



**Observations**

- Corporate manslaughter and Corporate homicide Bill is expected to arrive in April 2008
- Death in Construction in the UK has risen by a quarter, while Ireland has managed to cut its figure by half.
- Support services for families of those killed at work is under threat, the advice service is facing possible closure in the autumn unless significant new funds can be raised.
- The department of work and Pensions has announced that Judith Hackitt CBE is to be the new chair of the Health & Safety Commission succeeding Bill Callaghan who retires from the role on 30 September

**Training**

Contact us to discuss your training needs.

We are able to offer courses in **Manual Handling awareness, Risk Assessment and Workplace Health Safety and Welfare**

We can also prepare bespoke courses to meet your needs.

We can also assist in the identification of suitable training providers

*Eastwood and Partners Limited Insurance Brokers*

**DRIVING AT WORK POLICIES**

Over half of small motor fleets are operating without the most basic of driving at work policies.

Firms that run a motor fleet without a policy are putting their drivers as well as other road users at serious risk, they are also exposing themselves to possible prosecution.

Employers are recommended to consider both traffic law and the Highway Code in conjunction with health and safety legislation, breaches of which could incur both criminal and civil liability.

In a recent case where a driver of a company van had been involved in a major crash resulting in a fatality, the police gathered evidence suggesting that the driver had been using a hand-held mobile phone at the time of the incident.

As well as pursuing the driver

the HSE decided to prosecute the company for an alleged breach of health and safety legislation.

In this case the company was able to successfully defend itself by producing a company drivers handbook which contained a mobile phone safety policy, which included strict instructions on the use of mobile phones whilst driving at work, including privately owned phones.

The company also was able to demonstrate a detailed driver induction procedure and that these policies were under regular review and update.

Regardless of the legal duties companies have a moral obligation to their drivers and their families, as well as to other road users.

Around 1,000 people are killed each year as a result of road accidents involving driving at work this is about four times as many as those arising from other types of work-related incidents.

It has to be considered that whatever the reason for providing a vehicle for use while at work, the employer has a duty of care to protect his employee whilst driving at work—this includes employees using their own vehicles as well as at the same time safeguarding other who may be affected by their actions.

Effective policies cover such issues as safe driving, journey planning and fatigue, as well as having guidance on vehicle inspection, maintenance, accident reporting, personal safety procedures etc.

**COPD**

You may ask what is COPD?

COPD is Chronic Obstructive Pulmonary Disease it is a long term illness that makes breathing difficult. And is an umbrella term covering illness such as chronic bronchitis, emphysema and bronchiectasis

The lungs and breathing tubes are damaged making it difficult to get air in and out. Walking up a hill, playing football or even playing with your children/grandchildren can become difficult because of shortness of breath.

Other symptoms include;

A persistent chesty cough and phlegm

Wheeze

More frequent and troublesome chest

infections

Because COPD creeps up slowly many people do not know that they have the disease, and consider that the symptoms are due to lack of fitness or getting older, as a result the disease does not get diagnosed in its early stages.

The sooner you realize that you have lung problems, the quicker you can try to stop smoking and reduce exposure to dusts, fumes, and gasses. (medical treatments may also help)

**Causes of COPD**

The main cause is cigarette smoking, but exposure to dusts in the workplace can also cause COPD, even in people who do not smoke.

Many British coal miners recently received compensation for COPD.

The risk of developing COPD is greatly increased if you breathe in dusts/fumes in the workplace and you smoke.

The HSE is interested in COPD as increasing research evidence indicates that COPD can be caused or made worse by dusts, fumes and irritating gasses at work.

Current research findings suggest that in Great Britain around 15% of COPD may be caused or made worse by work.

4000 COPD deaths every year may be related to work exposure

4 in every 10 COPD patients are below retirement age.

A quarter of those below retirement age are unable to work at all

Once COPD develops the damage to the lungs cannot be reversed.

## POINTS OF INTEREST

Latest figures published by the HSE show a rise in fatalities over the last 12 months.

From 217 to 241 an increase of 24

Every fatality is a tragedy so to see such an increase is a disappointment, these increases were seen in the areas of agriculture and construction.

Falling from height continues to be the most common type of accident.

The construction industry remains an area of risk and all too often demonstrates the unacceptable human cost of getting things wrong, the highest level of fatalities would appear to be occurring on smaller sites.

This sharp rise has reversed a steady decline over the last 5 years.

## Recent cases

Cadbury, the world's largest confectionery maker has been handed a fine of £1 million for hygiene offenses that led to an outbreak of salmonella.

The firm was forced to recall more than a million chocolate bars in June last year at least 42 people fell ill.

The company pleaded guilty to a total of nine charges three brought by Birmingham City Council and six brought by Herefordshire Council.

The outbreak occurred after the company changed its quality testing systems. The company has since spent 20 million on changing procedures to prevent a recurrence

### Asda pays the price

In June this year the Supermarket chain Asda was fined £80,000 and ordered to pay £17,500 costs for health and safety failures that resulted in an employee being left in a wheelchair.

Asda's head office was aware of the lack of a safe system of work, and had undertaken a pedestrian safety assessment, however the conclusions and actions had not been effectively communicated at local level.

Line management had condoned poor local practices which included forklift drivers traveling forward with loads so high that their views were obstructed.

### Changing attitudes

Changing the attitude and behaviour of your workers is a challenge, however it is not impossible.

Hard as it may be to do if you are committed to it ultimately it will pay you back again and again.

This may require you to change your management approach from a dictatorial approach to one that allows the employee to speak freely.

Be very clear about what is expected, you will only achieve the standards that you promote. If you see something that is unsafe and say nothing, you are condoning it.

Be consistent, be fair and be firm, employees will then hopefully respond and you will see improvements in morale, productivity, and profitability.

Two business men of a concrete manufacturing firm have been jailed for the gross negligence manslaughter of a worker who died after becoming trapped in an unguarded conveyor.

Police investigating jointly with the HSE stated that had the company placed remedial guards around the tail end of the conveyor the employee would have still been alive.

Added to this there was no means of stopping the conveyor in an emergency, and there was no means of isolating the conveyor during maintenance. The company also failed to provide suitable training and relied on the employee learning the job for another employee who had limited experience

Haulage Company Fined £4,000 following accident resulting in serious injury

The prosecution followed an investigation into an accident to an employee, who was seriously injured after being trapped and crushed between two heavy goods vehicles as one reversed passed the other.

A number of deficiencies were shown in the company's arrangements to ensure safety during reversing operations.

As a result of the prosecution the company was fined £4,000 at Durham magistrates court in August 2007 after admitting a breach of section 2(1) of the HASWA and was ordered to pay £2,500 costs.

## News

A Government minister said recently the 'Good work' was beneficial to people's health and well-being, but then confessed that he didn't really know what "good work" meant!

Lord McKenzie said he wanted business, government and health-care experts and charities to put their heads together to agree what actually constituted "good work"

His comments came as he opened the first of a series of events which aim to inform and develop a framework for employers to ensure their workplaces are healthy and efficient.

At the end of a series of four separate seminars, the Work Foundation is planning to produce a summary report, which will provide a definition of "good work"

Nokia is urging phone owners to watch out for overheating batteries after receiving 100 complaints from customers.

The BL-5C batteries in Japan short-circuited and overheated while charging. This made the batteries dislodge from the handsets but did not cause injury or property damage.

The warning affects the 46 million Nokia batteries made between December 2005 and November 2006

### DON'T DRIVE TIRED TIPS FROM DfT

Plan your journey to include a 15 minute break every two hours

Drinking 2 cups of coffee or other high caffeine drink and having a rest to allow time for the caffeine to kick in

Don't start your journey tired

If you start to feel sleepy stop in a safe place as soon as possible and rest.