

KEEP IT SAFE



BFFF QUARTERLY HEALTH AND SAFETY UPDATE

OCTOBER 2011

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 hazelcranidge@bfff.co.uk if you have any health and safety issues or wish to receive additional/back copies

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BFFF HEALTH AND SAFETY INITIATIVES

HEALTH AND 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 aim of the group 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.

As mentioned in the July edition of 'Keep It Safe' the group have developed a second seminar 'Improving safety within the cold chain' to build on the success of our first seminar last November. We have now launched this seminar and it is proving to be very popular. If you or a colleague are interested in attending please do complete and return the booking form together with your payment so that we can confirm your place. Speakers include: HSE, Boston Local Authority, Brakes, Asda, Valid8 Force, Britvic, Norbert Dentressangle and the Association of Industrial Truck Trainers.

To book please click here or email hazelcranidge@bfff.co.uk – please circulate the details within your H&S team.

The working group also discussed other health and safety topics of interest to the industry and indeed our members.

In particular the group looked at consultations arising from the HSE and all agreed that it would be beneficial for BFFF to reinforce our links with HSE to enable us to lobby effectively. Two key consultations currently underway are the Cost Recovery Consultation and Proposals on Revised Control of Asbestos Regulations.

There was concern that changing the well known Asbestos Regulations would lead to confusion and that there was in fact, no need to change them. If anyone wishes for more information on either consultation they are available at:

To view the Cost Recovery consultation document please click on the following link <http://www.hse.gov.uk/consult/condocs/cd235.htm>. For more information see also <http://www.hse.gov.uk/press/2011/hse-costrecovery.htm>. Please note this consultation closes on 14th October 2011.

To view the Proposals on Revised Control of Asbestos Regulations document please click on the following link:

<http://www.hse.gov.uk/consult/condocs/cd237.htm?ebul=consult/sep11&cr=01> . Please note this consultation closes on 4th November 2011.

The meeting was rounded off with a presentation from Valid8 Force who are forensic collision investigators. It was a very interesting subject and we are delighted that Colin Hartley will be presenting at the Health & Safety Seminar on 2nd November. A copy of the presentation will be circulated afterwards.

The working group will be meeting again on the 8th February 2012. All members are able to anonymously raise industry issues for group discussion. Please contact Hazel Cranidge with the details of any points you wish to raise.

PUBLIC HEALTH RESPONSIBILITY DEAL

The Public Health Responsibility Deal, launched on 15 March 2011 by the Department of Health, is an initiative to harness the contribution that businesses can make to deliver the public health priorities set by the government, through the influence businesses can exert on Food, Physical Activity, Alcohol and Health at work. Network groups have been established for each of these categories.

Partners register with the Department of Health and in registering agree to take demonstrable action against a number of pledges, and to report progress. The British Frozen Food Federation signed up to the Department of Health's Public Health Responsibility Deal on 7 June specifically to support the pledge for the Communication and Promotion of the Chief Medical Officers' revised Physical Activity Guidelines.

These guidelines have been recently published and detail the amount of activity or exercise that people should be doing at different life stages. We are helping to communicate the guidelines through the Bulletin and plan to continue to do this. We are also waiting for the development of more pledges from the department of health and where appropriate we may sign up to other pledges in the future. For more information please contact Su Dakin on 01400 283094 or sudakin@bfff.co.uk



BFFF Health & Safety Seminar Improving Safety within the Cold Chain

DATE: Wednesday 2nd November 2011
TIME: 9.30am - 3.00pm
VENUE: Grantham Ramada
PRICE: £50 + VAT for BFFF Members
 £70 + VAT for Non BFFF Members

TOPICS TO BE COVERED:

HSE - *What an inspector looks for*
 - *Their priorities*

Workplace Transport - *Proposed guideline change for FLT operators*
 - *Practical case study*

Accidents - *Lessons from a real life experience*

Cold Store Workers - *Their priorities*
 - *Their health requirements*

Case Studies - *From a leading retailer*
 - *From a leading wholesaler*

Behavioural Programs - *Do they have a place?*

PRESENTERS INCLUDE:

- Boston Local Authority
- HSE
- Association of Industrial Truck Trainers
- Norbert Dentressangle Logistics UK
- Britvic
- V8 Force
- Asda Stores Ltd.
- Brakes

Here's what previous attendees have said:

- A 'punchy', informative, well presented seminar with plenty for attendees to take away with them to their workplace
- An excellent, all round practical seminar, very informative and enlightening

BOOKING FORM

I / We would like to attend the BFFF Health & Safety Seminar: Improving Safety within the Cold Chain at the Grantham Ramada on Wednesday 2nd November 2011

Company _____

Address _____

Postcode _____

Telephone _____ Fax _____

Email _____ Website _____

DELEGATE NAME	JOB TITLE	EMAIL ADDRESS

Booked by _____ Signature _____

I enclose a cheque for £ _____ (payable to British Frozen Food Federation)

To book your place

- Email/Fax your completed form to hazelcranidge@bff.co.uk / 01400 283098 to to secure your places immediately
- Complete and return this form with your cheque to BFFF at the address below.

HSE FOOD INDUSTRY CASE STUDIES

HSE CASE STUDY - LEGIONNAIRES DISEASE OUTBREAK

Advice

Summary

A butchery processing company were prosecuted after two employees contracted Legionnaires' disease at one of their premises. Legionnaires' Disease is a type of pneumonia caused by inhaling airborne droplets of water containing viable legionella bacteria. It is a serious condition that is possibly fatal.

Water samples were taken throughout the building and significant levels of legionella were found to be present at three locations: a pressure washer hose point, an apron wash shower point, and a pressure washer header tank. The tank was fed by hot and cold water and supplied water to three pressure washer hose points in and around the process area.

Employees used the pressure washer system to clean away meat and fat debris in the various processing areas as and when required.

Following notification of the two cases, an outbreak committee was formed. While the investigation was taking place, the company closed the site and the domestic water system was drained, pumped through, chlorinated and disinfected.

A risk assessment carried out in May 2001 set out that simple and periodic checks should be carried out on the company's domestic water system, and that the control measures should be monitored and reviewed. They failed to carry out these checks.

Action

The company were prosecuted under Section 2(1) of the Health and Safety at Work etc Act 1974 by failing to protect its employees from the risk of contracting Legionnaires' disease. They were found guilty and fined £25,000, with an additional £20,000 in costs awarded against them.

Industrial hot and cold water systems are well known for posing a high risk of legionella developing.

The company failed to carry out simple checks on the hot and cold water system. As a result, many of its employees working at the site were potentially exposed to the legionella bacteria, and two individuals were made seriously ill.

The Approved Code of Practice and Guidance document on Legionella control is known as "L8" (www.hse.gov.uk/pubns/books/l8.htm). It relates to the control of legionella bacteria in any undertaking involving work activity where water is used or stored and where there is a means of creating and transmitting water droplets that may be inhaled, thereby causing a reasonably foreseeable risk of exposure to legionella bacteria.

Paragraph 23 of the Guidance sets out that following the obtaining of a suitable and sufficient Risk Assessment any risks so identified should be avoided or a written scheme be produced for controlling the risk from exposure. Such a scheme should provide details of how the control measures will be implemented and managed and checks should be implemented to ensure that the measures remain effective.

HSE CASE STUDY - CRUSHED IN A PALLETISER

Advice

Summary

A pet food manufacturer was prosecuted following a fatal accident to an employee who was crushed to death in a palletiser machine.

The machine is used to take cans of pet food from conveyor belts and stack them in layers on pallets. It is fully automatic and operated by sensors. The machine should have been fully enclosed with an interlock system to prevent anyone gaining access until the power is shut off.

While there were no witnesses, the investigation found that the employee had entered the caged area, via a gap in the fencing created by the stair rails, to reposition a jammed pallet. When the pallet was freed it set the machine in motion, trapping and killing him.

This tragic loss of life could have been easily avoided if the company had fulfilled their duty in law to protect the health and safety of their employees. This was not an isolated incident. The unfenced gap between the stair rails had been there for nearly two years and it had become common practice for employees to nip through it to fix problems on the machine in an effort to keep the production line running.

Action

The company pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 for failing to ensure so far as reasonably practicable the health and safety of their employees. They were fined £100,000 and ordered to pay costs of £28,380.91.

The company's Operations Director was also separately prosecuted. He was fined £10,000 having pleaded guilty to breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations (PUWER) 1998, for failing to ensure the palletising machine was properly guarded.

Unguarded or inadequately guarded machines are a source of numerous serious accidents. Blockages on palletisers are also a common occurrence. It is therefore foreseeable that operators may require entry to the danger zone to clear blockages. This must be carried out in accordance with a safe system of work to ensure that the risks to the operator are controlled.

Access into a palletiser or depalletiser should be via a dedicated route other than the pallet load entry/exit openings. Doors provided for this purpose should be safeguarded using interlocking devices with guard locking, and openings should have suitable electrosensitive protective equipment (ESPE) acting as a trip device.

Further information is available in HSE Information Sheet FIS27 - Packaging machinery: Safeguarding palletisers and depalletisers (www.hse.gov.uk/pubns/fis27.pdf).

Under the Provision and Use of Work Equipment Regulations 1998 (PUWER) equipment for use should be adequately guarded BEFORE being used. A simple system for checking over equipment before use would have identified a missing guard.

Further information on how to ensure that risks to workers' health and safety from the use of work equipment and machinery are properly controlled can be found on the HSE website at www.hse.gov.uk/equipment/legislation.htm.

HSE Campaigns

In March 2011 the Department for Work and Pensions (DWP) published a plan entitled “Good Health and Safety, Good for Everyone” outlining the next steps of the coalition government’s Health and Safety reforms. The plan has far reaching implications for HSE and their enforcement and campaign programmes as detailed in the following articles.

HSE INSPECTIONS & CAMPAIGNS FOR THE FOOD MANUFACTURE INDUSTRY

Due to the shift in the HSE’s inspection and campaign focus, HSE now focuses on higher risk areas and on dealing with serious breaches of health and safety regulation.

HSE continues with reactive work e.g. investigation of accidents and complaints which meet their incident selection criteria. Proactive planned work will only take place in line with the principle of ‘no intervention without a purpose’, in the following circumstances:

- 1) Inspections undertaken immediately following an investigation or (single) topic visit where HSE need to further test the duty holder’s arrangements for managing health and safety risks
- 2) Inspections undertaken in high risk sectors or areas (i.e. LPG, waste and recycling and maintenance within the manufacturing industry as other high risk areas)
- 3) Inspections of poor performers identified on the basis of sound intelligence, such as previous visits (premises identified by HSE as poor performers), adverse insurance reports, evidence from the Equality and Human Rights Commission (meat/poultry and fresh produce processing), etc.

HSE intends to focus interventions on the assessment of the duty holder’s arrangements to manage health and safety risks, with the risk profile of the business being used to determine the topics assessed.

In summary, BFFF members are likely to still see an inspector only in response to one of the above criteria. Any inspections will be focussed on the management of health and safety risks by those organisations. This may well look at issues such as slips/trips, etc but unlike previous years there will not be a list of inspection topics or specific campaigns.

LADDER EXCHANGE INITIATIVE 2011

The Health and Safety Executive (HSE) has launched its Ladder Exchange Initiative 2011, making this year the fifth during which the programme has run.

The initiative provides UK businesses with an easy and simple way to replace broken, damaged or bent ladders and trade them in for safe new ones.

Since its launch, Ladder Exchange has resulted in over 8000 “dodgy ladders” being removed from use. This year’s programme will run for three months until 30 November.

The aim of the three-month initiative will be to encourage people to get rid of old, damaged and broken ladders by trading them in for a new one. Discounts are said to be available from participating companies.

The HSE is running the campaign in partnership with Local Government Regulation and the 2011 Ladder Exchange is supported by the Ladder Association.

HSE FOCUS FOR FOOD MANUFACTURE INDUSTRY

The HSE’s main enforcement focus for the food manufacture industry for 2011/2012 has changed significantly in line with DWP’s plan. Greater emphasis will now be placed on:

- **Investigating serious accidents** and bringing serious legal breaches to court promptly

- **Concentrating inspection on higher risk industries** including some food manufacture industries such as meat and poultry processing and dairy processing
- **Inspection of meat/poultry processing** to follow up Equality and Human Rights Commission Inquiry Report issues on working conditions
- **Safety at maintenance operations** by encouraging an integrated and structured approach to maintenance
- **LPG installations** - continuing inspections of LPG installations and pipework
- **Cost recovery** from employers in serious breach of health and safety law.

FUTURE EVENTS

Events of interest over the next few months are:

Event	Location	Date	Venue
National Food and Drink Manufacture Health and Safety Conference	Nottingham	4-5 October 2011	The Nottingham Belfry
ROSPA Meet the experts: Leading teams safely	West Bromwich	11 October 2011	National Metalforming Centre
Workplace Drugs and Alcohol Workshop	Buxton	19 October 2011	H&S Laboratory
Making Health and Safety Management Systems Work	Grange-over-Sands, Cumbria	20 October 2011	The Netherwood Hotel
Workplace Ergonomics & Productivity 2011	London	26-27 October 2011	Royal Horticultural Halls & Conference Centre
Managing Work-Related Stress at an Organisational and Individual Level	Buxton	31 October – 1 November 2011	H&S Laboratory
RoSPA Safety and Health Forum: Safety challenges – obstacle or opportunity?	Birmingham	17 November 2011	Hills Court Conference Centre
Manual Handling for Assessors	Buxton	1 December 2011	H&S Laboratory

Legislative Update

ROSPA SUBMITS EVIDENCE TO LÖFSTEDT REVIEW

The Royal Society for the Prevention of Accidents (RoSPA) has submitted its evidence to the ongoing Löfstedt Review, suggesting a “broad and evidence-based approach” and looking for “practical solutions” which could help all businesses, including small firms, to meet their health and safety duties.

In its submitted evidence, RoSPA cautioned against reducing the number of regulations by merger “purely for cosmetic reasons”, and made a number of proposals for practical measures that could be taken, including:

- Giving lower-risk small and medium-sized enterprises the option of producing simple health and safety action plans based on the combined safety policy and risk assessment template already offered by the Health and Safety Executive
- Encouraging third party “semi-regulators” (such as clients, insurers, investors and training funders) to implement mediation procedures enabling firms to appeal against what they see as over-the-top requirements
- Looking at lessons that can be learned from what has worked well in other industrialised countries and linking this to wider efforts to promote effective health and safety regulation worldwide.

While accepting that there may be a case for removing repetitious duties in certain regulations (such as on risk assessment, information and training), RoSPA has urged the team to also look at where there may still be significant gaps in health and safety law, eg with regard to accident investigation and work-related road risk.

Announcing RoSPA’s submission to the Review, Roger Bibbings, the safety body’s Occupational Safety Adviser, said, “There may be a case for better regulatory housekeeping, but owners and managers in small firms do not read raw, undigested health and safety law. What they need is good guidance and above all competent advisers to point them in the right direction. The Löfstedt team needs to take a wider view of current challenges in health and safety and suggest imaginative solutions.”

CONSULTATION ON NEW HSE COST RECOVERY SCHEME

The Health and Safety Executive (HSE) has launched a consultation on how a new system for recovering costs from those who break health and safety laws will operate.

The HSE has already agreed the underlying principle of cost recovery with the Government, but the purpose of the three-month consultation is to decide on the detail of how cost recovery for intervention will operate.

A source at the HSE said the new scheme could apply from as early as April 2012.

Introducing the consultation, Gordon MacDonald, the HSE’s Programme Director, said, “The Government has agreed that it is right that those who break the law should pay their fair share of the costs to put things right — and not the public purse. These proposals provide a further incentive for people to operate within the law, levelling the playing field between those who comply and those who don’t. Compliant firms will not pay a penny in intervention fees.”

The HSE already recovers its costs in a range of industries and Mr MacDonald says the safety watchdog has “considerable experience of making these schemes work”.

Although the changes put no new health and safety duties on businesses, they place for the first time a duty on the HSE to recover the costs of its interventions in certain circumstances.

Costs would be recovered if, during an inspection or investigation, a material breach (a failure to adhere to health and safety law identified by an inspector as requiring formal action) is discovered. Fees would apply up to the point where the HSE's intervention in supporting businesses in putting matters right has concluded.

The HSE is keen to emphasise that law-abiding businesses will be free from costs.

Under the proposals, the HSE will recover costs at current estimates of £133 per hour. Costs of any specialist support needed by HSE would also be passed on.

The deadline for responses to the consultation is 14 October 2011.

The BFFF Health & Safety Working Group expressed their concerns about this consultation as the Cost Recovery proposal could place a huge burden on businesses, particularly in the food sector. We are in touch with the HSE to present the Group's views to them.

GO-AHEAD FOR RIDDOR CHANGES

The Board of the Health and Safety Executive (HSE) has confirmed that, despite opposition from unions and some voices in the health and safety world, it will recommend changes to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) in order to increase the period for reporting injuries.

The change is the result of the HSE's recent consultation on the RIDDOR legislation, initiated by Lord Young's Common Sense, Common Safety report on health and safety in Britain.

The proposals were to increase the "over three days" time period after which an injury must be reported to enforcing authorities to "over seven days".

It was argued that, among other benefits, the increased period would coincide with the point when an employee who is absent from work due to ill health or injury (connected with the work activity) must obtain a "fit note" from his or her doctor.

Following a meeting, the HSE Board says it will recommend to the Work and Pensions Secretary of State the proposed change to RIDDOR, to increase the period for reporting injuries that lead to a worker being incapacitated from over three days to over seven days.

A paper published by the HSE Board on 17 August 2011 indicated there had been "a 2:1 majority in favour of the proposed change".

The Board said over 18,000 copies of the consultative document were downloaded, but only 776 finalised responses were received.

It is estimated that the new legislation will be in force by 6 April 2012.

Guidance

FIRST-AID KIT UPDATE

In 2009/10, 26,061 workers were injured sufficiently badly to require them to take more than three days off work. A source at the BHTA pointed out that the first seconds after an accident are critical and well-trained first aiders and medical professionals are, in many cases, able to minimise the effect of an accident, if appropriate first-aid equipment is readily available.

Legislation requires employers to ensure that first-aid kits are readily available in the workplace and of the right composition to meet their needs following their own risk assessment. However, current requirements for the contents of workplace first-aid kits were last reviewed over 14 years ago in 1997. Since then, the BHTA says, there have been extensive changes in training protocol, new product innovations and increasing infection control.

The new standard

National standard BS 8599: Workplace First Aid Kits has now been introduced for workplace first-aid kits in the UK. Based on the standard, kits should now include increased quantities of products identified as insufficient in previous versions, including plasters and wipes. New additions to kits should include scissors or shears, burns dressings, foil survival blankets, a resuscitation face shield, nitrile gloves, and adhesive tape. Quantities of other items have been reduced to keep the overall size of kits broadly similar to the existing ones.

Do I need to buy a new kit?

A number of employers have been told by first aid suppliers that they must replace their existing box with versions compliant with the new standard, some even going so far as to state that they are breaking the law if they fail to do so.

This is simply not true. It is not a regulatory requirement under the Health and Safety (First-Aid) Regulations 1981 to purchase kits that comply with this standard. Furthermore the standard allows for a 6-month transition period before suppliers must provide the new kits – nobody is expecting employers to change their kits overnight.

It is however recommended that any replacement first-aid kits or stock should be compliant with the new standard but it is not a legal requirement to buy new kits in to replace the old style.

First aid needs assessment

The required contents of first aid boxes are dependent on an employers first aid needs assessment. No fixed level exists, but each employer needs to assess what facilities are appropriate. When assessing what is adequate and appropriate, the employer must take account of a number of factors, such as:

- Workplace Hazards and Risks
- Size of the Organisation
- Organisation's History of Accidents
- Nature and Distribution of Workforce
- Remoteness of Site from Emergency Medical Services
- Needs of Travelling and Remote and Lone Workers

Following the first aid needs assessment the employer must choose whether to provide a first-aid kit/kits within the workplace whose contents comply with BS 8599 AND matches the needs assessment; or supply kit/kits whose contents match the workplace needs assessment but DOES NOT comply with the requirements of BS 8599.

ST JOHN AMBULANCE URGES BUSINESSES TO FOCUS ON FIRST- AID KITS

St John Ambulance, the first-aid charity, has urged businesses to clarify their procedures around the use and stocking of first-aid kits. They described the new standard as a “makeover” for first-aid kits, also quoting research that reveals staff are confused about who in the workplace is responsible for the kits.

The charity says a study of over 1600 workers revealed that trained first aiders and other staff are struggling to understand who is responsible for the company's first-aid kit and do not know who to notify when supplies run low.

The charity says that over a quarter (28%) did not know what was in the kit at all and 5% of people said that they would do nothing about ordering new supplies if they had to delve into the kit for an emergency.

With the new first-aid kit standard introduced by the BSI, St John Ambulance is urging employers and their staff to take the opportunity to not only update their kits, but also ensure they have a clear process in place to make sure it is always fully stocked and within the expiry date.

A full list of the new contents specified for first-aid kits can be downloaded from the British Healthcare Trades Association website www.bhta.net.

EMPLOYEES NOT TAKING EYE TESTS

A survey undertaken by the organisers of the recent National Eye Health Week, held from 13–17 June 2011, found that almost 40% of employees are not having regular sight tests despite employers' obligation to offer this benefit.

The Health and Safety (Display Screen Equipment) Regulations 1992 require employers to provide all employees who use visual display units (VDUs) with eye tests, when requested, and glasses if required.

The survey also revealed that 30% of workers suffer with their vision at work, with 1 in 10 complaining of regular headaches.

The research indicated that employees do not go for regular eye tests because they believe their vision is fine, despite the fact that a range of other conditions such as diabetes can also be revealed through eye examinations. The preventative nature of these simple eye examinations can also, therefore, have an impact on long-term sick leave and absenteeism from work.

NEW WORKPLACE LIGHTING STANDARD

British Standard EN 12464-1:2011 replaces the 2002 version as the standard that specifies lighting requirements, for people in indoor work places, that meet the needs for visual comfort and performance of people having normal ophthalmic (visual) capacity.

BS EN 12464-1 specifies the requirements for lighting solutions for most indoor work places and their associated areas in terms of quantity and quality of illumination. The illumination can be provided by daylight, artificial lighting or a combination of both.

However, the revised standard does not specify lighting requirements with respect to the safety and health of people at work, although recommendations are given for good lighting practice. Energy efficiency requirements and the benefits of daylight are considered.

It also covers lighting design criteria, reflectance of surfaces, directional lighting of the task area and surrounding areas, glare and discomfort, lighting in the interior space, and lighting of work stations with Display Screen Equipment (DSE).

LÖFSTEDT TO CONSIDER SAFETY SUPPORT SYSTEMS

The Royal Society for the Prevention of Accidents (RoSPA) has called on Professor Löfstedt to consider how small and medium-sized enterprises (SMEs) can be helped to avoid accidents and ill health.

The Löfstedt Review of health and safety has been set up to help simplify health and safety legislation and make it more effective and proportionate for the benefit of both business and the workforce. The stated aim of the Review is “reducing the burden of health and safety legislation on UK businesses while maintaining the progress made in improving health and safety outcomes”. Professor Löfstedt is Professor of Risk Management and Director of King's Centre for Risk Management at King's College London.

Although RoSPA welcomes the Review's attempt to ensure “better regulatory housekeeping, without reducing essential protections”, it believes that an effective system should also support businesses in their attempts to comply with essential requirements.

To help deliver safe and healthy working conditions there also needs to be education, training, advice and support, especially for SMEs. The Review also needs to look at whether the regulations are workable in different settings and in different size companies.

The British Safety Industry Federation (BSIF) wants the Löfstedt Review to build upon existing legislation strengths. Even though the Review hopes to reduce the burden on business, the BSIF says that “the underlying strength of safety legislations needs to be maintained” in order to protect workers by establishing what is good about the current health and safety regime and improving on aspects that may be “overzealous or superfluous”.

SAFETY REVIEW RISKS INJURY TO WORKERS

The Association of Personal Injury Lawyers (APIL) has warned that workers could be exposed to unnecessary risk of injury if Britain’s health and safety regulations are watered down.

The not-for-profit campaign group spoke out as it responded to the Löfstedt Review, which recently closed for comments.

Karl Tonks, the Vice-President of APIL, said, “Any assault on health and safety, in a bid to cut back on what is perceived to be too much regulation, is a shot at the wrong target. All that’s needed is to ensure people understand the existing rules properly and apply them with common sense.”

According to APIL, the number of deaths in the workplace has fallen by 73% since the Health and Safety at Work, etc Act 1974 took effect.

Referring to the legislation, Mr Tonks said, “The regulations have clearly helped save lives and protect workers from needless injury.”

As part of its response to the Löfstedt Review, APIL submitted that the levels of expertise a health and safety consultant has should be officially recognised with a kitemark. APIL says this would allow employers to know whether or not they are being given the best possible advice.

Mr Tonks added, “Employers should feel confident in the knowledge that they are taking the right steps to prevent needless injury. Health and safety should not be seen as a burden, but as a way of helping to ensure that people who turn up for an honest day’s work are not unnecessarily injured. If you cut the negligence, you cut the harm to workers. Not only does it make moral sense, but it makes economic sense too.”

PRESENTEEISM COSTS TWICE AS MUCH AS SICK LEAVE

A new research study from a German non-profit foundation has concluded that presenteeism costs companies twice as much as sickness leave.

Presenteeism is where employees come to work in spite of illness, resulting in the “working wounded” labouring on.

The researchers at the Felix Burda Foundations say this is an expensive problem for companies, costing twice as much as sickness-related absence from work.

The study estimated the annual cost to the German economy of worker sickness at €225 billion — 9% of the country’s gross domestic product.

The total sickness-related cost per worker, of absenteeism and presenteeism together, is estimated to be about €3600 per year.

In response to the problem, the study, based on a qualitative survey among enterprises and experts, advocates health promotion at enterprise level and a preventive approach, tackling in particular psychosocial and organisational issues in the workplace.

It also lists recommendations for policy considerations for health promotion, through preventive services and social security organisations.

The costs associated with presenteeism can be complex. In the past, the Health and Safety Executive has said the costs of presenteeism can relate to individuals operating at a lower level of productivity. Some estimates have put this reduction in employee productivity as high as 33%.

This is why workers who cannot work efficiently for health reasons could cost an organisation more than those who cannot work at all.

Enforcement

FORK LIFT TRUCK DRIVER SCARRED

A fork lift truck driver who was left with an eight inch scar on his arm after an accident in the workplace has received compensation following action by his trade union and the law firm Thompsons Solicitors.

The 49-year-old man was driving a fork lift truck in his employers' yard in Sheffield when it went over a sunken manhole cover and toppled. The truck spilled its load, a 300kg pallet containing 12 metal plates, which struck him as it fell.

The man, a member of the GMB union, was left with a deep gash to his forearm and suffered bruised ribs and injuries to his leg and chest following the accident at his workplace.

The worker, who has been with the firm for 26 years, needed steri-strips in his arm for the injury, which has healed. However, he has been left with an obvious scar on his forearm, according to his union's lawyers.

Following the accident, he was put on light duties for a fortnight and had to take strong painkillers for a month to help manage the pain in his bruised ribs. He contacted the GMB, which instructed Thompsons Solicitors to pursue a claim for compensation.

Thompsons argued that the employer should have undertaken a risk assessment which would have highlighted the sunken manhole cover as a danger. The employer admitted liability and settled the claim out of court for £5350.

MAN'S FINGERS SEVERED AT TELFORD FACTORY

A food manufacturer has been fined after a cleaner lost two fingers in a food processing machine at its Telford site.

On 15 February 2010, the 38-year-old man was reaching inside an outlet pipe to remove a piece blockage when he touched a rotating screw, which severed the first two fingers on his left hand.

A Health and Safety Executive (HSE) investigation

into the incident found the guard on the machine had not been maintained properly.

The employee has returned to work at the factory, but in a different job. He suffers restricted movement and reduced grip in his hand, which means that everyday tasks are difficult for him.

His employer pleaded guilty to breaching regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998. The company was fined £10,000 and ordered to pay £5614 in court costs by Telford Magistrates' Court.

Speaking after the hearing, HSE Inspector Lyn Mizen said, "This was a very serious incident, which was entirely preventable" and that, as a result of his employer's failings, he had "suffered permanent, life-changing injuries to his hand. Companies must ensure that they have robust procedures in place to provide and maintain suitable, effective guarding."

TRAINEE'S FORK LIFT TRUCK FALL

A trainee electrician suffered severe injuries when a metal cage he was using fell 20ft from the fork lift truck supporting it, resulting in the prosecution of the two firms involved in the incident.

In August 2009, the 18 year old worker and a colleague were employed by a Plymouth-based electrical contractor.

Both men were trainees and were working at the warehouse premises of a distribution company in Plympton when they were instructed to change a number of lightbulbs on the warehouse ceiling.

The distribution company provided a fork lift truck for which neither man had received any training. It also provided an unsuitable cage.

The worker was positioned inside the cage, changing bulbs in any roof lights not working, with his colleague driving the truck. During one of the manoeuvres, the fork lift truck toppled over onto its side, slamming the cage into the floor.

Inside the cage, the worker fractured his pelvis in two places, and suffered facial injuries that required stitches, a broken front tooth and

lacerations to his elbow.

Both firms were prosecuted by the Health and Safety Executive (HSE).

The employer pleaded guilty to a breach of s.2 (1) of the Health and Safety at Work, etc Act 1974, which covers the duty of the employer to ensure so far as reasonably practicable the health and safety of employees.

The client pleaded guilty to a breach of s.3 (1) of the same Act, in connection with the duty of the employer, to ensure so far as reasonably practicable the health and safety of affected non-employees.

They were fined a total of £20,000 and ordered to pay £11,300 in court costs, while the employer was fined a total of £7000 and ordered to pay costs of £5000.

FOOD MANUFACTURER SENTENCED OVER SEVERED FINGER

A leading food manufacturer has been sentenced after part of a worker's finger was cut off at a Blackpool factory.

On the morning of 8 September 2008, a 25-year-old employee from Blackpool was trying to remove a blockage in one of the machines at the factory. He removed the guard to clear the blockage when the rotating wheels that flatten a food mixture caught his hand. His left hand was pulled in, severing his index finger to the top knuckle.

Doctors were unable to reattach the end of his finger due to the crushed nerves, and he needed five months off work to recover.

The company was prosecuted following the Health and Safety Executive (HSE) investigation into the incident. The investigation found the worker had been able to reach the rotating parts in the machine while the power was still on.

The man's employer, which has seven factories around the country, pleaded guilty to a breach of the Provision and Use of Work Equipment Regulations 1998 in failing to make sure the machine stopped operating when the guard was not in place. The company was fined £3400 and ordered to pay £4568 in prosecution costs.

BFFF Health & Safety Seminar Improving Safety within the Cold Chain

Date:

Wednesday 2nd November 2011

Time:

9.30am - 3.00pm

Venue:

Grantham Ramada

Price:

£50 + VAT for BFFF Members

£70 + VAT for Non BFFF Members

Email: hazelcranidge@bfff.co.uk for more information

or visit <http://www.bfff.co.uk/news-and-events/news/bfff-seminar-improving-safety-within-cold-chain>

BFFF Members Collated Health & Safety Statistics

The results for 2010 are now available for members. Please contact Emma Cranidge on email emmacranidge@bfff.co.uk for more information.

We will collate members' health & safety statistics for 2011 at the beginning of 2012.

All contributors information is kept confidential within BFFF and contributors have an opportunity for BFFF to provide a detailed comparison for their company. Please contact BFFF for more information on how you can get involved.