



## CORPORATE HEALTH AND SAFETY COMMITTEE – 11TH NOVEMBER 2009

**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 No new health and safety legislation came into force on 1st October 2009 (one of the two common commencement dates for new legislation coming into force). Additionally, to date, no new health and safety legislation relevant to the Authority is expected to come into force on 6th April 2010.

- 2.2 The HSE have published a revised edition of the Approved Code of Practice and guidance in support of the Health and Safety (First-Aid) Regulations 1981. Significant changes include:

- A new training regime introducing a new 1-day 'Emergency First Aid at Work' (EFAW) course that may be provided by a training organisation approved by a recognised awarding body of Ofqual / Scottish Qualifications Authority (SQA) eligible to award an accredited qualification applying a training standard set by HSE.
- The shortening of the full 'First Aid at Work' (FAW) course from 4 days to 3 days duration.
- Recommendation that annual refresher training for first aiders be provided, although this is not mandatory.
- Clarification regarding the keeping and administration of tablets and medicine for first aid to enable aspirin to be kept and administered by first aiders to a casualty with a suspected heart attack in accordance with currently accepted first-aid practice.

The publication, L74 '*First Aid At Work: The Health and Safety (First-Aid) Regulations 1981 Approved Code of Practice and Guidance*' (ISBN 978 0 7176 6260 9, priced £8.75) is available directly from HSE Books (Tel. 01787 881165) and may be viewed in full online at: [www.hse.gov.uk/pubns/l74.pdf](http://www.hse.gov.uk/pubns/l74.pdf) Further information is also available from the HSE website: [www.hse.gov.uk/firstaid](http://www.hse.gov.uk/firstaid)

- 2.3 The HSE have also published a revised edition of their guidance publication, '*Protecting The Public: Your Next Move*' that provides practical advice on how those designing, planning, maintaining and carrying out construction work can minimise the risks to those who are not involved in the construction process but may be affected. The guidance includes advice regarding the use of barbed wire for security purposes.

The publication, HSG151 *'Protecting The Public: Your Next Move'* (ISBN 9780717662944, priced £9.95) is available directly from HSE Books (Tel. 01787 881165) and may be viewed in full online at: [www.hse.gov.uk/pubns/priced/hsg151.pdf](http://www.hse.gov.uk/pubns/priced/hsg151.pdf)

- 2.4 Cheltenham Borough Council has been fined £14,000, plus £3,000 compensation to the injured person and ordered to pay prosecution costs of £18,530.31 by Cheltenham Magistrates after a ride-on mower accident to an employee. The injured employee fell from a ride-on mower onto a park bench, breaking two ribs and suffering a compressed lung. He was off work for 11 weeks.

The slope that the employee was working on at the time was too steep for the machine he was using according to manufacturer's guidelines. The employee had also not received enough information or instruction and there had been previous incidents that should have made the council take action to improve safety while using ride-on mowers.

The Council pleaded guilty to charges under Section 2(1) of the Health and Safety At Work etc. Act 1974 and Regulation 3(1) (a) of the Management of Health and Safety at Work Regulations 1999 for failing to carry out a suitable and sufficient risk assessment for cutting the grass with the ride-on mower.

- 2.5 The Health and Safety Executive (HSE) has warned employers to maintain safe systems of working at road works, after a road traffic collision left a motorcyclist in intensive care.

Balfour Beatty Infrastructure Services Ltd was fined £15,000 and ordered to pay costs of £31,139.30 after pleading guilty to a breach of Section 3(1) of the Health and Safety at Work etc Act 1974.

In 2006, three of the company's employees were carrying out road repairs near Chelmsford. They had reduced the road width to a single lane and had put in place a simple control system with one person using a 'Stop/Go' board. There were also signs set out in advance of the roadworks to warn other road users. However, a motorcyclist travelling in the open side of the carriageway collided head-on with a car, travelling towards him in the opposite direction, and suffered serious injuries. The HSE investigation identified the road layout the company used was not appropriate for the traffic flows. In particular, a road sign to alert users to the fact that there was traffic control ahead was not put out. Nor was there a supervisor in charge of the works gang.

- 2.6 A waste and recycling company has been fined following the death of a man run over by a skip lorry that reversed over him. He had been working in a blind spot behind the vehicle as it reversed to tip.

The company was fined £80,000 and ordered to pay costs of £25,000 for breaching Section 2(1) of the Health and Safety at Work etc. Act 1974, which requires that a safety management system should be in place, and Regulation 17 of the Workplace (Health, Safety and Welfare) Regulations 1992 for not segregating pedestrians and vehicles where possible. No blame was attributed to the driver.

### **3. RECOMMENDATION**

- 3.1 That the contents of the report be noted.

Author: Andrew Wigley, Health and Safety Officer  
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