



News from



Award Health & Safety Ltd

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## Slips, trips & falls cost Britain an estimated £800 million each year

HSE figures show that slips and trips are the most common cause of major workplace injury in Britain, and that more workplace deaths are triggered by falls from height than any other cause, according to official statistics.

Along with the tragic human cost, preventable slips, trips and falls are having a serious financial impact on the UK. HSE estimates that the combined financial costs incurred by society as a whole is around **£800 million a year**. In total, 40 people lost their lives at work in 2008/09 in slip, trip and fall accidents, and there were over **15,000 major injuries** to workers as a result of these incidents.

In response, HSE has launched a new phase of its Shattered Lives campaign, aimed at reducing slips, trips and falls in the workplace. As part of the campaign, a new online toolkit for selecting work at height access equipment and new downloadable posters for raising awareness of slips, trips and falls have been produced.

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

On the new campaign website, people will be able to find out information on how they can easily and cost effectively, 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 website can be found at: [www.hse.gov.uk/shatteredlives](http://www.hse.gov.uk/shatteredlives)



## Case for new directors' duties still unproven

The British Safety Council's head of policy and public affairs Neal Stone gives his opinion on legal duties for directors. There is a compelling case for the introduction of new **legal duties for all directors** concerning their responsibilities for the health and safety of their workers, whatever the size or sector of the organisation, and the Health and Safety Executive will shortly be advising ministers on this thorny issue, which has been bubbling away for the last 10 years.

If the HSE recommends the introduction of statutory safety duties - and the Government agrees a new law is necessary - the implications are immense. It is conceivable that such a legal measure would have the potential to put every director in the dock in the event of a failure to comply with H&S law. The last time the HSE advised ministers on this subject was in 2005, when it came down against the introduction of new laws. The HSE was instead tasked with re-invigorating a range of regulatory and advisory measures, including revising its guidance on director responsibility. The HSE worked in partnership with the Institute of Directors to produce the resulting 'directors' duties guidelines', published in 2007 under the title 'Leading Health and Safety at Work'. However, whilst the IoD/HSE (INDG417 Google it!) guidance is an excellent source of practical, proportionate and sensible advice, **very few directors are aware of its existence!!** It has failed to capture the imagination or even the attention of the vast majority of UK directors. And so there have once again been calls for a positive legal duty to be placed on all directors - individually and collectively - to ensure the safety of their workforce.

### Responsibilities

The reality is that many directors do not see the management of the risk of injury and ill health as either relevant to their business or something that directors need to worry about. Many directors, if asked, would not be able to answer the following questions:

**-What are your business's three biggest health and safety risks?**

**-What are the main causes of days lost through injury and ill health and what does it cost your business?**

### The challenge

Sound policies, including the case for legislative change, need to be based on hard evidence. The British Safety Council wants to see the results of the HSE's evaluation of the effectiveness of the measures currently in place - due this Spring. For the moment we maintain our position that the case has not yet been made for the introduction of new legislation. Once the evidence is presented, the British Safety Council will consider the conclusions - including those concerning the effectiveness of the UK's present framework of law on directors' safety responsibilities.

Director fined for neglecting legionella risk

The managing director of a Midlands-based company failed to put in place a management system to control legionella, despite receiving warnings from water-treatment contractors. Ernest Jones appeared at Dudley Magistrates' Court on 4 February and pleaded guilty to breaching s37(1), by virtue of s3(1), of the HSWA 1974. He was fined £2000 and ordered to pay £1000 towards costs. In September 2008, HSE inspectors visited Metal Finishers Ltd site in Coseley, West Midlands, to look at the firm's legionella controls. The facility was used to treat metal, and this process involved using two water-cooling towers. The inspection revealed that there was no management system in place for the control of legionella. The company had also failed to carry out regular monitoring and testing for the bacteria. Two companies had carried out separate water-treatment surveys in January 2008, yet Jones had failed to act further on them. The HSE subsequently decided to prosecute Jones rather than the company, as he had been neglectful in his role as a director.



A Prohibition Notice was issued on 10 September to stop the towers from operating, and an Improvement Notice was issued, requiring a suitable management system to be put in place. In mitigation, Jones said the company had taken immediate steps to clean the towers before it ceased trading in October 2008. HSE inspector Sarah Palfreyman said: "The risk was foreseeable and entirely preventable. The company, and therefore the managing director, had received quotes from two water-treatment companies, which hadn't been acted upon and received information from one about very high bacteria levels in the towers. This is a very well-known risk and there has been a number of outbreaks in recent years, one in the Dudley area. "Legionella can make people seriously ill and, in severe cases, can kill. Managing directors have a responsibility to act upon findings like this as soon as possible. They should be fully aware of their duties and not rely on delegation, or assume they will not be prosecuted for their individual failings."

Asbestos Awareness Training Course open to all, book now.....

We are running a 1/2 day asbestos awareness training course on 16th of April in the Portsmouth area open to all. Be sure to call us soon as places are limited and VERY good value for money, ask about our multiple person discount.

Providing Quality Training at Affordable Prices For further information or to book your training course please contact the office, details are below

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The New Asbestos Survey Guidance

The New Health and Safety Executive guidance for asbestos surveys (HSG264) came into force on the 29th Jan replacing current guidance known as MDHS 100. This is a comprehensive guidance covering surveying, sampling, and assessment of Asbestos Containing Materials (ACMs). It will affect you if you are a duty holder. A duty holder is the person or organisation having responsibility for all non-domestic premises in the UK to manage such premises so that occupants or employees are not exposed to risk from the presence of ACMs.

So what are the major changes?

Under the new guidance, there are only two types of asbestos survey:

-the Management Survey (broadly similar to the old Type 2 survey) - designed to locate, as far as reasonably practicable, the presence and extent of ACMs, so that the Duty holder can prepare a plan for the management of asbestos

-the Refurbishment/Demolition Survey (broadly similar to the old Type 3 survey) - a much more intrusive survey, designed to locate all the ACMs so they can be removed before the refurbishment (whether small scale or a large project) or demolition takes place. More information please see our website www.awardhealthandsafety.co.uk

Myth of the month

Myth: There's nothing you can do about slips and trips and they don't really hurt anyone anyway

The reality

Most slips and trips are preventable and many happen when spills aren't cleared up or clutter tidied away. Last year, there were four fatalities and more than 10 000 employees were seriously

injured when they had a slip or trip at work. This results in broken bones

and time off work, costing the economy around £800 million per year. Simple mistakes can shatter lives your actions could help stop them from happening.

Don't take things for granted, cut corners or wait for someone else to do it. Clear up!

