

## **CORPORATE HEALTH AND SAFETY COMMITTEE – 11TH AUGUST 2010**

**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 recent prosecution of the electrical retailer Comet by the HSE highlights the need for organisations to carefully select and monitor contractors. The prosecution followed the death of a contractor who stepped on a roof light and fell 7.3m (24 feet) onto the store floor.

The HSE brought the prosecution as the company failed to ensure that its contractor had taken steps to prevent falls through the fragile roof lights, such as the provision of safety harnesses designed for roofwork. Comet Group Plc was subsequently fined £75,000 and also ordered to pay £24,446 in costs.

The law is clear: organisations must ensure contractors are competent to do the work they are hired to do, and they need to understand their responsibilities. A safe system of work must be agreed and organisations should monitor contractors to make sure they undertake work safely as agreed. Comet Group Plc accepted that if the contractors' work had been monitored, the failings and unsafe working practices would have been identified and the accident subsequently prevented.

Information regarding the appointment and monitoring of contractors is available from the '*Corporate Health and Safety*' pages of the intranet.

Work is ongoing to review the corporate contractor management policy, management arrangement and guidance to ensure that robust and reasonable information is being provided. Work is also ongoing to review the monitoring arrangements with regards to principle and subcontractor activities within the Directorate of the Environment.

- 2.2 The Government is undertaking a review of the operation of health and safety laws and the growth of the compensation culture in the UK. The review aims to remove areas leading to common misinterpretation and application which has led to 'bans' allegedly on health and safety grounds that have attracted much media interest in recent years and reduce the fear of litigation.

Lord Young, who is conducting the review, is expected to report his findings and recommendations directly to the Prime Minister within the next couple of months.

- 2.3 The HSE has published guidance aimed at preventing serious injury to people, including children, who may enter, play in or take shelter in commercial waste bins or communal

domestic bins. The guidance primarily relates to four-wheeled bins of 660 litres plus capacity. The guidance is available in full from the HSE website: [www.hse.gov.uk/pubns/waste25.pdf](http://www.hse.gov.uk/pubns/waste25.pdf). Guidance has been provided to public services and working practices have been reviewed.

### **3. RECOMMENDATION**

3.1 That the contents of the report be noted.

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