

**Business Management System**

**Section 1: Administration**

**Part 5 – Safe Working of Employees  
& Contractors**

## **SAFE WORK POLICY**

Under the Health & Safety At Work Act 1974, every employee has the right to refuse to carry out work which is unsafe.

It is the employees' right, and duty to report any concerns that they have on carrying out a task that they feel will be unsafe. Bona fide cases of refusal to work on grounds of health and safety will be free from disciplinary action or discrimination.

Staff can also access the Confidential Incident Reporting & Analysis System (CIRAS) at principle Contractors sites, should they wish to report unsafe practices.

CIRAS can be accessed via the internet at <http://www.ciras.org.uk/> or by calling direct on 0800 4 101 101.

### **1. PURPOSE**

To promote safety awareness and to help achieve an overall improvement in safety performance by acknowledging the right of employees and contractors to refuse to undertake work on Health & Safety grounds without the fear of recrimination or disciplinary action.

Safe systems of work have been designed, following risk assessments and implementation of control measures, to minimise the need for any individual to refuse to work on the grounds of Health & Safety. In addition to company safety procedures and work instructions safe systems are also contained in Rules, Railway Group Standards and covered by the necessary legislation.

It is essential that when any new processes are required or an unplanned/unscheduled process is deemed necessary, a risk assessment is carried out, necessary control measures are put in place and the employee briefed on the outcome and any associated hazards which are unavoidable.

### **2. SCOPE**

Applies to all employees and contractors of Seva Rail Services Ltd.

### **3. DEFINITIONS**

Person in Charge - Immediate Manager/Supervisor.

### **4. PROCEDURE**

- 4.1 Any employee who has reason to refuse to carry out work on grounds of any Health & Safety hazard must report the circumstances immediately to the Person in Charge.

- 4.2 The Person in Charge shall determine the grounds for refusal to work, make an assessment and determine the course of action to be adopted. The assessment and any subsequent corrective action shall be made recorded on Form BMS/1/5/FM1.
- 4.3 Following any assessment which concludes that the refusal to work was justified, arrangements shall be made to:
- a) remove the hazard or
  - b) modify the system of work in order to eliminate any risk prior to proceeding with the task or
  - c) Stop the task
- 4.4 Where following the necessary corrective action the area of concern is not satisfactory resolved, the local manager/supervisor must:
- a) Inform his/her Manager
  - b) Arrange for reasonable alternative work to be carried out.
- 4.5 The Senior Manager, or nominated responsible person may make arrangements to resolve the situation which may include the following:
- a) Attend the work site as soon as possible to give a management ruling.
  - b) Where necessary call a safety or technical expert to make an independent evaluation of the situation.
  - c) Where considered necessary call the local Safety Representative/HSQE Consultant.
  - d) Give the employee his decision as soon as possible.
- 4.6 Feedback of details for refusal to work by employees or contractors shall be made to the Director, if considered necessary, to enable matters of policy and procedure to be incorporated in the relevant standards.
- 4.7 All personnel shall be made aware of procedures for dealing with refusal to work and, where appropriate, training needs identified by the process shall be included in individual training profiles and Job Descriptions.



**Gregg Smith**

**Managing Director**