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Safety news

Cooper Safety Associates

- Helping you protect your business and your people

Welcome to this quarters newsletter! Inside you'll find an update on the new corporate manslaughter legislation, and a look at driving and working at height, along with a summary of recent prosecutions.

Corporate Manslaughter Act - Key points

The Corporate Manslaughter and Corporate Homicide Act 2007 came into force on the 6th April after 10 years of wrangling and debate, but what effect will it actually have and how does it differ from legislation already in place?

In the past to obtain a successful conviction of an organization for manslaughter it had to be proved that a senior individual within the organisation was also guilty of manslaughter (known as the directing mind) Given the nature of large organizations with many directors this was very difficult to achieve. The new offence removes

this requirement and an organisation will be guilty of corporate manslaughter if a death is caused by a 'gross breach' of its duty of care that is substantially due to the way in which work is managed or organized by senior management. A gross breach is defined as conduct that falls far below what can reasonably be expected of an organisation in the circumstances. Directors and senior managers can still be prosecuted and if found guilty face up to 3 years in prison. If you would like more information or to discuss how to prepare your business please contact us.



HSE releases early construction fatality statistics

Early unverified statistics released by the HSE show that for the year 2007/8 69 people were killed whilst at work on construction sites. Whilst this is roughly a 10% improvement on the previous year the HSE Chief Inspector of Construction points out that in the refurbishment industry the HSE had to stop work due to unsafe practices on one third of sites.

HSE Campaign - Shattered Lives

The HSE is currently running a campaign - 'shattered lives' to raise awareness to the 1000+ serious injuries per month that result from a slip, trip or fall. Most of this type of accident are easily avoided through simple rules and good housekeeping.

The following advice can help to reduce these types of injury:

- Keep your workplace neat and tidy, clean up waste material on a regular basis and don't leave it in walkways.
- Report spillages immediately and deal with them as appropriate, either yourself or by calling the appropriate persons.
- Don't carry open drinks on staircases, from our experience this is a substantial case of slips in these areas.
- Avoid the use of trailing cables across the floor and clearly mark and protect them where they must be present.

See the HSE webpage www.hse.gov.uk/shatteredlives



Working at Height

The Work at Height regulations have been with us for a couple of years now and a fuller understanding of them seems to be reaching companies. One of the main areas of confusion involved the use of ladders, one interpretation which spread like wildfire was that the use of ladders was not allowed by the new regulations. In fact this is not true and the HSE have gone to some lengths to state that ladders are acceptable for simple jobs of short duration.

Good ladder use

Check that the ladder is in good condition and free of defects.

Three points of contact should be maintained at all times, both feet and a hand/arm on the side.

The surface should be stable and free of debris.

The top four rungs must not be used as stability is greatly reduced.

Do not stretch or overreach from a ladder reposition the ladder if necessary.

Where possible tie the ladder to a stable structure to improve stability.

Use a ladder stability device available from most ladder manufacturers.

Footing a ladder should be considered a last resort to improve stability.

A risk assessment must be carried out for all working at height tasks.



Driving at Work

Current HSE figures suggest there could be as many as 20 fatal road accidents per week that involve people at work and 250 accidents resulting in serious injuries. As we spend more and more time behind the wheel for work purposes, what should organisations be doing to control this risk? The first step as you might



guess is to carry out a risk assessment which would broadly consider; The driver, do they hold the correct licence, how many points do they have, are they correctly insured, how much experience do they have?; The vehicle, is it private or organisation owned, either way it needs to be maintained in

a roadworthy condition, what safety features are fitted? Is breakdown cover available? The journey, is it a familiar or unfamiliar route? Are adequate and regular rest stops planned and available? What time is the journey taking place, statistically more accidents occur between 2 and 5am at night. Is it motorways or country lanes? You need to make an assessment of the risks before deciding what action to take to control them, contact us for more information.



Prosecutions

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

A DIY store in Bristol has been prosecuted for potentially exposing up to half a million people to Legionnaire's disease after a spa pool at the store was found to contain contaminated water. Two cases of legionnaires in the local area prompted the visit although were later found to be unrelated. Inspectors stated that the risk assessment for the spa was inadequate with poor monitoring of water hygiene standards. The company was fined £20000 and ordered to pay costs of £8500. A stampeding cow caused life threatening injuries to a livestock handler after he was trampled at a market in Rugby. The cow escaped whilst being moved between areas of the

market, then managed to jump a wall and ran through the streets of Rugby to the train station where it was captured. The HSE said that there was no safe system for closing doors and gates behind the animals and that farmers regularly left gates open so animals could roam. The company was fined £7500 and ordered to contribute to costs of £8000. A major super market has been fined £225000 after a man was killed when an unsecured barrier caught by the wind crashed through his car windscreen, the inspector stated that it was an accident waiting to happen. The supermarket has since replaced all similar barriers in its stores.

A chocolate manufacturer has been fined £25000 after an employee suffered a broken arm from entrapment in a conveyor belt system. The incident was caused by a lack of simple guarding for dangerous parts of the machine, poor training and English language problems. Similar accidents had happened previously and the company took 12 days to report the incident to the HSE, the firm was also ordered to pay ~£5000 in costs.

SMART HEALTH AND SAFETY:

Dispelling Myths



The Health and Safety Executive has steadily been expanding its collection of cartoons depicting common safety myths. For 2008 they have even launched a calendar with some comical but useful information. Take a look at:-

www.hse.gov.uk/myth



These electrical 'cube' adapters were 'piggybacked' into each other resulting in a heavily overloaded socket, a highly unsafe practice.

Focus on > Fire Safety

Always ensure that electrical items are correctly used and sockets are not overloads, portable heaters should be controlled and ensure that no flammable material is placed nearby.

This portable heater was found operating directly facing a sack of paper waste that could easily melt and start a fire.



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