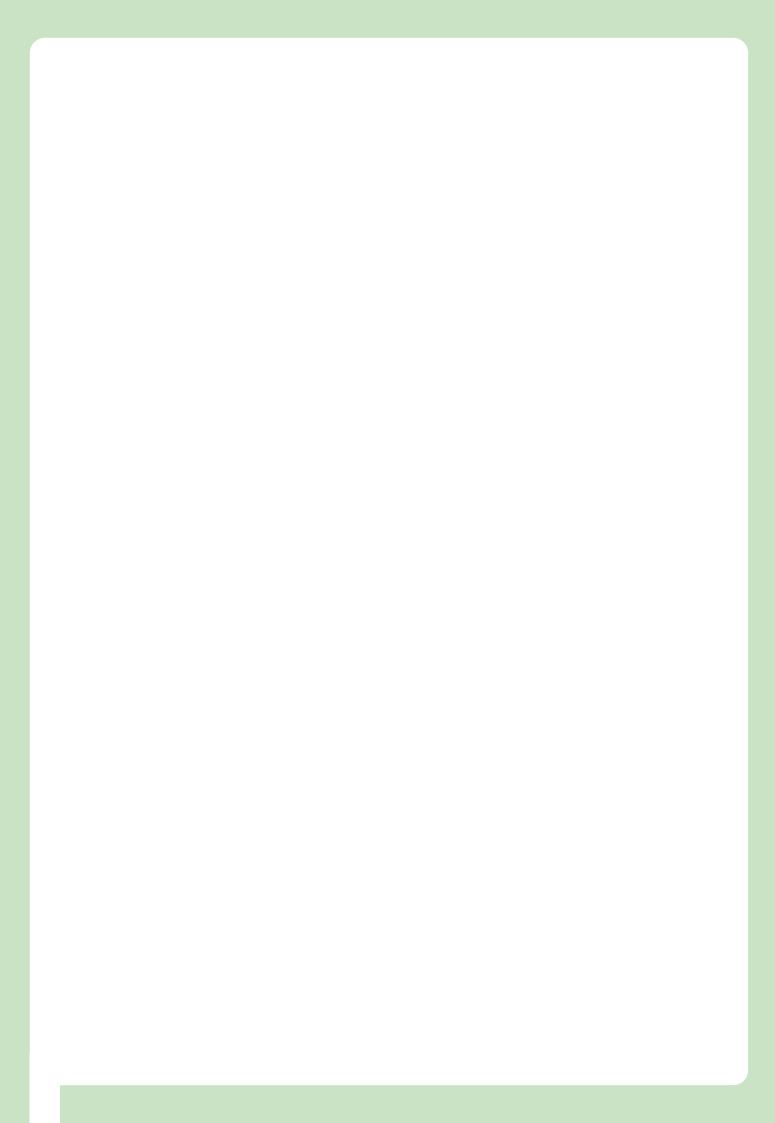


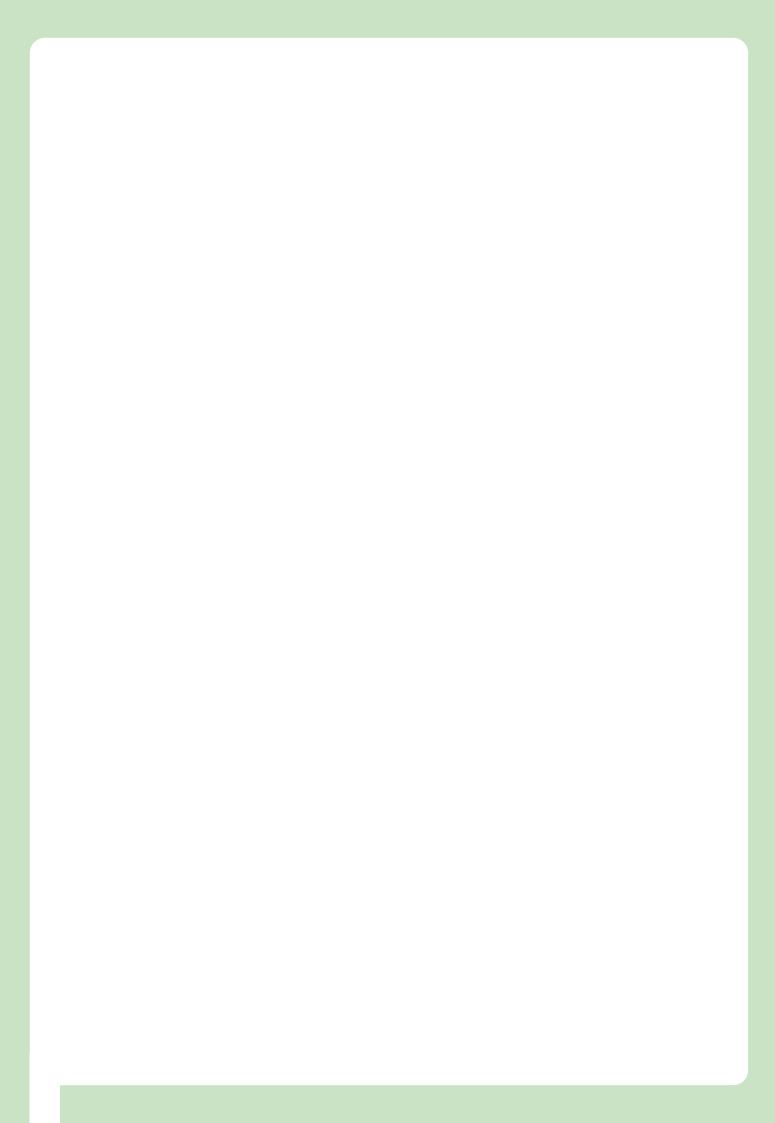
Sensible risk management is concerned with: >





CHECK

REVIEW









# Glossary

# Competent person

A 'competent person' is someone who has the necessary training, knowledge, experience, expertise and/or other qualities to complete their allotted task safely and effectively.

## Corporate Manslaughter

The Corporate Manslaughter and Corporate Homicide Act 2007 enables a corporate entity to be prosecuted if it can be proven that there was a gross breach of a relevant duty of care by 'senior management' which leads to a person's death. Senior Managers are defined as those persons who play a significant role in the management of the whole or a substantial part of the organisation's

The legislation places no new duties or responsibilities upon companies and organisations but does potentially increase the penalties and moral opprobrium in circumstances where gross causative breaches of health and safety have been identified.

Companies and organisations that manage their Health and Safety responsibilities effectively are not likely to be in breach of this legislation. However, it is important for companies to keep their arrangements

#### **RCUK**

Research Councils UK is the strategic partnership of the UK's seven Research Councils that invest in research in a range of academic disciplines. Their Policy and Guidelines on Governance of Good Research Conduct is at www.rcuk.ac.uk/publications/researchers/grc/

# Researcher Development Framework Vitae framework:

www.vitae.ac.uk/researchers-professionaldevelopment/about-the-vitae-researcherdevelopment-framework

## Responsible Research

Guidance on managing health and safety in research

www.ucea.ac.uk/en/publications/index.cfm/mhandsr

## Safety Culture

See Institution of Occupational Safety and Health (IOSH): Promoting a positive culture-a guide to health and safety culture

"So far as is reasonably practicable", SFAIRP
The HSW Act and other safety legislation impose
certain duties and responsibilities on employers
and duty holders with respect to the health,
safety and welfare of their employees and others
who may be affected by their activity.

Some of these duties are 'absolute' and must be complied with, such as the duty of employers to "undertake a suitable and sufficient risk assessment" of work-related risks. But some are qualified by the phrases 'so far as is practicable' and 'so far as is reasonably practicable'. The meanings of these phrases have been established by case law.

To carry out a duty fa a ea ab ac cab means that the degree of risk in a particular environment or activity can be balanced against the time, trouble, cost and physical difficulty of taking measures to avoid the risk. The greater the risk, the greater the rigour that may be expected to control it.

The duty to take reasonably practicable measures is one of the most widespread requirements in modern UK health and safety law. One example can be seen in Section 13 of the Workplace (Health, Safety and Welfare) Regulations 1992, where it states that reasonably practicable measures should be put in place to stop people falling or being struck by falling objects in the workplace.

reasonably', implies a stricter standard. This duty embraces whatever is technically possible in light of the knowledge that the duty holder had, should have had, or had access to at that time (ignorance is no defence). The cost, time and trouble involved must not be taken into account. Again referring to the risks of falls, Section 13 of the Workplace Regulations goes on to stipulate: "So far as is practicable, every tank, pit or structure where there is a risk of a person in the workplace falling into a dangerous substance in the tank, pit or structure, shall be securely covered or fenced."

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Aaron Porter, Associate Director (Governance), Leadership Foundation

U e e a a e be f de , affad ca e e e da, a d e afe f a a a ce .T e da ce de ac ca a d da ed ad cef a e ed ea a d afe c e ed ca ."

Nicola Dandridge, Chief Executive of Universities UK

a cea a d ac ca e ce a d e eade a a e e e bed effec e ea a d afe a a e e ac e ."

Gordon McKenzie, CEO, GuildHE

#### Acknowledgements

The Reviewing Panel wishes to acknowledge the assistance of Paul Verrico and Phil Crosbie, Eversheds

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