



The London Health and Safety Group **Newsletter - December 2005**

Welcome to the Christmas edition of the London Health and Safety Group's Newsletter designed to save you time by bringing some of the more important Health and Safety news direct to your mailbox.

Please feel free to direct identify any positive changes you would like to see through the Editor at newsletter@londonhealthandsafetygroup.org or the Secretary at secretary@londonhealthandsafetygroup.org at our new website www.londonhealthandsafetygroup.org.

Your LHSG needs your help

Please can you donate a small amount of time each month to be part of helping to shape your LHSG. If you can please contact the secretary on the above email. All help gratefully received.

Finally if you have outstanding subs please ensure you settle your account. . If you have any queries then please contact the Treasurer at treasurer@londonhealthandsafetygroup.org. The group can only operate through the subs you provide.



The LHSG XMAS Quiz

Below are four questions and a bonus question. In order to complete this test you have to answer instantly. You cannot take your time you must answer them immediately. OK Let's start.

Let's find out how clever you really are shall we

READY? STEADY? GO?

First Question

You are competing in a race and you overtake the person in second place. What position are you in?

Answer - You are in Second Place – If you overtake the person in second then you take their position, don't you.

Now answer the question and don't take as long as you did on the first.

Second Question

Now if you overtake the person in last position then what position are you in?

Answer – If you answered second to last you're wrong again. You know you can't overtake the person in last position. (Unless you're on a circuit? - Ed)

Ok last chance to impress Santa

Third Question

Very tricky arithmetic question....Must do it in your head. Take 1000 and add 40 to it. Now add another 1000. Now add 30. Add another 1000. Now add 20. Now add a final 1000 and add 10.

Answer – did you get 5000 – The answer is 4100.

Maybe you'll get the bonus question



Bonus Question

Mary's father has five daughters. (1) Nana (2) Nene (3) Nini (4) Nono.

What is the name of the fifth?

Did you answer Nunu?

Wrong !

It's Mary.

Read the question again.

Better results expected next year.

Merry Christmas



News

“COSHH: Achieving Good Control”

5pm Wednesday 18th January 2006

BOHS London, South and South East Region
(Joint Meeting with the SCI)
Society of Chemical Industry
14/15 Belgrave Square
London SW1X 8PS

The COSHH Regulations have been with us for 25 years now, and yet often good control of exposure is not being achieved.

- What are the barriers in the real world that prevent it occurring? (It's not just “lack of money”.)
- What new approaches are being tried?

Danny Gazzi and Andy Gillies led a workshop on this topic at this year's BOHS Annual Conference.

A summary has been posted on www.bohs.org (look in Events>Event Calendar>View Past Events>19th April 2005), and published in the May 2005 Occupational Hygiene Newsletter.

The first presentation will look at this topic and the outcome of the workshop, and will lead onto an open discussion forum.

We would suggest that you look at the website in advance, and come prepared to discuss your experiences.



“More organisations reporting publicly on health and safety matters”

An HSE-funded report, the concluding one of 3 entitled [The public provision of health and safety information by UK top companies and major public bodies for 2004/2005](#), which was prepared by System Concepts, has considered the quantity and quality of information disclosed publicly through annual reports, websites and other publicly available documents.

The study was commissioned by HSE to discover the effectiveness of Action Points 2 and 13 of HSC’s Revitalising Health and Safety Strategy Statement challenging the UK’s top companies and public bodies to publicly report on health and safety.

There appears to be evidence that HSC’s Challenge has had a positive and encouraging impact, but recommendations are made that:

- public bodies need further encouragement to publicly report principles, performance and targets, in particular to present higher quality health and safety performance information;
- a further study of the relationship between health and safety reporting and performance should be conducted; and awareness of the 'Challenge' needs to be raised;



“Reckless contractor risked lives”

Schememade Limited, of Ballards Lane, London, has been prosecuted and fined for safety omissions that permitted an incident to occur that resulted in injury to 3 persons and substantial damage to a building during May 2003 in Coltishall, 10 miles north of Norwich, Norfolk.

The contracting organisation admitted failing to take steps to identify the location of gas service pipes on the highway on which it was carrying out work, despite having pipe-locating equipment at the site at its disposal.

Inevitably a gas service pipe was struck, but it was not until some 2 hours later that a devastating explosion occurred that injured Transco personnel attempting to repair the pipe and a passing delivery vehicle driver. The seat of the explosion is understood to have been the cellar of a nearby public house where gas had accumulated, forming an explosive mixture that was ignited by electrical equipment.

Norwich magistrates fined the company £16,000, with £8,000 costs, for breaching the Health and Safety at Work etc Act 1974.



“Its party time and the legal people are by their phones”

How much do you know about the rights and wrongs of parties at Christmas?

What personal behaviour by an employee can an employer be held accountable for?

Courtesy of ACAS, you can test your basic knowledge (below) and benefit from their advice. ACAS runs training courses to cover 'Christmas issues' in more depth which would minimise the risk of employment tribunal claims similar to those potentially faced by the hundreds of organisations who call its hotline every Christmas.

Comment:

"If companies have policies and procedures in place which cover the key issues like discipline and grievance, bullying and harassment, discrimination and absence they are in a much better position to handle these sorts of issues which can happen at any time, not just at Christmas.

Our helpline staff are very broad-minded and with many years' experience of giving advice on employment relations the chances are they have heard it before. So if you do have any employment relations queries give them a call. I'm confident they will be able to help.

But don't let potential hazards put you off organising something for Christmas. Staff will feel valued if you treat them right. Think about asking them what they want to do and ask for suggestions on how to cater for any problems upfront."

ACAS Chair.



Parties Q and A

1. What if an employee, who has clearly drunk too much at the office Christmas party, is planning to drive home. It's not your responsibility is it?
2. How can you make sure people don't get too drunk and fail to turn up for work the day after the party?
3. What if an employee suffers verbal abuse about being gay at the local pub before the party - it's not on work premises so it's a matter for them isn't it?
4. What if you can't afford to pay a Christmas bonus this year although you have paid it for the last ten years? Employees will be disappointed but there's no problem with the law is there?

-
1. Wrong. As an employer you have a 'duty of care' for your employees. So as it's the company's party you need to take some responsibility. Think about travel arrangements and maybe end the party before public transport stops running. Or provide the phone numbers for local registered cab companies and encourage employees to use them.
 2. Make sure there are plenty of non-alcoholic drinks and enough food. Before the party ensure that all staff are aware that disciplinary action could be taken if they fail to turn up for work and there is reason to believe it is due to too much booze.
 3. Wrong. Going to the pub before the office party counts as an extension of work and so all the laws covering discrimination still apply. Make sure the company has policies in place on bullying and harassment and discrimination and that everyone knows what they are.
 4. Wrong. Even though the bonus is discretionary, staff can argue that it has become contractual through custom and practice. Before deciding not to pay, tell staff why you feel unable to pay it and try to agree a solution. For example, you could offer to pay a proportion of the bonus or stagger payments in the next few months. Or you could offer to pay the drinks bill at the Christmas party!



“HSC/E plan for the simpler life”

The HSE has published a draft simplification plan, marking HSC/E's movement towards better regulation, reflecting its determination to 'develop legislation that is easy to understand and comply with, to help secure stronger commitment from business', its key themes include:

- simplification for business to help them concentrate on improving outcomes rather than bureaucratic processes;
- changing the culture, for example, through a campaign to tackle risk aversion;
- challenging policy makers' case for taking a regulatory approach and ensuring they address the impact of proposals on small businesses;
- simplifying existing legislation;
- joined-up enforcement, including more effective partnership with local authorities to secure a consistent, targeted approach.

To comment on the draft simplification plan, email HSE at simplification@hse.gsi.gov.uk .

HSE will further develop it over the next 3 months, taking account of stakeholder input, with the intention of publishing more developed proposals in Spring 2006.

Comment:

"HSE's draft simplification plan includes measures to achieve credible reductions in the regulatory burden to business. I congratulate the HSE for sharing its early thinking in a clear and concise way and for asking small businesses, what more can be done?"

Chair of the Small Business Council.

"HSE's initial simplification plan contains a number of valuable initiatives to reduce the burden of regulation. The initial plan shows that

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independent regulators have an important role in delivering better regulation. I welcome HSE's commitment to listen to stakeholders and develop meaningful simplification measures."
Chair of the Better Regulation Task Force.

"I congratulate HSE for identifying these early suggestions for simplifying their regulations affecting business. They will make a real difference. Early publication of this plan allows all businesses and organisations to comment and add new ideas for consideration."
Executive Chair of the Better Regulation Executive.

“Sainsbury's prosecuted and fined over employee's slip”

Sainsbury's Supermarket Limited have been prosecuted and fined £10,000, with costs of £11,042, for breaching S.2 of the Health and Safety at Work etc Act 1974 and r.12 of the Workplace (Health, Safety and Welfare) Regulations 1992 in the circumstances of a March 2004 accident in the bakery at its retail store in Curzon Road, Sale, Yorkshire.

Enforcing authority, Trafford Metropolitan Borough Council, investigated the accident which resulted from the company's failure to control water leaking from a dough prover machine onto the store's bakery floor. The Bakery Manager at the time subsequently slipped on the water, sustaining serious neck and back injuries, an event that was preventable by laying down matting or by regularly mopping the area.

Comment:

"Slips and trips have been identified as a priority area in health and safety and currently Trafford's Environmental Health Team are carrying out focused visits to local businesses to highlight this issue and ensure that they are doing all that they can to control this risk. This prosecution shows that the Council take health and safety very seriously and will not hesitate to take legal proceedings where appropriate."

Trafford's Executive Member for Environmental Services.

“New exposure limit proposed for respirable crystalline silica”

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The HSC has published a Consultative Document on a proposal for a new Workplace Exposure Limit (WEL) for respirable crystalline silica (RCS) - a reduction from the current WEL of 0.3mg.m⁻³ for respirable crystalline silica to 0.1mg.m⁻³ (8-hour time weighted average).

Crystalline silica is present in rock, sands, clays, gravels and shales and materials composed of these, such as bricks, tiles and concrete, and in excess of 100,000 workers are believed to be regularly exposed to dusts containing RCS, working in mines and quarries, iron and steel foundries, the heavy clay industry, brick manufacture, potteries, construction, stonemason work and the industrial sand industry.

Crystalline silica is harmful to the lungs, causing the lung disease silicosis; it also brings an increased risk of lung cancer.

The document, [Proposal for a Workplace Exposure Limit for Respirable Crystalline Silica](#), has a closing date for comment of 13th March 2006, any new WEL would be introduced later in that year, as would practical advice on how to control exposures in the workplace.

“Taking slips and trips Seriously”

HSE has prepared a Slips and Trips "Speaker's Pack" on the control of slips and trips at work. The purpose is to make it easy for talks to be given to employers, employees, trade associations, trade unions etc on this topic, by using this Powerpoint presentation. Each slide is supported by speaker's notes. The presentation is downloadable onto a PC or laptop for use at health and safety meetings or events. [Updated Slips and Trips Presentation pack](#)

“Worker Engagement Initiative: Case studies”

Case studies

[Engaging the workforce HSE case studies](#)



November Issue of HSE Site Safe available from here.

[HSE Site Safe Magazine](#)

**EVERYONE AT THE LONDON HEALTH AND SAFETY
GROUP WISHES YOU AND YOUR FAMILY
A MERRY CHRISTMAS AND
A HAPPY NEW YEAR**



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