

The prevention officer

Concerning prevention and protection of workers, it is legally regulated that every company must employ at least one employee who internally carries out the safety and health measures. This employee is referred to as "prevention officer" under the Working Conditions Act. The prevention officer can also be a permanent employee who does these tasks alongside.

With the amendment of the Working Conditions Act, the role of the prevention officer has been defined more clearly. His or her success partly depends on the personal qualities and position within the organization. The Participation Council or Employees Council must therefore agree to the appointment of this employee and is jointly responsible for its functioning. This should ensure that the position of prevention officer comes to life within the organization. In addition, with the new regulation, the prevention officer will work more closely with the company doctor and with external occupational health and safety experts.

Laws and regulations

The Working Conditions Act (article 13) states that every employer must employ at least one prevention officer, whether he opts for occupational health and safety services in-house or for an occupational health and safety service (external expertise). This expert employee has at least the following tasks:

- (Assisting in) drafting and implementation of the risk inventory and evaluation (RI&E).
- Advising and working closely with the Employees Council (OR) or personnel representation (PVT) on the measures to be taken for a good working conditions policy.
- (Assist om) implementing these measures.

The following points are also legal requirements:

- The Employees Council (OR) or personnel representation (PVT) must agree to the appointment of the person and the position of the prevention officer in the organization (obligation since 1 July 2017).
- The company may not appoint someone from outside as a prevention officer, unless there are no possibilities to organize the assistance within the company or the establishment.
- It is important that the prevention officer who is appointed has enough expertise and experience to properly carry out the prevention tasks.
- The company must ensure that the prevention officer is given enough time to perform his duties.
- When the company employs a maximum of 25 employees, the director may be the prevention officer himself.
- The RI&E must indicate how employees can contact the prevention officer, i.e. how accessibility is arranged.

Appointing the prevention officer(s)

First, the employer must check whether the assistance can be organized entirely internally. The activities of the expert employee(s) are about supporting the employer in complying with the regulations. If it turns out that there are insufficient options for this, internal and external support may be combined, for example by engaging external core experts. If a combination is also not possible, the employer may have the expert assistance carried out in its entirety by externally certified experts. In any case, there is always an obligation to employ at least one prevention officer.

With the recent amendment of the Working Conditions Act in July 2017, the appointment of the prevention officer also requires the approval of the Employees Council (OR) or personnel representation (PVT). Previously, it was not always clear exactly which tasks the prevention officer performed within the company. The employer must now clearly describe this, substantiate which personal competences are required and request approval from the Employees Council.

Tasks and role of the prevention officer

In order to comply with the legal obligations of the prevention officer, the following organizing or executive function tasks can be fulfilled:

- Adviser to management in developing policy in the field of working conditions, for example due to changes in laws and regulations.
- Assistant in drawing up the RI&E and progress monitor in the implementation of the established policy and the measures arising from the RI&E and the action plan.
- Point of contact for or intermediary between the own organization and external experts.
- Health & Safety advisor to the Employee Council or personnel representation or interested employees.
- Coordinator of activities related to working conditions policy.
- Central reporting point for accidents, near-accidents and unsafe situations.
- Source of information by keeping and distributing relevant working conditions information; source of information in the field of working conditions; applicant and manager of permits or exemptions, for example in the field of the Working Hours Act.
- Contact person for the Human Environment and Transport Inspectorate (ILT).

Expertise of the prevention officer

There is no compulsory training for the prevention officer. In many construction companies, a trained operational safety expert is appointed as a prevention officer, but MVK or HVK (levels of safety expert education) is also possible.

In general, the following factors determine the expertise requirements:

- The operating conditions and the organization of work.
- The number of employees and the structure and complexity of the organization.
- The nature and extent of the risks in the company.
- The degree of occupational health and absenteeism control.
- The presence of (other) occupational health and safety expertise in the company.
- The laws and regulations that apply to the company.
- The company's ambitions to improve working conditions.

Setting up, maintaining and improving occupational health and safety management in the company

The basis for occupational health and safety management in an organization is the RI&E. The prevention officer helps to draw up the RI&E and implement the measures accordingly. The following components are important for the prevention officer:

- If the preparation or updating of the RI&E is outsourced to an external Health and Safety expert or health and safety service, the prevention officer is the designated person to provide support. Complete outsourcing to an occupational health and safety service is no longer possible, because it is precisely the prevention officer who must contribute to the RI&E. He or she has the practical knowledge of all activities in the company and knows how best to implement the proposed measures.
- The prevention officer can contribute to the in-depth RI&Es. These topics require constant monitoring and safeguarding of data (including noise, hazardous substances such as particulate matter and asbestos, physical stress, youth and psychosocial workload).
- The experiential knowledge of the prevention officer can be used to set priorities in the risk evaluation. He can also help with his knowledge of the company to make the right choices in the action plan for solutions that are practical and feasible within his company.
- The prevention officer can help implement the measures to prevent or limit risks (based on the action plan). Examples include:
 - Providing information about the maintenance of work equipment and safety facilities
 - Monitoring the correct use of personal protective equipment
 - Provide instruction on working with hazardous substances.

References

- Working Conditions Act art. 13, 14 and 18
- Working Conditions Decree, Section 3 Health and Safety Services and Experts
- Working Conditions Information Sheet 44 The prevention officer