

KEEP IT SAFE

BFFF QUARTERLY HEALTH AND SAFETY UPDATE

OCTOBER 2010

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

Many of you will have seen our health and safety column in 'The Bulletin'. The Bulletin will contain headline information on health and safety topics; 'Keep it Safe' will provide more comprehensive information relevant to our industry.

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

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All reasonable care is taken in the preparation of this newsletter, but no liability is accepted for any loss or damage caused to any person, company or organisation relying on any statement or omission in the contents.

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BFFF HEALTH AND SAFETY INITIATIVES

BFFF MEMBERS COLLATED HEALTH AND SAFETY INJURY RATE STATISTICS

We are delighted to enclose our most recent members collated health and safety injury rate statistics for 2009. 14 food producer companies and 11 wholesale businesses provided their statistics for comparison from a cross section of the BFFF members, resulting in very credible benchmarking information for the membership.

The statistics show in 2009 that overall there has been a reduction in the average injury rate for food producers whilst there was a slight increase for wholesalers. However the wholesalers' statistics showed that the injury rates for 2009 were still reduced compared to 2007 figures.

Once again, for both Food producers and Wholesalers, the majority of the accidents occurred in the slips and trips category highlighting

the importance of this area for the industry. Manual Handling accidents were also highlighted as a key area for wholesalers. The BFFF Slips and Trips seminar on the 3rd November will be providing support for the industry in this topic, which we will report on within the next edition of keep it safe. Following the slips seminar, the working group will be reviewing the next possible work stream to support members to reduce their health and safety accidents.

For members use, we have a full breakdown of the BFFF members collated injury rates for each accident type over the past four years. This information is an excellent benchmarking tool so please feel free to contact Joanna Hancock on e-mail joannahancock@bfff.co.uk for further details. All contributors' information is kept completely confidential, and we would like to thank once again, all the BFFF members who contributed their statistics in support of the health and safety work for the membership.

SECTOR SPECIFIC INFORMATION				
SECTOR	Rate of injury per 100,000 employees for the sector			% CHANGE 2008 -2009
	2007	2008	2009	
	Average	Average	Average	
PRODUCERS All Accidents	19342.5	19016.0	17445.9	- 8.3%
PRODUCERS Reportable only	1208.7	1488.6	1260.7	-15.3%
WHOLESALEERS All Accidents	14799.9	10688.2	12991.2	21.5%
WHOLESALEERS Reportable only	2013.0	1354.0	1735.6	28.2%

H&S WORKING GROUP

The BFFF working group consists of health and safety professionals from a cross section of the industry. The group provides a confidential health and safety forum for the membership, focusing on issues relevant to the frozen food industry. The groups' last meeting was in September when a variety of industry topics were raised for discussion.

As reported within the last Keep it Safe, the group has agreed to develop guidance for employees in the cold storage industry on some of the health issues associated with working within this cold environment. The guidance is now at a final draft stage and we are reviewing the final amendments. Therefore we are planning to release this guidance document in the New Year.

During the meeting, Brakes shared their experiences regarding a recent incident of a valve failing whilst a refrigeration maintenance contractor was carrying out a routine maintenance operation. This resulted in a small ammonia leak, however there were some lessons learnt that are of relevance to the membership. Please see the guidance section of this newsletter for more information.

One of the group wholesale members highlighted some new advice for mirror adjustment, which effectively eliminates driver blind spots and helps reduce accidents. The new procedure for setting up the mirrors on vehicles can be completed using a flat wall so space is not an issue should members wish to follow this new advice. Please contact Joanna Hancock for a copy of the presentation with a full explanation of this procedure.

The group also discussed the implications of the Equality Act 2010 and the affect of this new act for members with regards to industry practise of pre-employment questionnaires. This is an important topic for members so please see the legislative update of this newsletter for more detailed information.

Other topics of discussion included improving safety inductions and how to manage an

accidental activation of sprinklers in freezers. Please contact Joanna Hancock if you would like any further detailed information on the discussions on any of these subjects, or indeed if you would like to anonymously raise any issues for discussion at the next meeting.

BFFF MEMBERS INSURANCE SCHEME

BFFF has recently launched an insurance scheme exclusively for BFFF members. The scheme will provide members with a free Risk Management Assessment service and the possibility to take advantage of a range of insurance products selected for our industry.

We aim to provide the members with the opportunity to review their current cover to ensure it is fit for purpose, save costs or indeed obtain enhanced cover without additional costs. As BFFF members receive regular health and safety information, the schemes insurers will reflect this in a positive manner. Please contact Joanna Hancock for further details.

HSE FORK LIFT TRUCK TRAINING REVIEW UPDATE

As we have previously reported, HSE held a workshop in February to gather ideas on the best way to help employers deal with issues surrounding driver training and competence of operators of fork lift trucks and similar workplace vehicles.

It was clear from the workshop that there is a need for clarified, updated guidance from HSE with clearer definitions of (for example) the types of training it discusses e.g. refresher training, familiarisation training.

The current state of play is that HSE are in the process of internal discussions on a combined text of L117 and HSG6. This combined text will include issues such as refresher training and HSE are planning to go out to informal public consultation on this in the New Year. At this stage HSE are not planning to extend the scope of L117/ HSG6 to other plant and equipment- the document will still be focused on Fork Lift Trucks.

HSE are also currently working with the Accredited Bodies and HSL on piloting revised criteria for Accredited Bodies. HSL is due to report next April and HSE hopes to make a decision on the next steps for Accredited Bodies in June/ July 2011.

We will keep you updated on further progress with this project into the New Year.

BFFF LEAD AUTHORITY PARTNERSHIP SCHEME (LAPS) AGREEMENT

BFFF has a unique partnership agreement with both HSE and the Local Authority whereby we have the opportunity to meet with them on a regular basis to raise industry issues. You may be aware that support from HSE for the current voluntary LAPS arrangements will cease in April 2011 and LAPS partners are encouraged to enter into a Primary Authority arrangement.

As a trade association we have a unique agreement with HSE and the LA, which does not fit within the primary authority arrangement model. Therefore I am pleased to report that there has been no change to our current agreement and they will continue to work in partnership with us. As such we are pleased to be able to continue to provide the membership with up to date case studies, campaign information and statistics within the Keep it Safe news letters.

'Keep it Safe' is now available to all BFFF members via the Health & Safety page of the 'Members Only' section of our website

<http://www.bfff.co.uk/members>

Login details have been provided to our main and Health & Safety contacts at each member company.

Back copies of 'Keep it Safe' are also available under the Health & Safety section of the website.

HSE FOOD INDUSTRY CASE STUDIES

HSE CASE STUDY –UNGUARDED MACHINERY ACCIDENT

In the food and drink industry, machinery and plant causes over 7% of all injuries including major injuries and over 3 day absence injuries. Possibly due to its large population, conveyors cause more injuries (over 30%) than any other type of machine. The following case study outlines an accident involving an unguarded machine, the action taken by HSE and HSE advice.

Summary

A food company who make biscuits and other baked products were prosecuted following an accident to an employee who suffered crush injuries to his hand on an unguarded conveyor.

The accident happened on a cooling conveyor in the main production area. The conveyor, which ran at a height above the workers, required regular cleaning to remove oil contamination from the belt and rollers.

Access to the underside of the conveyor, where the accident occurred, was by standing on a metal table that normally stood nearby. Cleaning involved wiping the underside of the conveyor with blue tissue paper, or sometimes by using rubber scrapers attached to poles to allow the job to be done from the ground. This was carried out by various non-dedicated workers when their other work was complete.

The rollers on the conveyor concerned moved automatically to adjust the tracking and tension of the belt. While carrying out the cleaning of the running belt close to a roller, the employees hand was caught in the in–running nip.

The employee experienced difficulty in raising the alarm when he became trapped and only just managed to reach a stop button after a few moments. He suffered severe crush injuries to his hand.

During the investigation, management stated that operatives were instructed to clean the conveyors when they were stopped, but there were no written instructions or paperwork to back this up. There was also no evidence of formal training and no risk assessment for the cleaning operation.

A lack of clear written procedures and lack of management control had led to a 'custom and practice' system developing. Witness statements confirm there were no clear instructions from management and the workers just watched others before carrying out the tasks themselves. A large number of the workforce (including the injured person) did not speak English, making them especially vulnerable due to their unfamiliarity with H&S standards in the UK.

In addition, the relatively low position of the rollers and the ease of gaining access to them by simple steps or improvised means, such as the table used in this case, meant the area should have been guarded. An improvement notice served after the accident required the company to identify any areas where dangerous parts were not adequately guarded. In complying with the notice, the company identified the machine was a risk and subsequently guarded the area in question.

Action

The company were prosecuted under Sections 8 and 11 of the Provision and Use of Work Equipment Regulations (PUWER) 1998 for allowing dangerous parts of the machine to be accessed by the operators and for a lack of adequate information and instruction to employees. They were found guilty and fined £2,400, with an additional £2,000 in costs awarded against them.

Advice

Unguarded or inadequately guarded machines are a source of numerous serious accidents. Under the Provision and Use of Work Equipment Regulations 1998 (PUWER) employers should **ensure** that **risks**, created by the use of any equipment, are **eliminated where possible or controlled by:**

- taking appropriate **‘hardware’ measures**, e.g. providing suitable guards, protection devices, markings and warning devices, system control devices (such as emergency stop buttons) and personal protective equipment; and
- taking appropriate **‘software’ measures** such as following safe systems of work (e.g. ensuring maintenance is only performed when equipment is shut down etc), and providing adequate information, instruction and training.

Further information can be found in ‘Simple guide to the Provision and Use of Work Equipment Regulations 1998’ which gives a general indication of some of the main requirements of the Regulations – see www.hse.gov.uk/pubns/indg291.pdf. Information on how to carry out a risk assessment can be found at www.hse.gov.uk/risk.

HSE CASE STUDY- FALL FROM HEIGHT

Falls from height are the third highest cause of fatal injury, comprising 20% of fatal accidents. Falls can result in serious or even fatal injury when the fall is less than 2 m. The following case study from HSE outlines the details of a falls accident including action taken and advice.

Summary

A company who produce bakery products were prosecuted following an accident to an employee who fell while cleaning the side of a flour hopper.

The employee was carrying out an annual deep clean in the factory. She was instructed to go on to an interim level between the ground and a raised storage area to clean the side of the flour hopper. Part of the interim level, which is accessed via a foldaway ladder, was boarded with wooden panels leading to a set of stairs that go up to the raised storage. The other end of the interim level was not boarded and the employee had to walk along and stand on a structural girder to clean the hopper.

While cleaning the side of the hopper, the employee fell approximately 1.5 metres from the girder and landed on a large glucose tank below.

She suffered a fractured rib, bruising to the right leg and a cut to her back.

At the time of the accident the company had no risk assessment for the cleaning task being undertaken, or for work from the buildings structural steelwork. This area of work and using the steelwork as an access had not been identified as a hazard by the company. On the day of the accident work instructions were provided by the factory manager but safety of employees was not discussed. Following the incident and subsequent investigation the area was boarded out with metal flooring and hand railings erected to prevent the risk of falls.

The underlying cause of the accident was the company’s failure to identify the risk, which was posed by the unboarded area. The annual clean down involved use of the girder as a means of access, but the investigation also discovered that it was common practice for employees to walk along the girder on a weekly basis to inspect a sieve at the far end of the girder.

Action

The company pleaded guilty under Regulation 6(3) of the Work at Height Regulations 2005 having failed to take reasonably practicable steps to stop persons, in this case the employee, from falling a distance liable to cause personal injury. They were fined £1,750, with an additional £1,374 in costs awarded against them.

Advice

The company had not identified that using the iron girder as a means of access posed a risk of falling. The risk of falling from height where open edges are not protected is well known and well publicised and the injuries that occur are also well known.

There was an obvious gap that employees could fall through and it was known that employees regularly used the girder to access a sieve for inspection therefore the accident is entirely foreseeable. The measures implemented following the accident to negate the potential for a similar accident were fairly inexpensive and therefore show that it was reasonably practicable to prevent this accident occurring.

Further information and guidance on work at height issues can be found at <http://www.hse.gov.uk/falls/index.htm>. These webpages also provide access to a new tool 'Work at height, Access equipment Information Toolkit' (WAIT). WAIT is a free on line toolkit of advice and guidance aimed at people who occasionally work at height. WAIT will help people understand the risks and issues when working at height.



The myth: You don't need to secure your load if you're just driving down the road

The reality: If not properly secured, vehicle loads can become unsafe, even over a short distance. Loads that haven't been firmly tied down increase the risk of vehicle rollover and spillage. They risk the lives of drivers and other road users, and can also cause annoying traffic disruption.

More than 1200 people a year are injured as a result of unsafe loads, and millions of pounds are lost in damaged goods.

Don't take the risk – make sure your load is restrained and contained!

HSE CAMPAIGNS

Each year HSE plans a series of campaigns based on particular health and safety topics aimed at reducing the incidence of work-related fatal and major injuries.

During each campaign, Inspectors visiting premises will focus on the key campaign areas and assess the standards, offer advice and enforce applicable legislation. It is also common during major campaigns that certain businesses will be targeted for inspection based on their activity i.e. if their work area is relevant to the current campaign.

Within this section of Keep it Safe, we will inform you of the proposed campaign profile for the forthcoming year. Some of these details may change as the priorities change within the HSE, however the information will provide you with the main areas of focus in the near future.

SAFE MAINTENANCE CAMPAIGN – RESOURCES FOR SAFETY REPRESENTATIVES

The HSE's enforcement campaign (complementing the Europe-wide Healthy Workplaces campaign for 2010/2011) continues. A main part of the campaign is about raising awareness of safety issues around maintenance, an activity often overlooked as it is not a 'day to day' issue.

To help H&S representatives raise awareness in their workplaces, an extensive amount of resources are available. The main resource is the EU-OSHA website: <http://osha.europa.eu/en/campaigns/hw2010/resources>, split into three main areas.

The first area contains Promotional Materials. Within this heading there is a leaflet available, pitched at various stakeholders including employers and safety professionals. This could be useful for circulating among stakeholders as it explains in simple bullet points why maintenance safety is important and how promoting the campaign will help.

Beyond this there are various posters for display and e-signatures and banners that can be inserted into electronic communications, all aimed at raising awareness and demonstrating support for the campaign to colleagues and other organisations.

The second area is Campaign Essentials, including a 20 page Campaign Guide. The Guide is particularly useful to safety representatives and managers as it provides various statistics, case studies and guidance around maintenance safety.

Campaign Essentials also contains a PowerPoint presentation that representatives may use for training/awareness sessions. It may also prove especially useful as an aid to a health and safety 'toolbox talk' given to maintenance workers.

The last area is entitled About Safe Maintenance and contains a number of Factsheets covering maintenance issues, including asbestos, hazardous substances and noise. Furthermore a number of reports are available, including a statistical picture of occupational safety and health relating to maintenance.

Further resources can be found on the HSE's Maintenance micro site: www.hse.gov.uk/safemaintenance/index.htm. Besides the HSE guidance available, a safe maintenance health check is present, which employers and safety representatives can use to establish whether their workplace is meeting a suitable standard. The Health check contains links to various other resources relevant to maintenance, such as their WAIT tool (Work at height Access equipment Information Toolkit).

All of this material can be utilised to help promote safe maintenance and, in more general terms, the promotion can be tied to improving the safety culture within an organisation. Suggestion boxes, safety awards for accident/ill health reduction, training, employee consultation on H&S issues, toolbox talks and other methods of promoting safety culture can be utilised to spread the safe maintenance message.

HSE FOCUS FOR FOOD MANUFACTURE INDUSTRY

The HSE's main enforcement focuses for the food manufacture industry for 2010/2011 remains the management of health and safety and, in particular director/board level leadership and worker involvement.

Other topics that HSE inspectors are likely to examine are:

- **Workplace temperatures.** Risk assessment for high and low workplace temperatures;
- **Migrant Workers and other vulnerable workers.** Good management practice and compliance with legal responsibilities;
- **Risk Management.** Competent management in terms of basic, sensible and proportionate health and safety also competency of any health and safety consultants contracted;
- **Musculoskeletal Disorders (MSDs).** Whether tasks causing high risk of manual handling injuries and consequent ill health have been addressed, including awareness of upper limb disorders (ULDs) and use of available tools for assessing repetitive injuries;
- **Noise and Vibration.** good practice in controlling noise and vibration, including health surveillance;
- **Falls from Height.** Preventing falls from height by using appropriate equipment and safeguards;
- **Dermatitis.** Prevention of control of dermatitis caused by contact with food products, cleaning agents etc by elimination of the risk where possible, skin checks, hand-care regime and correct glove selection and use;
- **Machinery.** E.g. compliance with Supply of Machinery (Safety) Regulations;
- **Workplace transport.** Segregation of vehicles and pedestrians, safe reversing procedures, traffic management systems, effective signage, training;
- **Slips and Trips.** Management of control measures to prevent injuries caused by slipping on food products, wet floors etc.;

- **Occupational Asthma.** Prevention of occupational asthma from flour and other dusts;
- **Moving Heavy Loads.** Loading/unloading vehicles, working under/adjacent to supported heavy objects, manually moving or supporting heavy objects;
- **LPG installations/pipework.** Inspection to ensure sound LPG tanks, valves, regulators and pipework with pipework replaced where required.

FOCUS ON THE MEAT AND POULTRY INDUSTRIES

The Equality and Human Rights Commission (EHRC) has commissioned research into the safety of working in the Meat and Poultry industries. Following the outcomes of this research, HSE inspectors are now targeted to visit these premises with a designated list of areas of concern. Inspectors are reporting back in March 2011 and the inspection regime will continue into next year.

FUTURE EVENTS

Business advice open days are being run throughout the year. The open days cover all aspects of business including Health and Safety issues. They are manned by a full team of business experts who aim to help businesses to meet and understand their legal responsibilities. They also aim to help businesses to enhance their operations through the use of new technology and better marketing techniques.

Confirmed business advice open days for the next few months are as follows:

Location	Date(s)	Venue
Manchester	Tuesday 9 November 2010	Manchester City Football Club
Rickmansworth	Thursday 18 November 2010	The Bull Hotel, Gerrards Cross

Other events of interest over the next few months are:

Event	Location	Date	Venue
EEF Safe Maintenance events- Getting to grips with key issues in health and safety, including management of asbestos, isolating machinery and selecting contractors with speakers from EEF, HSE and Trade Unions	Sheffield	4 th November	Broomgrove
	Warrington	9 th November	EEF
	Glasgow	23 rd November	Glasgow Concert Halls
	Leamington Spa	30 th November	Woodland Grange
Electrical safe working in the food industry	Warrington	18 th November	IOSH
Reducing MSDs - HSE's new ART tool - Workshops	TBA	Late 2010/Early 2011	TBA
4th Annual HSW/IIRSM Conference 2010	Birmingham	Thursday 4th November 2010	The Botanical Gardens

LEGISLATIVE UPDATE

HSE WELCOMES LORD YOUNG'S REPORT ON HEALTH AND SAFETY

In Lord Young's report published on the 15th October, Lord Young said the 1974 Health and Safety Act remains an 'effective framework' and had brought about the lowest number of non-fatal accidents and second lowest number of fatal accidents at work in Europe. But health and safety had been given a bad name, said the former minister, by misinterpretations of the rules.

Lord Young is recommending controls on no win- no fee lawyers, the simplification of risk assessments for some businesses and the accreditation of health and safety consultants.

HSE has welcomed the publication of Lord Young's report. HSE reports that they have been working with others to develop responses to two of the recommendations:

- a 20- minute online risk assessment for offices (see guidance section below) with other web tools for similarly low-risk workplaces to follow
- a new Occupational Safety consultants Register (OSCR), which will be set up January 2011.

Judith Hackitt, the HSE Chair said:

'Lord Young's report is an important milestone on the road to recovery for the reputation of real health and safety. HSE welcomes this and will be actively pursuing those recommendations within our remit.'

'Publication of the report is a tremendous opportunity to refocus health and safety on what it is really about- managing workplace risks. Getting this right is good for employers, employees and Britain as a whole.'

'We've been saying for some time that health and safety is being used by too many people

as a convenient excuse to hide behind. Often it is invoked to disguise somebody's motives- concerns over costs or complexity, an unwillingness to defend an unpopular decision or simple laziness. Lord Young is sweeping these excuses away'

'HSE will continue to champion a sensible and proportionate approach to dealing with serious risks in the workplace- not eliminating every minor risk from everyday life.'

To view Lord Young's full report click [here](#). A summary of his recommendations are shown on pages 15 and 16.

EQUALITY ACT 2010 AND THE AFFECT ON PRE-EMPLOYMENT MEDICAL QUESTIONNAIRES

The Equality Act 2010 came into force on 1 October 2010. It consolidated the provisions of the previous anti-discrimination statutes (including the Disability Discrimination Act 1995) and secondary legislation into a single Act.

This act is extremely relevant to our industry as it limits pre-employment health screening and restricts questions asked at interview, on application forms and medical questionnaires. It is regular practice for our industry to use pre-employment medical questionnaires to assess the suitability for working within a cold store environment; therefore this article provides guidance for members in this area.

With the introduction of the new act, except in situations specified below, an employer must not ask about a job applicant's health until the person has been offered a job (on a conditional or unconditional basis) or been included in a pool of successful candidates to be offered a job when a suitable position becomes available. The specified situations where health related enquiries **can** be made are for the purposes of:

- Finding out whether a job applicant would be able to participate in an assessment to test their suitability for the work;
 - Making reasonable adjustments to enable the disabled person to participate in the recruitment process;
 - **Finding out whether a job applicant would be able to undertake a function that is intrinsic to the job, with reasonable adjustment in place as required;**
 - Monitoring diversity in applications for jobs; if this is done it is recommended that this is separated from the interview form;
 - Supporting positive action in employment for disabled people and enabling an employer to identify suitable candidates for a job where there is a genuine occupational requirement for the person to be disabled.
- of disability discrimination so please contact Joanna Hancock on e mail joannahancock@bfff.co.uk for further information.

For example where an applicant may apply for a job in a warehouse, which requires the manual lifting and handling of heavy items. As manual handling is a function which is intrinsic to the job, the employer is permitted to ask the applicant questions about his health to establish whether he is able to do the job (with reasonable adjustments for a disabled applicant, if required). The employer would not be permitted to ask the applicant other health questions until he or she offered the candidate a job.

In summary, pre-employment medical health questionnaires are still permitted, however the questions asked must be intrinsic to the job. So for example in our industry, we can ask questions relating to working in a cold store environment where a health condition may be made worse- but we cannot ask questions about something that is not directly related to the work (e.g. to do with a persons disability, poor eyesight etc if that is not relevant to the health issues that would prevent them from working in a cold store).

This article only covers a small element of the Act. Croners has provided BFFF with further details on the focus of the new act and types

GUIDANCE

LESSONS LEARNT FROM AN AMMONIA LEAK AT A WHOLESALE OPERATION

During our most recent H&S working group meeting, Brakes kindly shared with us some of the lessons learnt from a small ammonia leak at one of their sites. The leak was caused by a valve failing whilst a refrigeration contractor was carrying out a routine maintenance operation. Although the leak was small, there were several lessons learnt that could interest the majority of members which are as follows:

- It was found that this particular refrigeration contractor does not train their engineers to use Breathing Apparatus (BA). The consequence was that it took several hours to locate a company that had trained refrigeration engineers that could use BA and could enter the plant room to shut off the plant. Members are advised to check the service offered by your contractors and perhaps source local expertise in this area.
- Emergency showers are often traditionally located next to the plant room as they need to be readily accessible in the case of an employee becoming doused in ammonia. As the leak in this instance was relatively small it wasn't an issue, however this location could be an issue if there is a large leak due to the fact that employees should be as far away as possible from the source. Therefore an additional location may be a consideration as part of your risk assessment.
- Fire Brigade- It is a good idea to invite them into your operation so they can photograph the plant and understand the layout in advance of an emergency situation occurring.
- Local Council- It is worth checking with your local council what their disaster plan is so you can incorporate them into your emergency planning. In this case they turned up with buses to take employees away from the site.

- It is thought that the weld had failed on this valve. HSL are helping to establish this so that we can inform the membership accordingly.

PREVENTING CUT INJURIES

Research carried out by the British Frozen Food Federation has shown that cuts are the second highest cause of accidents amongst their food-manufacturing members.

As such it is essential that work area risk assessments should include looking at the risks related to using hand knives and for dealing with other sharp objects in the workplace.

Research has shown that hand knives cause the greatest number of injuries and should be safely stored/sheathed when not in use.

When hand knives are in regular use, knife resistant protective clothing should be worn as determined by the risk assessment (e.g. a protective apron and forearm guard/glove for the non-knife hand). Knives used in warehousing operations should be the retractable safety knife type wherever possible.

Knives and hand tools in general should be maintained in good condition so that undue force is not required to use them.

Other workplace hazards should be considered. For instance work areas should be free from slipping/tripping hazards. In one case an employee died when she slipped on the floor of her workplace and severed an artery in her neck with the knife she was carrying.

Manual handling operations also involve a risk of cutting injuries therefore it is important to inspect a load prior to lift, particularly when dealing with newly delivered items. Sharp packing edges, staples and even discarded knife blades may be present in packaging.

When a job requires regular handling of sharp or rough items, suitable protective gloves must be worn. Manufacturer's information should be sought as to whether the glove will protect against the actual workplace hazard.

MACHINERY GUARDING

Machinery guarding is essential if a machine is to operate safely, but machine designers, health and safety managers, health and safety representatives and guarding specifiers are often unaware of the full range of regulations and standards that are applicable. Employers and responsible persons must ensure that they are fully aware of the applicable standards, including CE Marking etc, in the UK, Europe and beyond.

Mechanical hazards fall into distinct categories that can result in injury, loss of limbs or even death. Contact with moving or rotating parts of machinery is the greatest hazard with machinery. Guarding goes a long way to physically protect employees from this type of contact.

The type of guards to be fitted will depend upon how the machine has been designed to carry out its function, the nature of the hazard from the unguarded machine and whether whole or broken parts of the machine or workpiece are likely to be ejected.

The hierarchy of guarding is as follows.

1. Fixed enclosing guards.
2. Other guards or protection devices.
3. Protection appliances (jigs, holders, push sticks, etc).
4. Provision of information, instruction and training.

All guards and protective devices (including safety interlocks) whether fixed or movable must:

- be of robust construction
- not give rise to any additional risk
- not be easy to bypass or render non-operational
- be located at an adequate distance from

the danger zone

- cause minimum obstruction to the view of the production process
- enable essential work to be carried out without the need to dismantle the guard or protection device.

Fixed Guards

The safest form of guarding is fixed guarding where personnel are permanently excluded from hazardous parts of the machinery by use of guards that are permanently attached to the equipment. An example of this would be covers over gearboxes, which exclude operator limbs from these dangerous parts of the machine.

Fixed guards have no moving parts and are fixed in a constant position relative to the danger zone. The primary aim must be to fit permanent, fixed and fully enclosing guards wherever possible. To be considered permanent, such guards must be removable only with the use of a tool.

Fixed guards should ideally be fitted so that if the fixings are removed, the guard will fall away in order that the guard's absence will become obvious. It is good practice to label fixed guards with an appropriate hazard warning sign so that all are aware that if such a cover is removed, a dangerous part or parts will be exposed.

Where the danger is of an electrical nature, any conductive (i.e. metallic) protective cover should be connected to earth. It is allowable to have holes in protective covers, typically to facilitate ventilation or to provide a means of inserting test probes to take necessary measurements, provided that the covers still exclude parts of persons.

Moveable or Adjustable Guards

These must remain fixed to the machine when open and fitted with a locking device to prevent moving parts starting up. This requirement is linked to the criteria for "controls" to inhibit operation until the guard is replaced and the operator is at a safe distance.

The operator should not be able to gain access through the guards and the guards should not be moved during operation of the machine. However,

to allow the machinery to accommodate a variety of sizes of workpieces or cutters, the guarding is provided with some adjustments, which should be set prior to the particular operation of the machine.

It is important that this type of guarding is set by a competent person and the guarding cannot be adjusted by the operator without the use of a tool, e.g. wing nuts should not be used to fix the guard in position or be the means of adjusting the guard.

Interlocked Guards

It is often necessary for the operator or other personnel to access potentially dangerous areas of the machine, eg areas under the cutter for loading and unloading the workpiece. Interlocked guards should ensure that the dangerous parts of the machinery are in a safe condition before they can be opened and the operator can gain access. The interlock can be electrical, mechanical, hydraulic, pneumatic or a combination of any of these.

When considering interlocks for equipment, it is particularly important to ensure that they are maintained in fully working order, people are trained to use them and they are properly supervised to ensure that they do not deliberately or accidentally bypass the safety devices.

Automatic Guards

These are guards that are operated within a sequence of the machine, automatically closing to exclude the operator from a dangerous area when the area is a potential hazard and opening to allow operator access for loading and unloading when the sequence has finished the hazardous operation. These guards should ensure that a new hazard is not introduced through the action of the guard potentially trapping and crushing the operator.

Automatic guards are usually equipped with sensors or trip devices on their leading edge to stop their motion if they encounter any obstruction and/or are operated by actuators that can be stopped by finger pressure, e.g. low-pressure air systems.

Further safety can be achieved by using two

hand controls for guard operation, placing them a minimum of 600mm apart so that the operator's hands are clear of the guard when it closes.

Distance Guards and Trip Devices

These work by keeping personnel at a suitable distance from the hazard so that they cannot reach into it and cause injury. It is usually in the form of a fixed barrier some distance from the machinery and could be used to exclude personnel other than the operator from approaching the sides or the rear of the machine.

Trip devices ensure that the machinery is shut down if personnel move close to a hazard; the trip device shuts the machinery down before the person comes close enough to be injured. There are many types of trip device. Examples are pressure sensitive floor mats, trip wires stretched around machinery, and photoelectric guards.

Photo Electric Guarding

Photo electric guarding forms a curtain, usually of infra red signals, across the access to the dangerous parts of the machine. If the signal is broken the machinery is inhibited from starting its operation or the operation is stopped. It has the twin advantages of no moving parts and a lack of any structure between the operator and the machine, allowing good access for loading and unloading and good vision of the operation. However, it does not guard against projectiles coming from the machine and cannot be used where swarf or other particles could break the signal and cause nuisance tripping.

Photo electric devices, often referred to as "light guards", may be a viable safety guarding strategy. Such devices are often used where the operator needs to approach the machine to perform an operation such as removing a completed workpiece and inserting new material. Where fitted, they are intended to stop the machine before the operator can approach the danger. Such a function means that the time taken for the machine to stop becomes a design factor, together with the speed at which the operator will move.

The physical position of the light guard(s) will also be determined by the requirement to ensure that they are effective so that they cannot be

easily circumnavigated. It also should not be possible for any person to step inside the light guard system (i.e. to enter the danger zone) and then to restart the machine from such a position.

Selection of Guards

The selection of the type of guard will depend on the machinery to be guarded, the hazard to be guarded against, the frequency of access required and the operation of the machine, e.g. whether the machine is being used for a very rapid cycle of work and/or large batches of components or whether the machine is being used to produce one-off components.

It is important to remember that, in addition to normal use, the designer must also consider cleaning, setting, machine adjustment and repair. This does not mean that all operations must be performed with all guards in place. However, the removal of any guard for any of the operations above must be fully justified.

Ease of Guard Use

Guards should be designed to impose the minimum of constraint upon the normal operation of the machine. If this is not achieved there will be a strong degree of temptation for the operator to use the machinery without the guard or to modify the guard to avoid the constraint. Both actions compromise their safety.

Guard Security

However well designed the guards are they may introduce some impediment to the ease of use of the machinery, so the temptation to operate the machine without guarding or with modified guarding will still be present. It is important, therefore, to consider how easily the guarding system can be removed or defeated. Fixed guards, for example, can be welded in place in preference to attaching with removable fixings.

Interlocked guarding presents particular problems as, unless the control circuitry is carefully designed with safety in mind, the sensors that indicate that guards are closed can be easily fooled by a determined operator.

REQUEST FOR CASE STUDY MATERIAL ON MECHANICAL AIDS/ MECHANISATION USED TO PREVENT UPPER LIMB DISORDERS (ULD'S)

HSE is keen to provide more information on mechanisation and automation available to reduce upper limb disorders (ULD's) that can arise from repetitive handling (i.e. light loads at least every few seconds). This information is needed to support the use of HSE's new Assessment of Repetitive Tasks (ART) tool.

On behalf of HSE, the Health and Safety Laboratory (HSL) is carrying our research to identify suitable risk reduction measures. HSL would like to hear from you if you have introduced, or are aware of, any types of mechanical aids or mechanisation to reduce ULD risks in the food sector.

HSL will not take up too much of your time! Just a simple phone call or e mail to HSL colleagues and they will take forward the work with a sample of companies.

If you are able to assist, please call or e mail:

Leanne.Hunter@hsl.gov.uk Tel: 01298 218358

Tony.Wynn@hsl.gov.uk Tel: 01298 218490

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NEW GUIDE TO THE LAW ON STRESS AT WORK

The guide, produced by the Chartered Institute of Personnel and Development with support from the HSE, Acas and the cross- government Health, Work and Wellbeing programme, spells out employers' legal obligations in identifying and preventing stress at work. Click [here](#) for more information.

20-MINUTE RISK ASSESSMENT FOR LOW RISK OFFICES

A new online risk assessment will help cut back the time it takes to weigh up the hazards in offices to just 20 minutes.

HSE has produced the web tool to help employers to consider relevant hazards in their office and think about how they control them to keep staff safe. Launched this month, the tool will help avoid unnecessary paperwork and bureaucracy for office-based businesses, which tends to be low risk.

Safety officials will take account of the results of the assessments when they carry out inspections-evidence that businesses have taken appropriate steps to manage workplace risk.

The online tool works by prompting employers to answer a series of questions about their workplace and then generates a unique risk assessment with actions required.

[Click](#) here to view the tool.

HSE SAFETY NOTICE ON MEWPS

The HSE has published a safety notice on how to avoid trapping and crushing injuries to people on the platform of mobile elevating work platforms (MEWPs).

The safety notice says that more people die from falls at work than from any other cause and that the use of MEWPs and powered access equipment has been a major factor in the reduction in falls accidents.

The HSE acknowledges that for temporary work at height, this kind of equipment is often the safest solution. However, it is concerned that there are currently under investigation a number of fatal and serious accidents where operators have become trapped between the guardrails or other equipment on the platform and adjacent obstructions.

The purpose of the safety notice is to publicise the issue and direct users to new guidance,

which addresses this particular aspect of MEWP use. The HSE is working with a range of stakeholders to develop the guidance. It covers the factors which contribute to these entrapment accidents and the actions which need to be taken to prevent harm, and highlights certain key areas for attention in relation to the risks associated with entrapment, including:

- effective work planning
- selection of equipment for the specific tasks and environment
- training of managers and operators (including on the specific machine to be used)
- Preparation and practice of detailed procedures to be followed if someone is trapped and needs to be rescued quickly to minimise harm.

Further information on the subject and the new guidance can be accessed at www.hse.gov.uk/safetybulletins/workplatforms.htm

HEALTH AND SAFETY IMPLICATIONS OF OLDER WORKERS

A number of organisations which support the health and safety and other needs of older workers have welcome Government plans to remove the default retirement age.

However, they have also urged employers to consider the needs of older workers in relation to factors such as ergonomics and occupational health and safety.

Currently, when a worker reaches the age of 65, he or she may be asked to leave work without any reason or recompense, but it has been argued that this may be seen as discriminatory to older workers who want to continue in employment.

The coalition Government has proposed to stop forcing people to retire at the age of 65, from October 2011, in a move welcomed by many but one that has raised concerns among some business leaders.

The majority of people in the UK do retire before the age of 65. However, in 2005 there were

582,000 economically active individuals above retirement age and this is predicted to rise to 775,000 by 2020.

The Institute of Medicine (IOM), which carried out a recent evidence review on the health, safety and health promotion needs of older workers, says that for those who are positive about the change in the law, it will allow older and more experienced workers to continue contributing to the workplace for longer.

The IOM says it will also offer an opportunity for flexible working or phased retirements for those who wish to continue at work.

A number of groups including AGE UK, The Age and Employment Network (TAEN) and the Institute of Ergonomics and Human Factors have also welcomed the change, but argue that supporting and maintaining health and well-being at work will require input from a range of professionals in occupational health, public health, safety, occupational psychology, human resources and social policy.

AUDIO/VISUAL DEMONSTRATION OF NOISE INDUCED HEARING LOSS

Noise induced hearing loss is irreversible damage to the ears caused by exposure to high levels of noise. We reported in the February edition of Keep it Safe how some of our members are finding that employers' liability claims for noise induced hearing loss from past and present employees are starting to increase.

HSE has now issued audio and visual demonstrations of the potential effects of noise induced hearing loss which members may find useful. Click [here](#) for the demonstration.

BRITISH SAFETY COUNCIL- SAFETY AND ENVIRONMENT DOCUMENT MANAGEMENT SYSTEM

The British Safety Council has launched a new software program that allows you to create, store, distribute and update important health and safety and environmental management documents in a digital format from one central place.

For further information please e mail ask@britsafe.org and quote DMS/UK/E-10.

CONSULTANTS REGISTER TO IMPROVE SAFETY ADVICE

A new national register of occupational safety consultants will be set up to help employers access good quality, proportionate advice, the HSE has confirmed.

The Occupational Safety Consultants Register (OSCR) will go live on January 2011. It will provide firms with details of consultants who have met the highest qualification standard of recognised professional bodies and who are bound by a code of conduct that requires them to only give advice which is sensible and proportionate.

The register has been developed by HSE and a network of professional bodies representing safety consultants across Britain. Employers will visit a single website that help them to find local advisers with experience relevant to their sector.

Judith Hackitt, the HSE chair, said:

'Lord Young quite rightly recognised that businesses find it difficult to know when they need expert safety advice and where to go to get it. The Occupational Safety Consultants Register will make it easier to identify consultants who meet the highest standards within their professional bodies.'

'There are already many very good safety consultants who give sensible advice to employers- the register will help recognise their professional skills and also encourages those who do not yet meet these standards to do so. It will help to raise the standard of advice available to employers and increase their confidence in the advice they receive.'

To be eligible to join the register, individual consultants will need to be either Chartered members of the safety bodies IOSH, CIEH or REHIS or a Fellow of the IIRSM.

Membership will mean they have a commitment to continuous professional development, a degree equivalent qualification, two years' experience, professional indemnity insurance and are bound

by a code of conduct to only providing sensible and proportionate advice.

The scheme will be managed through the professional bodies themselves through a not-for-profit company, with HSE providing support.

Membership of OSCR will be voluntary. There will be an annual administration fee to be paid, although the level has yet to be set. A further announcement on the detail of the scheme will be made later in the year.



The myth: People don't have to take any responsibility for their own health and safety

The reality: Employers have a duty to protect workers and the public from dangers caused by their work – and HSE is committed to making sure they do that. But health and safety isn't entirely someone else's responsibility.

We all have a duty to keep ourselves safe, by co-operating with safety measures and not putting ourselves or others in danger. This is just common sense – something we all use every day.

It's important that we aren't put at risk by other people's actions, but if we ignore our own responsibilities, real risks can get missed. Playing the blame game doesn't keep people safe – better to rely on common sense and co-operation.

ENFORCEMENT

FOOD MANUFACTURER FINED £10,000

One of the UK's leading food manufacturers was recently prosecuted after a worker severed two fingers in a mixing machine.

The incident took place on 9 April 2009 at a cake baking site in Halifax. Halifax magistrates heard how the employee lost two fingers on her right hand when she attempted to clear a blockage in an industrial-sized mixer, used to combine ingredients.

The HSE investigation into the accident found the employee had to scale a two-metre fixed step ladder in order to reach the machine, empty the mixture inside and then restart it. Although the mixer had stopped, the blades inside were still rotating and when she reached in, her fingers were severed.

The company pleaded guilty to breaching s.2 (1) of the Health and Safety at Work Act 1974, was fined £10,000 and also ordered to pay £2889 in court costs.

Following the hearing, HSE Inspector Rachel Brittain said: "An incident like this should not happen in any company, but taking place in such a large-scale food manufacturer such as this is absolutely unacceptable."

APPEAL COURT GUIDANCE ON FIRE SENTENCING

London Fire Brigade has issued a statement welcoming a Court of Appeal decision which offers guidance on sentencing for serious breaches of fire safety legislation.

The judgment focused on a store's appeal against a sentence and is the first decision made by the Court of Appeal under the Regulatory Reform (Fire Safety) Order 2005 (RRO).

The store, New Look, pleaded guilty to two breaches of the RRO at Southwark Crown Court

on 25 November 2009 following a prosecution by the London Fire Brigade.

The company was fined £400,000 and ordered to pay £136,052 in costs by HHJ Rivlin QC, Recorder of Westminster, making it the largest fine to date under the RRO.

New Look argued that HHJ Rivlin, the sentencing judge, had not given sufficient weight to the fact that neither individually nor cumulatively were the breaches of duty linked to the cause of fire, nor did the fire cause injury or death.

It was submitted that the sentencing judge had applied a higher presumed standard of seriousness to breaches of fire safety responsibilities than he would for breaches of duty towards employees and visitors under the Health and Safety at Work, etc Act 1974.

However, these submissions were not accepted and the Court of Appeal agreed with the sentencing judge that a court does not have to wait until death or serious injury has occurred to express its displeasure at wholesale breaches of the defendant's responsibilities under the Order.

After concluding that the sentencing judge made no error in principle or approach to the issues of seriousness and responsibility, the Court of Appeal recognised that the fines were severe but not manifestly excessive.