



Safety Matters

Issue No. 8

October/November 2010

Welcome to the October/November issue of Safety Matters, Strategic Risk Management's newsletter which keeps you up to date with the latest news on health and safety.

We would just like to remind our readers about the impending deadlines regarding the new mandatory requirements to carry out inspections on air conditioning units at any of your premises. The key dates are outlined in Section 1.

With the planned industrial action of the London Fire Brigade concerns over fire safety have risen for those in the areas covered by the LFB. In our special fire focus in Sections 3 and 4 the Fire Safety Checklist highlights actions that can be implemented to help you reduce the likelihood of needing to call 999. In our feature on Emergency Fire Evacuations we look at how implementing actions specifically geared to the nature of the occupants of a building can dramatically speed up the amount of time taken to evacuate a building in case of fire

The HSE are currently running the Better Gas Safe Than Sorry Campaign which aims to heighten awareness of the need to use Gas Safe Registered engineers. This coupled with the recent heavy fine given to a major pub chain has prompted us to look at the duties placed on Landlords and Managing Agents under the Gas Safety (Installation and Use) Regulations 1998—Section 5.

Finally we provide a round up of the Equality Act 2010 which came into force on 1st October and look at seasonal guidance published by the HSE.

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SECTION 1 - Reminder Air Conditioning Inspection Deadline Draws Closer



We would just like to remind our readers of the timescales regarding the new mandatory requirements to carry out air conditioning inspections as part of The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007.

Any building where the combined rated cooling output of one or more individual air conditioning units is greater than 12kW will be affected. The requirement for an air conditioning inspection is

dependant on the rated output of the system, irrespective of the type of building, so the measures apply to not only commercial and public buildings but also domestic premises.

Key Dates

- If your air conditioning system is over 250kW the law requires that you should have had your first inspection by 4th January 2009.
- If your system has a rated output greater than 12kW but less than 250kW your first inspection must take place by **4th January 2011**. Further inspections are required every 5 years.
- For all systems first put into service on or after 1st January 2008, the first inspection must have taken place within 5 years of the date when it was first put into service.

Who Should Carry Out the Inspections and What Will be Covered?

The inspection must be carried out by an accredited air conditioning assessor. Following the inspection, the assessor will produce an advisory report that contains the following:

- An assessment of the overall performance of the air-conditioning system.
- Calculations to assess whether the system is adequately sized or oversized for its purpose.
- Recommendations regarding how to improve the efficiency and reduce the energy consumption and CO2 emissions of the system. These may range from improvements to the maintenance regime, through changes to the way the system is operated, to recommendations on the specification of a new or replacement system.

SECTION 1 - Reminder Air Conditioning Inspection Deadline Draws Closer (continued)

It is recommended that you keep the inspection report with your on-going maintenance records in the building log book.

Whose responsibility is it to ensure that the inspections are carried out?

It is the responsibility of the person who controls the operation of the air-conditioning system to:

- Ensure an inspection has been carried out in accordance with the requirements and timetable of the Regulations.
- Keep the most recent inspection report made by an energy assessor.
- Pass on the current inspection report to any person taking over

responsibility of the control of the air-conditioning systems.

From **4th January 2011**, if the person in charge of the air-conditioning system changes and the new person is not given a valid inspection report, it then becomes their responsibility to ensure that an air-conditioning inspection is carried out within 3 months from the date they assumed responsibility of the system.

Complying with Air Conditioning Inspection Regulations

Portfolio managers and building owners need to be aware that the lack of an inspection certificate may lead to a fine and certification may be requested by solicitors upon building transactions

taking place. Local Authorities (trading standards officers) are responsible for enforcing the requirements and they have the authority to issue penalty charge notices for non-compliance and continued non-compliance. The monies raised from fines remain the property of the Local Authority.

If you would like further information or would like to arrange for Strategic Risk Management to conduct an air conditioning inspection at your premises please contact us on 01270 765121.

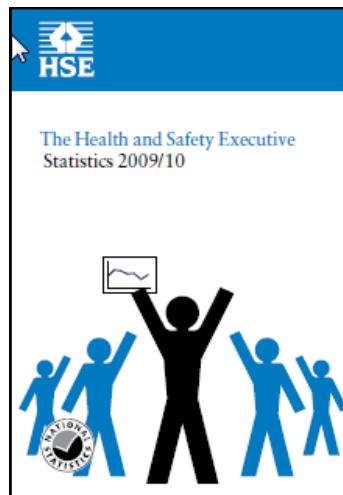
SECTION 2 - New Health and Safety Statistics Published

New health and safety statistics have been published by the HSE.

Key Annual Figures 2009/10

Ill health

- **1.3 million** people who worked during the last year were suffering from an illness (long-standing as well as new cases) they believed was caused or made worse by their current or past work. **555 000** of these were new conditions which started during the year.
- A further **0.8 million** former workers (who last worked over 12 months ago) were suffering from an illness which was caused or made worse by their past work.
- **2249** people died from mesothelioma in 2008 and thousands more from other occupational cancers and diseases such as COPD.



The full statistics report can be downloaded at :

<http://www.hse.gov.uk/statistics/overall/hssh0910.pdf>

Injuries

- **152** workers were killed at work, a rate of **0.5** fatalities per 100 000 workers.
- **121 430** other injuries to employees were reported under RIDDOR, a rate of **473** per 100 000 employees.
- **233 000** reportable injuries occurred, according to the Labour Force Survey, a rate of **840** per 100 000 workers.

Working days lost

- **28.5 million** days were lost overall (**1.2** days per worker), **23.4** million due to work-related ill health and **5.1** million due to workplace injury.

Enforcement

- **1033** offences were prosecuted by HSE and **ORR.287** offences were prosecuted by local authorities
- **15 881** enforcement notices were issued by all enforcing authorities

SECTION 3 - Fire Safety Checklist - Reduce the Likelihood of Needing to Call 999



There has been a great deal of publicity recently concerning the planned strikes of the London Fire Brigade particularly the latest which despite the public outcry, is scheduled for 47 hours from 10.00 on 5th November.

The Regulatory Reform (Fire Safety)

Order 2005 places a legal requirement upon employers and persons with responsibility for premises. These responsibilities and safety measures are designed to protect life regardless of fire service intervention. In times such as this it is important that you ensure the basic fire safety measures for the premises

SECTION 3 - Fire Safety Checklist - Reduce the Likelihood of Needing to Call 999 (continued)

and areas under your control are in place and that all fire protection equipment is in good working order. Your evacuation/emergency plans should be reviewed to take into account the possible delayed response times from the fire and rescue services. Staff vigilance should be encouraged.

You should also ensure that you comply with all your legal obligations and this may include the need to undertake a new fire risk assessment.

Whilst the strikes will not affect businesses outside the area covered by the London Fire Brigade it has prompted us to look at a few simple measures that all businesses/organisations including property management companies can implement to review their levels of fire safety and reduce the likelihood of needing to call 999.

The simple guide featured below suggests a checklist of things you can do- at little or no cost – to safeguard your premises and reduce the likelihood of needing to call 999.

Undertake a fire hazard check of all parts of your premises

- Portable heaters secure and not close to combustibles.
- No light bulbs near combustibles or other stored materials.
- Sockets and extensions not overloaded.
- Check that electrical appliance testing is up to date and that the electrical installation has been inspected/tested in the last five years.
- Ensure smoking controls are being observed.
- Proper controls of hot work, contractor operations and maintenance. In higher risk locations: consider deferring maintenance or refurbishment work if hot work cannot be controlled.
- No accumulations of combustible waste. Increase the number of rubbish collections

Check Fire Safety Measures

- Fire exits and exit routes unobstructed and available for use.
- Fire doors closed at all times and fire shutters in correct position and unobstructed.
- Emergency lighting on/charging and exit signs clear and unambiguous.
- Fire points/extinguishers



unobstructed and available for use.

- Fire detection and alarm systems in proper working order.
- Sprinkler valves set in correct position and system in good working order. Pumps tested, batteries charged, fuel tanks full and water supplies ready.

Staff Readiness

- Check that fire wardens/fire marshals have been appointed for all areas and have not moved.
- Undertake a fire drill now - even if one has been carried out within last 12 months.
- Have all staff received training in the correct action to be taken in the event of fire (Don't forget part-timers and new starters.)
- Consider having a daily test of the fire alarm system if there is dispute in your area
- Have key staffs (security, catering, maintenance, fire wardens etc.) had recent 'hands-on' extinguisher training?

Maintenance

- Have all fire extinguishers/hose reels been inspected recently by a competent person ?
- Has the sprinkler system been serviced and maintained in the last six months ?
- Have fire pumps/generators been test run recently?
- Are diesel pump and generator fuel tanks full?
- Are dry/wet risers in working order and unobstructed?

Other Factors

- If your premises are at risk from arson check security measures
- Consider the need for additional security personnel (24/7) in critical areas such as warehouses which are not fitted with sprinkler systems. Review your procedures for lift rescue - are the contractor contact

details up to date?

- For larger premises may wish to review your crisis management and damage limitation plans. How would you cope with a fire or flood without a proper fire brigade response?
- Ensure that your reception procedures include recording visitor names and the provision of information regarding your fire procedures.
- Revisit your fire risk assessment and see if any changes need to be made - update the FRA in writing.

General Tips and Advice

The London Fire Brigade have put in place alternative arrangements to ensure an emergency attendance in response to 999 calls although there may be a delayed attendance. *They will not however be able to take calls from alarm receiving centres on the normal numbers* and in the event of a fire alarm, you are advised to contact the Brigade on the 999 emergency number so that an attendance may be mobilised to the premises concerned.

During the period of industrial action there are a number of things you can do to reduce calls to the fire service and the risk of fire occurring which are outlined below. Taking these measures will also ensure you are protecting your business and staff.

If your fire alarm operates during any period of industrial action please react as follows:

- Immediately the fire alarm sounds, put into action your normal evacuation routine.
- Unless it is obvious that there is a fire, investigate the source of the alarm to establish if it is a fire or a false alarm.
- If you are certain that there is no fire and no suspicion of a fire then the building should be reoccupied. Under these circumstances, do not call the fire brigade.
- If, during the investigation, a fire is discovered or there is a smell of burning or smoke that cannot be accounted for then dial 999 and ask for the fire brigade.
- To prevent any unnecessary disruption, please ensure that any known problems resulting in false fire alarms are corrected so that there is a high degree of

SECTION 3 - Fire Safety Checklist - Reduce the Likelihood of Needing to Call 999 (continued)

confidence that fire alarms that do occur are genuine.

If you have lifts in your building you should ensure that, in the event of a lift becoming stuck, clear advice is available on how to contact the responsible maintenance company. Details should be made available in the lift and where alarm calls are received in the building.

Strategic Risk Management are able to provide you with a full assessment and review and where appropriate update your fire risk assessment to include any new instructions during the strikes.

It is also advised you contact your Insurance Companies to ensure you are doing what is required to still be covered.

For further information and advice please contact our Fire Safety Specialists on 01270 765121

SECTION 4 - Emergency Fire Evacuations—Special Considerations



It is particularly important that those responsible for fire safety should take into consideration the usage and personal circumstances of the occupants and visitors to a building when planning and trialling their fire evacuation procedures. Limited mobility, lack of understanding of fire procedures and lack of familiarity with the building are all issues which can seriously increase evacuation time.

Strategic Risk Management's fire safety specialists were put to the test when planning fire evacuation procedures for Wentworth House in Ilford, Essex which is managed by Portman Property Management Ltd.



Case Study Wentworth House

Description

Wentworth House is a multi-tenanted, 14 storey commercial office building currently managed by Portman Property Management Ltd. Following the unplanned loss of the Senior Building Manager combined with a change of use of the building the client, Portman Property Management Ltd identified significant issues regarding the co-ordination of fire evacuation procedures. As a result SRM was instructed to thoroughly review the emergency procedures for the property and implement appropriate evacuation exercises.

Challenges

A number of challenges were presented:

- Some tenants were providing college courses to numerous non English speaking students. This presented difficulties in communicating essential Fire Safety requirements
- Each floor had its maximum permitted number of occupants, circa 700 in the building in total
- This was further complicated by the high number of visitors who were not familiar with the premises
- Parts of the building were regularly visited by the general public

How SRM Approached the Problem

- Initial liaison with undertaken with both client and tenants to understand any site specific issues and previous problems and establish designated responsible persons for Fire Safety. Training was given to the new management team (security staff and site

manager) in Fire Safety Awareness with specific emphasis on emergency procedures

- SRM conducted a trial managed fire drill which was observed and recorded. Several issues were identified most of which could be attributed to the language barrier which resulted in a lack of understanding of the correct Fire Safety Procedures. Inappropriate actions observed during the managed fire drill included visitors trying to use lifts, moving against the traffic flow causing congestion and thus increasing the evacuation time, congregating in common areas, returning upstairs to retrieve personal belongings, not assembling at the correct fire assembly point and trying to re-enter the building before the all clear was given
- Following the managed fire drill feedback was given and the necessary actions agreed. All tenants were also given a feedback questionnaire
- A further meeting was held with the designated responsible persons prior to conducting a subsequent managed fire drill
- SRM recommended that a multi-lingual fire evacuation procedures document should be introduced and be given out to all students on arrival and that student inductions should include information on correct Fire and Health and Safety procedures

Project Successes

Overcoming the language barriers and ensuring Fire safety was included in student inductions resulted in the correct fire evacuation procedures being followed and the recorded evacuation time being reduced by half during subsequent fire drills.

SECTION 4 - Emergency Fire Evacuations—Special Considerations (continued)

Special Circumstances Need to be Considered for Care Homes

Emergency fire evacuations also represent a particular challenge for care homes. In his speech on 28th October at Firex North, David Vallender of the National Association for Safety and Health in Care Services (NASHiCS) said that the organisation had called for a review of the way fire risk assessments are conducted in care homes.

He believes that those conducting assessments in such properties need to take into consideration the fact that infirm patients may have limited capacity for understanding fire

evacuation tests. He said that whilst Fire Safety Order requirements such as fire doors, alarms etc. may be in place it was very difficult and sometimes impossible to test evacuation times as patients were often too frail or ill to be subjected to an emergency fire drill. He also believed that in these difficult circumstances the two and a half minute evacuation time recommended under the Fire Safety Order (2005) guidance was unrealistic

He recommended that in addition to training staff as required, assessors should consider asking staff to pose as patients to provide a better basis for accurate evacuation planning. In his speech he told the audience "Yes, it's playacting, but you've got to practise

somehow. In worse case scenarios some patients are frail and near to the end of their lives, so moving them may cause their death."

He also added that another way to test the process would be to time how long it took them to get residents out of their rooms on a normal day.

If you would like further advice on the planning and implementation of fire evacuation procedures for any of your properties please do not hesitate to contact our Fire Safety Specialists on 01270 765121.

SECTION 5 - Gas Safety Regulations—Duties for Landlords and Managing Agents



The HSE are currently running the Better Gas Safe Than Sorry Campaign which aims to raise awareness of the need to use Gas Safe Registered Engineers to install or maintain gas appliances. Currently around 14 people die from carbon monoxide poisoning caused by gas appliances and flues which have not been properly installed or maintained. Many others suffer ill health.

The Gas Safety (Installation and Use) Regulations 1998 concern the installation, maintenance and use of gas appliances, fittings and flues in domestic and certain commercial premises. They place duties on certain landlords to ensure that gas appliances, fittings and flues provided for tenants' use are safe. Failure to comply with the regulations could result in a substantial fine and/or a custodial sentence. These duties are in addition to the more general ones that landlords have under the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Act 1999.

For the purposes of the Gas Safety (Installation and Use) Regulations 1998 (GS(IU)R98) a landlord is defined as anyone who rents out a

property that they own under a lease that is shorter than 7 years or under a licence. Regardless of whether you are a landlord under GS(IU)R 98 you may be considered a landlord under other related legislation. Landlords duties apply to appliances and flues provided for tenants use in properties occupied for residential purposes under either a licence, a tenancy agreement for a set term, or a lease as defined in the Regulations. Any lease under 7 years is covered.

Types of accommodation covered by the regulations include (but not exclusively)

- Residential premises provided for rent by local authorities, housing associations, private sector landlords, housing co-operatives, hostels
- Rooms let in bed-sit accommodation, private households, bed and breakfast accommodation and hotels
- Rented holiday accommodation such as chalets, cottages, flats, caravans and narrow boats on inland waterways.

Landlord Duties

As a landlord you are responsible for all pipework, appliances and flues which you own and have provided for tenants use. If a tenant has their own gas appliance that you have not provided, then you have responsibilities for parts of the associated installation and pipework but not for the actual appliance itself. Flues/chimneys solely connected to an appliance owned by the tenant are not

your responsibility. It is also not your responsibility to undertake safety checks on any gas appliances that are exclusively used in a part of the premises that are occupied for non-residential purposes. An example of this may include a gas fire provided for customers in non-residential areas of a public house.



You are required to:

- Ensure gas fittings and flues are maintained in safe condition.
- Gas appliances must be maintained in accordance with the manufacturer's instructions or where these are not available they should be serviced annually unless advised otherwise by a Gas safe Engineer.
- An annual safety check must be carried out on all gas appliances and flues. At the start of any new lease you must ensure that these checks have been carried out within one year before the commencement of the lease. This excludes any appliances which have been installed for less than 12 months, these should be checked within 12 months of their installation date.
- A record of each safety check must be kept for at least 2 years.

SECTION 5 - Gas Safety Regulations—Duties for Landlords and Managing Agents (continued)

- A copy of the latest safety check record must be issued to existing tenants within 28 days of the check being completed and to any new tenants prior to them moving in.
- Ensure all installations, maintenance and safety checks are carried out by a Gas Safe registered engineer.

These duties cannot be delegated to a tenant except in the case where a contract is drawn up between a landlord and tenant for an appliance or flue installed in a non-residential part of premises such as is in the case of public houses and retail premises.

Between tenancies you must

- Visually check the property to see if the previous tenant has either removed appliances in an unsafe manner or left behind any of their own appliances. Any remaining appliances left by the tenant should either be removed or checked for safety by a Gas Safe engineer.
- Before you re-let the property you need to make sure that all appliances are safe and have an up to date landlord's gas safety record (a copy of which needs to be given to the new tenant); it is also good practice to arrange for the pipework to be inspected and tested .

A landlord must show that they have taken all reasonable steps to comply with the law. HSE inspectors will look for evidence of at least 3 attempts to complete the gas safety check including leaving notices and writing to the client to ensure that it is a legal requirement for you to conduct the safety checks.

Duties as a Managing Agent

If you manage a property on behalf of the landlord you need to ensure that the management contract clearly sets out who is responsible for carrying out the safety and maintenance checks and keeping the appropriate documentation. If the contract specifies that the agent has the responsibility then the same duties apply to the managing agent that would apply to the landlord under the Gas Safety (Installation and Use) Regulations 1998.



Sub Let Properties

In the case of sub-let accommodation, the 'original' landlord may retain duties which overlap with those acquired by the person who sub-lets. In these cases, dutyholders need to take effective steps (e.g. by close co-operation, and clear allocation of responsibilities under contractual arrangements) to ensure requirements are fully met.

However, licensors (i.e. 'sub-letters') of premises who are themselves tenants of those premises are not regarded as landlords in this context and do not have obligations under regulation 36. This means that a tenant allowing others to share accommodation in return for 'rent' does not acquire duties under the regulation; these remain with their landlord.

Case Study

A major pub chain has been fined £300,000 after a landlord died from carbon-monoxide poisoning and 474 other pubs in the chain were found to be at risk.

The landlord of the Aintree Hotel was found unconscious in the pub's living quarters. He died later in hospital from a heart attack brought on by lack of oxygen.

The investigation found that the gas fire, unbeknown to the landlord, had not been serviced since 1979. The chimney was completely blocked and carbon monoxide had gradually built up starving the landlord of oxygen. Tests showed that the fire would have exceeded the workplace limit for exposure to carbon monoxide within 5 minutes of it being turned on and would have reached a fatal level within 1 hour.

The HSE found that only 394 of the chain's 868 pubs had had annual gas safety inspections carried out and that a large number of the remaining 474 pubs had gas fires that posed an immediate danger.

More information concerning the Gas safety (Installation and Use) Regulations 1998 can be found at

[Gas Safety \(Installation and Use\) Regulations 1998](#)

If you would like to discuss any of these issues further please contact Strategic Risk Management .

SECTION 6 - Equality Act 2010

The Equality Act 2010

On October 1st 2010 the Disability Discrimination Act (DDA) 1995 was replaced by the Equality Act 2010.

The Equality Act is a new legislative framework which brings together nine individual pieces of anti-discrimination legislation, including the Disability Discrimination Act (DDA) 1995 and the Race Relations Act 1976 and combines them into a single act in an attempt to update, simplify and strengthen previous legislation making it easier for businesses to understand and comply with.

The Equality Act covers the same groups that were protected by existing equality legislation including age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity. However it now includes some groups not previously covered, and also strengthens particular aspects of equality

Whilst the provisions in the Equality Act 2010 will be implemented at different times to allow the people and organisations affected by the new laws the chance to prepare for them,

around 90% of the new legislation came into force on 1st October 2010.

Those managing properties may be particularly interested in the changes to the section concerning the definition of "reasonable adjustment" that have to be made to a property to enable those with a disability to access the building

"Service providers are required to make changes, where needed, to improve service for disabled customers or potential customers. There is a legal requirement to make reasonable changes to the way things

SECTION 6 - The Equality Act 2010 (continued)

are done (such as changing a policy), to the built environment (such as making changes to the structure of a building to improve access) and to provide auxiliary aids and services (such as providing information in an accessible format, an induction loop for customers with hearing aids, special computer software or additional staff support when using a service)."

Reasonable changes are required wherever disabled customers or potential customers would otherwise be at a substantial disadvantage compared with non-disabled people. A substantial disadvantage is more than a minor or trivial disadvantage. Service providers cannot charge disabled customers for reasonable adjustments.

What is reasonable will depend on all the circumstances, including the cost of an adjustment, the potential benefit it might bring to other customers (ramps and automatic doors benefit customers with small children or heavy luggage, for example), the resources an organisation has and how practical the changes are.

What has changed?

Previously, adjustments to premises and to policies, practices and procedures had to be made by service providers only where it would otherwise be 'impossible or unreasonably difficult' for a disabled person to use the service. Now, under the new Equality Act, adjustments must be made where disabled people experience a

'substantial disadvantage'. This means that service providers may have to make more adjustments.

Also, it was previously possible for a service provider to legally justify failing to provide a reasonable adjustment in certain circumstances. Now, the only question is whether the adjustment is a reasonable one to make.

For more information on the Equality Act 2010 and how it might affect you please visit

http://www.equalities.gov.uk/equality_act_2010.aspx

SECTION 7 - Other Industry News

Firework Display Guidance



With Bonfire Night just around the corner the HSE has provided guidance to help increase the levels of safety at firework displays.

The guidance is aimed at organisations such as sports clubs and school parent/teacher associations, parish councils and public houses running firework displays that set off the fireworks themselves but have no specialist knowledge. The publication provides guidance as regards the laws relating to the supply, possession, transportation, keeping and use of fireworks which may have an effect on the way you organise and fire your display.

To download the guidance please click on the link below

[Firework Display Guidance](#)

Separate guidance is available for professional organisers

Government Launches New Guidance - Clearing Ice and Snow



Last winter many people helped keep pavements and public spaces around their homes clear of snow. However, many were put off doing so because of fears of being sued.

In response to this and to clarify matters, the Government has launched the following new advice regarding your rights and responsibilities when clearing snow and ice from public areas.

The law on clearing snow and ice from public spaces

There is no law to stop you from clearing snow and ice on the pavement outside your property, pathways to your property or public spaces.

If an accident did happen, it's unlikely that you would be sued as long as you:

- Are careful
 - Use common sense to make sure that you don't make the pavement or pathway clearly more dangerous than before.
- People using areas affected by snow and ice also have a responsibility to be careful at all times.

Government Tips and Advice on Clearing Snow and Ice

- Start early it's much easier to clear fresh, loose snow compared to compacted ice that has been compressed by people walking on it.
- Don't use hot water—this will melt the snow, but may replace it with black ice, increasing the risk of injury.
- Be a good neighbour—some people may not be able to clear snow and ice on paths from their property.
- If shovelling snow, think where you are going to put it so that it doesn't block people's paths or drainage channels
- Make a pathway down the middle of the area to be cleared first, so you have a clear surface to walk on
- Spreading salt on the area you have cleared will help stop ice forming—table salt or dishwasher salt will work, but avoid spreading on plants or grass as they may be

SECTION 7 - Other Industry News (continued)

damaged by it.

- Pay particular care and attention to steps and steep gradients
- Use the sun to your advantage—removing the top layer of snow will allow the sun to melt any ice beneath, however you will need to cover any ice with salt to stop it refreezing overnight
- If there is no salt available, sand or ash are good alternatives

Closure of Asbestos Building Inspectors Certification Scheme (ABICS)

The British Occupational Hygiene Society (BOHS) has announced the closure of the ABICS

The Asbestos Building Inspectors scheme was voluntary and aimed at individual asbestos surveyors who were competent but who operated as sole traders or in small companies that did not wish to apply for UKAS accreditation for commercial reasons. This has raised concerns over how well the voluntary accreditation scheme proposed for health and safety consultants will work when it is introduced early next year.

A spokesman for BOHS said that one of the reasons the ABICS failed was because it was a voluntary and not mandatory scheme in a very competitive market and that many dutyholders or clients simply did not look closely enough at suppliers qualifications or ask for proof of competence.

The new HSG 264 guidance published earlier this year strongly recommends the use of UKAS accredited consultants.

Lord Young Report Update

October 15th saw the publication of the Lord Young review on Health and Safety. The report entitled Common Sense, Common Safety contains 36 recommendations relating to among others, no win no fee lawyers, health and safety practitioners, insurers, schools, councils, the HSE and the emergency services.

Amongst the recommendations was the creation of an accredited register for health and safety consultants, a move welcomed by many consultants.

The new scheme will go live in

January and will provide details of those consultants that have met the highest qualification standard of recognised professional bodies, and who are bound by a professional code of conduct that requires them to only give advice that is sensible and proportionate.

Other recommendations included the consolidation of current health and safety law into one single set of regulations and the launch of a new workplace risk assessment tool for low risk workplaces.

Five specific consultations relating to Lord Young's recommendations will also be held next year, including one on the operation of RIDDOR, and an improved system for assessing health and safety standards for larger companies. Both are due to be launched in early 2011



For further information or guidance on any material covered in this publication or any other health and safety related issues, please do not hesitate to contact

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