

Health & Safety Guide for Direct Payment users and Personal Assistants

Introduction

The Direct payments team has developed this health and safety booklet to raise awareness of health and safety issues, which may be present or arise when you are employing someone to work in your home. You should go through this advice with whomever you choose to employ in your home.

The most important issue concerning health and safety is that you and anyone you employ in your home feel safe and comfortable both with each other as well as within the home environment. So if anything threatens to undermine that, it should be dealt with immediately, with either the help of your family, the employing agency or the social services department.

Please note that this booklet is only intended as a guide to health and safety and any relevant government legislation should be referred to for more detailed information.

When a Personal Assistant comes into your house, you both take on responsibility for Health and Safety

It is your responsibility to provide a healthy and safe work place for your Personal Assistant and not to do anything, or ask them to do anything, which may cause harm. - It is your Personal Assistant's responsibility not to do anything which might endanger your safety or theirs. They must report anything that may in their opinion cause harm in the future.

Health and Safety affects everyone – it is part of the many things that happen in your home during the day: reaching for something, boiling a kettle, cutting food, using cleaning products, just moving around the house – all of these activities could result in an accident. However, increasing awareness of Health and Safety and using common sense usually results in the avoidance of anything untoward.

“As a general principle, local councils should avoid laying down health and safety policies for individual direct payment recipients.”
(DOH Guidance pg. 24)

This means that we will not be able to provide you with policies and procedures however this Information Sheet is intended to introduce the subject of Health and Safety and signpost you towards information from the Health and Safety Executive.

Employer responsibilities

- Help by providing a safe working environment.
- Aim to prevent health and safety issues.
- Speak to your employee about any health and safety issues you feel may arise.
- Make sure you know about safe working practices.

Employee responsibilities

- Follow safe working practices.
- Be aware of any potential health and safety hazards.
- Report any hazards as they arise.
- Consult with your employer if you feel you need more training.
- Speak to your employer about any health and safety issues that may give you concern.

Using equipment

Ensure you only use equipment including lifts, hoists and household appliances when

- You have been fully trained to use the equipment.
- You feel totally confident in doing so.
- The equipment has been checked to ensure it is in good working order.
- The equipment is correct for the purpose for which it is being used.

If you are an employee using any equipment to assist your employer, e.g. a wheelchair, make sure you talk to them and explain what you are doing

Using a wheel Chair

When using a wheelchair to provide assistance with mobility you should ensure

- The person you are assisting has fastened their lap belt.
- You leave enough room to move your feet.
- You keep both hands firmly on the handles when pushing the wheelchair.
- You use the weight of your body to push the wheelchair.
- You do not tilt the wheelchair backwards or forwards.
- You aim to move steadily, avoid making sudden movements or turns and be aware of others around you.

General Hygiene

In order to help prevent the spread of illness/infection you should ensure

- You always wash your hands especially after sneezing, using the toilet and before and after preparing food, using either liquid soap or an alcohol hand wash.
- You wear disposable gloves when coming into contact with bodily fluids and dispose of them safely after use – do not reuse.
- You have all the immunisations you need.
- You cover any cuts and scratches immediately.
- That if either of you have any additional safety measures that you would like to see in place you should inform the other.

Safety in the home

To maintain general safety around the house you should always

- Clean up all spills immediately.
- Make sure cables do not trail across doorways or rooms.
- Put equipment back in a safe place after use.
- Use ladders to reach objects above head height.

Fire risks

To minimise the risk of fire in the home you should ensure

- Heaters are kept clear of flammable items.
- If you or your employee(s) smoke, cigarettes are put out before leaving a room.
- Ashtrays are emptied into a metal bin regularly.
- Smoke alarms are installed and kept in good working order.

Using electrical equipment

To help reduce potential hazards when using electrical equipment you should make certain

- You remember to turn electrical equipment off before cleaning it.
- You remember to take any safety precautions or wear protective clothing if instructions recommend it.
- You check sockets are safe and in good working order.
- You check wiring on the equipment is not damaged or frayed.

Heavy lifting

To avoid injury or strained muscles when lifting heavy objects you should be sure to

- Use a ladder to avoid stretching to reach items above head height.
- Keep the object you are lifting close to your body.
- Bend at the knees and keep your back straight if you are picking something up below hip height.
- Avoid twisting when lifting.
- Take regular breaks if you feel you need to.

Hazardous materials

To avoid accidents or injury when you need to use hazardous materials you should

- Ensure you do not mix chemicals.
- Always follow the instructions on the bottle and make sure that recommended precautions are adhered to.
- Wash your hands thoroughly after use.

The Law and how it affects you

Health and Safety is about preventing people from being harmed or becoming ill at work by taking the right precautions and by providing a satisfactory working environment.

Why are there Health and Safety laws?

Health and Safety at work is so important that there are rules which require all of us not to put ourselves or others in danger. The law is also there to protect the public from workplace dangers.

Do Health and Safety laws apply to me?

Yes. Health and Safety law applies to all businesses, (however small) and to all employees including the self employed. A lot of this legislation is applicable to Personal Assistant employers and you should seek guidance from a health and safety professional in order to establish how best to comply with the legislation. Free guidance can be obtained from the Health and Safety Executive via their website www.hse.gov.uk or their contact line number is 0845 345 0055.

What is the Health and Safety Executive?

The Health and Safety Executive (HSE) is a government organisation that works to protect the health, safety and welfare of workers by enforcing health and safety law across the country and offering advice and support. This is undertaken in association with the Environmental Health Department of your local council who will also offer you impartial advice and guidance.

Health and Safety law places specific responsibilities on both employers and employees e.g.: it is up to the employer to provide a safe place in which to work, but the employee also has to show reasonable care for his or her own safety as well as those who may be affected by their actions.

The settings in which you employ a Personal Assistant are generally covered by the Health and Safety at Work Act 1974 (HASAWA). This Act has been updated and supplemented by many sets of regulations and guidelines which extend it support it or explain it. The regulations most likely to affect you are:

- Manual Handling Regulations 1992
- Health and Safety First Aid Regulations 1981
- Management of Health and Safety at Work Regulations 1999
- Control of Substances Hazardous to Health Regulations 2002 (COSHH)

- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)

NB: This is not an exhaustive list and is provided for information purposes only. Before making any decisions as to what does or does not apply to your personal situation you should seek professional advice as other regulations may also apply.

What do I need to do?

As an employer you will need to ensure that your workplace is safe and that the risks associated with operating within your workplace are reduced to their lowest possible level. To do this you will need to carry out a risk assessment (or indeed a series of risk assessments), which will identify:

- The hazards that are present
- What the risks are in relation to these hazards
- What control measures are required in order to minimise these risks

Remember, both you and your employee have a shared responsibility for maintaining a safe working environment which basically means that you both have a duty to continually share information and where needed review, modify or change your current risk assessment