



## TUTORIAL

### Know the legislative and policy framework for health and safety

Have you heard that health and safety laws say you must not use a plaster to cover a child's cut finger, or use toilet roll tubes or egg boxes in craft activities, or allow children to carry out science experiments? These well-known and often repeated 'facts' are actually not true, and not everything you hear will accurately reflect the law and statutory guidance. You should always refer to the large number of official sources of health and safety guidance such as:

- HSE (Health and Safety Executive)
- [www.gov.uk](http://www.gov.uk)
- IOSH (Institute of Occupational Safety and Health)
- DfE (Department for Education) - formerly DCSF (Department for Children, Schools and Families)

The information they provide is accurate and will meet all legal requirements.

There are also other websites and companies who you could approach but be aware that they may be less than accurate or may encourage you to pay for checks and inspections which may be unnecessary. When it comes to health and safety, it is always worth checking the official sources first.

As well as avoiding the false rules, it is essential that practitioners understand the difference between what the law says and what the setting's policies say.

Settings can, and often do, bring in rules and policies for health and safety which go further than the law requires. They cannot do less than the law states, but sometimes may choose to be more strict. They may also simply misinterpret what is actually required.

Practitioners should ensure that they know when a policy does not follow the legal requirements exactly and the reason for this. If an incident was to occur it would be important for the setting and the practitioner to be able to explain the reasons for this. In addition, if a practitioner was to change settings such changes might be incorrectly passed on as "the law".

The Health and Safety Executive (HSE) are quite regularly forced to issue clarification when something has been misinterpreted. This often hits the headlines as the 'nanny state gone mad'.

It is always worth noting that much of what is required to ensure health and safety for children and young people (and everyone else for that matter), is based around common sense and assessment of risk. If something seems to go against common sense then it would always be worth looking at more closely.