



May 2013

## **GOSHA News**

### **Forthcoming Events Talks – see our website for more details**

- 4 June 2013 . Duncan Spencer Safety Manager (Strategic) John Lewis Partnership Safety Department
- 12 July 2013 . visit to Energy from Waste plant, Jersey . with JOSHA
- 5 September 2013 . visit to Guernsey Fire & Rescue Service with business related fire safety talk and station tour.

Duncan's talk has the interesting heading of Let's Do Less Safety. We are booking a ferry for a day trip to Jersey on 12 July.

### **Education**

We plan to use the funds raised at our Annual Dinner to subsidise the cost of Asbestos Management training. Details to follow but if you are interested, please register your interest with Jon our secretary.

### **Business Brief**

We have booked space in September's Business Brief, please look out for our article.

### **Annual Dinner**

We have booked our annual dinner for 23 January 2014 during our safety & health at work week.

### **Insurance Institute of Guernsey**

We have been invited to speak about GOSHA at the Insurance Institute of Guernsey lunch on 17 July.

### **Chief Ministers' Briefing**

It was good to learn in May that the Chief Ministers in Guernsey and Jersey support a harmonisation/consistency between the islands in implementing health & safety standards/requirements in Channel Islands workplaces.

### **Guernsey Restaurant Owners Fined £22,000 for unhygienic conditions**

Reported widely in the press in Guernsey this month, it is good to see reassurances from the owners that the lapses will not recur.

The fine is a reminder that Guernsey's laws and protection agencies require high standards to be achieved and significant fines can be imposed if they are not met.

## **HSE News**

### **Revised Guernsey Asbestos Approved Code of Practice**

The 2010 ACoP has been revised and the new document is now available from the Guernsey HSE :  
[www.hse.gg/PDFs/ACOP\\_Asbestos\\_Revised\\_2013.pdf](http://www.hse.gg/PDFs/ACOP_Asbestos_Revised_2013.pdf)

The HSE has advised that the key changes relate to the general management of asbestos and the introduction of General Principles for the Control of Asbestos, focused on duty holders assessing and managing the risks from asbestos containing materials.

Other minor amendments made to the disposal of asbestos waste to harmonise the Approved Code of Practice with environmental pollution and waste legislation introduced in 2012.

The changes are:

- Addition of a clear prohibition on the import, use, re-use, sale and export of all asbestos containing materials
- Addition of general principles to identify the presence of asbestos, assess the risks posed, manage the asbestos containing materials, plan and organise the work with asbestos, prevent or reduce exposure, prevent or reduce the spread of asbestos fibre, provide information instruction and training, provide health surveillance, monitor and review the arrangements
- A new definition of notifiable and non-notifiable work with asbestos, focusing on risks arising from different work rather than exclusively types of materials
- An extended definition of the purpose of management and demolition/refurbishment surveys in line with UK guidance
- An updated requirement for the maintenance of equipment used during work with asbestos, thorough examination of that equipment in accordance with new BS8520:2009.
- An update of the requirements for the disposal of asbestos waste (in line with waste licensing requirements of Mont Cuet).

[Have you seen the HSE's latest newsletter?](http://www.hse.gov.uk/pubns/books/newsletter-spring13.pdf)

<http://www.hse.gov.uk/pubns/books/newsletter-spring13.pdf>

It contains several useful articles including a look at emerging and potential future issues.

[Rider-operated lift trucks](#)

Lift trucks are widely used for moving materials and goods, but they are involved in about a quarter of all UK workplace transport accidents.

Revised guidance aimed at employers and those responsible for the safe operation of lift trucks has been issued. It includes information about lift-truck features, guidance on the safe use of lift trucks, how to protect pedestrians and guidance on the maintenance and thorough examination of lift trucks.

[www.hse.gov.uk/pubns/priced/l117.pdf](http://www.hse.gov.uk/pubns/priced/l117.pdf)

Things a small business should do

[www.hse.gov.uk/getting-started/index.htm](http://www.hse.gov.uk/getting-started/index.htm)

The site contains helpful guidance and practical guidance such as:

*You must manage the health and safety risks in your workplace. To do this you need to think about what, in your business, might cause harm to people and decide whether you are doing enough to prevent that harm. This is known as a risk assessment. Once you have identified the risks, you need to decide how to control them and put the appropriate measures in place.*

*A risk assessment is not about creating huge amounts of paperwork, but rather about identifying sensible measures to control the risks in your workplace. The law does not expect you to remove all risks, but to protect people by putting in place measures to control those risks. You are probably already taking steps to protect your employees, but your risk assessment will tell you whether you should be doing more.*

[Write a health and safety policy for your business](#)

Describing how you will manage health and safety in your business will let your staff and others know about your commitment to health and safety. This will be your health and safety policy. It should clearly say who does what, when and how.

If you have five or more employees, you must have a written policy.

The policy does not need to be complicated or time-consuming. To help HSE has created guidance at [www.hse.gov.uk/simple-health-safety/write.htm](http://www.hse.gov.uk/simple-health-safety/write.htm)

## Maintaining portable electric equipment in low-risk environments

It's a myth that all portable electrical appliances in a low-risk environment, such as an office, need to have a portable appliance test (PAT) every year. The law simply requires employers to ensure electrical equipment is maintained in order to prevent danger - it doesn't state what needs to be done or how often.

This revised leaflet explains the simple and sensible precautions that need to be taken to prevent danger from portable or movable electrical equipment in low-risk environments such as offices, shops, some parts of hotels and residential care homes.

[www.hse.gov.uk/pubns/indg236.pdf](http://www.hse.gov.uk/pubns/indg236.pdf)

## Use chemicals at work?

Chemicals are used in many places and in many different ways, including in factories, shops, laboratories, offices, farms and in the home and garden. The chemicals you use at work may include products you buy to use in your core business, or in maintaining your equipment, or in general cleaning. The term chemical could also include hazardous substances you create as part of your work processes e.g. dust created by cutting wood or stone.

Many people use chemicals - a user could be: a farmer, a hairdresser, a cleaner, a technician in a laboratory, a pest control operator or you in your home or garden.

If you use or generate chemicals or other hazardous substances at work that could put people's health at risk, causing diseases including asthma, dermatitis or cancer visit

[www.hse.gov.uk/coshh/index.htm](http://www.hse.gov.uk/coshh/index.htm)

## **Lessons Learned**

### Staff and public exposed to asbestos during refurbishment work

A decorating company fined after it exposed employees, agency staff and members of the public to potentially fatal asbestos material. The incident happened during a refurbishment project at offices in Sentinel House, Nuffield Industrial Estate, Poole over a period of several weeks in 2009.

Bournemouth Crown Court heard that MJC Decorating and Refurbishing Ltd began removing ceilings at the two-storey block without carrying out a suitable survey in advance to determine whether asbestos was present. A visit to the site by an HSE inspector revealed widespread contamination and spread of asbestos both inside and outside the building. Investigations revealed that some material removed from the site as non-hazardous may have included asbestos-containing materials.

As a result, four employees and 14 agency staff working under the control of MJC, were exposed to asbestos dust and fibres that can cause respiratory problems and even incurable lung diseases.

MJC workers carried out the removal of asbestos insulation board ceiling over two weeks while wearing normal work clothes that became contaminated with asbestos fibres. This may have led to the exposure of many more members of the public during their journey to and from the site over this two week period. MJC Decorating and Refurbishing Ltd, of London Road, North Cheam, Sutton, Surrey, pleaded guilty to three breaches of the Control of Asbestos Regulations 2006. It was fined a total of £45,000 and ordered to pay £36,943 in costs.

The HSE concluded: This was a very serious incident which carries severe risks for people's health. MJC's safety failings led to the needless exposure to dangerous asbestos fibres of its employees, agency staff and the wider public. The firm didn't carry out a suitable survey for asbestos material before the work started and failed to provide protection for workers on site. Regulations on dealing safely with asbestos have been in place for many years and are widely known in the industry. This totally needless incident would not have happened if MJC had carried out proper assessments.

### Firms in court after worker fell from unguarded scaffolding

Two firms have been prosecuted after a labourer suffered multiple injuries in a fall from unguarded scaffolding. Stephen Keegan, 56, of Frome, Somerset, was a temporary employee of Julian Chard Carpentry Ltd, which had been sub-contracted by C J Deighton & Co Ltd to construct timber frames for some properties in Studley Green, Trowbridge, Wiltshire, in March 2012.

Chippenham Magistrates' Court heard that Mr Keegan was helping to build the frames when he fell some two metres from an unguarded section of scaffolding. He suffered a fractured knee, broken collarbone, fractured wrist and perforated ear drum.

A HSE investigation found that C J Deighton & Co Ltd failed to properly plan and manage construction activities on site to ensure that work, including work at height, was carried out safely. The company also failed to provide adequate, up-to-date information to site management, scaffolders and contractors. This led to a fixed scaffold being provided for workers that failed to take account of changes to plans for the building, resulting in a lack of internal edge protection around the porch area where Mr Keegan fell.

The court heard that although site management identified the problem with the scaffold, their only response was to fit a temporary and inadequate guard rail. They also allowed work to be carried out for a number of days despite knowing it was unsafe to do so. HSE inspectors also found sub-contractor Julian Chard Carpentry Ltd failed to supervise the work or put adequate safety measures in place to protect anyone working at height on the timber frame construction. C J Deighton & Co Ltd was fined a total of £15,000 and ordered to pay £3,122 in costs. Julian Chard Carpentry Ltd was fined a total of £10,000 and ordered to pay £3,121 in costs. CJ Deighton has gone in liquidation and Julian Chard Carpentry has now ceased trading.

HSE concluded: This was a serious incident which could easily have been prevented. There were significant failures by both C J Deighton and Julian Chard Carpentry. With proper planning and communication a suitable scaffold could have been provided. Monitoring and supervision on-site should have identified the unsafe work at height and work halted until the scaffold was corrected or measures put in place to mitigate a fall. Mr Keegan has undergone several operations since his fall and is unlikely to get full mobility in his shoulder, knee or wrist. This was only a temporary job for Mr Keegan and, as a self-employed painter and decorator, his injuries meant that he could not work at all for six months and they will severely hamper his future ability to work.

#### **GOSHA Committee**