



Safety Snapshots

David Associates Ltd
(DAL)

Volume 2 Issue 3
March 2006

Changes to the Law on managing Fire Risks

The Regulatory Reform (Fire Safety) Order 2005 was due to be implemented on 6th April 2006 but this has been deferred until 1st October 2006 because the HSE have not published the required guidance.

This is no reason to sit back and say "I needn't bother for another 6 months". What is clear, from the Order, are the steps that must be taken before October, namely to get your risk assessment updated, put your remedial actions in place and review them for their effectiveness, prior to October.

The duties placed upon employers from the Order are to nominate someone to be responsible for fire safety, conduct a suitable and sufficient risk assessment, communicate the results to all of your employees and to take whatever actions are necessary to reduce the risks to their lowest levels.



Soon, every business will need a fire risk assessment.....

It is important to remember that fire is an invisible hazard. By the time it has become visible it is too late to try to control it, therefore it is imperative that when conducting the assessment that the causes of fire are considered. The fire triangle shows fire is created by:

Fuel (almost anything can be fuel) e.g. paper, wood, gas.

Oxygen We need oxygen to survive, so difficult to eliminate this

Ignition These are ways fire can start and the easiest to control.

Fuel is all around us in the workplace, but remove or control the ignition source and fire should not become a reality. Electricity is the most common cause of fires, therefore adequate controls and testing of all electrical equipment and systems is vital. Coupled with good housekeeping this will help prevent fires from starting

The Fire Risk assessment should be in 3 parts. Firstly a fire plan to identify likely sources of ignition, flammable substances, evacuation, fire detection, fire fighting equipment, call points, signage and training.

Secondly, an understanding of how fire may progress through your site, what will help it spread and what will slow it down and what you can do to slow it or control its spread.

Finally, the effects of fire on third parties, i.e. your neighbours, the emergency services, traffic, even the water that runs off your site and the contaminates that it will contain must all be considered. Use the guidance when it is published and get your plans in place immediately, October may be too late. If in doubt ask for professional help from a fire safety advisor or a health and safety consultant.

Safety Health & Environment



Health, safety and environment - are they really joined at the hip? Are these joint disciplines or are the varying priorities what makes them different?

There are so many aspects of safety that influence health, eye sight, hearing, accidents, exposure to substances, radiation, muscular skeletal disorders. There are also aspects of health that reflect in safety, skeletal disorders, disabilities, sight impairments. Therefore many of the procedures and controls have a combined effect. The same is true of the environmental issues.

The COSHH regulations influence the contamination and the disposal aspects of substances, the waste regulations control the way that we dispose of anything that may contaminate the environment. There are many overlaps, so it makes sense for every company to make environmental assessments.

What is an environmental assessment? Simply speaking it is a risk assessment like any other.

Firstly you need to understand the aspects of your business that may have an effect on the environment, e.g. the amount of

raw materials that you buy. Next consider the impacts of those elements on the environment. e.g. the amount of energy required to make the raw material or to process the waste. The other things to consider are the amounts of energy or natural resource involved in your own manufacturing or work activities.

A 10% reduction in paper use could save the average business, around £300 per annum, and save at least one tree. Every ton of recycled paper may yield a quarter ton of new paper.

Inside this issue:

<i>HSE Inspections</i>	2
<i>Home working</i>	2
<i>Legislation dates</i>	2
<i>Health, Safety and Human Resources</i>	3
<i>Incident Investigation</i>	3
<i>Ladder M8rix</i>	3
<i>Business Continuity Planning</i>	4
<i>Control of Noise</i>	4

Safety Shorts

JHP Training and David Associates have teamed up to help youngsters go to work armed with 'Health and Safety Essentials'

JHP, the MK city centre training organisation help young people to obtain the basic skills for work and assist them in finding employment.

'Health and Safety Essentials' is an awareness programme designed to give young people basic H&S knowledge and therefore an added skill when seeking employment.

HSE Inspections—will we be prosecuted?



Photo courtesy of Divernet

An Inspector calls.....

Prosecution is exceptional

A surprising number of companies are not registered with the HSE or their local Environmental Health Dept, principally through lack of knowledge that this is required, but for some it is due to the fear of being inspected. To dispel some of this doubt, let us look at the powers of inspectors and what is likely to happen if they make a visit to you.

HSE and EHO's (Environmental Health Officer) have the right to inspect any business by just turning up at a reasonable time and requesting access. They cannot be denied access to your premises and you are required by law to answer their questions and provide precise

details for whatever they require to see. They can issue notices as follows:

Improvement notice; this is a notice that requires the company to take actions to bring the safety of a process to a better state usually within 28 days. You can appeal and the notice will be suspended until the appeal is heard.

Prohibition notice; this notice prohibits any further work on a process or task until necessary improvements have been completed. You can appeal this notice, but it stays in force until the appeal is heard.

Occasionally the inspector will proceed directly to prosecu-

tion although this is exceptional.

What is more usual is for the inspector to advise you of what is wrong. As long as there is no immediate danger they will give you a reasonable period of time to become compliant. If you are a responsible employer, you should welcome the visit, as it will be extremely beneficial to help you understand your compliance status. The Inspector will not tell you how to fix the problems, it is up to you to get some competent advice. The inspector will help you to understand your responsibilities. If you work with them, they will assist you, they will only want to prosecute if you represent a danger and ignore that fact.

Home working

Your home may be a place of work

Many people have a home office, somewhere that they use to finish the odd task for work or more frequently these days, with technological advances, use this space as their main work area. This is more efficient as they can link via the web to their office computer, thus saving time commuting.

This home space now forms part of the workplace and your employer has a duty of care to manage that space exactly the same as if you were located in their premises. Having a duty of

care, they must conduct a risk assessment and advise the employee on the controls that they believe are necessary to ensure the health, safety and welfare of anyone affected by their undertakings, which in a home office situation can often mean your family. Problems can occur. The employer may want the area locked, you want to leave it open so your family can use the computer (it may be yours after all). You may want a rosewood filing cabinet, the employer wants a fireproof one, yet failure to comply with

the employer in respect of health and safety issues is a contravention of the Health and Safety at Work Act, but it is your home!

It is essential that the employer and the employee agree on the controls and the potential impacts on both sides. The employer is required to pay for any control measures, but they don't necessarily have to provide things that match the décor which is another reason why home working should be approached with caution.

Legislation dates



Fixed amendment dates introduced

The government have recently agreed on two dates for the implementation of new or amended Health and Safety legislation, 6th April and 1st October. This will allow far more clarity on when employers need to comply with changes or new laws. Significant changes due in the next period are:

April 2006:

The Control of Noise at Work Regulations (see page 4)

October 2006:

The Regulatory Reform (Fire Safety) Order

The Construction (Design and Management) Regulations (CDM)

Asbestos Worker Protection

There are many more that are minor changes to existing regulations, full details are available on the HSE website:

www.hse.gov.uk

Guidance notes for any or all of these changes can be bought from HSE Books. Alternatively obtain advice from your Safety Advisor. HSC Approved Codes of Practice and HSE Guidance documents are ideal for ensuring that your organisation complies with new changes in the legislation. Additional sources of information can be found at the Office of the Deputy Prime Minister website:

www.odpm.gov.uk



Health, Safety and Human Resources, - why are they closely linked?

Working time, stress, shift patterns, job rotation, sickness absence, return to work, maternity leave, ante-natal and post natal considerations. Business travel, fitness to work, bullying, working alone, working at home, and many more are all Human Resource issues managed by the HR department, but are they?

Each of the above topics may equally be considered as health and safety issues enforced by the HSE.

So there is obviously a link and often both disciplines are managed together. This can sometimes be a mistake, but mostly it is a benefit.

Co-operation between HR and managers responsible for safety will provide a much more integrated approach to business. Let us look at

an example: A woman works in the test department of an electronics company, she may be infrequently exposed to minor doses of non-ionising radiation. If she were to become pregnant, exposure to this condition may adversely affect the foetus, therefore for the babies welfare she must be removed from this environment. The safety department are only required to do something about the work conditions when it becomes known that the woman is pregnant. She will no doubt tell the HR manager so that maternity leave etc can be arranged, liaison between the HR and safety depts can ensure that the correct risk assessments as per

regulations 16 & 18 of the Management of Health and Safety at Work Regulations are completed and maintained. Without this type of arrangement the woman concerned may potentially have exposed herself to a hazard that could seriously harm the foetus. An extreme example perhaps, but this demonstrates that co-operation is all that is required to ensure the health, safety and welfare of employees. The above example touches on the factor of confidentiality in respect of the woman's pregnancy, however, Health and Safety is the dominant legislation and will take priority in this case.



Safety is the dominant legislation

Incident Investigation—why?

Minor incidents happen, is it because someone was being a bit stupid or was it the warning that something major is imminent. How will you know unless you ask questions. Taking minor incidents seriously is the ultimate method of accident prevention. Let us take an example: A man has scolded his hand because the kettle seal has perished and steam has leaked out when he poured the water into his teacup. This happens all over the country and is not an uncommon occurrence, but what may it demonstrate? Perhaps by investigating this inci-

dent you will find that no-one has responsibility for managing the tea-room electrical equipment. When a monitoring regime is put in place, it is discovered that the toaster has a defective wire, chafing on the toaster cover which may have caused someone to suffer an electric shock. An accident where the consequences may have been death, was prevented by investigating a minor incident.

This shows how proactive health and safety practice can help to reduce incidents.

When conducting an investigation, ensure that it is to learn lessons not to apportion blame.

Remember that the root cause of most accidents is a management failure. Identify these failures, put them right and save lives.

Information and guidance is available from HSE books:

www.hsebooks.com

HSG245 "Investigating accidents and incidents"

It gives ideas on how to conduct an investigation and some worked examples.

Why should I investigate trivial incidents—surely accidents happen sometimes ?

Working from a ladder—use a M8 to hold it

Developed recently to help with compliance with the Working at Height Regulations, the Ladder M8rix is just one of the solutions designed to make ladder work safer.

The item featured is available from Ladder M8 Ltd (www.ladderm8.co.uk) and costs between £60 and £80 which is very cheap when you consider that it could save your life.

This is not the ultimate solution to working safely with ladders.

Nothing can replace working from a safer platform.

Regrettably there are many tasks where a ladder is the only practicable solution, when this is the case, at least, take some reasonable precautions. One example where this may be a brilliant solution is the household window cleaner. They encounter a wide range of surfaces on which to place their ladder, using a device similar to the ladder M8rix will give them

a consistent surface on which to place the foot of the ladder.

Make no mistake, this device will not protect the operator from a fall if the ladder is badly positioned, set at the incorrect angle or if the surface is contaminated with grease or oil. The best method for ladder safety, if you have to use one, is tying off the ladder at the top, to a permanent stable fixing, but the LadderM8rix is a useful device to enhance your safety.



Picture courtesy of LadderM8 Ltd

Your M8 can hold your ladder



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Business Continuity and Disaster Recovery planning

There is currently a big focus on Fire safety, with recently announced changes to the way that fire safety is managed and controlled, but is your business really ready for a disaster. It may be fire, it may be flood, it may not be a disaster which affects your premises. Imagine being at a works party and a major fire breaking out at the hotel and losing 50% of your employees as a result, would your business survive?

Do you have back ups of your client list, your designs, your skill sets etc, and are they secure or just a copy in the same building? If your building was destroyed, how would your company survive. The Insurance Company may pay up quickly, but rebuilding takes time, your clients will have gone elsewhere before you are able to serve them again. Over 60% of businesses that are involved in a major disaster go out of business within a year, largely because they do not have a contingency plan.

It is a morbid subject and one that no-one really wants to consider, but the insurance company can only provide the finance, the company itself, must provide the skills and expertise to continue the business, following any disaster.

Proper Business Continuity Planning which is structured and tested can save your business. If you need assistance in setting up or testing your plans, contact David Associates today.

Noise regulations update

6th April 2006 sees the implementation of the new Control of Noise at Work Regulations 2005, and they will affect so many more workplaces than previous legislation.

Most employers will now have to conduct a noise risk assessment. They will have to either conduct a noise survey or estimate the noise levels that their employees are exposed to. Guidance on this estimate can be obtained from the guidance document available on the HSE website, www.hse.gov.uk/pubns/indg362.pdf.

If you do have a noisy process on your site, you may be advised to contact a specialist who will conduct a noise survey for you and provide advice on control measures.

The following are some indications of noise levels measured in

decibels (dB):

Conversation	55-60
Radio (loud)	75
Tractor cab	85
Bar in nightclub	95
Road Drill	100

The essential difference of the new regulations is that maximum exposure levels have been reduced and employers must now consider peak noise pressure levels, daily and weekly dosage. The first level when actions must be taken is a daily or weekly dose level of 80dB or a peak sound pressure of 135dB. At this level, and this is a very simple explanation, you must provide your employees with information about their noise exposure and provide them with suitable hearing protection if they ask for it. If noise

exposure is above the upper exposure limits, i.e. 85dB or peak sound pressure 137dB then the employer must provide hearing protection and make it mandatory to wear it. A responsible employer will be taking steps to reduce the noise exposures to lower levels, by additional controls

If employees are exposed to noise then they must generally be provided with hearing checks. Remember hearing loss is normally a gradual process and the victim may not realise the damage until it is too late.

Employers should act now by introducing policies to reduce noise exposures, e.g. by purchasing low noise equipment, rearrangement of the workplace to segregate noisy processes etc. If you need advice please call for an informal chat.



Image courtesy of OHS&A

What dose are you getting.