

Summer 2018 Newsletter

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Useful Websites:-

- HSE Website www.hse.gov.uk
- British Standards Institute www.standardsuk.com
- Trades Union Congress www.tuc.org.uk
- Environment Agency www.environment-agency.gov.uk

COMMENT

Welcome to the (scorching) summer addition of our newsletter, designed to keep you informed of the key developments around the subject of UK health, safety and wellbeing.

The weather this summer has exceeded our expectations and continues to delight, though some dissenting voices are starting to be heard! Hot days - and nights - have made work-life and sleeping uncomfortable for most of us, but it has provided for exceptional leisure-time. A downside is that we can expect to see more accidents involving 'carefree' members of the public.

On the work front, perhaps the Judges have suffered too as I couldn't help but notice the large fines and custodial sentences being levied on businesses and Directors for health and safety failings.

Fines (relative to turnover) of £1m and more are not uncommon, nor are prison sentences for business leaders. On reflection, it is clear that now, more than ever, Directors need to ensure robust health and safety management systems are in place.

Tony Payne

Mental Health First Aid

As documented in HSE statistics, there were 236,000 workers suffering from new cases of work-related stress, depression or anxiety in 2016/17.

In response to this, some businesses have now begun to train Mental Health First Aiders (MHFA) to support their workforce and provide a focal point for mental health support and guidance. Having someone who is informed about the options available for professional help can greatly assist others having difficulty coping with mental health issues or emotional distress. In times of mental health crises, having someone to contact may greatly reduce the risk of the person coming to harm. MHFA are trained in supportive conversation, risk assessment and awareness of the appropriate clinical referral channels.

Quick Stats – 137 Workers killed at work in 2016/17 – 38 in Construction alone5.5 million estimated working days lost due to non-fatal workplace injuriescost to British business £2.9 billion in 2015/16.

Tech set to take its toll

Industry leaders have reported that young workers risk chronic conditions later in life because they place the use of portable devices over their long term musculoskeletal health. In 206/17 8.9 million working days were lost due to musculoskeletal disorders in the UK alone (hse.gov.uk). The postural positions of sustained laptop, tablet and other mobile devices can place significant strain on the muscles of the back and neck. In the workplace, businesses should advise their workforce to ensure that long term risks are managed through improved education and awareness.

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The courses are easily accessible via the [adams-payne safety website](http://adams-payne-safety-website) for instant access via Paypal or to register for your **FREE no obligation trial**. Alternatively contact me at enquiry@adampaynesafety.com for group course bookings, multiple license discounts and general enquiries.

You must train people so why not start here?

Company Director in custody over brother's deaths

A company director has been sentenced to 8 months in custody after pleading guilty to a health and safety breach that resulted in the death of two brothers. The Crown Court heard that the owner and director of a 'design and build' company had been contracted by the owners of an industrial park in order to refurbish several units.

The brothers had been employed as labourers and were working inside when an explosive fire occurred within one of the units. Both brothers suffered near 100 per cent burns and later died. A joint investigation by the Police and Health and Safety Executive (HSE) found that the Director had supplied the men with several litres of highly flammable "thinners", which they then poured onto the floor of the unit to remove old dried carpet tile adhesive. The investigation found that the director had given no serious consideration to the safe use of the thinners, despite the obvious warnings on the containers. The vapour spread and was ignited by an ignition source. The director pleaded guilty to breaching Section 3 (1) of the Health and Safety at Work etc. Act 1974.

STAY SAFE IN THE SUN

Protect your skin from harmful ultraviolet radiation from the sun when you're working. Follow five simple steps to make sure you enjoy the weather, without putting your health at risk.



1 COVER UP

Wear long, loose clothing to keep the sun off your skin.



2 PROTECT YOUR HEAD

Don't forget your head, face, ears and neck – wear a hat, preferably with a wide brim, and sunglasses with UV protection. If you wear a hard hat, use one fitted with a Legionnaire-style flap. If you wear safety goggles, make sure they have a UV filter.



3 SEEK SHADE

Come out of the sun whenever possible during the most powerful ultraviolet periods (10am–3pm), and remember to stay in the shade during breaks.



4 USE SUNSCREEN

Use SPF 30 or higher on any exposed skin – apply it half an hour before going outside, put plenty on and reapply it frequently.



5 BE SKIN SAFE

Report mole changes (size, shape, colour, itching or bleeding) or any other concerns about your skin to your doctor as soon as possible – don't put it off, early treatment is important. Have a look at our simple skin check guide on the other page.

Ionising Radiation Regulations go live!

The Ionising Radiation Regulations 2017 (IRR17) came into force on 1 January 2018 and replaced Regulations IRR99. The accompanying Code of Practice L121 and guidance will help employers comply with their duties under the regulations.

For Ionising radiations occurs as either electromagnetic rays (such as X-rays and gamma rays) or particles (such as alpha and beta particles). It occurs naturally (e.g. radon gas) but can also be produced artificially. Ionising radiation has many uses in industry, such as energy production, manufacturing, medicine and research. However, it is important that the risks of ionising radiation are managed sensibly to protect workers and the public. People can be exposed externally to radiation from a radioactive material or a generator such as an X-ray set, or internally by inhaling or ingesting radioactive substances. Wounds that become contaminated by radioactive material can also cause radioactive exposure. The main changes from IRR99 are:

- The dose limit for exposure to the lens of the eye has been reduced from 150 mSv to 20 mSv in a year.
- There is a new system of authorisation for work with ionising radiation – the higher the radiation protection risk, the greater the requirements. A three-tier system of regulatory control, notification, registration and consent has replaced the previous requirement for notification and prior authorisation. To notify, register or get consent from HSE, go to <https://services.hse.gov.uk/bssd/>
- The requirement for notification has been changed to a lower level of activity than in IRR99.
- The definition of an outside worker has been broadened so that it includes both classified and non-classified workers.
- There is now a requirement to put procedures in place to estimate doses to members of the public.
- Guidance has been clarified regarding the duties of employees to co-operate with employers in meeting the requirements of these Regulations.
- Medical appeals by an employee are made to HSE within 28 days of the employee being notified of the appointed doctor's decision. This has been introduced for consistency with other regulations.

Bouncy Castle tragedy pair jailed

Two fairground workers have been jailed for three years following the death of a 7 year old girl who was on a bouncy castle blown into a tree in March 2016. The pair had failed to anchor the inflatable securely and were convicted of gross negligence manslaughter in May of this year.

Quick dips

Grenfell may bring about a ban on combustible cladding on high rise buildings..... the number of working at height safety breaches on UK construction sites has risen 13% in the past six months.....the HSE has identified that the Agricultural Industry still has the highest rate of fatal injury in Great Britain with 33 deaths recorded in the sector between March 2017 and April 2018.

Contractor, Client and Director convicted for Dangerous Building Site

A Crown Court heard that HSE inspectors visited a construction site in London on numerous occasions. Inspectors found poor health and safety standards on site, including dangerous work at height, unshored excavations, and poor welfare facilities. An HSE investigation found that the *contractor failed to plan, manage and monitor the work on site. The client company failed to make suitable arrangements for managing a project, and their Director had allowed the poor conditions on site.*

And Finally...

The comments, observations, views and advice contained in this newsletter are for general guidance only and are not a substitute for competent expert advice or reference to Acts and Regulations or other legal sources in individual cases and circumstances. Advice can be obtained from, amongst others, Insurers, Solicitors, Enforcing Authorities and your own competent person. You should always ensure that you obtain competent professional advice in individual situations.