

# LegislationWATCH

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

## Technology trends impacting workplace safety

Are we on the brink of a fourth industrial revolution? See page 12.

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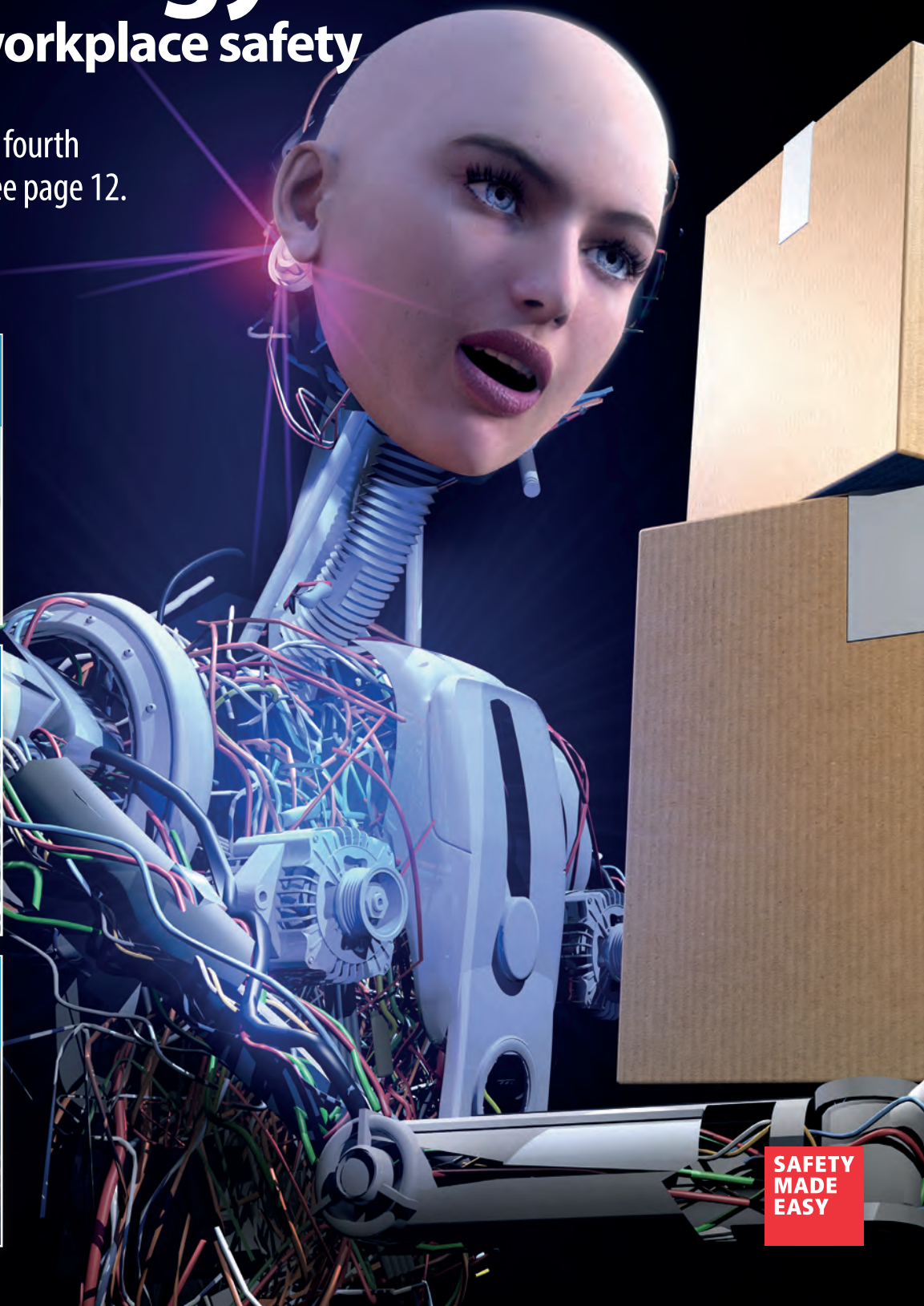
Noise is bad for  
your health



Winter-proofing  
your workplace



Construction dust –  
the silent killer



**SAFETY  
MADE  
EASY**





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## Note FROM THE EDITOR...

Welcome to your first Legislation Watch magazine of 2019! I hope you find the information useful to help you plan for a healthy and safe year ahead.

Don't forget you can access all the articles and magazines online at [seton.co.uk/legislationwatch](http://seton.co.uk/legislationwatch).



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# Legal UPDATE



### 1 April 2019

#### Increase in national minimum wage rates

The national living wage and national minimum wage rates will increase in April 2019.

Age	Current Rate	April 2019
25 or over	£7.83	£8.21
21 or over	£7.38	£7.70
18 or over	£5.90	£6.15
Under 18	£4.20	£4.35
Apprentice	£3.70	£3.90

### 1 April 2019

#### New VAT rules

The Financial Secretary to the Treasury and Paymaster General announced that Making Tax Digital for VAT will come into effect from April 2019. From that date, businesses with a turnover above the VAT threshold (currently £85,000) will have to:

- Keep their records digitally (for VAT purposes only), and
- Provide their VAT return information to HM Revenue and Customs (HMRC) through Making Tax Digital (MTD) functional compatible software

### 4 April 2019

#### Gender pay gap reporting

Private organisations with 250 or more employees will again be required to publish their gender pay gap figures on 4 April 2019. Public sector organisations have until 30 March 2019. Although employers will be reporting for the second time, this year will be the true test as figures are expected to be scrutinised to check whether efforts have been made to address any significant pay disparity highlighted in 2018.

### 6 April 2019

#### Increases to auto-enrolment contributions

From April 2019 the minimum contributions for auto-enrolment pension schemes will increase for both employers and employees. Currently, automatic enrolment requirements mean employers must contribute a minimum of 2% of an eligible worker's pre-tax salary to their pension pot, with the individual contributing 3% themselves.

However, under the new requirements, employers and employees will now have to contribute a minimum of 3% and 5% respectively.

### 6 April 2019

#### Changes to the way payslips are issued

Changes to the way employers issue payslips will also come into force on April 6, 2019, as from this date onwards the legal right to a payslip will be extended to include those who are recognised as 'workers'. Employers will also be obliged to include the total number of hours worked on payslips for employees whose wages vary depending on how much time they have worked.

### 6 April 2019

#### Simplification of the taxation on termination payments

Since 6 April 2018, any payment in lieu of notice has been treated as earnings and subject to tax and class 1 NICs. From 6 April 2019 all termination payments above the £30,000 threshold will be subject to class 1A NICs (employer liability only) rather than just income tax. This will align tax and employer NIC, but will increase the cost of termination payments for employers.

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# Noise

## IS BAD FOR YOUR HEALTH

**While it has been long known that noise in the workplace has serious health implications, the recent guidelines published by the World Health Organisation (WHO) have gone further, revealing new evidence of how noise is one of the top hazards to both physical and mental health in Europe. Launched in October in Switzerland to countries and stakeholders, the guidelines identify the levels at which noise becomes hazardous to health and sets out a rigorous framework in which to take action to reduce exposure.**

### The new guidelines

While the WHO has produced noise guidelines in the past, there are five significant developments in this version.

- It provides stronger evidence of the metabolic and cardiovascular effects of noise
- It has included some new noise sources including wind turbines and leisure noise, in addition to noise from road, rail and aircraft
- It uses a standardised approach for the evidence to be assessed
- In the review of the evidence, it clarifies the relationship between noise exposure and adverse health implications
- It considers how indicative long-term average noise exposure is to predicating poor health outcomes.

### HSE regulations

In Britain the risk of noise at work is regulated by the Health and Safety Executive (HSE) which brought in the Control of Noise at Work regulations in April 2006. These provide some useful guidance but focus mostly on the risk to

hearing due to excessive noise, rather than looking in depth at other physical and mental problems as the new WHO guidelines do.

### Employer duties

Under the Control of Noise at Work Regulations 2005, employers must take steps to prevent or at least reduce the risk of harmful exposure to noise at work. Measures to be taken include the following:

- Carry out a thorough assessment of the risks of noise at work to your employees
- Take what action you can to reduce that exposure
- If exposure cannot be reduced to safe levels, hearing protection must be provided
- Check the legal limits on noise exposure and make sure they are not exceeded
- Provide your employees with any necessary information and training
- If there is a risk to health, carry out surveillance

### Exposure limits

The HSE regulations state that different actions must be taken at different exposure levels, relating to both the average daily and weekly exposure limits and the maximum levels.

#### The lower exposure action values are:

- Daily or weekly exposure of 80 decibels (dB)
- Peak sound pressure of 135dB

#### The upper exposure action values are:

- Daily or weekly exposure of 85dB
- Peak sound pressure of 137dB

#### Exposure levels must not exceed:

- Daily or weekly exposure of 87dB
- Peak sound pressure of 140dB

### What harm can noise do?

There are several adverse health implications caused by exposure to excessive noise. These include:

- Hearing impairment and hearing loss
- Tinnitus (a ringing or other noise in the ears)
- Increased blood pressure and tiredness in pregnant employees

- Possible implications to hearing in the unborn child, who obviously cannot be issued with ear defenders
- Increased risk of accidents due to not hearing instructions or warnings
- Stress
- Raised blood pressure and hypertension which increases risk of heart attacks

### Do I have a noise problem in my workplace?

Noise problems can be found in any workplace and should always be investigated. But some signs which may indicate a problem in your workplace include the following:

- Intrusive noise, such as a busy road, for most of the day
- Regularly needing to raise your voice to have a normal conversation with someone no more than two metres away
- Working in a known noisy environment such as a construction site or factory
- The use of noisy tools and machinery for over half an hour each day
- Impacts or explosions regularly taking place
- Experiencing muffled hearing at the end of the day, even if this is only temporary

### Ten of the noisiest jobs

- Airport ground staff
- Formula 1 drivers
- Construction workers
- Nightclub workers
- Rock musicians
- Farm and factory workers
- Classical musicians
- Commuters
- Motorcycle couriers
- Teachers or nursery workers

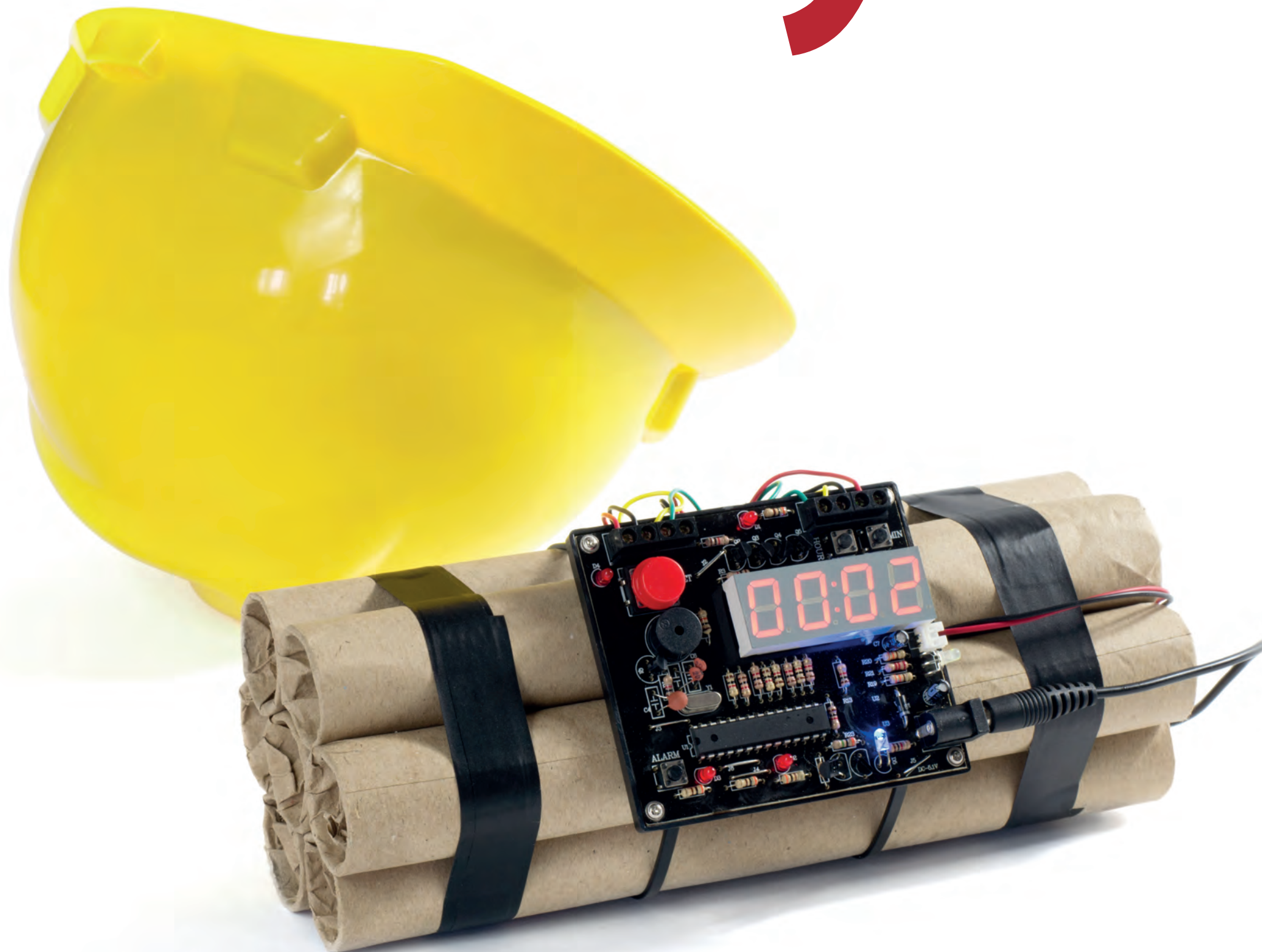
### What action can be taken to control the risks?

After carrying out a thorough risk assessment of the noise levels in your workplace, your next step is to take action. There are several steps you can take, including:

- Use quieter tools and machinery, having a low noise policy for all future purchases
- Reduce vibration by damping or isolating
- Use enclosures, barriers or screens to block sound
- Position noise sources away from workers
- Use materials in the building to absorb noise
- Limit time spent in noisy areas
- Provide hearing protection and ensure this equipment is well maintained



# THE CLOCK IS TICKING ON YOUR Safety Helmet



**Safety helmets or hard hats are vital pieces of PPE, providing essential protection to the head. However, they are not a one off purchase. Replacing them is necessary to keep providing the protection your employees require.**

## **Legal duties of the employer**

The law around hard hats is covered by the Personal Protective Equipment (PPE) Regulations 1992 which requires the provision of protective equipment to protect employees from health and safety risks at work. To ensure the safety helmet meets the required legal standard, choose one which meets the BN EN 397 standards. Those which do not may be fakes, which will not adequately protect the user.

## **Head injury statistics**

Even on the best-run worksite, accidents can happen and wearing a hard hat can significantly reduce the severity of injuries, therefore reducing the number of deaths from head injuries. Statistics from headway.org highlight how common head injuries are.

- In 2016-17, there were 155,919 hospital admissions for head injury in the UK
- That equates to 427 every day, or one every three minutes.

## **Why replace a hard hat?**

A hard hat appears to be a durable piece of equipment and you might expect to rarely need to replace it, but this is not true. It is recognised best practice that hard hats are replaced every three years from date of issue or five years from date of manufacture, at the very least. Obviously, it should be replaced sooner if it is damaged in an accident or from contact with chemicals such as solvents, but what if it appears to

look fine after three years? Do not assume it is in good condition as the materials of the hard hat deteriorate over time and it may not be as robust as it appears.

## **Dating of a safety helmet**

The date that the safety helmet was manufactured is stamped inside the shell near the peak. The design may differ, but the year should be clearly stated. Additionally, there will be something to indicate the month. This could be a number, for example 5 for May, or it may simply indicate the quarter of the year.

## **Spot checks**

Without accident or exposure to chemicals a helmet should last for at least three years, but regular checks must be carried out to spot any damage which renders it ineffective. Employees should be encouraged to check their safety helmet before putting it on, and again when they take it off, reporting any damage no matter how small.

## **Maintenance of safety helmets**

Hard hats should be cleaned with warm water and soap and allowed to air dry. Corrosive cleaning agents should not be used as they could weaken the material. Store the hard hat in a place where it will not be hit or dented, and away from direct sunlight and extreme temperatures.



# Construction Dust

The different types of dust found on construction sites are more than just a nuisance; they can be extremely harmful to workers. With 100 times more workers dying from diseases caused by the work than construction accidents, the hazards of these dusts should not be underestimated. It is estimated that each year as many as 3,500 people die from work-related cancers with many more suffering from life-changing illnesses.

## HSE's construction dust blitz

The Health and Safety Executive (HSE) are tackling this problem by carrying out inspections focussed specifically on respiratory risks and occupational lung disease, including checking on the measures employers have in place to protect their workers' lungs.

## Duties as an employer

As an employer, you are required to take effective steps to protect your workers. Activities which may expose workers to construction dust are covered by the Control of Substances Hazardous to Health (COSHH) Regulations 2002.

This requires employers to:

- Assess the risks
- Control the risks
- Review the controls

## Types of construction dust

There are several different types of dust commonly found on building sites. The most common ones are as follows:

- Wood dust caused by both soft wood and hard wood as well as wood-based products like plywood and MDF
- Silica dust found in materials such as sandstone, mortar and concrete
- Lower toxicity dust which refers to materials with little or no silica such as gypsum, marble, limestone and dolomite.

## Health risks

There are a number of diseases effecting the lungs and airways caused by breathing in construction dust. These include:

- Asthma
- Silicosis
- Chronic obstructive pulmonary disease (COPD)
- Lung cancer

Silicosis and asthma can develop quite quickly. The other diseases take time to develop as the harm caused by the dust builds up. This means the worker is unaware of the damage taking place internally. By the time it becomes apparent, the damage is often serious, resulting in life-changing illness and premature death.

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### Assessing the risks

A thorough risk assessment will enable you to recognise when workers on your construction site may be at risk. Signs to look out for include:

- High-energy tasks. This is particularly true if tools such as cut-off saws, grinders and grit blasters are used, as these can produce a vast amount of dust in a short period of time
- Work area. Although the risks of dust outside should not be dismissed, it is true that the risks are greater in more confined spaces
- Long periods of time. A task which takes a long time may result in greater exposure to harmful dust
- Regularity. As the damage often accumulates over time, regularly carrying out a task will increase the risks.

### Controlling the risks

One way to reduce the risks is simply to reduce the amount of dust produced. At the very least, you should prevent excess inhalation of dust. This can be done by:

- Using the correct size of building materials resulting in less cutting
- Using less powerful tools
- Using silica-free abrasives
- Changing the method of work
- Using water to damp down dust
- Using on-tool extraction to remove the dust as it is produced.

### RPE

Respiratory Protective Equipment (RPE) is the last line of defence if reducing the dust is not enough. Depending on the task, it may include respirators or dust masks. Before purchasing, ensure that the RPE you have chosen is sufficient to meet the risks and is comfortable for the wearer.

If the RPE is going to be used with other forms of PPE, make sure it is compatible, that it fits the workers and that all necessary workers know how to fit it.

### Other controls

Other controls might include rotating your employees so they are not always working on the same high-risk task, providing ventilation and suitable work clothes, and educating your employees how to identify and reduce the risks. Controls are only effective if they are carried out properly. RPE needs to be well-maintained and monitored to ensure it is used correctly. It's important to monitor the risks to your employees are exposed to and the controls are adjusted as necessary.

## Need help choosing RPE?

Take a look at our useful guides to help you decide on the best equipment for your needs.

[seton.co.uk/dust-ratings](https://seton.co.uk/dust-ratings)

[seton.co.uk/buying-rpe](https://seton.co.uk/buying-rpe)



# PPE non-compliance costs billions

The effectiveness of personal protective equipment (PPE) to prevent injuries or at least reduce the severity in the event of an accident cannot be underestimated, but many companies are still not achieving full compliance. As well as the consequences to the injured employee, non-compliance also has financial consequences for the business, including:

- Lack of productivity due to injured or absent workers
- Replacing PPE
- Injury claims

### Employers' legal duties

It is the responsibility of the employer to provide suitable PPE for employees under the Personal Protective Equipment at Work Regulations 2002. Businesses need to write their own PPE policies and decide what employees must wear based on risk assessments and analysis of previous accidents. But if you go to the trouble of working out what is needed and investing in the equipment, it can be incredibly frustrating to witness workers wandering around the premises without it. While it is not possible to eliminate every potential hazard, employers still carry the ultimate legal responsibility for employee safety.

### The cost of non-compliance

The cost of non-compliance can be steep, in fact, it cost businesses £79bn last year. A shocking 5% of businesses in high risk occupations lost more than £1m due to PPE non-compliance, and 30% lost £250k or more. Yet it is estimated that 29% of injuries which resulted in time off work could have been prevented by the effective use of PPE.

### Reasons for non-compliance

There are many reasons for worker non-compliance when it comes to PPE but they can be divided into two types: unintentional and deliberate.

Often there is a serious lack of understanding of how the equipment actually works. There was a case where an employee cut a hole in his respirator so that he could smoke a cigarette, which he then continued to wear throughout

his shift, not realising he had completely compromised the effectiveness of the respirator.

Then there is deliberate non-compliance where workers find their PPE uncomfortable and impractical which results in them removing it during their shift or to communicate with colleagues. Often, if a hazard can't be seen then it isn't taken seriously.

The main reasons for workers deliberately failing to use the correct PPE include:

- Feeling uncomfortable
- Too hot
- Blamed for decreased productivity or an inability to perform tasks
- Unavailable near the work task
- Ill-fitting
- Unattractive looking

### Causes of accidents

The most common accidents in the workplace are caused by lifting and handling, industrial machinery and slips and falls. Effective use of PPE could reduce the severity of many of these accidents as one of the major factor of accidents is human error. A Cortexica survey found that 84% of businesses surveyed rely on a manual checking system for the proper

use of PPE. This could be greatly improved by using an AI (artificial intelligence) driven system to monitor the correct usage of PPE.

With correct and effective use of PPE so essential for workers' safety, it is surprising that so many companies continue to use a manual checking system. Although, the survey showed that this is likely to change in the near future with 78% of those surveyed saying they believed an AI driven system would help highlight PPE non-compliance in real time, with 64% of health and safety professionals stating that they intend to invest in machine vision and AI systems in the next five years.

Whether PPE non-compliance is as a result of bravado, defiance or just pure laziness, this can usually be solved by training staff and educating them on the importance of wearing their equipment correctly when required. Employers can tie PPE compliance to individual performance evaluations as well as looking at purchasing more comfortable and stylish PPE and getting staff input before purchasing the equipment.





# Technology trends impacting workplace safety

Technology is continually advancing, with each day seeming to bring new inventions and discoveries. It is inevitable that some of the new technologies will have an impact on workplace safety, resulting in new challenges and innovative ways to improve health and safety at work.

## The fourth industrial revolution

Throughout periods of modern history, rapid changes have been identified as industrial revolutions. New technologies transformed how people worked when first machinery, then mass production lines and computers came into effect. With technology transforming the workplace, it appears we are now on the brink of a fourth industrial revolution.

As in the past, each new technology dominates health and safety issues. The internet has brought both businesses and individuals many opportunities, but also leaves them vulnerable to hacking. In the future, artificial intelligence and robotics could combine in a new type of worker, bringing in a whole new set of health and safety issues on how human employees could be protected from a malfunctioning robot! Once purely the domain of science fiction writers, these issues could have implications for future health and safety much sooner than we think.

## Improved health and safety

Although workplace safety remains important, the focus is shifting to long-term health as more is understood about the implications of many workplaces. The deadliest hazards may not be apparent at first glance, with an example being dust-induced illnesses. Technology can be used to track accumulative hazards such as these, providing a real-time alert if dangerous levels are imminent.

## New technologies and how they improve health and safety at work

Technologies which are already being used as part of health and safety

strategies include:

- **Check-in technology.** Using technology to monitor workers' whereabouts and attendance is a time consuming task when carried out manually. Doing this digitally can save a vast amount of time. For health and safety purposes, it is an easy way to monitor who is on the premises or to identify who is missing in the event of a fire evacuation. There is even technology which can detect a fall, sending an alert to raise an alarm.
- **Drones.** A sometimes controversial form of technology, drones are gaining a place on work sites. A drone can access areas too small, hot or cold for humans, collecting data without a risk to human life.
- **AI-Safe.** Artificial intelligence can provide instant knowledge of unsafe practises. For example, if located above doorways, it can check if the worker is wearing the correct PPE and restrict access if not.
- **3D technology.** While often used to enhance an experience in leisure facilities such as cinemas, 3D technology can be used in the workplace as a training method. This is particularly valuable in dangerous occupations, allowing them to initially train with no physical risk.
- **Autonomous vehicles.** These can remove the human error of driving, making decisions which can avoid collisions.

Workplaces are going to see some drastic changes in the next few years which will present some exciting opportunities for health and safety practitioners. This also means there will be new challenges and risks to be addressed as these new ways of working could be upon us in a very short space of time.



# Winter-proofing your workplace

Winter can be a challenging time for employers. Illnesses such as colds and flu are more common, leading to higher levels of staff absenteeism. Adverse weather may mean that your employees are unable to get to work, or that your stock and customers may be unable to reach you. You will also have to consider the hazards winter may bring to your workplace. In 2014-15, the Hospital Episode Statistics for England reported 2,919 hospital admissions due to falls on snow and ice.

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Every year workplaces face consequences including:

- Lost or reduced productivity
- Increased demands and overtime on those employees who can get into work
- Legal consequences of preventable accidents

Winter-proofing your workplace can help make sure that your workplace does not add to these statistics.

### The dangers of snow and ice

Slips and trips because of snow and ice are a common winter injury, but it is one which can be avoided. As an employer your duty is to prevent accidents from occurring. The key thing to remember is to stock up on the equipment for ice, snow and flood control in advance. When adverse weather threatens, supplies of these often run short. The equipment that you may need ranges from shovels and snow ploughs to grit, de-icing salt and de-icers. Don't forget to also provide warm protective clothing for the staff who will be working outdoors, including those who are making your site safe. In winter, it is more likely that employees may be arriving or leaving in the dark or gloomy conditions, so be sure that you have adequate lighting. Areas to particularly check are:

- Paths
- Car parks
- Steps
- Entrances

Even with no snow, these areas can become damaged in colder conditions with cracks and pot holes forming. Wet leaves can also be slippery, so ensure these are cleared away. Melting snow brings its own hazards, particularly if it refreezes as black ice. Melting snow will also lead to an increase of water which creates an additional slip hazard. Check your drainage system to make sure that excess water can easily drain away.

Snow and wet winter conditions can also make the interior of a workplace riskier as the water is tracked indoors. Provide absorbent matting and mops to deal with this, and place clear signs to warn your employees of the wet floor.

If you are unsure which areas in your workplace are the most hazardous, look at accident records for previous years. These will show you which areas you need to prioritise.



### Vehicles

If an employee's duties include driving or your business depends on supplies arriving, you will need to take a careful look at vehicle safety. Keep a close eye on weather warnings and ensure your employees on the road do the same. If weather conditions look likely to be bad, consider if the trip is really necessary and be aware that there will be times that a trip may have to be postponed, no matter how essential. When planning a journey, look out for particular hazards such as:

- Rural roads
- Steep hills
- Accident blackspots
- Areas exposed to wind

You will need to allow extra time for the journey and also consider what additional equipment your drivers may need, such as snow shovels, ice scrapers, de-icers and warning triangles.

### Working outdoors

From construction sites to road maintenance, there are many occupations which require an employee to work outdoors and as an employer it is your responsibility to keep them safe and able to work comfortably. Provide protective clothing such as gloves, hats, boots and

jackets, and consider whether they may require additional breaks or reduced time outdoors. Even inside, you will need to keep an eye on the temperature and turn up the heating if needed to ensure your employees can work comfortably.

There will be times when no matter what preparations you have made, the winter will have an impact on your business, so plan in advance how you will deal with this. If your business relies on stock arriving, how long will your stock last without deliveries? You may need to keep in communication with your customers to ensure they can be kept up to date with your stock levels.

A high level of staff absenteeism will inevitably affect your productivity. If this absenteeism is because of a winter illness which has spread, consider if there are additional staff you can call on, for example by offering overtime or using an agency. If poor weather is keeping staff at home, see if they are able to work from home instead.

Winter challenges will likely be affecting many businesses, but with careful planning you can reduce the impact on yours.

**Seton recommends...**

Style No. ICE3

Style No. WSS2

Style No. TOW1

Style No. TC13



# 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.

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

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

**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](http://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!

## HSE fatal injury statistics 2017/18

Each year the Health and Safety Executive (HSE) releases fatal accident statistics. The results released for 2017/18 show a total of 144 workers suffered a fatal injury during this period. Although this is slightly higher than the 2016/17 statistics, this is simply a natural variation with the average figure for the previous five years being 141, rather than the sign of a concerning upward trend.

### Main causes of fatal work injuries

The five types of accidents which caused most of the fatalities are:

- Falling from a height
- Injured by a moving vehicle
- Injured by a moving, flying or falling object
- Injury caused by moving machinery
- Entrapment as a result of something being overturned or collapsing

Of these five causes, 50% of the fatal accidents of the last 17 years was caused by the first three on the list.

### Which industry has the most fatal accidents?

If looking at numbers alone, the industry with the most fatal accidents is the construction industry with 38 injuries. However, as this is a large sector, this figure is not necessarily the most accurate. The HSE uses a figure per 100,000 workers to gain an accurate picture and the construction industry had a fatality rate of 1.64 fatal injuries per 100,000 workers.

This is considerably lower than the waste and recycling industry which had a rate of 10.26 fatal injuries per 100,000 workers in 2017/18.

### Who might be most at risk?

The HSE has identified some categories of the workforce which are most at risk:

- A third of the fatal injuries occurred among self-employed workers
- 40% of the fatal injuries occurred in the over 60 years old category, although this sector only makes up 10% of the workforce

### What are the next steps?

The HSE uses these statistics to spot trends among the fatal injuries so they know where to take action in terms of both the industries and the demographics involved.

With trends remaining consistent over the past few years, this means the HSE will continue to focus on the sectors which display the highest risk in the hope that the number of fatal injuries at work can be reduced.





# International business trips

## KEEPING EMPLOYEES SAFE



**Many forms of employment involve travel, including trips abroad. Although it is still far behind holidays as a reason for travel, the Office for National Statistics reported over 7 million trips for business purposes in 2016, a number which has likely continued to increase. This throws up a number of issues for both the employer and employee on their respective duties.**



### Request to work abroad

An employee can be asked if they are happy to be sent abroad for a period of time, but if this is a likelihood, it should be written into their contract. If this is an existing employee who already has a contract, be careful about the regulations regarding changes to that contract.

While an employee is travelling for the company they have their existing employment rights. The only exception to this, where the minimum terms of the national legislation apply, is if travel is to the European Union and the posting lasts for 8 days or more.

A staff handbook should clearly state the requirements for employees in terms of their behaviour while abroad, including what disciplinary action can be taken. This can also cover other policies such as the implications for overtime and time off in lieu which are raised by international business trips.

### Emergencies abroad

Problems can arise abroad just as they can at home, and your employees need to know how to deal with a medical or other emergency while on an international business trip. Your employee should have medical insurance for

As an employer, you have a duty of care to your employees and should carry out a risk assessment to check the safety of the location. Good communication is essential to keep track of your employees and help them if required. Tracking apps can be used to monitor and manage the safety of employees abroad. However, be aware of privacy issues with tracking and be clear with your employees who has access to the data.

### Pre-trip planning

Good planning can reduce confusion and ensure a smooth international business trip. Providing your employee with as much local knowledge as possible will help them have a more productive trip.

- Check well in advance if an employee has a passport and if they do not, have a policy on how payment for this will be worked out
- Find out if immunisations are necessary
- Make sure they know the local customs and laws
- Any safety implications, such as travelling at night, should be discussed in advance

travelling, as in many countries health care is expensive with even a minor injury racking up huge bills, especially outside of the European Union. Within the EU, employees carrying an EHIC card are entitled to the same medical care as a native.

Other emergencies could include:

- Terrorist attack
- Natural disaster
- Political unrest
- Strike action hindering travel
- Infectious diseases

- Knowing in advance the location of the nearest medical facility or law enforcement will reduce anxiety in the case of an emergency
- Make everyone aware of weather conditions.

There are a number of expenses involved in travelling. Any not met up front by the company should be discussed, with a budget and expense recording method agreed upon in advance.



# THE SHOCKING IMPACT OF Open Plan Offices



The case for open plan offices is a compelling one and is constantly being debated. The idea is that in an open plan office there can be more collaboration, ideas can be freely exchanged and the team has the opportunity to bond. As a result of this view, open plan offices have become commonplace. But is this right? A number of studies have now highlighted the negative aspects of the open plan office and state that it does not always achieve what it sets out to do. In fact, tearing down walls and cubicles in offices may actually build up more barriers to productivity and employee interaction.

## The studies

There have always been those who

believed open plan offices did the opposite of what was intended. This view has now been backed up by scientific research from Harvard in the US and Karlstadt University in Sweden. Comparing interactions before and after a move to an open plan office, the studies showed that in an open plan office:

- There was 73% less face-to-face time
- Email use increased by 67%
- Instant messenger use increased by 75%

It is speculated that the reason for this shift is that in an open plan office, some workers may be using headphones to reduce distraction. It is also noted that some conversations may need to be carried out in private, and with this proving impossible in an open plan office,

the employees are instead using digital communication.

## Reduced efficiency

An Ipsos survey casts further doubt on the benefits of open plan offices. It found that:

- 85% were dissatisfied with their workplace and found it hard to concentrate
- 95% said working privately was important
- Only 41% said they had the chance to work privately
- 31% found they had to leave the office in order to complete work

The result of this is that many employees felt demotivated and find they are losing as much as 86 minutes a day due to distractions.

## Health implications

Many employees in open plan offices report feeling stressed and note that the lack of privacy hinders their capacity for creativity. For those individuals with no set space in the office for them, there can also be reduced memory span. This may be because facts are easier to retrieve when you are working in the same space each day.

It is also far easier for viruses and infections to spread in an open plan office. A survey from Canada Life Group Insurance suggests that employees in open plan offices take 70% more sick days than those who work from home.

## Improvement strategies

If you have an open plan office, it is likely to be expensive to transform it into private offices, but there are other steps you can take to improve your employees' wellbeing. Staggered hours might give everyone in the office a quieter period or allow employees to work some hours from home. Apps can be used to track environmental features such as noise, allowing workers to easily locate the quietest space in the office. You can also make use of office divider screens to give an open plan office private spaces, where others will be less likely to cause distractions without a good reason. This flexible system allows for the creation of a space which can be private when required, but also remain open to

provide a larger area for collaboration and brainstorming sessions.

## Seton recommends...



Office Divider Screen Style No. 302GXA124



# Q&As

**Q** Our workplace toilets are a health hazard. I have complained to management numerous times and they continue to fob me off with plans for a complete renovation of the facility. I am really concerned about even my clothes touching the walls as they are covered in bodily fluids from disgruntled employees. They have been this way for at least two years.

**A** There are Welfare Regulations that demand washrooms are clean, orderly, have suitable ventilation, not unreasonably smelly and well lit.

Regulation 20 Sanitary conveniences:

(1) Suitable and sufficient sanitary conveniences shall be provided at readily accessible places.

(b) they and the rooms containing them are kept in a clean and orderly condition;

Unfortunately, the aesthetics and quality are not stated and a bit subjective. What we do need to consider is whether the walls and doors are sanitary, can be cleaned and in reasonable conditions to be cleaned. If they are not hygienic, there is a problem. If you have raised your concerns with the supervisor and company and not had a satisfactory response, then you are entitled to go to the either the Local Authority or HSE for further advice. If you look on your Health and Safety Law Poster at work, it clearly states "If, after talking with your employer, you are still worried, you can find the address of your local enforcing authority for health and safety and the Employment Medical Advisory Service via HSE's website: [www.hse.gov.uk](http://www.hse.gov.uk)." You can contact them and leave your name or register a complaint anonymously.

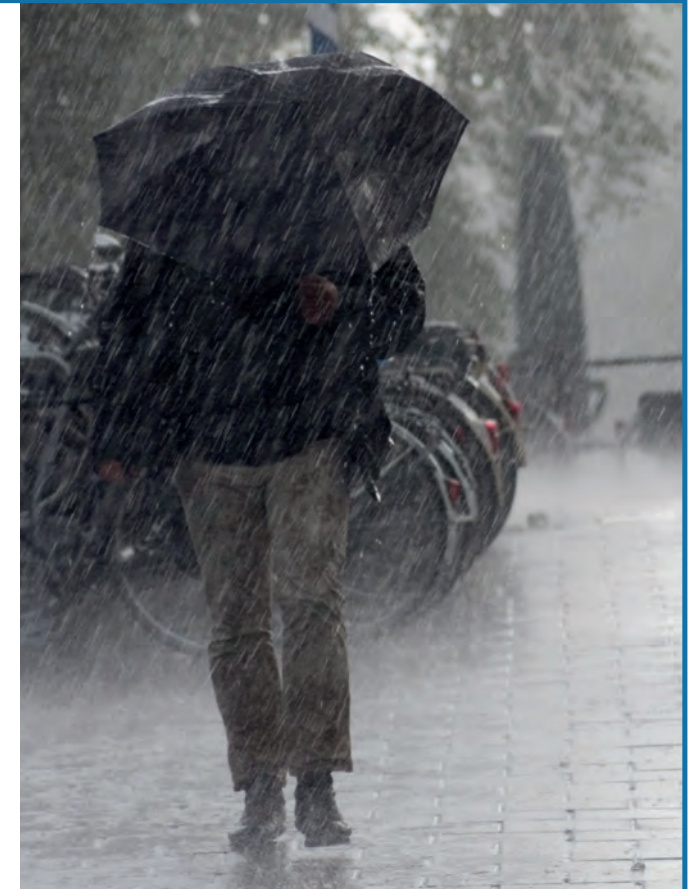


# Q&As

**Q** I am an engineer that drives around fixing coffee machines. We often get wet going between the vehicle and customer premises and sometimes have to park up then walk to multiple locations. Our company says they are not required to supply waterproof jackets, is this correct?

**A** We normally have to wear clothes for modesty, sometimes our employer insists we wear their uniform for corporate identity. Employers need to be sensible and careful what they wish for, as if they do not want to give you a rain coat, you could wear a pink raincoat for your favourite football team your boss does not approve of.

With regards to health and safety; wet weather gear, warm hats, gloves and scarves can be classified as Personal Protective Equipment (PPE) if the risk assessment deems it necessary to protect the worker. The law demands the risk and control measures are reasonable and proportionate. Being outside for 5 minutes may not require warm jackets, hat and gloves as PPE but getting soaked whilst being out on the road could be avoided with a cheap rain coat. This scenario is a bit borderline and an informed discussion with your company would be the best option. Being mobile staff, they should support you best they can and asking for a rain jacket is not an unreasonable request.



**Q** We have an issue with other businesses parking in our car park. We have notices up clearly stating that it is private property but this does not deter them. I am aware that we cannot clamp vehicles but do we have any other options to prevent them from parking in our spaces?

**A** There are many options available but the ideal solution depends on the key facts surrounding your situation:

- **Wheel clamping** is now not an option.
- **Civil enforcement** with fines for vehicles is the more extreme option. The rules about how the scheme is operated are very strict and cumbersome, therefore often left to the professional companies to administer.
- **Signs** clearly displaying who the parking spaces belong to is a quick, cheap and effective option. This system may require some reinforcement such as leaving a polite note on persistent offenders' window screens, not to park there.
- **Cones** with signs can be a possible option but causes a driver to get out of their vehicle to move and replace them every time. Whilst very effective it is not a popular option with most drivers.
- **Fold Down Parking Posts** – These are very effective and relatively easy to install and operate. They do cause a greater inconvenience to the driver though in terms of having to get out and use them, a major issue in inclement weather. If you rent parking spaces with your lease, the landlord may need to give permission.





# News ROUND UP

# February 2019



## Firms Back Mental Health First Aid

An open letter to the Prime Minister has been signed by fifty of the UK's largest employers calling for the Health and Safety (First Aid) Regulations to be amended to make "mental health first aid" a legal requirement. Safety organisations and unions have responded, stressing there is no "magic bullet" to improving mental health in the workplace.



## Counterfeit Workplace Safety Cards

An online trader has been jailed for three years and eight months for selling fake safety accreditation cards via two websites. The cards are held by qualified construction operatives, scaffolders, demolition workers and forklift operators. The fakes also included GCSE certificates and driving licenses.



## Hi-Vis Vests Banned at Edinburgh Zoo

Hi-visibility clothing has been banned for staff and contractors at Edinburgh Zoo in case it ruins any romantic moments for the only giant pandas in Britain. Tian Tian ("Sweetie") and Yang Guang ("Sunshine") are on loan from China, they are due to be handed back in 2021 but have failed to breed since they arrived in 2011.

## Vacuum Cleaner used to Clean up Asbestos

A Norwich-based contractor has been fined £90,000 for carrying out unlicensed asbestos cleaning work. The HSE investigation discovered asbestos debris across an area the size of a football pitch. The contractor had cleaned the debris by dry sweeping and vacuuming the area.



## Ban on Combustible Cladding

On 29 November, ministers laid new regulations to ban combustible cladding on new tower blocks. Combustible materials will not be allowed on the external walls of new buildings over 18-metres containing flats, as well as new hospitals, residential care premises, dormitories in boarding schools and student accommodation.



## Phasing Out Hand-Held Power Tools

The UK's largest contractor, Balfour Beatty, has joined fellow construction giant BAM Nuttall in eliminating the use of vibrating tools that can lead to hand arm vibration syndrome (HAVS). They plan to eliminate them by ensuring designs do not rely on the use of hand-held power tools to achieve certain finishes.



## £2.3m Fine for Stagecoach Group

Midland Red (South) Ltd have admitted health and safety breaches after a driver accelerated into a Sainsbury's store in Coventry in 2015, killing two people. The bus company allowed the driver to work in excess of 70-hours a week despite numerous warnings about his "erratic" driving and having had four crashes in three years.

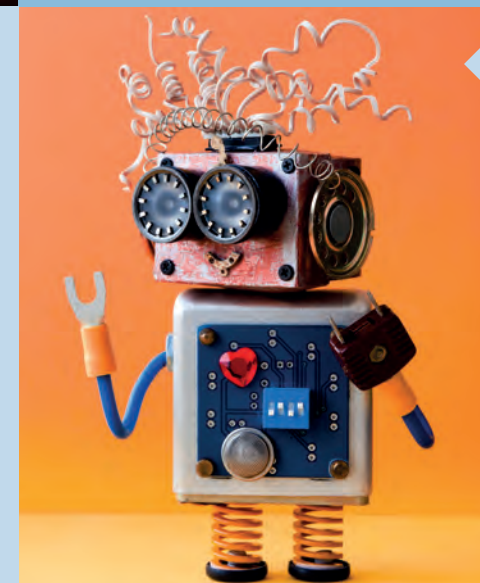
## Workers Exposed to Flour Dust

A bakery company has been fined £159,080 for safety breaches after employees suffered long term exposure to flour dust for 14 years. The consistent exposure resulted in some workers being medically diagnosed with occupational asthma. The HSE's investigation found there was no effective method of control to prevent employees from breathing in the dust.



## First Aid on the School Curriculum

All school children in England will be taught "life-saving skills" under the government's new health education plans, due to be rolled out in 2020. Five year-olds will learn basic first aid and children as young as 11 will be shown CPR at school. Every year there are around 30,000 out of hospital cardiac arrests in the UK, but sadly less than 1 in 10 survive.



## Site Robot to Flag up Safety Issues

Construction major Kier is testing an autonomous robot vehicle that can detect health and safety hazards on building sites - including in confined or inaccessible spaces. It will flag up issues such as inadequate edge protection, uncovered holes and trip hazards. The four-wheeled robot will manoeuvre around a site, capturing 3D scans and live 360° footage.





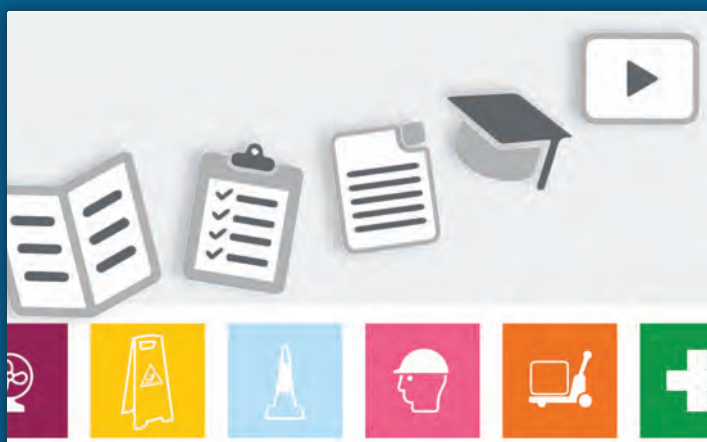
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and click on 'Ask the Expert'

