



## The main health and safety law applicable to catering

### Catering Information Sheet No 11

#### Introduction

This information sheet brings together the main health and safety laws that apply to catering as at January 2006. Much health and safety legislation will not apply to caterers because of the limited nature of catering risks. This information sheet identifies what does apply so caterers can focus on that. It does not cover fire safety, food hygiene or employment law.

#### What do I need to do?

You need to comply with health and safety laws, which aim to prevent or control risks in the workplace.

You will need to:

- assess what and where your main risks are;
- identify what more needs to be done to control them;
- plan and organise implementation of these controls; and
- monitor and review their effectiveness.<sup>1</sup>

When assessing your risks, and compliance with the law, you should concentrate upon the risks which accident experience indicates to be the main priorities in catering:

- slips and trips;
- manual handling;
- exposure to steam and chemicals;
- being struck by moving or falling objects; and
- ill health from chronic musculoskeletal disorders and dermatitis.<sup>2</sup>

#### Do I need help?

You should appoint someone who is 'competent' to assist you take the measures that your assessment of risks identifies as significant. You can appoint one of your staff to read and apply the guidance contained in HSE's Catering Information Sheets. You should also discuss health and safety with your employees or their appointed representatives.

Your trade or professional association or national training organisation could help, or you could ask advice from the health and safety inspector of your local authority or HSE.

#### General duties of employers, employees, the self-employed, suppliers and landlords<sup>1-3</sup>

As an employing caterer you must:

- ensure the health and safety of your employees and those (such as contractors and customers) who might be affected by your activities, so far as reasonably practicable;
- prepare a statement of safety policy and your organisation and arrangements for achieving the policy (written if you employ more than four people);
- consult employees through safety representatives if your workplace is unionised, or employee representatives or directly if it is not unionised;
- appoint someone competent to assist you with health and safety;
- assess which workplace risks are significant;<sup>2</sup>
- make effective arrangements to control these risks;<sup>4-5</sup>
- carry out health surveillance where appropriate (in catering, for dermatitis or musculoskeletal risks if present);
- set up emergency procedures including those for temporary workers (in catering these are only likely to be for fire and gas leaks);
- inform and train employees on the risks present and the arrangements in place to control them;<sup>6</sup>
- co-ordinate procedures and work safely with others (for catering these are likely to be landlords, maintenance staff and catering engineers).

A self-employed person must ensure their own and others' safety, so far as reasonably practicable.

A landlord or host employer in control of the premises must ensure there are no health and safety risks from the premises or equipment they provide for use by the contract caterer.

Employees must look after their own and others' safety, co-operate with their employer and not misuse health and safety equipment.

#### Regulations affecting staff

- Inform employees of how the law protects them by a statutory poster or leaflet.<sup>7-8</sup>

- Report any work-related injuries that keep staff off their normal work for more than three days (or major or fatal injuries) to the Incident Contact Centre (ICC) via phone, e-mail, post, fax or internet. You should also report any injuries to the public arising out of or in connection with work if they are fatal or they involve a person being taken to hospital for treatment.<sup>9-10</sup>
- Provide suitable personal protective equipment where necessary to protect employees against risks which you cannot control by other means.<sup>11</sup>
- Provide first-aid equipment, trained employees and facilities relative to your size and risks to cover your employees.<sup>12</sup>
- Display specified safety signs to warn of remaining risks.<sup>13-14</sup>
- Display your statement on employees' liability insurance.<sup>15</sup>

### Safety in premises

You must provide and maintain safe premises<sup>16</sup> and adequate welfare with respect to:

- cleanliness and lighting;
- work areas;
- temperature and ventilation;<sup>17</sup>
- condition of floors;<sup>18</sup>
- falls or falling objects;
- toilets, washing facilities and drinking water;
- glazing of doors and windows;
- window cleaning;
- traffic routes;
- escalators, doors and gates;
- clothing accommodation and changing facilities; and
- facilities to rest and eat meals including facilities for non-smokers.

### Safety of equipment and services

Work equipment must be:

- suitable for safe use;
- safely installed;
- properly maintained;
- safe (properly guarded, has safe controls, does not eject parts etc);<sup>19</sup> and
- any new equipment must meet relevant Product Safety Directives and be properly CE marked.<sup>20</sup>

Electrical systems must be installed and maintained in a safe condition.<sup>21</sup> There are similar requirements for gas systems and appliances, including LPG. No set inspection of gas systems is specified but it is good practice to have such systems inspected for safety annually.<sup>22</sup>

Hoists and lifts should be constructed and maintained safely and examined at least every six months by a competent person if used to lift people or 12 months if used to lift goods only.<sup>23</sup>

Plant such as cappuccino coffee machines, high-pressure steam ovens and steam-pressure jet washers, which generate steam under pressure in an enclosed volume, must meet the requirements for pressure vessel and system safety including inspections by a competent person in accordance with a written scheme of examination.<sup>24</sup>

It is unlikely that computer display screens will be used extensively enough in catering to make the Health and Safety (Display Screen Equipment) Regulations 1992 relevant. However, these set standards for workstations, organisation of work and breaks, eye and eyesight testing can be used as a guide.<sup>25</sup>

### Procedures for hazardous activities

Most hazardous activities such as walking on slippery floors, cleaning machinery etc are covered by a combination of the general management regulations and those relating to workplace or work equipment. You should assess the particular precautions needed to protect young workers, especially from cleaning machinery unless it is properly isolated.<sup>26</sup>

You should avoid the need to manually handle loads if there is a risk; if that is not reasonably practicable then the operation must be assessed and appropriate steps taken to reduce the risks.<sup>27</sup>

You should assess the risks before using hazardous substances, and prevent exposure to them. Or, where that is not reasonably practicable, you should adequately control exposure. That may require provision and maintenance of ventilation or other controls, dust measurement and information to employees. This applies, for example, to activities such as the use of cleaning chemicals, or involving significant exposure to flour handling or substances with a risk of dermatitis.<sup>28-29</sup>

If you get building work done you may have duties as a client.<sup>30</sup> If your own staff carry out building work more detailed regulations will apply and if you might disturb asbestos further duties also apply.<sup>31</sup>

### References

- 1 *Management of health and safety at work. Management of Health and Safety at Work Regulations 1992. Approved Code of Practice and guidance L21 (Second edition) HSE Books 2000 ISBN 0 7176 2488 9*
- 2 *Priorities for health and safety in catering activities Catering Information Sheet CAIS2 HSE Books 1995 (available online at: [www.hse.gov.uk/pubns/cais2.htm](http://www.hse.gov.uk/pubns/cais2.htm))*

- 3 *An index of health and safety guidance in the catering industry* Catering Information Sheet CAIS7(rev1) HSE Books 2000
- 4 *Managing health and safety pays in the catering industry* Catering Information Sheet CAIS4 HSE Books 1995
- 5 *Planning for health and safety when selecting and using catering equipment and workplaces* Catering Information Sheet CAIS9 HSE Books 1997
- 6 *Health and safety training pays in the catering industry* Catering Information Sheet CAIS5 HSE Books 1997
- 7 *Health and safety law poster* HSE Books 1999 ISBN 0 7176 2493 5
- 8 *Health and safety law: What you should know* Leaflet HSE Books 1999
- 9 *RIDDOR explained: Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995* Leaflet HSE31(rev1) HSE Books 1999 (single copy free or priced packs of 10 ISBN 0 7176 2441 2)
- 10 *A guide to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995* L73 (Second edition) HSE Books 1999 ISBN 0 7176 2431 5
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- 14 *Safety signs in the catering industry* Catering Information Sheet CAIS16 HSE Books 2000
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- 16 *Workplace health, safety and welfare. Workplace (Health, Safety and Welfare) Regulations 1992. Approved Code of Practice and guidance* L24 HSE Books 1992 ISBN 0 7176 0413 6
- 17 *Ventilation of kitchens in catering establishments* Catering Information Sheet CAIS10 HSE Books 1997
- 18 *Preventing slips and trips in kitchens and food service* Catering Information Sheet CAIS6(rev1) HSE Books 2005
- 19 *Safe use of work equipment. Provision and Use of Work Equipment Regulations 1998. Approved Code of Practice and guidance* L22 (Second edition) HSE Books 1998 ISBN 0 7176 1626 6
- 20 *Buying new machinery: A short guide to the law and some information on what to do for anyone buying new machinery for use at work* Leaflet INDG271 HSE Books 1998 (single copy free or priced packs of 15 ISBN 0 7176 1559 6)
- 21 *Memorandum of guidance on the Electricity at Work Regulations 1989. Guidance on Regulations* HSR25 HSE Books 1989 ISBN 0 7176 1602 9
- 22 *Safety in the installation and use of gas systems and appliances. Gas Safety (Installations and Use) Regulations 1998. Approved Code of Practice and guidance* L56 (Second edition) HSE Books 1998 ISBN 0 7176 1635 5
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- 24 *Safety of pressure systems. Pressure Systems Safety Regulations 2000. Approved Code of Practice* L122 HSE Books 2000 ISBN 0 7176 1767 X
- 25 *Work with display screen equipment. Health and Safety (Display Screen Equipment) Regulations 1992 as amended by the Health and Safety (Miscellaneous Amendments) Regulations 2002. Guidance on Regulations* L26 (Second edition) HSE Books 2003 ISBN 0 7176 2582 6
- 26 *Young people at work: A guide for employers* HSG165 (Second edition) HSE Books 2000 ISBN 0 7176 1889 7
- 27 *Manual handling. Manual Handling Operations Regulations 1992 (as amended). Guidance on Regulations* L23 (Third edition) HSE Books 2004 ISBN 0 7176 2823 X
- 28 *Control of substances hazardous to health (Fifth edition). The Control of Substances Hazardous to Health Regulations 2002 (as amended). Approved Code of Practice and guidance* L5 (Fifth edition) HSE Books 2005 ISBN 0 7176 2981 3
- 29 *Occupational dermatitis in the catering and food industries* Food Information Sheet FIS17 HSE Books 1997

30 *Construction (Design and Management) Regulations 1994: The role of the client* Construction Information Sheet CIS39 HSE Books 1995

31 *Work with asbestos which does not normally require a licence. Control of Asbestos at Work Regulations 2002. Approved Code of Practice and guidance L27* (Fourth edition) HSE Books 2002 ISBN 0 7176 2562 1

While every effort has been made to ensure the accuracy of the references listed in this publication, their future availability cannot be guaranteed.

### Further information

For further information on HSE's Catering Information Sheets visit catering and hospitality industry site: [www.hse.gov.uk/catering](http://www.hse.gov.uk/catering), or contact HSE Books.

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For information about health and safety ring HSE's Infoline Tel: 0845 345 0055 Fax: 0845 408 9566 Textphone: 0845 408 9577 e-mail: [hse.infoline@natbrit.com](mailto:hse.infoline@natbrit.com) or write to HSE Information Services, Caerphilly Business Park, Caerphilly CF83 3GG.

This leaflet contains notes on good practice which are not compulsory but which you may find helpful in considering what you need to do.

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