



First aid

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Safety news

Cooper Safety Associates

- Helping you protect your business and your people

Welcome to this quarter's newsletter! Inside you'll find an update on the new changes to first aid requirements, an update on health and safety law and a review of recent prosecutions.

New First Aid Requirements

On the 1st of October changes came into effect which alter the way in which workplace first aid is put in place. The underlying law has not changed but the guidance to the law has been modified.

There are now two courses that qualify someone as a first aider. The first is the First Aid at Work course which has been shortened in length from four day to three days after consultation with industry and the emergency services. With recent simplifications in first aid protocols and CPR procedures it has been recognized that these now require less time to teach, resulting in the shorter course duration. The requalification for the First Aid at Work course remains unchanged at two days duration. The second course is the Emergency First Aid at Work course which has been

introduced for lower risk environments, this course lasts one day. The HSE is now recommending that all first aiders attend an annual three hour refresher session.

The first aid 'Appointed Person' is unchanged in that it requires no formal training. The individuals duties are limited to summoning help in the event of an emergency and looking after first aid equipment. Appointed Persons are not classified as First Aiders by the HSE.

Existing first aid qualifications and certificates are still valid until they expire.

A risk assessment of first aid needs will highlight the level of training required for first aiders within your organization. Please contact us if you would like assistance with this.



The HSE has launched its Hidden Killer campaign which focuses on the dangers of Asbestos. The campaign website has many free resources including information leaflets and a short quiz. <http://www.hse.gov.uk/asbestos/hiddenkiller/index.htm>

Significant Court Decision on Work Equipment

In a recent court case the definition of what constitutes work equipment was considered by the court of appeal. The details of the case were that in May 2003 'C' was driving a tipper truck. A piece of angle iron used as a makeshift tool trapped his foot on the accelerator. C was injured in the resulting accident and brought proceedings against his employer under the 1998 Provision and Use of Work Equipment Regulations. He claimed that the employer had not provided a suitable place to keep the makeshift tool despite the employer not having provided it. The court dismissed the case and made the following points:



- The employer must have sufficient control over work equipment to have strict liability and must know that the equipment is in use.
- There can be no strict liability in respect of an item about which an employer does not know.
- An item of equipment used at work but not supplied by the employer will not be 'Work Equipment' unless the employer permits or is deemed to permit its use.

Review of Working at Height Regulations

The House of Lords is to examine the Work at Height Regulations 2005 to assess the impact of the regulations on those affected and how the Government has implemented the legislation. A committee appointed by the house will examine the following issues:

- Is the legislation easy to understand and apply to a specific situation.
- Whether the legislation has achieved its stated objective of fewer accidents
- The cost of implementing the regulations—more or less than originally anticipated by the Government.
- Whether there have been any unintended consequences in the way in which the legislation worked.

The regulations which were created in response to a European Directive on work at height were criticised at the time for being contentious as they seemed to indicate that all work at height should be avoided where possible.

Patient suicide put health authority in breach of health and safety law

POWYS Local health Board has been fined £30,000 after a vulnerable patient in its care hanged herself - despite repeated warnings of potential risks at a mental health unit.

Sylvan Money, 26, an artist from Presteigne, was admitted to the Acute Mental Illness (AMI) unit at Bronllys Hospital, near Brecon, in January 2004.

Within the space of a few days Ms Money committed suicide, using a dressing gown cord to hang herself from a curtain rail.

Merthyr Tydfil Crown Court was told that she had made two previous recent attempts on her life.

Powys Local Health Board was fined after admitting liability in failing to resolve issues regarding ligature points in the unit.

The court was told that as far back as 2001, when under the management of the previous NHS Trust, warnings, bulletins, audits and memos had been circulated in respect of the risk of ligature points of the unit, built in 1999 when ordinary curtain tracks were installed.

The court also ordered the local health board to pay over £45,000 in costs.

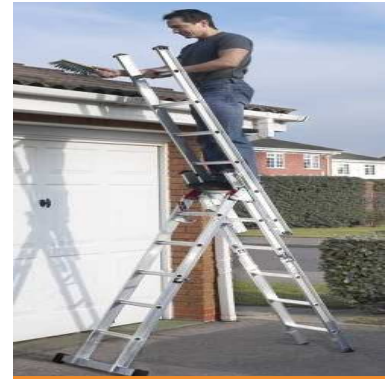
If you would like assistance in assessing your workplace for ligature risks please contact us.



Prosecutions

An overview of some recent prosecutions brought by local authorities and the health and safety executive.

- Associated British Ports, the largest port operator in the UK has been ordered to pay £341,000 in costs and fines relating to the death of a cargo handler. The man died after being hit by a reversing trailer during the loading of a ferry. An investigation identified that the firm did not have an adequate safe system of work and that the risk to the handler identified in a risk assessment had not been acted upon. The inspector commented that employers in all industries should ensure that pedestrian/vehicle interaction is managed properly.
- Shell has been fined a record £300,000 under the Fire Safety Order for breaches at its central London headquarters. An investigation by the LFB into two small fires at the premises revealed extensive breaches of fire safety. A fire risk assessment had been carried out but not reviewed since 2003. In court Shell admitted to three breaches of the Regulatory Reform (Fire Safety) Order 2005. The specific breaches, failing to review the fire risk assessment, and two counts of failing to maintain premises and equipment efficiently which related to defective fire doors and blocked evacuation routes.
- Construction firm Laing O'Rourke has been fined £135,000 after pleading guilty to breaches of law that resulted in a fatality. A worker was killed on a construction site in London's Docklands after falling 9 metres through a poorly covered hole. The hazard arising from hole which was covered with plywood was not identified as inspections required by the companies method statements and risk assessments had not been carried out. The judge said the firm should feel 'ashamed' and should eliminate its casual attitude to risk on its work sites. The firm was also ordered to pay £18,000 in costs.



Ladder Exchange

As part of the "Shattered Lives" campaign the HSE has launched a ladder exchange initiative. Until the 31st December 2009 anyone with a broken, bent or damaged ladder can replace it for a new one with upto 50% discount at a number of national suppliers. For more information visit the HSE websites falls section at: www.hse.gov.uk/falls/ladderexchange.htm

Cooper Safety Associates - Our Services

Here is a quick reminder of the services that we can provide:

- Risk assessments for -
 - Workplace
 - Manual Handling
 - COSHH
 - Work Equipment
- Fire Risk Assessment
- Training in -
 - Manual Handling
 - Fire
 - Health and Safety
 - Safety for Managers
 - COSHH
 - Basic Life Support
 - Anaphylaxis
- Health and Safety Policies and Procedures
- Disability Discrimination Act (DDA) Audits
- Health and Safety Management Systems
- Interim Safety Management Services
- Competent Persons Service
- Bespoke training courses and risk assessments to your requirements
- Fast Response Telephone Advice

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