

HEALTH AND SAFETY MATTERS

Corporate Killing Legislation Due Soon

April launch for the Corporate Manslaughter & Corporate Homicide Act 2007.

After ten years of debate and discussion, this ground-breaking piece of legislation will finally become law in April 2008.

Companies, organisations (and even government bodies) can face an unlimited fine if they are found to have caused death due to gross corporate health and safety failures.

Although the Act has imposed no new duties or obligations under health and safety law, it is hoped that it will increase awareness of duties and obligations and encourage employers to raise the profile of health and safety within their organisations. Employers should look very carefully at their procedures and systems of work, particularly with regard to the activities of senior management.

The Ministry of Justice has published guidance on the Act, which can be found on their website at <http://www.justice.gov.uk/guidance/manslaughteractguidance.htm>.

Mark Twain summed it up quite well when he said. *"It is better to be careful one hundred times than to be killed once."*



Shops in Soho Evacuated

Shops and offices in the Soho area of London had to be evacuated in early October. The emergency services had received reports of a spillage of toxic chemicals.

When they arrived at the scene the firefighters could immediately smell the fumes and quickly cordoned off several streets whilst they traced the source of the leak.

After a detailed investigation, the fumes were traced to The Thai Cottage Restaurant, where they had been preparing an extra-large batch of super-hot chilli sauce. It was not revealed whether any samples were removed by the firefighters for later analysis!



CONSTRUCTION BOSS JAILED

A construction site boss with a "callous disregard" for safety, has been jailed for six months and ordered to pay £90,000 compensation to his employee.

The victim was working at a height of 3.5m on a house refurbishment project, when the improvised platform he was using collapsed. He was also



struck by a falling concrete lintel. No scaffold, PPE or training had been provided.

Remarkably, he survived after doctors diagnosed him to be so badly injured that they switched off his life support machine.

In addition to the jail sentence and compensation order, the employer was also fined.

ASBESTOS AWARENESS TRAINING



The Control of Asbestos Regulations 2006 place specific duties on employers to provide suitable and sufficient training to their employees. There are three distinct levels of training, according to the likely exposure to asbestos containing materials (ACM).

“Level One” training is for those persons who are liable to disturb ACM while carrying out their normal, everyday work, such as maintenance staff, electricians, plumbers, decorators and shop-fitters etc. More advanced training is needed for those persons who may need to undertake planned work with ACM.



All three levels of training can now be provided by South Wales Safety Consultancy, according to your particular needs. If you would like further information about our courses, or assistance with determining the level of training required for your employees, contact us and we will be pleased to assist.

SMOKING LEGISLATION

Everyone should now be familiar with the ban on smoking in workplaces, but we are still finding breaches when we attend at workplaces.

Employers must remember that the legislation covers all workplaces, including site cabins, company vehicles and even part constructed buildings.

For further information on complying with the law on smoking in public places, please contact our offices or visit the HSE website

RECENT DEATH DUE TO UNSECURED LOAD

A site operative was killed when working near a fork lift truck carrying a waste skip. The skip (similar to the one shown below) fell from the forks of the truck as it was being emptied into a full size skip, striking the man and causing his fatal injuries.



When the accident was investigated, it was discovered that the skip had not been secured to the forks of the truck so that, when the forks were tipped, the skip slid off. The simple precaution of lashing the skip or using other means to secure it would have saved the man's life. There should also have been an exclusion zone adjacent to the loading area, to prevent persons entering the danger area underneath the load.

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In Brief

BLACK FORTNIGHT



In the two weeks between 31st July and 14th August 2007,

seven workers were killed on construction sites in the UK.

CDM TRAINING

HSE has produced a set of Power Point slides about the CDM Regulations. They can be downloaded from www.hse.gov.uk/construction/cdm/cdmpt.htm

VIBRATION REMINDER



Do you use vibrating tools or equipment? If so, make sure that you have properly assessed the risk.

Contact us for more information about vibration assessments and controls.