



# **S A F E T Y M A T T E R S**

**DECEMBER 2006**

## **UNINSURED BOSS FINED £11,500 AFTER TEEN INJURY**

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A company owner who did not have the legally required injury insurance has been told to pay up £11,500 in fines, costs and compensation after a teenage mechanic was injured. Andrew Richardson was found guilty last week of not having Employers Liability Compulsory Insurance at The City of London Magistrates Court. He had pleaded not guilty to charges of failing to have the required insurance on the sample dates of 14, 15 and 20 July 2005. The charges against his company, Southern Gas Conversions Limited, were dismissed as the court felt Mr Richardson was responsible personally for the breaches. After a two-day trial where Mr Richardson represented himself, he was found guilty and was ordered to pay a fine of £500 plus the prosecution costs of £10,000. The court heard that on 15 July 2005, one of the days without insurance cover, Yana Jones, a 17-year-old who had been working as a mechanic, suffered injuries to her left leg resulting in a hospital stay and permanent scarring. Mr Richardson claimed in court that the two 17-year-old mechanic students he paid £3 an hour were not workers, but were just attending his business to watch. The court heard from Miss Jones that she had carried out a range of mechanical tasks for Mr Richardson including paint stripping and brake changing. Mr Richardson claimed he did not need insurance, but the prosecution introduced a questionnaire signed by him that showed that he had falsely claimed to Carshalton College that he did have insurance cover. As Miss Jones could not make any claim from an insurance policy and had also been unable so far to get any compensation from Mr Richardson, the court ordered him to pay her £1,000 in compensation. Health and Safety Executive investigating inspector Andrew Withers said: 'It is terrible when people get hurt at work, but at least having insurance means the victim can get some compensation to cover losses and help their recovery. Ms Jones thankfully did not suffer more serious injuries, but if she had, she might at only 17-years-old have been left unable to work again and yet not received a penny.'

### **One third of UK workers fear they will be unfit for work by 60**

Over one third (36.5 per cent) of UK workers believe they will be unable to do their job at 60, according to the latest statistics, revealed exclusively last week. TUC General Secretary Brendan Barber, said: "Britain is sitting on a 'demographic timebomb'. If we are going to enable older people to stay in work and off benefits, employers are going to have to stop pushing them out on bogus health and safety grounds and start working to keep them employed."

### **Christmas Greetings From SME**

We would like to take this opportunity to thank all our readers for their support and feedback during the early stages of this newsletter. We have been asked if there is a charge for it. The answer is NO. We plan to continue providing this free support to our clients and our network of contacts. Much of the information is drawn from other sources so it would be wrong to charge for it. We only hope you find it useful. We would now like to wish you all a Merry Christmas and a prosperous NEW Year.

***REMEMBER IF IT CAN'T BE DONE SAFELY— DON'T DO IT***



## TRAIN YOUR STAFF TO 'OWN' THEIR PROBLEMS AND RECOGNISE HAZARDS WITH THE POTENTIAL TO CAUSE HARM

The IOSH Working Safely Course is a 1 Day package, designed to highlight to members of the workforce the type hazards that may exist within their own working environment. It provides the knowledge for them to understand the legal requirements placed upon their employers and themselves to ensure that work is conducted in a safe manner. Previous candidates have found this course to be fun and interactive. Even the hardy, that show little enthusiasm or interest at the start of the day can leave the training having enjoyed the experience. We have a 100% pass rate and positive feedback has been received from candidates and IOSH themselves. So if you value your workforce and would like them to fully understand the importance of working safely then the IOSH working safely course is for them. We are available to deliver this training at your premises or courses are run at our Rainham training rooms.

### ANYTHING WRONG HERE?



### TIME TO ACT

**T**AKE ADVICE  
**I**NFORM  
**M**AKE AN EFFORT  
**E**NTHUSE & ENFORCE  
**2**  
**A**CT NOW  
**C**ONTROL RECORDS  
**T**RAIN YOUR STAFF

### CULTURE MATTERS

Switch over to a safe way of thinking. Safety Culture for many companies is stuck firmly in the dark ages. Safety is often considered as an excuse to make things difficult. It doesn't have to be this way. Modern and forward thinking companies grasp Health & Safety and force it to the forefront of their plans as the ONLY option. Taking the Safe route ensures that the job can be done with the minimum of fuss, corners are not cut and the 'improvisation', which often leads to accidents is not needed. The key here is to plan ahead and involve the workforce during the initial or planning stages of any task. Involve your staff, they may just surprise you with the right answers.



## YOUR RISK CONTROL PRIORITIES—ERICPD

- E—Elimination** (consider; does the job have to be done, or is there a safer way to complete the work, a roof could be built on the ground and craned into position, therefore for 90% of the job the hazard of falling has been eliminated).
- R— Reduce by Substitution** (use a safer tool, product or process, there are always safer options; the 'just because it's always been done that way' attitude, can seriously damage your health).
- I—Isolation** (use physical guards to protect yourself and others, lathes and circular saws have guards, noisy equipment can be moved further away, it's about putting a physical barrier (not PPE) in-between yourself and the hazardous equipment).
- PPE** (the issuing and use of PPE should be considered as a last resort or as a temporary measure, put it another way **PPE is the last line of defense**, if it fails then the worker is in trouble, do everything possible to protect the worker before taking the PPE option. If it is mandatory or the last resort ensure the right grade of PPE is selected to BS standards).
- D—Discipline** (The workforce will always take measure to get the job done quicker, because 'they know better', Discipline will ensure that the workers are monitored and the correct actions are taken when the rules are broken).

### Work Reality Checklist

- What **has** to be done
- Correct tools
- What hazards are there
- Risk Assessment
- Competent Staff
- Method Statement to follow or Manufactures Handbook
- Correct level of Supervision

## TOOL BOX TALK— LADDERS

### Before-use Checks

1. Ladders must be stored correctly and inspected regularly.
2. Check for splits or cracks in the stiles and rungs.
3. Ensure that none of the rungs are missing or loose.
4. Don't use painted ladders, this can hide damaged parts.
5. Report defects, label as defective and remove from site.

### Use of Ladders

1. Work should only be carried out from a ladder when the job is of short duration and can be carried out safely.
2. Ladders should be set on a firm base and leaning at the correct angle which is one unit out to four units up (Approx 70°).
3. Ladders must be tied near top and extend a safe distance above landing stage, unless a hand-hold is provided.
4. If it can't be secured at the top, secure it at the bottom.
5. For added safety, if possible and necessary, the base of the ladder should be staked or buried to prevent slipping.

6. Ensure your footwear is free from excessive mud or grease before you climb up the ladder.
7. Use both hands on stiles, up and down. Always face the ladder.
8. Don't overreach from a ladder, always move it.
9. If using extension ladders, each section must overlap:



**2 rungs** - for ladders up to 5 metres  
(closed length)

**3 rungs** - for ladders 5-6 metres (closed length)

**4 rungs** - for ladders over 6 metres (closed length)

10. Always face the ladder.



**REMEMBER THE VAST MAJORITY OF LADDER ACCIDENTS OCCUR BECAUSE THE LADDER IS NOT TIED AT THE TOP**

**LADDERS CAN BE DANGEROUS IF IN THE WRONG HANDS**



## FIRST AID & ACCIDENT BOOKS

In the first instance, if someone is injured or ill at work, it doesn't matter whose fault it is - what is important is that employers have made arrangements to ensure the affected person receives immediate attention. The initial management of injuries and illness, until expert medical attention is received, could be the difference between life and death.

First aiders are trained and certificated workers capable of administering first aid to injured or ill workers. They can only be trained by HSE approved organisations and employers and the certificates issued are only valid for three years. First aid arrangements at work should be reviewed regularly to identify problems and any scope for improvements. After an incident injuries may sometimes not be recorded in the accident book because of confusion, negligence or even an illegal deed. This could give a false picture of accident rates that may conceal faults in working practices. The first aider should ensure all incidents are recorded properly.

From 31 December 2003 employers have been required to ensure their accident recording system complies with the Data Protection Act 1998 (DPA). To comply with the DPA, personal details entered into the accident book must be kept confidential. The Health and Safety Executive (HSE) has redesigned the Accident Book (BI 510) so that individual record sheets can be removed and stored securely, leaving a stub in the Book to indicate that the accident has been recorded.

We offer both the 4 Day HSE First Aid at Work Course & the 1 Day Appointed Persons First Aid Courses. Call for a quote or to reserve a place on one of our forthcoming courses.

## OUR SPONSORS AGAIN THIS MONTH



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## HAVE YOUR SAY

Each Month we will be highlighting "Hot topics" from the Health & Safety profession that may affect your business.

Let us know your views either by email or write to us at the above address.

Any correspondence will be published in the next Newsletter

We're here to help YOU help yourselves !

## Dates For Your Diary:

### DECEMBER 2006

18-21 4 DAY HSE FIRST AID AT WORK COURSE  
AT OUR OFFICES IN RAINHAM.

17 CIEH MANUAL HANDLING COURSE

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