



SUBJECT: Part 2: Myth Busting Tips

RECIPIENTS: All Council Services (including schools)

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Busting Health & Safety Myths

The key to sensible risk: for managers and safety professionals

The reality behind the myths surrounding local authority activities

HSE's [Myth Busters Challenge Panel](#) allows individuals or organisations to challenge decisions made in the name of health and safety that they believe are disproportionate or inaccurate. HSE has analysed the first 100 cases to identify useful lessons to share with local authorities. We have distilled these into four tips – and set them in the context of real Challenge Panel cases.

Tip 1: Find out if it really is a health and safety concern

Many of the Panel's cases were simply not about occupational health and safety at all – by making enquiries to check if there really is an occupational health and safety issue or a work activity that affects the public, you can quickly stop some of the more common myths about health and safety.

'No partners allowed'

The myth – that there were health and safety grounds for a local authority to ban teachers and school staff from taking their partners and children on school trips.

The reality - There are no health and safety regulations that ban schools from allowing partners and children to join teachers and school staff on school trips. This local decision was based on a misunderstanding about the law.

Tip 2: Look for health and safety solutions that help you deliver your services – not for health and safety obstacles to stop them

Many of the panel's cases concern decisions to ban or curtail sensible activities where those decisions were not about health and safety. In some cases, the decisions were to avoid adverse publicity, or to limit financial risk. Sometimes perceptions and fears of litigation were behind over-cautious decisions. In practice, straightforward health and safety precautions are readily available to make sure the benefits of activities are not lost through excessive risk aversion – and often help to manage those wider issues too.

'No volunteers allowed'

The myth – that volunteers could not prune back overgrown vegetation on a public footpath on health and safety grounds.

The reality – There is no reason that volunteers cannot be involved in local community projects. Whilst the council has to consider its health and safety responsibilities, there is nothing that stops a council accepting sensible offers from the local community. The council could have loaned out suitable tools and given advice on sensible precautions. That way it could have supported these willing volunteers rather than stand in their way.

Tip 3: Ensure that all your health and safety precautions pass the test of being sensible and proportionate

Many of the panel's cases were about precautions that appeared unwarranted for the risks involved. By thinking carefully about the type of incidents the precautions are supposed to prevent – and how likely they are to happen - it is much easier to make sure the precautions match the level of risk and that you focus attention on the significant safety and health risks facing your council.

'Hanging baskets banned'

The myth - that hanging baskets could not be fixed on lampposts for the annual Village in Bloom competition without an engineer checking the lampposts in advance.

The reality - The council was demanding precautions out of proportion to the health and safety risks involved as there was no significant loading involved. For conventional hanging baskets of a modest size all that was needed was a simple visual check.

Tip 4: Communicate all your risk management decisions clearly and honestly

Finally, the panel receives many cases where clear messages would have prevented a lot of ill-feeling and reputational damage, Don't allow 'health and safety' to be used as a catch-all excuse - if you do need to stop or restrict activities, make sure you explain the reasons clearly. Remember people no longer accept 'it's because of health and safety' as an excuse for an unpopular decision.

'Traffic cone hazard'

The myth - that there were health and safety grounds for a local authority to refuse to put cones in the street to reserve a parking space.

The reality – Deciding not to put cones in streets is unlikely to be justified on health and safety grounds. In this case, it appears that health and safety has been used as an excuse for an unpopular decision. The local authority may have had other perfectly valid reasons for refusing this request, in which case it should have stated these. It should not have hidden behind the convenient excuse of "elf 'n' safety".

Getting the most out of these tips

- Use them as a basis for challenging decisions.
- Incorporate them into training and briefing materials for senior managers, staff and councillors.
- Use them as a way of involving health and safety representatives in challenging over-the-top decisions.
- Share your ideas for tackling myths with Heads of Service, Chief Executives and Councillors.

Ultimately, what is required is a balanced approach to risk, which steers a middle path between an unnecessary policy of risk aversion and at the other extreme an inability to identify genuine risks and address them. Taking this route will help you influence your authority in positive ways, so that it adopts a culture where sensible, proportionate decision-making in health and safety is second nature.

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)