

LegislationWATCH

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

Don't slip up this winter!

According to IOSH the most common cause of winter work accidents is trips and slips, accounting for 38% of major injuries at work.

See pages 5-7 for more information

IOSH Advice

Health & Safety for small businesses

Pages 20-21

Toolbox Talk

Accident Reporting training slides

Page 4



Aarrgghh!



Letter from the Editor



Welcome to the second edition of Legislation Watch. We've had some great feedback on the first edition and lots of requests on what to feature, so we hope you enjoy our latest magazine packed full of up-and-coming legislation.

The unpredictable winter months present many health and safety challenges, we're at the hands of slippery ice, freezing temperatures and deep snow which can cause embarrassing falls and broken bones. It really doesn't take a lot to prepare your site for the worst of the winter weather, take a look at our tips and advice on pages 5-7.

We've had loads of requests asking if we can feature a Toolbox Talk to train staff on a particular subject, go to page 4 for details on how to download the FREE presentation on Accident Reporting and start training today! There will be a new one every quarter so drop me an email and keep those suggestions coming in.

If a colleague or somebody you know wants their own copy of Legislation Watch simply go to www.legislationwatch.co.uk and download as many copies as you wish. Don't forget to take part in the competition on page 10 for your opportunity to win a tour around a Formula 1 factory.

Cheryl
Cheryl Peacock, Editor
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Legal update

Workplace Pension Reforms

5th November 2009

The 'Workplace Pension Reforms: Completing the Picture Consultation,' which began in September, closes on 5th November 2009. The consultation seeks views on matters including scheme self-certification, qualification criteria for pension schemes and requirements to provide employees with information on auto-enrolment.



Road Safety Week 2009

23rd -29th November 2009

The theme of this year's Road Safety Week, sponsored by road safety charity, Brake, is 'Not a drop, Not a drag,' and encourages drivers never to drink any alcohol or take any illegal or impairing drugs before driving.

Trade Credit Insurance

31st December 2009



The Government's Trade Credit Insurance Top-up Scheme runs until 31st December 2009. Since 1st May, companies that have had their credit insurance cover reduced have been able to purchase six months' top-up cover under the Government Scheme, which is a short-term intervention that allows suppliers to either restore cover to the original level or double the amount they are able to obtain from the private sector up to the value of £2m (whichever is the lower).

Corporate Manslaughter

23rd February 2010

The first trial to be brought under the Corporate Manslaughter and Corporate Homicide Act 2007 will open in Bristol Crown Court on 23rd February 2010 and is expected to last six weeks. The case against Cotswold Geotechnical Holdings follows the death of one of its employees, Alexander Wright, a geologist, who was killed in September 2008, when a trench where he had been taking soil samples collapsed.

Director, Peter Eaton, has been charged with gross negligence manslaughter and for a breach of Section 37 of the HSWA. Cotswold's counsel indicated that it intends to plead not guilty to the charges.



Handbooks that offer essential guidance and up-to-date information on workplace law

Two handbooks have been created for 2010 to break down workplace law into dedicated subject areas:

- Premises Health & Safety
- Employment Law & Human Resources



Toolbox Talk

Toolbox Talks are a quick 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 shouldn't last 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.

Accident Reporting

Employers

As an employer, if any accidents or injuries take place on your premises, it's vital that a record is kept if you own or occupy any of the listed:

- A factory, mine or quarry
- Any premises where the Factories Act 1961 applies
- Any premises where 10 or more people are employed at the same time

If any of the above applies to your premises then it's essential you supply an accident book. All accidents leading to injury must be recorded in the book.

Employees

In the event of you injuring yourself at work, the law states that you must inform your employer as soon as possible. You need to record all details of any accident or incident in an Accident Book, this can be completed by yourself or someone else on your behalf.

How to use an Accident Book

M Mandatory BP Best Practice

- M** Data Protection Law insists that all personal information must be kept secure.
- M** Nominate a member of staff who will be responsible for storing completed accident records. Fill in the front cover of the accident book with their details.
- BP** Fill in the Book Number box on the front cover to ensure identification. If this is the first Accident Book it will be numbered 1, if it's the second book it will be numbered 2, etc.
- BP** Sequentially number each record form and the corresponding stub that will remain in the book once you have removed the completed record.
- M** Ensure that an accident record is completed directly after an accident, giving personal details and as much information about the accident as possible.
- M** Once completed, the accident record form must be detached from the book and handed to the nominated person to be stored securely in a lockable cabinet.
- M** Keep all empty accident records and corresponding book covers for a minimum of 3 years.



Go to www.legislationwatch.co.uk/prod39

FREE Toolbox Talk Training Slides!

We've put together a useful presentation that you can use to train your staff on how to use an Accident Record Book correctly

To download simply go to:

www.legislationwatch.co.uk/toolbox1



Winter Safety: trips and slips

According to the Institution of Occupational Safety and Health (IOSH) the most common cause of winter work accidents is trips and slips, accounting for 38% of major injuries at work – with over a quarter of injuries requiring three or more days off work.

What the law says

The Health and Safety at Work Act 1974 (HSWA) requires employers to take all reasonably practicable steps to ensure the health, safety and welfare of employees at work.

A number of different health and safety regulations impose more specific duties, including:

- Regulation 7 of the Workplace (Health, Safety and Welfare) Regulations requires that the temperature of all indoor workplaces is 'reasonable' during work hours.

The relevant ACoP goes on to explain that, subject to practicability, the temperature 'should provide reasonable comfort without the need for special clothing' and that the minimum temperature should be 16°C or, if much of the work is physical, 13°C.

- Regulation 11 provides that all outdoor workstations should, so far as is reasonably practicable, provide protection from adverse weather conditions.

Simon Toseland, Head of Health and Safety at Workplace Law, advises that employers reduce the risk of slips on ice, frost or snow by carrying out a risk assessment and putting in a system to manage that risk.



Continued...

He says:

"An organisation should first identify the outdoor areas used by pedestrians most likely to be affected by ice, for example building entrances, car parks, pedestrian walkways, shortcuts, sloped areas and areas constantly in the shade or wet."

There are a number of strategies suggested by the HSE for minimising the risks:

- Using grit or similar, on areas prone to be slippery in frosty, icy conditions;
- Consider covering walkways e.g. by an arbour high enough for people to walk through, or use an insulating material on smaller areas overnight; and
- Install signage to divert pedestrians to less slippery walkways and barrier off existing ones.

Other considerations

Lighting:

Is there enough lighting around your workplace for you and your workers to be able to see and avoid hazards that might be on the ground?

Wet and decaying leaves:

Wet or decaying fallen leaves can create slip risks in two ways; they hide any hazard that may be on the path and in themselves create a slip risk. Either remove leaves at regular intervals or consider removing the offending bushes or trees altogether.

Rain:

When fitting external paved areas ensure that the material used will be slip resistant when wet and use signage to warn people of areas that become slippery when wet.

Entrances:

Where it isn't possible to fit a canopy over a building entrance to help keep the ground dry, install large, absorbent mats or change the entrance flooring to one that is non-slip.

Ice, frost and snow:

Keep an eye on the temperature by using a weather service site, for example the Met office website www.metoffice.gov.uk/index.html

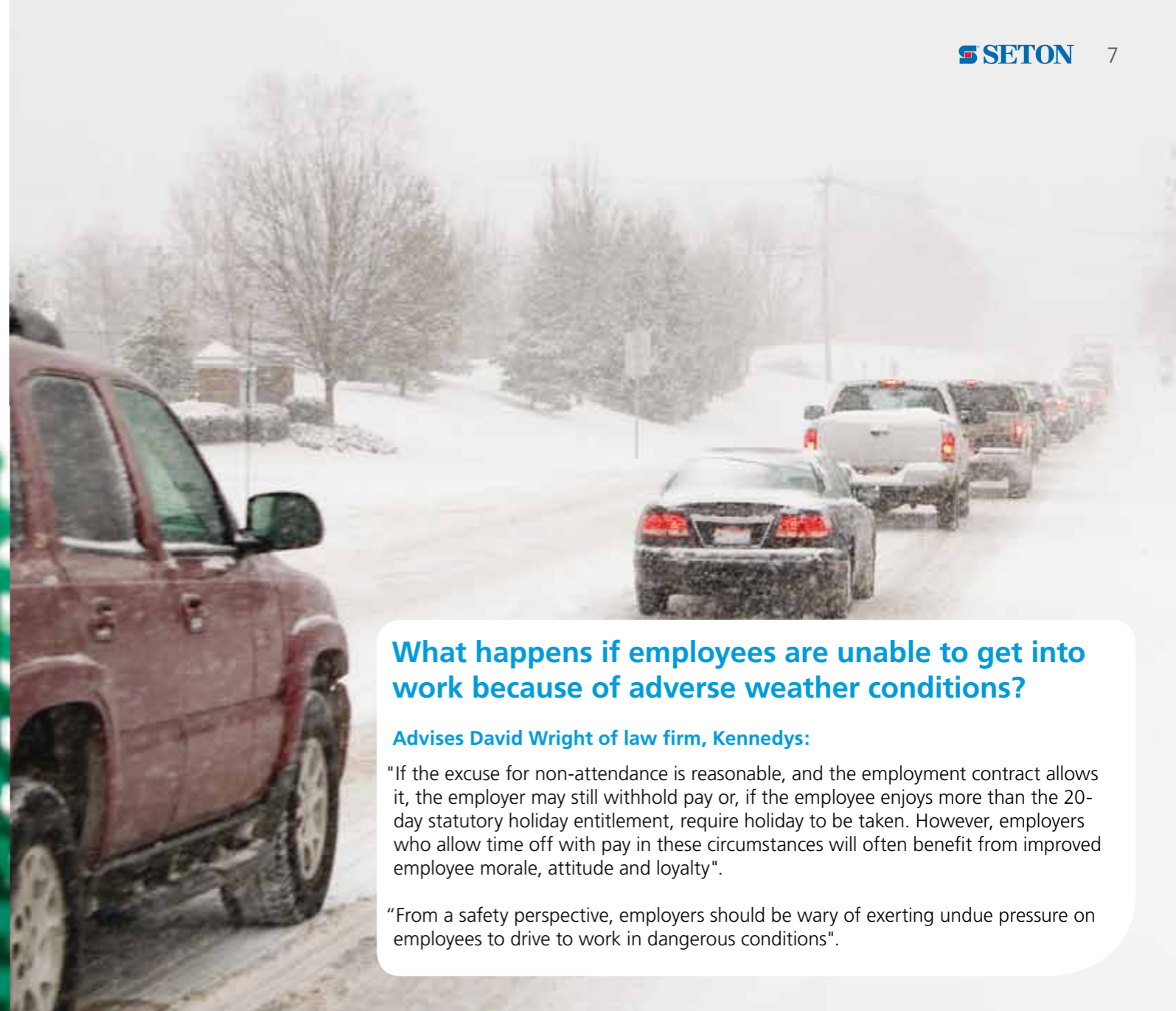
Gritting:

Rock salt (plain and treated) is the most commonly used 'grit', used on public roads by the Highways Authority. Gritting should be carried out when frost, ice or snow is forecast or when walkways are likely to be damp or wet and the floor temperatures are at, or below, freezing. Because salt doesn't work immediately, needing time to dissolve, gritting is best done early in the evening before the frost settles and/or early in the morning before employees arrive. It's advisable to pre-order bags of rock salt to ensure you're ready for a cold snap.

Case study: Icy conditions cause rise in accidents at university

A university noticed a notable rise in serious slip accidents, and the people most affected were those who arrived on site early in the morning, such as the cleaning and catering staff. It emerged that previously the grounds staff de-iced and salted the campus much earlier in the morning, but this incurred overtime pay. To reduce costs they started later in the day but this is when the number of accidents increased. By returning to the earlier start time slip and fall accidents on ice have stopped.

"Salt needs time to dissolve so gritting is best done early in the evening before frost settles".



What happens if employees are unable to get into work because of adverse weather conditions?

Advises David Wright of law firm, Kennedys:

"If the excuse for non-attendance is reasonable, and the employment contract allows it, the employer may still withhold pay or, if the employee enjoys more than the 20-day statutory holiday entitlement, require holiday to be taken. However, employers who allow time off with pay in these circumstances will often benefit from improved employee morale, attitude and loyalty".

"From a safety perspective, employers should be wary of exerting undue pressure on employees to drive to work in dangerous conditions".

Melting snow causes wet slippery floors

Slippery Surface Floor Stand



Go to www.legislationwatch.co.uk/prod42

Prevent ice from forming

De-icing Salt



Go to www.legislationwatch.co.uk/prod40

De-ice large areas quickly

'Atlas' Salt Spinner Spreader



Go to www.legislationwatch.co.uk/prod41

Protect your salt stock

Salt & Grit Bin Kit



Go to www.legislationwatch.co.uk/prod43

Noise at Work: Hear today gone tomorrow

Hearing loss caused by exposure to noise at work continues to be a significant occupational illness. Research estimates that 500,000 people in the UK suffer deafness, tinnitus or other ear conditions as a result of exposure to excessive noise at work. (HSE)

Under the Control of Noise at Work Regulations 2005 a new Limit Value of 87dB at the ear must not be exceeded, and hearing protection must be made available where the sound levels are at or above 80dB and strictly enforced where the sound levels reach or exceed 85dB.

Damage
Most injuries such as a blow to the head or debris in the eyes are felt immediately but hearing damage is not always painful or visible at the time of occurrence. Hearing damage is slow to occur; sometimes taking up to 8 years for the full effect to be noticeable, but it is totally irreversible and lasts forever.

Exposure to excessive noise levels can easily damage the sensory "hair" cells in the ear. These cells help process mechanical energy into the tiny electrical nerve impulses that the brain perceives as sound, damage to these cells therefore results in a loss of ability to hear certain sounds.

Protection
Hearing protection can play a vital role in avoiding employee ill-health and the possibility of costly future litigation against the employer. The law requires employers to provide hearing protection to employees who are exposed to 85dB (daily or weekly). Employers must also assess the risk to workers' health and provide information to those employees exposed to 80dB or more.

Case Study
A dyer who worked in a dyehouse for 15 years had a hearing check and was found to have 50% hearing loss at the age of 37. He now has problems using the phone, and needs an amplifier. Traffic is hard to hear unless he is right next to it, so crossing a road becomes stressful. When driving he often stays in 3rd gear too long as he can't hear the engine revving. Hearing loss could have been prevented with the use of hearing protection.

Noise at Work Regulations

The regulations require you as an employer to:

- Assess the risks to your employees
- Take action to reduce the noise exposure that produces those risks
- Provide your employees with hearing protection if you cannot reduce the noise exposure enough through other methods
- Make sure the legal limits on noise exposure are not exceeded
- Provide employees with information, instruction and training

Let 3M take care of your noise at work

3M Optime Alert System

3M's Optime Alert System helps you ensure your staff and visitors have the correct level of ear protection. Simply use the Sound Check Meter to find out your noise level and use the colour-coded chart to establish what hearing protection is required.

<85dB You don't have to wear hearing protection but it must be made available to all exposed persons



83dB-93dB Hearing protection is compulsory



87dB-98dB Hearing protection is compulsory. Ideal for high frequency noise



94dB-105dB Hearing protection is compulsory. Ideal for medium and high frequency noise

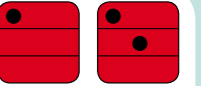


95dB-110dB Hearing protection is compulsory. Ideal for all frequencies



Sound Check Meter

Go to www.legislationwatch.co.uk/prod44



EAR™ Classic™ Foam Ear Plugs

Go to www.legislationwatch.co.uk/prod45



Peltor™ Optime™ III Ear Muffs

Go to www.legislationwatch.co.uk/prod46



EAR™ Soft 21 Ear Plugs

Go to www.legislationwatch.co.uk/prod47



Available in a number of ear plug types

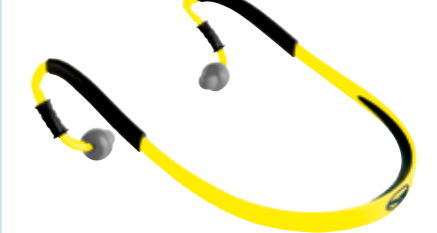
EAR™ One Touch Disposable Dispenser

Go to www.legislationwatch.co.uk/prod48



EAR™ Ultrafit™ 14 Ear Plugs

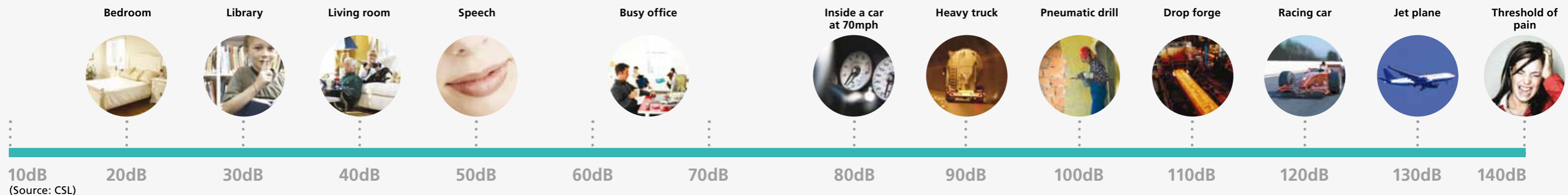
Go to www.legislationwatch.co.uk/prod49



3M™ Pulsar Banded Ear Plugs

Go to www.legislationwatch.co.uk/prod50

Typical Sound Intensity Levels: Along the scale are examples of noise found in every day situations



60 Seconds to WIN an **F1** Factory Tour

3M Eyewear offers superior quality protection and provides an optimal balance between style, comfort, protection and design.

WIN An F1 Factory Tour!

We've teamed up with **3M** to give you and a friend the chance to win a tour around a Formula 1 Factory!

For your chance to WIN simply visit: www.legislationwatch.co.uk/competition and answer the questions below.

- 1. What does PPE stand for?**
 - a) Personal Protective Equipment
 - b) Protective Passive Equipment
 - c) Personal Preference Equipment
- 2. Which European Standard does 3M's Eyewear comply to?**
 - a) EN374-2
 - b) EN20345-S1P
 - c) EN166:2001
- 3. What protection does 3M's Eyewear offer?**
 - a) UV protection
 - b) PU protection
 - c) CV protection
- 4. What are 3M lenses coated with?**
 - a) Anti-freeze coating
 - b) Anti-scratch coating
 - c) Anti-bacterial coating
- 5. How is 3M's Eyewear designed to look?**
 - a) Modern and stylish
 - b) Frumpy and dated
 - c) Cool and collected



Style

Style is a critical factor when it comes to raising the acceptance of personal protective equipment (PPE). 3M's range of eyewear gives you a variety of modern and stylish products to choose from.

Premium Protection

The premium range of safety spectacles offers the highest optical class. A broad range of eyewear products include durable anti-scratch and convenient anti-fog coatings. All safety spectacles and goggles by 3M offer reliable UV protection and are all approved to EN166:2001 and CE marked.

End User Comfort

Many of 3M's products have adjustable features and soft materials in points of contact in order to improve fit and comfort to accommodate different face sizes and shapes.



Marcus Gronholm Safety Spectacles

- Formable nose tips for extra comfort
- Hypoallergenic metal frames



Go to www.legislationwatch.co.uk/prod51



Tora Spectacles

- Curved lens for peripheral vision and side protection
- Weigh only 22g

Go to www.legislationwatch.co.uk/prod52

Metaliks Sport Spectacles

- 180° unobstructed vision
- Will fit all head shapes and sizes comfortably



Go to www.legislationwatch.co.uk/prod53

Confused by Health & Safety?

Get a FREE Health & Safety Check for your business

Brand New Free Service

Keeping up with all the new Safety Regulations can make legal compliance a very tricky task.

So, wouldn't it be useful to get yourself a FREE Health & Safety Check without any obligations? Look no further. Seton are now offering this service to all subscribers of 'Legislation Watch' whether you are new to Seton or an existing customer.

Here are some of the subjects we cover:

- Safety Policy and Procedures
- Risk Assessments
- Safety Training/Information for staff
- Displaying Legal Information
- Safety Signage
- First Aid Requirements
- Computer Operator Safety
- Safe Lifting
- Fire Safety

Why not give us a try?

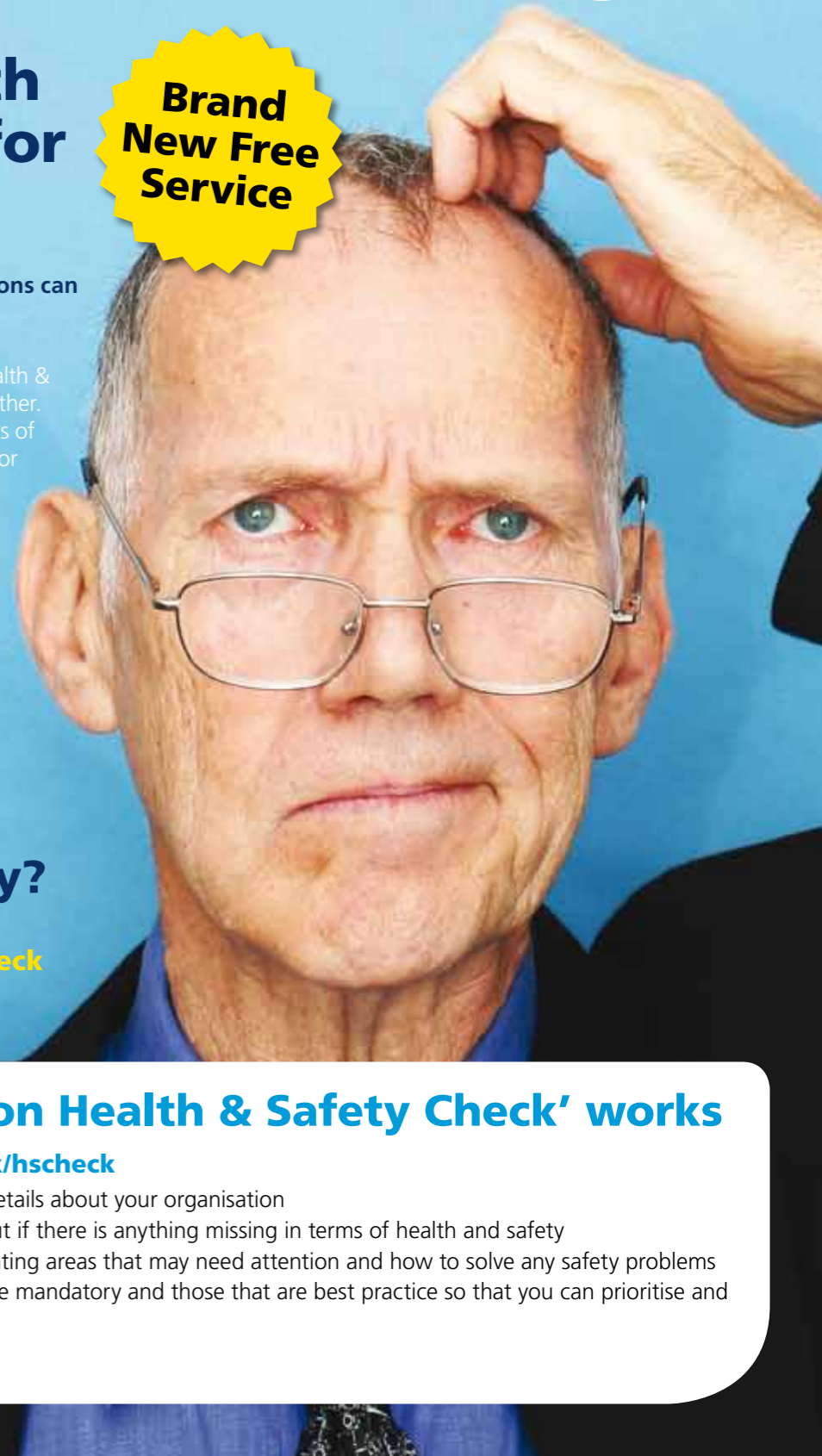
Go to www.legislationwatch.co.uk/hscheck today for free advice

Here's how the 'Seton Health & Safety Check' works

Go to www.legislationwatch.co.uk/hscheck

- You will be asked to provide us with some details about your organisation
- We will analyse the information and work out if there is anything missing in terms of health and safety
- Then we will send you a brief report highlighting areas that may need attention and how to solve any safety problems
- We will also separate out those items that are mandatory and those that are best practice so that you can prioritise and budget accordingly

...It really is as simple as that!



Health and Safety Training It's Your Choice

Every business has a legal 'duty of care' to look after the health and safety of employees

The Health and Safety at Work Act 1974 requires you to provide whatever training is necessary to ensure so far as is reasonably practicable, the health and safety at work of your employees. Health and safety training is particularly important when people start work, on exposure to new or increased risks and where existing skills may have become rusty or need updating.

Guidelines state that you must provide training during working hours and not at the expense of your employees. Remember that special arrangements may be needed for part-timers or shift workers. You need to assess the risks to your employees while they are at work and identify the measures you need to take to comply with health and safety law, which includes training and the provision of information.

The HSE states that there are still over 1 million work injuries every year, so the question has to be asked - 'could this figure be less if staff were better trained?'

David Adams of The Health and Safety Group is a seasoned trainer and has worked for a number of industries delivering Safety Training to employees. He says in his experience the secret to successful safety training is to ensure it is:

Relevant, Affordable and Accessible
"My role is to provide 'job related' skills on subjects that are 'risk related'. With budgets being continually challenged there is no place for ineffective training" says David "but costs can be controlled with the right strategy".

"Flexibility for delivering training is key. I also think that a lot of people forget that the choice of training is in our hands. The HSE openly invites industry

to choose the most effective type for our own purposes, so I try to use that to full effect".

David explores some popular formats of health and safety training:-

Classroom Training
"Whilst Classroom Training is comprehensive and thorough, I believe higher impact courses deliver better results. That is to say we try to fit in core content into three hour sessions and usually in the mornings. It certainly gets past the post lunch slump!" says David.

"I try to support in-house training as much as possible but many companies need a reliable outsource, this can really help through the peak training seasons".

David's watch-outs for classroom training:

- Full day classroom training can be very costly, taking a number of people out of the business can cost anything from £100 per person per course. This may not be practical.
- Some trainees say that one day courses are just too lengthy and often too dull. A large chunk of the information they receive may not be deemed relevant.
- Classroom training only occurs periodically. Are you going to allow staff to work untrained while they wait to get on a course?

On-Line Training Sources

"You can usually find a whole range of on-line training on the web and on CD format but I find that these are better for induction. Although some of these courses claim to be interactive beware that trainees can get very blasé about online training. It can get to a stage where staff simply 'go through the motions', never underestimate the human touch!"

Training Materials

"I find Training DVDs and Booklets make learning easier as well as more cost effective. These usually include induction information as well as a good variety of key safety essentials. I like these materials as they can deliver safety information quickly and at different levels, they also support my in-house training, particularly in specialised areas such as manual handling".

David's advice is to make health and safety training as varied and as colourful as possible. Whatever the subject, training can get boring, so freshening it up with a variety of training materials can make all the difference.



Top tips for successful Health and Safety Training:-

- **Create and Communicate Ownership/Responsibility.** This will help raise safety standards. Let staff know that behavioural change is one of the key outcomes.
- **Monitor the Results of Training.** Review effectiveness of training tools, processes and learning outcomes. Record behavioural changes. Simple safety audits can help achieve this.
- **Complete the Monitoring-Training Loop.** Reference it back to your policies and procedures.
- **Take Account of Staff Turnover.** Dealing with staff turnover rates of 10%-30% annually is not uncommon in the UK. Failure to deal with staff turnover can easily allow staff to be left out of the training loop altogether.
- **Manage the Cost of Training.** Watch out for the hidden costs such as keeping people away from their jobs. Use cost effective materials such as Safety DVDs and Booklets.



Health & Safety Training

'Compact Training Courses' from Seton

Health & Safety Training for staff is a legal requirement. A 'Compact Training Course' is a 3-4 hour 'high impact' safety course provided at your place of work.

- ✓ Health and Safety Awareness
- ✓ Fire Safety Awareness
- ✓ Fire Warden
- ✓ First Aid
- ✓ Manual Handling
- ✓ Construction Safety

For more info go to www.legislationwatch.co.uk/training



What are the most important Health and Safety items for a business?

This is one of our most commonly asked questions. How many boxes can you tick?

No.1

As an employer you are required by law to display a HSE Health & Safety Law Poster. The HSE launched a new simplified version of the poster in April 2009. The old poster should be replaced with the new poster by no later than 5th April 2014.



HSE Health & Safety Law Poster

Go to www.legislationwatch.co.uk/prod54

No.2

The Health and Safety (First Aid) regulations 1981 requires employers to provide adequate and appropriate first aid equipment, facilities and personnel. Minimum first aid provision on any work site is a suitably stocked first aid box and an appointed person to take charge of first aid arrangements.



First Aid Kit

Go to www.legislationwatch.co.uk/prod55

No.3

The law states all businesses with 10 or more employees must comply with the provisions of the Data Protection Act when reporting accidents. The DPA requires all personal details in accident books to be kept confidential. Accident books contain perforated forms that can be easily removed and stored.



Accident Record Book

Go to www.legislationwatch.co.uk/prod56

No.4

The Regulatory Reform (Fire Safety) Order 2005 places responsibility for fire safety within a building or premises on the employer or 'Responsible Person'. The Responsible Person must provide fire-fighting equipment, including portable extinguishers, hose reels and sprinklers where appropriate.



Fire Extinguishers

Go to www.legislationwatch.co.uk/prod57

No.5

All employers must use a safety sign where a risk would otherwise go uncontrolled. All premises must comply with the Regulatory Reform (Fire Safety) Order 2005 and clearly mark all emergency escape routes and exits with appropriate signs.



Fire Exit Signs

Go to www.legislationwatch.co.uk/prod58

No.6

Fire Action notices are required at all fire alarm call points. These notices should give clear and precise instructions of what occupants of that particular area of the building should do in the event of an emergency.



Fire Action Notices

Go to www.legislationwatch.co.uk/prod59

No.7

The Regulatory Reform (Fire Safety) Order 2005 requires the 'Responsible Person' to make alterations and to carry out appropriate risk assessments. Previously, a fire certificate used to be issued by the local Fire Authority but now there is a need for a comprehensive risk assessment.



Fire Risk Assessment

Go to www.legislationwatch.co.uk/prod60

No.8

If you employ five or more people (including any who work part time), the law says you must keep a written record of significant findings from your risk assessment. Keeping a record will save you time and effort when you come to review and update your fire risk assessment. It will also show that you have carried out a risk assessment if your premises are audited by the Fire and Rescue Service.



Fire Safety Log Book

Go to www.legislationwatch.co.uk/prod61

No.9

The Smokefree (Premises and Enforcement) Regulations and Smoke-Free (Signs) Regulations took effect in 2007. Smoking is now illegal in any enclosed or substantially enclosed premises or vehicles that are open to the public. A No Smoking Sign must be placed at every entrance to a building and a No Smoking symbol must be displayed in every public vehicle.



Smoking Control Signs

Go to www.legislationwatch.co.uk/prod62

No.10

By law you are required to provide health and safety training for all your staff. Every employer has a legal duty to ensure so far as is reasonably practicable, to ensure the health, safety and welfare at work of all its employees.



Health & Safety Training

Go to www.legislationwatch.co.uk/prod63

DANGEROUS SPILLS

There is a plethora of legislation relating to both reducing and dealing with the aftermath of dangerous spills.

- Legislation**
- Control of Major Accident Hazards Regulations 1999 (COMAH).
 - Control of Major Accident Hazards (Amendment) Regulations 2005.
 - Planning (Control of Major Accident Hazards) Regulations 2005.
 - Control of Substances Hazardous to Health Regulations 2002 (as amended) (COSHH).
 - Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) Regulation (EC) No 1907/2006.
 - Chemicals (Hazard Information and Packaging for Supply) (Amendment Regulations) 2009 (CHIP 4).



The Dangerous Substances and Explosive Atmospheres Regulations 2002 – known as DSEAR – are a set of Regulations concerned with protection against risks from fire, explosion and similar events “arising from dangerous substances used or present in the workplace” (HSE).

These Regulations apply to employers and the self-employed at workplaces where a dangerous substance is present or could be present. As with both COSHH Regulations and COMAH, DSEAR requires you to carry out a risk assessment of any work activities involving dangerous substances and:

- ✓ provide measures to eliminate or reduce risks as far as is reasonably practicable;
- ✓ provide equipment and procedures to deal with accidents and emergencies;
- ✓ provide information and training to employees; and
- ✓ classify places where explosive atmospheres may occur into zones and mark the zones where necessary.

Information on emergency procedures should be made available to employees and the emergency services.

If you assess that an accident, incident or emergency could arise, for example a fire, or a significant spillage, because of the quantity of dangerous substances at your workplace, you must arrange:

- ✓ suitable warning (including visual and audible alarms) and communication systems;
- ✓ escape facilities, if required by the risk assessment;
- ✓ emergency procedures to be followed in the event of an emergency;
- ✓ equipment and clothing for essential personnel dealing with the incident; and
- ✓ practice drills.

COMAH applies to industrial sites where quantities of dangerous substances are kept or used – usually sites that manufacture, process or store dangerous chemicals or explosives, or nuclear sites.



Sources of further information

HSE – Control of Major Accidents Hazards:
www.hse.gov.uk/comah/index.htm

Advised by Jan Burgess of CMS Cameron McKenna:

“Companies regulated under COMAH fall into two categories – either the lower or upper tier – depending on the quantity of dangerous substances present at a site. Lower tier duties apply to all operators covered by the Regulations, and involve notification to the HSE and EA (or SEPA) of the presence of any dangerous substance.

“There is also a requirement to prepare a written major accident prevention policy (MAPP) setting out the overall aims and principles of action for controlling major accident hazards.”
If the quantity of a substance held at a particular site is above the threshold laid down in COMAH,

the operator producing the substance will fall within the upper tier. Additional duties include an obligation to prepare a safety report, which should include:

- information on the safety management system;
- organisation of the site and its surroundings; and
- likely causes, probability and consequences of a major accident.

Companies falling within the upper tier must also prepare an on-site emergency plan, and provide information to Local Authorities to assist them in the preparation of an off-site plan. Emergency plans must be reviewed and (where necessary) revised at least every three years.

Case Study

On 11th December 2005, a number of explosions occurred at Buncefield Oil Storage Depot, Hemel Hempstead, Hertfordshire. Significant damage occurred to both commercial and residential properties in the vicinity and a large area around the site was evacuated on emergency service advice.

The Buncefield Standards Task Group (BSTG), consisting of representatives from the COMAH Competent Authority and Industry has produced a report into safety and environmental standards for fuel storage sites.

www.hse.gov.uk/comah/buncefield/bstgfinalreport.pdf



Leading Manufacturer and Innovator of Spill Sorbent Solutions

A range of emergency response kits to handle any type of spill...

Seton offer a complete selection of spill kits in a variety of types and sizes to meet your spill control needs. Kits are available in three types:

- Oil -Only:**
For oil and petroleum based liquids
- Maintenance:**
For oil, water based and chemical liquids
- Chemical:**
For aggressive and hazardous spills

Economy Spill Kits 16-18 Litre
Go to www.legislationwatch.co.uk/prod64

Drum Spill Kit 57-59 Litre
Go to www.legislationwatch.co.uk/prod65

Disposable Spill Kits 97-104 Litre
Go to www.legislationwatch.co.uk/prod66

Large Drum Spill Kit 142-152 Litre
Go to www.legislationwatch.co.uk/prod67

Mobile Spill Kits 264-279 Litre
Go to www.legislationwatch.co.uk/prod68

Cost Saving

The economic downturn remains a key issue for employers and managers. A survey conducted by recruitment firm, Hays, has revealed that one in three employers were considering changing staff conditions to cut costs, with three-quarters considering redundancies.

However, this isn't the only cost saving route you can take. A recent study, commissioned by the Department for Business, Innovation and Skills (BIS) found that over 40% of small businesses in the UK have developed creative solutions to strengthen their business during the downturn.

Innovations include switching staff job roles, adjusting working hours, developing new products and investing in additional staff training.

Over 60% of respondents' changes that did relate to their workforce included:

- 26% adjusting staff working hours;
- 19% adjusting staff roles; and
- 15% recruiting new staff

A third (33%) report increasing investment in training, motivation or staff rewards, whilst 64% are exploring new product areas.

HR expert, David Woollcott, of Workplace Law Group, advises making small changes, which cumulatively may help save some money, as well as demonstrate to staff that management are seriously considering these in an effort to minimise the impact on staff employment levels and remuneration.



Top Tips:

- Cut unnecessary items such as flowers in reception and around the building
- Use tap water instead of the bottled water replenishment services
- Delay or re-schedule contracts for cleaning, and servicing of equipment, providing this does not jeopardise their operation or guarantee
- Review travel expenses, i.e. changing from cars to trains, or encourage more conference calls
- Reducing energy costs by installing devices which turn off lights after a few minutes if no sound or movement is detected
- Extend car leases, delaying ordering of replacement vehicles and other high expense items



Encourage Energy Saving...

Plug In Power & Energy Monitor

Measure the power consumption and running costs of connected appliances



Go to www.legislationwatch.co.uk/prod69

Recycling Signs & Labels

Promote environmental awareness and start lowering your energy bills

<p>Please turn off the light when not in use</p>	<p>Please ensure you turn off the taps</p>
<p>Please turn off all electrical appliances when not in use</p>	<p>Please ensure doors and windows are closed when not in use</p> <p>Save energy</p>
<p>Please turn down heating during evenings, weekends and holidays</p> <p>Save energy</p>	<p>If everyone does a little recycling, it goes a long way to saving our environment</p>

Go to www.legislationwatch.co.uk/prod70

According to the Carbon Trust, you don't need to invest in expensive new technologies to lower your energy costs and reduce your carbon emissions by 10%:

- Measure how much energy you're using. Unless you know what you're paying, you won't know what impact the changes make. Keep track of your bills, and how they change when you introduce energy-saving tips
- Switch off equipment when you're not using it. A single computer and monitor left on 24 hours a day will cost over £50 a year. Switching it off

out of hours and enabling standby features could reduce this to £15 a year each and prolong the lifespan of equipment

- Speak to your colleagues about saving energy. You need to lead by example, but it's also important to make it a team effort. Ask employees where they think energy is being wasted, and encourage them to think about how they can all use less

Further information

www.skillsforlifefnetwork.com
www.carbontrust.co.uk

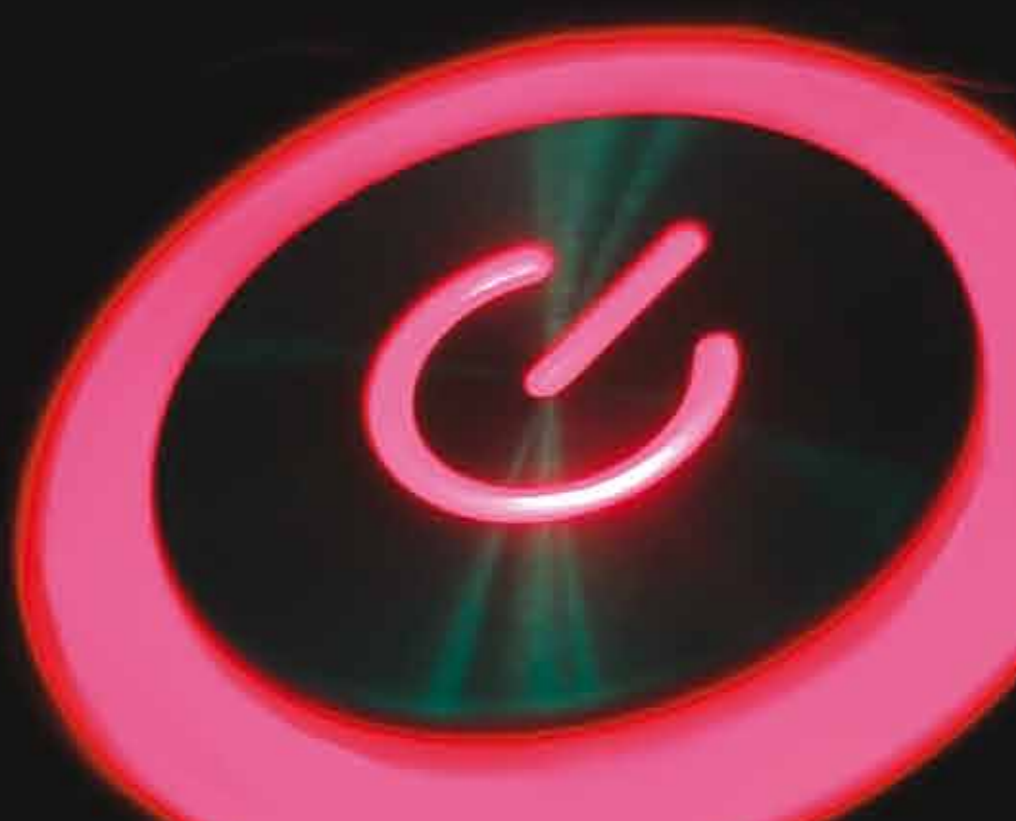
Companies warned not to scrimp on tools

Jeremy Bradshaw, Head of Personal Injury at Mace & Jones, says he is concerned that recession-hit companies are trying to save money by cutting back on equipment and exposing their workers to risk by forcing them to share tools or use unsuitable ones.

A London company was fined £8,000 when an employee was seriously

injured whilst working with an inappropriate tool. A special type of wrench had to be used to remove a part from a machine but all the wrenches were being used.

The employee asked his employers if he could wait for one of the wrenches to become free but was told by his manager to get on with it and use what he could. He used a metal bar to try to lever off the retaining clip. The bar slipped, resulting in the employee falling forward and suffering serious head injuries.





Chartered body for health and safety professionals

Health and safety for small businesses

Health and safety is a legal responsibility for all businesses, large or small, says John Holden, President-Elect of the Institution of Occupational Safety and Health (IOSH).

Every year more than 200 people are killed at work in Great Britain. Around 300,000 more are injured, while two million suffer from illnesses they put down to work. It could happen to anyone – but that doesn't mean it can't be prevented.

Under the Health and Safety at Work Act 1974 every company must make sure its business doesn't harm staff, customers, contractors or anyone else. If you're a small business, here's what you need to know.

Risky business

All businesses must carry out a risk assessment. You need to identify hazards and the people they might harm, then evaluate the risk of that happening and take measures to prevent it. If you have five or more employees you must keep a written

record of your findings, and it's good practice to do this even if you employ fewer than five people. You should also review your assessment regularly and revise it where necessary. The IOSH Risk Assessment Routefinder helps you to work out what you need to do.

www.ioshroutefinder.co.uk

First aid

Despite all your planning, someone could be injured or fall ill at work. Under the Health and Safety (First Aid) Regulations 1981, you're legally obliged to make sure immediate first aid is available. This means you must provide:

- a suitably stocked first aid kit;
- designated staff to deal with first aid arrangements; and
- information for employees about first aid arrangements.

The HSE provides guidance on first aid regulations for small and medium-sized businesses.

www.hse.gov.uk/pubns/indg214.pdf



Go to www.legislationwatch.co.uk/prod71

In sickness and in health

A flexible approach to sickness absence can help keep your small business healthy by reducing sick pay costs, boosting performance and helping you retain valued staff.

Early intervention is essential to a good absence management strategy. You need to keep a record of sickness absence, and it's good practice to stay in touch with absent employees. If they want to return to work but an injury prevents them doing certain tasks – such as lifting – you can agree a return to work plan that gives them different duties while they recover. It's also important to seek professional advice and treatment advice so you know

you're both handling the rehabilitation process properly.

The IOSH Occupational Health Toolkit can help you tackle illness and absence, and IOSH's good practice guide 'A Healthy Return' offers technical guidance on rehabilitating people at work.

www.ohtoolkit.co.uk

www.iosh.co.uk/index.cfm?go=technical.guidance

Show and tell

Communication is key to good health and safety, and if you employ anyone it's a legal obligation:

- You may need to register your

business.

- You must have employers' liability insurance.
- You need to display the HSE health and safety at work poster.
- You must report injuries and other incidents that happen at work.

You can find out more about how health and safety law affects your small business from the HSE.

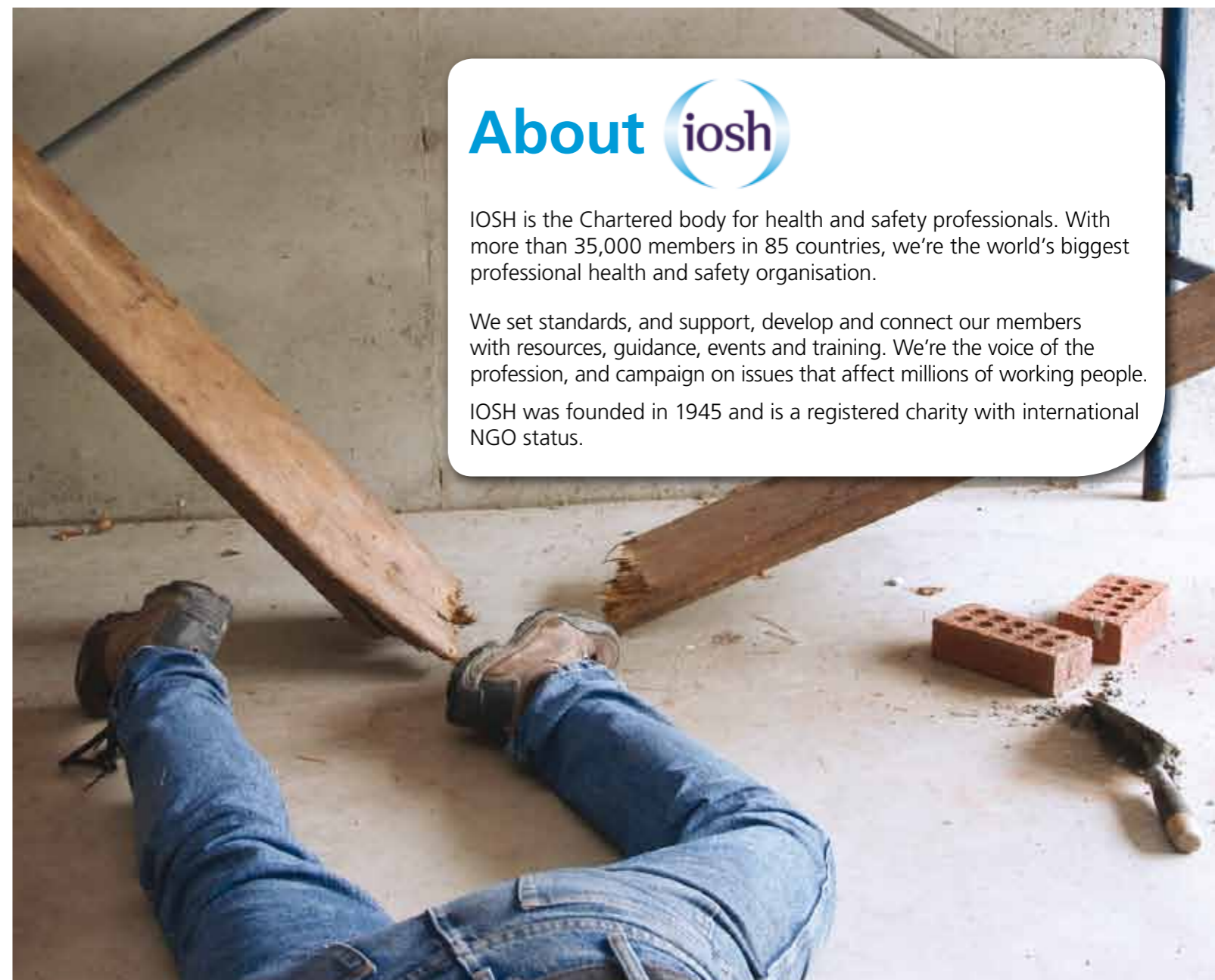
www.hse.gov.uk/pubns/indg259.pdf

About

IOSH is the Chartered body for health and safety professionals. With more than 35,000 members in 85 countries, we're the world's biggest professional health and safety organisation.

We set standards, and support, develop and connect our members with resources, guidance, events and training. We're the voice of the profession, and campaign on issues that affect millions of working people.

IOSH was founded in 1945 and is a registered charity with international NGO status.



Business Continuity



Whether flu, fire, flood, terrorist outrage or a less traumatic but no less devastating computer meltdown or major IT data loss, business continuity is of key importance to every organisation, large or small.

Yet, according to the Business Continuity Institute, too many organisations still relegate business continuity to the back of the priority list.

It has revealed that:

- 43% of companies that experience a disaster never recover;
- 90% of businesses that lose data are forced to close within two years; and
- 80% of businesses without a business continuity plan will close two years after a flood or fire.

It further estimates that the UK economy is losing £11.1bn a year, the equivalent to 0.8% of UK GDP, to major disruptions due to lack of Business Continuity Management within organisations based in the UK.

The BCI advises that the Board of every company, large or small, should focus on some key questions:

- The company's business and operating model;
- Key value creating products and services;
- Key dependencies such as critical assets and processes;
- How the company will respond to a loss or threat to any of the above;
- What the main threats are today and what is on the horizon; and
- Evidence that the resulting business continuity plans will work in practice.

www.londonprepared.gov.uk – which was set up in the wake of the terrorist attacks on 11th September 2001, provides a guide to the five steps needed to formulate a business continuity plan:

1. Analyse your business;
2. Assess the risks;
3. Develop your strategy;
4. Review your plan; and
5. Train your staff.



The written plan should include the following essentials:

- A description of what the plan is trying to achieve and how to make it work
- Essential checklists
- A description of your premises
- The structure of the crisis team – who needs to do what
- Emergency provision for staff

It's important to note that these plans should not be just on paper – like fire drills, they should be tested, to ensure they are fit for purpose, and do what they are meant to do.

Would your business be facing a disaster?

If computer or telecom failure was not properly planned for and managed, would you be ready? Ask yourself the following questions...

- Would your business still function if your computer or telephone systems were unavailable for three days?
- Would you be able to contact your customers?
- Would it hold up production?
- What alternative arrangements would you be able to make and how long would it take?
- What could you do to make certain you have access to vital data, even if your computer system is destroyed?
- If your computer systems are stolen could sensitive information fall into the wrong hands?
- What would happen if your competitor got hold of sensitive information?
- Are your computer systems robust?

AXA has produced a business Continuity Guide that you can download for FREE, go to www.legislationwatch.co.uk/continuity

SMEs (Small to Medium Sized Enterprises) and Business Continuity

Research by insurance giant, AXA, uncovered some of the reasons why many SMEs don't have business continuity plans, including:

- lack of resources to make the plans;
- overestimating what the business can withstand;
- assuming that many problems are 'too small' or 'too big' to plan for; and
- assuming that if a crisis hasn't happened yet, it's not urgent enough to plan for.

AXA has produced a downloadable guide to SMEs on Business Continuity: www.legislationwatch.co.uk/continuity

CASE STUDY: Buncefield explosion

When the Buncefield Oil Storage Depot exploded in the early hours of Sunday 11th December 2005, more than 400 businesses were directly affected.

The head office of IT firm, Northgate Information Solutions, was situated close to the Buncefield oil depot and was so badly damaged that the firm was eventually forced to abandon the building completely. At the time, the company issued a statement to the London Stock Exchange to reassure investors that it was in control of the situation and then worked to recover any data that had been lost.

Although it had already given a high priority to disaster recovery and business continuity planning, says UK Managing Director, Malcolm Aldis, "We now frequently run scenarios on our various sites, covering things such as if there was a chemical spillage or a major electrical fault or events such as that.

"It also gave us the opportunity to have a good look at our infrastructure and how we were operating and think how we could make things better."



Buncefield fire from Nearby field

Swine Flu Update

A survey by law firm DLA Piper has revealed that just over 50% of UK businesses regard themselves as at "high risk" or "very high risk" of having their operations affected by a swine flu outbreak.

Tim Marshall, UK Head of Employment Law at DLA Piper, said: "As we enter the winter season we can expect an increase in the incidence of swine flu, and so all businesses must ensure that they are fully prepared, or risk inadvertently stumbling into a legal minefield."

"It is important to note that some of the measures which could be implemented in response to pandemic flu have potential employment law implications, which may not be immediately obvious."

The Business Continuity Institute (BCI) has issued joint guidance with the Chartered Institute of Personnel Development (CIPD) advising employers not to be complacent but ensure they

consolidate their swine flu contingency plans by:

- cross-training staff to cover for absent colleagues,
- reducing human contact for key workers.

They also suggest remote working and flexible hours to prevent the spread of infection.

Ben Willmott, senior public policy adviser at the CIPD advises:

"Increased parent-worker absences could have a significant impact."

"We believe all businesses should plan for a worst case scenario, where staff absence rates reach 50%."

A vaccination programme for frontline healthcare workers came into operation in the UK from the end of October 2009.

Around two million frontline health and social care workers will be offered this vaccine because this group is at increased risk of infection and of transmitting that infection to susceptible patients.

The GSK vaccine (Pandemrix) will be offered to the vast majority of healthcare workers and those from at-risk groups. It has been licensed and approved by the European regulators. Most people will need only one dose of this vaccine for protection.

Sir Liam Donaldson, the Chief Medical Officer, said: "This is the first pandemic for which we have had vaccine to protect people."



How to prevent Swine Flu

1 Cover your mouth and nose when coughing or sneezing, ideally with a disposable tissue. Avoid touching your face, mouth or nose too frequently as swine flu is transmitted through respiratory droplets like the common cold.



Go to www.legislationwatch.co.uk/prod72

2 Wash your hands frequently with soap as swine flu can be contracted by touching objects contaminated by the virus. It's unsure how long the swine flu virus can survive on surfaces.



Go to www.legislationwatch.co.uk/prod73

3 Use an alcohol-based hand sanitiser to kill up to 99.9% of bacteria for added protection against swine flu. It's good practice to keep a bottle on your desk and in shared areas such as washrooms and canteens.



Go to www.legislationwatch.co.uk/prod74

4 If there are confirmed swine flu cases in your area try and avoid large public gatherings. Individuals can be contagious with the swine flu virus for several days before showing signs or symptoms of infection.



Go to www.legislationwatch.co.uk/prod75

5 Consider stocking-up on respiratory masks in case of a swine flu outbreak. This barrier method offers protection against infection by filtering out some respiratory infections.



Go to www.legislationwatch.co.uk/prod76

6 If you start feeling ill with cold or flu-like symptoms stay at home and take the usual cold and flu medications. If your symptoms worsen or fail to improve contact your doctor or visit the National Pandemic Flu Service to check your symptoms at:

<https://www.pandemicflu.direct.gov.uk>

Workplace stress in the downturn

Mental health problems cost UK organisations around £26bn each year!



The latest figures from the Sainsbury Centre for Mental Health show that mental health problems cost UK organisations around £26bn each year, and although the impact of the recession on employees' mental wellbeing can be difficult to ascertain, estimates from the Labour Force Survey indicate that self-reported work-related stress, depression or anxiety, accounted for 13.5 million lost working days in Britain in 2007/08.

Employers are subject to a variety of legal obligations in respect of their employees' health and wellbeing. These obligations arise from health and safety legislation, the breach of which is a criminal offence, and also from the law of negligence, contract and discrimination.

Advises Elizabeth Stevens, Steeles Law:

"The Health and Safety Executive (HSE) defines 'workplace stress' as 'the adverse reaction people have to excessive pressure or other types of demand placed on them'. Stress is not an illness but a 'state'; it is only if stress becomes too excessive and prolonged that mental and physical illness may develop."

Employment relations body, Acas, is urging organisations and managers to implement effective policies and procedures to help managers deal with the long-term impacts of the downturn and safeguard the health and wellbeing of employees. Acas's suggestions include:

- Training – to raise awareness of stress and mental health so that line managers, in particular, can tell if an employee is suffering from additional or excessive pressures;
- Good interpersonal skills – to help nurture trusting relationships with staff who may be anxious about disclosing their mental health problems; and
- A supportive organisational structure – that guides managers by providing clear policies and procedures for managing mental health.

Further information

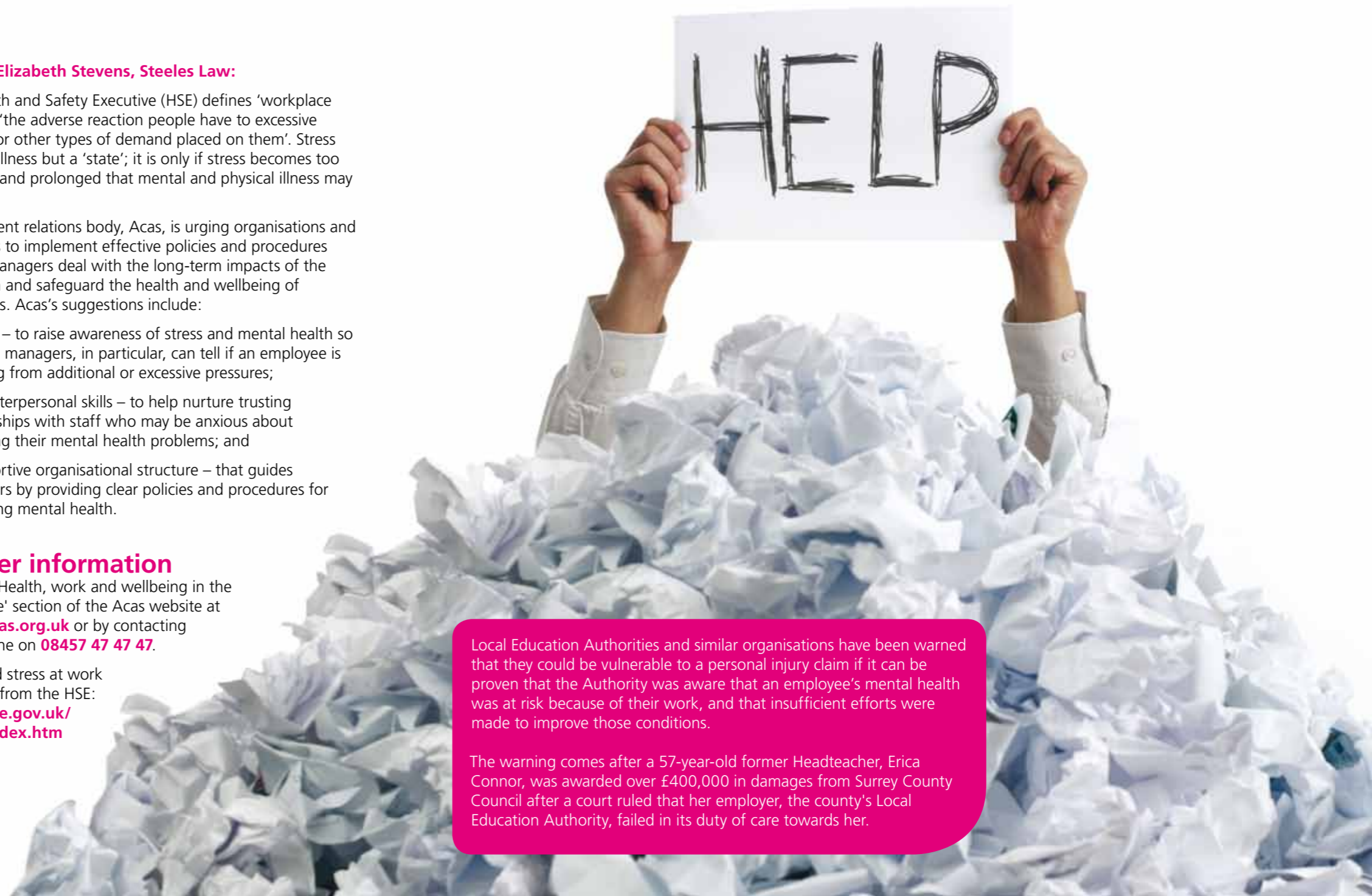
Visit the 'Health, work and wellbeing in the workplace' section of the Acas website at www.acas.org.uk or by contacting the helpline on **08457 47 47 47**.

Dedicated stress at work microsite from the HSE: www.hse.gov.uk/stress/index.htm

A recent 'Health in Restructuring Report' carried out by union, Unison, with the EU Commission, has shown that workers who take part in restructuring are 2.5% more likely to get ill, with workers who lose their jobs and survivors both affected.

Unison has published a five-point plan to help reduce levels of stress during restructuring:

1. Employers must be open about any proposed restructuring and consult properly.
2. Workers should have access to counselling.
3. All workers should be treated fairly, the process should be transparent and workers who lose their jobs should be properly compensated.
4. Restructuring should take into account all the possible negative side effects.
5. Lifelong learning should be made available to help workers find other jobs more easily.



Local Education Authorities and similar organisations have been warned that they could be vulnerable to a personal injury claim if it can be proven that the Authority was aware that an employee's mental health was at risk because of their work, and that insufficient efforts were made to improve those conditions.

The warning comes after a 57-year-old former Headteacher, Erica Connor, was awarded over £400,000 in damages from Surrey County Council after a court ruled that her employer, the county's Local Education Authority, failed in its duty of care towards her.

COSHH

Control of Substances Hazardous to Health

The Control of Substances Hazardous to Health Regulations 2002 apply to a very wide range of substances and preparations (mixtures) with the potential to cause harm if they are inhaled, ingested, come into contact with, or are absorbed through the skin.

This covers substances in the form of solids, liquids, gases, fumes, dusts, fibres, mists, vapours, and biological agents ('germs'). Examples include:

- Chemical substances or preparations such as paints;
- Cleaning materials;
- Metals;
- Asphyxiant gases;
- Pesticides and insecticides; and
- Biological agents such as pathogens or cell cultures.

Failure to adhere to COSHH Regulations can result in work-related lung diseases such as asthma, cancers, and skin diseases such as dermatitis.

COSHH 2002 places a strong emphasis on the prevention of exposure, and, where this is not avoidable, exposure must be adequately controlled by applying principles of good control practice.

Advises Andy Gillies of Gillies Associates:

"This change of emphasis is designed to encourage improvements in the use of control equipment, ways of working and worker behaviour."

Following eight key principles, employers must:

1. Design and operate processes and activities to minimise emission, release and spread of substances hazardous to health;
2. Take into account all routes of exposure when developing control measures, including:
 - Inhalation;
 - Skin absorption; and
 - Ingestion
3. Control exposure by measures that are proportionate to the health risk;
4. Choose the most effective and reliable control options, which minimise the escape and spread of substances hazardous to health;
5. Where adequate control of exposure cannot be achieved by other means, provide, in combination with other control measures, suitable personal protective equipment;
6. Check and review regularly all elements of control measures for their continuing effectiveness;
7. Inform and train all employees on the hazards and risks from the substances with which they work and the use of control measures developed to minimise the risks; and
8. Ensure the introduction of control measures does not increase the overall risk to health and safety

Further information

COSHH Approved Code of Practice and guidance (fifth edition):
www.hse.gov.uk/coshh/further/publications.htm

COSHH – Five steps to risk assessment:
www.hse.gov.uk/risk/fivesteps.htm



CASE STUDY 1

A company has been fined £27,500 and ordered to pay costs of £10,700 after pleading guilty to three breaches of the Control of Substances Hazardous to Health Regulations (as amended) 2002.

Managers at Prysmian Cables and Systems Limited had failed to control the risks of exposing employees to hazardous substances, including a known skin irritant, at the company's premises.

This resulted in one employee suffering from severe dermatitis, which the court heard had a huge impact on his life – he was required to take retirement on medical grounds and his future employment prospects are now limited.

CASE STUDY 2

A woodwork teacher developed occupational asthma because his employers failed to control exposure to wood dust, which is known to be a cause of occupational asthma and even cancer.

Stirling Council, which was said to have "consistently failed over a period of years" to adequately assess and control the risks to staff, was fined £5,000 after pleading guilty to a number of breaches of the Control of Substances Hazardous to Health (COSHH) Regulations 2002 (as amended).

COSHH Training...

The first step to prevent chemical accidents.

COSHH DVD

Incorporates complete COSHH legislation and emphasises the importance of controlling harmful and hazardous substances to provide safe environments.



Go to www.legislationwatch.co.uk/prod77

Spill Prevention & Control DVD

Designed to support a spill training course, provide a site induction program and highlight the important issues when dealing with spill prevention and control.



Go to www.legislationwatch.co.uk/prod78

COSHH Poster

Provides an at-a-glance guide to COSHH regulations and offers tips on key workplace COSHH safety issues.



Go to www.legislationwatch.co.uk/prod79

Global Harmony Poster

Don't forget the GHS CLP regulation will be fully enforced by June 2015

Poster clearly defines the updated chemical symbols and categorises them by risk. Display in prominent positions around your building to ensure everyone is aware of the change.

For further information visit:
www.hse.gov.uk/ghs/index.htm



Go to www.legislationwatch.co.uk/prod80

NEWS ROUND UP

WINTER 2009/10

Colliery Closed

UK Coal, the UK's largest coal mining organisation, closed one of its sites in north Yorkshire following an employee's death in October. It has also received summons from the HSE relating to four other deaths, which all occurred in separate incidents at its collieries. The firm is facing ten charges over the four deaths, which took place in 2006 and 2007.



Corporate Manslaughter Fines

Companies and organisations that cause death through gross breaches of care could face fines of more than £500,000 and be forced to make a statement about offences on their website, under proposals in a consultation guideline published by the Sentencing Guidelines Council, which promotes consistency of sentencing in all courts in England and Wales.

www.sentencing-guidelines.gov.uk

www.corporate-manslaughter-act.co.uk



Risk Assessment Focus

This year's European Week for Safety and Health at Work (19-24 October) focused on the importance of risk assessments in the workplace. A new report – "Assessment, elimination and substantial reduction of occupational risks" – has also been published to mark the week.

<http://osha.europa.eu/en/publications/reports/TEWE09001ENC/view>

Back Injury

A council accused of ignoring complaints from staff about a health and safety risk has paid £10,250 in compensation after an employee damaged her back. Sharon Kerry, the hostel duty officer for Leicester City Council, was putting money into a safe when she hurt her back in October 2007.



Limit At-Work Drivers

As Ireland prepares to lower its drink-drive limit, road safety charity, Brake, has called for the UK Government to follow Ireland's example. The current limit of 80mg alcohol per 100ml blood will be cut to 50mg, with a lower limit of 20mg for learner drivers and people who drive for work.



Stress Resilient

In a speech to the Royal Society of Medicine, a health academic has argued that the 'stress epidemic' that we currently face is caused not by working conditions, but by a generational shift which makes today's employees far less resilient to everyday workplace pressures.



Slipped Up

A woman fell heavily into a metal shelving unit, leaving her with a broken nose and suffering with breathing difficulties because the office cleaner mopped the floor right behind her while she was stacking a shelving unit. Law firm, Irwin Mitchell, has now reached an out of court settlement of £4,000 with the firm's insurers for damages, after the company admitted liability.



Go to www.legislationwatch.co.uk/prod81

German Invasion

A takeaway owner, whose business was closed by Slough Borough Council's environmental health officers, has been fined £13,792.50 for food safety violations. Fakhra Shaheen owned the Kinara Express takeaway in Langley when it was closed down last October under emergency powers for the serious and widespread infestation of German cockroaches.



Over and Above

New research by management consultancy, Hay Group, reveals many staff are working longer hours to help their employer through the recession, but feel that overworking is affecting their health. The study of 1,000 frontline employees revealed two-thirds (65%) of employees are currently working over and above contracted hours.



Abattoir Effluent

An abattoir owned by Chitty Food Group Ltd has been fined nearly £28,000 after admitting ten counts of breaching trade effluent limits. Levels of ammoniacal nitrogen, a compound found in urine, were found on one occasion to be up to nine times higher than they should have been.



Asbestos Exposure

Two companies have been prosecuted after workers and members of the public were exposed to unacceptable levels of asbestos during a removal project on a roof lined with asbestos-insulating board. Workers exposed to potentially deadly fibres carried it on clothes and into their homes, vehicles and public transport.



Spray-Painter Crushed

North Kent Shotblasting Ltd has pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974, fined £150,000 and ordered to pay costs of £24,000, following the death of Nigel Harrison, a spray-painter. A heavy metal plate weighing 975kg was left unsecured and unstable, causing it to fall on Mr Harrison, who later died from his injuries.

Explosion Death

An engineering company in Devon has been fined a total of £85,000 after pleading guilty to health and safety offences following an explosion that killed an employee. The safety failures led to the explosion of a coolant drum and the death of Anthony Reed on 3 April 2006.



Fit to Practice

A survey by Londonwide LMCs, a confederation for GPs and Local Medical Committees, has found that 86% of the capital's GPs are concerned about the implementation of a fit note scheme that would see them having to make judgements about complex areas of their patients' working lives, of which they have little or no knowledge.



Bonfire Breach

A building company has been fined £2,000 for burning waste illegally on Bonfire Night. Elm Builders Ltd held an environmental permit for its unit, which prohibited any burning of waste at the site. The permit requires the company to inform the Environment Agency immediately if there is a fire.

Driver Fatigue

The rules governing the working hours of bus, coach and van drivers are so out of date that many drivers have fewer breaks than office workers, the TUC has warned in a submission to the Department for Transport's review of Domestic Drivers Hours Rules. Long working hours are a direct cause of driver fatigue, which contributed to one in five road accidents last year.



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For your chance to
WIN simply visit:

www.legislationwatch.co.uk/competition



Your FREE copy of

LegislationWatch

Your Guide to Workplace Law and Legislation | Winter 2009/10 Edition

Inside this issue...

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- ✓ Accident Reporting
Toolbox Talk
- ✓ Winter Safety - Trips & Slips
- ✓ FREE Health & Safety Check
- ✓ Cost Saving Advice
- ✓ Swine Flu Update
- ✓ Workplace Stress
- ✓ Health & Safety Training

...and much much more!