

## Businesses with 5 or more employees

### The Law Requires

- A written H&S Policy Statement.
- Documentary evidence of Organisation, Planning, Control, Monitoring & Review of H&S practice.
- Written Risk assessment for all significant hazards.

### Insurers Expect

- That the above will be in place and reviewed regularly.
- There will be appropriate, recorded training.
- There will be adequate communication between management & staff on H&S issues.

### What are the consequences of failing to comply?

- Unlimited fines – straight off a business' bottom-line.
- Potential Fees for Intervention.
- Individual fines and imprisonment.
- Closure of Premises and/or Processes.
- Bad publicity leading to reduction in orders/reputational damage.

If there is a robust, documented, H&S procedure in place, insurers will be better placed to defend a claim.

If insurers are unable to argue, for example, an employee was partly at fault due to lack of evidence, a claim may be settled which otherwise could have been avoided/minimised, with the consequent effect on future premiums.

## Businesses with less than 5 employees

Whilst the law does not require written documentation to be produced, a business with less than 5 employees does still need:

- A H&S Policy.
- To have carried out assessments of the significant hazards in the business.

Nevertheless, we recommend you prepare written documents so these could be used in evidence in the event of a visit / prosecution by HSE or a claim by an employee for alleged injury occurs.

If robust H&S procedures are in place, insurers will be better placed to defend a claim.

If insurers are unable to argue, for example, an employee was partly at fault due to lack of evidence, a claim may be settled which otherwise could have been avoided/minimised, with the consequent effect on future premiums.

kdh Insurance Brokers can provide help for clients to manage their H&S responsibilities by way of introducing a locally based H&S consultant, with whom an initial chat costs nothing. The consultant can write the H&S policy and risk assessments for you. This will not remove your burden of responsibility, but will reduce your involvement, enabling you to spend more time doing the things that make your business money.

There is also a vast amount of helpful information on HSE's website: [www.hse.gov.uk](http://www.hse.gov.uk).

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