



# Health & Safety Bulletin

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**EASTWOOD & PARTNERS**  
INSURANCE BROKERS

## TRAINING

Eastwood and Partners are capable of providing a number of courses.

Training is beneficial to any company whether large or small it helps employees to understand the approach taken by their employer in a number of areas. It equips them to undertake their work safer and in so doing reduces down time and can have an impact on waste and other losses.

We can provide health and safety training in the following CIEHO courses

Workplace health safety in the workplace level 1, 2 and 3

Risk assessment Principles and practice level 1 and 2

Principles of Manual Handling

We can also run bespoke courses to meet your own needs

## Eastwood and Partners Limited Insurance Brokers

### The New 'Fit Note'



The old style 'sick note' has now been replaced by the much hyped 'fit note'

The background to this change is that the old sick note declared someone either too ill to work or completely capable of carrying out full duties with no middle ground. The new fit note also has two options the first of these being a 'not fit for work' box and therefore the note acts in the same way as that which it replaces.

However, it also has 'may be fit for work taking into account the following advice'. The note then gives a further four options:

A phased return to work



Altered hours

Amended duties

Workplace adaptations

In choosing the second of the main options the doctor is stating that an employee's condition does not stop them from returning to work if they have suitable support.

However, one area of concern raised is that the doctor may not have enough knowledge of the patients workplace or activities to give detailed suggestions on the fit note in the first place.

There is also some concern that employers may not have enough knowledge (or access to expert

advice) to respond effectively to GP recommendations and make effective adjustments that don't put patients or others at risk.

Also, advice in the statement given by the doctor is not legally binding and the onus stays with the employer to seek detailed information, consider adjustments and ultimately decide what is feasible.

Time will tell how well the new system works. Some questions raised in our minds here at Eastwood and Partners include:

Will doctors feel confident enough to give recommendations?

Will doctors be pressurised by patients either wanting to return to work too early or wanting more time off?

Will employers fear having employees who are not fully fit on the premises and will they make the necessary alterations to premises or working practices?

## Welding Hazards

Welders face many hazards during their work and it is the responsibility of the employer to ensure that they are not put at risk.



The employer should conduct a risk assessment of the welding operation and typical hazards that will be encountered include:

**Light Radiation—or 'Arc Eye'** as it is commonly known. Preventable by the use of masks or shields especially the auto darkening filter which is now common place. Long term effects can include cataracts or permanent damage to the retina. Burns to the retina and cornea can also occur without the proper shielding and bad cases of sunburn can be encountered on unprotected skin.

**Metal Spatter**— molten metal that fly's up during the process leading to burns to unprotected skin. The most common form of protection against this is the wearing of gauntlets, spats and aprons which are often made from leather.

**Noise Nuisance** - either as a result of the welding operation or perhaps more commonplace as a result of the environment in which it is taking place. Often associated tasks will include grinding and other noisy tasks. Remember: the employer has a duty to issue and enforce the wearing of hearing protection above 85db(A). The wearing of earplugs is the most common control measure.

**Respiratory Issues** - Welding generates harmful particles and gases which are released into the air during the welding operation. Also, the process uses oxygen out of the atmosphere whilst other gases present may displace or dilute air.

The primary particulate hazard is metal fume, particles formed as a result of the intense heat applied to the metal, the electrode and the filler wire. It's toxicity varies depending on what is being welded, for instance stainless steel may contain chromium and nickel, both of which have the potential to cause cancer.

Inhaling metal fume can lead to metal fume fever - an illness that typical manifests itself through flu like symptoms. Recovery is generally swift but long term exposure can lead to a build up of scar tissue in the lung.

So how do we control exposure to these dangerous substances?

The most common is the use of local exhaust ventilation (LEV) which draws the contaminants away from the welder. Some LEV is fixed whilst others may be adjustable in order to position in the best possible place.

Respiratory Protective Equipment (RPE) is often used as a secondary control measure but it must be ensured that the RPE chosen is suitable for the task and that it fits the wearer correctly.

RPE usually falls into two types—the first of these filters the contaminants from the air whilst the second supplies clean air to the welder from an outside source. Various items of RPE are available which are fully compatible with welding shields and offer protection against most common types of fume.

Correct storage and maintenance of RPE is also essential.

**Confined Space** - welding is often conducted in tight, confined spaces with the risk of oxygen depletion and other hazards.

**Fire** - finally it should be ensured that any combustible materials are stored away from the welding operation to prevent fire.

## HSE NOTICES

### Free HSE Courses

The HSE is funding training for employers and worker safety representatives as part of its 'Do Your Bit' campaign to improve collaborative working between employers and safety representatives.

Private trainers Premier Partnership are providing an 'introduction to worker involvement' course for health and safety reps with a 75% discount and free joint training courses for managers and health and safety reps to improve existing involvement arrangements.

The HSE committed itself to improving collaborative safety work between workers and employers in its 2009 strategy.

For more information go to:

[www.lexisurl.com/hsw429](http://www.lexisurl.com/hsw429)

### Stress Tool

The HSE has produced a tool to help line managers assess if they have the right behaviours for preventing and reducing subordinates' stress.

The online tool is intended to help managers reflect on their management styles and can be found at:

[www.hse.gov.uk/stress/mcit.htm](http://www.hse.gov.uk/stress/mcit.htm)

The website also has a number of other tools and questionnaires relating to the management of stress.

Problems relating to stress in the workplace are increasingly likely to occur and the formation of a proper procedure and pro-active approach could prove invaluable in defending future claims.

## Recent cases

### Steelmaker Corus in Court for the fourth time in six weeks.

Corus has appeared in court charged with breaches of health and safety legislation for the fourth time in six weeks.

The latest appearance followed the death of a 22 year old lorry driver at its Wombourne site who died after being crushed by a 3 tonne pack of steel plates which slipped off a lorry during unloading. The company was found not to have an adequate system in place to offload the steel and was fined £240,000 + £112,500 in costs.

This followed an earlier appearance when it was fined £10,000 after contractors narrowly escaped injury during an explosion in a 75m high steel chimney at the firms plant in Scunthorpe.

Earlier the firm had been found guilty and fined £100,000 after a worker injured his leg at its Aldwarke Steel Works when an overloaded crane overturned and £5000 after a worker injured his leg while clearing a production line at another site.

This follows an incident in 2006 when Corus was fined £1.3 million following the death of three workers at its Port Talbot plant who died as a result of an explosion.

Perhaps unsurprisingly the Hazards Campaign has criticised Corus for its 'repeated criminality' and 'abysmal' health and safety record and asked why no senior director at the firm has been called to account in the courts. A reasonable question given the next case below.....

### Director with 'scant regard' for safety banned for 5 years.

A director has been banned from directing a company for 5 years and personally fined £17,000 + nearly £10,000 in costs.

The HSE prosecuted after visiting a fuel storage tank manufacturer and discovering dangerous working practices that could have resulted in staff being crushed to death due to half tonne containers falling onto working employees.

It also discovered that workers were exposed to lead and that staff had no safety training or instruction.

The company was issued with 4 prohibition notices stopping unsafe work and 4 improvement notices.

However, the director, Brian Nixon, ignored the notices prohibiting staff working at height and instructed the staff to carry on working on top of

the tanks.

The HSE described the situation as 'lamentable' and 'a gross dereliction of duty by the management of the company'.

They successfully prosecuted the individual director as previously noted and also prosecuted the firm itself, Transtore in Stratford-Upon-Avon for 8 separate violations of health and safety law.

The firm was fined a total of £70,000 + costs of £27,507.

We here at Eastwood and Partners cannot stress highly enough the need to comply with any enforcement notices issued by the HSE or EHO.

Simply ignoring such a notice, or worse deliberately flouting it, will ultimately make the situation far far worse.

## News

### Working Long Hours Linked to Higher Risk of Heart Disease.

Middle aged employees who routinely work overtime are at an increased risk of coronary heart disease, researchers have discovered.

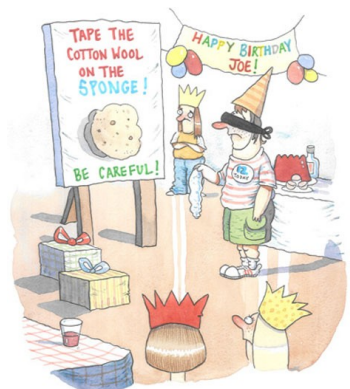
A number of factors have been put forward to explain this and they include 'hidden' high blood pressure, reduced sleeping hours and psychological stress. The theory is that these may affect the mechanisms that cause heart disease but it could simply be that working long hours means there is less time to look after oneself e.g. eating fatty takeaways rather than cooking fresh food.

### Regulations Cost UK Business £80 billion.

The Institute of Directors has estimated that the cost to UK business of meeting regulations is close to £80 billion and is urging the government to take notice.

However, the official government figure is quoted at 'only' £13 Billion.

## MYTH OF THE MONTH



Myth: Health and safety risks stop children playing 'pin the tail on the donkey'

The Reality: Not trusting children with drawing pins seems a little overprotective to us.

After all millions of children have been playing traditional party games like this for years without any problems.