

Legislation WATCH

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

Fire Safety Duties

New regulations effective from 6th April 2010

Page 9

Manual Handling

Manual handling injuries account for 32% of major and over-three-day injuries reported to RIDDOR in Britain. Are you doing everything you can to reduce the risk?

See pages 4-8

Carbon Commitment

Mandatory scheme – does your business qualify?

Pages 16-17



An estimated 9.3 million working days were lost in 2008/09 through musculoskeletal disorders caused or made worse by work. (Source: LFS)

Contents

Regulars

- 3 Legal Update**
Summer 2010
- 8 Toolbox Talk**
In this issue...Manual Handling
- 18 Guest Writers Spot**
HSE talk about the Shattered Lives Campaign
- 24 Guides to Fire Safety Signs**
In this issue...Offices & Corridors
- 28 Q&As** NEW
Your questions answered by the experts
- 29 Competition**
Test your knowledge and win a HP Laptop!
- 30 News Round-Up**
Prosecutions and compensation awards



From the editor...



Welcome to the summer edition of Legislation Watch! We've highlighted some important changes for you this quarter, from the new Fire Safety (Employees' Capabilities) Regulations on page 9, to the mandatory Carbon Reduction scheme on page 16. Our inbox has been swamped with requests to start including Environmental Legislation so take a look at this brand new feature on page 20.

In April, we took our winter edition competition winners on a tour around the Force India Formula One Team factory. It was a fantastic experience and we'd like to thank the team for accommodating us when they were already a week behind their production schedule because of the volcanic ash disruption.

We love hearing from our readers, so if you have a burning question you'd like to ask, or simply want to share your feedback, email cheryl@seton.co.uk and you might even see it published in the next issue!



Our competition winners on the Force India Formula One Team factory tour.

Cheryl Peacock, Editor
cheryl@seton.co.uk

P.S. If you've missed a previous issue of Legislation Watch then don't worry, we've made them all available to download for FREE - just go to www.legislationwatch.co.uk.

Features

- 4 **Manual Handling** - Reduce the risk of injury in your workplace
- 9 **Fire Safety Capabilities** - New regulations effective 6th April 2010
- 10 **PAT Testing** - Expert guidance on electrical testing
- 12 **PPE & Outdoor Working** - Protect your workers in the summer months
- 14 **Hygiene Factors** - Food safety advice and washroom provisions
- 16 **Carbon Reduction Commitment** - Mandatory carbon trading scheme
- 20 **Environmental Legislation** - Revised Waste Framework Directive
- 22 **Burn Injuries in the Workplace** - WaterJel Promotion
- 23 **Driving at Work** - Have you completed all three risk assessments?



Legal update



ISA registration required to work with children and vulnerable adults

July 2010

As of July 2010, those wishing to work with children or vulnerable adults will be required to become registered with the Independent Safeguarding Authority (ISA) under the recently-formed Vetting and Barring Scheme. Created in response to the Soham schoolgirl murders in 2002, employers will be able to make online checks about potential or existing employees through the scheme, with information about new individuals updated straightaway. Fines of up to £5,000 will be levied on employers that knowingly employ individuals on the list or fail to make the relevant checks.



Deadline for CRC ends in September

September 2010

All businesses that qualify under the Carbon Reduction Commitment (CRC), which came into effect at the beginning of April 2010, are required to register or make an information disclosure to the Environment Agency by 30th September 2010. The CRC is a mandatory carbon trading scheme for businesses, aimed at stimulating energy efficiency and delivering carbon reductions. It is applicable to those organisations whose annual half-hourly metered (HHM) electricity use is at least 6,000 Megawatt hours (MWh) - typically those that spend £500,000 a year on electricity, although all organisations that have a half-hourly meter will be required to participate in some way. See pages 16-17 for more details.

Building entrances to be smoke-free

Smoking legislation may be changed in the future so that smoke-free requirements extend to building entrances. The Government has announced that as part of its new strategy to halve the number of smokers, from 21% to 10% of the population by 2020, smoke-free legislation could be extended to building entrances, including workplaces.

The Government's latest tobacco control strategy for England says: "Smoke-free legislation, introduced in 2007, continues to see high levels of compliance and public support. We have undertaken to review the impact of smoke-free legislation in 2010. Particularly, we will look to promote and support smoke-free prisons and examine the case for extending smoke-free requirements around building entrances."



Arched Roof Smoking Shelter

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Go to www.legislationwatch.co.uk/prod115

Manual handling

Manual handling applies to a wide variety of tasks involving the transporting or supporting of a load. This includes lifting, lowering, pushing, pulling, carrying and moving a load using human effort as opposed to mechanical aid.

Although fatal manual handling accidents are rare, manual handling accidents reportable to RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrence Regulations) are still the most common kind of major and over-three-day injuries reported in Britain, accounting for 32% of all such injuries in 2008/09. In 2008, 43% of

workers (Source: Fit3 Workers Survey 2008, HSE) reported manual handling as one of the main hazards affecting them and it was one of the most reported health and safety risks by British employers in 2007, even more than stress and slips and trips (Source: Fit3 Employer Survey 2007, HSE).

Construction, agriculture, haulage and health services are the industry sectors that are most affected by manual handling injuries and ill health. However, it can happen wherever people are at work.

Aside from Musculoskeletal disorders (MSDs), i.e. back pain, joint injuries and repetitive strain injuries, manual handling can cause other types of injuries and accidents that can affect any part of the body, such as fractures – for instance, if the load falls on a part of the body or the operation causes the individual to fall (see case studies 2 and 3 on page 6). Also, injuries such as cuts and abrasions can be caused by roughness or sharp edges, or burns by extreme hot or cold loads.

Exposure to hazardous substances may occur if there is any leak or spillage or the surface of the load is contaminated.

Legislation

- Health and Safety at Work Act 1974
- The Manual Handling Operations Regulations 1992 (as amended) (MHO Regulations) came into force on January 1993 under the Health and Safety at Work Act 1974 to implement a European Directive on the manual handling of loads, with some small changes made in 2002

The MHO Regulations aimed to reduce the risk of injury from manual handling by imposing duties on employers and employees.

This Regulation works closely with the Management of Health and Safety at Work Regulations 1999 that requires employers to carry out a suitable and sufficient risk assessment of all work activities, including manual handling.

Assessment tools

The manual handling assessment chart (MAC) is a tool developed by the HSE to help health and safety inspectors, employers and safety representatives assess the most common risk factors in lifting, carrying and team handling operations.

Using the MAC will help with the initial screening of possible high risk manual handling activities within the workplace. However, the MAC is NOT appropriate for all manual handling operations and does NOT class as a full risk assessment. Therefore it is unlikely to be acceptable if relied upon alone.

www.hse.gov.uk/msd/mac/index.htm



Employer and employee duties under the MHO regs

Regulation 4 of the MHO Regulations sets the duties to employers and establishes a clear hierarchy of control measures that the employer must follow, including:

- Avoid, as far as is reasonably practicable, the need for an employee to carry out manual handling operations at work that can cause an injury.
- Assess the risks by considering all the manual handling operations and relevant individual factors.
- Reduce so far as is reasonably practicable the risk of injury from manual handling operations, using mechanical assistance, for example, a sack trolley or hoist. Where this is not reasonably practicable then the load and the working environment should be explored, introducing more sympathetic systems of work.

- Individual capability; the MHO Regulations do not set a specific limit for the weight that an employee can be expected to handle, so physical capabilities will need to be carefully considered.
- The working environment; some areas may be less risky than others – an open warehouse may be a relatively safe area but the likelihood of injury can increase if the area is poorly lit or there are obstacles in the way.

Regulation 5 considers the duties of employees, who must take reasonable care of their own health and safety and of those affected by their activities.



Manual Handling Safety Poster

Go to www.legislationwatch.co.uk/prod116

In one year a firm lost 373 working days because of manual handling injuries. This cost about £24,000 in wages paid to absent workers. There were also overtime payments and other costs. The introduction of handling aids, manual handling training and a rehabilitation programme reduced days lost to 74 and wage costs to about £5,000.

Case Study 1

A sports centre supervisor received £50,000 in compensation after he was forced to retire when he injured his back lifting a faulty set of swimming pool steps. David Barber, who had worked at the council-run sports centre for 20 years, said he had complained about the steps a number of times, but had been told that fixing them was not a priority.

Case Study 2

A nursery nurse secured £75,000 in damages from Newcastle Upon Tyne Hospitals NHS Foundation Trust following a serious back injury at work. The accident happened as she was carrying a box through a cupboard door; the contents of the box slipped

causing her to fall against the door which sprung back on her. She twisted her back and fell on to equipment in the cupboard.

Case Study 3

East End Foods plc pleaded guilty to failing to take reasonable care for the health and safety of employees under Section 2(1) of the Health and Safety at Work Act 1974 and was fined £25,000 with £28,000 costs following an incident where an employee was injured by a 50kg sack of rice falling onto the back of his neck.

Large consignments of 50kg sacks of basmati rice were routinely being manually offloaded from containers without the use of any mechanical aids.

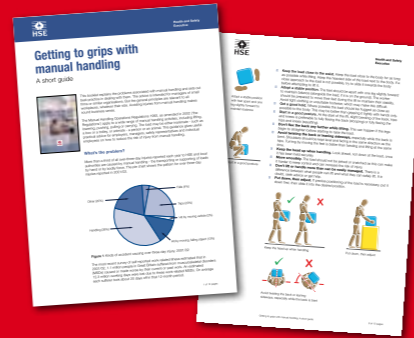
Access to containers and retrieval of initial sacks of rice was also being carried out by employees being raised and lowered on a pallet placed on the forks of a forklift truck.

The company had not carried out a suitable and sufficient risk assessment for this activity, nor taken appropriate steps to reduce the risk to the lowest level that was reasonably practicable.

Further information

L23 Manual Handling Operations Regulations 1992 (as amended) Guidance on Regulations. Third edition, HSE Books 2004, ISBN: 978-0-7176-2823-0. <http://www.hse.gov.uk/PUBNS/books/l23.htm>

Getting to grips with manual handling: a short guide (INDG143 REV2): www.hse.gov.uk/pubns/indg143.pdf



INDG 383 Manual Handling Assessment Charts, HSE 2008 <http://www.hse.gov.uk/PUBNS/indg383.pdf>



Train your staff and promote safety awareness throughout the workplace...

Manual Handling Safety Poster

Encourage safe Manual Handling

Go to www.legislationwatch.co.uk/prod117

Manual Handling The Facts DVD

View a 1 minute sample video online!

Go to www.legislationwatch.co.uk/prod118



Reduce the risk of injury by using mechanical assistance such as...



Sack Trucks

Go to www.legislationwatch.co.uk/prod119



Pallet Trucks

Go to www.legislationwatch.co.uk/prod120



Scissor Lift Tables

Go to www.legislationwatch.co.uk/prod121



Toolbox Talk

Toolbox Talks are a quick and useful way of giving employees up-to-date health and safety information on a particular subject. A toolbox talk can be delivered by a health and safety expert or even a line manager or foreman. They should last no longer than 10-15 minutes and can comfortably take place in the office, staff room or canteen. Talks should be conducted regularly (weekly/monthly) or after an incident.

A Guide to Manual Handling

Manual handling accidents accounted for 32% of major and over-three-day injuries in 2008/09. Avoiding these injuries makes sound business sense.

The Manual Handling Operation Regulations 1992, as amended in 2002, apply to a wide range of manual handling activities such as lifting, lowering, pushing, pulling and carrying. The load can be inanimate – such as a box or trolley, or animate – an animal or person.

Download our FREE Training Slides and remind your staff of the importance of correct manual handling techniques.

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How to

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3. Arrange your training session!



New duties issued to consider the fire safety capabilities of workers

From 6th April 2010, new Regulations clarify employers' responsibilities to consider the capabilities of their workers when carrying out any fire safety-related tasks or assignments, advises Rashid Islam and Tessa Fry of GSC Solicitors.

Under the new Regulations, the Fire Safety (Employees' Capabilities) (England) Regulations 2010, which apply to England only, employers will have to consider:

- What a worker is able and unable to do when given tasks
- How these capabilities may affect their ability to deal with fire-related risks

For example, employers will have to consider a worker's capabilities as regards to fire safety if they work with petrol or other potentially combustible material.

It is important to note that these Regulations should not impose any extra burden on businesses, but simply re-impose a duty that:

- employers had before the Regulatory Reform (Fire Safety) Order 2005 that came into force in October 2006
- is implicit in companies' wider health and safety duties



About the RRO

Fire safety reforms have been in place since the introduction of the Regulatory Reform (Fire Safety) Order 2005 (RRO) on 1st October 2006, which simplified, rationalised and consolidated existing fire safety legislation.

Previously, fire safety legislation had developed in response to tragic fires that resulted in huge casualties. As a result, fire safety provisions were scattered over many pieces of legislation.

The RRO has made compliance easier, by replacing the existing legislation with a single fire safety regime which applies to all workplaces and other non-domestic premises.

Under the Fire Safety Order, responsibility for fire safety is that of the 'Responsible Person' for the building or premises. The 'Responsible' or 'Competent' Person means, in relation to a workplace, the employer, if the workplace is to any extent under his control.

Further information

www.opsi.gov.uk/si/si2010/uksi_20100471_en_1



PAT Portable Appliance Testing

The HSE estimates that 20 to 25 people a year are killed and around 1,000 injured as a result of electrically related incidents in the workplace.

Whether these accidents involve 'fixed' electrical systems such as wall sockets, lighting circuits or hard wired heavy machinery or 'portable' electrical appliances such as kettles, heaters, tools or IT equipment is not clear. What is obvious is that under the Electricity at Work Regulations 1989, employers must maintain their electrical equipment to prevent danger.

Malcolm Wallace of Safetest Electrical provides some expert guidance:

The recognised method of maintaining Fixed Electrical Systems is by way of the 'Periodic Inspection'. This is a very

detailed inspection performed every five years or so depending on the size and type of installation and carried out by one or a team of qualified electricians.

The recognised method of maintaining Portable Electrical Systems (Appliances) is by way of the Portable Appliance Test or 'PAT Test'. PAT testing can be carried out by any trained responsible person, either 'in house', when there is the man hours and test equipment available; or if not, sub-contracted, usually to a specialist PAT testing company.

PAT testing consists of a number of tests on every appliance, after which, if the appliance passes all the tests, it is labelled and the test result details are formally recorded.

How often a PAT test needs to be carried out depends on the type of appliance and the environment in which it is used. A computer in an office is tested less often than a drill in a workshop, but frequency should be decided as a result of risk assessment and test results.

The most important test is the Formal Visual Inspection, which checks all the physical elements;



wiring, damage, functions, interlocks etc. Other checks use test equipment to find problems that cannot be seen, such as faulty insulation or protective conductor. A simple kettle with a broken protective conductor could become potentially lethal if the heating element breaks down.

Only use external companies in recognised trade organisations, such as the Electrical Contractors Association (ECA), or who have achieved Standard ISO 9002, external auditing of performance.

Further information

enquiries@safetest.co.uk
www.eca.co.uk
www.hse.gov.uk/electricity

Case Study

A paper firm was fined £6,000 over an accident in which a worker lost his arm after it became caught in machinery. International Paper (UK) Limited of Inverurie pleaded guilty to a breach of Section 2 of the Health and Safety at Work Act 1974.

The machine assistant was hurt when a paper break occurred which meant the paper had to be re-fed – known as tail feeding. While attempting to throw the sheet of paper into the machine, the man was pulled into the workings by the paper which had wrapped itself around his left arm.

Investigation of the incident by HSE identified that the safety barrier provided was completely inadequate as a means of preventing access to the dangerous parts of the machine.



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PPE & OUTDOOR WORKING

Exposure to the sun can cause skin damage such as blistering and in extreme cases, even skin cancer, which has become the most common form of cancer in the UK.

Workers may also be in danger of becoming overheated due to working in high temperatures while wearing Personal Protective Equipment (PPE), but taking off their PPE while working is not an option.

Legislation

Although there is no legal obligation for employers to provide sunscreen or sunglasses for outdoor workers, they should consider providing sun protection advice as part of the health and safety training.

Under Regulation 4 of the Personal Protective Equipment at Work Regulations 1992, employees must be provided with 'suitable' PPE which is appropriate for conditions in the workplace. In terms of suitability, the code of practice suggests that consideration be given to environmental factors such as the weather, if working outside.

Regulation 11 of the Workplace (Health, Safety and Welfare) Regulations 1992 provides that all outdoor workstations should, so far as is reasonably practicable, provide protection from adverse weather conditions.

Other applicable legislation:

- Health & Safety at Work etc. Act 1974
- Management of Health and Safety at Work Regulations 1999

Although all workers should take steps to protect themselves, employers are under a duty to consider implementing measures, outdoors or indoors, such as:

- Shading employees from direct sunlight
- The provision of fans or air-cooling equipment
- Ensuring hats and other suitable clothing is worn
- Suitable rest breaks
- Scheduling work during a cooler time of day or year
- Additional supplies of drinking water
- Educating workers

PPE considerations

Waterproof and weatherproof clothing only falls within the PPE Regulations if it is necessary to protect the wearer from health and safety risks due to adverse climatic conditions.

Specialised personal protective clothing may incorporate, for example; personal cooling systems or breathable fabrics which can help protect workers in certain hot environments.



Cooling Skull Wrap

www.legislationwatch.co.uk/prod123

However, protective clothing or respiratory protective equipment is often required when there will be exposure to some other hazard at work, which may increase the risk of heat stress.

If this is the case, the HSE advises that:

- Because PPE is the last resort after other methods of protection have

been considered, it is important that users wear it at all times, no matter what the conditions

- If PPE must be worn, make sure that workers are not wearing more PPE than is required for their protection
- Employers can encourage workers to remove personal protective equipment when resting to help encourage heat loss
- Employers should check regularly to ensure PPE is being used
- Safety signs can be useful reminders to wear PPE

Further information

<http://www.hse.gov.uk/temperature/thermal/controlling.htm>

HSE – Sun protection: advice for employers of outdoor workers: www.hse.gov.uk/pubns/indg337.pdf

A Short Guide to the Personal Protective Equipment at Work Regulations 1992 – Rev 1 can be downloaded at: www.hse.gov.uk/pubns/indg174.pdf

Case Study

Three road workers were sacked for taking off their personal protective equipment. The three men, who had been working on a railing at the side of the road, took off their hard hats and jackets when temperatures rose to 27°C (80°F). They were photographed by a health and safety officer and subsequently sacked by employers, Amey Lafarge, for gross misconduct.



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Hygiene factors

Food being offered within the workplace should be prepared in accordance with the Food Safety Act 1990, which is the principal food control measure in the UK, advises Jagdeep Tiwana of Berwin Leighton Paisner.

Legislation

- Food Safety Act 1990
- Food Labelling Regulations 1996
- Food Labelling (Amendment) Regulations 1999 and 2003
- Food Labelling (Amendment) (No. 2) Regulations 2004
- Food Safety Act 1990 (Amendment) Regulations 2004 implementing Regulation EC 178/2002
- Genetically Modified Food (England) Regulations 2004 implementing Regulation EC 1829/2003
- General Food Regulations 2004 implementing Regulation EC 178/2002
- Regulation (EC) 852/2004 on the Hygiene of Foodstuffs
- Regulation (EC) 853/2004 on Hygiene Rules for Foods of Animal Origin
- Food Hygiene (England) Regulations 2006 (SI 2006/14)
- Regulation (EC) 1924/2006 on Nutrition and Health Claims

Temperature controls

Controlling temperatures is one of the most significant ways of ensuring food

safety. As of 1st January 2006, this area has been governed by various EC Regulations setting out requirements for foods that are likely to support the growth of pathogenic micro-organisms or the formation of toxins at temperatures that would result in a risk to health. In particular, they stipulate when foods must be kept chilled, e.g. dairy products, cooked products containing meat, fish or egg, sandwiches and cooked rice.

Penalties

For a conviction under food law, the penalties can range from a fine of up to £20,000 and/or six months' imprisonment in the lower courts, to an unlimited fine and up to two years' imprisonment in the higher courts.

A food safety checklist should include:

- Are the premises registered with the competent authority?
- Does the construction and layout of the premises comply with the Hygiene Regulations?
- Are suppliers reputable and reliable?
- Have the critical control points been identified, controls put in place and details of the procedure recorded?

- Have the staff been properly trained in all aspects of food safety, hygiene and temperature control?
- Is there a detailed cleaning schedule in place?
- Is waste picked up on a regular basis?
- Are there adequate pest control measures in place?
- Is equipment regularly cleaned and inspected? (This is particularly important for oil filtration systems.)
- Are proper temperature controls in place?
- Are all of the above steps documented?

Case Study 1

Kentucky Fried Chicken (KFC) admitted breaching hygiene rules at a branch in Leicester Square. It admitted having inadequate pest control at the branch, failing to provide adequate handwashing facilities and failing to keep the restaurant clean and in good order. Environmental health inspectors from City of Westminster Council found cockroaches, mice and flies during an inspection of the branch in 2008.



Toilets and washroom provision

The Workplace (Health, Safety and Welfare) Regulations 1992 supported by a Code of Practice, give precise details regarding the numbers of toilets and hand basins which should be made available to employees, based on their numbers and sexes. In addition, reasonable adjustments in accordance with the Disability Discrimination Act 1995 are essential to ensure access to washroom facilities, says Andrew Johnston of PHS Washrooms.

The Regulations specify that the provision of washroom equipment includes basic minimum standards, including:

Water and soap dispensers

Regulation 21 of the Regulations states that 'washing facilities ... must include soap or other suitable means of cleaning'. In addition, facilities must provide 'a supply of clean hot and cold, or warm, water (which shall be running water so far as is practicable)'.



Go to www.legislationwatch.co.uk/prod124

Sanitary disposal

The Approved Code of Practice for Regulation 21 advises that 'in the case of water closets used by women, suitable means should be provided for the disposal of sanitary dressings'.



Go to www.legislationwatch.co.uk/prod125

Paper dispensers and warm air dryers

Regulation 21 of the Regulations states that 'washing facilities ... must include towels or other suitable means of drying'.



Go to www.legislationwatch.co.uk/prod126

Toilet roll holders

The Approved Code of Practice for Regulation 21 advises that in the case of water closets, 'toilet paper in a holder or dispenser ... should be provided'.



Go to www.legislationwatch.co.uk/prod127

Case Study 2

A building firm boss was fined £2,000 and ordered to pay costs of £1,215 for not providing adequate toilet and washing facilities for staff on a construction site. Bridlington Magistrates Court heard a toilet unit was not plumbed in and there was no water supplied to sinks in a cabin or adjacent toilet compartment at the construction site for a pair of cottages at High Green, Bridlington. Following the initial HSE inspection, an Improvement Notice was served requiring the provision of suitable toilet and washing facilities. On a subsequent site visit it was found that the requirements of the Improvement Notice had not been complied with. A sewage outlet had been provided to the toilet, but there was no water supply to the unit. Neither was there any water available at the sinks in the cabin or the adjacent toilet compartment and no soap or towels were available.



Legislation

- Environmental Protection Act (Duty of Care) Regulations 1990 (amended 1991).
- Water Industry Act 1991.
- Workplace (Health, Safety and Welfare) Regulations 1992.
- Disability Discrimination Act 1995.

Further information

Food Standards Agency:
www.food.gov.uk

Chartered Institute of Environmental Health:
www.cieh.org.uk

Industry Guide to Good Hygiene Practice: Catering Guide, Chadwick House Group, 1997.
ISBN: 0 900 103 00 0.

HSE: L24 – Workplace health, safety and welfare, approved code of practice and guidance.
ISBN: 0 7176 0413 6.

Environment Agency:
www.environment-agency.gov.uk

Carbon commitment and energy management

The Carbon Reduction Commitment (CRC) came into effect at the beginning of April 2010 and is a mandatory carbon trading scheme for businesses, aimed at stimulating energy efficiency and delivering carbon reductions.



The scheme is aimed at organisations whose annual half-hourly metered (HHM) electricity use is at least 6,000 Megawatt hours (MWh) – typically those that spend £500,000 a year on electricity, although all organisations that have a half-hourly meter will be required to participate in some way.

Organisations who qualify must register or make an information disclosure by 30th September 2010. The Environment Agency has responsibility to enforce the CRC and if an organisation fails to register, they may be liable to a fine of up to £5,000 plus £500 per day until they successfully register.

Legislation

- Buildings Regulations 2000
- EU Regulation on a Revised Community Eco-Label Award Scheme 1980/2000
- Eco-Design for Energy-using Products Regulations 2007
- Energy Information and Energy Efficiency (Miscellaneous Amendments) Regulations 2007
- Climate Change Act 2008

EPBD recast

Under the EU Energy Performance of Buildings Directive (EPBD), which was transposed into legislation through Part L of the Building Regulations, there has been a requirement in England and Wales since 1st October 2008 to produce an Energy Performance Certificate (EPC) whenever a building is built, sold or rented out.

An EPC provides the asset rating of a property, while Display Energy Certificates (DECs) – required for larger public buildings – provide the operational rating.

Following assessments of the effectiveness of the EPBD, the EU Commission agreed to recast the Directive to simplify and clarify it on 17th November 2009. EU Member States will have two years to implement the proposed changes once the EPBD is revised.

For anyone managing a building the most noticeable changes will require:

- Far more stringent checking of EPCs and DECs
- Part L being revised by October 2010
- The inspection of all air conditioning systems over 12kW by January 2011

Top Tips

Whether your organisation qualifies to participate in the CRC or not, all businesses, large or small, should apply energy-saving practices.

The Business Link guide to Climate Change offers the following advice:

- Take regular meter readings and compare consumption to previous months
- If you're comparing fuel used for heating your premises, take into account how cold it has been. The colder the period the more energy you will use
- If you're comparing energy used in production, take into account how much has been produced. The best

way to do this is to record energy use per product item

- Take regular readings of energy consumption and product output. Plotting these against each other over time will allow you to monitor any patterns and identify any changes
- Regularly monitor your business processes which will highlight where you can reduce energy use. Consult with your employees and consider appointing an 'energy champion' to find new ways of reducing energy use

They should:

- Report any waste that they notice, e.g. equipment left on unnecessarily
- Contribute any ideas for improving the way things are done
- Report any concerns they may have regarding equipment operation and maintenance

Further information

CRC guidance: http://www.decc.gov.uk/en/content/cms/what_we_do/lc_uk/crc/user_guidance/user_guidance.aspx

EPBD recast: www.communities.gov.uk/publications/planningandbuilding/recastepbdconsultation

Advice on cutting your organisation's carbon emissions: www.carbontrust.co.uk/cut-carbon-reduce-costs/pages/default.aspx

CO2 Calculator. Find out how much CO2 you create and reduce your carbon footprint: www.direct.gov.uk/actonco2

Plug In Power & Energy Monitor

Measure the power consumption and running costs of your appliances. Set by day or blocks of days and time.



Go to www.legislationwatch.co.uk/prod128



Health and Safety
Executive

Slips, trips & falls

Slip, trip and fall incidents in the workplace cost 40 workers their lives and accounted for over 15,000 major injuries last year, says Alison Wellens, Head of the Slips, Trips and Falls Programme for the Health and Safety Executive (HSE).



Slips and trips are the most common cause of major workplace injury in Britain and more workplace deaths are triggered by falls from height than any other cause.

These figures highlight the very real and serious nature of preventable slips, trips

and falls in the workplace. Slips, trips and falls might sound funny, but they shatter the lives of thousands of British workers every year.

As well as the tragic human cost, preventable slips, trips and falls are having a serious financial impact on the UK. We estimate that the combined financial costs incurred by society as a whole is around £800m a year. In a bid to reduce these incidents, we recently re-launched the 'Shattered Lives' campaign. It aims to educate employers and employees about how easily incidents can happen and the simple, often cost-effective measures that can help to reduce them.

The campaign uses striking images of workers 'shattering' body parts to show how devastating these incidents

can be. The campaign is now in its third year and we are keen to build on the momentum of the two previous phases. We want to encourage businesses to take action and help by providing practical advice to enable them to do so.

The campaign is targeted at sectors where there are a high number of slips, trips and falls incidents each year, specifically health and social care, education, food manufacturing, food retail, catering and hospitality, building and plant maintenance and construction.

On our new campaign website, people can find out information on how to reduce the risk of slips, trips and falls in the workplace and see what other organisations, such as Sainsbury's and First Line Digital, have done.



The campaign uses striking images of workers 'shattering' body parts to show how devastating these incidents can be.

shatter lives

Included on the site is a slips and trips e-learning tool (STEP) and a work at height access equipment information toolkit (WAIT).

Advice ranges from how to deal with spills and other slip risks in the STEP tool, to how to select the most appropriate access equipment for occasional work at height in the WAIT toolkit.

Most managers know that their business needs to tackle health and safety risks and most have

precautionary measures in place. Depending on the degree of risk and the size of business, they may include a policy document and practical arrangements to recover a situation by, for example, cleaning up spillages.

Over time, however, complacency can creep in and without proper awareness of slip, trip and fall risks and how to manage and prevent them, new and existing workers may not appreciate the value of such arrangements.

The 'Shattered Lives' campaign and the free online tools provide businesses with an opportunity to re-visit their policies and practical arrangements.

Further information

www.hse.gov.uk/shatteredlives

Revised Waste Framework Directive



The Waste Framework Directive (WFD) was originally introduced in 1975 and brought waste management controls throughout the European Union, explains Colin Malcolm Principal Consultant, Environment, at Workplace Law Group.

Several subsequent revisions to the WFD have occurred and the most recent of these entered into force on 12th December 2008. Article 40 of this revision requires Member States to bring into force the laws, regulations and administrative provisions necessary to comply with this Directive within two years.

The Department for Environment, Food and Rural Affairs (Defra) is responsible for transposing the revised Waste Framework Directive in England; and the Welsh Assembly Government (WAG) is responsible for its transposition in Wales. Under European law, the UK will be required to comply with the revised Waste Framework Directive (Directive 2008/98/EC) in England and Wales (WFD) by 12th December 2010.

The revised WFD is the subject of a two-stage consultation exercise. The first stage consultation, which requested views on the revised WFD provisions as summarised below, closed on 9th October 2009 and a report summarising the consultation responses is currently available from the Defra website.

The second stage involves consultation on the regulations required to ensure full and correct transposition of the WFD. The second stage consultation documentation at the time of going to press has not yet been published.

Objective

The overall objective of the revised WFD is to protect the environment and human health by preventing or reducing the adverse impacts of the generation and management of waste and by reducing overall impacts of resource use and improving the efficiency of such use. To achieve this objective, the revised WFD re-enacts, repeals or revises three existing Directives:

1. **The existing Waste Framework Directive**
2. **The Waste Oils Directive**
3. **The Hazardous Waste Directive**

Key issues

The revised WFD contains many separate articles that will influence the way in which waste will be managed. The key issues that are likely to affect businesses are outlined below.

Article 4 provides revised definitions on the Waste Hierarchy and how its hierarchical requirements, i.e. waste prevention, preparing for reuse, recycling, other recovery and finally disposal can be more effectively integrated into waste management practices. As the true cost of waste is approximately ten times the cost of disposal alone, the benefits of adopting the waste hierarchy methodology should already be well integrated into the waste and resource management arrangements of businesses.

Article 8 introduces discretionary provisions related to extending producer responsibility as a means to strengthen the re-use, prevention, recycling and other recovery of waste. Many businesses will already be familiar with producer responsibility waste legislation, such as Waste Electrical and Electronic Equipment; End of Life Vehicles; Packaging and Packaging Waste and Batteries and Accumulators. The revised WFD does not specifically address any new activities that will be covered by producer responsibility Directives; rather the emphasis is on firming up commitments towards future policy direction in this area.

Article 11 (1) encompasses several issues regarding the increase of re-use and recycling practices. This includes the promotion of networks and economic instruments and Defra's initial view is that existing initiatives will demonstrate compliance, particularly as the UK has a strong performance in this area via organisations such as the Waste and Resources Action Programme (WRAP) and third sector organisations such as Freecycle.

Articles 17-20 relate to hazardous waste and most of the provisions are consistent with existing regulations, such as the Hazardous Waste (England and Wales) Regulations 2005. However, three notable changes are proposed and these include the addition of a new property (H13: Sensitizing – substances and penetrations which, if they are inhaled or ingested or if they penetrate the skin, may induce non-hereditary congenital malformations or increase their incidence) and the re-numbering of H13 to H15. The third change provides derogation from the ban on mixing hazardous waste and, in particular, only allows mixing where the permitted mixing operation conforms to best available techniques.

Article 21 repeals the Waste Oils Directive with effect from 12th December 2010, although some of the Directive provisions are re-enacted into the revised WFD. Member states are required to ensure that waste oils are treated in accordance with Article 4 (Waste Hierarchy).

Article 22 relates to bio-waste and there is a clear commitment to develop the separate collection, treatment and subsequent use of materials produced from bio-waste. This article is particularly responsive to the negative environmental impacts associated with bio waste disposal to landfill.

Businesses need to keep up to date with progress on the Stage 2 consultation and, particularly, how the final interpretations released on 12th December 2010 will impact on their waste management and compliance strategies.

Further information on Revised Waste Framework Directive

<http://www.defra.gov.uk/corporate/consult/waste-framework/index.htm>



Colin Malcolm
Colin.malcolm@workplacelaw.net
07818 591 991



When a burn occurs, seconds count.

Around 175,000 people visit accident and emergency departments for burn injuries each year and 16,100 (over 10%) are admitted to hospital.



A burn is an injury to the skin tissue, usually caused by contact with intense wet or dry heat, electricity or chemicals. There is no cure for a serious burn injury. Serious burns are for life and depending on the severity of the burn, the injured person may never be able to return to gainful employment again.

Treating a burn as soon as it happens can minimise scarring and even save lives. When it comes to emergency first

aid treatment, WATER-JEL products are the most effective solution. By applying the gel as soon as possible, the heat of the burn is dissipated to relieve the pain, cool the skin and prevent airborne contamination. From New York's Ground Zero on 9/11 to the London bombings, WATER-JEL has brought emergency relief to countless burn victims worldwide. Because when a burn occurs, seconds count.

In the industrial setting do you know your temperatures?

The thicker the liquid, the greater the temperature required to bring it to boiling/melting point.

PVC	80°C
Water	100°C
Linseed Oil	287°C
Cooking Oil	≥300°C
Tar	300°C
Aluminium	660°C
Copper	1084°C
Cast Iron	≥1200°C
Carbon Steel	1500°C
Stainless Steel	1510°C
Iron	1536°C
Titanium	1670°C
Tungsten	3400°C



When Seconds Count

Watch the video online!

WATER-JEL CEO uses a Water-Jel Burn Dressing to shield his arm from the searing heat of 2,600°C blowtorch.



Go to www.legislationwatch.co.uk/waterjel



Burn Dressings

Cool and soothing, these sterile dressings can be used by any first aider.



Go to www.legislationwatch.co.uk/prod129



Burns Kits

Easy-to-use one step burn treatment system provides instant cooling relief.



Go to www.legislationwatch.co.uk/prod130

Driving at work

Some 200 road accidents a week involve someone driving for work and around four in ten tiredness-related crashes involve someone driving a commercial vehicle.

Company drivers who drive more than 80% of their annual mileage on work-related journeys have 50% more accidents than similar drivers who do no work-related mileage, which is why, explains Kathryn Gilbertson of Greenwoods Solicitors LLP, "employers need to manage the use of both the company car driver and the person using his own vehicle for business by using risk assessments and a driving for work policy".

Legislation

- Health and Safety at Work Act 1974
- Road Traffic Act 1988
- Management of Health and Safety at Work Regulations 1999
- The Road Transport (Working Time) Regulations 2005
- The Health Act 2006
- Road Safety Act 2006
- The Smoke-Free (Vehicle Operators and Penalty Notices) Regulations 2007
- The Highway Code

According to health and safety legislation, employers should manage the at-work road journeys and other on-the-road work activities within their usual health and safety protocol. The main areas are:

- Working time
- Mobile phones
- Regulatory compliance
- Risk assessment
- Smoking

Case Study 1

A road haulage company director was jailed for seven years after one of his lorry drivers fell asleep at the wheel and killed three motorists. It was held that Melvyn Spree, a director of Keymark Services, encouraged and enabled his drivers to work dangerously long hours through fraudulent record-keeping and tachograph tampering.

For further guidance on working time issues: <http://www.dft.gov.uk/pgr/freight/road/workingtime/>

Case Study 2

The directors of the Buxton-based private care home, Adventure Care, were prosecuted through the criminal courts for using a car with defective tyres which crashed and burst into flames, killing two people in July 2007.

Aside from a fine of £4,000, the directors had to give evidence in front of the victims' families, when they admitted ignoring warnings by staff a month before the accident that two of the tyres were worn and needed replacing.

Further information

www.hse.gov.uk/roadsafety/index.htm

INDG382 Driving at Work: managing work-related road safety can be downloaded from www.hse.gov.uk/pubns/indg382.pdf

Managing Occupational Road Risk: The RoSPA Guide is available from RoSPA. Call 0870 777 2090, or visit www.rospa.org.uk

Think! Road Safety website: www.thinkroadsafety.gov.uk

Risk Assessment

Driving at work requires three types of risk assessment:

1. The driver
2. The vehicle
3. The route




A Guide to Fire Safety Signs




Offices

Safety Awareness Check List


Knowledge of risks:


	Do all occupants know of areas containing hazards e.g. electrical mains cupboard/box that may be situated in reception?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	---	------------------------------	-----------------------------

Understanding prohibition:


	Are there any areas that are restricted to authorised personnel?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	--	------------------------------	-----------------------------

Fire extinguishers:


	Are all fire extinguisher locations clearly marked?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	---	------------------------------	-----------------------------


	Is the class of fire identified on the body of the extinguisher?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	--	------------------------------	-----------------------------

Responsible behaviour:

	Do all occupants know of any areas where certain actions could increase risk, especially smoking prohibition?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	---	------------------------------	-----------------------------

Escape route management:

	Are all fire doors clearly marked? Fire doors should always be kept closed. Jamming them open is not allowed.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	---	------------------------------	-----------------------------

	Are all fire exits clear of obstructions?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	---	------------------------------	-----------------------------

Emergency Awareness Check List

The majority of Emergency Awareness Elements can be communicated using one sign – the Fire Action Notice. If used in conjunction with effective training this offers the most efficient forms of signing.




Go to www.legislationwatch.co.uk/prod133

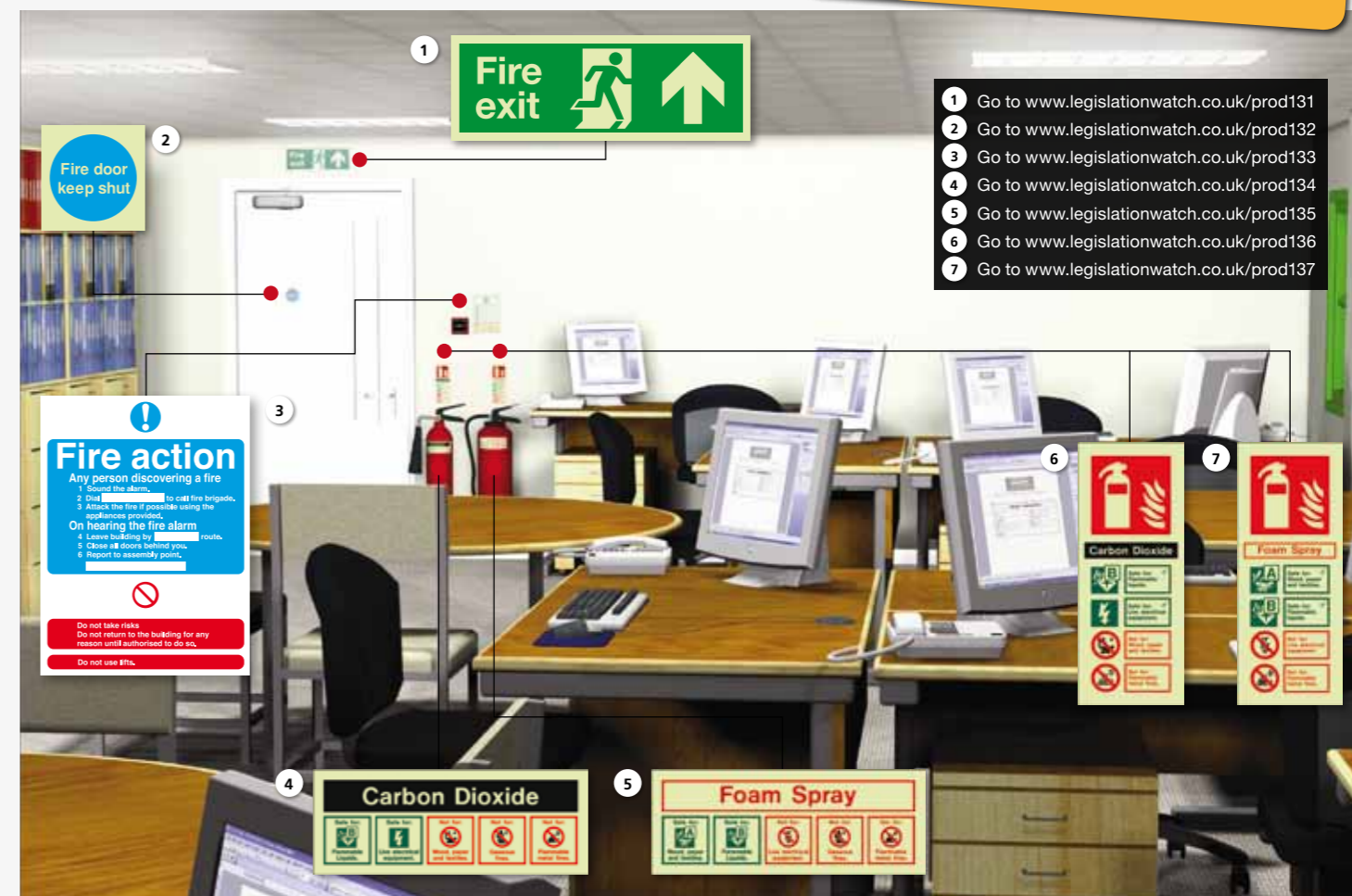
Do you have effective signage that communicates the following points to your visitors?

	Yes	No
1. Activate Alarm	<input type="checkbox"/>	<input type="checkbox"/>
2. Call the Fire Brigade	<input type="checkbox"/>	<input type="checkbox"/>
3. Extinguisher Activation	<input type="checkbox"/>	<input type="checkbox"/>
4. Occupants Evacuation	<input type="checkbox"/>	<input type="checkbox"/>
5. Assembly Point Arrival	<input type="checkbox"/>	<input type="checkbox"/>

Fire Authorities Arrival:

	Are there any gas valves or other risks e.g. propane gas heaters, that should be clearly marked for the fire services?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
---	--	------------------------------	-----------------------------

Assessment Area: Offices



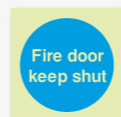
- 1 Go to www.legislationwatch.co.uk/prod131
- 2 Go to www.legislationwatch.co.uk/prod132
- 3 Go to www.legislationwatch.co.uk/prod133
- 4 Go to www.legislationwatch.co.uk/prod134
- 5 Go to www.legislationwatch.co.uk/prod135
- 6 Go to www.legislationwatch.co.uk/prod136
- 7 Go to www.legislationwatch.co.uk/prod137

There are a number of unique risks that are specific to general office areas such as plug overloads, waste bin fires, covering of heaters, blocked fire exits and propped open fire doors. If a fire was to break out in the office, the fire door will stop the fire spreading to the corridors and escape routes.

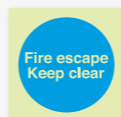
Key Points:



All fire exits should be clearly marked with signs.



If a fire was to break out in the office, fire doors are key elements in preventing the fire from spreading into the corridor/escape route and other parts of the building. Propping it open could cause the fire to spread.



Boxes, rubbish and unwanted items are often left in gangways and open areas. They should be removed to keep fire exit routes clear at all times, this is particularly crucial around all fire exits.




Clear identification of fire extinguishers is extremely important. Only staff with the appropriate training should attempt to fight small fires.

A Guide to Fire Safety Signs




Safety Awareness Check List


Knowledge of risks:


	Do all occupants know of areas containing hazards e.g. electrical mains cupboard/box that may be situated in reception?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	---	------------------------------	-----------------------------

Understanding prohibition:


	Are there any areas that are restricted to authorised personnel?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
---	--	------------------------------	-----------------------------

Fire Extinguishers:


	Are all fire extinguisher locations clearly marked?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	---	------------------------------	-----------------------------


	Is the class of fire identified on the body of the extinguisher?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	--	------------------------------	-----------------------------

Responsible behaviour:

	Do all occupants know of any areas where certain actions could increase risk, especially smoking prohibition?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	---	------------------------------	-----------------------------

Escape route management:

	Are all fire doors clearly marked? Fire doors should always be kept closed. Jamming them open is not allowed.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	--	------------------------------	-----------------------------

	Are all fire exits clear of obstructions?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	---	------------------------------	-----------------------------

Emergency Awareness Check List

The majority of Emergency Awareness elements can be communicated in one sign. This type of fire action notice offers the main objectives for staff, visitors and contractors should know whilst in your premises.




Go to www.legislationwatch.co.uk/prod144

Do you have effective signage that communicates the following points to your visitors?

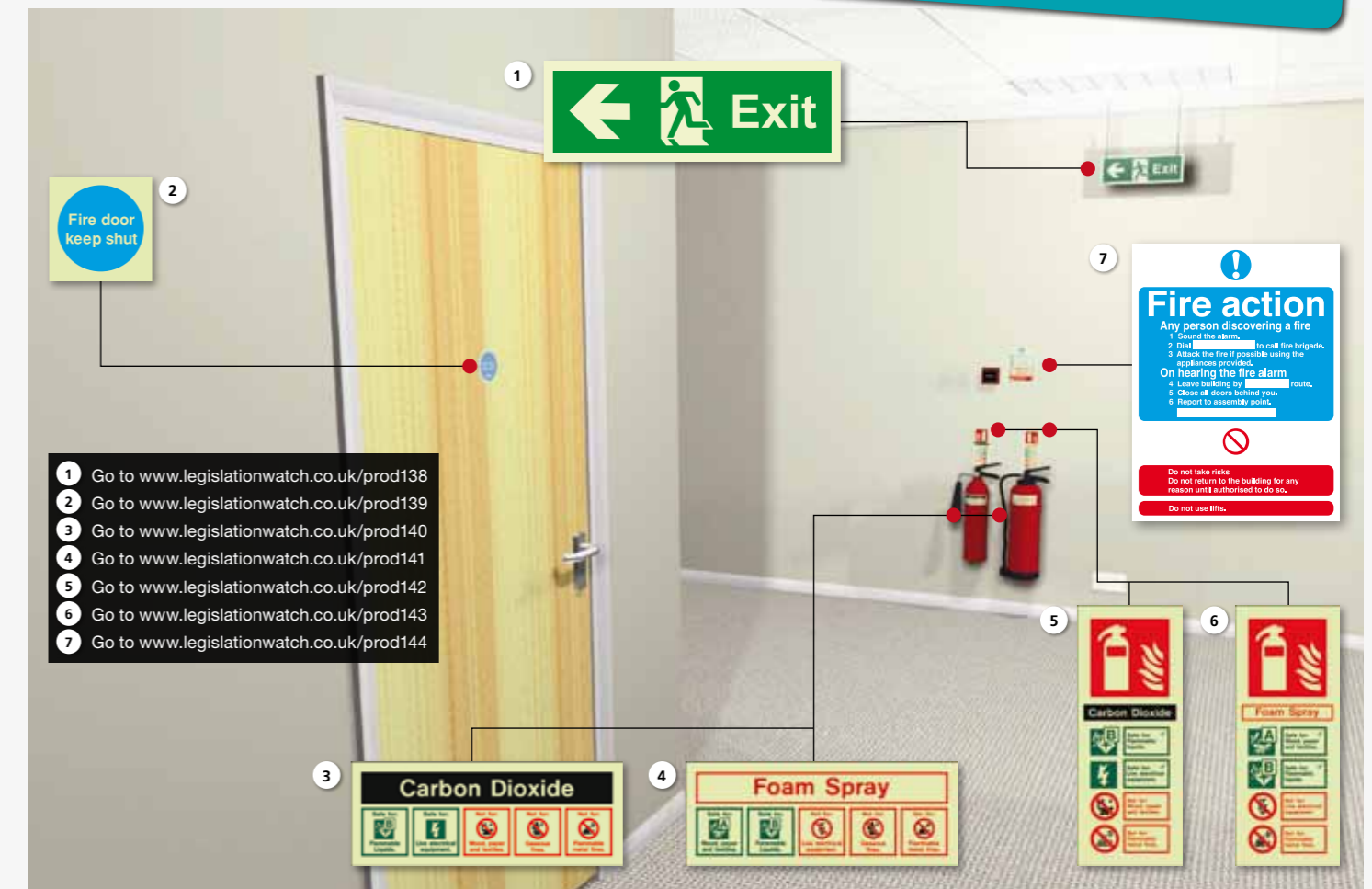
1. Activate Alarm	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2. Occupants Evacuation	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3. Assembly Point Arrival	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Once a visitor has activated the alarm they should evacuate the building and go to the assembly point. Emergency behaviour requirements should be kept as simple as possible.

Fire Authorities Arrival:

	Are there any gas valves or other risks e.g. propane gas heaters, that should be clearly marked for the fire services?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
---	--	------------------------------	-----------------------------

Assessment Area: Corridors



Corridors are part of the main route to safety in an emergency but can be a labyrinth of avenues leading to many different areas. The common risks include items such as boxes, rubbish and furniture blocking the route, fire doors being propped open and poor escape route signing.

Key Points:



Corridors often lead in many different directions so displaying clear directional exit route signing is critical. These signs should show the shortest route to safety from any given point in the corridor system.



If a fire was to break out in the office, fire doors are key elements in preventing the fire from spreading into the corridor/escape route and other parts of the building. Propping it open could be fatal as leaving it open will cause the fire to spread.



Clear identification of fire extinguishers is extremely important. Only staff with the appropriate training should attempt to fight small fires.

Q&As

Your questions answered by the experts at Workplace Law...

Q. With warehouse racking, are there any requirements for an annual independent inspection?



A. There is a requirement for an annual inspection of warehouse racking systems. Guidance states that to warrant the safety of the racking system and determine damage, it is good practice to implement a series of inspections, the frequency of which will be determined by a variety of factors peculiar to the site and the specific operating conditions of the warehouse. Always keep a record of inspections, damage and repairs in a logbook.

Q. Legally, do we have to carry out ladder checks on a regular basis and a log on the ladder, or are regular checks made by the user sufficient?



A. There is no legal requirement to keep a ladder log; however, under the Provision and Use of Work Equipment Regulations, the employer is required to ensure that all work equipment is maintained and in good working order. Keeping a ladder log would assist in demonstrating compliance. A ladder tag can be attached to each ladder detailing the date of the last thorough inspection, which should be carried out by a competent person annually. In addition, ladder users should be able to identify any defects visually as part of ongoing use. It may be that more frequent thorough inspections are required where ladders are used in more hazardous conditions or environments.

Q. Is there any special guidance I need to give to staff regarding guide dogs in the workplace?



A. Although there is no specific guidance, it would be good practice to issue an internal company policy and information pack regarding guide dogs. The website www.guidedogs.org.uk/adviceandservices/work-and-guide-dogs provides information on how staff should behave towards the dog, including advice as to whether if the dog is with a visitor it should be left undisturbed next to the owner, or if the dog is to stay for a few hours in the workplace whether a suitable location should be provided for the dog.

Q. We have an employee who has been called up for jury service; however, he has just been notified that he may be required to sit on a lengthy trial, lasting up to 12 weeks. Can we claim anything off the Courts for the disruption caused and any losses incurred as a result of lack of staffing resources or indeed the cost of employing temporary cover? Although we are happy to pay him for the usual two weeks' jury service, we will be unable to pay him for the 12-week-trial.



A. Unfortunately there is no entitlement to compensation for loss of productivity or replacing the individual and the rules are that you have to give the employee the time off. You don't have to pay them at all, unless you wish to. The employee can claim expenses and loss of earnings allowance from the court. Some employers agree to a part payment, topping up the attendance allowance.

Have you got a Legal or Health & Safety question you'd like answered by the experts? Email cheryl@seton.co.uk and you might see it published in the next issue!

Win a HP Laptop!

All the answers can be found in this issue!

1. Which of the following is not classed as Manual Handling?

- a) Lifting
- b) Stretching
- c) Pushing

2. When is the deadline for businesses to register with the Environment Agency for the mandatory Carbon Reduction Commitment (CRC) scheme?

- a) 30th September 2010
- b) 30th November 2011
- c) 30th December 2012

3. How many people a year are killed by electrically related incidents in the workplace?

- a) 5 to 10
- b) 10 to 15
- c) 20 to 25

4. Complete the heading of our Guest Writers article this issue: "Slips, Trips and Falls -- "

- a) Splinter Lives
- b) Shatter Lives
- c) Fracture Lives

5. In this issue's 'Guide to Fire Safety Signs' what two areas are featured?

- a) Offices and Corridors
- b) Warehouses and Canteens
- c) Shop Floors and Sleeping Areas

The Compaq HP 530 Laptop has all the features you need for a portable multimedia system on the move.

Specification: HP Compaq 530, Intel Celeron M 1.6GHz, 15.4" BrightView Widescreen, 1GB Ram, 120GB Hard Drive, DVD+/-RW +R DL, WiFi 802.11b/g, Windows Vista Home Edition. 1 Year HP Warranty.



NEWS ROUND UP

Height risks at sites

Nearly one in four of the construction sites visited by the HSE during March failed safety checks. A total of 691 enforcement notices were issued at 470 sites, with inspectors giving orders for work to be stopped immediately in 359 instances for either unsafe work being carried out at height or where sites lacked 'good order'. The majority of all notices issued were related to unsafe work being carried out at height.



Rise in mental health illness

A new report suggests that rising mental health illness among UK workers is directly attributable to worries related to the economic downturn. The study by charity, Elizabeth Finn Care, and Roehampton University, found that 47% of people have experienced depressive symptoms during the recession – some four to five times higher than levels recorded before the slump.



Guard-rail fall

A waste management firm has been fined £12,000 after a guard-rail gave way, resulting in a worker falling nearly 3m and breaking his spine in two places. AB Waste Management Ltd was prosecuted by the HSE for the safety failing.

The company pleaded guilty to breaching Regulation 5 of the Provision and Use of Work Equipment Regulations 1998 and was also ordered to pay £1,836 in costs.



New Tower Crane Regulations

New Regulations have come into force requiring the HSE to be notified of conventional tower cranes being installed on construction sites. The new Regulations place the duty to notify on the employer; require notification of the relevant information within 14 days of thorough examination of the crane; require cranes already erected when the Regulations came into force to be registered within 28 days; and allow electronic notification via the HSE.

Teachers call for maximum working temperature

Teaching union NASUWT has added to calls to introduce an upper temperature limit in workplaces. A NASUWT survey found that 94% of members feel they have worked in excessively high temperatures during the summer and 83% feel they have worked in excessively cold temperatures in winter. In 63% of reported cases the temperature issue was not resolved appropriately.



Firefighter deaths

Investigations are underway into the deaths of two firefighters. James Shears, 35, and Alan Bannon, 38 died when tackling a fire at a block of flats in Southampton. The Fire Brigades Union (FBU) said an investigation is already underway. The HSE is also conducting an investigation, as is the Fire Service in conjunction with Hampshire Constabulary.



Trench collapse

A building firm has been fined £5,000 after a worker was injured and trapped for more than two hours when the trench he was in collapsed.

Vickers Construction Limited, of Yarm Road, Eaglescliffe, was also ordered to pay costs of £3,178.10 at Darlington Magistrates' Court after pleading guilty to breaching Section 2(1) of the Health and Safety at Work Act 1974.



Caught on camera

Footage filmed for a TV documentary about medics helped secure a conviction after the death of a 25-year-old. Regentford Ltd was fined £250,000 after being convicted of breaching Section 2(1) of the Health and Safety at Work Act 1974 and ordered to pay costs of £71,603.01. The victim was re-pointing brickwork when he fell from scaffolding. When the HSE went to investigate the scaffolding had been removed, but a BBC television crew who were filming the documentary 'Trauma', had accompanied the medical staff attending the site and the footage showed scaffolding in very poor condition with insufficient guard rails and an inadequate working platform.

Fire hazard

A hazardous waste recycling company has been fined £40,000 for failing to safeguard flammable liquid used in an arson attack on the business.

BCB Environmental Management Limited pleaded guilty to breaching Regulations 6 and 7 of the Dangerous Substances and Explosive Atmospheres Regulations 2002 (DSEAR) after illegally processing drums of volatile chemicals close to unprotected electrical equipment and forklift trucks.



Lead poisoning

The HSE has issued a reminder on the dangers of exposure to lead paint in the workplace after two workers were admitted to hospital with acute lead poisoning. Blairish Restorations Ltd pleaded guilty to offences under Section 3 of the Health and Safety at Work Act 1974 and was fined £10,000 for failing to identify that lead paint was present during a renovation project.



Legionnaires' risk at care home

A care home company has been fined £5,000 for failing to have the required precautions in place to control legionella bacteria. SJ Care Homes Ltd was prosecuted by the HSE after the company failed to comply with an enforcement notice issued at one of its nursing homes.

Pregnancy safety concerns

A report by the charity, Working Families, has revealed ignorance of pregnant women's safety issues. It found many employers were unaware of their responsibilities to carry out health and safety risk assessments for pregnant women. The charity called on the Government to send a strong message to employers that they will "not tolerate poor and discriminatory treatment of pregnant mothers".

£100,000 fine for death of engineer

Hydro Aluminium Extrusion Ltd, of Caerphilly, Mid Glamorgan – which specialises in supplying aluminium extrusion and fabricated products – has been fined a total of £100,000 and ordered to pay costs of £13,375 following the death of the project engineer, who was struck by a shuttle car that transported finished aluminium products from the packing stations to the banding machine.

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LegislationWatch

Your Guide to Workplace Law and Legislation | Summer 2010 Edition

Inside this issue...

- ✓ Legal update calendar
- ✓ Manual handling tips
- ✓ Fire safety capabilities regulations
- ✓ PAT testing
- ✓ PPE & outdoor working
- ✓ Revised waste framework directive
- ✓ Driving at work
- ✓ Fire safety signs guide

...and much much more!