

Health and Safety in Public Transport (Bus Drivers)

The Health and Safety at Work Act 1974

Legislation on Health and Safety at Work forms part of criminal law. It is important and essential that this is obeyed. It is accurate to say that if legislation is breached, it may well result in consequences including fines or imprisonment. This could be imposed on either companies or individuals.

The Health and Safety at Work Act places responsibilities on both employers and employees to ensure compliance with health and safety.

Section 2(1) 'Duties of the Employer'

All employers should ensure, as far as it is reasonably practicable, the health, safety, and welfare of all employees. This does not only apply to employees but anyone that is on the premises. In bus driving, this relates the driver and anyone else on the bus including passengers.

The employer will need to maintain systems of work that are safe and without risk to health, furthermore provide information, instruction, training, and supervision to ensure the health, safety, and welfare of employees.

The employer will need to maintain the place of work in a safe condition and without risk to health and to ensure that means of access and egress to and from the place of work are provided and maintained in a safe condition.

The employer shall provide and maintain a safe and healthy working environment and provide adequate welfare facilities.

Stop and Think:

What does your employer do to ensure the safety and welfare of:

You

Your passengers

Section 7 'Duties of the Employee'

Employees should:

Take reasonable care of their own health and safety and that of others who may be affected by their acts or omissions.

Co-operate with the employer on matters of health and safety.

Correctly using and not misusing or interfering with, anything provided for health, safety, or welfare.

Stop and Think:

Consider your responsibilities as a bus driver for the health and safety of:

Yourself

Your passengers

Management of Health and Safety at Work Regulations 1999:

The Management of Health and Safety at Work Regulations (MHSWR) were introduced to reinforce the Health and Safety at Work etc. Act 1974 (HASAWA). The MHSWR places duties on employers and employees including those who are clients, designers, principal contractors or other contractors.

It is the duty of all employers to assess all health and safety risks in their place of work. Their duties do not simply relate to the protection from harm of employees at the workplace, they require employers to protect anyone from harm as a result of anything that is done in connection with their business.

Regulation 3:

Regulation 3 has placed a duty on every employer to make a suitable and sufficient assessment. This is what you may hear referred to as a Risk Assessment, and will be covered in greater detail in Module 3.

Regulation 4:

Regulation 4: To have in place suitable arrangements for the prevention and protection of their employees and others, such as contractors and visitors. A detailed Health and Safety Policy would be part of these requirements.

Regulation 6:

Regulation 6: Provide health surveillance if indicated, i.e. if there are adverse health conditions related to the work concerned.

Regulation 7:

Regulation 7: Appoint one or more competent person(s). This may be from someone within the company, e.g. Health and Safety Officer, or may be from an external source, e.g. Health and Safety Consultant.

Regulation 10:

Regulation 10: Provide suitable information to all employees on risks and preventive and protective measures.

Regulation 11:

Regulation 11: Ensure that where more than one organisation or company share premises, adequate information is exchanged.

Regulation 13:

Regulation 13: Ensure individuals are appropriately trained to carry out their duties.



Other Regulations include:

- Display Screen Equipment Regulations
- Manual Handling Operations Regulations
- Workplace (Health, Safety, and Welfare) Regulations
- Provision and Use of Work Equipment Regulations
- Personal Protective Equipment Regulations

Together these Regulations are commonly known as the "Six Pack". Each of these will be explained in later modules within this course.

More information on the responsibilities of the employer and employee can be found at the following websites:

Employer's Responsibilities:

<https://worksmart.org.uk/health-advice/health-and-safety/employer-duties/what-health-and-safety-work-act>

<https://www.legislation.gov.uk/ukpga/1974/37/section/2>

Employee's Responsibilities:

<https://worksmart.org.uk/work-rights/health-and-safety/rights-and-responsibilities/employee-what-legal-duties-are-placed-me>

<https://www.legislation.gov.uk/ukpga/1974/37/section/7>

Health and Safety in Bus Driving:

According to the Institute of Transport Economics (2013), “*split shifts have been reported to be a particularly challenging type of shift for bus driver*”. More useful information on health and safety in bus driving can be found at the following website:

<https://www.toi.no/getfile.php/1333760/Publikasjoner/TØI%20rapporter/2013/1279-2013/1279-2013-sum.pdf>

Lots of employees spend hours travelling alone which includes bus drivers and they require protection for their personal safety. Not only do they face risks whilst driving, they also face risks when they are stationary or making a drop. Drivers often work in unfamiliar areas at all hours of the day leaving themselves and their cargo at risk.

Stop and Think:

Consider the all of the risks that you face whilst driving.

Also consider the support of your employer and how you are protected.

Key Fact:

According to the Institute of Transport Economics (2013), between 52% and 61% of shift workers reported experiencing various time pressures at work. This is a greater amount that compared with those not working shift which is 31% to 39%. Also, 54% had reported that conflict between work and home compared with 39 per cent of those not working shifts.

How good Health and Safety in the Workplace is beneficial:

It is correct to say that following health and safety guidelines and maintaining a safe work place will reduce the risk of work-related illnesses and injuries. For that reason it will help to reduce staff absences. Another benefit is that employers therefore also save money on the direct costs of absences, such as paying salaries.

A positive reputation will be built by having good health and safety measures with clients, staff, their friends and associates. It will also help to increase sales and generate more leads to business. By having good health and safety measures will mean that staff can do their job more easily and safely which will help boost morale as well as increase productivity furthermore reduce costs.

The Risk Assessment Process:

Hazard

A hazard is any source of potential damage, harm or adverse health effects on something or someone.

Risk

Entails the likelihood of injury, damage or harm arising, considering any preventative measures already in place.

Accident

This is an unfortunate incident that happens unexpectedly and unintentionally, typically resulting in damage or injury.

Near Miss

This is an incident in which no property was damaged and no personal injury was sustained, but where, given a slight shift in time or position, damage or injury easily could have occurred.

Risk Assessment

A risk assessment may be defined as an identification of the hazards present and an 'assessment of the extent of the risk involved', considering whatever precautions are already in place.

Where five or more persons are employed that assessment must be written down.

- ☞ Identify all the hazards
- ☞ Decide who could be harmed
- ☞ Evaluate the risks and decide if existing control measures are adequate
- ☞ Record the findings
- ☞ Review the assessments at regular intervals

For more information and guidance on the five steps of risk assessment as above, the following website is a good source to refer to:

<https://rospaworkplacesafety.com/2013/01/21/what-is-a-risk-assessment/>

Stop and Think:

Consider the hazards in your own place of work and on the public transport (bus) and consider...

How many people could be affected?

What do you consider the severity of likely injuries that persons could suffer?

What is the likelihood of harm actually occurring?

The overall risk score is calculated using the following formula:

Risk rating = numbers x severity x likelihood to make a risk assessment of a task, use the figures in this table:

Number of people affected	
1 - 5 persons	1
6 - 50 persons	2
50+ persons (or public / vulnerable persons affected)	3
Severity	
Negligible	1
Minor	2
Major	5
Fatal	10
Likelihood of occurrence	
Improbable	0.5
Remote	1
Possible	5
Likely	10
Certain	20

Below is a good website link for information on Hazards for bus drivers:

<https://www.roadsafetyobservatory.com/Evidence/Details/10500>

Stop and Think:

Consider the hazards which you may face in your role as a bus driver and how you may be affected if you or your employer has not taken reasonable steps to protect you from harm:

Being systematic ensures that all aspects are covered and that what actually happens is addressed. It is important to consider existing, preventive (control) measures.

It is important to think about the precautions and consider if they:

- ☞ Meet the standards set by a legal requirement?
- ☞ Comply with recognised industry standard?
- ☞ Represent good practice?
- ☞ Reduce risks as far as is reasonably practicable?
- ☞ If you find that something needs to be done, ask yourself:
- ☞ Can I remove the hazard altogether?
- ☞ If not, how can I control the risks so that harm is unlikely?

Once the risk has been assessed, a decision must be made on how to eliminate, reduce, or control it so far as is reasonably possible. After giving it a score, it will give you an indication of what actions must be taken to ensure a safe task. It is important to remember that even if you have fewer than five employees you do not need to write anything down, however you will still need to assess the risk. Five or more employees means that you must record the significant findings of your assessment which means writing down the more significant hazards and recording the most important conclusions.

Key Fact:

Recording the Risk Assessment can help should you have a visit from an Enforcing Officer or if you become involved in any action for civil liability.

Hierarchy of Control Measures

Control measures include actions that can be taken to remove or reduce the potential of exposure to the hazard, or the control measure could be to remove the hazard, or to reduce the likelihood of the risk of the exposure to that hazard being realised.

Elimination:

Elimination of the hazard is not always achievable though it does totally remove the hazard and thereby eliminates the risk of exposure. An example of this would be that petrol station attendants in Ireland are no longer exposed to the risk of chronic lead poisoning following the removal of lead from petrol products sold at forecourts.

Ask yourself: Is it possible to substitute the hazard with something safer?
Can the worker be isolated from the hazard?

Reduction or Substitution:

Substituting the hazard might not necessarily remove all of the hazards which are associated with the process or activity. It might introduce different hazards but the overall harm or health effects will be reduced.

Ask yourself: Can we reduce the length of time a person is exposed to the particular hazard, or is there an alternative?

Engineering controls

Engineering controls are strategies designed to protect workers from hazardous conditions by placing a barrier between the worker and the hazard or by removing a hazardous substance through air ventilation. Engineering controls involve a physical change to the workplace itself, rather than relying on workers' behaviour or requiring workers to wear something.

Ask yourself: Can we improve on our housekeeping or hygiene?

Administrative controls

Administrative controls are training, procedure, policy, or shift designs that lessen the threat of a hazard to an individual.

Administrative controls typically change the behaviour of people.

Ask yourself: Do we provide comprehensive information and instruction such as signs or handouts?

Personal protective equipment

Personal protective equipment (PPE) refers to protective clothing, helmets, goggles, or other garments or equipment designed to protect the wearer's body from injury or infection. The hazards addressed by protective equipment include physical, electrical, heat, chemicals, biohazards, and airborne particulate matter. The purpose of personal protective equipment is to reduce employee exposure to hazards when engineering controls and administrative controls are not feasible or effective to reduce these risks to acceptable levels.

Ask yourself: Does the PPE provide adequate protection?
What PPE do we need?

Generic / Model Assessments:

It is correct to say that generic assessments are assessments produced only once for a given activity or type of workplace. For instance, a company has several locations where the same activity is carried out, then a single generic assessment could be done for that activity to cover all locations.

The downfall with generic risk assessments is that they may well result in poor control and/or no improvement to safety, unless certain features are included. It is important that the worst-case situations is taken into consideration.

Procedures that should be in place for dealing with emergencies

An emergency plan is a written set of instructions that outlines what workers and others at the workplace should do in an emergency. An emergency plan must provide for the following: emergency procedures, including: an effective response to an emergency.

It is important that an emergency plan is prepared for the workplace, including for workers who may work at multiple workplaces.

Stop and Think:

Consider the emergency procedures your employer has put in place?

Recording accidents, near misses and ill-health occurrences is important

It is important that staff promptly report to their line manager / the person on call:

☞ work-related accidents, incidents or near misses that cause harm or could have caused harm

☞ work-related sickness.

It is also important to report any incident where they feel there is potential for threatening, abusive or confrontational behaviour and / or inability to properly follow the risk controls outlined in the care plan. These situations may be associated with the work environment, work equipment, a service user, family member, friend or another third party. This may not involve potential for physical injury, but nevertheless may affect the health or wellbeing of the member of staff, the service user or their family.

To comply with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR), managers are required to report all major accidents or conditions to the Health and Safety Executive (HSE). This places a duty on employers and persons in control of premises to report the following to the HSE.

Deaths

All deaths to workers and non-workers arising from a work-related accident, including an act of physical violence to a worker.

Specified injuries

An accident connected with work in which an employee, or self-employed person working on the premises sustains a specified injury.

Over seven days' injuries

Any accident resulting in an employee or self-employed person being away from work or unable to perform their normal work duties for more than seven consecutive days, not including the day on which the accident / incident occurred.

Injuries to non-workers

Any work-related accident resulting in a member of the public or a person who is not at work being taken from the scene of the accident to hospital for treatment to their injury (examinations and diagnostic tests do not constitute 'treatment' in such circumstances). There is no need to report incidents where people are taken to hospital purely as a precaution when no injury is apparent.

Reportable occupational diseases

Certain occupational diseases where these are likely to have been caused or made worse by work.

Reportable dangerous occurrences

Incidents that do not result in a reportable injury, but which clearly could have done.

Reporting to RIDDOR can be done online by going to www.hse.gov.uk/riddor

Or by telephone on 0845 300 9923 (opening hours Monday to Friday 8.30 am to 5 pm).

Example of an accident report:

Injury Incident Report Form	
<i>To be completed by staff within 12 hours of incident/accident</i>	
Incident Date: _____	Incident Time: _____
Injured Person Name: _____	
Address: _____	
Phone Numbers: _____	
Male/Female: _____	Date of Birth: _____
Details of Incident: _____ _____	
Who was injured person? _____	
Injury Type: _____	
Does injury require Hospital/Physician? Yes: _____ No: _____	
Hospital Name: _____	
Address: _____	
Hospital Phone Numbers: _____	
Injured person/Party Signature/Date: _____ / _____	
Important Notes and Instructions: _____ _____ _____ _____	
Prepared By: _____ Date: _____	
Incident Report Template	