

Worksafe – Refusal to Work on the Grounds of H&S

1. PURPOSE

- 1.1 To ensure that all employees are aware of the provision made under the Health & Safety at Work etc Act 1974 and the Employment Rights Act for the rights of persons to cease work if they reasonably consider it to be unsafe.

2. RELATED DOCUMENTS

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|-----|-----------------------------|-------|---------------------------------|
| 2.1 | Rail Compliance Manual | M001 | Section 16 |
| 2.2 | Procedure(s) No(s) | P100 | Recruitment & Induction |
| | | P106 | Communication |
| | | P114 | Control of Documents & Records. |
| 2.3 | Form(s) No(s) | F3019 | Worksafe Report Form |
| 2.4 | Key Standards / Legislation | F3000 | Master Document List |
- as specified in:

3. RESPONSIBILITY & SCOPE**3.1 Responsibility**

- 3.1.1 It is the responsibility of the Operations Manager to ensure that all staff both understand and comply with this Procedure and that it is maintained with up to date practices.
- 3.1.2 It is the responsibility of all staff to ensure that they are both familiar with this Procedure and that they are working to the current issue of documentation.
- 3.1.3 It is the responsibility of the Operations Manager to make any changes to this procedure in accordance with Procedure P114 Control of Documents & Records.

3.2 Scope

- 3.2.1 This Procedure applies to all personnel under the control of Logical Personnel Solutions.

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4. PROCESS

- 4.1 The flowchart (below) details the process to be followed if an individual believes that a task or condition will endanger either themselves or others.
- 4.2 Individuals must be free to report their concerns without fear of reprisal or being subject to an unfair disciplinary process.
- 4.3 All employees will be made aware that they can report any incidents, unsafe acts, concerns and safety related issues to the National Confidential Reporting System (CIRAS) operated by Railway Group Members where they do not feel able to report through normal channels. A subscription to CIRAS must be maintained by all Sentinel Sponsors.
- 4.4 All personnel shall be reminded on an ad-hoc basis through the briefing process of the opportunity to report unsafe acts or conditions and the opportunity to invoke the refusal to work process.
- 4.5 Where unsafe acts or conditions are reported the details shall be recorded through the Worksafe document F3019 and the Operations Manager informed immediately.
- 4.6 However, individual's who refuse to work when the Refusal to Work process has been followed through to completion and the system of work has been considered safe, may be subject to the company disciplinary process, at the discretion of the Operations Manager.
- 4.7 As part of the approved supplier / sub-contractor selection process, organisations supplying labour with a Sentinel competency shall be reviewed with regard to their arrangements for managing refusal to work on grounds of health & safety. This shall be done by only using RISQS approved suppliers.

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