

KEEP IT SAFE



BFFF QUARTERLY HEALTH AND SAFETY UPDATE

JULY 2012

Welcome to the BFFF quarterly Health and Safety newsletter 'Keep it Safe'.

We do hope you find 'Keep It Safe' a valuable read. Please contact BFFF on 01400 283090 or email hazelcranidge@bfff.co.uk if you have any health and safety issues or wish to receive additional/back copies

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HEALTH & SAFETY SEMINAR

**Wednesday 7 November 2012
Ricoch Arena, Coventry CV6 6GE**

Share best practice and hear relevant case studies on Health & Safety topics specific to the frozen food industry

Network with other H&S professionals

Our previous seminars utilised a winning formula of speakers from the HSE, a Local Authority Inspector and case studies from BFFF members

Cost: £75 ex VAT per member delegate
£100 ex VAT per non-member delegate

**Contact Hazel Cranidge for more details on 01400 283090 or
email hazelcranidge@bfff.co.uk**

Sponsorship Opportunities Available



Feedback

“The seminar provided a good mix of topics, within a sensible timetable from a variety of speakers” Simon Williams, Cold Move Ltd.

“A very worthwhile day if only to re-stress how important H&S is in the Cold Chain” Jon Barnes, Ardo UK Ltd.

“An excellent good all round practical seminar, very informative and enlightening” Andrew Turner, Goodlife Foods Ltd.

BFFF HEALTH & SAFETY INITIATIVES

HEALTH & SAFETY WORKING GROUP

The BFFF Health and Safety working group consists of health and safety professionals from a cross section of the membership sectors. The groups' aim is to provide a confidential health and safety forum to focus on issues relevant to the industry, enabling the dissemination of pertinent health and safety information to members. Our last meeting was in May when the group focused on a number of industry health and safety topics raised for discussion.

The working group will be meeting again on the 28th September and is available for all members to anonymously raise industry issues for group discussion. Please contact Joanna Hancock with the details of any points you wish to raise on joannahancock@bfff.co.uk or Tel: 01400 283096.

HEALTH & SAFETY SEMINAR

The next seminar takes place on 7th November 2012 at the Ricoh Arena, Coventry. More details will be provided shortly but in the meantime, please do save the date in your diary.

SHARING OF DELIVERY POINT INFORMATION

We have received some templates in from members but ideally would like a few more. We hope to build a library of templates by sector groupings so that it is possible for companies to check their risk assessments against the existing templates to see if all necessary questions have been asked.

If you have a template that you are willing to share (all information will be anonymous) please do forward it to hazelcranidge@bfff.co.uk.

BFFF HEALTH & SAFETY PLEDGE

In 2008, BFFF through our Health & Safety Working Group launched a pledge for members to sign up to in respect of Health & Safety. The pledge is on our website at <http://www.bfff.co.uk/health-and-safety/hs-pledge>. The values are:

- Members are committed to comply with all current health and safety legislation, codes of practice and industry standards
- Members are committed to provide a safe and healthy environment for their employees and all persons affected by their undertaking via co-operation, consultation, engagement, training and review.

- Members continually strive to reduce the accidents and incidents within their businesses and improve standards of health and safety through continuous improvement
- Members measure their company's health and safety performance with set targets benchmarked against others within the sector.
- Members commit to collaborate and share best practice case studies as a means of improving the health and safety performance of the industry

Members who sign up to the pledge receive a certificate, which is updated yearly for display at their premises. This is a free service. If you wish to sign up please contact hazelcranidge@bfff.co.uk.

KEEP IT SAFE NEWSLETTER – Q&A SECTION FOR MEMBERS

If you have any health and safety queries please send them to hazelcranidge@bfff.co.uk. We will respond to your query immediately but may also feature it in 'Keep It Safe' – all questions featured in the newsletter will be generic and anonymous.

BFFF MEMBERS COLLATED HEALTH AND SAFETY INJURY RATE STATISTICS-2011

We are delighted to enclose the most recent members collated health and safety injury rate statistics for 2011 and we would like to thank all members who kindly shared their information with us. With 18 food producers, 18 wholesalers and 7 Logistics Providers all contributing to these statistics we now have even more members taking part from an excellent cross section of the membership.

The HSE figures for 2011 are not released until later in the year and we will update you on the comparisons in due course.

The BFFF collated members' results show an overall improvement for food producers and logistic providers but an increase in the incident rate for wholesalers.

SECTOR SPECIFIC INFORMATION						
SECTOR	AVERAGE Rate of injury per 100,000 employees for the sector					% CHANGE 2010-2011
	2007	2008	2009	2010	2011	
PRODUCERS All Accidents	19342.5	19016.0	17445.9	20827.7	17953.3	-13.8%
PRODUCERS Reportable only	1208.7	1488.6	1260.7	1673.4	1608.5	-3.9%
WHOLESALEERS All Accidents	14799.9	10688.2	12991.2	10648.2	13173.8	23.7%
WHOLESALEERS Reportable only	2013.0	1354.0	1735.6	1990.1	2167.7	8.9%
LOGISTICS SERVICE PROVIDERS All Accidents	n/a	n/a	n/a	15416.7	12805.8	-16.9%
LOGISTICS SERVICE PROVIDERS Reportable only	n/a	n/a	n/a	1767.9	1854.9	4.9%

The top 3 producer issues were:

- Slips and trips
- Hit by something fixed/ stationary
- Hit by moving/falling object

The incidence of Manual Handling and slips accidents has improved for food producers.

The Top 3 wholesaler and LSP issues were:

- Slips and trips
- Manual Handling
- Hit by moving/ falling object

The incidence of Manual Handling and slips accidents has increased for wholesale members.

We shall look forward to gathering members' statistics for 2012 at the beginning of next year when comparisons against the 2011 results can be made in the different areas. Please feel free to contact Emma Cranidge on emmamacranidge@bfff.co.uk or Tel: 01400 283090 for a detailed copy including the breakdown of the statistics for 2011 and further information on how you can become involved in the future.

LEGISLATIVE UPDATE

HSE REINS BACK ON COST RECOVERY PLANS

Plans to introduce the recovery of costs from those who break health and safety laws, to compensate for the time and effort the Health and Safety Executive (HSE) spends on helping to put matters right, have been delayed.

The HSE announced that its cost recovery scheme, “Fee for Intervention” (FFI), will still be introduced but not in April 2012 as originally proposed.

Announcing that it will be brought forward at “the next available opportunity”, which is likely to be October 2012, HSE programme director Gordon MacDonald said that the Government had agreed that it is right that those who break the law should pay their fair share of the costs to put things right.

“Discussions are still taking place on the technical details of the scheme,” he explained, “which we expect to conclude soon.”

The HSE says it is taking advantage of the extra time to work further with businesses to improve their understanding of the scheme and how it will affect them. Detailed guidance for employers will be available on the Executive’s website ahead of implementation.

The British Safety Council’s director of policy and communications, Neal Stone, welcomed the delay. “We and our members consider it important that HSE takes the time needed to sort out the technical details and undertake planned practice runs,” he said. “These are essential steps to help address members’ concerns about the operation and impact of FFI.”

Under the proposals, cost recovery would apply to “material” breaches of health and safety law that require the HSE to make a formal regulatory intervention through a letter, e-mail, visit report, enforcement notice or prosecution (up to the point when court proceedings begin).

Cost recovery would be charged at £124 per hour and would not apply to safety enforcement by local authorities.

NEW STRATEGY FOR IOSH

The Institution of Occupational Safety and Health (IOSH) has published a new five-year strategy, outlining its plans and goals from 2012 to 2017.

The strategy, entitled A New Direction, maps out six key areas that the safety body will be focusing on, namely:

- international impact: with the focus on supporting improvements in health and safety for people at work, wherever they are, and the awareness that standards of health and safety in many parts of the world are still low
- membership development: to continue to increase the number of members
- influential leadership: to extend and strengthen its leadership, influence and profile in health and safety in the UK and internationally
- commercial expansion: to expand the safety body’s commercial products and services in the UK and internationally
- health and wellbeing: with the “health” in “health and safety” continuing to grow in significance
- infrastructure and resources development: with investment in activities in support of its vision and mission.

Commenting on the strategy, Rob Strange OBE, IOSH’s Chief Executive, said, “Our membership has increased from 30,000 in 2007 to well over 40,000 today. That growth is mirrored in everything that we do, from working to raise our external profile to developing our research programme.”

He added, “Our challenge now is to build on this work and channel our energy and resources into the right areas in the next few years. By 2017, we want to have attracted even more members, extended our reach internationally, expanded our work on health and wellbeing, and cemented our reputation as an authoritative and independent voice on health and safety.”

A summary of the new strategy can be accessed at www.iosh.co.uk/news_and_events/news/latest_member_news/iosh_launches_new_strategy.aspx.

Q & A'S

Public sector cost cutting and cutbacks to HSE resources have resulted in less HSE campaigns therefore to give our members better value from this newsletter BFFF have decided to replace the HSE Campaigns section with this new Q&A feature. Information relating to H&S campaigns will still appear in the Guidance section.

In this feature we answer your Health and Safety questions, big or small. If you have a question please contact joannahancock@bfff.co.uk. Questions will be answered anonymously.

NIGHT WORKER HEALTH ASSESSMENTS

Q. What legal requirements are there to provide health assessments for night workers?

A. The legal requirement to provide health assessments comes from the Working Time Regulations. The Interpretation of the Regulations defines "night time" as a period:

- (a) the duration of which is not less than seven hours, and
- (b) which includes the period between midnight and 5 a.m., which is determined for the purposes of these Regulations by a relevant agreement, or, in default of such a determination, the period between 11 p.m. and 6 a.m.

"Night work" is defined as work undertaken during night time. The specific requirement for health assessments comes from Reg. 7. (1) which states that an employer:

- (a) shall not assign an adult worker to work which is to be undertaken during periods such that the worker will become a night worker unless:
 - I. *the employer has ensured that the worker will have the opportunity of a free health assessment before he takes up the assignment; or*
 - II. *the worker had a health assessment before being assigned to work to be undertaken during such periods on an earlier occasion, and the employer has no reason to believe that that assessment is*

no longer valid, and

- (b) shall ensure that each night worker employed by him has the opportunity of a free health assessment at regular intervals of whatever duration may be appropriate in his case.

The Working Time Regulations require that employers *offer* a free health assessment to their night workers i.e. persons working between 11pm and 6am for a period of no less than seven hours but they are not legally obliged to make them take it.

Assessments must be offered not just to employees new to night work but to existing night workers as well (although if they have had a recent assessment then the employer may not need to provide another). Workers on shift rotation also need to be offered free health assessment.

PRE-EMPLOYMENT MEDICAL ASSESSMENTS FOR COLD STORE WORKERS

Q. Do I need to identify any health issues for cold store workers prior to employment?

A. Due to the potential for injury and the hazards associated with working within a cold environment it is best practice that a pre-employment self-assessment medical questionnaire is completed for cold store workers, followed by regular health surveillance. This is recommended as employees with certain medical conditions, such as asthma and other cardiovascular diseases, may be particularly at risk when working in low temperatures.

The guidance advocating medical surveillance is clearly stated within the Warehousing and Storage guide HSG76 published by HSE. HSE also state that as a minimum standard expected for the provision of health surveillance in these environments, the occupational health provider should be complying with BS EH ISO 12894:2001.

GUIDANCE

ADVICE ON SAFE OPERATION OF ROLLING SHUTTERS

The Door & Hardware Federation (DHF), which represents manufacturers and installers of industrial, pedestrian and garage doors, has issued a warning on industrial rolling shutters following a series of workplace accidents where injuries have been caused by falling shutters.

The DHF says it is essential that rolling shutters are installed correctly and are regularly maintained.

Commenting on the issue, Michael Skelding, the General Manager and Secretary of the DHF, said, “An inadequately installed shutter can fall for a number of reasons and an expert should inspect an existing installation to ensure it is completely safe in operation. He will also be able to recommend a suitable service and maintenance schedule that will be based on the individual use to which the shutter is put.”

He added, “Our advice to anyone who has industrial shutters already in, or are about to have shutters installed, is clear — in either case it’s vital that installation and maintenance is carried out by a member company of the DHF.”

The DHF says its installers will carry out installations in accordance with the relevant technical specification, which governs the levels of training and expertise of the installers and guarantees that the installation complies with the key British Standard (BS EN 12635:2002).

The Federation says its members will also recommend suitable service and maintenance schedules.

The DHF has highlighted the Code of Practice for the Repair and Maintenance of Industrial and Commercial Doors on its website, which stresses the importance of regular door and shutter maintenance. The Code spells out what should be done to achieve optimum quality of operation with maximum safety in use throughout the full expected lifecycle of the equipment.

Further information for those who are responsible for installing and maintaining powered shutters can be accessed at www.dhfonline.org.uk/.

DON'T WASTE MONEY ON POINTLESS SAFETY TESTS

Unnecessary electrical safety tests cost businesses an estimated £30 million a year and the Health and Safety Executive (HSE) has warned that too many firms are complying with an expensive myth.

They believe that every portable electrical appliance in the workplace needs to be tested once a year and that, the HSE has confirmed, is not the case.

It blames misleading advice and advertising, often by companies who offer the testing, as a contributing factor to low-risk environments such as offices paying unnecessarily for over-the-top maintenance regimes.

The law actually requires an employer to ensure that electrical equipment is maintained in order to prevent danger: it does not state that every item has to be tested or how often testing needs to be carried out.

In a low-risk environment, the HSE has emphasised, most dangerous defects can be found simply by checking the appliances for obvious signs of damage such as frayed cables.

Chairwoman Judith Hackitt said: “We know that low-risk companies are being misled over what the law requires when it comes to maintaining portable electrical appliances, and many are paying for testing that is not needed.”

Launching HSE’s revised guidance on portable appliance testing (PAT), she stressed that the HSE has always advocated a “proportionate, risk-based” approach to maintenance.

Nick Starling, Director of General Insurance at the Association of British Insurers, confirmed that the insurance industry is in full agreement with the HSE on this point.

“Insurers have never required policyholders to undertake unnecessary portable electrical appliance tests which are not proportionate to the risk,” he said.

“SILENT KILLER” IN WORKPLACES

Employers are being urged to consider the role that physical activity plays in good health, with physical inactivity and sedentary behaviour being identified as a “silent killer” in workplaces.

The comments were made by the Fitness Industry Association (FIA), the trade body for the UK health and physical activity sector, quoting a report published last year by the UK's Chief Medical Officers.

The report, entitled *Start Active, Stay Active*, warned of the risk of physical inactivity and sedentary behaviour as “a silent killer,” ranking physical inactivity as the fourth leading risk factor for global mortality — following closely behind high blood pressure, tobacco and high blood glucose.

Fred Turok, Chairman of the FIA, is urging businesses to “get into shape” — not only for the health of their employees but also for the health of their business.

He said: “Most successful business leaders know instinctively that a healthy workforce is a productive workforce. But what may shock boardrooms up and down the country is just how harmful inactivity and being sedentary actually is to our health and well-being, and moreover, just how damaging it is for your business.”

Mr Turok believes that all organisations and businesses can do something to encourage physical activity.

He said: “It's not just about gyms at the office, it's about enabling employees to be more active: providing showers, prioritising stairs over lifts or promoting active commuting — walking, running or cycling to work. It just needs some creativity and commitment.”

Last year, the Government launched the Public Health Responsibility Deal to tap into the “huge potential” for business to improve public health. Fred Turok is the Chairman of the Physical Activity Network of the Government's Public Health Responsibility Deal.

The FIA is urging companies to sign up to the Responsibility Deal. Currently, almost 200 organisations have signed up and over 500 physical activity pledges have been made.

MANAGING LEGIONELLA RISKS

Legionnaires' disease is a potentially fatal form of pneumonia caused by the bacterium legionella pneumophila. The predominant route of infection is inhalation of contaminated aerosols.

On average, there are between 300 and 500 reported cases of legionnaires' disease each year in the UK. Not everyone exposed will develop symptoms and those who do not develop the full-blown disease may

experience mild flu-like symptoms.

Identify the Hazards and Persons Affected

There is no health and safety legislation specifically covering legionella but the general requirements of the Health and Safety at Work Act and the Control of Substances Hazardous to Health Regulations apply to harmful micro-organisms, legionella included. This means that employers and those responsible for building maintenance must carry out an assessment of the risk from legionella, and take steps to prevent or minimise such risks.

As with any risk assessment, the first step is to identify the hazards. This is done by asking if any physical aspects of the water systems (such as cooling towers, evaporative condensers, water storage units and water supply pipes) may be able to support and encourage the growth of legionella bacteria.

This is typically where standing water may contain nutrients such as algae, sludge, scale, insects or other organic matter and temperatures are between 20°C and 45°C, the optimal temperature for growth of the bacteria. At temperatures below this range, the bacteria remain dormant. Above the range the bacteria growth slows down. At 60°C, 90 per cent of legionella will die within two minutes.

Because Legionnaires' disease is caught when water droplets containing the bacteria are inhaled, water outlets that might release a spray should be identified. These may include taps, shower heads, spas or whirlpool baths, pools (including hydrotherapy pools), humidifiers, fountains, evaporative condensers and wet cooling towers.

The risk assessment must also identify persons who may be harmed. Persons over the age of 40 are particularly at risk from legionellosis, especially if they are smokers, alcoholics, diabetics, have chronic respiratory or kidney disease, cancer, or if they are on renal dialysis or immunosuppressant drugs.

Controlling the Hazards

There are four main types of control measure used to reduce the risk of Legionellosis. The first is making improvements to physical aspects of the system e.g. water storage containers should be the right size to ensure uniform heating and to prevent stagnation, cisterns and storage tanks should have properly fitting covers, cold water tanks should not be sited in warm areas of buildings, pipe runs should be as short and direct as possible, avoid pipework deadlegs (which cause stagnation of water)

The second main control concerns water temperatures. Where possible cold water should be stored below 20°C, with hot water stored at 60°C. The third is instituting a suitable regime of maintenance and cleanliness i.e. producing a detailed preventive maintenance schedule which should incorporate regular visual inspection, cleaning, disinfection and physical maintenance.

The last control is introduction of a suitable water testing and treatment system to ensure that the maintenance regime is working correctly. In addition to these main controls, the staff involved in the controls should be suitably trained and emergency procedures put in place in case of an outbreak.

Competence

A requirement of the Approved Code of Practice (ACoP) concerning legionella is to insist on the competence of the appointed person who may carry out the assessment or of those to whom they have delegated the task.

If the assessment shows that there is a reasonable foreseeable risk and it is reasonably practicable to prevent exposure or control the risk from exposure, the person on whom the statutory duty falls should appoint a person or persons to take managerial responsibility and to provide supervision for the implementation of precautions.

The actual person who carries out the assessment and who draws up and implements prevention measures should have the ability, experience, instruction, information, training and resources to enable them to carry out their tasks competently and safely. In particular, they should know:

- potential sources and the risks they present
- measures to be adopted, including precautions to be taken for the protection of people concerned, and their significance
- measures to be taken to ensure that controls remain effective and significant.

The ACoP recommends that if the appointed person is not “competent”, outside help should be sought. It then falls to the appointed person to ensure that the contractors they have employed are themselves competent. In particular, they should establish channels of communication between contractors, employees and management.

Management communication procedures are key

factors in preventing or restricting an outbreak of Legionellosis and they should be periodically reviewed.

Further information can be found in HSE’s publication Legionnaires’ disease: A brief guide for dutyholders (INDG 458) and in the Approved Code of Practice Legionnaires’ disease. The control of legionella bacteria in water systems (L8).

ALL PARTY SUPPORT FOR SENSIBLE SAFETY

Politicians and peers from the main political parties have pledged their support for the Working Well manifesto produced by the British Safety Council (BSC) and launched recently at the House of Commons.

BSC chief executive Alex Botha said: “We all need to work together to help shift the debate on health and safety. Now is the time to talk about the real benefits, particularly business ones, of well managed, sensible health and safety.”

He stressed that it was time to end the silly stories and the bad press which Liverpool Walton MP Steve Rotherham said had “damaged the whole push forward we’ve made in the last 50 years in this country towards making things much safer”.

The MP for Hammersmith and Fulham, Andy Slaughter, expanded on the theme of getting away from “health and safety gone mad” stories.

Speaking of the manifesto, he said: “It’s not telling people what to do, it’s not detailed, it’s not pettifogging, it’s about cultural change. It’s about saying health and safety is everyone’s job”.

Mention was made of stories which should be in the headlines such as the London 2012 Olympic construction projects, where probably for the first time there has been no work-related fatality in the preparation for a major event.

The BSC calls on all who value safe and healthy workplaces to sign up to Working Well at www.britsafe.org/manifesto. It outlines, in five steps, the actions which businesses and others can take immediately and is a call to action both in the UK and worldwide.

The five steps are:

- promote the importance of health and safety

- build understanding and capability
- commit to leadership and worker involvement
- share knowledge and experience
- campaign for sensible legislation, regulation and application.

DRIVERS TAKING RISKS ON MOBILES

Nearly half of drivers are putting lives on the line by chatting on their phones at the wheel, according to a new survey by a road safety charity and an insurance company.

The survey found that almost half of drivers surveyed (48%) admitted risking their own and others' safety by chatting on a phone while driving, of which two in three (65%) flouted the law by using a hand-held phone, which has been illegal since 2003.

A quarter (25%) talked on their phone at the wheel at least once a week.

The survey also indicated that male and female drivers, young and old, are almost equally guilty of phone use at the wheel, whilst an alarming 44% of young drivers admitted texting at the wheel, compared to 27% of older drivers.

As a result, the organisers of the survey, Brake and Direct Line, are launching a campaign urging drivers to "drive smart" by putting their phones out of sight and out of mind while driving.

They are also warning that using a hands-free or hand-held phone at the wheel can lengthen reaction times to a similar extent to drink-driving, significantly increasing the risk of a devastating crash.

Hard-hitting billboard adverts will be displayed across London from April to get the message across that using a phone while driving can be fatal.

Julie Townsend, Brake's Deputy Chief Executive, said, "Many drivers who wouldn't dream of drink-driving are using phones while driving, oblivious that the effect on your reaction times can be similar. We're urging people to drive smart, recognising that phone use at the wheel can and does destroy lives, and no call or text is ever that important. If you need to use your phone urgently, pull over somewhere safe first: it's as simple as that."

ENFORCEMENT ACTION

DIRECTOR CLAIMS FIRM PROSECUTED “SO HSE COULD RECOVER COSTS”

A factory worker suffered serious burns and open wounds after receiving an electric shock while working on an industrial machine and his employer was subsequently prosecuted under the Electricity at Work Regulations,

He was working as a machine operator at a factory when the incident happened on 28 July last year. While checking new cables on a machine, which had recently undergone maintenance, when he suffered an electric shock. He sustained injuries to his hands, arms and legs, spent twelve days in hospital and was unable to return to work for four months.

The HSE’s investigation found that his employer failed to carry out a suitable risk assessment which should have identified the need to isolate the power supply before inspecting the cables.

HSE inspector Alison Ashworth, said: “Work with or near electricity is dangerous. This incident could have been prevented if the company had identified the risk and acted to control it. They could have prevented access to the live parts of the cables, insulated them, or ensured that stored electrical energy had been discharged.”

The employer appeared at Cambridge Magistrates’ Court on 26 April, pleaded guilty to breaching reg.4(3) of the Electricity at Work Regulations 1989 and was fined £3500 and ordered to pay £5383 in costs.

After the hearing, the company’s site director said he believes the prosecution was unnecessary. He told SHP: “We cooperated fully throughout the HSE’s investigation into this unfortunate incident.

“From research I’ve done, the fine we received is quite low. I believe this is because the magistrates recognised that we dedicate a lot of time and resources to health and safety. As a production facility, we have to identify many thousands of safety risks, and on this occasion we failed to identify one.

“I feel that the prosecution was not required because of our safety record and believe it was not in the public interest. In my opinion, the HSE only brought the case to court to recover their costs.”

A GUST OF WIND BLOWS WORKER FROM CONTAINER

A food manufacturing company has been fined after a worker fell from a shipping container.

The employee was working at their food processing plant in February 2010. He was standing on the top of a shipping container, lifting corrugated metal sheets from a forklift, when a gust of wind blew him over the edge of the container. He fell 2.5m to the ground below. He suffered fractured ribs and damage to his leg and shoulder muscles.

The courts ascertained that his employer had failed to properly plan the work. They had not carried out a risk assessment or ensured that a safe system of work was in place to prevent falls. The work was being supervised by an employee who had not had adequate training for work at height.

Furthermore the employee did not need to be standing on the container to carry out the work. He could have used a vehicle, eg a forklift, to move the metal sheets, or he could have worked from a contained elevated platform.

The employer was fined £12,000 plus £4400 costs for a breach of s.2 of the Health and Safety at Work, etc Act 1974 for failing to ensure the health and safety of employees.