priced publications are also available from bookshops and free leaflets can be downloaded from HSE's website: www.hse.gov.uk)

For information about health and safety ring HSE's Infoline Tel: 0845 345 0055 Fax: 0845 408 9566 Textphone: 0845 408 9577 e-mail: hseinfo@natbrit.com or write to HSE Information Services, Caerphilly Business Park, Caerphilly CF83 3GG.

If you wish to speak to a Health and Safety Awareness Officer or an inspector in the future, you can contact them at:



Alternatively, HSE's website (www.hse.gov.uk) contains details of all HSE offices.

A web version of this leaflet can be found at:
www.hse.gov.uk/pubns/wcovl100.pdf.

© *Crown copyright* This publication may be freely reproduced, except for advertising, endorsement or commercial purposes. First published 04/08. Please acknowledge the source as HSE.