



PERSONAL HEALTH & SAFETY RESPONSIBILITIES AND LIABILITIES WHEN WORKING OVERSEAS POLICY

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Concern has been expressed by staff working overseas regarding their personal responsibilities and liabilities for health and safety. This message reiterates and clarifies NERC policy.

NERC believes that health and safety standards current in the United Kingdom should be applied to our work worldwide, whether or not local standards exist or are set lower than those in the UK. However, NERC accepts that conditions overseas may be very different from conditions in the home countries; it might be impossible to operate identical means of meeting these standards. In addition, the back-up from senior management usually readily available within the UK might be difficult or impossible to access within any practical time frame in remote field sites abroad.

The local manager of any NERC project overseas should follow UK policies and procedures and introduce comparable risk management as far as this is practicable. Where it is not practicable, the principles of good safety management should be applied within the limitations of local conditions. This means that local decisions should be based on risk assessment in the same way as decisions in the UK. It is recognised these will sometimes be on the spot assessments covering issues which could not have been (or had not been) foreseen in the UK planning and that formal line management signing off will not be possible.

In line with good risk assessment practice, as many as possible of the staff working on the project locally should be consulted on identifying the hazards and managing the significant risks.

Difficulties, local solutions and lessons learnt should be communicated to senior management in the UK as soon as is practically possible, though it is recognised that this will not be immediate in many cases. This communication builds up our experience and informs future planning.

NERC will back up decisions made by local managers of overseas projects in the field irrespective of whether senior management in the UK felt, in retrospect, that the decision was wrong. In the worst case, this would involve defence in local courts.

No NERC staff member working overseas would face personal financial loss as a result of decisions made on health and safety.

In exactly the same way as in the UK, NERC cannot indemnify staff against personal prosecution in foreign courts. If staff were found guilty of criminal offences, the record would be against them personally. This is inescapable for any organisation. However, prosecution will only occur in cases of gross personal negligence and following the policy outlined above should preclude it.

Disciplinary procedures are only initiated in the UK against staff members who knowingly, recklessly or maliciously flout safety policy.

Signed:

Mr John Hansford,
NERC Executive Board member responsible for health and safety

Date: