

## **Refusal to Work Policy Statement**

The Health & Safety at Work Etc. Act 1974 requires Bathgate Flooring Ltd to ensure, so far as is reasonably practicable, the health and safety of our employees and anyone else who may be affected by our acts or omissions.

The purpose of this Policy is to ensure that all employees are aware of the manner in which Bathgate Flooring Ltd give the opportunity to stop working, should employees consider the working environment or the working practice to be unsafe.

In order to carry out this policy, responsibilities for health and safety have been clearly defined, allocated and accepted at all levels. All employees must play their part in implementing this policy if safety standards are to constantly improve.

The Refusal to Work process is as follows:

If an employee (individual) believes that a task or condition will endanger either themselves or others, work should cease and the situation be immediately reported to the person in charge (Contract Manager where on site or Line Manager or Office Manager at the Bathgate Flooring Premises).

The situation will then be reviewed by the person in charge and consideration will be given to the safety impact on the individual and others. Wherever possible, immediate and appropriate action must be taken to resolve the situation.

As a result of the review, the system of work will either be confirmed as safe or amended. If the individual is satisfied with this outcome, they will resume work.

If the individual remains dissatisfied, the person in charge will contact Bathgate Flooring Ltd relevant Director for their department providing all the relevant details/background to the situation.

If the situation cannot be resolved, a review will be undertaken by the Managing Director against all legislative standards and industry best practice to determine the safety impact of the task or condition.

If the review fails to produce a satisfactory outcome, the disputed system of work will cease and Bathgate Flooring Ltd external support consultancy (Health & Safety) and the customer will be informed as soon as practically possible.

The Health & Safety support consultant will liaise with the customer and consider the disputed working arrangements, making any necessary changes and advise the Managing Director accordingly.

Changes to working arrangements will be documented and implemented by the Director responsibly for that department. This may include amendments to internal Procedures, Work Instructions, Processes, Risk/COSHH Assessments. Additional levels of training and competence may be required by individuals or further briefings as appropriate.


Full details of the eventual, agreed outcome will be forwarded to the complainant and the customer where appropriate. Suitable records will be maintained.

Should the complainant still be dissatisfied with the system of work, Bathgate Flooring Ltd will provide independent arbitration from an external source. Bathgate Flooring Ltd will undertake to follow the arbitrator's advice.

Should the arbitrator uphold Bathgate Flooring Ltd's safe system of work and the complainant still refuse to work, Bathgate Flooring Ltd will implement the company disciplinary procedure.

The arrangement in place to implement this policy forms part of the company's day to day operational procedures and as such are reviewed on a continuous basis.

Where opportunities for improvement in safety standards or safety problems are identified, they will be tackled promptly, with sufficient resources, to ensure that they are adequately dealt with, implemented and briefed to all employees.

Signed.......... Date.....26<sup>th</sup> January 2023.....  
Andrew Hubbard  
Managing Director  
Bathgate Flooring Ltd  
(reviewed annually)