

CORPORATE HEALTH AND SAFETY COMMITTEE - 12TH JULY 2006

SUBJECT: RECENT HSE UPDATES

REPORT BY: DIRECTOR OF THE ENVIRONMENT

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to inform Members, Management and Trade Union Safety Representatives of recent updates in Health and Safety information, advice and guidance.

2. SUMMARY

2.1 Regulatory Reform (Fire Safety) Order 2005 (RRFSO).

- The Office of the Deputy Prime Minister has announced it is to delay the coming into force of the Regulatory Reform (Fire Safety) Order 2005 (RRFSO). Previously the government has announced that the order would come into force throughout England and Wales on 1st April 2006. A new date is yet to be confirmed however the current proposed commencement date has been set at October 1, 2006.
- The changes set out in the RRFSO will apply to non-domestic premises only and is designed to make the law easier to understand and comply with. It will consolidate existing fire safety laws, which are currently found within more than 70 pieces of legislation.
- The Fire Safety Order requires that a fire risk assessment be undertaken to ensure the safety of all persons in a fire situation. These are currently being undertaken within the Authority in readiness for the changes. The Corporate Health and Safety Unit will also be providing guidance for Managers within the Authority.
- Further information is available at www.odpm.gov.uk/index.asp

2.2 The Health and Safety Executive have issued a safety alert and updated their guidance with regards to Waste and Recycling Vehicles and Street Collection following nine fatalities, including seven involving vehicles which occurred in the waste and recycling industry in an eight-week period earlier this year. Further information can be found at www.hse.gov.uk/waste/index.htm.

2.3 An amendment to the Management of Health and Safety at Work Regulations 1999, with respect of civil liability, came into force on 6 April 2006. During 2003 these regulations were amended as a result of concerns raised by the European Commission that they did not make provision for civil liability. The amendment made during 2003 rectified this omission by allowing aggrieved parties to sue for damages, which arose from the failures of duty holders, both employers and employees, to discharge their responsibilities under the regulations. Unfortunately this amendment made it possible that third parties who were affected by work activities e.g. members of the public, to sue employees directly for damages. Due to the potential for this action, the regulations have now been amended to prevent this type of action being taken.

2.4 The HSE has announced the topic for this year's health and safety week. The week will run from 23rd – 27th October, on the topic of Safe Start and is dedicated to the occupational safety and health of young people. The Authority will be undertaking its own campaign during this week on this topic.

3. RECOMMENDATION

3.1 That the contents of the report be noted.

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