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AT WORK

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Law of Health and Safety at Work

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Law of Health and Safety at Work

Preface

Although the subject of health and safety at work is of vital importance to every employer, employee and self-employed person in this country, there is an apparent dearth of books which explain the complex legal requirements in a manner which can be readily appreciated by those who are most closely affected. The aim of this book is to fill that gap. It should be of interest to employers, company secretaries, managers, trade unionists, safety officers, safety representatives, enforcement officers and lawyers, as well as to students generally who will be seeking to enter employment at some future time.

The book is intended as a guide, not a bible. It seeks to state the law as it is generally applicable, but in all cases where legal problems arise in practice, the reader may need to consult the actual statutory provisions or, where necessary, take expert legal advice.

The *raison d'être* of health and safety legislation is not always easy to discover, for there are complex social objectives to be achieved. The law is intended to be partly preventative (evidenced by the power to issue various types of enforcement notices), partly compensatory (by means of a civil action for damages in respect of injuries received) and partly punitive (through the use of criminal sanctions). The rules are an amalgam of contract law, tort and crime. Statutory provisions are interwoven with judicial decisions, and in recent years Approved Codes of Practice have assumed an even greater importance in giving practical guidance. Each industry, each concern, has its own peculiar problems, and each incident has unique features which makes accident prevention a difficult task for those involved. But however complex these matters may be, ignorance of the legal requirements is the least excuse.

As this book is of a general nature, certain topics (such as mines and quarries legislation) have of necessity had to be omitted. Environmental issues also appear to be outside the self-imposed boundaries, though this does not imply that such matters are of lesser importance. I can only hope that my experience in lecturing to innumerable groups from all sides of industry and commerce has placed me on the right track so far as the actual contents are concerned.

By the provisions of the Social Security and Housing Benefits Bill, recently introduced into Parliament, industrial injuries benefits (see chapter 9) will be abolished, and a new employers' statutory sick pay scheme will come into force in April 1983.

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