



**EASTWOOD  
& PARTNERS**  
INSURANCE BROKERS

# Health & Safety quarterly bulletin

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## Observations

The HSE survey on chemical pipelines came to a close on 31st July 2009 the survey directed to sites storing LPG was to obtain information about their pipe work to help reduce the risk of accidents.

The HSE has re-launched its web site for the employment of young persons at work, and gives guidance to employers looking to employ young persons either on work experience, or as employees.

## Are you a Gangmaster in Construction

The MP Jim Sheridan has introduced a Bill to Parliament that would extend the Gangmasters (licensing) Act 2004 to the construction industry. The Gangmasters (Licensing) Act 2004 (Amendment ) Bill gained its first reading on the 10th June 2009

## Training

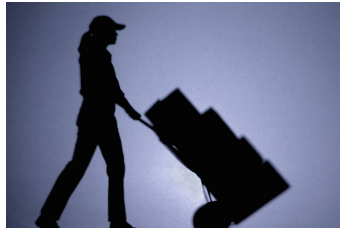
We are able to offer CIEH courses in **Manual Handling awareness, Risk Assessment Level 2 and 3 and Workplace Health Safety and Welfare level 1, 2 and 3**

We can also prepare bespoke courses to meet your needs.

We can assist you by guiding you in preparing your Business Continuity Plan

## Eastwood and Partners Limited Insurance Brokers

### 22% drop in death total A RECORD LOW



The HSE issued figures which indicate that work deaths has fallen to a record low.

The latest data shows that 180 workers were killed at work in 2008/09 a drop from 233 in previous 12 months, with a 22% decrease on the average for the previous five years.

These figures have to be viewed cautiously as the recession has had an impact on the numbers employed, which in turn impacts on overall figures. The HSE state that these figures show a continuation of the underlying downward trend which was estab-

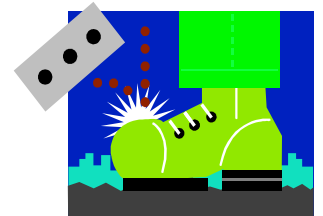
lished in the late 1990s and the early part of this decade, but it must be born in mind that may construction operations came to a practical halt . The figures seem to indicate that other areas not immediately affected by the recession for example manufacturing there has been little change in the number of deaths 32 compared to 33 the year before.

However there is room for optimism as the services sector did show a reduction with 63 fatalities compared to 76 the year before.

The test will come when the recession abates and work in the construction sector picks up, it will be interesting to see if pressures to get work done to increased time schedules and reduced costs impacts on the statistics.

Let us hope that safety and the preservation of life is not compromised in a bid to win work.

As the work picks up employers Large and small will be faced with the same issues who can they get in to do the work? Safety practices and Induction training should be considered the key to developing a safety working system that will allow the work to be done and at the same time keeping people safe especially the inexperienced worker.



## FIRST AID

As you will be aware the new regulations come out in October (not that far away and with the sort of weather we are having you are forgiven if you think its next month).

One of the main changes is the shortening of the main four day course to a new three day First aid at work course (FAW) , this is aimed at streamlining the first aid training requirements.

The syllabus of the two courses are very similar, and the differences reflect how the workplace has changed, this change is supported by the annual half day refresher sessions. The refresher sessions are not mandatory, however they are being issued with a strong recommendation, and such an employer decide not to undertake refresher sessions and something goes wrong, they might have to ex-

plain why they did not.

Under the existing regulations appointed persons are not required to have any training, their overall charge of first aid in the workplace meant that a number of short courses had sprung up. Under the new regulations the new One day Emergency First Aid at Work (EFAW) course is designed to put these on a formal footing although it is still optional for appointed persons.

The aim of the regulations would appear to be to encourage appointed persons to take the one day EFAW course.

The need to assess the provision of first aid in the workplace is nothing new and should have been undertaken, under these regulations the employer would have to assess how many first aiders are needed and what level they are to be trained to, this will have to be based on the hazards within the workplace as well as the size and distribution of

its workforce, not forgetting the remoteness of some work locations.

I would suggest that companies start to review their first aid provision in particular where small teams of workers move from location to location, in particular service engineers who often work alone and remote from head office.



## POINTS OF INTEREST

The entitlement to drive Large Goods Vehicles (LGVs) is about to change

One of the current topics within haulage firms is the Driver CPC (Driver Certificate of Professional Competence). It is all about improving the knowledge and skills of those people who drive large vehicles, a good thing as long it improves the safety of Large Goods Vehicles on the roads.

IT IS NOT voluntary. It has been underpinned by legislation and comes in from the 10th September 2009, but with most things its not all straight forward, From the 10th of September ALL NEWLY licenced LGV drivers must have a CPC. To get this they have to pass the driver CPC theory and practical tests (these are in addition to the tests that they must sit to get their LGV driving licence.

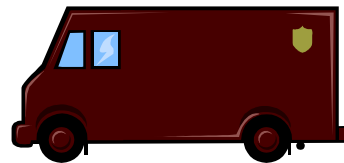
Those drivers who already have a licence to drive a goods vehicle over 3.5 tonnes before the 10th September does NOT have to sit the initial driver CPC tests, however, ALL LGV drivers will have to

complete 35 hours of driver CPC training every **five years**, or they will not be allowed to drive professionally .

Many haulage companies will find this an issue as in today's economic climate the 35 hours of training will be a cost in time and money that they can ill afford. It is possible that many will put off this training to the last possible moment.

However this could create greater problems if when they have to put these drivers onto such courses they find that they are unable to do so do to a lack of available places.

If you have such a situation I would suggest that a programme of putting drivers on courses over the next five years may be in the long term cost effective



## Recent cases

### Legionella Warning from HSE

The HSE are urging employers to carry out simple checks to protect workers from the potentially fatal Legionnaires disease.

The HSE points out that any system which contains water between temperatures of 20 and 45 degrees Celsius and which may also release an aerosol during maintenance operations or during normal operation has the potential to expose personnel to the risk of legionella.

Bacteria can build up in purpose-built water systems if conditions are favorable, they can then multiply increasing the risk to personnel who come into contact with the aerosol.

This is as a result of a Wakefield butchery processing company was fined £25,000 and ordered to pay costs of £20,000 after two employees caught the disease at its plant near Preston.

After the cases of the disease were confirmed, water samples were taken in which significant levels of legionella were found in the washer header tank, also in a washer pressure hose and an apron wash point.

Legionnaires disease is a potentially fatal illness and had the company applied suitable procedures the outbreak at these premises would not have occurred.

### Failure to adequately assess Maintenance activities can be costly

An animal feed specialist has been fined £2,000 and ordered to pay costs of £2,255 following an incident in which an employee fell **SIX FEET**.

The employee aged 53 suffered bruised ribs and punctured lung, the company pleaded guilty to breaching section 3(1) of the Management of Health and Safety at Work Regulations 1999, in that they failed to make a suitable and sufficient assessment of risk to the health and safety of their employees undertaking maintenance work that involved working at height.

### Construction DEATH

A director of a Scottish construction company has been fined £4,000 along with the company £5,000 for a breach of health and safety Legislation after one of their employees a polish worker died as a result of falling down an exhaust shaft at flats being built by his employer. An investigation into the accident found that there had not been a robust barrier on the edge of the shaft which the employee fell down. The HSE inspector described the incident as "entirely foreseeable and preventable" he went on to say that the employee died because his employer and the site manager failed to do enough about the risks associated with working at height

## News

Guidelines on the EU wide agreement on medical sharps injuries have been announced. These will form part of a framework agreement.

The agreement aims to prevent the incidence of injuries from contaminated sharps, and provide appropriate response and follow-up policies in cases where injuries occur.

### Blood Clot

An administrator working for the inland revenue has been awarded compensation after complaints made to her employers were dismissed.

The staff were no longer required to leave their desks to complete their work, due to a change in the routine and targets being set by their employer.

The employee in question complained to her line manager who told her she had to abide by the new rules.

After a few weeks the employee suffered pains in her legs and had to receive emergency treatment, doctors informed her that she had a life threatening blood clot, brought on by the change in routine and the targets set at her workplace.

This case goes to show all persons the importance to undertake suitable and sufficient assessments of risk in particular where there are changes of routine and new targets which could have an impact on the health of the employees undertaking the work.

It has been known for some time that sitting in one position for long periods can result in ill health situations assessments should take this into account.

**THE FIRST CORPORATE MANSLAUGHTER CASE BEGINS**  
Peter Eaton and his company Cotswold Geotechnical Holdings are being charged jointly under the 2007 Corporate Manslaughter Act following the death of a junior employee.