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 Christmas Closure: 21<sup>st</sup> Dec – 2<sup>nd</sup> Jan



## Health & Safety Law Poster 2014 Version



Employers are required, by law, to either display the HSE-approved law poster or to provide each of their workers with the equivalent leaflet.

This version MUST be displayed by April 2014

The Health and Safety Executive has produced a range of health and safety law products.

Employers are required, by law, to either display the HSE-approved law poster or to provide each of their workers with the equivalent leaflet.

If you choose to purchase the Health and safety law poster it must be displayed on all business premises. There are various versions of the poster, so that you can select the most appropriate for your business, depending on where in the UK your business is based.

The A2 and A3 Health and safety law poster products tell workers what they and their employers need to do in simple terms. Other products for employees, include leaflets, pocket cards, Welsh versions and Versions for Northern Ireland. These provide employees with an essential version of the health and safety law poster that they can carry with them around the workplace.

### Issue No. 9, Dec 2012/Jan 2013

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<http://www.hse.gov.uk/pubns/books/lawposter.htm>

## H.S.E. Toolbox Talks

The HSE have launched a page on their website, providing suggested content for inclusion within Toolbox Talks. The listed topics, with links to supportive documentation for issue to employees include:- Electricity Safety, Fire Safety, Gas Safety, Harmful Substances, Machinery, plant and equipment, Manual Handling, Noise, Personal Protective Equipment, Pressure equipment, Radiations, Slips and trips, Vibration, Working at Height, Working in Confined Spaces, Workplace Transport. Choose the topics applicable to your own workplace and deliver the content in a brief training session to your workforce. Ensure signatures are obtained from those in attendance.

<http://www.hse.gov.uk/toolbox/index.htm> Please advise if you would prefer K.S.Safety to deliver Toolbox Talks on your behalf.

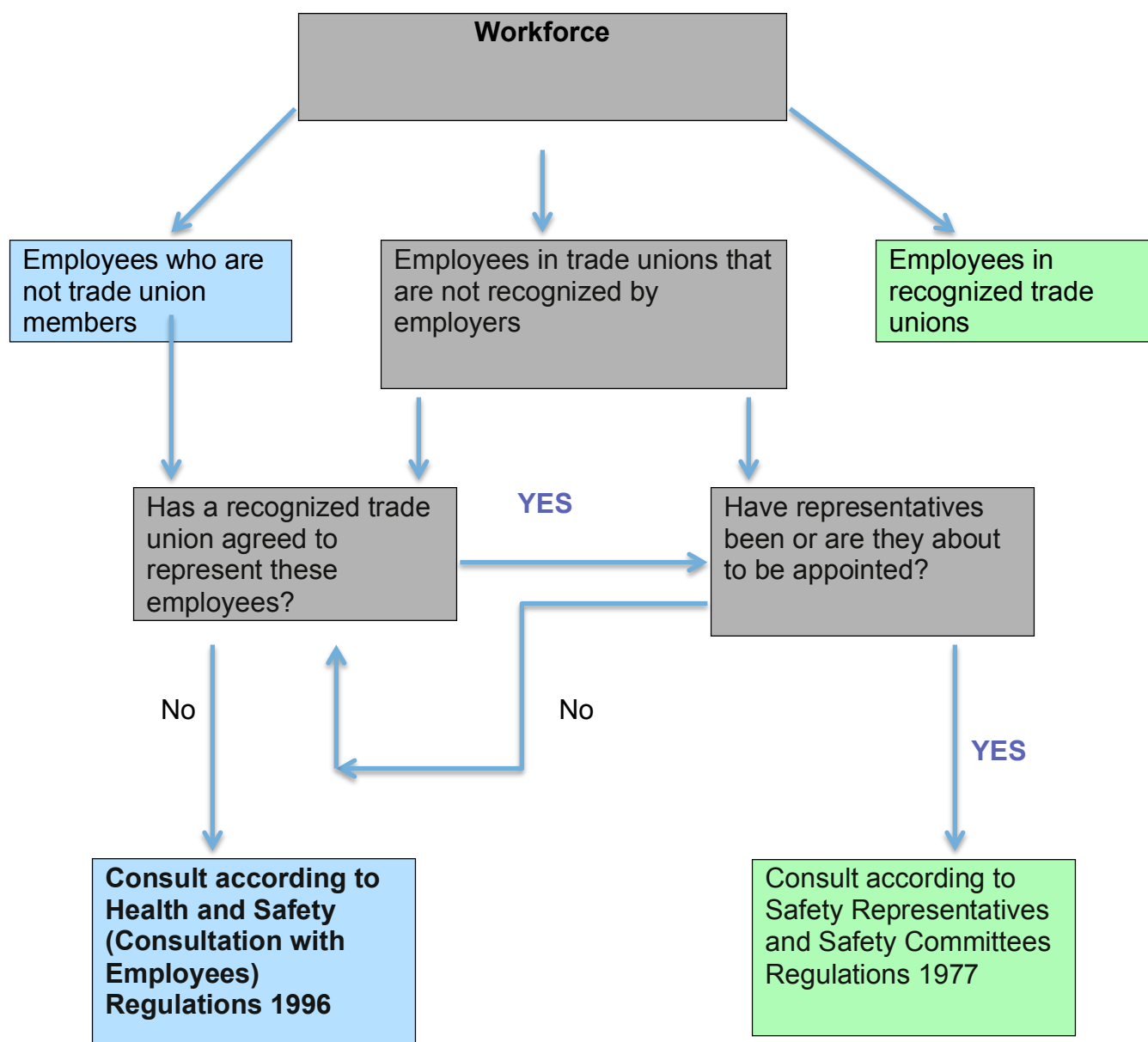
## Consulting Employees on Health and Safety

(A brief guide to the law)

Employers have a duty to consult with their employees or their representatives on health and safety matters. The law sets out how employees must be consulted in different situations and the different choices employers have to make. There are two sets of general regulations about employers' duty to consult their workforce about health and safety:

- the Safety Representatives and Safety Committees Regulations 1977 (as amended);
- the Health and Safety (Consultation with Employees) Regulations 1996 (as amended).

These regulations will apply to most workplaces. The flow chart below, shows the relationship between the two sets of regulations and how they affect your workplace.



### Consulting where the Safety Representatives and Safety Committees Regulations 1977 apply

If an employer recognizes trade unions in any part of the business then:

- the Safety Representatives and Safety Committees Regulations 1977 will apply if that trade union **has appointed**, or is **about to appoint**, safety representatives; and
- the employer must consult the union-appointed health and safety representatives on health and safety matters affecting the employees they represent.

If at least two health and safety representatives request in writing that a safety committee be formed within the workplace, the employer must establish such a committee within three months of the request.

### Consulting where the Health and Safety (Consultation with Employees) Regulations 1996 apply

The law is different if there are employees who are not represented under the Safety Representatives and Safety Committee Regulations 1977, for example if:

- the employer does not recognize trade unions;
- the employer does recognize trade unions but representatives have not been appointed or are not about to be appointed; or
- there are any employees who do not belong to a trade union and recognized trade unions have not agreed to represent them.

Where employees are not represented under the Safety Representatives and Safety Committees Regulations 1977, the Health and Safety (Consultation with Employees) Regulations 1996 will apply.

The employer can choose to consult employees directly as individuals, or through **elected** health and safety representatives (known as 'representatives of employee safety' in the Regulations), or a combination of the two. See [www.hse.gov.uk/involvement](http://www.hse.gov.uk/involvement) for more information.

**If the employer decides to consult their employees through an elected representative, then employees have to elect one or more people to represent them. The elected health and safety representative must be employed in the group that elects them.**

### What must employers consult about?

They must consult with employees or their representatives on the following:

- the introduction of any measure which may substantially affect their health and safety at work, for example the introduction of new equipment or new systems of work (such as the speed of a process line and shift-work arrangements);
- arrangements for getting competent people to help them comply with health and safety laws (a competent person is someone who has sufficient training and experience or knowledge and other qualities that allow them to help an employer meet the requirements of health and safety law);
- the information they must give their employees on the risks and dangers arising from their work, measures to reduce or get rid of these risks and what employees should do if they are exposed to a risk;
- the planning and organization of health and safety training; and
- the health and safety consequences of introducing new technology.

More detailed information on an employers legal duty to discuss health and safety matters with employees is provided in a seven page leaflet which can be downloaded from the HSEs website at

<http://www.hse.gov.uk/pubns/indg232.pdf>

**The Control of Asbestos Regulations 2012** came into force on 6 April 2012. The 2006 Approved Code of Practice (ACoP), is currently being reviewed as part of a wider review of HSE's guidance and ACoPs and therefore has not been updated to reflect the changes made in the revised regulations.

In practice, the changes are fairly limited and mean that some types of non-licensed work with asbestos now have additional requirements, ie notification of work, medical surveillance and record keeping.

All other requirements, including in relation to duty to manage, remain unchanged.

The existing ACoP provides practical guidance on regulation 4 of the Control of Asbestos Regulations 2006.

In particular it applies to those who have responsibilities for the maintenance and repair of non-domestic premises where asbestos-containing materials are or are likely to be present in those premises.

The ACoP for the Control of Asbestos Regulations 2012 is anticipated to be ready for publication in May 2013.

### **Surveying Services**

K.S.Safety Ltd undertake surveys of buildings for:-

- The presence of asbestos containing materials
- The presence of lead in paint applications

Karen Wilson has 23 years experience of undertaking building surveys for the presence of these hazardous materials. Clients have included Educational Establishments, Local Authorities, Health Services, Religious Establishments, Projects on Behalf of Architects, Chartered Surveyors, Estate Managers, Housing Associations, Domestic, Shops, Offices, Industrial Settings, Private Companies, Demolition Contractors.

**Management Surveys and surveys in advance of Refurbishment & Demolition are regularly undertaken by Karen Wilson & Gilbert Clark**

## **Asbestos Training Service**

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### **Asbestos Training**

Asbestos Awareness Training, Training For Non-Licensed Works, Refresher Training and On-line Asbestos Refresher Training are all provided by

*K. S. Safety Ltd*

Certificates are issued to those who are successful in passing the course.



**Karen Wilson**

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## **FIFE MAN FINED £20,000 AFTER WORKER FALLS THROUGH FRAGILE ROOF**

A Fife man has been fined after one of his employees fell to his death through the fragile roof of a Markinch warehouse.

At Dunfermline Sheriff Court today, Boyd Lamont (DOB 13/01/1957) from Buckhaven, Fife, was fined a total of £20,000 for breaches of Section 2 of the Health and Safety at Work etc Act 1974 and Regulation 3 of the Management of Health and Safety at Work Regulations 1999

The charges concern the death of 32 year old Thomas Sturrock on 29 September 2008.

Mr Sturrock, and a number of other men, were employed by Boyd Lamont, a self-employed contractor then trading as 'Special Access Inspection'. The men were working at height to clean the fragile roof of the warehouse of Tullis Russell Papermaker Ltd in Markinch, Fife. Boyd Lamont failed to properly assess the risks associated with the work, and failed to provide his men with appropriate safety equipment, such as crawling boards, in order that they could work safely whilst they were on the fragile roof.

### **WAIT Tool Kit**

If you don't work at height very often or are unsure about which type of access equipment to use, it is important that you assess the risks and select the right equipment for the job.

Make use of the HSEs online Working At Height Interactive Tool (WAIT)

<http://www.hse.gov.uk/falls/wait/wait-tool.htm>

#### **How will WAIT help me?**

WAIT has been developed to help you understand the key issues when working at height and the factors to consider when selecting the most appropriate and safest type of access equipment.

**WAIT shows you some possible solutions**

On 29 September 2008, Thomas Sturrock was walking on the roof when he fell through it, resulting in his falling approximately 14.5 metres to the concrete floor below. He died of his injuries at the scene.

Following a lengthy trial at Dunfermline Sheriff Court, Boyd Lamont pled guilty to failing to ensure the health and safety of his employees, in particular failing to ensure that they were not exposed to risks of injury or death by falling from or through the roof. He also pled guilty to failing to provide his employees with equipment, information, instruction, training and supervision or a safe system of work for employees carrying out such work at height, and failing to make a suitable and sufficient assessment of the risks to the health and safety of his employees arising from this work.

**Falls from height remain the most common cause of workplace fatality in the UK. In 2008/09 there were 35 fatalities, 4654 major injuries and a further 7065 injuries that caused the injured person to be off work for over 3 days or more, due to a fall from height.**

**K.S.Safety Ltd deliver Height Safety Awareness Training, Based upon the HSE's suggested material content.**

**The course also provides an introduction how to use the WAIT tool.**

**Telephone: (01506) 419197 or (07810) 375773**

## The Control of Substances Hazardous to Health

The Control of Substances Hazardous to Health Regulations (COSHH) gives the legal framework for the control of exposure to substances hazardous to health in all types of business (e.g. factories, farms, quarries, leisure and service activities).

The Regulations require employers to make a written assessment of all work which is liable to expose any employee, or person entering the premises, to hazardous solids, liquids, vapours, gases, mists and micro-organisms.

Air monitoring, health surveillance and testing of control measures to ensure that they are working correctly may need to be carried out. In some cases, records of testing etc. may need to be kept for up to 40 years.



**Karen Wilson has 23 years experience with respect to COSHH.**

**Telephone (01506) 419197 or (07810) 375773 for further information and assistance**

### **K. S. Safety Ltd provide :**

- COSHH Assessments
- Introduction of control measures
- Staff instruction and training
- Routine and 'one-off' monitoring and testing (both air sampling and testing of control measures etc.)
- Record keeping and administration
- Biological Monitoring & Health Surveillance

In addition to the COSHH Regulations, testing etc. can be undertaken to assist with compliance with other legislative requirements (e.g. Control of Lead at Work Regulations, Control of Asbestos at Work Regulations).

### **Recommended Control Measures May Include One Or More Of The Following:-**

#### **Introduction of Mechanical Local Extraction Ventilation Systems:**

Our Associate **Simon Lawrence** undertakes initial assessments (commissioning) and 14-monthly thorough examination and testing of such equipment as required under the COSHH Regulations

#### **Annual Airborne Monitoring Evaluations:**

This ensures that Workplace Exposure Limits are not exceeded. This evaluation should be undertaken annually. **Karen Wilson** undertakes these evaluations.

#### **Issue of Personal Protective Equipment:**

Face-fit tests must be undertaken every FIVE years for ALL employees issued with Respirators, whether disposable paper types or rubber ori-nasal respirators. **Jeff Wilson** undertakes these certificated evaluations.

**Biological Monitoring & Health Surveillance:** Urine analysis, lung function tests etc. Performed by **Karen Wilson** in conjunction with **Dr Linda Bell** (Business Medical)

**Contact K.S.Safety Ltd for further help and advice: (01506) 419197 or (07810) 375773**



## Face Fit Tests

If you issue your employees with respirators, you **MUST** ensure that they are suitable for the wearer. An employee **MUST** be Face Fit Tested. **K.S.Safety Ltd** Provide this service.



**FFP1** Dust Masks protect against large hazardous particles or light dust areas and fine toxic dusts.

They Provide Nasal Cavity Protection

**FFP1** Masks **DO NOT** protect the lungs

**FFP2** Respirators provide medium protection against dusts.

They **DO NOT** protect the lungs from fibres



**FFP3** Respirators (which may be disposable paper or rubber re-usable types), **WILL PROTECT** the lungs from **BOTH** dusts and fibres.....provided that they fit the wearer correctly!

**The tests should be carried out 5-yearly under the COSHH Regs, and annually under the Lead and Asbestos Regulations**



**K. S. Safety Ltd** are recognized supplies of FFP3 Martcare Disposable Respirators.

Contact: Jeff Wilson for details

## Face Fit Testing Service



## Face Fit Testing

A Face-Fit Testing Service Is Provided By

*K. S. Safety Ltd*

Certificates are issued to those who successfully pass the Face Fit Test Procedure



Jeff Wilson

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# Workplace Health & Safety Inspections

## What is a Workplace Inspection?



A workplace inspection is a planned walk-through of a workplace or selected areas or locations of a workplace. Inspections are needed to critically examine all factors (equipment, processes, materials, buildings, procedures) that have the potential to cause injury or illness, and to identify where action is necessary to control hazards. A schedule of planned inspections is an essential element of a health and safety program in which standards are established and compliance monitored.

## How often should Inspections be Conducted?

The worker health and safety representative must inspect the workplace at least once a month. However, if this is not practical, he or she shall inspect the physical condition of the workplace **at least once a year, inspecting at least a part of it every month**. The inspection must be conducted according to a schedule set by the joint health and safety committee or, in smaller workplaces of 6 to 19 employees, by the employer and health and safety representative. In drawing up the schedule, consider:

- the number of different processes or operations;
- hazardous equipment that must be inspected at set intervals and, in some cases, as determined by legislation (for example, cranes and slings);
- processes with high hazard potential that may require separate and more frequent inspections;
- the number of shifts – inspections should not be confined only to one particular shift because the nature of the activity may vary from one shift to another;
- special inspections whenever a new process or piece of machinery is introduced into the workplace.

## K.S.Safety Ltd shall be contacting all Group Members to plan a programme of inspections for 2013

Hazard Rating	Recommended Inspection Frequency
<b>HIGH HAZARD</b>	1 Monthly Inspections
<b>MEDIUM HAZARD</b>	3 Monthly Inspections
<b>LOW HAZARD</b>	6-12 Monthly Inspections

Additional daily/weekly inspections must still be recorded 'in-house' outside these time frames.

All inspection reports and documentation need to remain on file.

**Management of Health and Safety At Work is an Employers Responsibility. Where there are five or more employees, access to professional health and safety advice must be ensured. Members of the K.S.Safety Group, have access to a professional Chartered Member of the Institution of Occupational Safety and Health. Ensure that you utilize the extensive resources, expertise and knowledge base available to you.**



## Managing Health and Safety: Are You In Control?

Perhaps it would be accurate to state that you understand the:

- Aims and objectives of your business/company/organization;
- Prime objective of your role together with its associated duties and responsibilities;
- Performance standards that are expected of you.

What you perhaps are not aware of is the responsibility you have for managing health and safety within your business/company/organization. This is a responsibility that cannot be ignored.

You can answer the question 'Are You In Control?' by considering each of the following statements and answering 'True' or 'False' for your business/company/organization:

Statement		True	False
1	The Health and Safety Policy is regularly reviewed and updated, particularly when new processes and equipment are introduced.		
2	Monitoring and Reporting Systems are in place to ensure that the Health and Safety Policy is being implemented.		
3	Regular discussions and briefing sessions/updates are held at all levels in relation to health and safety issues.		
4	Health and Safety is an integral part of the induction programme of all new employees.		
5	Training is provided on a planned and on-going basis to ensure that all employees possess the necessary knowledge and skills to enable them to carry out their health and safety responsibilities.		
6	The level of employee absence [in terms of frequency and duration] is acceptable		
7	Not all work-based accidents and injuries need to be recorded and reported to the Health and Safety Executive.		
8	All work is carried out in accordance with 'Approved Codes of Practice'		
9	Health and Safety is given priority consideration in all aspects of planning and development.		
10	All relevant Health and Safety Legislation and regulations are fully complied with.		
11	Changes in legislation and regulations are immediately responded to.		

### Score 9 – 11 'True' Responses

From your responses to the above statements you might conclude that health and safety is given high priority and is well managed within your business/company/organization: and that you ARE in control. Congratulations! You recognize that Management of Health & Safety is an on-going requirement.

### Score 5 – 9 'True' Responses

A response in this range indicates that you have a partial recognition of your responsibilities for health and safety matters. You have made an attempt to comply with legislation but there is still much work to be done.

### Score Less Than 5 'True' Responses

Scores in this range would indicate that Health & Safety is NOT Managed.

**K.S.Safety Ltd** can assist you in meeting the requirements of the Health & Safety At Work Act and its associated legislation. Management of Health & Safety – We are 'Here to Help'. **Tel: (01506) 419197**

## **Christmas 2012**

“Health and Safety” is often incorrectly cited as a convenient excuse to stop what are essentially sensible activities going ahead. The following list provides insight into **true accidents and injuries** within the UK reported over Christmas Past

1. Hospitals reported 4 broken arms last year after cracker pulling accidents.
2. On average 3 people die each year testing if a 9v battery works on their tongue.
3. Five people were injured last year in accidents involving out of control Scalextric cars.
4. Eight people cracked their skull in 1997 after falling asleep while throwing up into the toilet.
5. Eighteen people had serious burns in 1998 trying on a new jumper with a lit cigarette in their mouth.
6. Nineteen people have died in the last 3 years believing that Christmas decorations were chocolate.
7. Thirty-one people have died since 1996 by watering their Christmas tree while the fairy lights were plugged in.
8. An average of 58 people are injured each year by using sharp knives instead of screwdrivers.
9. 101 people since 1997 have had broken parts of plastic toys pulled out of the soles of their feet.
10. 142 people were injured in 1998 by not removing all pins from new shirts.

We Wish All Our Readers A  
Healthy, Safe and Happy  
Christmas & A Prosperous New  
Year.



[www.ks-safety.com](http://www.ks-safety.com)

For Professional Health & Safety Advice

Please Contact Karen Wilson

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