

# LegislationWATCH

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

## The 'responsible person'

This incredibly important role can result in fines or prison sentences if duties are not carried out effectively. See page 4.

### Inside this issue...

**The UK's most dangerous jobs**



**Autonomous vehicles: The race is on**



**The problem with presenteeism**



**SAFETY  
MADE  
EASY**





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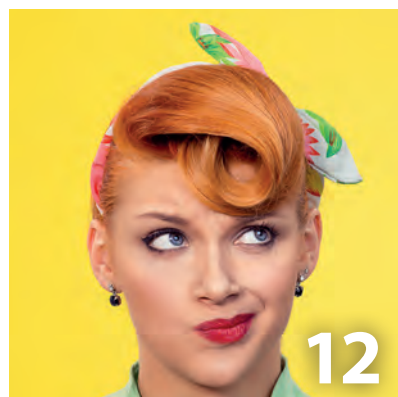
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# Contents



**03 // Legal update**

**04 // 5 things a 'responsible person' needs to know**

**06 // Fire drills: why, when and how**

**08 // Do you have a fire alarm zone plan?**

**10 // How evac chairs can save lives**

**12 // New to the job?**



**14 // The problem with presenteeism**

**16 // UK's most dangerous jobs**

**18 // Autonomous vehicles: The race is on**

**22 // Safety issues solved by innovation**

**24 // Q&As**

**26 // News round up**

## Note FROM THE EDITOR...



This month we're celebrating 10 whole years of Legislation Watch magazine – what fun it has been! So much has changed since our first issue was published in 2009 but keeping you up-to-date with new legislation and the many amendments has been an absolute privilege.

**Thank you so much for your continued support over the past 10 years.**

*Cheryl*

Cheryl Peacock - Editor

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# Legal UPDATE



## Health and Safety (Amendment) (EU Exit) Regulations 2018

As the UK prepares for its imminent exit from the European Union, changes have been drawn up to make minor amendments to some pieces of legislation to remove EU references. While there may be some slight changes to the regulations, the legal requirements and the protection these provide will be the same as they are now. These changes will ensure UK health and safety legislation is fit for purpose and are expected to come into force on the date of the UK's exit from the EU.

### These pieces of legislation include:

- The Offshore Installations and Pipeline Works (Management and Administration) Regulations 1995
- The Offshore Installations (Prevention of Fire and Explosion, and Emergency Response) Regulations 1995
- The Borehole Sites and Operations Regulations 1995
- The Health and Safety (Safety Signs and Signals) Regulations 1996
- The Offshore Installations and Wells (Design and Construction, etc.) Regulations 1996
- The Control of Substances Hazardous to Health Regulations 2002
- The Control of Artificial Optical Radiation at Work Regulations 2010
- The Genetically Modified Organisms (Contained Use) Regulations 2014
- The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015
- The Control of Major Accident Hazards Regulations 2015
- The Ionising Radiations Regulations 2017

- The Health and Safety (Safety Signs and Signals) Regulations 1996
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  - The Offshore Installations (Offshore Safety Directive) (Safety Case etc.) Regulations 2015
  - The Control of Major Accident Hazards Regulations 2015
  - The Ionising Radiations Regulations 2017
- A separate but complementary set of regulations have been drawn up for Northern Ireland; the Health and Safety (Amendment) (Northern Ireland) (EU Exit) Regulations 2018.

### REACH (Registration, Evaluation, Authorisation and restriction of Chemicals)

In the event of a no deal, the EU REACH Regulations will be brought into UK law by the European Union (Withdrawal) Act 2018 to ensure these regulations will be retained in the UK with the changes necessary to make them work. More information can be found on the HSE's REACH guidance page.

### Classification Labelling and Packaging (CLP), Prior Informed Consent (PIC) and Biocides Products Regulation (BPR)

UK businesses may need to prepare for the changes in the Classification Labelling and Packaging (CLP), Prior Informed Consent (PIC) and Biocides Products Regulation (BPR) regimes if the UK leaves the EU without a deal. The HSE have published online guidance regarding these changes.



# 5 things a 'responsible person' needs to know

On 1st October 2006, The Regulatory Reform Fire Safety Order 2005 came into force. It was designed to simplify the somewhat complex legislation which previously made up the UK law on fire safety, bringing each act together as one. In essence, the Order sets out the requirements for a 'responsible person' to manage fire precautions in a huge range of premises. As such, schools, hotels, residential homes, factories and hospitals along with many more businesses and facilities, are obliged to appoint a 'responsible person'.

## What is a responsible person?

A responsible person ensures that a company or workplace has sufficient fire safety procedures in place. An owner, landlord or manager may all be deemed the responsible person, depending on the nature of a business or the premises. In a practical sense and in the eyes of the law, they have ultimate responsibility. This is an incredibly important role which can result in fines or prison sentences if it is not carried out effectively.

For this reason, there is often more than one designated responsible person to take care of a building. Where there are large departments or separate businesses housed together for example, each of these should have a responsible person. They will need to communicate with their own department about the entire building's fire safety precautions.

## What is the difference between a fire warden and a responsible person?

We've established that the responsible person manages the fire safety provision for an entire building, but to help them out, some elements of the role can be passed on to a fire warden. A fire warden can work alongside the responsible person to plan effective emergency procedures and establish the appropriate fire prevention protocols. They can also ensure that people are evacuated to a place of safety in the event of a fire or during a fire drill. It is often the case that fire wardens are most at risk in the event of a genuine emergency. This is because they are often the person who is charged with clearing the building and even searching for anyone left inside, so they could be the last person to leave.

## What are the main roles of the responsible person?

A responsible person has a range of tasks which encompass far more than getting people out if a fire starts. They need to work out the best ways of preventing fires, monitor factors that may constitute a risk and ensure that any fire extinguishers are correctly maintained. Here is a more comprehensive list of their main duties:

- 1 Risk assessments must be carried out at regular intervals and then reviewed when necessary. The findings of each report should be written up accurately so they can be used in the future where necessary.
- 2 Once any risks are identified, they should be resolved in a way which protects people and the premises. The information should be passed on to employees, employers and anyone who may visit the building from other organisations. Any relevant training should be provided for employees.
- 3 Establish and maintain safety measures by storing equipment correctly and minimising the risk posed by dangerous substances. Part of this will involve keeping routes clear, reviewing the preventative measures which are currently in place and ensuring that riskier areas are restricted for people without the relevant training.
- 4 Set up plans which will be followed should an emergency occur. This will include preparing effective safety drills to get people to a place of safety when an imminent threat is posed by fire.
- 5 Once the fire safety information and procedures are established, this should be presented to staff. As part of their role, the responsible person will need to arrange and oversee regular safety drills

to ensure that the procedures in place are appropriate. Any staff members who need training to fulfil their role in the building's fire safety should be confident and competent in carrying out their tasks. Regular refresh sessions are essential, so everyone knows exactly what is expected of them.

A responsible person implements plans that keep the entire workplace safe should a fire occur and also ensures that the building complies with all relevant fire safety laws. It's a massive undertaking but remember that there are ways of sharing the load. By appointing a 'competent person' who understands health and safety legislation, the responsible person will have an assistant when it comes to managing risks and working out preventative measures. A responsible person should also gain support by working with other responsible persons in the same building and coordinating their efforts.

## Seton recommends...



Style No. 301XBA100



Style No. 301XIA100



# FIRE DRILLS: why, when and how

**Fire drills are part of working in an office or shared workspace. After enough false alarms, most of us have become inured to the shock and anxiety that fire drills and fire alarms once brought, but fire drills are still very important. Staff have the legal and personal right to safety in the workplace, and this includes proper fire training. Read the guide below to learn more about how to plan, carry out and record an effective fire drill in your workplace.**

## Why are fire drills important?

We all know the frustration of being interrupted in the middle of something by the shriek of a fire alarm. Fire drills may seem like just an occasional office annoyance to be dealt with and forgotten. However, fire drills are important because no one knows exactly how they will react in the event of an emergency. It is possible that an individual will experience extreme fear and anxiety, and act irrationally during such an event. Repeated drills will help staff to remember exactly what to do in the event of a fire, and this will mean that everyone is more likely to leave the building in a safe fashion.

Moreover, carrying out fire drills will help staff to learn more about all the areas of the building, and ensure that staff are aware of the roles they need to play in the event of a fire. For example, as part of the fire protection strategy, fire wardens will be chosen to direct the staff out of the building.

## What are the legal obligations?

Yearly fire drills are a legal requirement for all businesses. However, the HSE advises that it is better to perform fire drills a few times each year, especially if your workplace has a number of risk factors. It is important to note that the results of each fire drill need to be recorded after they have been carried out.

In addition to conducting fire drills, it is also the employer's responsibility to

conduct a fire safety assessment of the premises, to inform staff about potential dangers and risks in the workplace, train staff and implement fire safety measures.

## How to prepare for a fire drill

Legally, employers must conduct fire safety risk assessments for the workplace and ensure that these assessments are updated when needed. These assessments are similar to other workplace risk assessments and can be included as part of the overall office plan. You can keep your fire safety records neatly organised with one of Seton's fire safety log books which includes space for fire drill records, along with space for information on escape routes and signage inspection.

## Should you tell your staff that there will be a drill before it happens?

Employers should inform their staff in advance that there will be a fire drill. This is to make sure that there is maximum attendance for the drill and so that everyone in the workplace understands their role in the drill, where to go, and what risks to avoid.

Some employers prefer to surprise their employees with a fire drill to create a more realistic drill experience. Speaking with your staff to find out what they are more comfortable with will help you to decide whether to inform them in advance or surprise them.

## Carrying out a fire drill effectively

There are a few key steps to successfully

carrying out a fire drill; these include:

- Fire wardens – it is very important to ensure that you have the proper number of fire wardens and that they have been properly trained. It is important to ensure that you also have enough fire wardens in the office to cover for sick leave and holidays that will come up.
- Updated registers – it is vitally important to keep an up to date register for the building as this way you will know who is in the building at any given time. This is very important information during a fire!
- Clear paths – it is understandably important to ensure, before a drill, that all evacuation routes through the building are clear so that staff are able to safely exit the workplace.

## Recording results

As mentioned previously, it is important both legally and for the good of the office to record the results of the fire drill in a logbook. A fire safety inspector may want to review the logs in the future, so it is important to keep up to date, neat logs.

## Assessing the outcomes

Once the fire drill has been completed and you have logged all relevant information in your fire safety log book, take a moment to assess the fire drill. It is best to time the fire drill from start to finish. Recording the time will give you a sense of whether or not your staff is becoming accustomed to the evacuation routes and, if the drill takes you long, you may need to adjust your fire safety plan.



# DO YOU HAVE A fire alarm zone plan?



A fire zone plan should match up with the way a building is orientated. So, if a corridor is to the right of the plan, it should also be to the right of the 'You are here' sign on the zone plan.

Remember, plenty of detail is helpful, but it's important to consider how the map looks to people who rarely use it. If the layout is becoming cluttered it may confuse people in an emergency situation. Make sure it remains clear and easy to read, so anyone can find what they need at a glance.

## Do I need a fire alarm zone plan?

Yes, if your building has a fire alarm then a zone plan to go with it should be drawn up while the system is being installed. Should you get a visit from the fire service, they will inspect your property for compliance and without a fire alarm zone plan close to the equipment, be it a repeater panel or an alarm control interface, it will be considered to contravene the BS 5839-1:2017 standard. Even on the smallest fire alarms in non-domestic premises, a plan has to be displayed clearly to keep the building safe and compliant.

The standards are there to ensure people can find their way around quickly in an emergency, whether they are staff members trying to leave or fire crews trying to identify where the fire is. The panel in your business is likely to contain some relevant information, but without a comprehensive plan, precious time could be lost if a fire does break out.

## How often should a zone plan be updated?

A fire alarm zone plan should be updated regularly to keep it accurate. Check that the various descriptions are still correct and add in any new relevant information so the plan remains true to the building's layout. If you have included room numbers or the locations of individual detectors, these should also be verified.

Keeping a few extra copies after each update is finished could also be useful, as you can give them out to fire crews to help them navigate around the building.

## What has been learned about the importance of a fire zone plan?

At Rosepark Care Home, the fire brigade were not called until nine minutes after the alarm had first sounded. When they did arrive, there was no plan to assist them in a large, complex building. After investigating the incident, it fell to Sheriff Principal Brian Lockhart, to rule on the fire. He concluded that: "The management of fire safety at Rosepark was systematically and seriously defective. The deficiencies in the management of fire safety at Rosepark contributed to the deaths..."

An accurate fire alarm zone plan is a valuable method of keeping the people in your building safe, it assists the fire service in doing their job and could even minimise structural damage.

For more information and videos on workplace fire safety visit [seton.co.uk/fire-safety](http://seton.co.uk/fire-safety)

**During the early 2000s before the introduction of fire alarm zone plans, small fires often resulted in major catastrophes. A key example is the Rosepark Care Home fire of 2004, which claimed 14 lives and injured many more vulnerable people. It was this tragedy that brought about an updating of the legislation which covered fire safety (BS 5839-1:2017), making accurate and updated plans essential for all businesses.**

Although most employers are aware of the importance of fire alarm zone plans, they may not be aware of their responsibilities when it comes to what an alarm plan should look like, where it must be placed, and which areas should be shown.

## What is a fire alarm zone plan?

The key purpose of a business's fire alarm zone plan is to provide assistance should a fire-related emergency occur. In this situation, people inside the building, as well as the emergency services, will

need quick access to orientation information. The plan will include a map of the building, along with highlighted areas to denote fire alarm zones and other places that may be relevant during an evacuation.

Specifically, an effective plan will include:

- The building's various levels
- Exits which open out into a safe place and the routes to them - often referred to as escape routes and fire exits
- Circulation areas which people can use to move from place to place within the

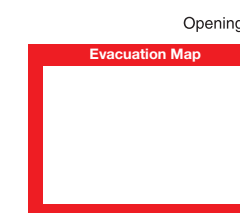
building, these include lifts, stairs and corridors

- A 'You are here' sign so anyone needing to use the plan will know where they are in relation to where the alarm is going off

Although additional information is not crucial, it can be helpful to include:

- A phone number for the centre receiving the alarm so they can be contacted before a system test is actioned
- Confirmation that the alarm is or is not monitored.

## Seton recommends...



Style No. UPDATESIGN13



# HOW EVAC CHAIRS CAN Save Lives

There are various versions of evacuation chairs, but they are all designed to help people with impaired mobility move up or down a staircase in an emergency. They are most often seen in workplaces or hotels with a cover over the top and often look like they've never been used. Evac chairs are signposted by green guidance signs showing a bold pictograph of a person being taken downstairs in a chair.

It's easy to see evacuation chairs as dust gatherers, but during a fire or similar emergency when the lift cannot be used, they ensure that people with all types of permanent or temporary mobility problems can escape safely along with everyone else.

## What are evacuation chairs?

Evacuation chairs can look like a cross between a chair, a stretcher and a wheelchair. A specially designed device is needed because a stretcher is impractical on narrow stairwells and a wheelchair is too heavy to push down a flight of stairs in a way that is safe or comfortable for the person in it.

Evac chairs are much lighter than a standard wheelchair, though they are wheeled and have straps and handles to keep the evacuees secure while being manoeuvred out of the building. Unlike a stretcher, an evac chair allows an evacuee's weight to be carried mainly by the staircase, rather than the person pushing. Most can manage two stairs at a time to make the process as smooth as possible. They are compact enough to store away on a wall when not in use and simple to assemble by someone who has had minimal training.

On the way down, gravity is a great help for an operator, but what about stopping or climbing stairs if a person needs to leave a basement floor? To give an individual more control, there are evac chairs with powered units that manage movement up or down, and others which have a built-in hydraulic braking system to control the descent.

## How do they function in a workplace?

Evacuation chairs are designed to help anyone with a mobility impairment get up or downstairs during an evacuation. The majority are operated by a single person who must be properly trained and allowed to practice using the chair regularly each year.

The potential evacuee will also benefit from joining in with the trial runs. The real thing can be a stressful experience for both people, so learning to manage the situation together can help.

In the event of a real emergency, the dedicated operative should be able to deploy the evac chair very quickly and help the passenger transfer from their wheelchair if necessary. This should take place close to the fire refuge area where people are safe while an evacuation gets underway.

Once the passenger is secured, the correct technique for moving them down or upstairs should be employed. The various designs of chair are used differently and this is why training is so important.

## Do I need an evacuation chair?

Evac chairs are not mentioned in the 2010 Equality Act, but without having one on the premises, a business could still be breaching this act. This is because restricting disabled people's access to certain areas of the building is mentioned in the legislation. Therefore, as well as putting people's safety at risk, a workplace that does not provide access for people with impaired mobility is probably not fulfilling its legal obligations.

## What are PEEP escape plans?

Any conscientious business takes steps to keep employees safe in the working environment and a reliable evacuation route is essential for every team member. Once an alarm has sounded, people need to be aware of the plan and how to follow it, whether they are able-bodied or not.

Often referred to as a PEEP, Personal Emergency Evacuation Plans are individual plans for people who may need assistance to escape quickly in an emergency. The team members who could need a PEEP or a temporary PEEP include those with:

- Cognitive impairments
- Sight problems
- Limited mobility
- Impaired hearing
- A broken leg
- Asthma
- Late-stage pregnancies

Employees should let their manager know about their need for a PEEP, then work with them to select the best plan for a safe escape.

According to Gov.uk website, around 16% of working adults have a disability and problems with mobility is one of the most common impairments.

## Seton recommends...



Style No. FAD0115



# New to the job?

**Studies have shown that new employees are as likely to experience an accident or injury in the first six months at a workplace, as they are for the rest of their career.**

New starters are particularly vulnerable to workplace accidents for the following reasons:

- They are eager to work hard and impress colleagues and managers and overdo their work or fail to ask clarifying questions
- They are reluctant to raise concerns and ask questions, or are unsure of how to do so in a new workplace
- They lack experience in the industry or in the workplace
- They are not familiar with the working environment.

As a result, new employees at work sites may not understand the importance of site rules, regulations or safety measures. They may also not understand the potential danger of the worksite or how to use equipment and the rules for using certain equipment.

These conclusions are reinforced by official statistics which show that 3,316 employees in a job for less than six months suffered a reportable injury. This is more than three times the number of reportable injuries suffered by employees in a job for 6–12 months (1,023), and almost four times the amount for employees in their job for more than five years (973).



## Helping keep new starters safe

Thankfully, there are a number of steps worksites can take to keep their new starters safe.

- 1 Properly introduce the new starters to the worksite, explain the layout, safety hazards and safety protocol while walking around with them.
- 2 Provide all of the relevant information they need regarding risks on the job and how to avoid them.
- 3 Ensure that there are control measures to protect the new starters against the safety risks. This means ensuring that they are involved in all health and safety education and training on site and have proper PPE.
- 4 While the new starters are still getting accustomed to the job, ensure that there is proper supervision and training. New workers need training and they also need to know who they can ask for help when it is needed.
- 5 When you have taken all of these steps, confirm with the new starters that they understand all of the information and training they have received. This will give them a chance to ask any questions they have and ensure that they understand the safety guidelines of the office.

These are a few steps you can take to increase the safety of your worksite and your new starters. Keep in mind that young workers and migrant workers are especially likely to be injured in a worksite accident and put into place procedures to ensure that all workers are well trained about how to be safe at work.

### Seton recommends...



Style No. 305NIB160



Style No. PR022A5SAV



Style No. 304PDA170



Style No. PPE1273



# The problem with PRESENTEEISM



## What is presenteeism?

We have all heard of absenteeism, but you could not be faulted for not knowing what presenteeism is. Absenteeism is when an employee is absent from work due to illness; presenteeism on the other hand is when an employee is present in the workplace, but still suffering from the illness. The illness can be either a physical illness, or a mental health illness.

We have all pushed ourselves to come to work when we were feeling ill – and we all know just how painful that day is. A day in the workplace when you should be resting at home means that you are practically counting down the seconds till the end of your shift, buried in used tissues, and exhausted.

In the past, it was thought that showing up to work when you clearly should be resting at home was a sign of your dedication to your career and colleagues. However, it is starting to become more and more clear that it is actually better for companies when their ill workers stay home, instead of dragging themselves to work.

## Presenteeism and its costs to businesses

When you are feeling ill, you are more likely to make mistakes and overlook important details. Also, when you are sick and contagious, you can infect your colleagues and harm overall workplace productivity. These may seem like minor concerns, but reports suggest that

presenteeism is actually one of the most pressing threats to UK workplace productivity.

It has been estimated that in the UK, £15.1bn per year is lost to presenteeism and a number of studies have concluded that presenteeism is actually more costly to employers than absenteeism and disability.

The issue extends to mental health as individuals who have mental health problems may require more flexible working arrangements and need to take time off. A study by the Money and Mental Health Policy Institute found that absence from work as a result of mental health problems cost £8bn with an additional £1bn lost for those individuals who are self-employed.

## Causes of presenteeism

Presenteeism is caused by a number of factors. When a company has a strict leave policy, it can be difficult for workers to request time off. They may have already used their sick days or, in a highly pressurised environment, may feel that they cannot be seen taking a sick day because it will reflect poorly on them and their standing in the workplace.

A study by CIPD, the Chartered Institute of Personal Development, found that presenteeism is more likely to occur in workplaces where long hours are expected from workers and where the company's demands are viewed as more important than the needs of the individual workers themselves.

## Why businesses should care

Alongside the revenue and productivity losses which presenteeism brings, there are other reasons to care about presenteeism. A company that values employee well-being and health will garner more respect and loyalty from its workers. Increasingly, workers are

expecting more flexible working arrangements and are looking for companies that place value on their employees. Companies that take steps to avoid presenteeism in the workplace will both avoid the profit and efficiency losses of presenteeism and gain the respect of employees.

## Tackling presenteeism

Below are a few of the steps that companies can take to reduce presenteeism in the workplace:

1. Re-examine company policies – one of the first steps a company can take is to reassess their company policies around sick leave and absences. Strict, punitive sick leave encourages employees to come to work – even when they really should be at home.
2. Company culture check – employees are more likely to come to work when they are ill if they feel like they have to and their reputation as a hard worker is at stake. The pressure to head into work when ill can be diminished by emphasising that sick employees need to stay home.
3. Be observant – employees, especially those with mental health problems, may not feel like they are able to communicate their health needs to their managers. It is important to properly train managers to support employees with health issues so that they are aware when an employee begins to show signs that he or she may need some time off.

These are just a few ways to reduce presenteeism in the workplace. It is important to also begin a dialogue with the workers and managers in the workplace so that you can learn more about how best to shape your company policies and adjust your workplace culture to minimise presenteeism.



# UK's most dangerous jobs

The HSE has just published its annual review of all fatal workplace injuries in the UK and the results may surprise you. Last year, 147 workers were killed while on the job. Even though this was a decline from 179 workers killed ten years ago, it is a reminder to us all that there are still very dangerous jobs in the UK.

Below is a breakdown of some of the most dangerous jobs in the UK according to the industries profiled in the HSE's report.

## Construction

Last year, 30 individuals died from fatal workplace injuries in the construction sector. Out of all of the industries, construction had the highest number of individuals who suffered fatal injuries. However, the annual average from the past four years is actually 36 deaths so, in comparison, the number has certainly declined.

Mining and quarrying deaths were not considered in a separate industry grouping, but the HSE found that the rate of fatal injury for mining and quarrying was about four times as high as the average rate across all of the industries, which is similar to that of construction.

## Agriculture, forestry and fishing

32 people died from fatal injuries in the agriculture, forestry and fishing industries.

This is an increase from 29, which is the average yearly fatality number from the last five years.

The agriculture, forestry and fishing industries are the most dangerous industries as the rate of fatal injury is 18 times as high as the average across all of the industries respectively.

## Manufacturing

Last year, 26 people suffered fatal injuries in the manufacturing sector. This is up from the average of the last five years of 21 people. The numbers of fatalities in manufacturing has fluctuated widely in the last five years, but last year the number spiked to 26 after a low of 15 deaths the year before.

## Transportation and storage

For the transportation and storage industry grouping, 16 people died from fatal injuries, which is just a slight increase from the five-year average of 15. Like the manufacturing sector, the transportation and storage industry groups have a fatal injury rate of 1.5 to 2 times the average of all of the other industries.

## Wholesale, retail, motor repair, accommodation and food

During the last year, 18 deaths occurred in this varied sector. From these 18 deaths:

- One occurred in the accommodation sector
- Two occurred in the retail sector
- Seven occurred in wholesale and the retail trade of vehicles
- Eight occurred in various wholesale trade activities

This grouping of industries amounts to roughly 7% of the total workplace fatalities which occurred last year. However, when considered in the context of how many workers are in the various industries included in this industry grouping, it is actually a very low risk area.

## Waste and recycling

Perhaps surprisingly, the waste and recycling industry grouping is one of the most dangerous with a fatal injury rate of 17 times the average across all other industries. Last year, seven people died from fatal injuries in the waste and recycling industry. While this may seem like a small number, when you adjust for how few people are active workers in the industry, it becomes clear that it is actually comparatively a very high fatality rate.

## Administrative and support services

Ten people died from fatal injuries in the administrative and support services industry group last year. In addition to this number, there were eight other fatal injuries which occurred in other sectors. This includes public administration, human health, social work and education.

## Reading the data

One thing to be aware of is that you can view the data of fatal injuries in one of two different ways. You can either consider the workplace fatalities according to the absolute count of fatalities, or you can consider the fatalities in terms of the number of fatalities per 100,000 workers employed. When the data is considered in this second context, the effect of year-to-year fluctuations is minimised and the data becomes more stable.

## Staying safe on the job

Clearly, it is just as important as it has always been to ensure and promote the safety of everyone on a worksite. Part of ensuring you have a safe worksite is making sure that your workers all have proper PPE for their roles and that they are all trained on the risks associated with their roles, and how to mitigate those risks.

Just as importantly however, is ensuring that your worksite has been properly assessed for health and safety risks, and that you have the safety equipment necessary to mitigate those risks. Moreover, by creating a safe workplace, you are also performing your legal responsibility as an employer and ensuring that you are legally protected in the event of any future incidents.





# Autonomous Vehicles: The race is on

Whether they are referred to as robot-cars, driverless cars or self-driving cars, autonomous vehicles (AVs) are those which don't need physical human assistance to get where they are going. It's a difficult concept to grasp for many of us because, whether we travel by bicycle, bus or train, a person is always in control. However, autonomous cars have undertaken numerous hours of testing in the USA and, despite not being widely available, they are considered to herald the start of computer-managed driving.

The technologies involved in the production of driverless cars are cutting-edge, with state of the art proximity sensors, like those used for automatic parallel parking, along with GPS navigation and automated steering. They also have cameras with an array of lasers that 'read' the road in a 3D format, ensuring that road signs are adhered to and hazards, including people, are avoided.

## A brief history of self-driving cars

We've had self-propelling weapons, aircraft and lunar rovers for decades, but it was not until the 1970s that the

Japanese firm Tsukuba Mechanical created a slow-moving but autonomous passenger vehicle, and the move to self-driving cars began in earnest.

A second important step came in the 1980s when engineer Ernst Dickmanns added cameras and software to cars to detect obstacles on the road and boost safety. DARPA, the American Defence Advanced Research Projects Agency, sent self-driving cars along a challenging 150-mile route in 2004 with limited success, but had made huge progress by 2007 with four autonomous cars completing a complex 60-mile route.

By 2009, Google engineers were working on self-driving technology, renaming their self-driving unit Waymo and running successful tests on public roads beginning in 2015. A Waymo factory was announced in 2019 where they convert minivans from Jaguar, Chrysler and other manufacturers into autonomous vehicles.

## The big trends around autonomous vehicles

Along with the Waymo factory, a raft of autonomous taxi services are preparing for launch in the USA, and this has placed driverless cars at the centre of some interesting trends.

- Conventional car forms will change – The vehicles that emerge as

purpose-built AVs may look nothing like the customised driverless cars which are currently being used. Future cars won't be retrofitted, leaving manufacturers free to design a new vehicle without a driving position. It will still need seating, lighting and windows, but the interior layout could change dramatically with more space for reclining, and luxuries like onboard TVs and advanced connectivity.

- Governments are adjusting their regulations - New technology places pressure on governments to catch up in terms of legislation and that is happening across the world. Making a driverless car street legal will be a long process but inroads are being made. Proposed acts like the ultimately unsuccessful AV START in the US and comments from the UK Department for Transport suggest that driverless cars could be on the road by 2021, meaning the technology is being taken seriously at the highest level.
- Collaborations are winning – Companies don't want to waste millions on failed ideas, so they are joining together to minimise their losses and share information. We already know that Waymo is partnered with established car manufacturers and Honda will be working with General Motors, but more recently Volkswagen and Ford have confirmed a collaboration on self-driving vehicles.

## How will autonomous vehicles benefit businesses?

For many businesses, travel is essential, whether it is in the form of meetings or transporting goods. In the future, driverless cars will be able to save a company money and time in various ways.



# SETON 360 FLOOR STAND

**A unique, attention grabbing design for increased safety!**

Displaying the same safety message on all eight sides, this sign ensures that even in the event of an impact the sign will remain upright and visible at all times

- 1 Consists of two interlocking pieces that fit together with a click
- 2 Easy to carry with an in-built ergonomic handle
- 3 Compact storage design
- 4 Attach several floor stands together using the easy-notch system to create a barrier



Available in 3 versions



305PTA130



305PTB130



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**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](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!



# Safety issues solved BY INNOVATION

Innovations are not just new products or enhancements of current product ranges. Innovations in health and safety are brand new solutions to help workplaces improve processes, introduce useful resources and in turn minimise the risk of injuries and deaths in the workplace. Our innovation team is always busy finding solutions to some of the most difficult health and safety problems; take a look at a few of our latest, most exciting innovations below.

## Problem: Damaged Speed Bumps

Traditional speed bumps quickly wear out after continual use. Speed bumps can also cause damage to the vehicles passing over them, and they are expensive to replace, especially as they have to be replaced frequently as they wear down.



**Solution:** Seton's Speed Bump features a unique rail fixing system which ensures that the speed bump is securely fixed into position. The highly visible Seton Speed Bump is also fitted together through interlocking chevrons; this unique shape more efficiently distributes the weight of the vehicles passing over it and makes the speed bump more durable.

## Problem: Missed Inspections

Inspections are vitally important to the safety of every workplace. However, inspections are often passed over, missed or forgotten about entirely. Also, depending on the specific needs of the workplace, important equipment may be out of reach for some workers.



**Solution:** The Seton Inspection Timer is the answer to this problem. This Inspection Timer improves overall workplace safety by making inspections as easy and efficient as possible. With just a glance, you can view the inspection status of your equipment. Includes a simple push notification which informs you of when the next inspection is due through flashing LEDs.

## Problem: Short Lifespan on Outdoor Signs

A lot of temporary signs used for building sites, estate agents boards and other short term signage jobs use corrugated material for these rigid signs. However, the lightweight fluted construction provides low durability and can be prone to bending along the flutes in high wind.



**Solution:** Seton's environmentally-friendly Endure-a-Sign material is constructed from smooth, rigid polypropylene made up of 3 structural layers. This high strength material is also resistant to intense weather conditions, grease, oil and chemicals making it the ideal solution for aggressive environments.

## Problem: Overloaded Racking

In the workplace, racks often reach capacity, but they still have empty spaces; with traditional racks there is virtually no way of preventing workers from filling those empty spaces and overloading the racking.



**Solution:** Seton's Prevango Racking Limiter provides an elegantly simple solution to this problem. The Racking Limiter is an efficient and easy way to block empty spaces in the racking with a highly visible lightweight barrier.



# Q&As

**Q** We use a standard cupboard for our workplace cleaning products such as floor and bathroom cleaners. Do we need to do anything to ensure we comply with COSHH regulations?



**A** Our advice with regards to cleaning cupboards would be:

1. Ensure the cupboard is lockable and kept locked when not in use.

2. Have an inventory of products stored there: a list of what products can and cannot be stored in the cupboard, and how much of each product as a maximum. Add reorder codes so that you can use it for stock control as well as safety.

3. A laminated method statement for each product (or you can place them in a plastic wallet) to explain: how to use it, how to store it, decant it or dispose of it and what protection to use. Also what first aid measures to take in case of an accident. Most of this information comes from the **material safety data sheet** that the manufacturer must provide you by law. But you should assess for yourself how the product should be used in your operation. This can help to

manage waste and make sure the right product is used for the right cleaning job. Add in specific safety and cleaning rules of your own and train your cleaning staff in them.

4. A COSHH guide to the safety symbols and risk phrases can be a useful reminder.

5. Provide a separate area away from any chemicals where cleaners can store their PPE without it becoming contaminated.

# Q&As

**Q** I constantly have to talk to our warehouse staff who have knotted their hi-visibility vest at the front to prevent it from getting in their way. I have explained that this reduces the reflective banding and is therefore non-compliant. How can I prevent them from continuing to do this?

**A** The regulation that applies is the Personal Protective Equipment at Work Regulations 1992. In regard to staff not following lawful and reasonable instructions, they may be committing health and safety offences and be in breach of their contractual obligations that could lead to disciplinary action. We could also look at the Health and Safety at Work Act and The Management of Health and Safety at Work Regulations, but the PPE Regulations should be enough.

Before you head down the disciplinary route, the employer must first ensure the PPE is fit for purpose. Consider, are hi-vis jackets the correct size for the individual or are they too baggy? It is not unreasonable to make different sizes available. Hi-vis jackets or polo t-shirts may be more useful. The law demands reasonable adjustment by the employer and if conflict with PPE occurs a review must be undertaken. If the majority of the staff have issues then it may be for the employer to make the change first, not for the staff to make do.

Yes you can quote the law, but it is recommended that the company takes an informed decision through risk assessment first, in order to ensure the company are acting reasonably. Please visit the HSE website for the Approved Code of Practice 'L25' for further guidance. This document quotes the regulations and explains best practice with simple interpretation.





# News ROUND UP

# October 2019



## Landlord fined for jet-washing asbestos roofs

The owner of a set of lock-up garages has been prosecuted after using a jet washer to clean roof sheets made of asbestos cement. The dangerous fibres were spread across his property, neighbouring gardens and land owned by Network Rail. Paul Whitaker was fined £600, but also picked up a bill for prosecution costs of £10,000.



## 676 schools not complying with asbestos regulations

676 state funded schools and academies have been reported to the HSE because they haven't been able to satisfy the Department for Education (DfE) that they were managing their asbestos in line with legal requirements. The DfE's online survey was only completed by 77% of the schools, despite the deadline being extended.



## Aircraft engineer sentenced for lying about exams

28 year old Princepreet Sandhu has been sentenced to six months imprisonment suspended for 12 months for falsely claiming to have passed engineering exams in order to carry out maintenance work on aircraft. His application used forged exam certificates but the deception was spotted by British Airways and reported to the UK Civil Aviation Authority (CAA).

## Gas dangers at caravan site

The owner of a static caravan site failed to have gas appliances properly maintained and inspected and failed to safely store LPG cylinders. Mr Rooney had no Landlord's Gas Safety Certificates for the gas appliances, some were immediately dangerous and had to be disconnected. Felix Rooney was sentenced to an eight-month prison sentence suspended for two years and ordered to pay costs of £22,235.00.



## Disabled man forced to remove costume

A family has hit out after a disabled "gentle giant" was asked to remove his stationmaster costume on health and safety grounds at a Thomas the Tank Engine event. Gareth Bell, who has Angelman Syndrome, was asked to remove his hat, jacket and tie because he was "impersonating a member of staff". A spokesman for Caledonian Railway apologised and has now invited Gareth back to make amends.

## Man dies after hay bale falls on him

The Health and Safety Executive (HSE) are investigating after a man died when a hay bale fell on him at a farm. Ashley Mark Holden died in November 2018 at Staples Farm in Stickney after a farming accident. Agriculture has the worst rate of worker fatal injury (per 100,000) of the main industrial sectors and is eighteen times higher than the average rate across all industries.



## Didcot power station demolition left people injured

Didcot power station was demolished in August, two years after a collapse in the boiler house which killed four men. During the demolition, a large section of material made contact with an electricity pylon showering onlookers with sparks and injuring several people.



## Vaping illnesses and deaths

A mysterious spike in respiratory illnesses has sickened 805 people and killed 12 in the US. All patients reported using e-cigarette products and many had vaped THC-containing products and/or nicotine-containing liquids. Public Health England has spoken out and said "All UK e-cigarette products are tightly regulated for quality and safety by @MHRAgovuk. It's important to use UK-regulated e-liquids and never risk vaping home-made or illicit e-liquids."



## BP hit with £400k fine after Shetland Oil Spill

BP Exploration Operating Company has been fined £400,000 after pleading guilty to an oil spill in Shetland nearly seven years ago. Around 3.8 tonnes of extremely flammable, unstabilised crude oil spilled on the ground during maintenance work to drain a surge relief pipeline in December 2012.



## Construction workers ignore evacuation alarms

New research by the University of Greenwich found that high-rise construction workers are "risking their lives" by not responding quickly enough to evacuation alarms. A third of workers spent more than a minute finishing a task, with the longest response time being almost 6 minutes. A quarter undertook four or more other activities and more than two in five had to be asked to leave site by their supervisors.





## Knowledge Centre: Help & Advice

Vital information on health and safety legislation, detailed product guides and the latest hot topics and industry news.



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