

Health & Safety

Working with volunteers, running a food business and preparing food for others whether for sale or donating through an organisation or charity can come with legal responsibilities for the food operator. This helpsheet gives a brief overview health & safety and insurance requirements, but as all food operations vary, advice should be sought from your own insurance company, the Health & Safety Executive (HSE) for manufacturing or your local authority (EHO) for hospitality / catering on what health and safety measures you should have in place in your own food operation.

When does Health & Safety law apply?

If your organisation has one or more employee(s) then the Health and Safety at Work etc. Act 1974 applies to you as a food business operator and your organisation. If you have 5 or more employees then a written health and safety policy needs to be in place for the organisation. Similarly, requirements for documented risk assessments relating to significant hazards will also apply in these cases. If you are an organisation or group without employees then health and safety law does not apply, although you should always be sure to assess the risks of your activities and what can be done to minimise risk to keep you and your volunteers safe. HSE states: 'The job of volunteering generally doesn't fall within the scope of health and safety law unless it is done through an organisation that is an employer... Similarly, a volunteer... will not have duties under the Health and Safety at Work etc Act 1974 other than the duty not to misuse or interfere with items provided for health and safety reasons.'

In practice, many businesses that do employ staff in any capacity may choose to provide a health and safety policy and documented risk assessments, even when they do not meet the threshold of 5 employees, as a point of best practice.

Insurance and notices

Where staff are employed, there is a requirement to be insured to cover employers' liabilities and it may also be appropriate to include public and product liability insurance. A copy of the employers' liability insurance certificate and HSE poster 'Health & Safety – What You Should Know' should be displayed in workplaces. As an alternative to the H&S poster, providing leaflets for staff is an accepted alternative.

Premises

Reviewing potential health and safety issues when taking on or hiring a new premises is an important step to ensuring that premises are appropriate for your activities and safe for your team to work in. Some of the things you will need to consider is whether it is big enough for your team to work in, is there adequate ventilation including carbon monoxide and smoke alarms, does it have adequate welfare facilities for your team and is the building in good clean condition and able to maintain reasonable working temperatures for staff and volunteers.

Electrical services, equipment & PAT testing

Fixed electrical services are required to be 'safe and free from danger' and many insurance companies and a linked British Standard (BS EN 7671) indicate inspection of services as best practice. If you are bringing any of your own electric equipment into a hired space, it is a good idea to ensure that any items have had a Portable Appliance Test (PAT) to confirm their safety and this is something that is often required when hiring kitchens. Although PAT testing is not a legal requirement, 'The Electricity at Work Regulations 1989 require that any electrical equipment that has the potential to cause injury is maintained in a safe condition' (HSE) Therefore it may be good practice to have a PAT test carried out on any electrical equipment by a competent person or electrician.



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Fire safety

Check what is covered by the building owner and what you may need to provide yourself. Your local fire and rescue service may be able to offer advice. If renting a space, check that there is fire provision and equipment is regularly checked and fire equipment will be able to both enable an alarm to be raised and for people to escape the building. There are requirements for a fire risk assessment to be prepared which will confirm the adequacy of fire arrangements and precautions applicable to the premises and this is the responsibility of persons in control of buildings. Consider any fire risk equipment you may be using and include on your own risk assessment, together with familiarity of emergency escape arrangements and escape rehearsals.

Manual handling

Food production can involve a lot of lifting and moving of heavy produce and carries a risk of injury from poor lifting technique. Assess the lifting activities that need to be done and ensure that you have enough people to be able to carry large loads, and ensure you 'consider the task, the load, the working environment and individual capability' (HSE) of your team. It is sensible to periodically run through the safe handling methods and also ensure that appropriate lifting equipment is made available to staff.

First Aid

HSE will not tell you what first aid provision you need in your organisation, it is down to you to determine this yourself. Voluntary groups with no employees are not bound to do a first aid assessment, although it is clearly good practice. A first aid assessment will help determine if you need a formally qualified first aider, or an appointed person and then then help decide what first aid equipment you may need. It is also an idea to have a printed sheet with full address and postcode and a 'what three words' location of your production or work space in case of needing to contact emergency services.

Occupational health

There are often health consequences that can occur as a result of different type of work within workplaces and employers are required to apply appropriate controls and training to ensure workers health is not affected. This includes consideration of chemicals and substances hazardous to health, working hours, work-related stress and mental well-being and ergonomics (staff comfort when interacting with work), together with general welfare. The HSE provides some really good support to undertaking assessments and this can be accessed at <https://www.hse.gov.uk/simple-health-safety/risk/index.htm> .

Risk assessments

For safety and occupational health issues where there is a significant hazard to staff, risk assessments will need to be considered and written down where 5 or more staff are employed. The assessments need to be 'suitable and sufficient' in considering significant hazards, who may be affected, existing control measures and whether any additional measures may be needed.

Lone working

Lone workers also come under health and safety provision. If you have lone workers in your organisation, you should include this in your health and safety risk assessment. HSE provide further advice on this online.

Links

<https://www.hse.gov.uk/catering/index.htm>

<https://www.hse.gov.uk/simple-health-safety/index.htm>

<https://www.hse.gov.uk/pubns/cais24.pdf>

<https://www.hse.gov.uk/msd/manual-handling/index.htm>

<https://www.hse.gov.uk/electricity/faq-portable-appliance-testing.htm>

<https://www.hse.gov.uk/pubns/indg73.htm>

