



## SUBJECT: Part 1: Myths and Reality

RECIPIENTS: All Council Services (including schools)

ISSUE DATE: May 2013 REF: HSB21.1

### Myths and Reality of Health & Safety

Managing health and safety risks within public services presents a major challenge. The decision-makers in local councils have to achieve a balance between the interests of the community, their staff and the organisation. Competing pressures are generated by the ever-present threat of civil litigation, insurance considerations and civil liberties. These challenges are played out in the spotlight of a media interest in “elf ‘n’ safety” that shows few signs of abating.

That said, the law itself is clear - a proportionate approach is needed. Where Councils get this right, limited resources are not wasted by focusing attention on low risks and the local community reaps the benefits of innovative and enabling activities. This requires a balanced approach to risk, which steers a middle path between an unnecessary policy of risk aversion at one extreme, and an inability to identify and address genuine risks at the other.



Tackling the myths is also vital – and HSE is challenging disproportionate approaches through the [Myth Busters Challenge Panel](#). The Panel has responded to over 100 cases. Many of these involve local authority decisions and many are based on media stories ridiculous action taken in the name of health and safety.

To ensure that attention is focused on real risks rather than wasteful bureaucracy and trivia, HSE is now seeking the help of local authorities to address the root causes of misunderstanding. We've distilled our findings into four useful tips for challenging over-zealous or inappropriate applications of health and safety law.

- Find out if it really is a health and safety concern
- Look for health and safety solutions that help you deliver your services – not for health and safety obstacles to stop them
- Ensure that all your health and safety precautions pass the test of being sensible and proportionate
- Communicate all your risk management decisions clearly and honestly

HSE wants senior managers to take a stronger lead in promoting a culture of sensible, proportionate health and safety decision-making across their authorities – using these tips to challenge over-the-top decisions that take attention away from the real aim of health and safety law. That aim remains no more and no less than to protect staff and members of the public affected by significant risks created by work activities.

See [Health & Safety Bulletin 21.2 - Part 2: Myth Busting](#)

#### If you require further assistance or clarification on the subject please contact:

Your Mouchel Health & Safety Adviser (see George section: Corporate > Information for Working > Risk Management > H&S Advisers)