

## Appendix 3

### Health and Safety

#### 3.1 Statement of Commitment

We all have a legal and moral duty to make our Offshore Diving Worksites as safe and healthy a working environment as is reasonably practicable.

The Offshore Diving industry recognises that health and safety, as with any other responsibility, has to be managed successfully at all levels. Successful health and safety management contributes to our industry's overall performance by preserving and developing human and physical resources, reducing costs and liabilities and is an expression of personal and corporate responsibility. All individuals can make a valid contribution to achieving this objective and have a duty to take reasonable care of themselves and those affected by their actions or omissions.

Everyone has overriding responsibility to minimize risk. This includes ensuring that health and safety, their own and others, is not compromised during the execution of their work duties; that the environment is not damaged; that identified hazards are immediately reported; and that control measures are taken to reduce risk levels.

Every individual has an obligation and a legal requirement to STOP THE JOB if they believe it to be unsafe.

The Offshore Diving Industry is committed to improving performance in health and safety. Statutory requirements and the general duty of care form the basis upon which the Industry's health and safety commitment is built.

The Offshore Diving Industry recognises the importance individuals have in formulating and reviewing policy and practice. All are encouraged to comment and make representation regarding the policy through existing communication links with their elected Safety Representative, Trade Union Safety Representative or worksite Safety Officer.

#### 3.2 Legal protection for employees and workers

The Parties support fully the legal protections which are in place for employees and workers in respect of raising health and safety concerns. The statutory regime which protects employees and other workers in England, Scotland and Wales who raise health and safety concerns is contained in the Employment Rights Act 1996 (ERA).

It provides employees with a right not to suffer a detriment or be dismissed in a wide range of health and safety scenarios which, depending on the facts, can be embraced by the health and safety provisions contained in Ss.44 and 100.

Employees and Workers can benefit from protections under the public interest disclosure (or 'whistleblowing') provisions in Ss.43A-43L and 103A where their health and safety concerns amount to protected disclosures which are made in the appropriate way.

#### 3.3 Further Information

Further information about these rights may be obtained from RMT or from any of the signatory Employers.