



## HEALTH AND SAFETY

In managing legal risks, we strongly believe prevention is better than cure. The benefits are enormous, and go straight to the bottom line. As an established player in this area, we offer sensible compliance advice tailored to your needs. If something goes awry we are here to steer and support you through the legal minefield, providing you with practical and strategic advice.

We offer a number of discreet services:

### Compliance

#### 1. High level review

We undertake a strategic review of your organisation's health and safety systems to check that you have considered the applicable law as it applies to your business, and to identify potential areas of exposure or concern to help you prioritise actions.

#### 2. Health and safety policies

We review or draft your health and safety policies and work closely with colleagues in our employment department to ensure where necessary your policies are appropriate for staff handbooks.

#### 3. Training

Often, time and money is invested in setting up good health and safety practices only for that to fall by the wayside as the priorities of the business take hold. There can be a vast difference between delivery of information and its communication. In this situation, it leaves your business potentially exposed.

We offer training to bridge the gap.

Our training sessions are either on a bespoke basis or off the shelf sessions covering:

- liabilities of directors and senior managers
- health and safety update
- accident reporting
- Health and Safety Executive costs recovery scheme (Fee for Intervention)
- what to do in the event of an accident.

### Defence

#### 1. Advice after an accident

If it is a serious accident, you might want to think about involving solicitors at the outset before you start investigating what happened. If you do, you have a better chance of arguing that the investigation and accident report is protected by legal privilege and from disclosure to the investigating authority and in civil proceedings. We are happy to be your first port of call and help you with the investigation, dealing with staff and the media.

#### 2. Interviews under caution

An interview under caution is an opportunity for a prosecuting authority to gather evidence, and for you to put across your side of the story. It is an important stage in the proceedings. We strongly recommend that you seek legal advice before you attend an interview so that you can make an informed decision on: 1) whether or not to go (in many cases, it is not mandatory to attend an interview); and 2) what information you need to provide



at the interview.

We are happy to agree a two-staged fixed fee for representing you or your business at an interview. The first stage will include reviewing papers, a site visit (if needed to understand how a machine or process works) and advising on whether or not to attend the interview. The second stage is attending the interview with you.

### **3. Appeals against improvement or prohibition notices, or invoices issued under the HSE costs recovery scheme**

We can provide advice on whether to appeal, help you with the appeal and represent you at the hearing.

### **4. Defending a prosecution**

If you or your business receives a court summons, the first step to take is check whether you have insurance cover for your legal costs. If you do, and you wish us to act for you then we shall seek agreement from your insurers to do so. If you do not have insurance, you can be assured that we will agree costs with you at the outset to reflect the work we need to do to best represent you.

We regularly publish updates on current health and safety issues via the Paris Smith website, monthly e-newsletters and the Paris Smith HR network on LinkedIn.

### **Find out more**

Please contact us to discuss your requirements or to find out more.



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