



Policy

**Title: Refusal to Work on the Grounds of Health and Safety
(Worksafe)**

We Invicta Rail Ltd (Invicta) recognise our prime responsibility under the Health and Safety at Work Act 1974 (HASAWA) for the health, safety and welfare of our employees, contractors and third parties affected by our work. Our overall approach to the health, safety and welfare of our (Invicta's) employees is outlined in our Health and Safety Policy Statement.

Safety is fundamental to all parties whose activities impact on the work site. Each person under the HASAWA is obliged to observe two fundamental rules:

1. "to take reasonable care for the health and safety of himself and of other persons who may be affected by his acts or omissions at work." [HASAWA Part 1 Section 7(a)]
2. "as regards any duty or requirement imposed on his employer or any other person by or under any of the relevant statutory provisions, to co-operate with him so far as is necessary to enable that duty or requirement to be performed or complied with."
[HASAWA Part 1 Section 7(b)]

Section 7(b) of the act is discharged by every person working on Network Rail Managed Infrastructure observing any restrictions placed on them by; Risk Assessments, Method Statements, Work Package Plans, Task Briefings, Railway Group Standards and Network Rail company standards.

Section 7(a) ensures that the employee does not knowingly place themselves or anyone else at risk.

On any occasion that an employee is required to carry out tasks that he or she considers to be unsafe, the employee has, once all reasonable steps have been taken to resolve objections, the right not to perform the task. Once the employee has refused to carry out a task their objections must be taken to the appropriate authority for resolution.

This Worksafe policy has been developed to allow staff to raise any concerns relative to health and safety without fear of victimisation or subsequent detriment.

See associated Invicta management system procedure PR/14 titled Worksafe for further details and arrangements.

Signed: J Cormack

A handwritten signature in black ink, appearing to read 'J Cormack', written over a horizontal line.

Position: Director

Dated: 01/05/2023