



## **CORPORATE HEALTH AND SAFETY COMMITTEE - 11TH JULY 2016**

**SUBJECT: RECENT HSE UPDATES**

**REPORT BY: INTERIM CHIEF EXECUTIVE**

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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 following report is provided as information for members of the Committee, to ensure they are kept informed of changes to health and safety legislation and approved codes of practice which will affect the Council, as well as advising of any relevant accidents, incidents and prosecutions.

### **3. LINKS TO STRATEGY**

- 3.1 The report is provided as information to Members of the Health and Safety Committee in line with the Council's Health and Safety Policy.

### **4. THE REPORT**

- 4.1 A Sheriff in Scotland has issued his findings following the fatal accident inquiry into the Glasgow bin lorry crash, which killed six people in December 2014. Sheriff Beckett's determination is critical in particular of driver Harry Clarke, stating outright that the crash might have been avoided had he not lied about his medical history.

But there are also implications for Glasgow City Council and potentially all local authorities; for doctors and GPs; and for the DVLA and driver licensing right across the UK. It includes appeals to government ministers and could see changes to the law.

As well as eight "reasonable precautions" which could have prevented the crash - all relating to Mr Clarke's health - the Sheriff outlined 19 recommendations which could reduce the chances of such an incident recurring in future.

Mr Clarke lost control after suffering an episode of neurocardiogenic syncope - "he fainted" - and the vehicle accelerated to speeds of up to 26.09mph and mounted the pavement which was busy with pedestrians and Christmas shoppers. The lorry collided with pedestrians, buildings and cars before crashing into the Millenium Hotel less than 20 seconds later.

The 58-year-old professional driver had appeared normal to colleagues throughout that day, had not been drinking or taking drugs, and medical tests following the crash "*revealed no abnormalities*" - until a "*tilt table*" test gave some confirmation of the "*already presumed diagnosis*", of neurocardiogenic syncope.

It was revealed during the inquiry that Mr Clarke had a history of fainting and dizziness, and had in fact previously suffered a similar episode while at the wheel of a bus, in 2010.

Sheriff Beckett said all councils, and any other organisation collecting refuse, should seek to have automatic emergency braking systems fitted to vehicles old and new, wherever practical.

He also made a number of other recommendations to Glasgow City Council, including:

- Do not let drivers start work before references are checked.
- Carry out an internal review of employment processes to improve checks on medical and sickness absence information.
- Provide crews with "some basic training" about the steering and braking controls of its vehicles.
- Map out routes between collection points in risk assessments.
- Take into account in risk assessments "*the potential for the presence of exceptional numbers of pedestrians at particular times*".

- 4.2 Three road traffic incidents involving a waste collection vehicle occurred in a two week period of April 2016.

On 8th April a 22-year-old refuse collection worker was killed following a collision with his own vehicle in Daventry. On 17th April an 85-year-old woman was killed following a collision with a refuse vehicle in Edinburgh. And on 19th April a 70-year-old man was pronounced dead at the scene of a road collision involving a refuse collection vehicle and another car. The driver of the refuse collection vehicle and his passenger, both in their 20s, of the most recent incident were airlifted to hospital with serious arm and shoulder injuries.

Provisional figures released by the Health and Safety Executive (HSE) in November 2015 reveal that six fatalities occurred to members of the public as a direct result of waste and recycling activities during the financial period of April 2014-March 2015. In addition, there were five fatal injuries to workers in waste and recycling.

- 4.3 The Health and Safety Executive have launched their new strategy for improving the UK's health and safety system. This emphasises the need to pay more attention to the 'health' in 'health and safety'.

Occupational health is frequently perceived to be more difficult to manage than safety. The causes and consequences of poor safety at work are immediate and noticeable, whereas work-related causes of ill health can be more difficult to spot. It can often take some time for symptoms to develop so the connection between cause and effect is often not obvious.

This is particularly true when it comes to noise and vibration exposure where permanent hearing loss or symptoms associated with hand-arm vibration (numbness, blanching of fingertips and inability to grip) usually develop over a long period of time and exposure can occur not just in the workplace.

- 4.4 The death of a pupil of Maesteg Comprehensive School, Bridgend County, on 10 December 2014 is being investigated by the Health and Safety Executive (HSE).

The 15-year-old pupil was struck by the school's minibus that was taking pupils to play a sports fixture against another local school, and was being driven by the school's Physical Education Teacher. The incident occurred at 3:05 pm when a large number of pupils were leaving the school.

In January 2016 South Wales Police issued a statement that they had questioned the Teacher who was driving the minibus, but confirmed no criminal action would be taken against him. In April 2016 they confirmed that, after consultation with the Crown Prosecution Service, the primacy of the ongoing criminal investigation into the incident will pass to the Health and Safety Executive.

It is very likely that the HSE's investigation will focus on the school's traffic movement management arrangements, particularly during peak pedestrian movements at the start and end of the school day that fall within the HSE's jurisdiction.

An inquest into the pupil's death was adjourned in November 2015 allowing the investigation to continue.

## **5. EQUALITIES IMPLICATIONS**

5.1 There are no equalities implications.

## **6. FINANCIAL IMPLICATIONS**

6.1 There are no financial implications.

## **7. PERSONNEL IMPLICATIONS**

7.1 There are no personnel implications.

## **8. CONSULTATIONS**

8.1 All comments from consultees have been included in the report.

## **9. RECOMMENDATIONS**

9.1 That the contents of the report be noted.

## **10. REASONS FOR THE RECOMMENDATIONS**

10.1 For information only.

## **11. STATUTORY POWER**

11.1 Not applicable to this report.

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