

Communication is key to shared workplace safety

Poor communication between employers sharing a workplace can lead to serious – and costly – accidents, the Health and Safety Executive has warned.

It is vital, says the HSE, that employers in such situations discuss and coordinate action to minimise the risk caused by their respective activities.

The caution follows an investigation into the injury of Michael Rafferty – a site agent employed by TJ Brent Ltd – who was struck from behind by a wheeled loader and scooped into the loading bucket. Mr Rafferty sustained cuts, bruises and strain injuries causing him to be off work for several months.

TJ Brent Ltd had been contracted to install dividing walls at the South Manchester Materials Recovery Facility of Greater Manchester Waste (GMW) Ltd, of Higher Swan Lane in Bolton.

GMW was subsequently prosecuted and fined a total of £3350 and ordered to pay £2068 costs after pleading guilty, at Trafford Magistrates' Court, to charges under the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999.

The court found that GMW had failed to reasonably ensure that non-GMW employees, who may be affected by its activities, were not exposed to their health and safety risks.

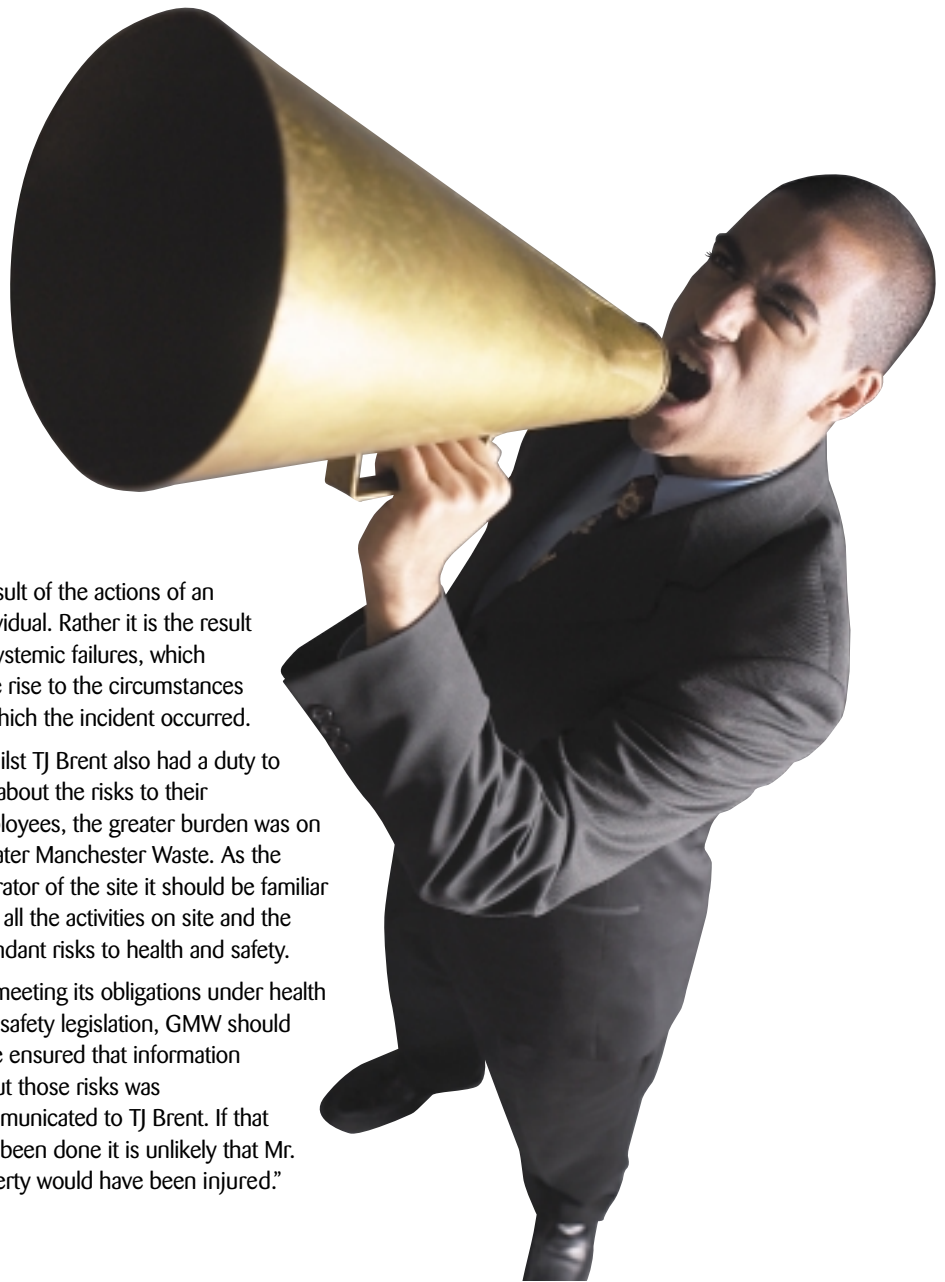
It also found that the company did not take all reasonable steps to inform TJ Brent Ltd of the risks to their employees' health and safety caused by the activities of GMW.

HSE Inspector Tom Merry, who investigated, said: "This incident was not

a result of the actions of an individual. Rather it is the result of systemic failures, which gave rise to the circumstances in which the incident occurred.

"Whilst TJ Brent also had a duty to ask about the risks to their employees, the greater burden was on Greater Manchester Waste. As the operator of the site it should be familiar with all the activities on site and the attendant risks to health and safety.

"In meeting its obligations under health and safety legislation, GMW should have ensured that information about those risks was communicated to TJ Brent. If that had been done it is unlikely that Mr. Rafferty would have been injured."



Get a head for height regulations

New regulations on work carried out at height are now in force which remove the distinction between low and high falls.

The Work at Height Regulations 2005 - which came into effect on 6 April - apply to all work at height where there is a risk of a fall that could cause personal injury, and place duties on employers, the self-employed and those that control the work of others.

Commenting on the new regulations, HSE Chief Inspector of Construction Kevin Myers said: "A particular area of concern for HSE is the number of major injuries caused by low falls. It's worth pointing out that there are more major injuries resulting from low falls than from falls above two metres.

"The new regulations remove the old division

between low and high falls - the 'two-metre rule' for high falls has not been retained because duty-holders need to prevent falls from any height."

Four key messages for duty holders have been identified by the HSE:

- Those following good practice for work at height will already be doing enough to comply with the new regulations
- Follow the risk assessments you have carried out for work at height activities and make sure all work at height is planned, organised and carried out by competent people
- Follow the hierarchy for managing risks from work at height - take steps to avoid, prevent or reduce risks
- Choose the right work equipment and

select a range of measures to prevent falls - such as guardrails and working platforms - over and above measures which may only lessen the distance and severity of a fall - such as nets or airbags - or which may only provide personal protection from a fall

The Work at Height Regulations 2005 and guidance notes to help duty holders can be found at www.hse.gov.uk/falls/wahr.htm



Legionella - know the risks

The outbreak of Legionnaires' disease in Cumbria three years ago, which tragically killed seven people and infected a further 172, continues to have far reaching consequences.

When Barrow Borough Council and its Design Services Manager Gillian Beckingham were subsequently charged with manslaughter and health and safety offences the case made legal history. It was the first time a public body and its employee had been prosecuted for manslaughter.

Now - found guilty of breaching the Health and Safety at Work Act 1974 - Ms Beckingham, 46, faces a retrial on seven counts of manslaughter after a jury at Preston Crown court failed to reach a verdict.

And the families of those that died are calling for the resignation of Barrow Council's Chief Executive Tom Campbell after the council pleaded guilty to the health and safety offence of failing to protect the public from exposure to the risk of contracting Legionnaires' disease. The manslaughter charge against the council was dismissed by the judge for legal reasons.

The Source of the outbreak was traced to the air conditioning unit of the council run Forum 28 Arts Complex in Barrow town centre.

Ms Beckingham's job required her to look after a number of premises across the borough and allegedly included responsibility for general upkeep and health and safety issues.

Ms Beckingham denies the unlawful killing of Richard Macauley, 88, Wendy Milburn, 56, Georgina Somerville, 54, Harriet Low, 74, Elizabeth

Dixon, 80, June Miles, 56, and Christine Merewood, 55, all from Barrow.

Clearly the ever-growing range of health and safety requirements, and the possibility of devastating consequences if something goes wrong, have created a worrying burden of responsibility for managers.

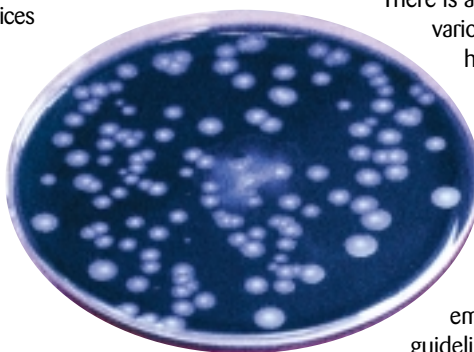
There is a potential risk of exposure to legionella bacteria in various equipment types such as cooling towers and hot and cold water systems. The bacteria survive low temperatures and under the right conditions - for example, if there is a supply of nutrients such as rust, sludge, scale and algae - can thrive at temperatures between 20°C and 45°C with an optimum breathing range of approximately 37°C.

In order to comply with their legal duties, employers and duty holders should follow the guidelines set out in the Health and Safety Commission Approved Code of Practice and Guidance (L8):

- Identify and assess sources of risk
- Prepare a scheme for preventing or controlling the risk
- Implement, manage and monitor precautions
- Keep records of the precautions
- Appoint a person to be managerially responsible.

For a free technical briefing on your site - which covers the key requirements of the ACoP (L8) and will enable you to effectively assess your compliance with the legislation - please contact Air and Water Unit Manager Jaimie Lyel.

Further information about Legionnaires disease can be found at www.hse.gov.uk/biosafety/diseases/legionnaires.htm



Fire alert

After a decade of delays and deliberation the largest single reform of fire safety legislation in over 30 years will come into force in April 2006.

The new law - which consolidates existing fire legislation - will simplify the regulations for duty holders across England and Wales.

Much to the delight of us health and safety professionals, the focus will now be on a modern risk assessment approach and will place far greater emphasis on fire prevention.

We expect this matter to heat up over the next 12 months so watch this space.



Training News

High quality accredited training will be available to a wider audience across the UK and Ireland thanks to a new partnership between Tetra and HSS.

Together, Tetra and HSS can provide a diverse range of training courses - from Lift Truck Operator and Ladder Safety to Abrasive Wheel and Power Tool Safety - at over 20 locations.

Tetra and HSS will be running a number of 'open' courses in the near future. Full details of courses, locations and booking details will be available on the Tetra website.

HSS Training Centre locations can be viewed at www.safeonsite.com/Locations.shtml

Tetra's training team has been bolstered by the arrival of Liza Libby, fresh from service with the Ministry of Defence.

After gaining lecturing experience in Iraq last year, Liza will certainly be tough enough to handle the Building Managers training she will be providing.

Liza will be involved in the delivery and assessment of IOSH accredited training before being unleashed on NEBOSH training next year.

The Tetra training team has recently delivered a number of IOSH accredited courses - including Managing Safely, Working Safely and Client/Contractor Relationship - and growing numbers are also enrolling on our distance learning programmes.

Next on the agenda is a NEBOSH National General Certificate course. No pressure on potential students but as one of the country's top providers, we're going for a 100 per cent pass rate.

Bespoke training programmes can be created to meet the individual needs of clients.

In addition to our current portfolio of courses, Tetra has recently undertaken Permit to Work and Site Access Procedure training for clients.

To discuss bespoke or any other training requirements, please contact the Tetra office.

Current Courses

- NEBOSH National General Certificate in Health & Safety
- IOSH Managing Safely for Property Managers (distance/flexible learning)
- IOSH Managing Safely
- IOSH Safety for Senior Executives
- IOSH Working Safely
- IOSH Managing Client/Contractor Relationships
- Working At Height Awareness
- Asbestos Awareness
- DSE Assessors Training
- Manual Handling Assessor/Lifting Techniques

Avoid the headache of work stress

New guidelines for employers have been published by the Health and Safety Executive as part of its ongoing drive to curb work related stress.

HSE figures suggest 12.8 million working days were lost to stress, depression and anxiety in 2003/4 and that up to five million people in the UK feel 'very' or 'extremely' stressed by their work.

The new stress standards can be found at www.hse.gov.uk/stress.

A five-point approach to tackling work related stress is recommended by the HSE:

- Identify the hazards
- Decide who might be harmed and how
- Evaluate the risk and take action
- Record your findings
- Monitor and review



Managing Asbestos

As the emphasis shifts from asbestos surveys to ongoing management, it is vital that duty holders remain up to speed with their responsibilities.

Regulation Four of the Control of Asbestos at Work Regulations 2002 stresses the need for clear measures for "monitoring the condition of any asbestos or substance containing or suspected of containing asbestos".

The accompanying guidance notes state: "As a minimum the material should be checked every six to 12 months even if it is in good condition and not going to be disturbed".

Tetra offers a full package of support to help duty holders comply with asbestos regulations. We can assist with the writing of asbestos management plans, carry out re-inspections and provide full support throughout any asbestos remediation works including tender specification, project management and performance monitoring.



For further information on this service, please contact the Tetra office.

Other News

We are delighted to welcome two new additions to our professional team:

Mike Tomkinson MIOSH RSP has joined Tetra as a SHE Corporate Adviser. Mike is well known in the property industry having spent the last five years working directly for property management companies. Prior to this Mike was involved in industry, MOD, manufacturing and local authority work.

Lee Dawson, CCP(ASBESTOS) is Tetra's new Asbestos Operations Manager. With over 14 years' experience in asbestos consultancy, covering air and sample testing, surveying and project management of remediation projects, Lee has worked on many varied sites including hospitals, education, defence, commercial and industrial buildings.

Q. Do you know what is included in a 'type three survey' and when it is required? Answers in the next edition...



For further information on any article contained in this newsletter, or for more details about Tetra services, please contact us.

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Did you know?

Tetra continues to hold the UKAS Accreditation No 175 for undertaking all types of surveys.