

LegislationWATCH

THE No.1 RESOURCE FOR WORKPLACE LAW AND HEALTH AND SAFETY

Spring Clean your workplace

Refreshing solutions to ensure your inside and outside spaces are in tip top condition, see more on page 20.

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Car Park Hazards



Waste Management



MSD's a Real Pain in the Neck



**SAFETY
MADE
EASY**

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Letter FROM THE EDITOR



Dear reader,

Welcome to your Spring edition of Legislation Watch magazine. Inside you'll find the latest legislation updates, easy-to-read articles and important guidelines to help keep you on top of workplace law and plan for health and safety success.

As we enter 2018, it's the perfect time to assess all of your health and safety needs and consider carrying out a 'Spring Clean' of your premises, as well as your essential stocks to ensure everything is up-to-date and compliant with current legislation. On page 20 we give you some ideas on where to start with your Spring cleaning!

On page 12 we have gone back to basics, and put together a comprehensive article about health and safety in the workplace. This highlights your main legal duties as an employer and is a useful reference point to remind you of the key elements of a health and safety policy. We have included some straightforward steps you can take to mitigate any risk or harm to your staff.

Don't forget, we provide an 'Ask the expert' service with IOSH accredited experts that can answer any question you might have on health and safety and workplace law – see page 11 to find out the details.

I really hope you find this issue of Legislation Watch helpful and informative and don't forget you can also find all the articles online at seton.co.uk/legislationwatch.

Stay safe and healthy!

Ros Brooks
Editor

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Legal UPDATE



Workplace Exposure Limits (WEL)

If chemicals or other hazardous substances are used in your workplace, then the outcomes of the consultation by the Health and Safety Executive (HSE) will be relevant to your organisation's future operations. The consultation concluded on 2nd February 2018, with the results expected to be published soon.

This consultation relates to the implementation of Directive 2017/164/EU introducing the 4th list of Indicative Occupational Exposure Limit Values (IOELVs) – which the UK translate into our own Workplace Exposure Limits (WELs) – for thirty-one chemical substances to help protect workers from the ill-health effects of exposure to hazardous substances in the workplace. It could be amongst the last EU Directives to be directly implemented in the UK whilst still a member of the European Union.

For some of the substances, the UK does not currently have an exposure standard. Where the UK does have an exposure standard already, the consultation recommends applying the precautionary principle and adopting whichever is the lower of the two. In practice, this means in all cases the UK is aligning with the same exposure limits as the EU Directive.

All of the substances are defined as those that can cause health issues if workers are exposed to them above the exposure level. The expectation is that employers should seek to reduce exposure to well below the given standard for short term and daily (8-hour time weighted) exposures.

Further information is available on the HSE website COSHH essentials.



New ISO 45001 Standard

No matter how big or small, every organisation has a duty to prevent injury and ill health among employees in its workplace. The new ISO standard for occupational health and safety (45001) was published in March 2018.

Organisations must prioritise the well-being of their workers, though the new ISO 45001 is not prescriptive. It will allow individual businesses to tailor their management system to address the risks that are relevant to their size and their specific activities. A relatively simple system is perfectly acceptable if it is appropriate to an organisation.

Your organisation is set to benefit from ISO 45001 in the following ways:

- Developing or improving your Organisational Health and Safety (OHS) procedures in your workplace
- More efficient assessment and increased awareness of the risks and hazards present in your workplace

- Engaging workers to play an active part in improving OHS and implementing more streamlined controls, to enhance evaluation processes.

In fact, effective implementation of ISO 45001 is likely to improve your organisation's standing and reputation for safety at work. Direct benefits may result in:

- Reduced employee absenteeism and workforce turnover
- Reduced downtime costs and the costs of disruption due to health and safety issues
- Better customer appeal for having achieved an international benchmark for health and safety
- Better response rates for dealing with any compliance issues that may arise

Be ready for the publication of ISO 45001 in March 2018 and be sure your organisation is set up to respond and to comply as quickly as possible.



New Laws for Cyclists

A review of legislation covering offences by cyclists is due to be published early in 2018. The study was announced by the Department for Transport in September 2017 and is likely to result in the introduction of new cycling laws equivalent to those in place for dangerous and careless driving of motor vehicles.

According to government sources, the review consists of two phases. The first was to determine whether new offences should be introduced, and in October 2016, Cycling Weekly stated that cyclists could face life imprisonment if they caused death or serious injury due to dangerous or careless cycling. The second part of the review is a much more extensive consultation designed to consider a range of issues concerning road users in general and road safety.

In 2015, two pedestrians were killed and 96 seriously injured after being hit by a bicycle. There were a total 1,732 reported road deaths and 22,137 incidents where people were seriously injured, mainly involving motorised vehicles. Clearly making new offences isn't enough and new ways of improving traffic management is needed so that cyclists, pedestrians as well as motorists are kept safe. Private landowners can introduce traffic measures that reduce the risk of death and injury around their premises.

Once the details of the final part of the review are announced, responsible employers will find that employees might well benefit from a reminder about changes in the legislation.



CAR PARK

Hazards

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Car parks can be extremely hazardous places. You may have experienced people parking carelessly without consideration for others, which can cause a safety hazard. Disruption is caused by obscuring essential pedestrian routes, making it difficult for other cars to park or move past safely.

In poor weather conditions surfaces may become flooded or slippery. Crime can also be an issue as thieves often target

parked cars in car parks, especially where these areas are not under surveillance.

Being mindful of hazards can help both owners and people using car parks take a sensible approach to prevent unnecessary

accidents or unpleasant incidents. Here are some of the basic principles for safe car park design, management and use of a car parking area, as well as which legislation may be applicable, depending on where you live and work.

Assess the site

Your first consideration when designing a parking area should be to assess the potential of the ground you plan to use.

Check to see if it is on a slope, for instance, and whether it is possible to level the ground. If it is near a river or at the bottom of a steep-sided valley, might it be at risk of flooding? If it is surrounded by trees, perhaps for aesthetic purposes, will falling leaves be an issue during the autumn months? Is there sufficient space available for the number of vehicles you expect it to hold and will the car park be visible from nearby buildings?

Finally, in the context of your geographical location, think about the need for lighting and surveillance cameras.

Answering these simple questions will help you get off to a good start when it comes to creating a well-designed parking area that is as safe as possible to use, even at night.

BAD PARKING

Car park dimensions matter

For major developments, such as multi-storey or underground car parks, architects and designers use guidance provided by organisations, such as the Institution of Structural Engineers. However, smaller and simpler car parks need to follow straightforward practical guidelines, such as making sure the parking area:

- Is as close as practicable to entrances to any associated buildings
- Has clear and eligible signposts, including speed limits and specified pedestrian areas
- Has a level surface that drains easily, and is firm underfoot
- Is well-lit and easy to navigate
- Is clearly marked with designated parking areas for vehicles of different sizes.

Car park users

Employers designing a workplace car park need to think about how it will meet the needs of employees as well as visitors. If space permits, you can allocate specific parking bays to employees and reserve some spaces only for use by visitors. As long as parking bays are clearly marked, this should help traffic flow and avoid the need for vehicles to queue or struggle to find a space.

One of the most important issues to remember is making accessible space available for employees or visitors with disabilities. Normally, accessible parking bays are larger than standard ones and have extra space around the bay to offload wheelchairs or other mobility equipment. Such spaces should also be as

close as possible to the buildings they serve.

Management responsibilities

Among employers' health and safety responsibilities, there are those that apply to external areas of the workplace, including car parks. The area must be safe to use, and employers have a duty to clear car parks of anything that might adversely affect safety on the premises e.g. snow and ice.

Even extremely heavy or torrential rain can cause a hazard if your car park doesn't have good natural drainage, and you may have to keep grit or sand available should surfaces become slippery during the working day or overnight.

Remember also that rubbish and other debris may accumulate, particularly following strong winds or a storm. So, make sure the car park is clear in these circumstances. Fill potholes promptly to minimise driving hazards.

Controlling car parks

Even an ideally designed car park layout can run into trouble if you don't take steps to control how it operates.

Start with traffic management and make sure there is an easy-to-follow one-way system in place to minimise the need to reverse or make awkward and difficult manoeuvres. Set an appropriate speed

limit to slow traffic down, and consider adding physical elements that have a traffic calming effect, such as permanent bollards or speed humps.

Monitoring car park usage will enable you to judge how successful the measures you have put in place really are, and to make adjustments accordingly. If you issue parking permits, for example, make sure these are checked regularly.

Overcrowding is one of the principle causes of accidents in car parks, so it's important to check that this does not become a problem.

Useful solutions for addressing hazards

- Pedestrian walkways should have slip-resistant surfaces so they don't pose a potential risk when wet. If you notice employees are creating a muddy track by taking a shortcut over grass, consider turning the route into an alternative, safe pathway by paving it with slip-resistant material.
- Make essential pedestrian routes a priority for maintenance and improvement, including regular removal of fallen leaves and twigs.
- Signage should be clear and easy to read, even in the dark. So, consider lighting carefully, especially during the darker months of the year. Also, make sure signs are cleaned regularly.
- Monitor weather predictions in advance,

so surfaces can be gritted or sanded before onset of inclement weather.

- Regularly check for potholes or any subsidence that may create adverse cambers and result in accidents. If your car park is prone to flooding, take steps to address this issue.
- Direct people into your building safely via anti-slip mats inside external doors.

Fighting crime

The Safer Parking Scheme is a new initiative to help fight theft. It's supported by the Home Office and the Police Service of Northern Ireland, among other partners. Managed by the British Parking Association (BPA), it aims to reduce crime and people's fear of crime in parking areas.

The design and construction of car parks is assessed by experts, and the prestigious Park Mark is awarded to those car parks that achieve high standards of safety. Among the essential criteria are high-quality lighting, surveillance equipment, operation and management, as well as a clean environment.

Legislation

The laws applying to parking can be somewhat confusing, as there are a number of bodies involved in decision-making. For instance, transport legislation and policies are the overarching responsibility of Her Majesty's Government (England,

Wales, Scotland and Northern Ireland). Under this higher authority, however, you will find that:

- The Department for Communities and Local Government, alongside the Department for Transport, administer policies
- Parking in hospitals and other sites where healthcare takes place is a shared responsibility between Department for Communities and Local Government, Department for Transport and the Department for Health
- On sites related to business law and consumer law, responsibility is also shared with the Department for Business
- Sustainability related to parking is additionally a concern of the Department for Environment, Food and Rural Affairs.

Beyond these upper tiers, the individual devolved governments of Northern Ireland, Wales and Scotland also have the power to accept or reject specific legislation related to transport, including rules about parking on pavements or in private car parks.

Furthermore, the special privileges and parking rights afforded to the City of London Corporation vary. Whereas in the rest of the UK parking on pavements is forbidden, in London the highway authority can decide whether it is safe to do so in certain areas, and traffic signs

inform vehicle owners and pedestrians where these circumstances are applicable.

In larger cities outside London, each mayor has powers that affect public transport, along with their own approach to parking policies. These are exercised in each case in a slightly different way. Searching for more cohesive and integrated solutions inevitably means that different cities can adopt different rules and regulations. Unfortunately, this leads to a lack of consistency overall and also leads to confusion among drivers across the UK. It's vitally important, therefore, that communication about what is and is not allowed is crystal clear in every instance — which is why good car park signage is a must.

Brexit challenges

The UK has also been subject to legislation from the EU regarding transport in the past. Undoubtedly there are fresh challenges ahead in light of the changes that will come following Brexit and the potential for more devolution and additional mayoral appointments.

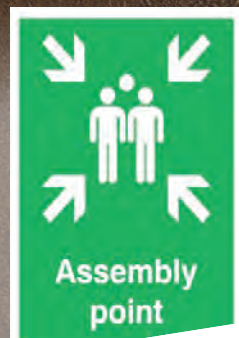
One interesting development has been the Positive Parking Agenda, which is an initiative working to enhance public awareness of parking issues. The aim is to encourage collaboration amongst local authorities to set and implement high standards. This could also have a positive impact on the private sector, and would encourage new approaches to parking issues, as well as improved communication and better management.

Manage your car park space

Guide vehicles and
people safely around
your premises



Ensure everyone is
aware of important
safety information



Reduce the
risk of
life-threatening
slips, trips
and falls



Ask **the** expert...

Do you have a question related to Health & Safety or Workplace Law?

Our experts are IOSH accredited and ready to answer your questions.



What statutory
inspections are
required by law
for our plant and
equipment?

One of our workers
has had an
accident, is it
reportable under
RIDDOR?

What do we
need to cover
when we deliver
H&S training?

How to 'Ask the expert'

1. Go to www.seton.co.uk/legislationwatch
2. Click on the red 'Ask the expert' tab at top of page
3. Enter your question on the form
4. We will respond via email within 48 hours!



Health and

It's the law!

According to the British Safety Council, more than 5,000 people died in safety accidents some 60 years ago throughout the UK. When you consider that in 2016, this number had been reduced to 144, you can see the far-reaching impact of health and safety provisions on the country.

If there's one thing that you learn very quickly as an employer, it's that health and safety procedures are crucial to running a successful business. You must look after your employees because it's the law, and if you try to cut corners by not putting the proper information and procedures in place, then the ramifications are serious. It also makes sound business sense to look after your workforce so you can ensure that everyone feels supported,

allowing you to get the best out of your staff.

Managing health and safety

Planning for managing health and safety starts with a legally required policy stating how you intend to meet your obligations. By carrying out a risk assessment of workplaces, tasks and risks, you can analyse where potential problems may exist.

Consult with employees, who have a keen interest in their own wellbeing and first-hand knowledge of the issues in their work area. Draw up a policy that includes a commitment to information and training. Measure the outcomes, and use these to learn from your experiences and, where necessary, put new or updated measures in place.

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Preparing the policy

The easiest way to develop your health and safety policy is to set it out in three sections, although you do not have to write the policy down if your business has fewer than five employees. Keep in mind that you want to keep your workers safe – this is a legal requirement, and there can be serious penalties if you break the law. You could also face liability for damages if an accident occurs that could have been preventable.

- **Developing the policy:** Your policy sets the parameters for your commitment to the effective management of health and safety issues. It also outlines what you want to achieve.
- **Assigning responsibility:** This section names the responsible party for specific actions.
- **Making arrangements:** Following the establishment of your policy, the arrangements section details what you will do in practical terms to ensure that you meet your commitments.

Identifying hazards and risks

Most businesses have hazards that need identification due to the possibility that they could cause harm to people. These hazards include working at heights, electricity and toxic chemicals as well as slippery floors, outside work areas, using machinery and vehicles.

Risks are the chances that one of these hazards could cause harm, and whether these risks are large or small in nature, you should include them in your overall health and safety policy. No area of work – as, indeed, no area of life – is without risk. But in the same way that you would look carefully before crossing a busy road to mitigate the risk of danger, so your policy should take account of all the potential risks on your site.

Developing the arrangements

There are often very simple and straightforward steps that you can take to cut down the risk of harm to your staff. These will have costs attached but are an added insurance policy that will help keep everyone healthy and safe.

Training staff

There should always be at least one person responsible for health and safety matters, and professional training needs to be available. It's also essential that there are enough personnel trained in first aid



so that there is always someone to call on in case of an accident or emergency.

Signage

Signs used to highlight risks are a simple, effective and inexpensive way of flagging up onsite hazards, and your risk assessment procedure will call attention to areas where signage is required. They are also vital if you have vehicles and pedestrians on site. A health and safety poster at work will serve as a useful and educational reminder for employees. In fact, The Health and Safety Information for Employees Regulations 1989 (HSIER)

requires organisations to display the approved Health and Safety Law poster in a prominent position in each workplace, or to provide each of their workers with the equivalent leaflet.

Safety equipment

Depending on your business, you may want to improve the equipment that you have to offer a safer environment. Your risk assessment will show whether you need better guard rails for working at heights, additional protective equipment such as safety boots, goggles, breathing equipment or high visibility clothing for

working in hazardous environments or anti-slip flooring in areas where there may be spills that could prove a danger.

Hazardous substances

There are procedures where employees traditionally use hazardous substances, but you can investigate whether you could replace some or all of these with less harmful alternatives.

Improved lighting

With poorly lit working areas comes an increased possibility of workers tripping on something that they are unable to see

clearly or injuring themselves on sharp corners. Improving lighting not only helps counter these problems but also leads to a more conducive atmosphere for work.

Employee consultation

It can often be your employees who are best placed to understand and identify the risks posed and safety equipment needed in their working areas, so regular consultations with them are likely to make a real difference to their health and safety.

If your workplace has a trade union, then there will be union health and safety

personnel who can flag up issues that affect the health and safety of the workers whom they represent. If you have a non-unionised business, then you can either consult with elected representatives or directly with the workforce.

It's important to listen to feedback from employees and take account of their views before deciding on new or upgraded health and safety provisions. This way, you will understand the risks that arise from their work and can put proposals into place to control and manage these dangers. In addition, you should ensure that you make important information and training opportunities available and that representatives know what to do if your employees face exposure to risks.

Preventing ill health and injury

The Health and Safety at Work Act, created in 1974, is responsible for putting the interests of employees in the workplace high up on the agenda, and regulations and guidance made under it have increased over the years.

Safety has always appeared to be the primary driver of policies, but the issue of health has recently become more evident, as poor health can make a significant difference in how effectively – and safely – a workplace can operate. Also, according to the British Safety Council, mental health issues and musculoskeletal disorders are the reasons for more than half of days lost in terms of ill health. Failing to protect the health and safety of your employees can be potentially very costly.

Employers are becoming far more aware that good health is as important as good safety in the workplace and that engaging with employees can bring benefit not just to them but also to the overall business. Understanding the problems that some workers face in terms of their mental health as well as the physical issues caused by poor lifting techniques or just sitting in a bad position at a desk all day can inform you on how to best address these problems.

No workplace will ever realistically be 100% safe, but you can do plenty to offer the safest environment as possible to mitigate these risks.

Waste MANAGEMENT

Disposing of your business waste safely and within the confines of the law is an important part of organising your processes and procedures to diminish the risks of occupational health hazards. Good waste management is not only positive for your business but also for your employees.

As health and safety is a key aspect of government legislation, you might expect the Health and Safety Executive to bear responsibility for this area. However, most often, local authorities have the responsibility of dealing with and disposing of waste products.

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Occupational health issues

Businesses have a diverse range of waste materials that need to be disposed of, and various industry sectors have differing products and methods for waste removal.

There are many areas in waste management that can give rise to health hazards, and you and your employees should be aware of these to encourage health and safety protection, as well as respectable working practices.

Green and food waste (bioaerosols)

Green waste comes from cuttings from parks and similar areas, hedges, lawns and large grassy areas, while food waste comes from both commercial and domestic premises. Most of this waste goes into compost manufacturing and anaerobic digestion (an energy recovery process).

If left behind, green waste creates a warm and moist environment in which microbes quickly grow, forming bioaerosols – microbes suspended in the air with dust. People can breathe in these bioaerosols

when working. You can reduce this risk by minimising dust clouds using a set of controls that lessen the possibility of breathing in potentially damaging microbes.

Local authorities have green waste containers at their rubbish disposal depots, and some (though not all) will collect domestic food waste.

Discarded needles

Discarded needles can always pose a danger because you don't know the reason for their prior usage or whether they carry any dangerous infections. The health industry has a frequent need to dispose of used needles and you can get sharps bins in which to safely store them before their collection.

Needles found in public areas can prove especially dangerous to children and animals, and local authorities in the area should always receive information about their location. This applies to schools as well as other places where someone may come across these needles.

There are potentially serious hygiene issues with this type of waste, and in the most severe cases, a danger to life.

Tackling waste at the source

Recycling has become a normal part of both commercial and domestic life, and as awareness grows, there are more organisations and individuals looking to cut down on the amount of waste that they generate while finding ways to dispose of it effectively.

The introduction by the government of a £0.05p charge for plastic bags in supermarkets, which will soon extend to all retail premises, has had a major impact on the number of bags that people use and then discard. There are also moves to reduce the number of single-use plastic bottles that cause serious environmental damage, particularly in the oceans.

Businesses that are involved in design and manufacturing can look to use less wasteful or hazardous materials in their processes as well as prepare for the clean-

ing, reparation and refurbishment of items and parts where possible.

As local authorities work towards reducing landfills – where unrecyclable waste products are casually dumped – the importance of recycling remains as much a global initiative as a national one, and recycling companies are an integral part of that.

Hazardous waste

If your business deals with hazardous waste or substances that are harmful to humans, then you have a duty to ensure that these do not cause damage. Certain rules apply in England, Scotland, Wales and Northern Ireland, so you need to be clear about any differences in legislation. Hazardous waste includes substances such as asbestos, solvents, batteries, pesticides, chemicals and oils (though not edible ones). You will need to classify your waste to see if it is hazardous and, if it is, then you must separate and store it appropriately. To avoid a potential

occupational risk, you should ensure that you train any staff handling such materials and only allow authorised businesses to dispose of this type of waste. These businesses should have the proper registration, and the waste sites should have environmental permits.

Hazardous waste, if not properly disposed of, can do a lot of damage to the environment, particularly if it leaks into water systems.

New charging proposals

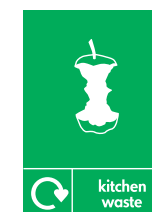
The Environment Agency opened a consultation on 30 November 2017 with proposals for new charges that could encompass radioactive substances and other waste areas, marine licenses and regulations for electrical waste and electronic equipment. The consultation closed on 26 January 2018, with the results due to be published in due course so your business should be aware of what changes there may be for waste management in the future.

Recycling made easy with Seton...

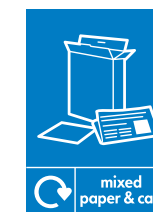


Style No. WAS0023

Push Button Recycling Bins



Style No. WRAP69



Style No. WRAP99



Style No. WRAP109

WRAP Recycling Signs
Full waste management solutions are online – seton.co.uk

Give your workplace a **Spring** CLEAN

As Spring is now upon us, it's the perfect time for every individual to think about getting their home in a ship-shape and squeaky-clean condition. This doesn't have to be limited to the house, however, and perhaps this could be the ideal time to rally your colleagues and give the workplace a deep clean for the year ahead.

If you're not convinced, here are some key points to consider:

- Business premises, just like homes, can soon accumulate clutter
- Equipment can become faulty or damaged if not regularly checked and well maintained
- There are numerous advantages to a clean and organised workplace
- Good hygiene is essential to safe working and living
- Effective cleaning can prevent illnesses and the aggravation of allergies
- Accumulated rubbish is a serious health hazard.

According to the Health and Safety at Work Act 1974, employers have a legal duty to maintain a good order and clean conditions in the workplace. Make sure that your business complies with these regulations by assessing hygiene regimes in the workplace. Do your employees work in the safest possible environment and do you have the sufficient equipment to meet your legal obligations?

Here are a few ways to move forward.

Personal workstations

Staff morale and efficiency can be greatly improved if the workplace is clean and tidy, so you should encourage your employees to clear away any clutter, dust or stains on a routine basis. Even if you have professional cleaners for communal areas, your staff may prefer to look after their own belongings and personal workspace. As an employer, there's a lot that you can do to support this by providing suitable wipes for laptops, phones, monitors and keyboards. If your employees are comfortable and happy at their workstations, they're more likely to be productive and efficient.

Remember, you have an additional responsibility to provide clean air in the workplace, so the central heating, air conditioning and ventilation should all be quality checked at least twice a year. Doing this ensures the operational efficiency of these systems and will give you an early warning as to whether any filters need replacing.

Interiors

During your business spring clean, don't forget that shared equipment also needs attention and regular maintenance. Printers and scanners should be checked and cleaned about once every two weeks unless a problem develops. Equally, kitchen equipment such as fridges and microwaves should be routinely washed and kept in a hygienic condition at all times.

It's always worthwhile to check for any leftover food that might have been forgotten or institute a 'clean up after yourself' policy in communal eating areas. Make sure that you have suitable recycling and waste bins for your employees to use, and encourage all staff to take responsibility for their own rubbish. Some people are simply unaware of how much mess they can make, so don't be afraid to inform them of their responsibilities and indicate the disposal units you have provided for their convenience.

Washrooms should be cleaned at least once a day, or more frequently if you have a large workforce. Make sure that there is anti-bacterial hand wash for your employees in these areas, and check that all surfaces and facilities are kept clean.

You also need to ensure that you have suitable cleaning products on hand to deal with biohazard waste. If you need to clean up blood or vomit, or if there are sharp objects to be disposed of, then it is crucial that your business has the best and safest products. Don't delay and stock up on the tools and equipment for this – accidents can happen at any time and it's always best to be prepared.

Exteriors

Jet-sprays are incredibly useful for washing away small debris and can be used on various external surfaces or in car parks. As with interior cleaning, don't forget to put up signs to warn staff and visitors that cleaning is in process, especially around wet and potentially hazardous surfaces. Finally, any staff working outside must be provided with suitable protective clothing, especially if they are using chemical cleaning products. They also need to be visible to visitors and staff, particularly in car parks or other areas that are close to traffic.

With these handy tips, you can get the entire workforce involved, laying the foundations for a tidier business environment and happier, more motivated employees.



MSDs – a real pain in the neck!

Back pain is often thought to be one of the main reasons for employees having to take time off work, but it is by no means the only type of serious musculoskeletal disorder (MSD) to affect workplace health.

In fact, according to Health and Safety Executive statistics for 2016/2017, back disorders come second to those affecting the upper limbs or neck. Some 45% of workers, totalling 229,000, suffered from this type of problem, compared to 38% with back disorders and 17% with lower limb disorders.

If you consider that 8.9 million working days were lost in 2016/2017 due to work-related MSDs, it becomes self-evident that as an employer, you need to put the correct procedures in place to help protect your workforce from what can turn out to be long-term, debilitating injuries.

There are a number of things you can do to prevent workers from suffering upper limb MSDs as well as preventing neck problems, and if you have the proper procedures in place, not only are you more likely to have a healthy workforce, but absences caused by these types of injuries will also be reduced.

Prevention and management policy

All workplaces have aspects to them that could be the cause of MSDs, and although manual handling is a significant factor, it's entirely possible to develop problems when doing office work, such as poor posture at computers and seating that does not support the body adequately.

Every business should have a policy as part of its health and safety regulations to prevent injuries, as far as possible, and to manage the process. It should explain how you will meet legislative requirements and refer to the importance of understanding the sort of tasks that could lead to risks to the neck and upper limbs.

The policy should also explain that information and training will be given to appropriate staff and supervisors once a risk assessment has been completed, and that a monitoring and review process will

be established so that if new risks are identified, they can be flagged up and dealt with.

Managing the policy should include:

- Prompt reporting of any accidents
- Rapid investigation of accidents
- Implementing corrective actions
- Documenting all accident investigations appropriately
- Regular communication between employer and employee
- Giving access to professional help for staff
- Where appropriate, undertaking workplace adjustments.

Risk assessment

A risk assessment feeds into the development of a policy and is the essential ingredient to put in place effective measures for accident and injury prevention, particularly in areas where there is regular and repetitive manual handling.

Lifting heavy loads or carrying out repetitive work at a production line or badly designed assembly process can cause many types of upper limb, shoulder, neck and back pain. Injuries can also be caused when using display screen

equipment (DSE) when working at a computer. Some manual work may include lifting people, for example in a hospital or care home, which carries further risk, and all these issues need to be taken into account as potential risks for assessment.

Managing the risks

Workers may encounter problems with manual handling if loads are too heavy, if they lift with the wrong posture, if they twist their trunk or if they carry loads over long distances with unsafe access.

Your risk assessment should identify all possibilities, with an evidential base, and make improvements to reduce the risk of injury. These can include:

- Using mechanical aids for some or all of the activity
- Reorganising materials or redesigning the work area
- Providing training in safe lifting techniques where mechanical aids cannot be used
- Using low vibration tools where possible
- Rotating jobs to reduce repetition
- Developing a safe system or work plan and ensuring this is communicated to staff.

With computers now an essential part of any business, it's important to ensure that an employee working regularly with a display screen is provided with a workstation that meets at least the minimum requirements for health and safety. Even if the workstation meets those standards, employees may need to be trained to use it properly. For example,

workers should adjust screens to a height that makes it easy to see without straining the neck, and regular breaks should be taken if there is a lot of repetitive keyboard work.

Lighting levels should also be appropriate, as poor lighting can cause eyestrain and peering forward in order to see a screen, which can put additional stress on the neck and shoulders.

Training

Many accidents and injuries are preventable if staff are well trained on how to operate safely. Training should be regularly updated, especially if any new risks are discovered, and that means encouraging good communication between employer and employees.

MSD prevention may not be infallible, but with the right policy, management and implementation, it doesn't have to be a pain in the neck!

Q&As

Protective Gloves

Q. I am looking for some protective gloves that are waterproof that can be worn by our cleaners to clean up broken glass. Should they wear gauntlet types so their lower arms are covered too?

A. Picking up broken glass requires a tough pair of gloves but also quite a bit of manual dexterity which may not favour gauntlets as they are often loose fitting. Cleaners overalls with long sleeves would be another way of protecting forearms. Some of the chemical resistant gloves might be tough enough to resist puncture and be liquid resistant and flexible enough for dexterity. Some of the catering gloves would also have cut resistance and protect against micro-organisms.

One other thing to ask: do you have a risk assessment for the work to which you can refer? It is not only a legal requirement but also a very useful thing.



Hazard Notices

Q. Is a hazard notice of some kind to be displayed on the door of a hazardous material cupboard/store such as cleaning material/bleach etc?

A. The substance in each store should have material safety data sheets that will tell you about the particular hazards of each chemical - such as flammable, corrosive, toxic - and how they should be stored; and from which you can carry out a COSHH assessment. It is sensible to place the correct warning symbol and wording wherever chemical substances are stored. This would now be in the form of a red diamond enclosing the correct symbol for each CLP classification of chemical hazard.



Q&As



Masks for Staff with Beards

Q. What is the best cost effective mask that would be suitable for staff with beards to wear in a woodworking environment?

A. It is not possible to effectively use a dust mask, face mask or negative pressure respirator with facial hair. During inhalation gas, fume vapour and particulates will bypass the filter and seep through the small gaps around the face seal that are created by beards. Even non beard wearers should be checked to make sure they have a proper seal around the mask.

Beard wearers would have to wear a hood type head

top. It is recommended that a COSHH assessment is carried out for the particular hazardous substances concerned.

If this is a regular task, you should get some air monitoring done so you have a good idea of what the concentrations in air are for those substances. It may be that combatting the hazardous substance at source in a spray booth and/or using extract ventilation is a better way to go.

News ROUND UP

Spring 2018



Falls from height - major killer at farms

A construction company has been fined £100,000 and ordered to pay costs of £11,060.40 after an employee died falling six metres while installing roof sheets on a new agricultural building. HSE Head of Agriculture, Waste and Recycling Sectors, Rick Brunt, said: "Falls from height are still one of the main causes of death and injury on Britain's farms".



MOT extension would have saved £millions

The Department of Transport announced that the wait for the first MOT test on cars and motorcycles won't be extended from three to four years following a public consultation. The majority of respondents were against the proposals on safety grounds. The DfT estimates the year extension would have saved motorists over £100 million a year.



Fit-Testing – worth a listen

Standardising bodies in Germany are currently working on comparing different testing systems to provide a standard for fit-testing of hearing protection. The Control of Noise at Work Regulations 2005 recommends employers carry out training, including fitting, but does not specify any form of fit testing. The test could help reduce the risk of poorly fitting hearing protection causing long-term damage.

Wasps prepare to evacuate

Wasps Rugby Club, based at the



Ricoh Arena in Coventry have updated their emergency evacuation equipment following a site inspection. The site has installed seventeen Evacuation Chairs, which only require one-person operation and are easy to use up and down stairs.

Extra fines for driving tired

From 5 March 2018, commercial drivers who commit driving hours and tachograph offences will face on-the-spot fines for as many as five offences committed within the previous 28 days. The DVSA could fine drivers as much as £1,500 and can immobilize vehicles until a prohibition is rectified. Driving tired is believed to be the cause of a quarter of serious and fatal crashes (ROSPA).



EA tackles waste crime

In 2015 Waste crime cost the English economy more than £600m. During 2016-17, more than 850 new illegal waste sites were discovered by the Environment Agency which create severe problems for local communities and businesses.

Measures to help prevent fly-tipped waste include fixed penalties, blocking of problem sites and changes to the waste permit regime.



Food manufacturing under scrutiny

The HSE has a programme of unannounced inspections of food manufacturing businesses, warning employers that they should "pay closer attention to how they manage workplace health risks or face serious penalties". The inspections will focus on two of the main causes of ill-health in the sector, occupational lung disease and musculoskeletal disorders.

MSK health at work

Arthritis UK has been involving its employees in developing new work practices and work spaces to support musculoskeletal health at work. An estimated 10 million people have arthritis in the UK, a condition which causes serious pain and often long-term reduced mobility. The My Healthspan health assessment programme includes coaching and flex-working.



37% rise in fire related deaths

The Fire Brigades Union (FBU) are warning the government that fire crews are being stretched to their limits and that they can no longer respond promptly to tackle fires. Official figures show a 9% increase in the number of recorded fire incidents in England for the year ending September 2017. There were 346 fatalities for the period, up from 253. Even excluding the Grenfell tragedy, this is an 8% increase.



Skip crushes lorry driver

A skip hire company has been fined after a lorry driver was fatally crushed between her lorry and another vehicle. MAC Skip Hire Ltd of Ventura House, Tamworth pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 and have been fined £60,000 and ordered to pay costs of £14,500. HSE found that the company had failed to suitably segregate pedestrians and vehicles.



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