



Heath Hayes Academy

Rights to Unsafe Work Policy

REVIEW DATE:	October 2018
---------------------	---------------------

Signed by Chair of Governors	Date
	October 2017

Heath Hayes Academy 'Right to Refuse Unsafe Work' Policy

GENERAL STATEMENT:

The Occupational Health and Safety Act give a worker the 'Right to Refuse Work' that they believe to be unsafe. A worker can refuse to work if they have reason to believe it is unsafe for use.

Signed _____
(Head teacher)

Date _____

Signed _____
(Chairperson of the Governing Body)

Reviewed and updated with all staff annually and New Dimensions quarterly.

ACADEMY POLICY STATEMENT:

The Academy supports that any worker has a Right to refuse work if one or more of the following is true:

- Any machine, equipment or tool that the worker is using or is told to use is likely to endanger himself or herself or another worker
- The physical condition of the workplace or workstation is likely to endanger the worker

If the worker finds one or both of these conditions to be true they are responsible to immediately notify their supervisor/management that the work is being refused and explain why. The supervisor or employer then must investigate the situation immediately, in the presence of the worker and one of the following:

- A Health and Safety Representative
- Another worker, who, because of knowledge, experience and training, has been chosen by the workers (or by the union) to represent them

If the situation is deemed to be safe, the worker will return to work. If the worker is not satisfied with the decision, an Occupational Health and Safety Officer may be requested to investigate the matter.

The Officer is then responsible to:

Determine if the act or series of acts is safe or unsafe.

If they find the act to be safe; the employer and worker are to be advised in writing the findings of the investigation. The worker will also be advised in writing that they are no longer able to pursue the act or series of acts.

If the officer finds the act or series of acts to be unsafe, they must inform the employer in writing of what corrective actions need to be taken.

During the period of investigation, no other employee may be assigned the act or series of acts, unless they have been advised in writing of:

- The refusal and the reason for the refusal

- The reason or reasons the employer feels that the employee can carry of the act or series of acts in a safe manner
- The right of the worker to refuse to do that act or series of acts.