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Health & Safety News Brief (with Prosecutions Focus)

Issue Number 173

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Welcome to this edition of the Occupational Health & Safety Information Service News Brief

This edition of our fortnightly News Briefs continues the inclusion of content from our partners at the Chartered Institute of Environmental Health (CIEH).

The CIEH is a registered charity and the professional voice for environmental health. They provide information, training, evidence and policy advice to public health, health and safety, environmental management regulators and practitioners in the public and private sectors. For more information about the CIEH please visit uk.ih.com/about/cieh.html.

From Sheila Pantry Associates we have recent Prosecutions and Safety Alerts, FOCUS feature, other news items, latest hot topics and training and conference events.

The FOCUS article this issue is on *'New date for health and safety cost recovery scheme'*.

We are keen to hear your feedback on the content and if you have any suggestions for how we can further enhance the News Brief for you. To provide your feedback please email marketing@ih.com and title your email 'OHSIS News Brief'.

Please share this newsletter with your colleagues and keep them up-to-date with the latest news.

Sheila Pantry
Associates Ltd



CONTENTS

About This Edition

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Welcome to this edition of the Occupational Health & Safety Information Service News Brief	1
CONTENTS	2
NEWS IN BRIEF	5
FOCUS	6
<u>New date for health and safety cost recovery scheme</u>	<u>6</u>
The Health and Safety Executive (HSE) has announced that its cost recovery scheme, Fee for Intervention, is still going ahead	6
PROSECUTIONS	7
<u>Company failed surveyor killed by reversing lorry fined £250,000</u>	<u>7</u>
A leading engineering and construction company has been fined £250,000 for safety failings after a surveyor was killed by a reversing lorry during work to widen the M25 near Dartford	7
<u>Worker's fall leads to fine</u>	<u>7</u>
A partner in a Leicester food company has been fined after an employee fell around two metres while unloading a shipping container attached to the back of an HGV	7
<u>Futon firm prosecuted after worker falls through fragile roof light: fined £6,000 and ordered to pay £14,635 in costs</u>	<u>8</u>
A Tottenham Hale futon manufacturer has been prosecuted after a worker fell through a fragile roof light during poorly-managed maintenance work	8
<u>Window and door manufacturer fined £26,000 and ordered to pay £9,000 in costs after worker killed</u>	<u>8</u>
A firm specialising in the manufacture of wooden doors and windows has been fined for safety failings after a worker died at its Leyton premises	8
<u>Window and door manufacturer fined £26,000 and ordered to pay £9,000 in costs after worker killed</u>	<u>9</u>
A firm specialising in the manufacture of wooden doors and windows has been fined for safety failings after a worker died at its Leyton premises	9
<u>Lancaster landlord sentenced for putting lives at risk</u>	<u>9</u>
A landlord in Lancaster has been sentenced for putting the lives of a family at risk by failing to arrange an annual gas safety check	9
<u>Staffordshire family exposed to carbon monoxide</u>	<u>10</u>
A gas engineer from West Bromwich has been prosecuted after a family of five were taken to hospital following exposure to carbon monoxide	10
<u>Countryside firm sentenced over strimmer death: fined £15,000 and ordered to pay £10,00</u>	<u>11</u>
A countryside management firm has been sentenced over the death of a father-of-four in Barrow-in-Furness, who was struck by a piece of metal that flew off a strimmer at high speed	11
<u>Roofing company fined over foreman's fall</u>	<u>12</u>
A Southampton-based roofing company has been prosecuted after a worker suffered serious injuries, including brain damage, when he fell from a roof	12
<u>Poor construction site management lands firm in court</u>	<u>12</u>
An Edgware-based construction company and its director have been fined after carrying out unsafe demolition and construction work at a house in Surrey	12
<u>Nestle fined £180,000 and ordered to pay £41,826.33 in costs after safety failures led to worker's death</u>	<u>13</u>
A Halifax man was killed at a Nestle factory in the town because the company failed to implement basic safety measures, Bradford Crown Court was told today	13
<u>Bedding firm in court after worker's fingers severed</u>	<u>14</u>
A Liverpool bedding firm has been prosecuted after one of its employees had three fingers and a thumb cut off in machinery	14
<u>Factory fall leads to prosecution for Lincolnshire company</u>	<u>15</u>
A Lincolnshire food manufacturer has been fined after a worker fell from a breadcrumb-making machine	15



<u>Wells cathedral school fined after loft hatch fall was fined £7,700 and £2,172 in costs</u>	<u>16</u>
Wells Cathedral School has been fined after one of its employees fell two and half metres through a loft hatch, breaking a shoulder blade and hitting her head.	16
<u>Contracting firm and director fined after worker receives electric shock</u>	<u>16</u>
A Hertfordshire contracting company and its managing director have been prosecuted for safety failings after a worker received an electric shock from a live junction box during poorly planned maintenance work in London. ...	16
<u>Two Leeds firms in court over worker's crush injuries</u>	<u>17</u>
A construction worker had both legs broken when a 22-tonne excavator reversed over him on a building site in Leeds, a court has heard.	17
<u>Durham County Council fined £13,000 and ordered to pay costs £8,212.50 after worker loses arm in wood chipper</u>	<u>18</u>
Durham County Council has been prosecuted for safety failings after a grounds-man's arm was severed in a wood chipper machine.	18
<u>Failure to identify asbestos put workers at risk</u>	<u>18</u>
A Cardiff company has been fined for putting the health of demolition workers at risk after a building survey failed to identify the presence of asbestos.	18
<u>Worker suffers multiple fractures at international paper firm: fined £50,000 and ordered it to pay costs of £8,244.</u>	<u>19</u>
An international supplier of paper and packaging has been fined after an employee suffered breaks to his arm and ribs in machinery at a Lincolnshire factory.	19
<u>Fines after workers exposed to asbestos</u>	<u>19</u>
An Ammanford-based knitwear company and a cladding firm site foreman have been fined for putting workers and visitors at risk of exposure to asbestos.	19
<u>Worker seriously burned after cutting through 11,000 volt cable in Worcester: DSM Demolition Ltd fined £20,000 and ordered to pay £20,872 costs</u>	<u>20</u>
Two companies have been fined after a demolition worker was engulfed in flames when he cut through a live 11,000 volt cable at an electricity substation in Worcester.	20
<u>Worker seriously burned after cutting through 11,000 volt cable in Worcester: DSM Demolition Ltd fined £20,000 and ordered to pay £20,872 costs</u>	<u>21</u>
Two companies have been fined after a demolition worker was engulfed in flames when he cut through a live 11,000 volt cable at an electricity substation in Worcester.	21
<u>Film company fined after cameraman hurt on set.....</u>	<u>22</u>
A production company has been fined after a cameraman fell more than three metres from the set of a forthcoming major film.	22
<u>London manufacturer fined for major safety breaches: fined £18,000 and ordered to pay full costs of £6,210</u>	<u>22</u>
A manufacturing company based in Uxbridge has been fined for a series of health and safety breaches which put its employees at risk.	22
<u>Demolition firm sentenced over asbestos danger</u>	<u>23</u>
A demolition firm has been sentenced after knocking down a building in the Lake District containing hundreds of asbestos ceiling tiles, putting the lives of workers and local residents at risk.	23
<u>Firms fined over woman's roof fall.....</u>	<u>23</u>
An animal feed producer and a maintenance contractor have been fined after a woman fell five metres through a fragile warehouse roof in Staffordshire.	23
<u>Derbyshire Fuel injection specialists fined £8,000 and ordered to pay full costs of £4,000. after worker injured</u>	<u>24</u>
A firm specialising in diesel fuel injection has been fined after a worker was set on fire at its Derbyshire premises.	24
<u>Warwickshire company fined after worker loses fingers.....</u>	<u>24</u>
A Warwickshire components manufacturer has been fined after a man's hand was badly crushed in a power press.	24
<u>Essex school fined over student injury.....</u>	<u>25</u>
A secondary school in Colchester has been prosecuted after a teenage boy was injured when a stack of timber board fell on him, causing severe injury to his ankle and foot.	25



<u>Mersey shipbuilding firm sentenced over welder death: fined £120,000 and ordered to pay £12,294</u>	25
A Merseyside shipbuilding firm has been fined £120,000 over the death of a welder who became trapped while driving a forklift truck.	
<u>Leisure park worker trapped in trench collapse</u>	26
A worker at a holiday park suffered serious injuries when a trench he was working in collapsed on top of him.	
<u>NEWS</u>	28
<u>Rise in tobacco tax – good for health, good for the economy</u>	28
The 5% real term rise in tobacco duty has been warmly welcomed by health campaigners, who had lobbied for this level of increase to help smokers quit and dissuade children from taking up the habit.	
<u>Budget 2012 - De-regulation of H & S Legislation</u>	29
The following has been published in the Budget 2012 on page 81 under the heading ‘Supply-side reform of the economy’	
<u>Safety chief teams up with teacher to prove red tape is no challenge</u>	30
The head of Britain's safety watchdog has paid a visit to a Welsh school to see an award-winning teacher prove that it is possible to inject excitement into education - without falling foul of red tape.	
<u>ECHA launches a six-month public consultation on the proposed restriction of chromium VI in leather articles</u>	31
Interested parties are invited to comment on the Danish proposal by 1 June 2012.	
<u>FPA adds Burn Hall to its Research, Training and Experimental Facilities</u>	31
THE Fire Protection Association (FPA) has now added a new component to its experimental, research and training facilities – a burn hall. At approximately 4500m ³ , this is one of the largest burn halls in Europe..	
<u>Flexicurity in Times of Crisis</u>	32
Research shows that flexicurity policy initiatives and company measures continuing the crisis.	
<u>Managers and drivers urged to move forward on safe reversing and backing following research based on 80,000 fleet collisions</u>	28
Based on the work of Interactive Driving Systems across the global motor fleet industry over the past 20 years, reversing or backing incidents are invariably one of the top 5 collision types encountered.	
<u>EVENTS</u>	34
<u>Welcome to the second part of The Occupational Health & Safety Information Service News Brief.</u>	42
<u>CIEH CONTENTS</u>	42

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NEWS IN BRIEF

FPA announcement regarding the future of FRM Journal

In an effort to clarify matters over recent conflicting statements, Fire Protection Association (FPA) has issued the following news release regarding the future of Fire Risk Management Journal (FRM).

In January 2003, FPA entered into a joint publishing agreement with IFE which had the effect of combining the Membership Journals (Fire Prevention Journal and Fire Engineers Journal) of the respective organisations.

The project was run by a joint editorial board made up of senior members of both organisations, although the editorial and production team remained with FPA throughout. After a long search, a new title of Fire Risk Management (FRM) was agreed in 2008.

In late December 2011, FPA received notice from the IFE that they wished to end joint journal arrangement with the FPA from the end of June 2012. Needless to say, FPA was disappointed to receive the news, but fully respected the decision. The existing excellent editorial and production team at FPA, lead by Editor Rupert Gilbey, will continue to publish a high quality market leading journal [which it is hoped will retain the name Fire Risk Management] and FPA members will continue to receive this Journal as a matter of course.

From July 2012, the IFE will be issuing its own journal to IFE members, as a continuing members benefit. However, the FPA highly values the contribution IFE members make, especially by providing technical articles on fire safety and fire engineering, and so are offering UK-based IFE members the opportunity to sign up to the FPA journal at a special annual subscription rate of just £70 from July. The rates differ for IFE members based outside the UK.



FOCUS

New date for health and safety cost recovery scheme

The Health and Safety Executive (HSE) has announced that its cost recovery scheme, Fee for Intervention, is still going ahead

The scheme sets out to recover costs from those who break health and safety laws for the time and effort HSE spends on helping to put matters right - investigating and taking enforcement action.

Law-abiding businesses will be free from costs and will not pay a penny.

Gordon MacDonald, HSE's programme director, said:

"The Government has agreed that it is right that those who break the law should pay their fair share of the costs to put things right - and not the public purse.

"The Government intends to proceed with the FFI scheme as recommended to ministers by HSE's Board in December in response to the formal consultation that took place last Summer.

"Discussions are still taking place on the technical details of the scheme, which we expect to conclude soon.

"Therefore, FFI was not introduced in April but at the next available opportunity, which is likely to be October 2012."

HSE is taking advantage of the extra time to work further with businesses to improve their understanding of the scheme and how it will affect them.

Detailed guidance for employers and organisations will be available on HSE's website ahead of implementation.

A practice run of the new processes and procedures underpinning the scheme is already underway in HSE and will continue until the scheme is implemented.

The Health and Safety Executive is Britain's national regulator for workplace health and safety. It aims to prevent death, injury and ill health. It does so through research, information and advice, promoting training, new or revised regulations and codes of practice, and working with local authority partners by inspection, investigation and enforcement. www.hse.gov.uk

The Department for Work and Pensions announcement on cost recovery in March 2011 can be found online at www.dwp.gov.uk/docs/good-health-and-safety.pdf



PROSECUTIONS

Company failed surveyor killed by reversing lorry fined £250,000

A leading engineering and construction company has been fined £250,000 for safety failings after a surveyor was killed by a reversing lorry during work to widen the M25 near Dartford.

Richard Caddock, 38, from Bexleyheath, London, was talking on a mobile phone and could not hear the approaching truck above the noise of nearby motorway traffic, when he was hit from behind on 8 April 2008.

The Health and Safety Executive prosecuted his employer Costain Limited for failing to ensure adequate precautions were in place to separate the movements of people and vehicles.

Maidstone Crown Court heard that Mr Caddock, of Bexleyheath, London, had left a parked van and was walking northbound along a section of the central reservation closed off as part of a £65 million scheme to ease congestion between junctions 1b to 3.

As he talked on the phone, a tipper lorry delivering crushed stone entered the same section and reversed northbound. Mr Craddock had walked approximately 30m when the truck hit him.

The surveyor sustained multiple injuries as a result of being run over by the eight wheel vehicle and was pronounced dead at the scene.

After the hearing HSE Inspector Melvyn Stancliffe said:

"This was a terrible tragedy that could easily have been avoided had Costain Limited implemented basic safety precautions. Mr Caddock may have been distracted on the phone, but the drone of nearby traffic was such that he would have struggled to hear the reversing alarm on the lorry regardless. Quite simply the two should never have been allowed to be in the same place at the same time.

"The movement of people and vehicles on construction sites requires careful planning and effective control. It must be considered a critical part of transport management. This case highlights that a failure to be in control can have devastating consequences."

Costain Limited, of Vanwall Business Park in Maidenhead, pleaded guilty to breaching 2(1) of the Health and Safety at Work etc Act 1974 in connection to the death. In addition to the £250,000 fine, the company was ordered to pay £45,000 in costs.

Worker's fall leads to fine

A partner in a Leicester food company has been fined after an employee fell around two metres while unloading a shipping container attached to the back of an HGV.

Jaisukh Chandarana asked an 18-year-old worker to unload barrels, stored in layers with plywood separating each layer, from the container at Simtom Food Products factory in Merry Lees.

The teenage worker, who has asked not to be identified, was lifted on a pallet on a fork lift truck to climb onto a stack of pallets near the container doors. From there he entered the container and dragged the barrels onto the pallet held at height by the fork lift.

Leicester Magistrates' Court was told that while stepping from one pallet to another, the man fell around two metres, resulting in severe bruising to his abdomen and sprains to his shoulder and wrist. As a result he was off work for a several weeks.

The Health and Safety Executive (HSE) prosecuted Mr Chandarana for the 4 January 2011 incident.

Mr Chandarana, 57, of Hastings Road, Kirby Muxloe, pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005 and was fined £7,500 with costs of £1,380.

After the hearing HSE inspector Alison Cook said:



"Had a safe system of unloading been used then this incident would not have happened. Lifting people up on pallets on a fork lift is utterly unacceptable because of the potential consequences of a fall. It was pure luck that a young man was not more seriously injured.

"Since the incident Mr Chandarana has contracted out unloading to a firm with a level loading dock to eliminate the risk of a fall. It is a pity someone had to be hurt for this to be chosen."

Futon firm prosecuted after worker falls through fragile roof light: fined £6,000 and ordered to pay £14,635 in costs

A Tottenham Hale futon manufacturer has been prosecuted after a worker fell through a fragile roof light during poorly-managed maintenance work.

The Futon Limited employee, who does not wish to be identified, fractured his spinal column and suffered a collapsed lung as a result of the fall at the company's Cannon Factory, on Ashley Road, on 9 October 2009.

Westminster Magistrates' Court heard today (14 March) that the employee accessed the factory roof to clear leaves from a roof valley using a man-riding cage mounted on a forklift truck.

He had only moved a couple of feet from the edge of the roof when he stepped onto a plastic roof light that gave way. He fell approximately 6.5metres to the warehouse floor after hitting fluorescent roof lighting on the way down.

An investigation by the Health and Safety Executive (HSE) revealed that Futon Limited had an approved contractor to carry out work at height of this nature, but the company neglected to use them on this occasion.

Using a non-integrated working platform attached to a forklift was a significant failing according to evidence presented by HSE, because it is a platform to work from rather than a platform for accessing other places at height.

Futon Limited pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974 in relation to the incident. The company was fined £6,000 and ordered to pay £14,635 in costs.

After the hearing, HSE inspector Jack Wilby said:

"This man was extremely fortunate not to have been killed or more seriously injured as a result of his fall. It was poorly-managed activity that could and should have been left to the professionals, as Futon Limited was only too aware, and as such the incident was entirely preventable.

"I hope today's hearing serves as a further reminder of the risks posed by working at height, especially when working on or near fragile roofs with sky lights."

HSE statistics show that more than 1,300 workers were injured in falls from height across London in 2010/11.

Window and door manufacturer fined £26,000 and ordered to pay £9,000 in costs after worker killed

A firm specialising in the manufacture of wooden doors and windows has been fined for safety failings after a worker died at its Leyton premises.

Andrzej Rokita, a 55-year-old Polish national, had been with M M Contracting Ltd for only 10 days when he attempted to help his son, also an employee, to remove a large board from the middle of a pile stacked upright against a wall in the workshop on Midland Road, Leyton.

The company's usual system for doing this was for one employee to stand in front of the stack, taking the weight of the unwanted boards on his hands, while a fellow worker pulled out the chosen one from the side. Unfortunately as Mr Rokita tried to support the weight of the leaning wooden panels they toppled over, crushing him and causing fatal head injuries.



The Health and Safety Executive (HSE) investigated the incident and found that the company did not have a safe system of work for the storage or retrieval of boards. Storing the boards flat on the floor or using a simple purpose-built racking system would have greatly reduced the risk of injury.

After today's sentencing hearing at Southwark Crown Court, HSE inspector Kevin Smith said:

"This was a death waiting to happen. Incidents such as this are still a common occurrence in the industry despite the existence of guidance from the HSE offering simple, inexpensive solutions for stacking wood safely.

"As a direct result of the company's failure to provide safe storage for their everyday materials, a father and husband has lost his life. There is no excuse for employers not ensuring that wood on their premises is properly stored, posing the most minimal risk to their staff."

M M Contracting Ltd, of Bedford Road, London E17 4PX, had pleaded guilty to breaching section 2(1) of the Health and Safety at Work etc Act 1974 at an earlier hearing. The company was fined £26,000 and ordered to pay £9,000 in costs.

Window and door manufacturer fined £26,000 and ordered to pay £9,000 in costs after worker killed

A firm specialising in the manufacture of wooden doors and windows has been fined for safety failings after a worker died at its Leyton premises.

Andrzej Rokita, a 55-year-old Polish national, had been with M M Contracting Ltd for only 10 days when he attempted to help his son, also an employee, to remove a large board from the middle of a pile stacked upright against a wall in the workshop on Midland Road, Leyton.

The company's usual system for doing this was for one employee to stand in front of the stack, taking the weight of the unwanted boards on his hands, while a fellow worker pulled out the chosen one from the side. Unfortunately as Mr Rokita tried to support the weight of the leaning wooden panels they toppled over, crushing him and causing fatal head injuries.

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Lancaster landlord sentenced for putting lives at risk

A landlord in Lancaster has been sentenced for putting the lives of a family at risk by failing to arrange an annual gas safety check.

Carole McMillan, 57, was prosecuted by the Health and Safety Executive (HSE) after she failed to arrange for a registered engineer to visit a property on Birkdale Close in Scalehill.

Lancaster Magistrates' Court heard Ms McMillan had been renting the house out to a couple and their two young children, aged five years and nine months old. An investigation was launched on 27 April 2010 when it was discovered that gas appliances at the house had not been checked since 6 February 2009.



Carol McMillan admitted a breach of the Gas Safety (Installation and Use) Regulations 1998 for failing to arrange an annual gas safety check. Ms McMillan, of Hatlex Lane in Hest Bank, Lancaster, was fined £750 and ordered to pay £2,250 in prosecution costs on 13 March 2012.

Rohan Lye, the investigating inspector at HSE, said:

"Carole McMillan put the whole family at risk by failing to make sure an annual gas safety check was carried out. Landlords have a legal duty to ensure tenants aren't exposed to dangers from gas appliances in their home. It doesn't cost a lot to arrange a visit from a registered gas engineer but checking that appliances are safe once a year could save someone's life."

Paul Johnston, Chief Executive of Gas Safe Register, the official list of legal and safe gas engineers, added:

"By law, every rented home should have an annual gas safety check by a Gas Safe registered engineer to make sure that all gas fittings and appliances are working safely and efficiently. This is the landlord's legal responsibility.

"Landlords must also give tenants a copy of the gas safety record to prove that these checks have been done. If your landlord hasn't provided an up to date gas safety record, you could be at risk from gas leaks, fires, explosions and carbon monoxide poisoning."

Around 20 people die every year in the UK from carbon monoxide poisoning caused by unsafe gas appliances. Landlords are legally required to arrange an annual inspection of their properties by an engineer registered with the Gas Safe Register.

Homeowners and landlords can find a registered gas engineer by visiting www.gassaferegister.co.uk

Staffordshire family exposed to carbon monoxide

A gas engineer from West Bromwich has been prosecuted after a family of five were taken to hospital following exposure to carbon monoxide.

The two adults and three children aged two, nine and 11 were taken ill on 22 January 2011, Birmingham Magistrates' Court heard. The family housekeeper was also taken to hospital.

The Health and Safety Executive (HSE) prosecuted Graham Slater for carrying out gas safety checks at the bungalow in Squirrel Walk, Little Aston, Staffordshire, on 20 February 2009 and 1 July 2010, despite not being fully qualified.

The family all suffered from vomiting and severe headaches and two of the adults who became ill, collapsed after losing consciousness. They were given oxygen therapy by a paramedic and discharged from hospital several hours later.

HSE's investigation into the incident discovered Mr Slater had not followed technical guidance from the Gas Safe Register when examining the warm air heater.

The court also heard that while he was a Gas Safe registered engineer, he was not qualified to work with warm air heaters.

Graham Slater, of Radway Road, today pleaded guilty to two breaches of Regulation 3(1) of the Gas Safety (Installation and Use) Regulations 1998 and was fined £2,000 and ordered to pay £3,000 costs.

HSE inspector Wai-Kin Liu said after the case:

"Every year, around 20 people die from carbon monoxide poisoning, invariably due to gas appliances not being properly serviced and checked for safety. Many more become ill with long-term health problems and it is fortunate that the people involved in this incident have all made a full recovery.

"Symptoms of carbon monoxide poisoning include headaches, breathlessness, nausea, dizziness, tiredness, vomiting and loss of consciousness.



"Although Graham Slater is on the Gas Safe Register, he is not qualified or competent to work with warm air heaters and he should never have checked this appliance. Anyone who hires a gas engineer to carry out work in their property should always ask to see their Gas Safe Register identity card and check the type of appliances they are qualified to work on."

Paul Johnston, Chief Executive of Gas Safe Register, said:

"Every Gas Safe registered engineer carries an identity card which not only confirms who they are but also lists the kinds of appliance they are qualified to work on. Not every engineer can work on every kind of appliance so always check the card, and call us on 0800 408 5500 if you have any doubt."

Countryside firm sentenced over strimmer death: fined £15,000 and ordered to pay £10,00

A countryside management firm has been sentenced over the death of a father-of-four in Barrow-in-Furness, who was struck by a piece of metal that flew off a strimmer at high speed.

Tony Robinson, 37, from Ulverston, died after a link from a chain, spinning at around 300 miles an hour on a petrol strimmer, became detached and struck him on the back of the neck, causing fatal injuries at Ramsden Dock in Barrow on 8 February 2010.

ThreeShires Ltd, which specialises in ecological and forestry work, was prosecuted by the Health and Safety Executive (HSE) after an investigation into Mr Robinson's death found the work had not been planned or carried out safely.

Barrow Crown Court heard Mr Robinson, a self-employed contractor, had been hired to help clear undergrowth at the site during the construction of the new Waterfront business park. He was using a chainsaw to cut back the overgrown vegetation, with another worker using the strimmer on a nearby bank.

The chain attachment had been added to the strimmer so it could be used for more heavy-duty work. But the HSE investigation found ThreeShires had not properly considered the risks of using the attachment, and had allowed Mr Robinson to work close to where the strimmer was being operated.

Tony Robinson's widow, Jenna, said:

"Even though I am no engineer, when I was shown the piece of equipment, common sense told me that it was an accident waiting to happen, with links that could easily fly off. It is obvious that insufficient care was taken to protect anyone in the vicinity.

"I cannot comprehend that a company, supposedly experienced in this type of groundwork, didn't use common sense to realise the equipment was dangerous. This oversight has shattered and ruined my life and that of our children.

"The only small comfort is that the equipment has now been banned so hopefully another family will be spared the anguish we have had to go through and continue to experience with every birthday, Christmas or family occasion."

ThreeShires Ltd pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974 by failing to ensure the safety of workers. The company, of Kings Gardens in Grantham, Lincolnshire, was fined £15,000 and ordered to pay £10,000 in prosecution costs on 12 March 2012.

Speaking after the hearing, Allen Shute, the investigating inspector at HSE, said:

"This was a tragic case which has resulted in the needless death of a worker because the company responsible for his safety didn't do its job properly.

"The chances of him being struck by a piece of metal when the chain became detached were increased by the fact that the strimmer was being operated nearby on a bank above where he was working. The company should have properly considered the risks of using a heavy-duty piece of equipment before it allowed the work to take place. If it had, then Mr Robinson's death could have been avoided.



"The chain attachment has since been banned across Europe, and I would urge anyone who still has one to dispose of it immediately."

HSE issued a Safety Alert following Mr Robinson's death, warning that there was a risk of death or serious injury from the use of the strimmer attachment.

It also served an immediate Prohibition Notice against the sole importer of the chain attachments in the UK, which resulted in a nationwide ban on the sale or supply of the product.

The attachment has now also been banned across Europe, after HSE alerted the European Commission to the issue.

HSE issues Safety Alerts when major faults are identified in a product, which require immediate action to reduce the risk of death or serious injury. More details are available at www.hse.gov.uk/safetybulletins.

Roofing company fined over foreman's fall

A Southampton-based roofing company has been prosecuted after a worker suffered serious injuries, including brain damage, when he fell from a roof.

The 57 year old, who does not want to be named, was working for Focus (Southampton) Ltd as a foreman on a project to remove an asbestos cement roof at the Kiln Acre Industrial Park on 27 April 2011 when he fell through a fragile skylight.

He suffered neurological damage and swelling to his brain, as well as numerous broken bones including both wrists and both eye sockets.

Portsmouth Magistrates' Court heard that the company had been contracted by Kiln Acre Management to remove and replace an old asbestos cement roof above two units on the Industrial Park in Fareham.

The work had been planned and a risk assessment and method statement for the project had been produced. Work equipment including a scissor lift and materials including the new roofing panels had also been provided. The project was then sub-contracted to the foreman and others.

However, the site did not have sufficient protection to prevent the workers from falling.

The investigation by the Health and Safety Executive (HSE) established that Focus (Southampton) Ltd had not taken into account the risk of falling off the roof or from an internal mezzanine floor.

HSE inspector Nina Judkins said after the hearing:

"The company did not provide effective protection for the workers it was responsible for and it was this failure that led to one worker sustaining severe injuries. Focus (Southampton) Ltd failed to recognise that the project could not be completed from below the roof and therefore the equipment was not sufficient to ensure safety.

"This incident was entirely preventable if the company had followed the free guidance and advice provided about roofing work on the HSE's website."

Focus (Southampton) Ltd of Norham Ave, Southampton, pleaded guilty to breaching Regulation 7 of the Work at Height Regulations 2005. The company was fined £2,000 and ordered to pay £1,000 in costs.

Poor construction site management lands firm in court

An Edgware-based construction company and its director have been fined after carrying out unsafe demolition and construction work at a house in Surrey.

The Health and Safety Executive (HSE) prosecuted Laxmi Developments Ltd and its director, Vijay Madhparia, of Tavistock Road, Edgware, for failing to comply with a Prohibition Notice (PN), failing to provide adequate safety protection for employees and failing to carry out an asbestos survey on a property before demolition.



Redhill Magistrates' Court heard that during a visit to a building site at Mellow Close, Banstead, on 23 June 2011, an HSE inspector was confronted with such poor standards, he consequently served a PN and three Improvement Notices on the firm.

The PN was issued as the inspector found workers knocking down the house at first floor level with no edge protection to prevent falls. Though aware of the requirement for scaffolding and edge protection, Mr Madhaparia had instructed workers to go ahead with the demolition without these measures in place.

The three Improvement Notices were served to ensure sufficient demolition planning was carried out, to improve the welfare facilities on the site and to ensure the site supervisor was competent to carry out the works.

However, on the 6 September 2011, photographs were sent to HSE showing the PN being contravened and the same poor demolition practices continuing on site. HSE telephoned Mr Madhaparia to discuss the previous PN and to remind him of the dangers of working at height.

An HSE inspector visited the site again on 3 October 2011 and standards at the site were again found to be very poor. Two further PNs were issued for the risk of a fall from height and unsafe electrics on the site. After this visit, HSE was made aware that workers were continuing to work from height with no protection.

The court was told that in addition to the earlier offences, Mr Madhaparia had also failed to produce an asbestos survey prior to the demolition, despite HSE inspectors having requested one. This clear breach of asbestos regulations was aggravated because the site is in a residential area and next to a school. It was also discovered that much of the waste was burnt, potentially increasing the dispersal range of any asbestos fibres.

HSE's inspector Russell Beckett said:

"The disregard for health and safety shown by Vijay Madhaparia and his company was shocking. This man exposed workers and the site's neighbours - including young children - to appalling risks and the management of health and safety was non-existent even at the most basic level.

"There was a complete disregard for the safety of both workers and the public. Even after a Prohibition Notice had been served at the site workers were instructed to continue to work in exactly the same way. For anyone to conduct themselves or their business in this way is completely unacceptable and HSE will have no hesitation in bringing perpetrators before the courts."

Laxmi Developments Ltd, of Tavistock Road, Edgware, London, pleaded guilty to breaching section 2(1) and section 33(1)(g) of the Health and Safety etc at Work Act 1974 and Regulation 5 of the Control of Asbestos Regulations 2006. The firm was fined £15,000 and ordered to pay the full costs of £11,930.

Vijay Madhaparia, of Tavistock Road, Edgware, London, pleaded guilty to breaching section 37(1) of the Health and Safety etc. at Work Act by virtue of breaching section 33(1)(g) of the Health and Safety etc. at Work Act 1974 and Regulation 5 of the Control of Asbestos Regulations 2006 and Section 2(1) of the Health and Safety at Work etc Act. He was fined £1,500 and disqualified from acting as a company director for three years.

Nestle fined £180,000 and ordered to pay £41,826.33 in costs after safety failures led to worker's death

A Halifax man was killed at a Nestle factory in the town because the company failed to implement basic safety measures, Bradford Crown Court was told today.

Father of three Nazar Hussain died at food giant Nestle's Albion Mill plant in Bailey Hall Road in December 2008 after a colleague re-started a conveyor-type machine, known as a depalletiser, unaware that Mr Hussain was inside.

During the Health and Safety Executive (HSE) prosecution, the court heard that Mr Hussain, 55, of Pear Street, may have gone into the depalletiser to remove a blockage as earlier in the day some large sweet tins had jammed the machine, causing the alarm to sound.



Later that day, the machine's alarm sounded again and Mr Hussain's co-worker, who had been covering his break, went to investigate. Being a large machine, he walked around it to check no one was inside. Seeing no one he re-started it but immediately it shuddered, stopped and the alarm re-sounded.

Mr Hussain's crouched body was discovered inside the machine. He was pronounced dead at the scene.

The HSE investigation found that a safety key device to halt the machine was available but Nestle failed to ensure its employees were aware of its purpose and how to use it correctly.

HSE said the company's safety breaches were compounded by the fact Nestle had received written advice about improving guarding on a palletiser back in 2002 but had not applied that advice to the machine operated by Mr Hussain.

Nestle UK Ltd, of St George's House, Croydon, pleaded guilty to breaching Sections 2(1) of the Health and Safety at Work etc Act 1974. They were fined £180,000 and ordered to pay £41,826.33 in costs.

Mr Hussain's daughter, Sameena, spoke of her family's loss in a victim impact statement to court. She said:

"The death of my father came as a complete shock and my mother has been left in pieces by his death. She grieves to this day and still asks questions as to how and why it happened.

"My father was well thought of in the community and helped his family and friends. Not only did he provide for the immediate family, but also his mother and family in Pakistan. Our lives have undergone a complete change, and for that we blame Nestle for not having the proper fail-safes in place to stop something like this occurring."

After the hearing, HSE Inspector Jackie Ferguson said:

"This was a terrible tragedy that could have been so easily avoided. Nestle failed to ensure robust systems were in place to control safe entry into the depalletiser and prevent the machine being re-started whilst someone was in the danger zone.

"A family has been left without a father and a provider due to Nestle's inexcusable negligence. If anything positive is to come out of this terrible incident it is that other firms take note. Companies should be aware HSE will not hesitate to take appropriate enforcement action against those that fall so far below the required standards."

There were five deaths and more than 550 major injuries in the manufacturing sector in Yorkshire & the Humber according to the latest 2010/11 HSE statistics. A further 1,900 less severe injuries were also recorded.

In the last five years there have been 44 serious accidents, including a previous fatality, and two dangerous occurrences involving palletisers and depalletisers, six of which resulted in prosecution.

Bedding firm in court after worker's fingers severed

A Liverpool bedding firm has been prosecuted after one of its employees had three fingers and a thumb cut off in machinery.

The 32-year-old from near Kirkdale, who has asked not to be named, was trying to stop a quilt becoming entangled in a duvet-making machine when the fingers and thumb on her right hand were struck by a blade.

Her employer, Downland Bedding Company Ltd, was prosecuted by the Health and Safety Executive (HSE) after an investigation found the injured worker had not been given suitable training, and had been able to access a dangerous part of the machine when it was still operating.

Liverpool Magistrates' Court was told the employee had been working at the Blackstock Street factory on 13 January 2011 when she noticed the quilt was going to wrap around the rollers above the cutting blade on the duvet-making machine.



She ducked under the mesh guard to pull the quilt free on the cutting section of the quilt line when the clamps that hold it in place closed, trapping her hand. A colleague heard her screaming and pressed the emergency stop buttons but they failed to prevent the blade cutting across her right hand.

Her fingers and thumb were sewn back on in surgery but it is not known whether she will ever regain full movement in her hand.

Downland Bedding Company Ltd, which manufactures duvets, pillows and mattress protectors, pleaded guilty to a breach of the Provision and Use of Work Equipment Regulations 1998. The company was fined £7,000 and ordered to pay £5,876 in prosecution costs on 9 March 2012.

Speaking after the hearing, Nanette Cox, the investigating inspector at HSE, said:

"The worker's usual job was to work on a sewing machine but Downland Bedding also allowed her to work on the duvet-making machine to help out colleagues, despite not having any training. The quilt often became jammed in the machine but there were no procedures or written instructions on how to safely remove it. This meant that workers often ducked under the mesh guard to unblock jams.

"The company should have acted to introduce a safe way of working. If it had, one of its employees would not have suffered this serious injury."

The Downland Bedding employee was one of 3,806 workers in the manufacturing industry to suffer a major injury while at work in 2010/11. Another 27 workers lost their lives. Information on improving safety is available at www.hse.gov.uk/manufacturing.

Factory fall leads to prosecution for Lincolnshire company

A Lincolnshire food manufacturer has been fined after a worker fell from a breadcrumb-making machine.

The 39-year-old maintenance technician from Gainsborough had climbed onto the machine at Kerry Ingredients (UK) Ltd in Carr Lane, to install a lifting beam across the top of the large vessel in order to hoist out the motor for repair.

As he leaned over the machine to tighten screws to hold the beam in place, he slipped, falling nearly three metres between the machine and the wall.

The worker, who has asked not to be named, suffered fractured ribs and a bruised coccyx in the incident, which happened on 31 March 2010. He was off work for around three weeks.

Today, the Health and Safety Executive (HSE) told Lincoln magistrates that a platform should have been fitted to the machine so workers did not have to lean over the edge.

After the hearing HSE inspector Judith McNulty-Green said:

"There was no safe system of work in place when the incident happened. It could have so easily been prevented had the company taken heed of warnings from staff who had raised concerns that safe access and work areas were not provided for all high level areas of plant.

"In the days following the incident the company installed a gantry around the sides of the machine to give workers a safe platform from which to work. It is unfortunate for this gentleman that it took his fall for this to happen."

Kerry Ingredients (UK) Ltd, trading as Kerry Ingredients and Flavours, of Great Park Road, Bradley Stoke, Bristol, pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005. Today, Lincoln magistrates fined the firm £4,500 and ordered it to pay costs of £5,210.

Last year more than 4,000 employees suffered major injuries after falling from height at work.



Wells cathedral school fined after loft hatch fall was fined £7,700 and £2,172 in costs

Wells Cathedral School has been fined after one of its employees fell two and half metres through a loft hatch, breaking a shoulder blade and hitting her head.

South Somerset and Mendip Magistrates' Court heard that on 29 July 2011, the member of school staff, who asked not to be named, had gone into an attic space next to her office to help a colleague folding storage boxes.

The attic had two access points, a door on the same level in the bursary, and another via a ladder in the library leading to a ceiling hatch. On turning to leave the attic, the injured worker inadvertently stepped onto the hatch, which gave way, causing her to fall to the library below.

During the Health and Safety Executive (HSE) prosecution, the court was told the injured woman's colleague had earlier been warned by a school facilities officer not to stand on the loft hatch as he felt it would not take a person's weight. The court heard though the injured worker had heard him warn her colleague about the hatch, she did not take in the information, as she had not planned to go into the attic at the time.

The HSE investigation into the incident found although the school had recognised there was a risk of falling through the hatch, no risk assessment had been carried out for working in the loft and no measures were in place to prevent members of staff from stepping onto the loft hatch.

HSE inspector James Lucas, who brought the prosecution, said after the sentencing:

"A member of the school's staff suffered a serious injury when she fell through the hatch, and the consequences could have been far worse. The school was obviously aware of the risk, as staff had been warned not to step on the hatch, and yet it failed to take simple measures to prevent such an incident occurring.

"The hatch didn't even need to be there as there was another form of access through the door on the same level. In the aftermath of the incident, the school boarded over the loft hatch, preventing anyone else falling through it, which is sensible but a little too late in this case."

Wells Cathedral School Ltd, of The Liberty, Wells, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 and was fined £7,700 and £2,172 in costs.

Contracting firm and director fined after worker receives electric shock

A Hertfordshire contracting company and its managing director have been prosecuted for safety failings after a worker received an electric shock from a live junction box during poorly planned maintenance work in London.

Polish national Krzysztof Jabczanik was hospitalised in an induced coma as a result of the incident at a storage company on St Leonards Road, North Acton, on 4 August 2010. He also received serious burns to his left hand and suffered memory loss.

Westminster Magistrates' Court heard yesterday (7 March) that his employer Fras Contractors Limited, managed by Adam Fras, could and should have done more to protect the worker as he attempted to repair an external flood light.

The Health and Safety Executive presented evidence that the routine job was flawed in a number of ways.

Firstly, a ladder was placed on top of storage boxes underneath the junction box unit. These should have been moved to make space.

Secondly, the cover of the junction box was removed before the electrical circuit within was isolated. As a result Mr Jabczanik received an electric shock when he touched the live junction box with his left hand.

The work was supervised by Adam Fras, a registered electrical engineer who knew how to make the circuit safe but neglected to take appropriate action. He ran to isolate the power, but Mr Jabczanik was found unconscious at the foot of the ladder on top of the storage boxes.



Adam Fras pleaded guilty to breaching regulation 14 of the Electricity at Work Regulations 1989 in relation to the incident following the HSE investigation. He was fined £1,000 and ordered to pay £1,000 in costs.

Fras Contractors Limited, of Station Road, Smallford, St Albans, pleaded guilty to breaching regulation 4(1) of the Work at Height Regulations 2005. It was fined £1,500 with costs of £1,000.

After the hearing, HSE inspector Jack Wilby said:

"Adam Fras is a qualified electrician who really should have known better. He and his firm ignored the essentials, in this instance isolating the power and ensuring a ladder was used in a safe manner. As a result Mr Jabczanik was placed in totally unnecessary danger and he very nearly paid with his life.

"This case serves as a reminder of the risks from both electricity and working at height, and highlights that even experienced trades people should never underestimate the task in hand."

Two Leeds firms in court over worker's crush injuries

A construction worker had both legs broken when a 22-tonne excavator reversed over him on a building site in Leeds, a court has heard.

The 58-year-old man from Barnsley, suffered severe crush injuries when the excavator backed into him as he erected boundary fencing on a Tinshill building site on 30 June 2008.

The man's employer, Jack Lunn (Construction) Ltd of Pudsey and building contractor Fastsource Ltd of Hunslet were prosecuted by the Health and Safety Executive (HSE) over the incident.

Leeds Magistrates' Court heard the worker was sent to the Bedford Garth site to carry out preparatory work such as fencing and setting up site cabins.

On the day of the incident, a Fastsource employee was operating the excavator along the site access road. The driver was aware other workers were on site and a Fastsource colleague had been told to act as banksman, the person who safely directs the movement of the excavator and any workers nearby.

As the injured worker was fixing a fencing panel, the excavator drove past him toward the site entrance. He then heard the excavator reversing back down the driveway.

As he was wearing a high-visibility vest and the excavator driver had passed him only moments before, the man believed he was in no danger. He also believed the site manager and banksman knew of his position as they were both at the site entrance and could see down the access road.

However, the court heard despite this the excavator hit the worker as it reversed, causing him to fall and the machine ran over his legs just below the knee.

The court heard that since the incident the man has undergone two operations to set broken bones, a ten-hour operation to graft muscle and further skin graft procedures. He had to purchase an electric wheelchair for mobility, and he and his wife faced regular travel from Barnsley to Leeds for treatment though neither was able to drive.

After the hearing, HSE Inspector Sarah Lee, said:

"Workplace transport incidents are one of the biggest killers in the construction industry and this case could easily have been fatal. The danger of collisions between heavy plant and pedestrians on construction sites is well known in the industry and the need for vehicles to reverse should be avoided.

"This incident was entirely preventable. If the simple precaution of segregation of vehicles and pedestrians had been put in place by Jack Lunn Ltd or they had suspended vehicle movements while fencing was being erected, this worker would not have suffered such appalling injuries.

"Similarly if a smaller excavator had been chosen by Fastsource, the driver would not have needed to reverse down the access road."



Jack Lunn (Construction) Ltd of Progress House, Bradford Road, Pudsey, Leeds pleaded guilty to breaching Section 2(1) of the Health & Safety at Work etc. Act 1974 and was fined £8,000 with £6,338.50 in costs.

Fastsorce Ltd of Pepper Road, Hunslet, Leeds, pleaded guilty to breaching Section 3(1) of the same Act and was also fined £8,000 with £6,338.50 in costs.

Durham County Council fined £13,000 and ordered to pay costs £8,212.50 after worker loses arm in wood chipper

Durham County Council has been prosecuted for safety failings after a grounds-man's arm was severed in a wood chipper machine.

The 25-year-old council worker, from Ferryhill, who does not wish to be named, was cutting back bushes near Atherton Close, Spennymoor when the incident occurred on 4 August 2009.

The court heard, he was feeding the trimmings from the bushes into a mobile power-fed wood chipper when his glove or sleeve became caught pulling his left arm into the machine. Colleagues were able to shut off the power but his arm had been severed at the shoulder.

He was airlifted to The James Cook University Hospital but surgeons could only treat the shoulder wound and were unable to save any part of his arm. He has found life extremely difficult since the incident and continues to suffer both mentally and physically.

Victoria Wise, prosecuting on behalf of the Health and Safety Executive (HSE), told Darlington Magistrates' Court that an investigation had found that either the injured worker's gloves or his high-visibility vest had become entangled in the trimmings he was feeding into the wood chipper.

This was a well-documented hazard but the risk assessment carried out by Durham County Council had failed to take it into consideration. It also failed to follow published guidance on the control measures required when using wood chippers.

Durham County Council, of County Hall, Durham was fined £13,000 and ordered to pay £8,212.50 in costs after pleading guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974.

Speaking after the case, HSE Inspector Victoria Wise, commented:

"This was a tragic but avoidable incident that resulted in a young man experiencing a traumatic loss.

"Anyone who has reason to use machines like this should take note of the harm they can cause. It is essential that the machine has the appropriate safeguards and is adequately maintained. Operators should have had the relevant training and be provided with the correct personal protective equipment.

"Specific health and safety guidance on the use of wood chippers was produced in April 2003 which clearly advises the use of non-snag outer clothing and gloves that are close fitting or tucked into the sleeves to stop them being caught on the material as it is fed into the chipper.

"This young man was lucky not to be killed as a result of this incident, which could have easily been avoided had Durham County Council followed this guidance."

Treework, which includes the use of wood chippers, is a high risk industry. Between April 2006 and March 2011 there were 15 fatalities and more than 80 incidents

Failure to identify asbestos put workers at risk

A Cardiff company has been fined for putting the health of demolition workers at risk after a building survey failed to identify the presence of asbestos.

Between 15 and 25 January 2010 PHH Environmental (UK) Ltd was commissioned to produce an asbestos survey on the soon to be demolished Old Castle Cinema in Merthyr Tydfil.



Merthyr Tydfil Magistrates' Court heard that PHH's client relied on this survey to help its demolition company plan the work. But once demolition was underway, workers discovered asbestos and found they had disturbed it.

PHH Environmental (UK) Limited, of Titan House, Cardiff Bay Business Centre, Lewis Road, Cardiff, pleaded guilty to breaching Section 3 (1) of the Health and Safety at Work etc Act 1974. The company was today fined £5,000 and ordered to pay costs of £3,000.

HSE inspector Steve Richardson investigated the case. He said:

"Anyone carrying out refurbishment or demolition work relies upon accurate asbestos surveys to reduce the risk of them being exposed to deadly asbestos fibres. It is essential that those surveys are comprehensive, intrusive and undertaken by competent persons - if not lives are needlessly put at risk."

Worker suffers multiple fractures at international paper firm: fined £50,000 and ordered it to pay costs of £8,244.

An international supplier of paper and packaging has been fined after an employee suffered breaks to his arm and ribs in machinery at a Lincolnshire factory.

The 27-year-old man, who does not wish to be named, was being trained to use a re-winder - a rotating spool that winds corrugated cardboard packaging into a roll - at DS Smith Packaging's plant at Windsor Road, Louth, when the incident happened on 9 June 2010.

A second member of staff was showing the employee how to attach the cardboard to the spool when his fingers became trapped. The second man, unaware of what had happened, then started the machine which threw the employee over the top.

He broke his right arm in several places and fractured his ribs. He was off work for a year and now has pins and plates in his arm. He has since returned to work for the company.

A Health and Safety Executive (HSE) investigation found there was no safe system of work in place and the incident could have been easily prevented.

DS Smith Packaging Ltd, of Lower Cookham Road, Maidenhead, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. Today, Lincoln Crown Court fined the firm £50,000 and ordered it to pay costs of £8,244.

After the hearing HSE inspector Emma Madeley said:

"There was nothing to prevent the machine being started before people were clear of the danger zone. Having a second operator created a serious risk because the man operating the controls had no idea that his colleague was trapped.

"That working practice has now been changed. The company has also installed a guard so that the machine cannot begin rotating at speed if someone's hands are in the danger area. Unfortunately these measures have come too late for this employee who has been left with severe and permanent injuries."

Fines after workers exposed to asbestos

An Ammanford-based knitwear company and a cladding firm site foreman have been fined for putting workers and visitors at risk of exposure to asbestos.

Corgi Hosiery Ltd contracted Dragon Cladding Ltd to remove an asbestos cement sheet roof at their New Road branch in Ammanford, Carmarthenshire

Having received a complaint about the work, the Health and Safety Executive (HSE) visited the site on the 22nd October 2008, and found roofers had removed the asbestos sheets from the roof, but they had also removed plaster-like material from the underside of the sheets and structural steelwork.

HSE inspectors stopped the work immediately and tests confirmed the plaster-like material contained asbestos.



On further investigation it was found that Dragon Cladding Ltd's site foreman Stuart Phillips, 27, had instructed two workers to use a hammer and chisel to remove the plaster-like material from the building steelwork.

Merthyr Tydfil Crown Court heard no effort was made to establish what this material was prior to work commencing, and the debris was swept into domestic black bin bags and placed in open skips.

Throughout the duration of the work, Corgi Hosiery employees had continuous access to the main building, with one worker based in the area throughout the works. Visitors to the premises were not excluded from the works area and were also potentially exposed to asbestos.

Mr Phillips, of Llangadog in Carmarthenshire, was found to have failed to adequately assess the risks, plan the work and implement a safe system of work. He pleaded guilty at an earlier hearing and today was fined a total of £4,000 for breaching Regulations 11 (1) (a) and 16 of the Control of Asbestos at Work Regulations 2006 (£2,000 per regulation), by virtue of Section 37 (1) of the Health and Safety at Work etc Act 1974. He was also ordered to pay £1,000 costs.

Corgi Hosiery Ltd, of Ammanford in Carmarthenshire, was found guilty of failing to prevent exposure of its employees to asbestos at an earlier hearing and was today fined £25,000 for breaching Regulation 11(1) of the Control of Asbestos at Work Regulations 2006, with £15,000 costs.

HSE inspector Anne Marie Orrells said:

"Nowadays, the risks of exposure to asbestos are well known so this serious incident was inexcusable. Had Mr Phillips adequately assessed the risks prior to the start of the work, it would have been apparent that the work should have been carried out by an asbestos-licensed contractor, under controlled conditions.

"Corgi Hosiery Limited should have ensured measures were taken to exclude employees and visitors from the area while the roof work was being carried out overhead. As a result of these failings both workers and visitors to their premises were exposed to potentially deadly asbestos-containing materials."

When asbestos fibres are inhaled they can cause serious diseases which are responsible for around 4,000 deaths a year.

Worker seriously burned after cutting through 11,000 volt cable in Worcester: DSM Demolition Ltd fined £20,000 and ordered to pay £20,872 costs

Two companies have been fined after a demolition worker was engulfed in flames when he cut through a live 11,000 volt cable at an electricity substation in Worcester.

The Health and Safety Executive (HSE) prosecuted Birmingham firm DSM Demolition Ltd and Halesowen-based Gould Singleton Architects Ltd (GSA) following the incident on 14 July 2006.

Worcester Crown Court heard today that DSM was demolishing a metal casting foundry in Wainwright Road, Worcester, when employee Lee Harris, 35, was told to cut through a cable, which was connected to a switching unit on a substation on the site, which was still live.

As the machine he was using to cut through the cable came into contact with the live conductors, he was engulfed by flames, suffering 20 per cent burns, which have left him with permanent disabilities and requiring skin grafts.

HSE's investigation into the incident found that neither planning supervisor GSA nor demolition contractor DSM had made adequate checks to ensure that the electricity on the site had been disconnected.

GSA had told DSM that all services to the site had been terminated when actually the power supply remained live. DSM should have ensured that the electrical services had been disconnected before starting demolition, but failed to do so.

DSM Demolition Ltd, of Arden Road, Birmingham, was found guilty on 26 September 2011 of breaching Section 2(1) of the Health and Safety at Work etc Act. The company was today fined £40,000 and ordered to pay £100,000 costs.



Gould Singleton Architects Ltd, of Whitehall Road, Halesowen, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974 and Regulation 15(3)(e) of the Construction (Design and Management) Regulations 1994. The company was fined £20,000 and ordered to pay £20,872 costs.

Speaking after the hearing, HSE inspector Tariq Khan said:

"Live electricity and gas services pose a serious risk of death or serious injury to demolition workers. It is essential that companies working in this sector take proper precautions to protect their workers.

"Neither of the two companies prosecuted today had made adequate checks to ensure that the power supply to the cable required to be cut by Mr Harris had been terminated. Had they done so then this incident would never have happened and Mr Harris would not have suffered such serious injuries.

"Construction, design and management co-ordinators must ensure that the information they pass on to contractors which could affect the safety of their workers is correct. Likewise, demolition contractors must follow safe systems of work at all times and ensure they check information provided to them.

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"Construction, design and management co-ordinators must ensure that the information they pass on to contractors which could affect the safety of their workers is correct. Likewise, demolition contractors must



follow safe systems of work at all times and ensure they check information provided to them about services on site with independent, competent sources."

Film company fined after cameraman hurt on set

A production company has been fined after a cameraman fell more than three metres from the set of a forthcoming major film.

The 62-year-old was working on the set of 47 Ronin at Shepperton Studios, Middlesex, when he fell through an opening in the floor. The opening was for access to a raised area via stairs, but had not been guarded to prevent people falling through it.

The cameraman, who suffered bruising and suspected broken ribs, was employed by Warrior Productions Limited, which was responsible for the production of the film in the United Kingdom and was in control of the set.

A Health and Safety Executive (HSE) investigation into the incident on 10 May 2010 found that because the film is set in 18th Century Japan the set had been built without edge protection to make it look authentic. Temporary protection had been added in some areas but not where the cameraman fell. Guardrails were added immediately after the incident.

Warrior Productions Limited, of Prospect House, New Oxford Street, London, was fined £300, ordered to pay costs of £10,500 and ordered to pay the injured person £300 compensation for breaching Regulation 6(3) of the Work at Height Regulations 2005.

After the hearing HSE inspector Stephen Green said:

"At the time of the incident it was dark and there was no lighting on the platform. Numerous people had been or were still on the platform, and therefore were all exposed to the risk. The cameraman was lucky to escape with bruising and suspected cracked ribs as falls from a similar height can cause serious or even fatal injuries.

"The company was aware there were unguarded edges on the set. Some areas had temporary protection added, but there was no full assessment of the whole set. The guardrails fitted after the incident would have prevented the fall and were quick and easy to install.

"Alternatively other measures could have been put in place if the guardrails were visible on camera during filming."

London manufacturer fined for major safety breaches: fined £18,000 and ordered to pay full costs of £6,210

A manufacturing company based in Uxbridge has been fined for a series of health and safety breaches which put its employees at risk.

The large number of Notices were issued between September 2010 and March 2011, after a wide range of health and safety failings were discovered at the company's premises.

HSE found the company had failed to provide suitable storage for highly flammable liquids, had not examined lifting equipment, had not provided training for operators of lifting equipment, had not checked local exhaust ventilation systems, not provided suitable respiratory protective equipment for sprayers, had not repaired defective electrical systems and failed to protect workers from dangerous moving parts of machinery.

After the hearing, HSE inspector Saif Deen said:

"Employers have a duty to protect their workers, but this company carried out several high risk activities such as lifting operations, paint spraying and storing flammable liquids with an almost total disregard for health and safety.

"The seriousness of these breaches was reflected in nine Improvement Notices issued. HSE will not hesitate to take action against employers who shirk their responsibilities in this way."



Skyways Shopfitters Ltd of Sky Studios, Morgans Yard, Arundel Road in Uxbridge pleaded guilty to breaching section 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £18,000 and ordered to pay full costs of £6,210.

Demolition firm sentenced over asbestos danger

A demolition firm has been sentenced after knocking down a building in the Lake District containing hundreds of asbestos ceiling tiles, putting the lives of workers and local residents at risk.

IBT Contracting Ltd was prosecuted by the Health and Safety Executive (HSE) after carrying out the work at a former photography factory in Staveley near Kendal during August and September 2011, despite not having a licence to remove asbestos.

Kendal Magistrates' Court heard IBT had been given a survey by the owners of the site ahead of the work taking place, which stated that the building contained 166 square metres of asbestos ceiling tiles.

But the company failed to arrange for a licensed contractor to remove the tiles safely, and instead released deadly asbestos fibres into the air during the building's demolition.

IBT Contracting pleaded guilty to three breaches of the Control of Asbestos Regulations 2006, for removing asbestos without a licence, exposing workers to asbestos fibres, and allowing the fibres to spread to neighbouring areas.

The company, of Barton Lane in Barton near Preston, was fined £10,800 and ordered to pay £3,638.95 in prosecution costs on 20 March.

Speaking after the hearing, Allen Shute, the investigating inspector at HSE, said:

"This company put the lives of workers in danger by cutting corners, and not using a licensed contractor to safely remove the asbestos ceiling tiles. Several houses back onto the site of the factory so local residents were also put at risk, although luckily the level of their exposure to asbestos fibres is likely to have been relatively low.

"However, the workers on the site will now have to live with the knowledge that they may develop a deadly asbestos-related disease in the years to come because of the actions of IBT Contracting."

Asbestos was used in ceiling tiles up until the 1980s to help insulate buildings. The tiles only become dangerous if they are broken up and asbestos fibres are released into the air.

Fibres that are breathed in can become lodged in the lungs or digestive tract, and may lead to lung cancer or other diseases if large numbers of fibres are inhaled. However, symptoms may not appear for several decades.

Firms fined over woman's roof fall

An animal feed producer and a maintenance contractor have been fined after a woman fell five metres through a fragile warehouse roof in Staffordshire.

The 27-year-old woman, who does not want to be named, was repairing a gutter at Provimi Ltd's site in Eastern Avenue, Lichfield, when she tripped and fell through a rooflight.

She fractured two vertebrae and suffered extensive bruising in the fall, keeping her off work for two months, Burton-on-Trent Magistrates' Court heard.

The Health and Safety Executive (HSE) prosecuted Provimi Ltd and the woman's employer, Alan Riley, trading as Riley & Sons, following the incident on 4 April 2011.

The court heard Provimi had obtained two quotations to repair the warehouse roof, one from a roofing maintenance firm and one from Mr Riley, who had never worked on fragile roofs before.

The court was told Provimi commissioned Mr Riley because his price was £20,000 less than the roofing firm, but did not check whether he was competent to carry out the work.



HSE's investigation into the incident found the boards on the roof had no guardrails, workers had no harnesses, and there was no netting underneath to prevent them from landing on the concrete floor.

Magistrates heard Provimi made no attempt to stop the work and its staff even helped Mr Riley by lifting materials to the unprotected roof edge.

HSE inspector Mr Lindsay Hope said after the hearing:

"Provimi decided to cut costs by hiring a cheap contractor without checking whether he was competent to do the job. When Provimi staff saw there was no protection to prevent a fall at the edge of the warehouse roof, the company should have stepped in straightaway to stop this unsafe work, but instead helped Alan Riley to carry on.

"Alan Riley should never have taken on the work. He had no experience of working on fragile roofs and did not take enough precautions to protect workers on the roof and because of this a woman suffered serious injuries which could easily have been fatal.

"Clear guidance on working at height is available from HSE and it is unacceptable to see such failings."

Provimi Ltd, of Dalton Airfield Industrial Estate, Dalton, Thirsk, North Yorkshire, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974 and was fined £10,000 and ordered to pay £1,924 costs.

Alan Riley, 62, of Salisbury Avenue, Burton-on-Trent, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 and was fined £2,000 and ordered to pay £1,924 costs.

Derbyshire Fuel injection specialists fined £8,000 and ordered to pay full costs of £4,000. after worker injured

A firm specialising in diesel fuel injection has been fined after a worker was set on fire at its Derbyshire premises.

The 23-year-old apprentice mechanic had been with Swadlincote Diesel Fuel Injection Services Ltd for 18 months. On 16 March 2009, he and another employee were burning rubbish in an old drum. In order to get the fire going, the second man poured waste fuel on to it, causing an explosion. The apprentice was able to get his arms up to cover his face but the overalls he was wearing caught fire and he burned his arms, hands and neck.

The Health and Safety Executive (HSE), which investigated the incident, today told Derby Magistrates' Court that the company did not have a safe system of work for handling, storing or using flammable substances.

After today's hearing, HSE inspector Edward Walker said:

"This was an injury waiting to happen. Fuel should never be added to a fire. The waste fuel ideally should have been drained into a sealed, labelled container and then put into a locked storage area unless it was to be returned to the vehicle as soon as possible after repairs. Instead it was in an unlabelled container and had been left at the entrance to the workshop. As a result a young man has suffered unnecessarily."

Swadlincote Diesel Fuel Injection Services Ltd, of Ryder Close, Cadley Hill Industrial Estate, Swadlincote, pleaded guilty to breaching section 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £8,000 and ordered to pay full costs of £4,000.

Warwickshire company fined after worker loses fingers

A Warwickshire components manufacturer has been fined after a man's hand was badly crushed in a power press.

The 23-year-old agency worker, who does not want to be named, lost two fingers following the incident at Studley firm Ricor Ltd on 21 July 2011.

Leamington Spa Magistrates' Court heard how the man was removing a completed part from the production line when the machine's guards suddenly closed on his right hand, trapping him.



The moving guards activated the power press, which crushed his index and middle fingers so badly that doctors had to amputate them.

The court heard his life had changed significantly as a result of the incident. He is right-handed and is now unable to carry out everyday tasks. He also still feels pain in his fingers, especially in cold weather.

A Health and Safety Executive (HSE) investigation found the guards, which should have stopped the machine from operating while the man's hands were in the danger zone, had not been maintained properly.

In addition, the company had not examined or tested the power press when it was installed on site 11 months before the incident.

Speaking after the hearing, HSE inspector Mark Austin said:

"A man has been left with permanent, life-changing injuries following this incident, which would never have happened if the guards on the power press had been maintained properly. The machine had been used for nearly a year without being properly tested and examined.

"It is unacceptable to see such failings, especially as Ricor Ltd operates dozens of power presses and should be fully aware of the legal standards required to protect its operators."

Ricor Ltd, of Birmingham Road, Studley, pleaded guilty to breaching Regulations 5(1) and 32(1) of the Provision and Use of Work Equipment Regulations 1998 and was fined £10,000 and ordered to pay £5,407 costs.

Essex school fined over student injury

A secondary school in Colchester has been prosecuted after a teenage boy was injured when a stack of timber board fell on him, causing severe injury to his ankle and foot.

On 3 March 2011, the 15 year-old student disturbed a pile of timber board which was stored in the main foyer of the school's technology department. This caused the stack which weighed 300 kilogrammes, to fall forward, knocking him down and trapping his foot.

The teenager from Colchester suffered a complex fracture to his left ankle and foot which may leave him with permanent damage.

The Health and Safety Executive (HSE) prosecuting told Colchester Magistrates' Court today that the Gilbert School, in Brinkley Lane, Colchester, had failed to evaluate the risks associated with storing wood in the foyer of its technology department, and therefore to protect the health and safety of its students.

After the hearing, HSE Inspector Toni Drury said:

"There was a genuine risk to pupils and staff and the outcome of this incident could have been very different. A simple risk assessment would have identified the potential dangers of storing wood in a public area and help the school decide on measures to prevent this incident.

"It is an employer's duty to ensure the safety of all, whether in their employment or not, and I urge any organisation to consider where and how heavy and bulky items such as timber are stored at their premises."

The Gilbert School pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974 and was fined £9,000 and ordered to pay costs of £4,258.50.

Mersey shipbuilding firm sentenced over welder death: fined £120,000 and ordered to pay £12,294

A Merseyside shipbuilding firm has been fined £120,000 over the death of a welder who became trapped while driving a forklift truck.

Robert Dunroe suffered life-threatening injuries while using the truck to transport heavy welding equipment at Cammell Laird in Birkenhead on 18 August 2010. He died in hospital four days later.



His employer, Cammell Laird Shiprepairers & Shipbuilders Ltd, was prosecuted by the Health and Safety Executive (HSE) after an investigation found he had been able to drive the forklift despite not having any training.

Liverpool Crown Court heard the 62-year-old from Wirral had become crushed between the truck and a lifting beam used on a crane at the Campeltown Road plant. Another employee ran over to the vehicle and reversed it, releasing Mr Dunroe, but he died from his injuries.

The court was told that keys were routinely left in the ignition of forklifts, and that Mr Dunroe had driven a truck on several occasions without being challenged about his lack of training. No procedures were in place to inform employees who was and who was not authorised to drive the trucks.

Mr Dunroe's widow, Jane, said:

"Rob meant everything to me. We'd been together since we were 15 and we did everything together. He was just my life.

"I'd just retired and we were looking forward to spending more time together. Our friends are couples and I can't go out with them anymore, as it just doesn't feel right. And I can't go to the places Rob and I used to go together. That feels wrong too."

Cammell Laird Shiprepairers & Shipbuilders Ltd admitted breaching Section 2(1) of the Health and Safety at Work etc Act 1974 by failing to ensure the safety of its employees. The company, which has around 500 employees, was fined £120,000 and ordered to pay £12,294 in prosecution costs on 22 March 2012.

Speaking after the hearing, HSE Inspector Richard Clarke said:

"A company the size of Cammell Laird should have known better than to have allowed keys to be routinely left in forklift trucks, making driving a truck the easy option for employees wanting to transport heavy equipment. Mr Dunroe may well have thought he was doing his employer a favour by moving the welding equipment as quickly as possible, but instead he has ended up losing his life.

"The dangers of forklift trucks are well known in the manufacturing industry and Cammell Laird has since introduced new procedures to ensure keys are safely locked away, and that a list is available of trained drivers. If these procedures had been in place before Mr Dunroe's death then he may well have still been alive today."

On average, there are eight deaths and 1,500 injuries reported every year as a result of incidents involving forklift trucks.

Leisure park worker trapped in trench collapse

A worker at a holiday park suffered serious injuries when a trench he was working in collapsed on top of him.

Grzegorz Waluszkowski, 40, was helping to lay a drainage pipe at the park on Lady's Mile Farm, Exeter Road, Dawlish on 23 July 2010, when the wall of the two metre deep trench caved in. He was dug out by others at the scene before the emergency services arrived but had suffered multiple fractures to his skull, jaw and cheekbones.

The Health and Safety Executive (HSE) prosecuted the park operators Main Gate Leisure after an investigation into the incident found the company had failed to adequately plan the work or put the necessary safety measures in place.

Torquay Magistrates' Court heard Mr Waluszkowski, who lived on the site, was working on the trench with two directors of Main Gate Leisure Limited. The trench walls were propped-up with plywood and metal plate with a piece of softwood between the two sides holding them up. This gave way, and Mr Waluszkowski was trapped when one side of the trench collapsed.

Frantic effort were made by staff at the site to release Mr Waluszkowski, who was unconscious, using shovels and eventually one of the directors used an excavator to help to dig him out from the rubble.



HSE Inspector, Jonathan Harris, said:

"The trench was clearly inadequately supported and the plywood and metal plate were no more than a rudimentary attempt to support the trench walls. Normally trench boxes would be used as shields whenever workers need to briefly enter a trench. These boxes can be rented from hire-companies.

"This incident could easily have led to a fatality and shows the vital importance of proper planning and adequate safety measures when carrying out this sort of work."

Main Gate Leisure Limited, of Lady's Mile Farm, Exeter Road, Dawlish, today pleaded guilty to a breach of Regulation 31 (1) of the Construction (Design and Management) Regulations 2007. They were fined £5,000 and ordered to pay £2,198 in costs.



NEWS

Rise in tobacco tax – good for health, good for the economy

The 5% real term rise in tobacco duty has been warmly welcomed by health campaigners, who had lobbied for this level of increase to help smokers quit and dissuade children from taking up the habit. [1]

ASH is particularly pleased that the Chancellor acknowledges that raising tobacco duty is an effective way of reducing smoking and a key component of a comprehensive tobacco control strategy. [2]

Deborah Arnott, Chief Executive of ASH said:

“This is excellent news. Raising the price of tobacco through taxation is the most effective way of encouraging smokers who want to quit to make that first step. We are delighted that the Chancellor has listened to the voices of the health community and taken decisive action to tackle the greatest single cause of ill health and premature death.

This tax rise will also put cigarettes out of the price range of many young people making it less likely that they will take up this lethal habit.”

[1] A submission to the Treasury in advance of the Budget by ASH and the UK Centre for Tobacco Control Studies (UKCTCS), endorsed by 91 health organisations, had urged the Chancellor to raise the tobacco tax escalator from 2% to 5% above inflation (equivalent to about 2p per cigarette) in order to reduce smoking while at the same time raise much needed revenue.

The submission is available at: www.ash.org.uk/files/documents/ASH_832.pdf

[2] The Government’s Tobacco Control Plan for England includes a pledge to make tobacco less affordable. (p24) www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_124917

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Managers and drivers urged to move forward on safe reversing and backing following research based on 80,000 fleet collisions

Based on the work of Interactive Driving Systems across the global motor fleet industry over the past 20 years, *reversing* or *backing* incidents are invariably one of the top 5 collision types encountered by most organisations, and with their high potential for asset damage and injury to bystanders, drivers are being urged to take more care when travelling backwards.

At Interactive Driving Systems we recently undertook the following detailed analysis based on 79,403 motor fleet insurance claims, of which 13% involved reversing/backing. This increased to 15% for light commercial vehicles, and 19% for heavier commercial vehicles.

Type - Vehicle/ Direction->	Forward	%	Not known	%	Parked	%	Reversing	%	Stationary	%	Total Claims
Car	7,116	25	5,098	18	11,167	40	2,877	10	1,999	7	28,257
Heavy commercial	1,329	38	442	13	869	25	654	19	227	6	3,521
Light commercial	14,018	30	6,428	14	16,043	34	6,799	15	3,341	7	46,629
Other	160	16	536	54	213	21	63	6	24	2	996
All vehicle types	22,623	28	12,504	16	28,292	36	10,393	13	5,591	7	79,403

Given the extent of the reversing/backing risk, which often affects the most vulnerable of road users such as children, pedestrians and outdoor workers, we are sending you the following communication, to cascade as appropriate across all your channels.

After reviewing a great deal of such fleet collision data over many years, Andy Cuerden from Interactive Driving Systems said: "We believe that all drivers must exercise greater care when reversing/backing, especially fleet drivers visiting customer sites and homes as part of their daily activities.

"Because of the relatively low impact speed, many people don't regard reversing/backing as a significant hazard", Mr Cuerden said. "However, reversing/backing and slow speed manoeuvring incidents make up a large proportion of fleet collision costs and risks.

"Whether you are travelling forward at 100 kilometres per hour on a highway or reversing/backing at walking pace on a customer's site, the same vigilance, caution and courtesy must apply."

All drivers are being encouraged to adopt the following tips for safe reversing/backing:

- Walk around the vehicle and look for obstacles or hazards before moving.
- Always beware of pedestrians, but especially children. They are unpredictable!
- Reverse slowly - turn your head, use your mirrors and check both sides.
- Avoid reversing/backing over a long distance.
- Look behind before reversing/backing – not as you take off.
- When reversing/backing and turning remember to watch the front of your car as well.
- If towing a trailer, practice reversing/backing with the trailer in a safe location.
- Where possible, reverse/back or 'pull through' into parking spaces rather than out of them.

Such detailed analysis and good practice is typical of the online RiskCOACH modules available globally to organisations using Virtual Risk Manager to identify and support their people who are required to drive as part of their work.

More details about Interactive Driving Systems and Virtual Risk Manager, as well as a comprehensive research report on reversing/backing safety aimed at fleet and safety managers are freely available by emailing will.murray@virtualriskmanager.net

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Fleet Safety Benchmarking: www.fleetsafetybenchmarking.net

Recent publications: www.virtualriskmanager.net/research

Budget 2012 - De-regulation of H & S Legislation

The following has been published in the Budget 2012 on page 81 under the heading 'Supply-side reform of the economy'

2.238 Health and safety – The Government will scrap or improve 84 per cent of Health and Safety regulation, including by:

- introducing legislative change in 2012 so that health and safety law will no longer hold employers to be in breach of their duties in civil law where they have done everything that is reasonably practicable and foreseeable to protect their employees;
- giving the Health and Safety Executive (HSE) authority to direct all local authority health and safety inspection and enforcement activity, in order to ensure that it is consistent and targeted towards the most risky workplaces. A code based on existing powers will be introduced in April 2013;



- amending the Health & Safety (First Aid) Regulations 1981 to remove the requirement for HSE to approve the training and qualifications of appointed first-aid personnel. Revised guidance aimed at small business will be published by May 2012, and provisions repealed by October 2012;
- amending the Reporting of Injuries, Diseases and Dangerous Occurrences Regulation (RIDDOR) and its associated guidance to provide clarity for businesses on how to comply with the requirements by October 2013. This is in addition to the legislative change being made in April 2012 to extend to seven days (from three) the period an employee needs to have taken off work before an injury or accident needs to be reported;
- HSE redesigning information on its website in 2012 to distinguish between the regulations that impose specific duties on businesses and those that define 'administrative requirements' or revoke or amend earlier regulations;
- HSE providing further help to businesses by summer 2012 on what is 'reasonably practicable' for specific activities where evidence demonstrates that they need further advice to comply with the law in a proportionate way;
- aiming to start health and safety prosecutions within three years of an incident occurring by April 2013;
- HSE inputting ideas for micro-exemptions or lighter touch EU health and safety regulation for SMEs to the European Commission, based on ideas raised during the Red Tape Challenge;
- agreeing that the insurance industry will produce guidance for SMEs setting out what is and is not required to demonstrate compliance with health and safety law when obtaining insurance cover as agreed at the Prime Minister's insurance summit in February 2012;
- agreeing that the insurance industry also commits to challenge vexatious civil claims in order to tackle the compensation culture;
- and working with business and the ABI to build confidence in challenging such claims and ensure businesses have access to the right guidance and support.

http://cdn.hm-treasury.gov.uk/budget2012_complete.pdf

Safety chief teams up with teacher to prove red tape is no challenge

The head of Britain's safety watchdog has paid a visit to a Welsh school to see an award-winning teacher prove that it is possible to inject excitement into education - without falling foul of red tape.

Judith Hackitt visited Ysgol Cae Top in Bangor to meet with teacher Llew Davies, who collected a Pride of Britain award last year for his inspirational approach to learning.

Ms Hackitt was invited to take part in one of Llew's innovative lessons, this time set around the construction of Roman siege machines, to show how science and teamwork can beat brute force.

The children were given time to create their devices before taking to the playground for a challenge to see who could fire a tennis ball the furthest across the yard.

Llew regularly takes pupils out of the classroom and gets them involved in creative experiments, proving that health and safety doesn't get in the way of a good education. In his classes, pupils have built volcanoes, studied velocity through office chair races, and much more.

Judith Hackitt said:

"It's a pleasure to see children learning by having fun and gaining practical experience. These are the real life skills that children need to learn from an early age so that they're prepared to deal with whatever life throws at them.

"Ysgol Cae Top is demonstrating what is possible and more schools should follow their lead."

Llew Davies said:



"Children learn in a variety of ways but they will better remember what they're being taught if it's fun for them at the same time. Schools shouldn't be scared of health and safety. As long as a sensible approach is taken then there's nothing stopping them from trying something a bit different."

Ms Hackitt is campaigning against the use of health and safety as an excuse to prevent activities which provide valuable experiences for learning. She has publicly urged parents and teachers not to wrap children in cotton wool so that they learn how to deal with risk.

ECHA launches a six-month public consultation on the proposed restriction of chromium VI in leather articles

Interested parties are invited to comment on the Danish proposal by 1 June 2012.

The Danish authorities submitted a report proposing a restriction on the placing on the market of leather articles containing chromium VI in concentrations above a certain limit that come into direct and prolonged or repetitive contact with the skin. Chromium VI is known to cause severe allergic contact dermatitis in humans and is able to elicit dermatitis at very low concentrations. In particular, the risk assessment demonstrates that chromium VI present in shoes and other leather articles may cause contact allergies.

Chromium VI is not intentionally used in the preparation of leather from skins and hides and in the manufacturing of articles of leather, but may be formed during the processing by oxidation of chromium III used for the tanning of the leather. According to industry, measures for preventing the formation of chromium VI in leather are implemented in tanneries all across the European Union. Furthermore, many importers of leather articles require that they do not contain chromium VI in measureable concentrations. Nevertheless, surveys have demonstrated that more than 30% of the tested leather articles contain chromium VI in concentrations above 3 mg/kg, which is the concentration limit proposed by the Danish authorities.

Interested parties can comment on the restriction proposal and the associated report using the webform on ECHA's website. Comments will be reviewed and taken into account by the ECHA Committees for Risk Assessment (RAC) and Socio-economic Analysis (SEAC). The final opinions of the two committees on the proposed restriction will be finalised by March 2013. Based on these opinions, the European Commission will take a decision on whether to introduce these restrictions into the REACH Regulation.

The Annex XV report contains the background and justifications for the proposed restriction. It includes the identified risks, information on alternatives, the effectiveness of the restriction in reducing the risks and the costs of the restriction.

Although the six month public consultation concludes on 16 September 2012, the rapporteurs of RAC and SEAC would welcome any comments by 1 June 2012 to assist them in the first discussion of the restriction proposal in committee meetings of June 2012.

Further information

http://echa.europa.eu/en/view-article/-/journal_content/a19f3846-4158-4351-8304-39de35c35f1b

Information on the restriction report on chromium VI in leather articles:

http://echa.europa.eu/documents/10162/17233/information_note_cr_vi_en.pdf

More information on the restriction process under the REACH Regulation:

<http://echa.europa.eu/web/guest/regulations/reach/restriction>

FPA adds Burn Hall to its Research, Training and Experimental Facilities

THE Fire Protection Association (FPA) has now added a new component to its experimental, research and training facilities – a burn hall. At approximately 4500m³, this is one of the largest burn halls in Europe. The large indoor, still-air fire test facility is suitable for conducting a wide range of full-scale fire testing, demonstrations and practical training, and is located near the FPA's headquarters in Moreton-in-Marsh, Gloucestershire.

The Burn Hall will complement the Association's existing capabilities, such as its outdoor fire test site, well-equipped Mobile Fire Laboratory and portfolio of national qualifications. Along with first-class technical staff



from a variety of engineering, physics and technical backgrounds, the new facility further reinforces the FPA's standing as one of Europe's leading fire test, training and research establishments.

FPA testing and research is totally independent from product suppliers, installers and manufacturers. Confidential, impartial and top-quality service is assured, and the client is provided with reliable and objective information. Where appropriate, advice will be offered to help ensure that satisfactory levels of fire safety are achieved.

The new centre will also accommodate practical hands-on training to complement our popular class-based courses and e-learning programmes across a wide range of topics, such as installation and maintenance of fire detection and alarm systems; sprinkler systems maintenance; fire and smoke behaviour; structural fire resistance; and portable fire extinguisher maintenance.

The FPA is the UK's national fire safety organisation. Established in 1946, we are an independent and authoritative source of information and advice on all aspects of fire safety, risk management and loss prevention.

Further information on the FPA research or testing services is available from the FPA's Technical Division on 01608 812 540 or email technical@thefpa.co.uk; and information on training from the Education and Training Division on 01608 812 534 or email training@thefpa.co.uk

Visit the FPA website at www.thefpa.co.uk

Flexicurity in Times of Crisis

Research shows that flexicurity policy initiatives and company measures continuing the crisis. Even if not designed as a deliberate flexicurity strategy - the concept of balancing flexibility, as sought mainly by employers, with security - these initiatives by governments, social partners and companies contribute to enhancing labour market flexibility and security. There is no evidence that flexicurity is a remedy for the crisis, but the examples show a set of practices at national, sectoral and company level that can be helpful in improving the functioning of European labour markets, especially for certain groups of workers also under difficult economic circumstances.

As a consequence of the global financial and economic crisis, EU governments and social partners have put in place measures to counteract the negative impact of the crisis on employment, e.g. short-time working arrangements, underlining the importance of flexicurity measures aimed at job security and internal flexibility within companies as a way to face the current challenges. The public and policy discussion on flexicurity has gained momentum again, with the debate centring on whether flexicurity remains a useful labour market strategy for Europe, feasible in economically difficult times or even a way out of the downturn.

Eurofound wants to contribute to the flexicurity debate by sharing the results from two new studies which identify and analyse flexicurity initiatives stemming from two different levels: policies adopted by governments and social partners at the national, regional or sectoral level, as well as measures put forward by companies for vulnerable groups of workers, namely, young people, older workers and women.

Compared to other developed economies fewer people are employed in Europe. This is mainly due to comparatively lower employment rates for women and, in particular, young and older workers. These groups of workers are typically overrepresented in more atypical forms of employment. This has resulted in cases of high labour market segmentation in some countries, which the flexicurity strategy tries to address.

Eurofound's case study research, based on more than 230 public and social partner-based instruments that can be considered to constitute flexicurity practices, shows that company measures targeted at young workers typically focus on increasing their job and especially employment security, while offering mainly external numerical flexibility to the company. In this respect, the most common measures for young workers are special contractual arrangements and training measures, which in combination provide the core element of flexicurity.

Older workers face important challenges in the labour market. There is a general perception that they are less adaptable and qualified than younger workers, which may result in poor skills development for older workers, potentially due to both companies offering less training to them and older workers being less willing to participate. According to Eurofound's European Working Conditions Survey 2010 data, those aged over

50 receive less training (29.7%) paid by the employer than those aged 30-49 (36%) or under 30 (33.1%). In the past, policies and company measures related to older workers have strongly focused on early exit arrangements, offering external numerical flexibility for companies (limited to one-way transitions towards exit) and income security for older workers. Over the last decades, such practices started to be withdrawn in several Member States.

Flexibility in job content and work organisation increases functional flexibility by allowing older workers to perform different tasks and functions within the organisation. Teamwork, job rotation, multitasking, more autonomy and greater challenges at work and training can improve the position of older workers within organisations and increase their satisfaction by enriching their jobs. For instance, setting up mixed-aged teams, within which older workers may act as mentors, channels a transfer of knowledge between generations while opening new opportunities to older workers within the company. Job rotation, by allowing changes of job within organisations, can be used to increase employment options for older workers where they learn new skills. A particular case may arise when the company faces restructuring: instead of downsizing by offering them early retirement, older workers could receive training and support before being redeployed to different tasks within the company.

The *Second Phase of Flexicurity: an analysis of practices and policies in the Member States* report is available here: www.eurofound.europa.eu/publications/htmlfiles/ef1183.htm

An updated resource pack on flexicurity is available here:
www.eurofound.europa.eu/resourcepacks/index.htm

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The European Foundation for the Improvement of Living and Working Conditions (Eurofound) is a tripartite EU body that provides European social policymakers with comparative data, research and recommendations.

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EVENTS

US-UK Chief Fire Officer Symposium 15-17 May 2012

The next US-UK Chief Fire Officer Symposium will take place on 15-17 May 2012. It will be hosted by the US National Fire Protection Association in Boston, Massachusetts. The annual event enables fire service leaders from both sides of the Atlantic to discuss future local and national level issues.

This latest forum will examine whether traditional approaches to fire suppression are still valid and the challenges of delivering fire services in a fiscally challenging world. The new generation of fire service leaders are encouraged to attend. To confirm your interest, email wppfdtx@aol.com and copy in firstfirecall@aol.com

Research into human perception of speed and errors in judgement to be presented at 4th International congress

Researchers from Royal Holloway, University of London, will be among those speaking at the Road Safety Forum's 4th International congress on Speed, on Thursday 17 May 2012. John Wann, Professor of Psychology at Royal Holloway will present findings from research into the misperception of vehicle speed by children and older drivers and the implications for urban speed limits, and demonstrate simulations used in the research to delegates.

Road safety professionals are being urged to attend this widely-acclaimed event, run by Brake, the road safety charity and being held at the Institute of Mechanical Engineers (IMECHE) in London. Thanks to support from Royal Holloway, through an ESRC funded project, Brake is able to offer 50 free places at the event to road safety professionals from local authorities.

The congress will be attended by experts from academia, and practitioners from around the world, who will discuss the latest research and developments for reducing traffic speeds and enabling more walking and cycling on road networks. Speakers will present research, evaluation and policy thinking in reducing speed, and demonstrate new innovation in speed enforcement, education, engineering and intelligent technologies as part of the programme.

Other speakers and topics include:

- Dr Judy Fleiter, Postdoctoral Research Fellow at CARRS-Q who will discuss approaches to speed enforcement in Australia and latest policy developments
- Julie Galbraith, Project Officer at the European Transport Safety Council who will present some of the issues and good practice solutions for managing speed with employees who drive for work
- Rod King, Director of 20s Plenty for Us will discuss how the organisation is mobilising communities to create a political mandate for slower speeds
- Frank Lai, Senior Research Fellow at the University of Leeds will look at in-vehicle speed management and present the findings from field trials of Intelligent Speed Adaptation technologies.

For further information and full details of speakers and topics, visit www.speedcongress.com.

Organised by Brake's Road Safety Forum, a not-for-profit initiative for road safety professionals, this important event is low-cost thanks to sponsorship from Colas and Keltic Clothing, and support from Royal Holloway, helping to encourage attendance from a range of practitioners to share and enable best practice.

Free places are available on a first come, first served basis and are limited to one per local authority. Email forum@brake.org.uk quoting 'Royal Holloway' to secure a place. Book an additional place at the same time as your free place and get a 20% discount on the full delegate fee - £112 +VAT for Road Safety Forum* subscribers, £144 +VAT for non-subscribers.

Standard places are available for £141 +VAT for subscribers, £181 +VAT for non-subscribers.

Brake is an independent road safety charity. Brake exists to stop the five deaths and 65 serious injuries that happen on UK roads every day and to care for families bereaved and seriously injured in road crashes. Brake runs awareness-raising campaigns, community education programmes, events such as Road Safety



Week (21-27 November 2011), and a Fleet Safety Forum scheme, providing advice to companies. Brake's support division cares for road crash victims through a helpline and other services.

2nd International Wellbeing at Work Conference in Manchester on 21st - 23rd May 2012

The theme for our conference is "Making the Case for Wellbeing at Work". We aim to build on the success of the first conference in Helsinki 2010 and provide an environment where research, best practice and innovation can be shared amongst interested researchers, employers, Trade Unions and policy makers from all relevant subject areas.

The Conference will be held at the stunning Lowry Centre at Salford Quays in Manchester, which houses many of Lowry's industrial masterpieces as well as providing exceptional conference facilities.

A draft programme, www.hsl.gov.uk/health-and-safety-conferences/wellbeing-2nd-international-conference-2012/programme.aspx, is now available, and registration is open!

Exhibitors

If you are interested in exhibiting, please email wellbeing2012@hsl.gov.uk

We hope that you will be able to attend, and we look forward to welcoming you at the conference.

Co-Chairs of the Organising Committee, Dr Andrew Curran and Professor David Fishwick

View the members of our scientific committee and international advisory committee:

www.hsl.gov.uk/health-and-safety-conferences/wellbeing-2nd-international-conference-2012/home/organising-committee.aspx

Download PDF of second announcement:

www.hsl.gov.uk/media/111400/wellbeing%202nd%20announcement.pdf

Upcoming ECETOC Targeted Risk Assessment version 3 and associated workshop

Since its launch in 2004, the European Centre for Ecotoxicology and Toxicology of Chemicals (ECETOC) Targeted Risk Assessment Tool has proved to be an overwhelming success and the new version 3 will be released in the coming weeks along with updated user guides to reflect the changes. At the same time, ECHA has signalled its intent to update its Chesar CSA/ES tool. In this respect, updates to the worker and consumer tools are being developed in close co-operation with ECHA, who intend to incorporate the two human health components of the TRA into the new Chesar version 2.

In addition to these two components, a spreadsheet implementation of EUSES is included in the integrated part of the TRA to facilitate environmental assessments. The integrated part of the TRA is also being updated. These new versions are currently being tested against the TRAv2 and other exposure models.

In order to explain TRAv3 and update users on the difference between TRAv2 and TRAv3, ECETOC is organising a workshop to be held in Brussels 3 May 2012.

There will be an attendance fee of Euro 200 per person. TRA Tool users who would like to attend this event should register their interest by completing the form at www.ecetoc.org/ecetoc-trav3-workshop-register-interest-in-attending.

The workshop is likely to prove very popular so the available places will be issued on a first come – first served basis. Further details on the TRA Tool can be found at www.ecetoc.org/tra.

Ian Cummings

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ICEH2012: Lisbon 29 May 2012 - 1 June 2012

The second International Congress on Environmental Health, Know(ing) the Environment to Protect Human Health (ICEH 2012) will present the most recent technological and scientific developments in the field of environmental health, emphasizing the synthesis of scientific expertise achieved in individual disciplines, namely Air Pollution; Environmental Toxicology; Food Safety; Indoor Air; Occupational Health and Public Health.

The meeting aims to bring together researchers from a number of different countries and continents, involved in these issues.

The organizing committee is pleased to announce an exciting innovative congress, with scientific presentations covering a wide range of topics.

The Congress will take place in Lisbon, which is a lovely city, between the 29th of May and the 1st of June of 2012, at the Escola Superior de Tecnologia da Saúde de Lisboa.

Further details <http://iceh2012.com/>

Incident Live 2012, 12-13 June 2012 Millbrook Proving Ground, Bedford

The first show in which suppliers will be able to demonstrate their products. The interactive, hands-on event will appeal to all of the emergency services (public, industrial and military alike) Incident Live will transform emergency services procurement forever.

The two day event, scheduled for 12-13 June 2012 and hosted at the Millbrook Proving Ground in Bedfordshire, will enable operators from all of the emergency services (civilian and military alike) to personally experience the new vehicles and products targeted at operators. Event theme There are two themes to the show. These are initial response, which focuses on the vehicles needed to get rapidly to an incident, and at the scene where the focus moves to the actual equipment operators require. This includes lighting and scene protection (visual and critical), rescue equipment (specialist access, fire fighting and cutting equipment for example), protective clothing and life-saving medical intervention to deal with various incidents. In the external exhibition zone visiting delegates will be able to experience something completely different to all the other events they have previously attended.

From test driving the latest fast response vehicles to witnessing advanced new cutting tools, right through to simulated real-life disasters, service professionals will be able to experience first-hand the capabilities of the latest solutions. The inside zone, resembling a more traditional exhibition will allow companies to display their products in a world class setting.

Heralding a new and invigorating way of exhibiting 'Incident Live' will immediately set new standards within our sector. The emergency services in the UK are coming under increasing pressure to deliver world class levels of operational delivery whilst at the same time being placed under severe budgetary pressure. Taking advantage of new technologies and products is one way in which that issue can be solved. Making the right product choice however is a complex and difficult task.

Exhibitions are a good way to examine new products that could lead to increases in operational capacity and delivery whilst also having the chance to share experiences with colleagues and interact in regard to the best possible solutions. One thing has always been missing from the current standard exhibition's though – the ability of operators to really experience and assess first-hand, in real-life the capability of the latest equipment. That is until now! Click on the link above to view the event brochure.

More information: www.incidentlive.com

Modern materials for flexible high-performance power plants: The first international conference "Alloys in Power Plant Technology" in Berlin, Germany on 12 -13 June 2012

It will focus on the theme of new concepts in material technology for thermal power plants

The future survival of conventional power plants depends on technological developments in material engineering. These materials assume a key position when changes in the design and operation of the plants have to be made: They must be resistant to corrosion, have a long service life, be safe to process and cost-efficient in production.



At the first international conference "Alloys in Power Plant Technology" experts will discuss new material concepts for power plant technology. Chairman of the conference is Prof. Karl Maile, Deputy Head of the German Institute for Materials Testing at the University of Stuttgart.

T24 is a material which plays a decisive role in current construction projects, but unexpected problems have arisen during handling. In his lecture Frank Neumann, Head of Department at RWE Technology in Essen, Germany, will describe the damages incurred and report on test results and the conclusions drawn about the origin and nature of the damages.

Certain components require specific manufacturing conditions, which must be allowed for by constructing engineers. Erik Solomonsson, Distribution Manager of Sandvik Powdermet AB in Surahammar, Sweden will give a lecture on hot isostatic produced components for power plants. During this process complex components can be produced on a powder-metallurgy basis, thus avoiding elaborate and complicated welded structures.

Experts from the European Technology Development in Surrey, Great Britain, will describe how they repair thick-walled components of P91 martensitic steel and prevent crack formation.

Furthermore they will explain how temperatures are controlled in the thermal treatment of the P92 alloy after welding. During this process thermodynamic modelling plays a major role.

The international conference addresses world-wide specialists and managers of operating plants, manufacturers and suppliers as well as consulting engineers, technical quality inspectors, and research personnel.

Further information, registration and programme at www.vdi.de/materialsinpowerplants or via VDI Wissensforum Kundenzentrum, P.O. Box 10 11 39, 40002 Duesseldorf, E-mail: wissensforum@vdi.de, Telephone: +49 (0) 211 62 14-2 01, Telefax: -1 54.

The VDI (Association of German Engineers) has its seat in Duesseldorf and represents the engineering and technology branch. It is the largest technical-scientific association in Germany with almost 150,000 members and is both a developer and disseminator of technological expertise.

Thanks to the vast network of experts and the know-how of the VDI, engineers and specialists and leading executives in the field of technology may choose from 1,000 further training courses each year. The hosting organisation, the VDI Wissensforum (expert forum) offers seminars, technology forums, training courses, symposia and congresses in all relevant branches. The focus is always on latest developments in technological expertise.

ICCE-20 Beijing, China, 22nd-28th July 2012

The 20th Annual International Conference on Composites, Nano or Metals Engineering CALL FOR SHORT PAPERS: ICCE-20 Beijing, China have received overwhelming responses and appreciations of highly successful ICCE-20 conference in composites or nano or metal engineering, attended by many eminent scientists and engineers. ICCE will celebrate their 20th anniversary, two decades, of the outstanding annual series of ICCE conferences.

If you are an interested author you should IMMEDIATELY submit tentative paper title (changeable later) by email to David Hui, so that ICCE can send you more information. The short paper should be written, by following the format in web page, two pages, each page two column format, with resulting graphs.

For details see www.icce-nano.org

The ICCE-20 registration fee is very reasonable for a five-day conference, US\$390 before May 22, 2012, with reduced rate for students US\$200 before 22nd May 2012. You are encouraged to inform interested friends to present papers.

All ICCE-20 Beijing, China two-page short papers will be reviewed and then published in special issue of journal, containing well over 1200 pages. Authors are encouraged to submit full length papers to be reviewed and published in selected SCI journals which I am serving on the editorial boards, such as Current



Nanoscience journal, Int. Journal of Nanotechnology, Journal of Nanomaterials, Int. Journal of Mechanical Sciences, Composites B journal, Textile Research Journal, Journal of Mining and Metallurgy section B Metallurgy, Science & Engineering of Composites, among others.

Occupational Safety in Transport (OSIT) Conference, Queensland, Australia September 2012

The OSIT Conference is a multi-disciplinary event featuring representatives from road and transport safety, aviation and watercraft, fleets, safety culture and management, construction safety and associated fields, which we believe provides an excellent progression from and follow-up to the 2009 NIOSH Global Conference on Occupational Road Safety (www.virtualriskmanager.net/niosh).

Themes for the OSIT event are planned to cover topics such as:

- Organisational Safety Culture and Management Systems
- Organisational and Industry Transport Risks
- Use of Technologies
- Interventions and Program Strategies and Evaluation
- Data-driven Interventions and Evaluations

Designed to encourage a strong program of both industry and academic presentations, keynote speakers are being drawn from around the globe.

According to Darren Wishart, Chair of the Occupational Safety in Transport Organising Committee the following types of people should attend:

- Fleet managers/coordinators
- Workplace health and safety officers
- Researchers and practitioners
- Policy and process developers
- Engineers
- Vehicle manufacturers
- Local and State government representatives

Key dates:

- Call for Abstracts and event sponsors open – October 2011
- Abstracts due – 13 February 2012
- Registrations Open – 5 March 2012
- Authors advised of abstract acceptance – 19 March 2012
- Early bird registration (and presenter) closes – 14 June 2012
- Standard registration closes – 7 September 2012
- 20-21 September 2012 – OSIT Conference, Crowne Plaza Gold Coast, Queensland Australia.

For more information, and to participate, please look at the following website: <http://ositconference.com>

2012 Society of Exposure Science Meeting Announced

US NIOSH announces the International Society of Exposure Science 2012 annual meeting that will take place in Seattle, Washington, 28 October 2012 - 1 November 2012.

The meeting will be co-chaired by Brian Curwin of NIOSH.

The meeting theme is Lessons Learned: Contributions of Exposure Science to Environmental and Occupational Health.

For information about the meeting, go to www.ises2012.org/ or contact Brian Curwin at 513-841-4432 or bcurwin@cdc.gov



Join NIOSH and partners for the 2012 Isocyanates Conferences

NIOSH and partners invite you to register and/or submit papers for Isocyanates and Health: Past, Present and Future, November 1–2 2012 in Bethesda, Maryland, USA.

See a personal invitation from Dr. James Lockey, scientific chair, at:
www.youtube.com/watch?v=Smv3Mo2yAqQ.

More information on the conference or call for papers is available at:
<http://secure.cirpd.org/isocyanates2012/content/home.cfm>

EHE2013 - International Conference on Electromagnetic Fields, Health and Environment,

The EHE2013 General Chairman writes:

It is my great pleasure to invite you to the EHE2013 - International Conference on Electromagnetic Fields, Health and Environment, to be held in Porto, Portugal, from 19- 21 September 2013. This Conference is now in its 5th edition after successful previous Conferences held in Funchal (2006), Wroclaw (2007), S. Paulo (2009), Coimbra (2011) and now in Porto-Portugal in 2013.

This International Conference like its predecessors is a world forum for a multi-discipline audience with various backgrounds, as, researchers, physicians, engineers, ecologists, consultants, decision and opinion makers, public authorities, to present, review and discuss the new developments and trends on electromagnetic field analysis, simulation and application with significance to the human health as well as increase the awareness of the public in this strategic area for the modern world.

The human organism does not function solely on the basis of biological or biochemical cellular reactions, but also on the basis of electromagnetic fields. The humans are indeed “electromagnetic beings”. The term “electromagnetic fields” covers all the fields emitted by natural and man-mode sources and so the distinction between static and alternating fields.

In the latter, a differentiation should be made between extremely low frequency (so called ELF) fields such as due to the domestic and industrial electricity, and high frequency (so called RF) fields due to mobile telecommunication technologies, Wi-Fi, WLAN, etc.

It has been established that electromagnetic fields operating at various frequencies' can have useful and beneficial effects in clinical medicine, either for diagnosis or treatment. For example and to mention a few of the best of non-ionizing frequency band applications: the therapeutic benefits of electrotherapy, the clinic effects of direct currents (electrolysis), the clinical effects of external electric impulses on the cardiac muscle (pacemaker, defibrillators), clinical effects of micro measurements generated by pulse magnetic fields to improve healing in tissue repair and bone fractures.

But also, and because the very weak electrical currents are part of our human Physiology (for example at the level of communication between cells), the question of the possible disruptive effects on the human body and eventual consequences they might have for health, may legitimately be raised.

The levels of the electromagnetic fields (EMF) in the environment as a consequence of our modern life and way of living are increasing every day and so the Public exposure to EMF due to different sources is also increasing. There is an increasing great public concern and awareness of the potential health effects due to these radiations. The findings of scientific research are inconclusive, there is not unanimity of opinions and debate continues.

The EHE 2013 Conference contributions concern the areas of: EMF Modeling, Measurement and Simulation, Bio-effects of EMF, Environmental Safety Policy issues and International Standards.

You are strongly encouraged to participate and submit papers to the EHE2013 Conference, within the frame of the Conference topics.

The Conference official language is English and this will be the only accepted working language, which will be used for all printed material, presentations and discussions.



We have great pleasure to inform you that selected papers presented at the Conference, following a reviewing process, will be published in the post-Conference issue (Special issue on Electromagnetic Fields, Health and Environment in the International Journal COMPEL, ACES Journal and Brazilian Journal of Biomedical Engineering).

Potential Authors and other Participants are most welcome to visit the Conference website at www.apdee.org/conferences/ehe2013 for a more complete information.

The Conference will be held in Porto - Portugal, know all over the world to receive high quality events, like this one.

Carlos F. R. Lemos Antunes
Professor at Universidade de Coimbra
EHE2013 General Chairman
Email: ehe2013-chairman@apdee.org



Sheila Pantry OBE
Strategic Editor – The Occupational Health & Safety Information Service



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Welcome to the second part of The Occupational Health & Safety Information Service News Brief.

This part of the News Brief contains news articles and prosecution summaries in the field of environmental health and health & safety from the Chartered Institute of Environmental Health (CIEH).

Areas that they will be focusing on include; noise pollution, food safety, air quality, occupational health issues and relevant industry prosecutions.

CIEH CONTENTS

<u>Welcome to this edition of the Occupational Health & Safety Information Service News Brief</u>	<u>1</u>
<u>CONTENTS</u>	<u>2</u>
<u>Welcome to the second part of The Occupational Health & Safety Information Service News Brief.</u>	<u>42</u>
<u>CIEH CONTENTS</u>	<u>42</u>
<u>Rise In 'Shisha Bars' Prompts Health Warning On Dangers Of Waterpipe Smoking</u>	<u>43</u>
The Chartered Institute of Environmental Health (CIEH) has joined the British Heart Foundation to voice concern about the dangers associated with shisha smoking.	
	43
<u>Europe Needs To Use Water More Efficiently, Says New Report</u>	<u>43</u>
Europe needs to redouble efforts in using water more efficiently to avoid undermining its economy, according to a new report from the European Environment Agency (EEA).	
	43
<u>HPA Investigating Problem With Commercial Syphilis Test Kit</u>	<u>44</u>
The Health Protection Agency (HPA) is investigating inaccurate results given by a commercially available syphilis test kit that was used in conjunction with other tests to diagnose syphilis between November 2010 and September 2011.	
	44
<u>HSL Report On Efficacy Of Safe Sharps Devices</u>	<u>45</u>
A systematic review of evidence relating to safer sharps devices and their impact on needlestick injury reduction within the healthcare sector has been published by the Health and Safety Executive (HSE) in its research reports series	
	45
<u>RSPH Report Outlines The Future For Public Health Learning And Development</u>	<u>45</u>
The Royal Society for Public Health (RSPH) has commissioned an in-depth report into the future learning and development landscape for the wider public health workforce.	
	45
<u>RoSPA Home Safety Project Receives Funding Boost</u>	<u>47</u>
The Royal Society for the Prevention of Accidents (RoSPA) is to receive up to £706,309 over three years to test and develop innovative approaches to improve health and wellbeing, Care Services Minister Paul Burstow has announced.	
	47
<u>New Report Sponsored By BSI Shows More Businesses Than Ever Planning For The Worst</u>	<u>47</u>
A new report: Planning for the Worst, published in association with BSI, Aon, the Business Continuity Institute (BCI) and the Civil Contingencies Secretariat in the Cabinet Office	
	47
<u>New Legislation</u>	<u>49</u>



Rise In 'Shisha Bars' Prompts Health Warning On Dangers Of Waterpipe Smoking

The Chartered Institute of Environmental Health (CIEH) has joined the British Heart Foundation to voice concern about the dangers associated with shisha smoking.

Shisha smokers inhaling flavoured tobacco through exotic waterpipes have become a common sight in city streets across the UK.

Shisha smoking is linked to the same kinds of diseases as cigarette smoking including heart disease, cancer, respiratory disease and problems during pregnancy. Yet more than one in ten (13%) UK adults surveyed for the BHF thought there were no health harms from using shisha, and just 43% knew shisha could contain tobacco.

Freedom of Information data from 133 local authorities in major towns and cities across the UK shows 53% have – or have had - a shisha bar since 2007, while more than 40% have seen a rise in the number of shisha bars since the smoking ban came into force.

This is in stark contrast to the steady decline in cigarette smokers in the UK and has prompted the BHF to urge people to find out the facts about shisha, which is also known as hookah, hubble bubble and narghile.

More than 750,000 people attempt to quit on No Smoking Day each year. But the charity is concerned thousands of quitters may still be putting their health at risk by using shisha, and that the rising number of shisha bars could provide a new gateway for people to start smoking and become addicted to tobacco.

Almost everyone surveyed for the BHF were unaware that during a typical hour-long shisha session you can inhale the same amount of smoke as from more than 100 tobacco cigarettes. A total of 84% of respondents thought it was 10 or fewer.

The survey results also showed shisha is most popular among young people with more than a quarter (27%) of 18 to 24 year olds saying they'd used it. Worryingly misconceptions about the dangers of shisha were highest among this group and those aged 25-34 with 15% each believing there were no health harms from shisha at all while 44% of the younger adults thought it was less harmful than cigarettes.

By comparison, 17% of overall respondents thought shisha was less harmful than cigarettes.

The data showed shisha is no longer a pastime for perceived specific community groups alone, with almost one in ten (8%) people of white ethnicity saying they'd used it.

The survey also showed almost one in ten (9%) former cigarette smokers have used shisha as well as almost one in ten (8%) non-smokers.

www.cieh.org

Europe Needs To Use Water More Efficiently, Says New Report

Europe needs to redouble efforts in using water more efficiently to avoid undermining its economy, according to a new report from the European Environment Agency (EEA). Inefficient water use impacts hard on the resources needed by ecosystems and people, both vital assets for European productivity and security.

The report: Towards Efficient Use Of Water Resources in Europe from the European Environment Agency (EEA) makes the case for an integrated water management, starting with better implementation of existing legislation.

Water shortages have severe consequences for economies reliant on agriculture and industry. Some shortages have even led to drinking water restrictions in parts of Europe. There are also indirect effects on the economy, as reduced river flows, falling lake and groundwater levels, and disappearing wetlands can have destructive effects on the natural systems underpinning economic productivity.

Increasingly, there is intense competition for water resources in some parts of Europe. Across the European Union, agriculture uses about a quarter of water diverted from the natural environment, though this can be up to 80% in southern Europe. In addition, public water supply accounts for approximately a fifth of water use



across Europe – and over a quarter of this is used just to flush the toilet. Hydropower installations also change the natural structure and flow of rivers and lakes, with consequences for ecosystems.

Agriculture is one sector where easy efficiency gains are possible, because a lot of water is used inefficiently to irrigate crops. Some estimates calculate that approximately a quarter of water abstracted for irrigation in Europe could be saved, just by changing the type of pipe or channel used. Public water supply can be made more effective - as much as 50% of drinking water is lost in some EU Member States.

Inefficient use of water also leads to higher energy use, with extra financial and environmental costs, according to the report. While the energy needed to pump and treat freshwater into drinking water is typically around 0.6kWh/m³. Desalination of seawater adds approximately 4kWh/m³. Several European countries use desalination technology, most notably Spain, which is among the highest users of desalination globally.

Authorities should set clear environmental targets for water use, within the limit of what is sustainable, according to the report. Such targets would differ depending on the available resources, but should be designed so that the natural environment has sufficient water to function. A form of 'decoupling' is needed so that increasing economic productivity does not entail increasing water use and increasing environmental impacts.

Historically, water prices in Europe have rarely reflected the true financial cost of supplying water, nor the economic costs to the environment. This has led to pollution and water scarcity, imposing costs on the environment and society. For example, the general public typically has to pay for the cost of treating drinking water contaminated by agriculture or industry. Putting the right price on water can incentivise more efficient use of water and technological innovation. Effective use of taxes, subsidies, market mechanisms, pricing schemes and other economic instruments can also help balance conflicting demands on water.

Later this year, the 'Blueprint to safeguard Europe's waters' published by the European Commission will map the way forward in this area. Throughout 2012 the EEA will release a series of reports on related water issues, exploring a variety of challenges and opportunities.

Towards efficient use of water resources in Europe

EEA Report No 1/2012

www.eea.europa.eu/publications/towards-efficient-use-of-water

HPA Investigating Problem With Commercial Syphilis Test Kit

The Health Protection Agency (HPA) is investigating inaccurate results given by a commercially available syphilis test kit that was used in conjunction with other tests to diagnose syphilis between November 2010 and September 2011.

As a result of the problem with these test kits, which are no longer on the market, a small number of people were diagnosed with syphilis when they did not have the infection, and some people were diagnosed as having early stage syphilis when they actually had late stage disease. Those people who received a negative test result have not been affected by this incident.

Following an extensive 'lookback' exercise, around 75 people have been identified as possibly being affected by this problem. Further rechecking of samples from these patients is underway and anyone given an incorrect diagnosis will be informed of their correct diagnosis and, where necessary, will receive further treatment.

Those people who may have been given an incorrect diagnosis due to anomalies in the function of the test kit represent only a very small proportion of the people tested for syphilis in the UK each year - approximately 1.5 million tests are carried out annually.

The HPA has been leading the investigation into the impact of the results from affected batches of the particular kit, which was the subject of a Field Safety Notice from the manufacturer in August 2011 and a Medical Device Alert by the Medicine and Healthcare Products Regulatory Agency (MHRA) in November 2011, to stop other laboratories using the affected kits.



It was the national reference laboratory for sexually transmitted infections at HPA Colindale that first spotted the problem and alerted the manufacturers and the MHRA. Two HPA laboratories and six non-HPA laboratories across the UK (including three in Scotland and one in Wales) used the affected kits during the period in question.

The test kit in question is designed to detect an antibody called immunoglobulin M (IgM) and is one of a series of four laboratory tests used to diagnose syphilis. The affected batches of test kits gave higher levels of 'positive' results than would be expected, meaning they incorrectly suggested the presence of the syphilis IgM antibody when it was not actually present.

As the results of all four tests are used along with clinical symptoms in making the diagnosis of syphilis, only in a very small number of cases have people been given the incorrect diagnosis or incomplete treatment - in the great majority of cases the right diagnosis has been given.

Around 5,000 cases of syphilis are diagnosed in the UK each year. Initial presentation is usually a single painless but highly infectious ulcer which appears at the site of infection, but many syphilis diagnoses are made in individuals with no symptoms in those who are screened for the infection. Syphilis is also an easily treatable infection and can be prevented by sexually active people consistently wearing condoms with all new and casual sexual partners and by reducing the number of sexual partners they have.

Medical Device Alert: Laboratory based syphilis test: Mercia Syphilis M kit manufactured by Microgen Bioproducts Limited (MDA/2011/104)

www.mhra.gov.uk/Publications/Safetywarnings/MedicalDeviceAlerts/CON134779

HSL Report On Efficacy Of Safe Sharps Devices

A systematic review of evidence relating to safer sharps devices and their impact on needlestick injury reduction within the healthcare sector has been published by the Health and Safety Executive (HSE) in its research reports series.

The review, carried out by the Health and Safety Laboratory (HSL), sought to determine whether:

- the use of safer sharps devices could reduce the incidence of sharps injury;
- dedicated educational / training initiatives could reduce the incidence of sharps injuries;
- safer sharps devices were accepted by the hospital personnel asked to use them; and
- safer sharps devices had any proven impact on patient care outcomes.

The quality and quantity of published evidence was limited, mainly due to study designs used by publishing authors. Despite this, the authors found there was sufficient published evidence to support consideration of the use of safer sharps devices as a means of reducing the incidence of sharps injuries amongst UK healthcare workers.

The impact of educational programmes implemented alongside use of safer sharps devices was also considered by the review: such programmes led to lower rates of sharps injuries being sustained for longer. However, the benefit attributable to education alone could not be isolated from the impact of the introduction of safer sharps devices.

Also considered was user acceptability of safe devices. However, few studies have investigated this aspect and the review concluded that more studies on user acceptability are required.

Beswick A, Robinson E, Evans G, and Codling A (Health and Safety Laboratory) (2011). An evaluation of the efficacy of safer sharps devices (HSE research report 914). Available at: www.hse.gov.uk/research/rrhtm/rr914.htm.

RSPH Report Outlines The Future For Public Health Learning And Development

The Royal Society for Public Health (RSPH) has commissioned an in-depth report into the future learning and development landscape for the wider public health workforce.



Although the broad context for health improvement is well established, its architecture is undergoing a radical shift, from a health led service towards a public health system that is local authority led.

The report is based on interviews with people in a wide range of public health roles; in both practice and learning settings, Local Authorities, the NHS, and the third and the independent sectors.

The findings highlight the complexity of developing effective education and learning to support health improvement and the changes that will be needed to ensure that the workforce can operate effectively in the new environment.

Key themes emerging from the policy:

- Culture and Language: 'Health Improvement' is not a clearly understood term. A plethora of terms are used interchangeably across health and social care, for example patient, service user, client and citizen, which can cause problems in communication.
- Reflecting earlier findings, one of the greatest health improvement challenges is to ensure that all staff, as well as service users, have the necessary skills, knowledge and behaviours (competences) to promote health and well being across the public health workforce. This depends on creating the right conditions, culture and relationships.
- Leadership Challenges: Developing the right kind of leadership to support commissioning and service delivery remains a significant challenge. Traditional approaches to leadership and its development are no longer fit for purpose. There is a need to develop leaders, not just at the top of the organisation but at all levels, recognising the value of lived experience beyond professional silos that still exist. This includes all staff and, increasingly, service users. The traditional boundaries within public health have begun to break down as the period of transition begins, and there is a need to build this kind of leadership capacity for the future.
- Partnership and Collaboration: Employers are responding already to the clear emphasis that the government is placing on delivering more public health services through joint working arrangements, across traditional boundaries and through pooling resources. The Health and Well Being Boards offer a golden opportunity to improve health locally. RSPH has worked with the NHS Confederation to develop a set of principles for how Health and Well Being Boards should work together, helping to make the new system work for local communities.
- Shared Decision Making: The Government has declared that it wants the principle of shared decision making to be the norm. However, the reality is that shared decision making is still some way off. This message is reinforced by the national patient surveys published by the Care Quality Commission which show that 48% of all in patients, and around one third of out patients, primary care patients and maternity service users say they are not as involved in decisions about their care as they would like to be (Care Quality Commission 2010).
- Patient and Public Engagement: There needs to be a shared understanding of how an effective partnership supports effective engagement. Under the Health and Social Care proposals Clinical Commissioning Groups (CCGs) are expected to have an approach to engaging patients and the public before achieving authorisation from the NHS Commissioning Board. Although there are examples where engagement is working well, there is also evidence to suggest that the NHS still needs to transform the way it involves people in their own care, and in partnership working more widely (The Health Foundation 2011).
- Authorisation and Accountability: The guidance issued to the emerging CCGs by the Chief Executive of the NHS (DH 30th September 2011) states that CCGs need to promote shared decision making by patients about their care. This is a welcome improvement on the previous version, which suggested that CCGs should directly engage with their local patient population in order to gain 'insights' that can inform commissioning. This needs to be built upon.

This report informs future education and learning in the light of the forthcoming Public Health Workforce Strategy. RSPH wants to share the learning from this work with practitioners and policy makers to stimulate,



inform and shape ongoing discussions and bridge the gap between the policy and practice. The intention is to create an ongoing dialogue recognising that the best solutions are co-created.

Paving the Way: A closer look at what the changing policy landscape means for public health improvement, education and learning

www.rsph.org.uk

RoSPA Home Safety Project Receives Funding Boost

The Royal Society for the Prevention of Accidents (RoSPA) is to receive up to £706,309 over three years to test and develop innovative approaches to improve health and wellbeing, Care Services Minister Paul Burstow has announced.

Voluntary sector organisations submitted funding bids to the Department of Health setting out how they could help their communities by improving care for thousands of vulnerable people. A total of £6.8million is being distributed among third sector organisations during 2012-13 alone, of which RoSPA has been awarded nearly £240,000.

RoSPA's project, called The Safer Homes Programme, which begins in April, aims to raise the standard of home accident prevention to reduce the incidence of injury in those most at risk.

The Birmingham-based charity, which has been at the heart of accident prevention in the UK and around the world for more than 95 years, will receive an initial grant of £239,669 for 2012-13 and, provisionally, it will receive the rest of the funding for 2013-14 and 2014-15.

The Safer Homes Programme will provide a consultancy, training and intervention service on key areas of home safety in targeted areas across England, and RoSPA will work with local authorities and their partners to address accident prevention as a key public health issue. The programme will promote a systematic approach to integrating home safety into local health plans, which comes at a crucial time given the reorganisation of public health across England and the emphasis on local decision-making.

In England and Wales in 2010, 11,438 deaths were registered as accidental, of which 4,776 (42%) happened in the home and in residential institutions, a rise from 4,732 in 2009.

The money comes from the Department's Innovation, Excellence and Strategic Development (IESD) fund.

www.rospa.com

New Report Sponsored By BSI Shows More Businesses Than Ever Planning For The Worst

A new report: Planning for the Worst, published in association with BSI, Aon, the Business Continuity Institute (BCI) and the Civil Contingencies Secretariat in the Cabinet Office, examines how prepared organisations were for unexpected and damaging disruptions to their day-to-day operations over the past year.

2011 presented a wide range of unexpected threats to the operations of UK organisations, according to research published by the Chartered Management Institute (CMI) today. While winter weather was the most common cause of organisational disruption for the third year running, other significant business disruptions included the public sector strikes (which caused problems for 55% of managers), the Blackberry outage (39%), the summer riots (26%), natural disasters such as the Japan earthquake and tsunami (19%), and international social and political unrest such as the Arab Spring uprising (18%).

The findings, released ahead of Business Continuity Awareness Week, suggest that this wide range of threats has prompted Business Continuity Management (BCM) to become increasingly adopted in the UK. After a sharp increase in BCM uptake over the past two years, the 2011 figures show another rise – 61% of managers now work for an organisation that has BCM in place, up from 58% in 2010. These improvements are exemplified by the fact that, learning from the past two years of heavy snow, 37% of organisations have now formalised their arrangements for managing the impact of severe weather.



Looking forward, many organisations are already thinking about how to minimise the impact of the Olympic Games: 25% of managers will allow staff to work flexible hours; 17% of staff will be able to work remotely; and a further 17% of managers have prepared for an increase in annual leave requests.

With the launch of the report, CMI is renewing its calls for small and micro organisations to follow the example of medium and large organisations by putting robust and proportionate business continuity plans in place. At present, just 31% of micro organisations and less than half of small organisations (48%) utilise BCM, compared to 61% of medium and 74% of large organisations. BCM continues to be most prevalent in the public sector, with 73% of managers reporting BCM arrangements, and in large private sector organisations, with 70% uptake of BCM. However, this falls to 52% overall in the private sector when factoring in small and medium sized businesses. Uptake of BCM in the not-for-profit sector is 60%.

The report also shows clear advantages for organisations which do have plans in place to deal with crises when they hit. Of those who had to activate plans in 2011, 81% agreed it reduced disruption and the same number stated that any cost in developing plans is justified by the business benefits they bring.

As part of its commitment to revitalising management and leadership in the UK, CMI is calling for all organisations to learn the lessons of the last 12 months in line with the report's recommendations. These include:

- When developing BCM, the business impact analysis should take precedent over the risk assessment.
- Organisations can change rapidly, so review your BCM regularly, checking that it remains relevant to your current operations.
- Only one fifth of managers expect their business critical suppliers to have BCM, and only 7% expect all of their suppliers to have BCM. Review which suppliers are critical to your operation and examine whether they have BCM. If not, you may want to find out why not.
- Use BCM based on a common framework (such as BS 25999 or the forthcoming International Standard ISO 22301 / ISO 22313) and follow recognised best practice – it improves understanding and resilience, and can also give you competitive advantage.
- Managers throughout organisations need to be fully competent and confident in understanding their role in BCM – but senior managers must take ultimate responsibility for the quality and robustness of their organisation's BCM.

To download the report, visit:

<http://shop.bsigroup.com/Browse-By-Subject/Business-Continuity/CMI-Business-Survey---results/>



New Legislation

UK Statutory Instruments

The Environmental Protection Act 1990 (Commencement No. 19) Order 2012

The Landfill Tax (Amendment) Regulations 2012

The Licensing Act 2003 (Diamond Jubilee Licensing Hours) Order 2012

The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations 2012

The Pneumoconiosis etc. (Workers' Compensation) (Payment of Claims) (Amendment) Regulations 2012

The Smoke Control Areas (Exempted Fireplaces) (England) Order 2012

The Town and Country Planning (Local Planning) (England) Regulations 2012

Northern Ireland Statutory Rules

The Food Hygiene (Amendment) Regulations (Northern Ireland) 2012

The Identification and Traceability of Explosives (Amendment) (Northern Ireland) Regulations 2012

The Plant Health (Amendment) Order (Northern Ireland) 2012

The Waste (Fees and Charges) (Amendment) Regulations (Northern Ireland) 2012

www.legislation.gov.uk



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