

Duty of Care: Key Responsibilities for Employers

What is Duty of Care?

Duty of care refers to an employer's legal and moral obligation to protect the health, safety, and wellbeing of employees. This extends to preventing foreseeable harm and ensuring that employees can perform their duties in a safe environment.

Key Employer Responsibilities

Provide a Safe Workplace

- Regularly assess and manage risks.
- Ensure work environments are free from hazards, such as unsafe equipment or exposure to harmful substances.

Offer Appropriate Training

- Train employees on health and safety procedures.
- Provide training to handle workplace hazards, ensuring employees are equipped to respond to emergencies.

Maintain Safe Equipment

- Ensure that all equipment, machinery, and tools are maintained in good working order.
- Regularly inspect equipment to prevent accidents.

Prevent Workplace Harassment

- Foster a respectful and inclusive work environment.
- Have clear policies in place to prevent bullying, harassment, and discrimination.

Provide Mental Health Support

- Offer resources and support for mental health and wellbeing.
- Encourage an open dialogue about mental health to reduce stigma and ensure support is available.

Legal and Financial Implications

- Employers can face legal action if they fail to meet their duty of care responsibilities, including fines, compensation claims, and reputational damage.
- A failure in duty of care can lead to both direct costs (e.g., compensation) and indirect costs (e.g., lost productivity, high turnover)

Practical Steps for Employers

- **Conduct Regular Risk Assessments:** Identify potential risks and put mitigation plans in place.
- **Implement Health and Safety Policies:** Make sure employees know the rules and procedures.
- **Promote Wellbeing:** Provide support for both physical and mental health.