

CPCS Guidance for Employees and Employers

Occupational Health Advice for Safety-critical workers

1. Some jobs in the construction industry involve activities that can place workers at risk, unless the person has full, unimpaired control of their physical and mental capabilities. These jobs are called 'safety critical' and the people who do them are 'safety-critical workers'.
2. This definition will include the operation of most types of construction plant, in circumstances where persons other than the plant operator may be at risk, should the operator suddenly become unwell or suffer a loss of consciousness.
3. The HSE website provides detailed guidance and advice and, whilst it identifies some safety-critical jobs (eg crane operation), a definitive list does not exist. You will need to decide whether:
 - an activity contains a safety-critical element; and
 - an incapacitated worker might expose themselves or others to a significant risk of harm.In particular, focus on health conditions that may involve:
 - sudden loss of consciousness (eg epilepsy, some heart conditions, diabetes (particularly insulin-dependent diabetes));
 - impaired awareness or concentration;
 - sudden incapacity;
 - impaired balance or coordination;
 - restricted mobility; and
 - impaired vision or hearing.
4. Before someone starts safety-critical work, it is good practice for the employer and employee to agree what health checks and/or medical examination are required, and record the agreement. It is important to be clear which aspects of fitness are relevant to the safety-critical work, and to specify the required level. The HSE website provides guidance on aspects of worker health that need to be checked.

Example: Crane operation

5. An employer will need to make sure that a crane operator:
 - is able to climb the mast;
 - can see well enough (this might mean making sure they use prescription lenses); and
 - does not suffer from a condition which might cause them to lose consciousness or reduce their ability to concentrate.

Steps to be taken

6. There are a number of actions to be taken once work has been identified as safety critical. These include:
 - Specifically identifying the safety-critical work, ie *crane operation*.
 - Use task analysis to decide what makes the work safety critical.
 - Check guidance on the most appropriate health checks. An example of written guidance is BS 7121-1:2006 'Code of Practice for Safe Use of Cranes'.
 - Specify relevant fitness levels, eg *crane operators must have eyesight within normal limits and be able to judge distances*.

Medical assessment

7. Workers who carry out safety-critical tasks need a full medical assessment. Decisions on fitness for work can only be taken by a competent occupational health doctor.
8. Detailed medical assessments are confidential to the worker and the occupational health practitioner or general practitioner. However, an employer can reasonably expect the

occupational health practitioner to provide a general report about individual fitness in terms of a brief statement such as:

- fit for work;
- fit for work with restrictions;
- temporarily does not meet the fitness standard; or
- unable to meet the fitness for work to carry out specific jobs.

This is the only information that an employer needs to ensure an appropriate match of worker to job.

Ongoing fitness

9. Someone's fitness for work will probably change over time. As an employer you will need to decide how to check that safety-critical workers are fit enough to continue with their work, eg introduce a simple system to recall workers who need ongoing health checks.

10. Ask safety-critical workers to tell you about any health changes that occur between checks which may affect their ability to do their job safely. Sickness absence certificates or observations by supervisors and managers may also indicate that a safety-critical worker's health has deteriorated. This might trigger a need to check health.

Medication

11. Some medication can cause drowsiness and affect concentration. Encourage your safety-critical workers to ask their general practitioner or pharmacist about the possible side effects of medication. In some cases, it may be necessary for a worker to do other tasks until the nature and extent of side effects have been established, and are properly controlled.

Drugs and alcohol

12. People should not undertake construction work if they are under the influence of drugs or alcohol. Drug and alcohol testing is a complex area. If you decide to carry out testing, you will need to consult health and safety representatives and employees about the company position and procedures. Employees need to give informed consent before a blood or urine sample is taken.

Disability discrimination

13. If health conditions are properly controlled a worker could be able to do many construction jobs safely. The Disability Discrimination Act 1995 (DDA) protects workers who have a disability. However, the DDA allows an employer to prevent a person doing a specific task if the discrimination is for reasons that relate to compliance with health and safety legislation, e.g. it would be justifiable to transfer a crane operator to other duties if he could no longer see well enough, even with glasses.

14. Make sure that health and safety is not used as an excuse to discriminate, even if this is not the intention. Risk assessments should be sensible, not over cautious, and you may need to consider adjusting the task to make it possible for a worker to do a job safely before discriminating against them. For example, a plant operator with restricted movement might need to use a vehicle with a particular type of controls.

Summary

15. Occupational Health is an important area for which there is much guidance freely available. Given the fact that many activities involving construction plant could be classed as safety critical work, we would strongly recommend that employees and employers alike familiarise themselves with both legislative requirements and best practice in this area.