



Safety Matters

Issue No. 7

August/September 2010

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

Health and Safety has raised its profile in the news recently with the advent of the Lord Young review and the new proposed accreditation scheme for health and safety consultants. In section 5 of this issue SRM's Operations Director Ian Harp gives his own view on the matter.

In this issue we also look at a couple of often overlooked health and safety issues which the HSE has raised alerts on due to several recent deaths. Sections 3 and 4 of the newsletter provide guidance and sources of information regarding your responsibilities for the safety of electrically powered gates and safety issues regarding commercial waste containers.

A frequent question we receive at SRM concerns emergency lighting requirements and the testing regimes which should be in place. In view of this we have put together a short reference guide which summarises current guidance in this area. Read more in section 1.

Finally we look at the British Safety Council's Speak Up Stay Safe Campaign which is aimed at helping to reduce the number of injuries in the workplace to young people between the ages of 16 to 19.

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SECTION 1 - Emergency Lighting Test Regimes



A frequent question we receive at SRM concerns emergency lighting requirements and the testing regimes which should be in place. Some clients are concerned they are not doing enough to ensure compliance whilst others wonder if they are going over and above what is required. To help provide a degree of clarification as regards these issues we have decided to put together a short reference guide which summarises current guidance in this area.

Regular servicing and periodic

maintenance of emergency lighting systems is essential. The occupier/owner of a building must employ a competent person to supervise the servicing of the system. In most cases outside contractors are used to maintain the emergency lighting on their behalf. However it has become apparent that in some cases contractors are still insisting on testing regimes that were a requirement of the previous BS5266 Part 1 – 1999 but which are no longer required under current guidelines.

For example, 6 monthly tests are no longer required under BS5266 Part 8, 2004. This has led to many Responsible Persons (RPs) paying out unnecessarily for the quarterly testing of their emergency lighting when an in-house flick test is able to be carried out by a 'competent person' employed by the company, leaving only the annual periodic inspection/ discharge test to be undertaken by a

contractor.

The legal bit

Under the Regulatory Reform (Fire Safety) Order 2005, article 17 details the Responsible Persons duty on maintenance;

17. — (1) Where necessary in order to safeguard the safety of relevant persons the responsible person must ensure that the premises and any facilities, equipment and devices provided in respect of the premises under this Order or, subject to paragraph (6), under any other enactment, including any enactment repealed or revoked by this Order, are subject to a suitable system of maintenance and are maintained in an efficient state, in efficient working order and in good repair.

Emergency lighting falls under this article as its function is to indicate clearly a means of escape, provide

SECTION 1 - Emergency Lighting Test Regimes (continued)

illumination along such routes to allow safe egress through escape routes and exits provided and to ensure fire alarm points, extinguishers etc. provided can be readily located.

British Standard BS5266 is the official guidance document in regards to emergency lighting with Part 1, 2005 and Part 8, 2004 dealing with maintenance and servicing.

Below is a summary of the guidance regarding the testing of emergency lighting - BS5266 Part 8, 2004. The British Standard is not a legal requirement in itself; however it provides a benchmark from which the fire authorities and other enforcing authorities can work. In order to demonstrate compliance and 'due diligence' alternative testing arrangements can be put in place so long as they are equivalent to or better than those outlined under the British Standard concerned.

Practical Guidance on Testing Emergency Lighting From BS5266 Part 8, 2004

Daily

Indicators of central power supply should be visually inspected for correct operation.

NOTE ; This is a visual inspection of indicators to identify that the system is in a ready condition and does not require a test of operation Sometimes this is impractical at unmanned sites; site specific requirements should be detailed in the fire risk assessment.

Monthly

If automatic testing devices are used, the results of the short duration tests need to be recorded. For all other

systems tests need to be carried out as follows:

a) All luminaires and internally illuminated exit signs should be switched on in emergency mode using their batteries by simulating a failure of the supply to the normal lighting for a period sufficient to ensure that each lamp is illuminated.

During this period, all luminaires and signs should be checked to ensure that they are visible, clean and functioning correctly. At the end of this test period, the supply to the normal lighting should be restored and any indicator lamps or devices checked to ensure that they are showing that the normal supply has been restored.

b) In addition to a), for central battery



systems, the correct operation of system monitors should be checked.

c) In addition to a), for generating sets, refer to the requirement of ISO 8528-12.

NOTE: The period of simulated failure should be sufficient for the purpose of testing whilst at the same time minimising damage to the system components e.g. lamps. Testing involves a 'flick' test and inspection of each emergency lighting unit. Where there are a large number of units, this

could be split into sections on a rotational basis; the fire risk assessment should detail site specific requirements.

Annually

If automatic testing devices are used, the results of the full rated duration test should be recorded. For all other systems the monthly inspection should be carried out and the following additional tests made:

a) Each luminaire and internally illuminated sign should be tested for its full rated duration in accordance with the manufacturer's information.

b) The supply of the normal lighting should be restored and any indicator lamp or device checked to ensure that it is showing that normal supply has been restored. The charging arrangements should be checked for proper functioning.

c) The date of the test and its results should be recorded in the system logbook.

d) In addition, for generating sets, refer to the requirements of ISO -12.

Where emergency lighting is being newly installed, the Occupier/Owner should ensure a completion certificate is obtained to demonstrate the system is installed in line with the requirements of BS5266, Part1, 2005.

Please contact Strategic Risk Management Ltd if you require further assistance on this issue or to conduct a fire risk assessment of your premises that will include assessing that appropriate testing regimes are in place.

SECTION 2 - Speak Up, Stay Safe Campaign



During the last year 3,200 people between the ages of 16 to 19 were seriously injured whilst at work. The British Safety Council hopes to significantly reduce this number through its new **Speak Up, Stay Safe Campaign** which highlights to young people the need to be aware of their environment and speak up if they feel unsafe whilst in a working environment

The campaign hopes to support young people by providing them with a greater awareness of health and safety issues

and giving them the confidence to speak to their work supervisor, parent, teacher or friends if they feel that they are in an unsafe situation.

The Children's Society and Youthnet are also supporting the British Safety Council in promoting the campaign.

The Children's Society provides a free legal helpline which young people can use to discuss any health and safety concerns and access to free

SECTION 2 - Speak Up, Stay Safe Campaign (Continued)

confidential legal information and advice. Youthnet's website provides straight-forward information on work, study and training to 16 to 25 year olds.

For several years the British Safety Council has also funded an entry level qualification in Workplace Hazard

Awareness which is available to all 14 to 19 year olds in full time education in the UK. The short course which is delivered via schools aims to help equip young people with the awareness and knowledge which will keep them safe when they enter the work environment.

More information and specialist tips and advice for young people, teachers, parents and employers can be found on the Speak Up, Stay Safe website

www.britsafe.org/speakupstaysafe/

SECTION 3 - Safety Alert - Risks to Pedestrians From Crushing Zones on Electrically Powered Gates



Background:

Two recent, separate, incidents that both led to the deaths of young children have highlighted a risk of using automatic vehicle access gates. (These incidents are in addition to an earlier fatality, which also involved a young child in 2006, and other recent near misses). Whilst these recent fatalities involved automatic sliding gates, similar hazards exist with **all** powered access gates.

In both the above cases, the children were trapped between the closing edge of the gate and the gate post at the end of the gates' travel. They were trapped because:

- Their presence in the vicinity of the closing edge was not detected;
- The closing force of the gate when they obstructed it was too great.

The HSE has issued guidance to the industry following these incidents which will be of particular interest to gate manufacturers, gate installers, those involved in the commissioning of electrically powered gates,

organisations involved in construction projects (including the installation of gates), and **persons or organisations in control of premises where persons other than their own employees may have access to such gates (such as site management and/or lettings agents).**

[\(HSE Safety Notice FOD WSW 1-2010\)](#)

What you need to know

These are the things you need to do if you are responsible for or have installed or modified electrically powered gates in areas that people have access to. They might also apply to you if you are responsible for ensuring the maintenance of the gates.

- 1.Ensure the installer has the right test equipment to measure closing/opening forces. If they don't have this equipment, you can't be sure that the gates meet safety standards.
- 2.When they are opening and closing, the force of the gates should be limited to those in the British/ European standards. The gates should also reverse if they hit someone or something.
- 3.The gates should have sensors that can stop them if someone has been detected. This could be light beams (photoelectric devices), which stop the gates before they reach an obstacle.
- 4.If there are parts of the gates where someone could become trapped or get crushed while it is moving, these need be protected. People could get injured, for example, as the bars of the gates pass the gate post.
- 5.The gates must have an emergency release mechanism in case someone

gets trapped.

When you are sure the gates have been installed safely - and met all of the relevant safety requirements – the installer should apply a CE Mark, so people can be confident the job has been done properly. You must also keep details of the installation, and of any tests, in a technical file.

What you need to do

Ensure a suitable and sufficient risk assessment has been undertaken by the installer or other competent person, to identify any hazards and associated risks to persons using the gates. This should include consideration of the following;

- 1.The identification of any trapping and/or crushing zones where employees or persons not in your employment (such as contractors or members of the public) may become trapped and injured;
- 2.The identification of ways in which safe operating systems (such as key-pad or key-fob systems) may be defeated or by-passed and place employees, non-employees (such as contractors), or members of the public at risk. This is particularly relevant where children, members of the public, or persons not familiar with the safe use of any installation have access to electrically powered gates and may not recognise a risk to their safety;
- 3.The identification of ways in which persons may be harmed by the gates should they be activated automatically, or by another person (for example, by a sensor under the road surface activating a gate when a car drives over it, or by a remote button or key fob pressed by a third person);

SECTION 3 - Safety Alert - Risks to Pedestrians From Crushing Zones on Electrically Powered Gates (continued)

Next you will need to identify means to eliminate and/or control any risks identified from the risk assessment(s).

Wherever possible risks should be eliminated, but where they need to be controlled technology such as fixed guards, pressure sensitive strips, safety sensor flooring, light barriers or infra-red detectors may help control and/or reduce the risk, but consideration needs to be given to how a person may

still be harmed if one of these systems fails.

Persons adopting the responsibility for the management and maintenance of the gates should be provided with the appropriate safety documentation, instructions for use, and training in how to operate and maintain the gates safely.

Persons using the gates regularly should be given appropriate information, instruction and training on how to operate them safely.

If you would like any further information or advice on this area please contact our Health and Safety specialists on 01270 765121.

SECTION 4 - Warning This Bin May Contain More Than Just Rubbish



Commercial waste bins are emptied around the clock seven days a week, so there are millions of such operations each year. There have been many anecdotal reports from the industry and in the press of incidents where people have been discovered alive in bins prior to, or during, the contents being tipped into the collection vehicle. Fortunately, in most of these cases, no significant harm has arisen. More significantly, however, there have also been cases where a dead body has been discovered when the collected waste has been subsequently unloaded, e.g. at a transfer station.

Subsequent investigation has revealed that in some of these cases the person concerned was alive prior to being emptied into the waste collection vehicle.

The HSE is aware of three such fatal incidents that have occurred in the last year alone (April 2009 to March 2010).

Whilst waste collection operatives are aware of these incidents and are actively encouraged to be vigilant during emptying operations, there are steps that 'Persons in Control' of premises' and associated waste bins

areas can take to reduce this risk. They should take immediate steps to review their own arrangements and procedures with regard to the selection, use and storage of commercial waste bins in line with published HSE good practice guidance to eliminate or minimise the risk of injury arising from people in such bins.

What do you need to do

Under your general duties of the HSAW and MHSWReg, you should ensure you have undertaken a suitable and sufficient risk assessment of all areas under your control which should include waste storage areas and include the risk of persons entering the bins.

THE HSE IS AWARE OF THREE SUCH FATAL INCIDENTS THAT HAVE OCCURRED IN THE LAST YEAR ALONE

What we can do for you

Where you have appointed Strategic Risk Management to undertake your Health and Safety risk assessments, in light of the recent HSE campaign we shall be ensuring this aspect is given due consideration on a site by site basis.

Factors to be assessed will include; areas where there are known populations of rough sleepers, drug users, alcoholics or vagrants; where there are known previous incidents of unauthorised activity near bin areas,

likelihood of person seeking shelter due to seasonal weather conditions, is the nature of waste being stored warm and comforting e.g. cardboard textiles etc., location of the waste bins e.g. quiet secluded location, poor ambient lighting in waste bins areas etc.

Our observations and recommendations will be risk assessed and relevant and proportionate to the site by site circumstances. But could include simple measures as ensuring bins are kept locked, periodic checks are undertaken by responsible persons, (who should be aware of what they should or should not do in event of discovery), relocate bins to a more suitable location or improve the security and controlled access to waste bin store areas.

For more information on this area please click on the link below:

[HSE guidance : People in Commercial Waste Containers](#)



SECTION 5 - Health and Safety Under Scrutiny



You are probably aware that the Prime Minister, David Cameron, has tasked Conservative peer Lord Young of Graffham with reviewing health and safety law as well as what he calls the “compensation culture” that has built up around health and safety.

Lord Young has been asked: “To investigate and report back to the Prime Minister on the rise of the compensation culture over the last decade coupled with the current low standing that health and safety legislation now enjoys and to suggest solutions.

Following the report, work will begin with appropriate departments across the government to bring the proposals into effect. ‘Rogue traders’ – people working as consultants without the right training or expertise – are also a big focus of the government review. The report is due to be published in early September.

Strategic Risk Management has since its inception, sought to ensure that the advice and support provided to its clients is amongst the best both in quality of service and value for money. In order to ensure our clients get the level of professional advice and guidance they expect we only employ consultants with the right qualifications and qualities to both give clear and precise advice and also apply ‘common sense’ and pragmatism to any recommendations, obviously backed up by any legal requirements necessary.

At times when finances are tight and companies are striving to make economies, consultancies quite rightly, often come under pressure to demonstrate their true value. However, if costs are the only consideration, this environment can allow various under qualified consultants the opportunity to establish themselves. Whilst they may appear to be cheaper, they may not necessarily provide you with the

appropriate professional advice which would stand the test of enforcing authority scrutiny and ultimately could leave you vulnerable in event of incident or accident at one of your sites.

Lord Young has been critical of people operating as unqualified consultants, and blames them for some of the worst examples of over-the-top actions carried out in the name of health and safety. Our main professional body IOSH along with other notable parties are already working with the Health and Safety Executive on the development of an independent accreditation scheme for Health and Safety Consultants, an initiative that has been called for by IOSH since 2003.

The scheme will be set up and initially chaired by the Health and Safety Executive, and has been developed by a group of professional bodies led by IOSH and the Chartered Institute of Environmental Health. A consortium of professional bodies will eventually run the register.

‘ THE SCHEME SHOULD RAISE THE LEVEL OF COMPETENCY WITHIN THE INDUSTRY

IOSH members working as consultants will initially have to be Chartered to join the scheme, so that clients can be confident that they will get advice from someone with a degree level qualification in safety, practical experience and a formal commitment to Continuing Professional Development.

IOSH Chief Executive Rob Strange said:

“We see the scheme as setting the standard for competent, qualified and experienced health and safety consultants, and helping to restore confidence in health and safety.” He goes on to say “It’s vital that businesses looking for help – often small firms – get sound, proportionate advice on health and safety, and that they have confidence in those advising them”.

Ian Harp, SRM Operations Director gives his view.



Initial publicity on comments made by Lord Young was greeted with some scepticism, especially when he cited well noted incidents relating to the madness of ‘not being allowed to play conkers in the playground’ and ‘the police being too scared to rescue a drowning person in an icy pond due to health and safety reasons’.

However as most sensible persons amongst us know these ‘one off’ incidents were blown up out of proportion in the press and were mainly due to individuals lack of understanding of the purpose of health and safety risk assessment and how to apply pragmatic and meaningful recommendations.

Since then the debate has moved on rapidly and involved many learned professionals as well as relevant representations from various industries and businesses and without pre-empting Lord Young’s conclusions a common realistic and achievable objective is appearing to evolve.

Strategic Risk Management supports the government initiative to examine and re-evaluate our industry. Health and Safety professionals currently employed either directly by organisations or as external consultants should have nothing to be frightened of by this review. We expect the outcome will ensure that companies will know in future when they seek to employ a health and safety advisor or source a consultant from the approved listings of Competent Health and Safety Advisors that they will be assured of the professionalism of its members. Never has a review of our profession been more appropriate than now.

SECTION 6 - Company Focus

New Strip is a "Rocketing" Success

Strategic Risk Management have been the proud sponsors of Leigh Rockets under 12s boys team for the past 18 months. At the end of the 2008/09 season they were promoted as champions from their division with some great stats - played 16 - won 13, lost one and drew 2. They ended with a goal difference of +51, which was the 8th best in the whole league and only conceded 19 goals all season which was 6th best in the whole league.

The last season has been a year of consolidation as the team has inevitably faced some more technically competent teams in the higher division. However apart from 3 or 4 bad losses due to some very unfortunate injuries to key players, knee problems, fractured rib, girlfriends etc. the team never gave up and put in some very confident performances.

A large part of their GREAT team spirit is due to the support from the parents and other supporters who never fail to turn up in all weathers to cheer on the team.



Pictured above Leigh Rockets under 12s boys team sporting their new SRM strip.

Leigh Rockets "Rockets" was founded in 1993 by a few parents who organised a regular 'kick-about' at Blenheim Park with their children and friends.

Since then the Club has grown from strength to strength and now has teams running from under 7s to under 16s in the Southend and District Junior Sunday League. The club also has a very successful Girls Academy which runs teams from under 12s to under 16s in the Essex County Girls Football League. The Club also runs coaching for under 6's, which is all about the children having fun and enjoying themselves.



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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