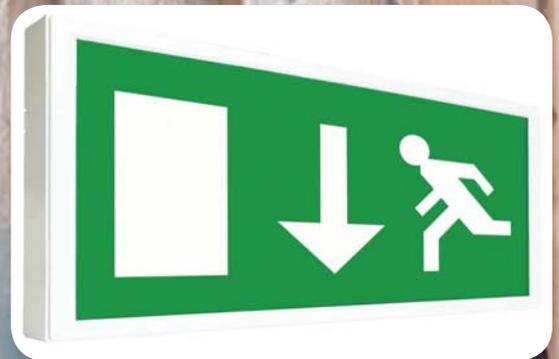


# KEEP IT SAFE

BFFF QUARTERLY HEALTH & SAFETY NEWSLETTER

JANUARY 2017



SPONSORED BY:



**British Frozen Food Federation**

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## FOREWORD FROM JO

### Happy New Year and welcome to the January edition of Keep It Safe

2016 was another excellent year for BFFF with continued engagement with the membership and launching new initiatives to help and guide members.

We started the year with a very successful seminar on the sentencing guidelines, which we are already seeing huge impacts from throughout the country through massively increased health & safety fines.

We launched 2 new benchmarking tools for the sector, first a detailed accident statistics benchmarking tool, and secondly a speeding fines benchmarking tool, both of which were greatly received by the members involved – and we hope to increase involvement from more members this year. More details on both of these initiatives can be found in this newsletter.

Again, our annual health & safety seminar in July was another huge success, so this year we have found a new venue to accommodate the increasing amounts of delegates. The next seminar will take place on the 5th July 2017 at Belton Woods Hotel in Grantham and we hope to see most of you there!

Finally, I am sad to report that after careful consideration I have decided to leave my current position with the BFFF. Whilst my children are still young, I have decided that I would like to spend more time with my family and pursue work avenues that will work better with my family life.

I have thoroughly enjoyed the ten and a half years that I have worked at BFFF. It is fantastic to see how we have built the health and safety services for members from scratch to where we are today. Our members have always been very open and engaged and I have thoroughly enjoyed working with you all.

I will leave my current post in the middle of February and we are currently working towards recruiting my successor. I will also be continuing to work with BFFF in some capacity for project work and to support my successor through transition. So it will be business as usual from BFFF and we will ensure the membership services are not affected. Likewise we are delighted that Crystal is now working full time on the health and safety services so please do contact [crystalholmes@bfff.co.uk](mailto:crystalholmes@bfff.co.uk) if you would like any support or for more information on our health and safety services.

Please feel free to contact [joannahancock@bfff.co.uk](mailto:joannahancock@bfff.co.uk) or [crystalholmes@bfff.co.uk](mailto:crystalholmes@bfff.co.uk) for more information on our expert group's work or indeed any of our fire safety work, or if you wish to get involved in the new benchmarking statistics or primary authority schemes.

Also, don't forget that all of BFFF's guidance is available on our website here: <http://bfff.co.uk/health-safety/guidance/> along with case studies here: <http://bfff.co.uk/health-safety/hs-case-studies/>

In the meantime we hope that you enjoy this latest edition.

Please contact BFFF if you would like to receive additional / back copies of this newsletter

**We do hope that you find Keep It Safe a valuable read.**



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# BFFF HEALTH AND SAFETY INITIATIVES

## BFFF HEALTH & SAFETY PLEDGE UPDATED

BFFF have published the updated Health & Safety pledge for members in line with the HSE's (Health and Safety Executive's) revised strategy for the sector.

We are delighted to have engagement from so many members to our current pledge, circa 80 members, and would encourage as many as possible to get involved. It's free to join and help's to demonstrate commitment to reducing incidents and improving overall health and safety in the workplace.

HSE have recently produced their revised strategy for our sector which will cover a five year period from 2016 to 2021. The revised strategy builds on previous success by focussing on delivering measurable improvements against four key objectives.

The outlined objectives aim to accelerate reduction in ill health and injury rates. Currently the food and drink manufacturing sector has over twice the average injury rate as other manufacturing sectors, and the BFFF pledge supports the HSE strategy in trying to combat this.

Our sector needs to focus on effective workforce engagement and show commitment to leadership to reduce ill health and injuries in the workplace.

The four key strategic objectives for our industry, as outlined in our pledge are:

1. Ill-health / injury reduction
2. Effective management of musculoskeletal disorders (MSD)
3. Effective management of slips and trips
4. Occupational health

Members signing the BFFF Health & Safety pledge are encouraged to commit to the outlined values to:

- Demonstrate leadership and effective workforce engagement
- Comply with all current health and safety legislation, codes of practice and industry standards
- Provide a safe and healthy environment for their employees and all persons affected by their undertaking via cooperation, consultation, training and review
- Compile an action plan for key industry objective to:
  - o Reduce accidents and incidents of ill health
  - o Effectively manage Musculoskeletal Disorder (MSD) risks
  - o Effectively manage slip and trip risks
  - o Deploy an effective occupational health management system
- Benchmark their company's health and safety performance with set targets and confidentially share their annual statistics with BFFF
- Collaborate and share best practice case studies as a means of improving the health and safety performance of the industry

The reviewed BFFF H&S pledge reflects the new HSE strategy and the objectives. We hope to encourage members to take an active part in the reduction of ill-health within the workplace and improve health and safety across the sector. BFFF are a member of the HSE's working party to deliver the strategy and would like to encourage as many members as possible to take part.

We would like to thank all of the BFFF membership that have been part of the pledge so far, and look forward to working with those and more in the future.

To get involved, please email [crystalholmes@bfff.co.uk](mailto:crystalholmes@bfff.co.uk)

BFFF MEMBERS SIGNED TO THE PLEDGE

Again, we would like to thank the following members for supporting BFFF in committing to the Health & Safety pledge.



We would love to get more member businesses signed up, if you wish to get involved, please email [crystalholmes@bfff.co.uk](mailto:crystalholmes@bfff.co.uk)

## BFFF PRIMARY AUTHORITY ASSURED ADVICE REVIEWED

BFFF have published reviewed Assured Advice issued by Wakefield Council under the Primary Authority Partnership co-ordinated by BFFF. This advice has legal backing for participating members, which means that if you are in the scheme and follow it you cannot be asked to do anything different by another local authority.

Our current advice covers:

- Working in a Coldstore – Advice for Employees
- Work At Height Equipment Guidance For Cold Stores
- Guidance on Raynaud's Phenomenon
- Selecting Staff for First Aid Training
- Provision of Defibrillators in the Workplace
- How to Assess Head Protection for Cold Store Workers
- Overtime Risk Assessments
- Rest Breaks for Cold Store Workers
- Health Surveillance for Cold Store Workers

If there are other areas where you could benefit from advice that might be suitable to form the basis of Primary Authority Assured Advice to bring consistency and clarity across the sector please contact [joannahancock@bfff.co.uk](mailto:joannahancock@bfff.co.uk)

The full advice documents can also be accessed through the BFFF Web site here: <http://bfff.co.uk/health-safety/guidance/>. If you would like more information on any of our Primary Authority partnerships, or would like to get involved, please contact [crystalholmes@bfff.co.uk](mailto:crystalholmes@bfff.co.uk)

## BFFF SUPPORTS IOSH NO TIME TO LOSE CAMPAIGN

IOSH's No Time to Lose campaign aims to get carcinogenic exposure issues more widely understood and help businesses take action.

The campaign is working to:

- raise awareness of a significant health issue facing workers in the UK and internationally
- suggest some solutions on a UK scale to tackle the problem – a national model that can be transposed internationally
- offer free practical, original materials to businesses to help them deliver effective prevention programmes.

Businesses can pledge their support to the campaign, and other organisations, like trade associations, can support the campaign via the website.

BFFF have provided a supporting statement and now appear on the No Time to Lose campaign website:

*The British Frozen Food Federation is delighted to register support for IOSH's No Time to Lose campaign aimed at raising awareness to the causes of occupational cancer.*

*With almost 14,000 new cases of cancer caused by work being registered each year, we feel that this is an issue that needs to be communicated to all employees of all businesses. This knowledge will help both employers and employees take care of their own wellbeing and increase awareness of the risks to themselves and others, reducing the health issues faced by workers worldwide.*

*BFFF membership represents the entire frozen food supply chain and we will be raising awareness of the campaign amongst our 320 member companies. We believe that by showing commitment to the campaign and encouraging the industry to get involved, we can help increase awareness and reduce the risks of occupational cancer.*

If you wish to support the campaign, please visit: <http://www.notimetolose.org.uk/Get-involved.aspx>

You can also get copies of all the free resources regarding silica dust, solar radiation and diesel exhaust emissions here: <http://www.notimetolose.org.uk/Free-resources.aspx>

BFFF, in partnership with the Food Storage and Distribution Federation (FSDF), are delighted to launch a Seminar to be held on the 16th May 2017 at the Belton Woods Hotel in Grantham. The seminar will be aimed at cold store and engineering managers and is open to both members and non-members.

The Seminar will cover all areas of DSEAR and Ammonia including;

- Introduction to DSEAR and Ammonia
- Safe Management of Ammonia
- Putting it into Practice
- Common Areas of Non-Compliance
- Emergency Arrangements

The Seminar is available to book now, please find booking form and details on page 35.

**SAVE THE DATE!**

**Health & Safety Seminar 2017**

**5<sup>th</sup> July at Belton Woods Hotel, Grantham**



**Comments from the 2016 Seminar:**

*“Very informative with a good blend of strategic elements and practical solutions to real things that affect the industry.”*

*“Very informative. Gave us lots of food for thought, and gave us an incentive to put some of the valued information into our company.”*

*“Excellent course content, an unmissable day!”*

## BFFF MEMBERS' ACCIDENT STATISTICS

Our statistics provide a valuable confidential management tool to enable all members to benchmark their performance against other companies within the sector. With even more participation in 2016, the resulting statistics provide an even more comprehensive management tool representative of our sector.

We are delighted that participation in this service continues to grow and we would like to thank all members that took part. We are now launching the collection of 2016 data and we hope that you can get involved. Please look out for an email on the subject, or contact [crystalholmes@bfff.co.uk](mailto:crystalholmes@bfff.co.uk)

New for 2016, BFFF started a more detailed benchmarking forum which collates accident statistics per month and compares them in detail once per quarter. Currently we have 6 members who have trialled this new service and have been delighted with the results. So please contact [joannahancock@bfff.co.uk](mailto:joannahancock@bfff.co.uk) for more information or to get involved.

Also new for 2016, we launched a benchmarking tool for speeding fines. A number of our members had stated that they would find it useful within their business to be able to benchmark the amount of speeding fines their delivery fleet receive on a monthly basis.

The information was collated and sent everyone that participated with a detailed benchmarking comparison. The results were greatly received by business and we are hoping to get more business involved this year. Again, we hope to you can get involved so please look out for an email on the subject, or contact [crystalholmes@bfff.co.uk](mailto:crystalholmes@bfff.co.uk)

# FIRE SAFETY – FROM LINCOLNSHIRE FIRE & RESCUE

## EMERGENCY LIGHTING UPDATES – BRITISH STANDARD 5266-1 2016

British Standard 5266 – Part 1 has been revised to accommodate changes to European Standards and UK Legislation. The aim of the recommendations is to encourage uniformity, based on providing adequate safety to building occupants should there be interruption to the normal lighting for any reason. They also take into account hazard levels and the necessary familiarity of building occupants with the premises concerned.

The standard recognises that, as well ensuring a safe unobstructed way of escape from a building at all times, it is essential that emergency lighting enables the immediate location and operation of fire alarm call points and fire-fighting equipment. BS 5266-1 also aims to minimise the possibility of people panicking in enclosed spaces, such as lifts.

### ***The Main Changes***

The latest revision extends the scope of the existing standard by providing guidance on the application and practice of emergency lighting. It highlights that risk assessments are needed for all premises. Also that the risk assessment identifies the risk to people entering a premises and that the measures the assessor is required to take include the provision of safe means of escape, taking into account the needs of people with disabilities including visual impairment. This will enable a competent engineer to produce a safe design for a specific building, instead of being a set of general rules that had to be applied prescriptively. The new format has been designed to help system engineers, users and enforcing authorities to make a more informed judgement of the system needed to keep occupants safe and the building complying with legislation. There is now greater emphasis on who is competent to design, install and maintain emergency lighting. The revised standard underlines the importance of knowledge and experience on the part of those people responsible for emergency lighting. The standard defines a competent person as someone with training and experience appropriate to the task. Emergency lighting design is not a tick-box exercise and the earlier prescriptive methods are no longer fit for purpose.

As with all Fire Safety systems you have a duty to employ competent persons to install and maintain your facilities. Wherever possible it is advised that you ensure that any company you engage to install or maintain is third party accredited. The recently introduced BAFE SP 203-4 scheme is being updated to ensure that registered companies are working to the latest version of the standard. The BAFE scheme helps premises owners and facilities managers demonstrate compliance with the legislation. It covers the design, installation, commissioning and maintenance of emergency lighting systems.

In an extension to the old standard the latest revision now goes beyond “Escape Lighting” and has provision for “Safety Lighting” and “Standby Lighting”.

Safety Lighting is designed to allow occupants to remain in the building. This should be identified by a comprehensive risk assessment and is primarily designed for the care sector whereby persons are unable to evacuate and a comprehensive package of other provisions are in place to ensure their safety.

Standby Lighting is those powered by an alternative power supply source such as a generator and should provide the same lighting conditions as the normal lighting. This is designed to allow for the continued use of the building during a loss of power which is in itself not part of an emergency situation.

There is also provision covering high risk task lighting to provide illumination for the safety of people involved in potentially dangerous processes or situations. This is to enable proper shut-down procedures for the safety of the operator and other occupants of the premises.

The main effect of the changes is that in the revision, the old “A” deviations (0.2 lux) have been removed and have been aligned with the European requirement for 1 lux minimum on the centre line of all escape routes. This is likely to have an impact where Emergency Lighting has been overlaid to create and illuminated exit sign.





The changes to BS 5266-1 also clarify that external illumination needs to cover the route from the outside of the building to a place of safety. This is an extension of the old standard which required an emergency light outside of each final exit door and now has provision for the full route outside of the building to the assembly point. The Standard does take into account that “borrowed” lighting may be available.

In addition, this revision ensures that the wiring requirements within the standard relating to the new revision of the harmonised wiring standard for safety related systems are taken into account.

As with all British Standards they are a guide containing recommendations and should be interpreted as “best practice”. It may be appropriate or desirable to install alternative lighting systems however, these should ideally achieve the same aim as those covered by the British Standard and whilst they may satisfy enforcers during an inspection it would be down to yourselves to justify their suitability and your reasons for deviation to a court in the event of an incident.

Lincolnshire Fire & Rescue advise that you engage with your Emergency Lighting providers to ensure that your systems meet the needs of your premises and that the recommendations incorporated into the 2016 revision are considered and where necessary incorporated into your fire safety strategy.

### THIRD PARTY CERTIFICATION OF FIRE DOORS

There is a legal requirement for manufacturers of fire doors to provide proof of the ability of their products to resist the passage of fire through the provision of test evidence. In order to achieve this many manufacturers will use a third party testing and certifying body. There are a number of organisations who provide testing and certifying of fire doors under British Standard 476 Part 22 or BS EN 1634 Part 1.

The main certifying bodies are:

- Warrington Certification who undertakes testing on behalf of the British Woodworking Federation under the BW Certifire scheme; and
- BM Trada who offers UKAS accredited “Q” Mark fire resistance testing.

It has recently come to light that both BW Certifire and BM Trada will no longer certify the use of Beech timber in doors with a fire resistance performance of >60 minutes. This is due to evidence identifying that Beech Timber (*fagus sylvatica*) has been found to produce inconsistent results when fire tested, this includes when the density and moisture content are within the parameters outlined in both the BS and EN standards.

Previously if a fire door was tested using a hardwood then all other hardwoods within the same density class, and with similar characteristics, could be included in the certification. Further industry led testing has highlighted that Beech timber chars at a significantly faster rate than other similar hardwoods, so is not normally able to withstand test fires for the designed 60 minutes duration. This is not applicable to 30 minute fire doors, which can be made from soft or hardwood.

Some manufacturers may still opt to make 60 minute fire doors from Beech wood, however they should provide their own test results and certification for these specific doors and not generic test data.

For the majority of BFFF members this is not likely to be a significant issue as most of your doors are likely to be of 30 minute duration and therefore not covered by this. Areas where 60 minute fire doors may be found would be between different occupancies within the same building (for example offices and manufacturing), however it is normal to find separation consisting of two 30 minute doors, basements opening onto protected staircases (again, usually achieved with two doors) or in some high risk areas. As a further aid to identification, 30 minute fire doors are normally 44mm thick and 60 minute fire doors 54mm.

If any member feels on inspection that they have beech 60 minute fire doors they should in the first instance contact [crystalholmes@bfff.co.uk](mailto:crystalholmes@bfff.co.uk) who can liaise directly with Lincolnshire Fire & Rescue for further advice.





### **Five common signs of workplace stress**

Acas, the government-funded conciliation service, has recently urged employers to be aware of the five common signs of workplace stress, as it noted that mental health problems continue to cost UK employers a massive £30 billion a year in lost production, recruitment and absence.

Acas says that employees who are suffering from stress may exhibit unusual behaviours, or sudden mood changes.

However, knowing what to look for may help employers to tackle the problem at an early stage.

Five common signs of work-related stress, according to Acas, are:

1. an increase in unexplained absence or sick leave
2. poor performance or timekeeping
3. poor decision-making
4. a lack of energy
5. uncommunicative or moody behaviour.

While acknowledging that mental health is complex, Acas says there are a number of things managers can do to help their employees cope with work-related stress.

The workplace experts advise employers to focus on the factors that are within their control and, in this regard, the suite of management standards, developed by the HSE, can help organisations to tackle the key causes of stress and anxiety at work.

Key areas highlighted within the HSE management standards include:

- the work-related demands placed on employees
- how much control employees have in the way they approach their work
- the support — including encouragement, sponsorship and resources — given to employees
- the nature of relationships at work, including the promotion of positive working to avoid conflict and responding quickly to unacceptable behaviour
- the clarity of an employee's roles and responsibilities
- how organisational changes and upheaval are dealt with.

### **Stress resources**

- HSE Stress microsite, including the Stress Management Standards and a number of other resources including case studies, statistics and tools: <http://www.hse.gov.uk/STRESS/index.htm>
- <http://www.hse.gov.uk/STRESS/ebulletin/index.htm>
- Acas conciliation service: [www.acas.org.uk](http://www.acas.org.uk)
- The Government's free occupational health service Fit for Work: <http://fitforwork.org/employee>

## LEGISLATIVE UPDATE

### BREXIT UPDATE: PLEASE KEEP EU LAWS

While this is not a headline that many would have expected to see this year, if ever, it sums up a report by EEF, the manufacturers' organisation, which reveals that firms want to see existing EU environment legislation retained when the UK leaves the Union.

Companies want to see EU-led legislation fully transposed after Brexit, the report notes, although there was recognition of a longer-term opportunity for cutting legislation in the context of a UK-specific system.

The aim should be to streamline regulation, protect manufacturers from supply and price volatility, drive innovation and reduce harmful emissions, the report argues.

Setting out the key priorities for manufacturing firms ahead of the UK's negotiations to leave the EU, it warns of the danger of undermining the significant investments that many companies have made in meeting requirements in areas such as environment and health and safety.

With businesses concerned about the potential cost and disruption associated with repealing and replacing EU rules, the EEF argues that the sheer scale of EU-led legislation means that full transposition is the only practical short-term option.

With the 2018 deadline for REACH (the Restriction, Evaluation and Authorisation of Chemicals) registration fast approaching, the EEF wants a clear message from the Government on how it intends to address this major piece of chemicals legislation.

The dangers of a hasty Brexit are clear, Claire Jakobsson of the EEF said, and nowhere is this more evident than when looking at the wealth of EU regulations and directives.

"A mass repeal would be costly and disruptive, and would seriously undermine investment — all bad news for business," she said.



### KILLER DRIVERS TO FACE LIFE SENTENCES – CONSULTATION

Dangerous drivers who cause death by reckless driving, speeding, street racing or distracted by using a mobile phone could now be treated in a similar way to those charged with manslaughter.

This also applies to people under the influence of alcohol or drugs.

The Ministry of Justice wants your views on whether the current maximum penalties should be increased.

The consultation covers:

- The distinction between 'careless' and 'dangerous' driving
- A perceived 'gap in the law' for causing serious injury by careless driving
- Maximum penalties for causing death
- Driving disqualifications

Other proposals include:

- creating a new offence of causing serious injury by careless driving with a maximum sentence of 3 years
- increasing minimum driving bans of those convicted of causing death

In 2015, 122 people were sentenced for causing death by dangerous driving with a further 21 convicted of causing death while under the influence. While the UK has one of the best road safety records in the world, deaths and injuries still cause devastation to victims and their families.

The full consultation, along with links to submit your views, is available here: <https://consult.justice.gov.uk/digital-communications/driving-offences-causing-death-or-serious-injury/>

## PENALTY POINTS TO BE DOUBLED FOR DRIVERS CAUGHT USING MOBILE PHONES TWICE

Under new government plans, motorists caught twice using mobile phones while driving will be banned and given a fine of up to £1000.

The use of mobile phones at the wheel contributed to 22 fatal accidents in 2015. Alarming, research conducted by the RAC also shows that almost a third of drivers admit to using their mobile phone whilst driving.

It is reported that the current £100 fine and three points on the licence of an offender will be doubled.

An offender calling, texting or using an app while driving will receive a £200 on-the-spot fine and six points on their licence. The fine could potentially rise to £1000.

New drivers (within the first two years of passing their test) would face an immediate ban.

The tougher sanctions are being brought in amid mounting concern about a lack of prosecutions and convictions and a failure of the public to take the offence of using a mobile phone while driving seriously.

The minister for transport, Chris Grayling, said use of mobiles at the wheel was as socially unacceptable as drink or drug-driving.



## £1000 PENALTY FOR DRIVERS IGNORING MOTORWAY SIGNS

Motorists face fines of up to £1000 for ignoring red crossed on motorways.

Motorists are putting road workers' lives at risk by ignoring safety signs and illegally using the hard shoulder to avoid congestion caused by accidents.

The Department for Transport stated that the installation of automated cameras could happen to log vehicles that failed to change lanes when the Red X signs were displayed on overhead gantries.

The fine system would mirror those already in place for jumping red lights. Motorists can be given a £100 fine and three penalty points for ignoring traffic lights.

## LORRIES FACE LONDON BAN TO PROTECT CYCLISTS

London's Mayor, Sadiq Khan, has announced that tens of thousands of lorries with poor visibility will be banned from the city's roads within four years, to better protect cyclists and pedestrians.

Road safety campaigners have long called for action against some types of HGVs, especially high-wheeled construction lorries, which have significant blind spots.

Lorries are involved in more than half the cycling deaths on London's roads, and more than a fifth of pedestrian deaths, despite making up only 4% of motor traffic.

Khan's plans will give construction trucks and other HGVs a star based safety rating from zero to five, based on the amount of vision the driver has.

By January 2020, those with a zero-rating – primarily construction trucks with a high cab and big clearance under the wheels – will be banned. By 2024, only truck rated three stars "good" or above will be allowed in the city.

From the next financial year, Transport for London (TfL) and Greater London Authority will not sign any contracts that involve the use of zero-starred trucks.

## Q&A'S

### RUNNING FIRST-AID TRAINING IN-HOUSE

**Q. We provide our first aid at work qualified employees with annual refresher training. The question has arisen as to whether this can be provided by an experienced in-house first aid qualified employee?**

A. The HSE in L74 First Aid at Work. Guidance on Regulations, strongly recommends that first aiders undertake annual refresher training during any three-year FAW/EFAW certification period as this will “help qualified first aiders maintain their basic skills and keep up to date with any changes to first-aid procedures”.

The second edition of this document published in early 2010 stated that training organisations “also run annual refresher courses”.

It continued that “where available, in-house occupational health professionals (a doctor registered with the General Medical Council or nurse registered with the Nursing and Midwifery Council) can run annual refresher training in the workplace, providing they have current experience of first-aid skills, are competent to train and are familiar with the current standards HSE accepts for the first-aid management of injuries and illness in the workplace”.

Following amendment to regulation 3(2) that revokes the requirement for the HSE to approve first-aid training and qualifications, the third edition of L74 was published. It still recommends the undertaking of annual refresher training but no longer contains the above guidance on the use of in-house competent persons to undertake this.

The employer has the responsibility for selecting a competent first-aid training provider to deliver the training required, as identified in the needs assessment, with two options being available.

1. Use a first-aid training provider, after due diligence checks on competency.
2. Undertake first-aid training in-house and develop the necessary quality and competency assurance system that can be externally verified.

In summary, when selecting a training provider, employers should check the:

- qualifications expected of trainers and assessors
- monitoring and quality assurance systems
- teaching and standards of first-aid practice
- syllabus content in relation to approved courses and local requirements.

If an organisation decides to deliver first-aid training in-house, suitable checks must still be undertaken to ensure that training is fit for purpose. For example, in-house individuals acting as trainers/assessors would still be expected to have the necessary skills, qualifications and competencies expected of those working for an external training provider.

The HSE also suggests that in-house systems are reviewed on an annual basis “by a competent person independent of those directly involved in the delivery/assessment of the training”.



## PREVENTING SLIPS AND TRIPS

**Q. Our company is suffering from a considerable number of lost-time accidents due to slips and trips. We want to promote the prevention of slips and trips among managers and other employees. Can you suggest how we might do this?**

A. Slip and trip incidents can be controlled, provided they are afforded sufficient importance and attention is given to the nature of the work environment. Clearly, the first stages in preventing any slips and trips will be through the general principles of safe place (that is good design, lighting, etc) and safe systems (housekeeping, maintenance, etc). The third stage will be to ensure safe persons.

It is widely accepted that effective risk control depends in part on the behaviour of individuals at all levels within an organisation. Promoting safe behaviour at work is a critical part of the management of health and safety, because behaviour turns systems and procedures into reality.

Good systems on their own do not ensure successful health and safety management. The level of success is determined by how organisations “adopt” their systems.

To modify the behaviour of individuals so as to prevent slips and trips, it is first of all necessary to identify the reasons why the negative behaviour is occurring. Once these have been identified, a programme to modify the person’s behaviour can begin. The biggest barriers in preventing slips and trips through human behaviour are the following.

- Not taking the risk seriously.
- Not understanding the causes of slipping. A common cause is slipping on smooth floors contaminated with water or other fluids, even when only just damp or only if the shoes heel is damp.
- Thinking that slips and trips are inevitable. Case studies show that some companies can virtually eliminate slipping accidents through application of simple control measures that effectively pay for themselves.
- Poor management control. The risks need to be assessed and sensible action should be taken.

A programme to inform and educate managers and employees as to the consequences of slips and trips will be required. This can include staff participating in observational exercise of how poor practices on behalf of the individual can result in slips and trips.

Staff can also be made aware of the causes of slips and trips and how to identify these. Finally, managers can be made aware of the need to ensure that any safe systems are being fully utilised.



# GUIDANCE

## MANAGING MENTAL HEALTH IN THE WORKPLACE

Mental health is rising up the corporate agenda. More companies are looking to sweep away the stigmas and create an open and supportive workplace for employees. This change in attitude isn't surprising. Mental health issues cost the UK around £70bn every year, according to research by the Organisation for Economic Cooperation and Development. Of this, the cost to employers is around £26bn in lost working days, staff turnover and lower productivity, equating to an average figure of £1,035 per employee.

Mental health problems are a common issue. One in four of us will have a mental health problem each year, according to figures from charity Mind. And, at any one time, around one in six of the adult population will be experiencing a significant mental health problem.

### ***Protecting employees***

Employers do have a legal responsibility to address mental health. The Health and Safety at Work Act requires them to protect employees' health, including their mental health. Failure to do so can be costly, says Adrian Humphreys, Head of Group Risk and Healthcare at JLT Employee Benefits. "An employer that puts an employee under undue stress risks being taken to court. As well as the potential for a six-figure settlement, they could also suffer significant reputational damage." And, under the Equality Act 2010, a mental health condition is considered a disability if it has a long term effect on normal day-to-day activity. Therefore, an employer could face a disability discrimination claim if it fails to accommodate an employee with a mental health condition.

### ***Spotting the signs***

With plenty of taboos still associated with mental health, many employers don't know where to start when it comes to addressing the issue. Humphreys recommends, as a first step, running a benchmarking exercise, such as the HSE's Management Standards for work-related stress. "As well as helping you identify where you need to make improvements, this will show you how you compare to other organisations," Humphreys says. Running a benchmarking exercise also provides a standard against which to measure the success of any intervention you introduce. These could include: (1) Health risk assessments; (2) Employee assistance programmes (EAP); (3) Mindfulness sessions; or (4) Mental health awareness days.

Regardless of what is introduced, line manager training is often regarded as a key element. "Line managers are in the best position to spot the early warning signs of a mental health problem among employees but many won't feel able to do anything," says Tristram Hawthorn, Principal at JLT Employee Benefits.

"Training can give them the confidence to step in to help the employee before it's too late." As well as helping to reassure the employee, managers can signpost them to support tools such as the EAP or discuss changes in their role, such as time off, shorter working days or switching to a role that doesn't involve customer interaction.

### ***Being open***

Even the most comprehensive package of benefits can fail if the workplace culture isn't right. "An employer needs to create an environment where it's ok to raise your hand and say you have a problem," says Beth Robotham, Head of Business Development at Bupa UK. "This requires board-level sponsorship but it can also be very powerful if an organisation has people at every level talking openly about their mental health issues."

As an example, Robotham points to the Barclays 'This is Me' campaign, which was run on its intranet and then shared externally. This featured members of staff talking about their mental health conditions alongside their interests and life-roles to highlight that their mental health condition was just one facet of them as a person. This type of project needs to be long term, stresses Robotham. "You can't expect change overnight. You need to keep assessing the culture, making changes where necessary and highlighting the services and support you provide. "But, when you do achieve this supportive culture, you're likely to see improvements in employee performance too."

For more information or to discuss the issues raised in this article, please contact Jon Miller, Partner at JLT Specialty on 0121 626 7806 or [jon\\_miller@jltgroup.com](mailto:jon_miller@jltgroup.com)

## HSE TO UPDATE STRESS RESOURCES AND WEBSITE

HSE are reviewing their guidance, website and tools which cover workplace stress. They plan to start with the website and printed guidance; and will be asking whether businesses have done something innovative to tackle stress that has proved effective.

### **HSE Stress Website**

Currently the information relating to work related stress and the Management Standards (MS) approach is heavily linked, referenced and entwined. HSE's proposal is to make the website into two clearly delineated parts dealing with (i) Work related stress - what it is, its signs and symptoms, an employer's legal duties to assess the risk to their employees and take action where risk has been identified. It will include details of major stressors at work and will include information for individuals experiencing problems; (ii) The MS approach - this will assume that the reader has read (or is aware of the information on the Stress pages) and is looking to use the approach to identify whether work related stress is a problem and its extent and severity.

### **HSE Leaflets**

Currently there are three 'work related stress' guidance leaflets all of which relate to the MS approach; two relatively simple leaflets explaining the employers and employees roles in the process, which are available in hard copy or to download from the website. The third (HSG218) provides additional advice and guidance on each of the steps of the MS approach along with copies of some of the other guidance documents supported by a CD.

The proposal is to produce a new leaflet dealing with stress/work related stress which will mirror the content of the new stress website. It will be limited to the topic and will focus on organisational work related stressors.

The two existing leaflets will be withdrawn as hard copy publications with the possibility of retaining as downloadable documents if there is sufficient demand. The information on the website will largely cover this information and these pages are downloadable. HSE propose to replace HSG218 with a workbook that users can save to their computer files and work on at their leisure. It will be a step by step guidance document with checklists for each stage of the process that will capture the organisations specific information.

## CHANGES TO HSE RISK ASSESSMENT GUIDANCE

In October the HSE published a revised draft version of its guidance on risk assessment, asking for comments through a short questionnaire prior to it being finalised.

The revisions stem from concerns of the health and safety watchdog that "many people see the requirement to record significant findings of a risk assessment as something separate from other things they do to manage their business".

The HSE is keen to emphasise that the risk assessment is not about creating huge amounts of paperwork but rather identifying sensible measures to control the risks in the workplace. As a result, the HSE wants to put more emphasis on controlling risk and less on written assessments, without reducing standards.

With the aim of clarifying to businesses that risk assessment should be part of day-to-day business management, the HSE says the risk assessment can be part of an existing business document, such as:

- the workplace "housekeeping" rules
- manufacturers' instructions
- training materials
- method statements
- safety data sheets.

The crucial issue is to ensure that the way the significant findings are recorded helps manage risk well.

The HSE highlighted the proposed changes in its core leaflet Risk Assessment: A Brief Guide to Controlling Risks in the Workplace (INDG163) which was last updated in 2014, and the safety watchdog asked for comments on it:

- the changes are helpful
- it is clear that it is not necessary to keep a special "risk assessment" document
- it is clear that other documents already in use can fulfil the same purpose
- people think this new approach will work in practice and whether it would save time.

The Health and Safety Executive (HSE) has published its latest, finalised statistics for health and safety at work in Britain for 2015/16, which show that 144 people were killed in accidents at work in 2015/16 (compared with 142 in 2014/15) and that 1.3 million workers were suffering from a work-related illness (new or long-standing) in 2015/16.

Analysis of fatalities in some of the most dangerous sectors highlights the following points:

- A total of 27 workers were injured in the manufacturing sector during 2015/16, compared to 16 in the previous year. However, the HSE has pointed out that the latest figure of 27 deaths includes three incidents that resulted in a total of eight deaths.
- In the waste and recycling sector, there were six fatal injuries to workers in 2015/16, compared with five the previous year.
- In the construction sector, 43 workers were fatally injured during 2015/16, compared with 35 in the previous year in 2014/15.

Altogether, across all sectors, 144 people were killed in accidents at work in 2015/16, compared with 142 in 2014/15.

The HSE's work-related ill health figures include the following details:

- It is estimated that in 2015/16, around 1.3 million workers were suffering from a work-related illness (new or long-standing), compared with 1.2 million in 2014/15.
- Around 0.5 million workers were suffering from work-related musculoskeletal disorders (new or long-standing) in 2015/16.
- Some 0.5 million workers were suffering from work-related stress, depression or anxiety (new or long-standing).
- A total of 25.9 million working days were lost due to work-related illness, compared with 23.3 million days in 2014/15.

Commenting on the latest annual ill health and injury statistics, Martin Temple, the Chair of HSE, said, "We should all be proud of Great Britain's health and safety record. However, there is more to do, particularly in tackling work-related ill health, from which everyone can benefit."

The full health and safety statistics: 2015/16 annual release, and links to useful resources and infographics, is available here: <https://www.gov.uk/government/statistics/health-and-safety-statistics-201516-annual-release>

## HSE INSPECTIONS 2015/16 RESULTS

HSE have been inspecting premises and targeting areas of MSDs and Asthmagens (including flour dust). This was discussed at the HSE Food Manufacturing Forum earlier this year.

HSE still views the food and drink industry as a high risk sector and therefore makes premises a priority when inspecting. The reasons for this are: (1) the food and drink sector remains in a position on having twice the injury rate then the manufacturing average; and (2) the sector is the second largest employer in the UK manufacturing industry.

The reason for targeting MSDs and asthmagens is that data has shown that the second largest cause of injury is from lifting and handling, and Bakers' asthma is the 2nd largest cause of asthma in the UK manufacturing industry.

For the inspection year 2015/16, 759 inspections were undertaken; of this 227 were bakeries and 171 were meat premises, as they are deemed the highest risk. During those inspections a total of 322 notices were served, 280 improvement notices and 42 prohibition notices. The highest areas for the notices were machine safety (36%) and health issues (25%) which demonstrates that inspectors are continuing to focus on health. Looking at prosecutions for the year 2015/16, 25 were made in the food and drink sector. The total fines for those were £1,223,120 and the average fine was £48,924.80.

The sentencing guidelines came into force on 1st February 2016 and since then there have been 8 prosecutions across the sector (from Q1+2 inspections). Of those prosecutions, the average fine is £163,982.50, which is an increase of over 3 times the 2015-16 average.

HSE have already completed the first two quarters of their inspection programme for 2016/17. With regards to asthmagens; the overall material breach rate for these inspections was 50%. Inspectors have been found targeting control COSHH Regulation 7. Some material breaches on asthmagens were found as a result from inadequate RPE provision with face fits (please see 'Respiratory Protective Equipment' article in this section).

With regards to MSDs the material breach rate for these inspections was 12%. This is surprisingly low given that the food and drink sector are categorised as a Group B industry.

In general, other topics that inspectors have enforced on are:

- Flour dust control
- Working at Height
- Machinery Safety
- Transport Safety
- DSEAR Assessment
- Electrical Safety

Please be aware, the figures in the article are provisional and have not yet been verified by HSE. More information on the outcomes of the full 2016/17 inspections will be available in the New Year, and we will update in Keep It Safe when it becomes available.



## PROGRESS CONTINUES ON INTERNATIONAL HEALTH AND SAFETY STANDARD

The Institution of Occupational Safety and Health (IOSH) has issued an update on the progress of a new international standard for occupational safety and health, noting that safety and health experts across the world "remain committed" to ensuring the best possible new standard.

ISO 45001 Occupational Health and Safety Management Systems is currently being prepared by the International Organization for Standardization (ISO), in a process led by the British Standards Institution (BSI).

IOSH says work on the development of the ISO 45001 draft international standard (DIS) continues apace, with further progress having been made during a recent meeting in Lithuania of the standard's development committee.

Many of the nearly 3000 individual comments made during the consultation process on the ISO 45001 have now reportedly been resolved, but further work is required to iron out some remaining issues.

An additional work group meeting has been scheduled for between 6 and 10 February 2017 in Austria.

A further draft of the standard, which reflects the changes made in light of the consultation responses, will also be publicly consulted on, with this now expected to be in June 2017.

As a result, IOSH says the release of the final ISO 45001 standard is not expected until the end of October 2017 at the earliest.

The new ISO 45001 standard had originally been planned for publication in October 2016.

IOSH is a liaison body for ISO 45001 and was represented at the meeting in Lithuania by Richard Jones, its Head of Policy and Public Affairs.

Speaking after the meeting, Richard Jones said, "The importance of this new standard and its potential to improve health and safety worldwide, mean that the drive and enthusiasm for completion are really strong and the commitment of this international work group is very notable ... It's about creating a standard that is as good as we can all make it."

## LAUNCH OF NEW HSE WORKPLACE HEALTH EXPERT COMMITTEE

The HSE has launched a new committee to provide independent expert knowledge and advice on workplace health.

The Workplace Health Expert Committee (WHEC) will be made up of nine expert members who will provide expert opinion on:

- emerging issues and trends
- new evidence relating to existing issues
- new evidence relating to existing issues

The Committee will be chaired by Professor Sir Anthony Newman Taylor, Professor of Occupational and Environmental Medicine at Imperial College.

The WHEC will provide scientific and medical advice to HSE's Chief Scientific Advisor and Director of Research, Professor Andrew Curran, and to HSE's Board.

The HSE says the new committee will encourage collaborative working with stakeholders and partners, whilst helping to identify issues of potential concern to government departments and business.

In particular, the safety watchdog has confirmed the WHEC will focus on chemical and physical hazards and human behavioural or organisational factors in the workplace (such as shift work) that could lead to physiological and psychosocial ill health.

It will not however focus on wellbeing, sickness absence management or rehabilitation as these issues are dealt with elsewhere in government. In addition, the Committee will not consider individual cases of ill health or disease.

Commenting on the new committee, Professor Andrew Curran said, "I'm very pleased to have secured such a world-class team of experts in workplace health issues which will supplement our own in-house expertise in this area."

The WHEC has since specified its first two priority areas on its future programme of work.

Recent documents added to the Committee's publicly accessible web community space indicated that diesel engine exhaust emissions (DEEE) and respirable crystalline silica (RCS) are the first two issues to be added to the Committee's work programme.

Professor John Cherrie, one of the nine members of the WHEC and a Past President of the British Occupational Hygiene Society (BOHS), offered some insights into other possible future activities of the committee.

He said, "I hope that the committee can provide advice on issues such as shift work involving night work and how best to manage the risk of breast cancer."

He added, "There are other emerging issues that I feel are important for workplace health, for example the association between work as a cleaner (and exposure to irritants) and occupational asthma, which, because of the large number of people employed in these jobs, may be an important cause of workplace ill-health. In addition, there is increasing evidence that various workplace exposures, including sedentary behaviour, may be associated with increased risk of neurodegenerative diseases such as Alzheimer's."

The formation of the Committee received a lukewarm welcome from the Trades Union Congress (TUC). While the union body conceded that the experts on the WHEC were "first calibre", it said the new Committee lacked worker representatives.

Hugh Robertson, Head of Safety at the TUC, said, "We wish WHEC the best of luck and look forward to seeing what areas they will be covering. Hopefully they will find ways of enhancing their work by ensuring that the voice of workers is also listened to."



Great Britain's health and safety record is the envy of much of the world. Central to this is protecting people by managing risk in a proportionate and effective way, supporting innovation and increasing productivity. The challenge is to improve even further on this impressive record. HSE is seeking to influence the system through the 'Helping Great Britain work well' strategy.

While HSE's position as a regulator ensures it will remain the key player, there is a role to play for everyone who has a stake or interest in improving health and safety in the workplace. This is what is called 'the system', not an abstract concept, but networks of organisations and individuals, including, among others, employers, employees, industry and trade bodies, supply chains, third-sector bodies, insurance and legal bodies, workers' representatives, professional institutions and government, as well as co-regulators and many others. Put another way, this means all those who undertake, or influence, workplace activities and attitudes.

The Helping Great Britain work well strategy sets out the priority themes to focus on over the next five years. It is important to acknowledge at the start that this will not be at the expense of what is already done well, but the areas identified are those on which all will need to focus their efforts collectively to make the greatest improvement.

HSE will continue to be a prime mover, whether through ongoing regulatory reform, working in partnership with stakeholders, carrying out inspections, assessing safety cases and reports, or where necessary taking enforcement action.

HSE will look to act increasingly as an enabler, supporting businesses, particularly small and medium enterprises (SMEs), by providing simple, accessible and relevant advice and challenging so-called 'experts' who overprescribe and over-interpret requirements. This should facilitate proportionate, appropriate and effective risk management, encouraging all those in the system to take much greater ownership of health and safety and ultimately help Great Britain work well.

To provide a focus for this important work, HSE has set out six strategic themes that will bring a renewed emphasis on improving health in the workplace, as well as building on the highly successful track record on safety.

The six strategic themes:

- Acting together: Promoting broader ownership of health and safety in Great Britain
- Tackling ill health: Highlighting and tackling the costs of work-related ill health
- Managing risk well: Simplifying risk management and helping business to grow
- Supporting small employers: Giving SMEs simple advice so they know what they have to do
- Keeping pace with change: Anticipating and tackling new health and safety challenges
- Sharing our success: Promoting the benefits of Great Britain's world-class health and safety system

These strategic themes were discussed with key players – representing all sectors and organisations with an interest in health and safety – during a nationwide engagement programme in January and February 2016. The feedback suggested unanimous support for the overarching objective to help Great Britain work well. Through the discussions that have recently taken place, there is a strong desire to renew the ambition for health and safety in Great Britain. The outcomes are already among the best in the world, but there is absolutely no sense of complacency and the ambition is to continue to innovate and change, keeping ahead of new developments in the workplace as well as international trends.

The six themes are the basis for agreeing a collective way forward that will help Great Britain work well. The themes have received widespread support across different sectors during the engagement process and provide a strong platform on which detailed delivery plans can be developed, in partnership with stakeholders.

The new strategy is built on a basic premise – by acting together in a supportive and encouraging environment, complemented by effective and proportionate regulation and risk management, the system can be greater than the sum of its parts. For HSE, the strategy also provides a clear direction on where resources should be targeted to greatest effect.

The result will be greater and wider ownership of the issues, with businesses able to enjoy the improved productivity that a strong health and safety culture will generate, while workers will be healthier and safer. More information on Helping Great Britain work well, including the strategy documents, themes, commitments and case studies, can be found here: <http://www.hse.gov.uk/strategy/index.htm>

IOSH has published a new free guide to help organisations manage employee health.

IOSH launched the new publication during Great Britain Health and Wellbeing Week, which took place from 17 to 21 October 2016, featuring a variety of activities and promotional events aimed at enhancing understanding of health and wellbeing.

Entitled Occupational Health Management in the Workplace, the new guide is aimed at safety and health professionals, to assist in assessing whether their employers or clients are managing health risks sufficiently.

It offers an overview of occupational health, discusses why managing health at work is harder than managing safety, and highlights health checks and controls which can help with monitoring the health and wellbeing of workers.

The first part of the publication provides guidance on understanding health risks in the workplace, offering guidelines on what businesses need to consider and do, and when they need to get expert help.

The second part examines the aspects businesses need to consider when providing occupational health services, whether these are provided in-house, or using an occupational health service provider.

Commenting on the publication, Kate Field, Head of Information and Intelligence at IOSH, said, "Health has, for a long time, been the Cinderella to safety. And as a result, ill health caused by work has cost individuals, business and public services billions of pounds a year.

"In addition, the hidden costs for the individual who has been made ill by work are incalculable — not being able to play with their children, not being able to walk to the shops, and often a slow and painful death.

"However, things are changing — health is now on the agenda, and businesses recognise that a healthy workplace is a happy and productive one."

The new guide can be accessed at [www.iosh.co.uk](http://www.iosh.co.uk)



## A STRICTER APPROACH TO ESOS COMPLIANCE

The Energy Savings Opportunity Scheme (ESOS) came into force on 17 July 2014 as a response to the EU Energy Efficiency Directive.

The mandatory scheme requires large organisations to audit their energy use every four years and notify the Environment Agency (EA) that they have done so. The scheme applies to organisations that have at least 250 employees or have an annual turnover exceeding 50 million euros and a total balance sheet exceeding 43 million euros.

The purpose of the scheme is to increase good energy management whilst helping organisations identify energy efficiency savings.

Previously the EA has exercised discretion in enforcing compliance, stating that where the first statutory compliance deadline of 5 December 2015 was missed, it would not take enforcement action provided it received a notification of full compliance by 29 January 2016.

Additionally, for organisations seeking to use ISO50001 certification to demonstrate compliance with ESOS, the deadline was delayed further until 30 June 2016.

However, with approximately 10% of organisations in breach of the regulations, the EA has confirmed it will now take a stricter line, shifting from encouraging compliance to enforcement. For example, the EA will take steps to confirm the qualification status of organisations and will, where applicable, issue an Enforcement Notice stipulating steps to be taken to bring that organisation into compliance. The EA may issue Civil Penalties which vary according to the type of breach and range from a financial penalty of £5000 for failing to maintain records to £50,000 for failing to carry out an energy audit.

In response to this shift, organisations should review the extent of their UK operations, including transport, analyse their energy consumption data and formulate a compliance strategy. This is essential if energy savings are to be maximised and enforcement action and penalties avoided.

The Department for Business, Energy and Industrial Strategy has published a report on a survey of businesses' views on the extent of the burden of regulation.

This document reports on businesses' views on regulation in the UK and how these views compare to previous years. The survey itself was carried out in February and March 2016.

### ***Overall Attitudes to Regulation***

Compared with 2014, the proportion of businesses who felt complying with regulation is their greatest challenge (up to 15% from 11% in 2014) and the proportion of business who expects the burden of regulation to increase in the next 12 months (up to 52%, from 43% in 2014 and a 38% low in 2012) has risen.

Despite rising concerns about the burden of regulation and that businesses expect it to increase; the proportion who felt the level of UK regulation is an obstacle to business success fell to around half (49%), continuing the downward trend from 62% who reported this in 2009.

Most commonly businesses felt the burden of regulation would increase in the next 12 months because of a perception that the burden always increases (38%). In terms of the impact of specific regulations, businesses were most likely to mention pension issues and, in particular, Automatic enrolment (11%) as the reason why they expect the burden to increase.

The most important factor in encouraging businesses to comply with regulation is maintaining their reputation with customers (95%), with three-fifths (61%) deeming this essential and a further third (34%) considering it very important. This was closely followed by it simply being important to do the right thing (91%) with 55% considering this essential and 36% very important.

### ***Effort of dealing with Regulation***

While the proportion of businesses citing regulation as an obstacle to business success has been in steady decline, more than half (53%) of businesses felt that the total cost of complying with regulation had actually increased over the last 12 months. Only 3% of businesses said it has decreased.

Three-fifths (59%) of businesses agreed that the time taken to comply with regulation was a burden, with businesses spending an average of 5.4 staff days per months dealing with, or comply with regulation.

The Finance sector was most likely to report an increase in the cost of regulation over the last 12 months (71%), to agree that the length of time taken to comply is a burden (75%) and spent the most time complying with regulation (11.5 staff days per month).

Completing paperwork, filling out forms and keeping records on facts and figures was considered the most burdensome of the prompted activities (65%), closely followed by keeping up to date with information about regulations the business needs to comply with (64%) and having to provide the same information more than once (62%).

The full survey report is available here: <http://tinyurl.com/hrc5ugg>



## NIGHT SHIFTS DO NOT INCREASE CANCER RISK TO FEMALE WORKERS

A major new research study has concluded that working night shifts has little or no effect on a woman's breast cancer risk, despite a review in 2007 by the International Agency for Research on Cancer (IARC) classifying the disruption of the body clock in shift work as a probable cause of cancer.

The new research has been published in the Journal of the National Cancer Institute and was funded by HSE, Cancer Research UK and the UK Medical Research Council.

The researchers followed 1.4 million women in 10 studies, examining whether night shift work increased women's breast cancer risk, and found that the incidence of breast cancer was essentially the same whether someone did no night shift work at all or did night shift work for several decades.

The study is particularly important since at the time of the 2007 IARC classification, there was limited evidence about breast cancer risk in humans so the classification was mainly based on a combination of animal and laboratory studies.

Each year in the UK, around 53,300 women are diagnosed with breast cancer and around 11,500 die from the disease.

Commenting on the research, Professor Andrew Curran, Chief Scientific Advisor for the HSE, which commissioned the study, said, "In Great Britain, there are two million women, about one in six female workers, who are currently working in some types of shift work, and over half million of them are working in shifts that involves night work.

"This study has shown that night shift work, including long-term shift work, has little or no effect on breast cancer incidence in women. However, there are a number of other known risks with shift work that employers must take into consideration when protecting their workers' health and safety."

For information and advice on shift work health and safety, see HSG256 Managing Shift Work. Health and Safety Guidance at the HSE website, here: <http://www.hse.gov.uk/pubns/books/hsg256.htm>

## CHEP WINS ROSPA GOLD AWARD FOR FOURTH YEAR

CHEP UK & Ireland, the supply chain solutions company, has been successful in the 60th year of the RoSPA (Royal Society for the Prevention of Accidents) Occupational Health and Safety Awards 2016.

Through the scheme, which is open to businesses and organisations of all types and sizes from across the UK and overseas, judges consider entrants' overarching occupational health and safety management systems, including practices such as leadership and workforce involvement.

Julia Small, RoSPA's head of awards and events, said: "To win an award at such a highly-regarded event as the RoSPA Awards is a great achievement for our winners. It recognised their commitment to maintaining an excellent health and safety record and raises the bar for other organisations to aspire to."

CHEP UK & Ireland Managing Director, Rod Francis, said: "We take safety incredibly seriously within our business. Our Pontefract plant is a shining example, where rigorous processes and our Zero Harm programme have helped us to achieve over two million hours free of lost time incidents, over eight years of operation. To receive the Gold Award for a fourth consecutive year is a fantastic achievement, and testament to the 'prevention is better than cure' attitude and behaviour of all our people throughout the organisation."

For more information about the RoSPA Awards visit: [www.rospace.com/awards](http://www.rospace.com/awards)



## HSE RESEARCH REPORT ON LOAD SECURING ON HGVS

HSE have published a research report on 'The use of vehicle structure in load securing on heavy goods vehicles'.

Securing loads for safe transport is a legal requirement in the UK. It helps to protect the driver of the vehicle, other road users and pedestrians during the vehicle's journey from vehicle rollover or load detachment, and the driver and unloading personnel from the risks inherent in unloading a load that has been able to move in transit.

This report assesses the legislation applicable to the transport of goods in the UK under both road traffic and health and safety at work legislation. It assesses the guidance available to operators and consignors and the methods of securing loads that are commonly-used at present.

It is suggested that the concept of the load securing system, which comprises the structure of the vehicle, physical barriers to movement, and/or lashings, be given more prominence in current practice. In order to make effective use of the vehicle structure, it is important to ensure that the structure is in sound condition, and that vehicle headboards and bulkheads, in particular, are both strong enough to resist forward movement of the load and also maintained in serviceable condition to protect the driver from ingress of the load to the cab.

The full report is available to view here: <http://www.hse.gov.uk/research/rrpdf/rr1078.pdf>

## THERESA MAY LAUNCHES TASKFORCE TO FIGHT MODERN SLAVERY

One year after she introduced the Modern Slavery Act 2015 while serving as home secretary, Theresa May is to set up a government taskforce to tackle what she called "this cruel exploitation".

She also revealed that £33m from the UK aid budget will be made available to fund prevention initiatives in countries where people are trafficked to the UK.

Under the Act, commercial organisations with a turnover of £36m or more must produce a statement each financial year, showing what steps they have taken to make sure there is no modern slavery in their business and supply chain. However, May acknowledged that more needs to be done.

Writing in the Sunday Telegraph, May stated: "Just because we have some legislation does not mean that the problem is solved.

"It is hard to comprehend that such sickening and inhuman crimes are lurking in the shadows of our country. But the most recent estimates suggest that there are between 10,000 and 13,000 victims in the UK alone and over 45 million across the world."

The new taskforce will help raise awareness of contemporary slavery, improve training for those in the criminal justice system and offer more support for victims. It will also adopt an international approach to modern slavery and collaborate with international partners.

May wrote: "This will be an important focus for the new taskforce because modern slavery will never be stopped if our police, borders and immigration agencies work in domestic silos."

IOSH has welcomed the prime minister's renewed commitment to anti-slavery. Richard Jones, the institution's head of policy and public affairs, said IOSH "welcomes the government's ongoing commitment to tackling labour market human rights abuses and the setting up of its new taskforce.

"We urge the government to require public sector, as well as private sector, anti-slavery disclosures and to also use due diligence and transparency as government procurement criteria. This way, it can lead a 'race to the top' in corporate governance and social responsibility."

A review marking the first anniversary of the Act found that 289 modern slavery offences were prosecuted in 2015 and there was a 40% rise in the number of victims identified.

May said Britain will "lead the way in defeating modern slavery", adding: "I am determined that we will make it a national and international mission to rid our world of this barbaric evil."

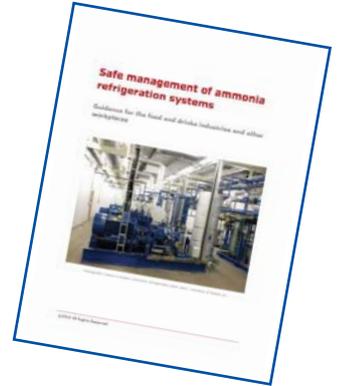
## SAFE MANAGEMENT OF AMMONIA REFRIGERATION SYSTEMS GUIDANCE

Following the recent incident at the Carlsberg factory in Northamptonshire where a worker was killed in an ammonia leak, we thought this would be the ideal time to remind you of the Food Storage and Distribution's (FSDF's) recent guidance on the Safe Management of Ammonia Refrigeration Systems.

The guidance has been written by the FDSF Technical and Safety Committee, British Engineering Services, Institute of Refrigeration and other stakeholders, with support from the Health and Safety Executive.

The guidance is available directly from the FSDF by submitting details here: <http://www.fsd.org.uk/health-safety/safe-management-ammonia-refrigeration-systems/?ebul=gd-fooddrink&cr=2/Nov16>

The guidance has been developed by industry to give clear current cross-sector guidance on the safe management of ammonia refrigeration systems. It may go further than the minimum you need to do to comply with the law and should be read in conjunction with: Safety of Pressure Systems (available here: <http://www.hse.gov.uk/pubns/books/l122.htm?ebul=gd-fooddrink&cr=3/Nov16>) and Dangerous Substances and Explosive Atmospheres (available here: <http://www.hse.gov.uk/pubns/books/l138.htm?ebul=4/Nov16>)



## HAZARDOUS WASTE: CONSIGNMENT NOTE GUIDANCE

Earlier this year there was a legislative change; premises now no longer need to register as hazardous waste producers. This change affects the entire hazardous waste control system.

You must make sure hazardous waste produced or handled by your business in England causes no harm or damage. Information for Northern Ireland, Scotland and Wales is provided via a link here: <https://www.gov.uk/dispose-hazardous-waste/overview>

You have responsibilities known as your 'duty of care'. You must also meet extra requirements depending on whether you're a waste:

- producer or holder (you produce or store waste)
- carrier (you collect and transport waste)
- consignee (you receive waste, e.g. for recycling or disposal)

Waste is generally considered hazardous if it (or the material or substances it contains) are harmful to humans or the environment. Examples of hazardous waste include:

- asbestos
- chemicals, e.g. brake fluid or print toner
- batteries
- solvents
- pesticides
- oils (except edible ones), e.g. car oil
- equipment containing ozone depleting substances, e.g. fridges
- hazardous waste containers

You must follow these steps in England if your business: (a) produces hazardous waste; (b) holds or stores hazardous waste; or (c) has hazardous waste removed from its premises.

1. Classify your waste to check if it's hazardous.
2. Separate and store hazardous waste safely.
3. Use authorised businesses to collect, recycle or dispose of your hazardous waste – check that waste carriers are registered and waste sites have environmental permits.
4. Fill in the parts of the consignment note that apply to you – keep one copy and give 2 copies to the carrier collecting your waste.
5. Keep records (known as a 'register') for 3 years at the premises that produced or stored the waste.

More information for producers of hazardous waste, including record keeping, can be found here: <https://www.gov.uk/dispose-hazardous-waste/producers-and-holders>

## MYTHS ABOUT BACK PAIN

The Chartered Society of Physiotherapy (CSP) has produced information and resources to help bust myths about back pain. This has been developed using the latest evidence about what is best for your back.

The myth buster resources have been developed by a working group of CSP members comprising representatives of the Musculoskeletal Association of Chartered Physiotherapists, the Physiotherapy Pain Association, the consultants' group and physios working in the NHS and the private sector.

### **Myth #1 – Moving will make my back pain worse**

Although it is true that some movements can be uncomfortable when you have back pain, it is well established that returning to movement and work as soon as you are able, is better for recovery and preventing recurrence than bed rest.

This is not a new concept by any means, but it is an unfortunate misconception which continues to endure, due in part, to the complex nature of pain.

### **Myth #2 – I should avoid exercise, especially weight training**

Exercise is generally accepted amongst all respected authorities to be the best modality for treating low back pain in both the acute and chronic phases.

Studies have shown great benefits and long-term safety of various types of exercises including high load resistance training.

Interestingly, no one type of exercise proves to be better or worse, so simply do what you enjoy and can tolerate! Gradually build up as your confidence and ability improves.

### **Myth #3 – A scan will tell me exactly what's wrong**

There is a large and growing body of research that shows that not only do results of scans correlate poorly with symptoms in people with Low Back Pain, but also that most people without Low Back Pain have changes on scans and x-rays that do not cause any symptoms at all.

For these reasons and more, imaging alone isn't capable of telling us exactly why someone is experiencing pain.

Of course this does not mean that all MRI scans are irrelevant in all cases, but it does mean that they are not always necessary or helpful. In fact, there is evidence to suggest that in some cases, having a scan can make situations worse.

### **Myth #4 – Pain equals damage**

The level of pain experienced is very rarely proportional to the amount injury sustained to the back. Pain is far more complex than this, as pain levels are a reflection of how threatened each human perceives themselves to be.

For example, past experiences, general health factors, beliefs, sleep and exercise levels as well as psychological wellbeing, all play important parts in how much pain each individual might experience.

For more information, or to download resources for your business, go to:

<http://tinyurl.com/jq9w8gd>



## AGEING AND THE WORKPLACE

The British Medical Association (BMA) occupational medicine committee has produced a guidance report on 'Ageing and the workplace'.

Occupational physicians deal with many issues from both employees and employers as a consequence of the UK workforce getting older.

There are more over fifties in employment in the UK than ever before and the employment rate of older people is on the increase. In August 2016 over 1.2 million people were working beyond age 65. Several factors have contributed to this ageing of the workforce:

- People born post-World War II to 1964 are now in their fifties and sixties; the first reached the age of 70 years in 2016.
- The UK default retirement age was abolished in 2011 making it is unlawful to compulsorily retire an employee because of age, unless it can be justified objectively as a proportionate means of achieving a legitimate aim. Consequently people can work for as long as they want and are able. Older workers can still retire voluntarily and draw any occupational pension to which they are entitled.
- Falling birth rates and increased lifespans put pressure on economies, public finances and pension schemes. People will have to work longer to meet labour market needs and to have adequate retirement income as they live longer.
- State pension is increasing from 60 for women and 65 for men. From 2020, both men's and women's state pension ages will be 66, increasing to 67 between 2026 and 2028, and then linked to life expectancy thereafter. The government will review state pension age at least once every five years. The timetable for the foreseen increase in state pension age to 68 could be accelerated as a result of a future review.

The guidance from the BMA focusses on the occupational factors of an ageing workforce. While health is a determinant of how long people continue to work there are also emotional, personal and financial factors.

Work brings many benefits including self-esteem, companionship and a salary. The employment status of an employee's partner, caring responsibilities, hobbies and interests, relationships at and outside of work and financial security all influence a person's decision to retire or to continue to work.

More information and the full guidance report are available here: <http://tinyurl.com/jfj34vx>

## RESPIRATORY PROTECTIVE EQUIPMENT (RPE)

The Health and Safety Executive (HSE) has recently raised concerns regarding the correct selection and use of RPE when working with hazardous substances such as ammonia.

The concern was raised after Inspectors, found non-compliance issues during visits to some sites where particular face masks had been made available in case of emergencies but face-fitting had not been considered.

Businesses are encouraged to refer to HSE's guidance on RPE – HSG 53 Respiratory Protective Equipment at Work – A Practical Guide (4th Edition 2013). Businesses need to be aware that whilst RPE has to be adequate (correctly specified) for the hazard; it also has to be fit tested, worn correctly, and be compatible with any other PPE etc. that operatives are required to use whilst at work.

A copy of HSG 53 can be down loaded using the following link: [www.hse.gov.uk/pubns/priced/hsg53.pdf](http://www.hse.gov.uk/pubns/priced/hsg53.pdf)  
Alternatively, more information about RPE is available from the HSE website using the following link: <http://www.hse.gov.uk/respiratory-protective-equipment/>



## DRIVING WITH DIABETES: THE FACTS

The Driver and Vehicle Licensing Agency (DVLA) have produced a blog to highlight the potential effects of diabetes on driving.

Diabetes mellitus, commonly known as diabetes, is a chronic disease linked to high levels of glucose in the blood. Statistics show that the number of people with diabetes is increasing every year. The effects on living with diabetes day to day are well known, but what's not so well known is how diabetes can also affect your driving.

### ***How does diabetes affect your driving?***

If you have diabetes, there is a risk of developing hypoglycaemia and 'severe hypoglycaemia' (a diabetic emergency that will affect your fitness to drive). Hypoglycaemic episodes can be very sudden events, with symptoms ranging from feeling nauseous to a loss of concentration, and potentially loss of consciousness. An episode of 'severe hypoglycaemia' means you'll need assistance from another person. This is why it's so important that you keep diabetes under control.

### ***Do you need to tell DVLA that you have diabetes?***

If you're keeping your diabetes under control with diet only, then you don't need to tell DVLA. However, if you're taking medication the following applies:

<b>Treatment</b>	<b>Car or Motorcycle Licence Holders (Group 1)</b>	<b>Bus or Lorry Licence Holders (Group 2)</b>
Tablets	Some tablets may cause hypoglycaemia, so you need to ask your GP about your medication	You must tell DVLA
Insulin	You must tell DVLA	You must tell DVLA

In summary, it's a legal requirement to tell DVLA if you have a medical condition that could affect your driving. Of course, this doesn't mean you'll lose your licence – in the last 2 years, 9 out of 10 group 1 licence holders who told DVLA they had diabetes kept their licence.

For more information, ask your GP or go to: <https://www.gov.uk/diabetes-driving>

## FLASHBACK ARRESTORS ARE A LEGAL REQUIREMENT FOR OXY-ACETYLENE

The regulations pertaining to the use and maintenance of oxy-acetylene equipment were updated in late 2014 under The Acetylene Safety (England and Wales and Scotland) Regulations 2014 and included a new mandatory requirement to use suitable flashback arrestors.

There is concern that the requirement to use flashback arrestors may not have been fully implemented by all welding operators. The requirement for flashback arrestors is a reasonably practicable control of the risk and that is why the law requires them.

Free advice on the law and best practice in this area is available from the British Compressed Gases Association webpage, here: [http://www.bcga.co.uk/pages/index.cfm?page\\_id=32&title=welding\\_matters](http://www.bcga.co.uk/pages/index.cfm?page_id=32&title=welding_matters)



## THE COST OF REPUTATIONAL DAMAGE

The International Institute of Risk and Safety Management (IIRSM) has recently highlighted the cost of reputational damage associated with health and safety offences.

The Institute pointed out that since the revised sentencing guidelines came into force in February 2016, big businesses have been hit with huge penalties based on their turnover.

High profile cases have included Tesco's £500,000 fine after a worker suffered bruises following a fall, Network Rail's £4 million penalty after a pensioner was killed on a level crossing and Merlin's £5 million fine following the Alton Towers rollercoaster crash — the biggest penalty to date for a non-fatal incident.

However, the IIRSM says this is just part of the impact of health and safety offences on organisations.

As well as the dramatic increase in the levels of fines, the IIRSM notes that s.10 of the Corporate Manslaughter and Corporate Homicide Act 2007 allows the courts to impose publicity orders on convicted firms, attracting additional adverse publicity and potentially damaging the company's reputation.

Such notices have appeared in local newspapers or, in the case of joinery firm Peter Mawson, on its website. As an example, the company Mobile Sweepers (Reading) Ltd, which was convicted of corporate manslaughter in February 2014, was required to take out advertisements in two local newspapers.

Loss of public confidence after a health and safety offence can have serious impacts. The IIRSM points out that after the King's Cross fire in 1987, travel on London Underground dropped by 6% and took two years to recover.

However, it seems that all too often organisations do not have strategies in place to protect their reputation. A source at IIRSM said, "In today's global, fast-moving social media landscape, reputational issues can spread and amplify extremely quickly. Often it will come down to the speed at which issues are identified and how they are subsequently handled."

## PROSECUTIONS AGAINST DIRECTORS TREBLE

Research from an international law firm has indicated that the number of company directors prosecuted for health and safety offences has more than trebled in a year, with health and safety fines also surging dramatically since the implementation of new sentencing guidelines.

The research was conducted by the law firm Clyde & Co and based on data obtained directly from the HSE, which showed that 46 company directors and senior managers were prosecuted by the HSE in the year to 31 March 2016, compared to just 15 in the previous year.

In its research, Clyde & Co also pointed out that the number of employees prosecuted has fallen, with just one individual employee prosecuted by the HSE in 2015/16, compared to 10 in the previous year.

Commenting on the implications of the figures, Chris Morrison, Partner and UK Head of Safety, Health and Environment at Clyde & Co said, "The data confirms what we've been seeing in practice with the HSE displaying an increased zeal to prosecute the most senior individuals within a business yet virtually ignoring employees who are frequently more culpable."

According to the research, of the 46 prosecutions, 34 were found guilty, resulting in 12 prison sentences. The longest prison sentence imposed was two years.

The law firm also pointed out a surge, by 43%, in fines, following the implementation of new sentencing guidelines in February 2016. Fines totalled £20.6 million from February 2016 to August 2016, compared to £14.4 million in February 2015 to August 2015 and this figure does not include sentences imposed in cases prosecuted by local authorities.

Chris Morrison said, "While the majority of director prosecutions relate to SME businesses due to there typically being some form of proximity or nexus with the director, the new game-changing sentencing guideline for health and safety breaches with turnover-related fines has created a new set of worries for directors of all-sized businesses."



# ENFORCEMENT

## CHEMICAL COMPANY FINED £3M AFTER TOXIC VAPOUR CLOUD RELEASE

A chemical company has been sentenced after a worker was killed and one left with life changing injuries when they were overcome by a toxic vapour cloud.

A little over sixteen months later there was another incident involving the same toxic chemical.

Hull Crown Court heard that in the early hours of the 5 March 2010, at the Grimsby chemical plant, there was a build-up of Titanium Tetrachloride within a vessel. The chemical came into contact with water creating a violent reaction, which ruptured the vessel. The liquid came into contact with the air creating a large toxic vapour cloud.

One worker was showered with the corrosive liquid and blanketed by the rapidly expanding toxic vapour cloud, he died on the 18 March 2010 from his injuries. His colleague was also covered by the dense cloud, surviving his injuries but with irreversible lung damage.

The large poisonous vapour cloud rapidly expanded to several metres in height and poured out from the site as a thick, dense white cloud. The wind blew the cloud out across the river Humber and closed down the shipping lanes for several hours, until the incident was eventually brought under control by the Humberside Fire and Rescue Service.

The investigation by the Health and Safety Executive (HSE) found the company had deviated from the normal operating procedures, which led to the dangerous build-up of the chemical. Parts of the plant and its procedures were poorly designed and the company had not established robust safety management procedures and systems of work to assess and control risk and to ensure that these were actually followed. The following year, on the 27 July 2011, there was another uncontrolled release of a toxic vapour during the cleaning of a redundant vessel.

The vessel, which is normally connected to the chemical production plant, was being replaced. The old vessel was removed and stored, for around three-years, with a number of tonnes of residual Titanium Tetrachloride. The Health and Safety Executive's investigation found that the company made the decision to clean the vessel. The company poorly managed the design and installation of fabricated plates to seal the vessel before carrying out the cleaning process. The plates were incompatible, incorrectly designed and used inappropriate sealants that could not contain the gas created during the procedure, releasing a toxic vapour cloud.

The chemical company of Stallingborough pleaded guilty to the following charges: Sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974, for the 2010 incident and also Regulation 4 of the Control of Major Accident Hazards Regulations 1999 for the 2011 incident. The company was fined £1.8m and £600,000 for charges associated with the incident on 5 March 2010 and fined £600,000 for the charge associated with the incident on 27 July 2011 with costs of £37,868.00.



## DELIVERY FIRM FINED AFTER WORKER LOSES LEG

A Buckinghamshire delivery firm has been fined after a driver suffered life changing injuries when he was hit by a reversing fork-lift truck.

The company was prosecuted by the Health and Safety Executive after the incident on 2 September 2014 at their depot in Slough.

Reading Crown Court heard how the delivery driver, who was working for an agency, was pushing a trolley containing parcels along the side of the building between the wall and a row of delivery vehicles. When he reached the end of the row of vehicles a fork lift truck which was operating near an entrance to the building reversed out of the shutter door, striking him and trapping his foot in the rear wheel.

The worker sustained fractures and crush injuries to his left foot and leg and spent five weeks in hospital following the incident. Five months later he required an operation to amputate his left leg below the knee.

The HSE investigation found that at the point where the fork lift truck entered and exited the building there was no barrier in place to prevent collision with pedestrians, neither was the yard organised in such a way as to allow safe pedestrian access to vehicles that were parked on the other side of the yard. The company's risk assessments for unloading/loading of vehicles and the use of forklift trucks all failed to consider the use of physical barriers to segregate pedestrians from vehicles. An improvement notice was served and the company has now made the necessary changes to enable pedestrians and vehicles to circulate safely.

The company pleaded guilty to breaching sections 2 (1) and 3 (1) of the Health and Safety at Work etc. Act, 1974 and was fined £120,000 and ordered to pay costs of £10,783.04.

## STEPLADDER FALL COSTS VOLVO £900,000

The national truck, bus and plant division of Volvo has been fined £900,000 after one of their workers fell and suffered head injuries.

Westminster Magistrates' Court heard how a worker was servicing a large delivery truck and repairing the driver's access rope for the cab when he fell, striking his head and losing consciousness. He was placed in a medically induced coma for two-weeks. He still suffers from ongoing complications and has been unable to return to work.

An investigation by the Health and Safety Executive (HSE) found the step ladder that the worker was using was damaged and its anti-slip feet were worn. It was not Volvo property and had not been maintained or checked to ensure it was suitable for use. At the time of the incident, 17 September 2015, Volvo UK had not trained their staff to select, inspect and use access equipment for work at height.

Volvo Group UK Limited pleaded guilty to breaching Section 2(1) of the Health and Safety at Work Act 1974 and was fined £900,000 and ordered to pay costs of £5820.28, with a £150 victim surcharge.

HSE inspector Nick Wright said, "This worker suffered life changing injuries that could have been prevented by simple health and safety precautions. For two weeks his family was told to prepare for the worst as he was placed in an induced coma to help manage the swelling on his brain.

"This case is not about banning ladders, on many occasions they are the right equipment to use when working at height, it is about companies ensuring they properly maintain their work at height equipment and train their workers on how to inspect them and select the correct tools for the job. As this case shows, even a fall from a relatively small height can have devastating consequences."



## FIRM FINED AFTER MULTIPLE BACK INJURIES TO WORKERS

A car component manufacturer has been sentenced after six workers experienced back injuries from repeatedly lifting heavy car engine parts by hand.

The firm manufactures engine parts for Audi and Jaguar Landrover cars which are no longer in large scale production.

Birmingham Crown Court heard that between 1 November 2013 and 7 January 2015, the HSE received six reports of workers who had injured their backs and been off work for more than seven days. One worker was in hospital for seven days and off work for more than nine weeks. More workers suffered back problems but were not off work for the seven days required for the incidents to be reportable.

An investigation by the Health and Safety Executive (HSE) found that workers who were based on two of the company's production lines were expected to manually lift engine components weighing between 14 and 21kgs, hundreds of times during a shift. Mechanical lifting aids were either not provided, not suitable, or no training had been received by workers in how to operate them. There were no suitable or sufficient manual handling assessments in place for the tasks involved.

The firm admitted breaching Regulation 4(1)(b) of the Manual Handling Operations Regulations 1992. It was fined £183,340 and ordered to pay £21,277.10 costs.

HSE Inspector Elizabeth Hornsby said: "Companies need to recognise that manual handling as a high risk activity. It is equally important to get health issues right, as well as safety. An Office of National Statistics report on Sickness Absence in the Labour Market stated that 30.6 million days were lost in 2013 due to musculoskeletal problems. This itself should highlight the need for employers to get health issues right."

## COUNCIL FINED £250,000 FOR WORKER'S HAND ARM VIBRATION

Thanet District Council has been fined after a worker was left with permanent injuries after being diagnosed with hand arm vibration (HAV).

Canterbury Crown Court heard how a worker from Thanet District Council was diagnosed with suffering from HAV after visiting his GP. Symptoms of the condition can include tingling, pins and needles, numbness and pain in the hands. This affects sleep when it occurs at night and sufferers have difficulties in gripping and holding things, particularly small items such as screws, doing up buttons, writing and driving.

An investigation by the Health and Safety Executive found that the worker would typically spend up to 6 hours a day using a range of powered equipment including mowers and hedge cutters, depending upon the season. He was not under any health surveillance or told how he should report his symptoms.

The council had not taken steps to eliminate or control the exposure of their workers to HAVs. They also failed to educate their workers on the risk and train them on how to control their exposure to the vibrations caused by the power tools.

At the time of the investigation the council were issued with an improvement notice, as soon as they started to rectify the problem and implement the appropriate health surveillance a further 15 cases of ill-health relating to vibration exposure were identified and reported to HSE.

Thanet District Council pleaded guilty of breaching Regulations 6(2) and 7(1) of the Control of Vibration at Work Regulations 2005 and was fined a total of £250,000 and was ordered to pay £18,325.84 in costs.

HSE Principal Inspector Mike Walters, said: "Hand Arm Vibration is a serious disease that impacts on people's lives and impairs their ability to work. It is entirely preventable but once the damage is done it is permanent. Any business, council or employer can learn from this case. If you have workers who use heavy machinery, you need to ensure you properly manage the risks from HAVs, control or eliminate the exposure, and train them so they can identify the symptoms."



## FOUR SUSPENDED JAIL SENTENCES FOR HEALTH AND SAFETY FAILINGS

The director of a furniture factory and three of its managers have received suspended prison sentences for ongoing health and safety failings.

Swansea Crown Court heard how the factory in Port Talbot was included in the Health and Safety Executive's (HSE) programme of visits to woodworking premises, which are considered a high risk industry because of dangerous machines and hazardous substances including wood dust and glues.

The visit highlighted a number of health and safety concerns at the factory in early 2015 including poor control of wood dust, no maintenance of work equipment including fume and dust extraction and noisy conditions. There were inadequate toilet and washing facilities. Ten Improvement Notices were served on the company in February 2015, and despite ongoing intervention by the HSE, there was little progress and conditions remained poor. Seven of the Improvement Notices were not complied with.

The four defendants were previously in charge of Celtic-Leather and Fabric Upholstery Ltd at the same factory premises. This company was prosecuted by the Health and Safety Executive in 2015 for similar health and safety breaches.

The Director pleaded guilty to breaching Section 37 of the Health and Safety at Work etc Act 1974, and was given a 10 month prison sentence suspended for 2 years and ordered to pay costs of £2,500. He was also disqualified from acting as a company Director for 5 years.

Three employees who were both shareholders and managers pleaded guilty to breaching Section 37 of the Health and Safety at Work etc Act 1974, and were given 10 month prison sentences suspended for 2 years and ordered to pay costs of £2,500. Although not a current directors, they were also disqualified from acting as a company Director for 5 years.

After the hearing, HSE Inspector Helen Turner said: "We always try to work with dutyholders to help them understand their responsibilities and improve conditions but there is no excuse for people running a business not to know what health and safety standards apply to their work. When directors or managers who have the power to make the improvements blatantly disregard their workers' health and safety we have no option but to prosecute."

## WORKER SERIOUSLY INJURED IN MOBILE PLATFORM FALL

A Buckinghamshire waste equipment maintenance firm has been fined after a worker suffered serious head injuries when a mobile elevating work platform (MEWP) overturned.

The employee was in the process of dismantling a compactor at a site in Cheshire when the incident occurred on the 19th January 2015.

Minshull Street Crown Court heard that the worker, who was in the MEWP, and a colleague, were taking large pieces of cladding off the frame of a compactor. A large piece of the cladding came into contact with the MEWP and caused it to fall over. The worker fractured his skull and two ribs in the incident and spent two months in hospital.

An investigation by the Health and Safety Executive (HSE) found serious safety failings by the business. The MEWP was being used outside when it was only suitable for internal work, the firm's employees were not trained in how to use MEWPS or how to safely erect tower scaffolding, and no risk assessment had been conducted for the work being carried out. In addition, at the time of the incident another worker was working on a fragile roof with no protection to prevent falls.

The Buckinghamshire company pleaded guilty to a breach of Section 2(1) of the Health and Safety at Work etc. Act 1974 and was fined £30,000 and ordered to pay costs of £8995.00.





# DSEAR SEMINAR

16 May 2017  
Belton Woods Hotel, Grantham



**A must-attend event for anyone working with or responsible for the management of ammonia refrigeration systems**

The safety of ammonia systems has made the news recently following a fatal incident at a Northampton brewery. British Frozen Food Federation and Food Storage and Distribution Federation have come together along with experts in the field to deliver this critical seminar which will provide users of ammonia refrigeration systems with key guidance and clarify their legal responsibilities.

**Key learnings:**

- DSEAR – legislation and implications of non-compliance
- HSE’s strategy and concerns
- Why is Ammonia such a good refrigerant?
- Safe management of Ammonia
- Emergency arrangements

**BFFF Members £100 + VAT**

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The CPD Standards Office  
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2016- 2018  
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## BOOKING FORM

I / We would like to attend the DSEAR Seminar on **Wednesday 16<sup>th</sup> May 2017** at Belton Woods Hotel, Grantham NG32 2LN

Company \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_ Postcode \_\_\_\_\_

Telephone \_\_\_\_\_ Email \_\_\_\_\_

Delegate Name	Job Title	Email Address	Mobile No

Booked by \_\_\_\_\_ Signature \_\_\_\_\_ PO Number \_\_\_\_\_

**Please fax your booking form to 01400 283098 or email [crystalholmes@bfff.co.uk](mailto:crystalholmes@bfff.co.uk)**

Payment can be made by cheque, BACS or credit card

**British Frozen Food Federation**  
Warwick House, Unit 7, Long Bennington Business Park, Main Road, Long Bennington, Newark, Nottinghamshire NG23 5JR Tel: 01400 283090

**Food Storage & Distribution Federation**  
Unit 7, Diddenham Court, Lambwood Hill, Grazeley, Reading, Berkshire RG7 1JQ  
Tel: 0118 988 4468

For further information or to download a copy of this newsletter, please visit [www.bfff.co.uk](http://www.bfff.co.uk).

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