

## **CORPORATE HEALTH AND SAFETY COMMITTEE – 18TH JUNE 2008**

**SUBJECT: RECENT HSE UPDATES**

**REPORT BY: DIRECTOR OF CORPORATE SERVICES**

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### **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 The Health and Safety Executive has launched a new addition to its website to complement existing HSE guidance on the purchase and managing of local exhaust ventilation. Local exhaust ventilation can be found in various parts of the Authority, particularly workshops and comprehensive schools, used for the extraction of fumes, wood dust and other contaminants in the air that may cause harm if inhaled. The provision, maintenance, examination and testing of local exhaust ventilation is subject to the requirements of the Control of Substances Hazardous to Health (COSHH) Regulations. The website may be found at: [www.hse.gov.uk/lev](http://www.hse.gov.uk/lev)
- 2.2 The HSE have published a case study regarding the benefits of kerbs made from plastic rather than traditional precast concrete. The two greatest benefits are the reduced risk of manual handling injuries during installation, and no risk of exposure to silica dust during cutting. The case study may be found on the HSE website at: [www.hse.gov.uk/construction/healthrisks/coh14.pdf](http://www.hse.gov.uk/construction/healthrisks/coh14.pdf)
- 2.3 The HSE published the third edition of the Approved Code of Practice supporting the Provision and Use of Work Equipment Regulations 1998 in May 2008. The new edition has been amended and updated to reflect changes to the legislation brought by the Health and Safety (Miscellaneous Amendments) Regulations 2002. The details of the new publication are: L22 'Safe Use of Work Equipment: Provision and Use of Work Equipment Regulations 1998: Approved Code of Practice and Guidance; ISBN 9780717662951, priced £11.95.
- 2.4 The conviction of a private school headteacher in July 2007 following the death of a pupil who jumped from steps at the school and later died was quashed by the Court of Appeal on 20th May 2008. The pupil died in August 2004 from an MRSA infection that he contracted while being treated at Alder Hey hospital for the head injury he sustained after jumping from the school steps pretending to be Batman. The HSE contested that more staff should have been on duty and that a gate preventing access to the steps should have been installed, on conviction the headteacher was ordered to pay a total of £20,000 arising from a fine and costs. However during the appeal hearing the headteacher's barrister contested that the provision of a gate added its own risk, and that the only way to stop pupils from falling down steps would be to hold their hands or to prevent access to steps at all times, which Lord Justice Moses ruled "impossible".

### **3. RECOMMENDATION**

3.1 That the contents of the report be noted.

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Consultees: Nigel Barnett, Director of Corporate Services  
Gareth Hardacre, Head of People Management and Development  
Councillor Allan Pritchard, Cabinet Member for Human Resources and  
Constitutional Affairs  
Emma Townsend, Health and Safety Manager