

Health and Safety News

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A Service for Retained Clients

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Health & Safety Consultants



HSE Statistics for 2007/08 (HSE 1)

The HSE has just released statistics for work-related illness and workplace injuries in Great Britain for 2007/08.

The key facts for this period are:

Ill health

- ❑ **2.1 million** people were suffering from an illness (long standing as well as new cases) they believed was caused or made worse by their current or past work.
- ❑ **1.3 million** of these cases were suffered by people working during the year, of which 563000 were new cases.
- ❑ **2056** people died of mesothelioma (2006), and thousands more from other occupational cancers and lung diseases.

Injuries

- ❑ **229** workers were killed at work, a rate of 0.8 per 100000 workers.
- ❑ **136771** other injuries to employees were reported under RIDDOR, a rate of 517.9 per 100000 employees.
- ❑ **299000** reportable injuries occurred, according to the Labour Force Survey (LFS), a rate of 1000 per 100000 workers

Working days lost

- ❑ **34 million** days were lost overall (1.4 days per worker), 28 million due to work-related ill health and 6 million due to workplace injury.

Health and safety targets: progress to 2007/08

- ❑ **Ill health:** probably not on track to meet revitalising target.
- ❑ **Fatal and major injuries:** on track to meet revitalising target.
- ❑ **Days lost per worker:** probably not on track to meet revitalising target.

Enforcement

- ❑ **1028** offences were prosecuted by HSE.
- ❑ **354** offences were prosecuted by local authorities.

Interesting that there are just 3591 HSE inspectors of which 1247 operate front line and with only 52 of those covering construction sites.

Mobile Phones

A director of AA Car Insurance has said: "Driving while using a hand-held mobile phone places you at much greater risk of having an accident. It significantly slows reactions and you are less able to control the car properly, especially in an emergency."

Add to this a new offence of causing death by dangerous driving. Courts can now imprison drivers for up to 7 years for not paying due care to other road users and applies to all drivers both at work and those on private business. It applies if there has been a fatality caused by the driver carrying out some avoidable activity whilst driving. Examples quoted in government guidance are eating, drinking, using a satellite navigation system or using a telephone. It is clear this includes all phones and communication devices, not just hand held.

After an accident Police routinely check mobile phone records to find out whether the use of a phone was a contributory factor.

And perhaps one more point, the recent Corporate Manslaughter Act means there is a possibility of a business being prosecuted if an employee is involved in a fatal road accident. Making the company position clear in not allowing employees to use phones whilst driving should resolve this.

Emergency Lighting?

Under the Regulatory Reform (Fire Safety) Order 2005, a prime requirement is the safety of the people on the premises and the provision of an adequate means of escape. An essential requirement in the event of a mains failure in an emergency, is to be able to see the way out.

In practical terms, emergency lighting is required in all commercial buildings (and common parts of domestic housing such as stairs and lobbies) or are so small that artificial lighting is not used or are not occupied out of daylight hours.

HSE (2): Two clients received visits from the HSE during the last three months; one by an inspector and the other by an HSE H&S Awareness Officer. The H&S Awareness Officer has no right of entry or any other powers and they visit more for liaison purposes. Of course they can report back to their inspector!

The Awareness Officer visit ended with absolutely no problems (we attended on site), and although during the second visit the HSE inspector brought up some points during his visit these were quickly resolved. Remember HSE Inspectors, EHO (Local Authority Officer) and Local Fire Authority Officers have right of entry, but if you do get advance notice of a visit it is always beneficial to contact us so we can arrange to attend site with them.

Asbestos (HSE 3)

Asbestos is in the news and is the focus of a campaign by the HSE and local authorities. Their aim is to target as many companies as possible over the next 6 months.

They will be looking at asbestos registers to see first of all if there has been an effort to identify any asbestos, and if there is any on the premises if it is being effectively managed. Secondly to see if employees and others such as contractors are aware of the location/s of the asbestos on the premises.

It should be noted that the HSE are stating the only safe premises where it can be assumed (without a survey) there are no asbestos containing materials (ACMs) are those built from the year 2000 on. Even for the 2000 onwards premises it has been recommended there should be a register/document on site stating there are no ACMs in the building.

All premises built prior to 2000 must be assumed to contain ACMs and should be either surveyed for asbestos or treated as containing asbestos and managed appropriately. From experience a Type 1 asbestos survey provides little or no useful information and we strongly recommend that a Type 2 survey is undertaken (note that a Type 3 survey is a mandatory requirement prior to any demolition),

Capita – not - Corgi

From April 2009 the HSE approved organisation for administering of the Gas Registration Scheme changes to Capita. This follows a tender exercise aimed at strengthening and improving management arrangements between the HSE and the new company. At the moment the changes appear not to affect anybody other than gas installers.

Did you Know?

Up until October 2008 employers had to display a valid certificate of Employers Liability Insurance. From October this changed and the certificate can now be held in an electronic format. For example this could be the company intranet, as long as the certificate is immediately available

Employee prosecution

Generally the received wisdom is that if an accident occurs then it is the employer responsibility, whether or not it was an employees fault. This is based on the premise that the employer is held accountable as the controlling person because, by definition, if an accident has occurred the employer cannot have been in proper control.

But things are changing. A recent prosecution of a Fork Lift Truck driver found that the employer had met the legal requirements on them in terms of training and instructions but that the driver had failed to meet his obligations. The driver was driving a fork lift truck loaded with modular sheds which obscured his vision as he drove forward. The load struck a fellow worker and resulted in a fractured pelvis and cuts and bruises.

The driver pleaded guilty under Section 7 of the Health and Safety at Work Act, to failing to take reasonable care of the health and safety of others. He was fined £1750. No action was taken against the employer.

Support for H&S

The health and safety world gets a lot of flack, especially with the over the top reactions by some of the more regulation orientated safety practitioners. But it was good to get some support from AA Gill writing in the Sunday Times (07/12/08) about a TV programme called The Fun Police which concentrated on and ridiculed one health and safety worker in particular, apparently targeted because of his boring lectures and pedantic and punctilious manner.

As Gill rightly says, "...with what unconcern we buy toys for toddlers. Imagine how many services we take for granted, how many varied ingredients we put in our mouths without a second thought, assuming quite rightly that they are probably safe. We trust that our tea is unadulterated, our electrics are earthed, the boiler has a flue, the lift was checked last week. All that is down to health and safety."

And followed up with "...there are far more deserving candidates (than health and safety) for the box's mighty ire and odium....".

Editorial by Geoff Burt

Three items related to the HSE this issue. It's good to see the national work related fatality rate has gone down for 2007/08 but the ill-health figures are quite horrendous.

Asbestos can be quite an emotive subject and the forecast fatality figures from the HSE are not quite what they seem. It can take 20 to 40 or more years for asbestos related diseases to manifest themselves – so the figures apply to exposure from many years ago.

We were very pleased with the outcome of the two HSE visits to our clients. One inspector had no comments at all, and the other picked up some minor implementation failings not requiring a repeat visit.