

Welcome to the latest edition of our newsletter for all your health and safety updates.

REGULATORY REFORM ORDER - GET SET FOR OCTOBER 1ST 2006

There is a myth that the RRO now places a requirement on all businesses to undertake a fire safety risk assessment.

The requirement to undertake a fire safety risk assessment has been in place since the introduction of the Fire Safety (Workplace) Regulations 1997 so this is not new however the following will change under the new regulations:

- Fire certificates will be abolished.
- The law will emphasise on preventing fires and reducing risk.
- It will be the responsibility of the person in control of the premises to carry out fire safety risk assessments.

This will affect anyone who is an employer, self-employed within a business premises, a charity or voluntary organisation, a contractor with a degree of control over any premises and any person responsible for

business premises i.e. managing agents and landlords. The legislation does not apply to peoples private homes including individual flats in a block of houses.

WHAT ARE THE MAIN REQUIREMENTS UNDER THE RROP

Any person deemed responsible must:

- Carry out a fire safety risk assessment identifying any possible dangers and risks, this can be passed to a 'competent person', but the responsible person will still be required to meet the law.
- Consider who may be especially at risk this includes those on the premises and other persons in the vicinity.
- Remove or reduce the risk from fire as far as is reasonably possible and provide general fire precautions to deal with any possible risk left.
- Take other measures to make



sure there is adequate protection if flammable or explosive materials are used or stored on site.

- Structural fire precautions will also need to be included within the report.
- Create a plan to deal with any emergency and keep a record of the findings.
- The risk assessment should be reviewed on a regular basis, ideally annually.

Fire risk assessments are complex and the areas to be covered wide ranging, it is not simply a case of putting up signs and installing fire extinguishers. Please call us for more information on 01604 654111

EDITORIAL COMMENT

MORE ENFORCEMENT NOTICES LIKELY

The changes to Fire Safety legislation means that fire authorities free up their time to visit businesses and assess your fire safety risk assessment. Fire authorities will target their

resources and inspections at those premises that present the highest risk and will look into complaints about fire safety, carry out investigations and undertake inspections.

If you do not meet the order the fire authority may provide practical advice, request that you get a competent person to carry out your fire safety risk

assessment, or issue you with a formal notice.

Essentially the fire authority will turn up, request to see your risk assessment, look at the contents page and if the sections covered are not considered suitable and sufficient you will need to arrange for a risk assessment to be carried out by a competent person.



HEALTH & SAFETY STARTS AT THE TOP

The influence directors have on health and safety has a major impact on an organisations well-being.

The failure of management at board level has been found to be an important and primary cause of major disasters over a number of years such as the Kings Cross Fire, sinking of the Herald of Free Enterprise, Piper Alpha and so on.

Directors within all companies have an important role in influencing health and safety whether the company is large or small.

Directors are the ones who:

- Set policies and procedures.
- Decide on organisational objectives and priorities.
- Decide on funding and financial commitment.

Directors should also have an obvious and fundamental role in developing a health and safety culture within the workplace but often this does not happen.

Health and safety often starts at the bottom and only gets to the top when something goes wrong.

GETTING IT RIGHT

When companies invest in health and safety they ultimately

protect their profits, enhance operating efficiency, reduce accidents and incidents, increase staff welfare and so on.

HOW DO COMPANIES DO THIS?

Successful organisations who have invested in health and safety would:

- Have appointed at least one member of the board as 'Health & Safety Director'
- Have a health and safety policy statement and detailed company policy supporting all policies and procedures on health and safety within the company.
- Show leadership in health and safety i.e. wearing hard hats within warehouses.
- Each member of the board would need to accept their individual role in providing health and safety leadership within their company and not just pay 'lip service' to it.
- The board needs to ensure that any decision made does not conflict with the company's health and safety policy.
- The board needs to recognise its role in engaging the active

participation of their workforce in improving health and safety.

- The board must be kept informed of relevant health and safety legislation and information. Such responsibilities can be given to the Director nominated as overseeing health and safety; this is likely to require the appointment of a competent person.



Training Directors in their responsibilities is the key in ensuring a safe working environment whilst protecting their profits.

Training must start at the top to engage Directors in the management of health and safety. Research has shown clearly that when Directors show leadership on health and safety benefits to the organisation as a whole can be achieved.

Directors need to be trained in health and safety just as in other key areas of management; it is an essential feature for any company serious about health and safety.

HOT WEATHER & SKIN CANCER CONCERNS



With temperatures climbing to over 30_C outdoor workers are exposed to an increased risk of skin cancer.

Skin cancer is now the most common form of cancer in the UK, with over 3,400 men diagnosed with malignant melanoma each year.

The effects of sun are felt by everyone but some groups are at greater risk due their skin colouring and age i.e. those with fair skin and freckles are more at risk.

However, sun damage can be prevented by a number of

simple measures such as wearing long sleeve shirts, full length trousers and applying high factor sun cream SPF15 or above.

A cap with a hanging flap at the back can also provide much needed protection for sensitive areas at the back of the neck.

Employers should carry out a risk assessment of any employees exposed to the suns harmful rays and take action.

RECENT CASE LAW IN BRIEF

Arcadia Group faces disability legal challenge under Part 3 of the Disability Discrimination Act

The Arcadia Group one of the country's largest clothing retailers is facing court action for not making it's Burton store in Staffordshire accessible to disabled customers.

The Disability Rights Commission is supporting Joanne Holland a 39 year old wheelchair user from Derbyshire who is taking the company to court after not being able to shop for presents in her local Burton's store.

Joanne Holland could not access the store due to a flight of steps at the entrance of the shop which she found unacceptable.

In a statement by Ms Holland she said "It is ludicrous that I can't shop with the same freedom as non-disabled persons because there is no alternative to a flight of stairs. Having goods that I can't see to choose from brought down to me is not a reasonable alternative. In fact it is a joke; it also puts pressure on me to buy. Such deeming treatment has forced me to take legal action".

The Disability Rights Commission is supporting Ms Holland in her legal challenge – Bert Massie, Chairman of the DRC said "One of the UK's largest retailers should be ahead of the game in making its shops user-friendly. As it is, nearly half of the Arcadia's stores are providing a second class service to disabled people".



Mr Massie continued in saying "Arcadia should be doing much more for their disabled customers. Offering to bring goods out to Ms Holland might be acceptable for a small business with limited resources, but for Arcadia to be operating such practices is unacceptable".

Philip Green's Arcadia Group reported an operating profit of £326 million in 2005. The Arcadia Group itself reported that in February 2005 it had audited only 50% of it's 2,500 stores within the UK for access of which 40% were physically inaccessible to disabled people.

The DRC commented that "this court action will be crucial in spelling out what steps large retailers need to take to meet their legal duties".

This legal challenge highlights the need by companies who are service providers to carry out disability access audits in order to make their premises more accessible to disabled persons and to reduce potential legal action.

Q & A: IN THIS EDITION WE HAVE A LOOK AT LONE WORKERS

We have several members of staff who work away from the office, what responsibilities do we have with regards to their welfare?

As an employer you are responsible for the health, safety and welfare at work of any employees who works away from the office under the following legislation:

- The Health & Safety at Work etc. Act 1974
- The Management of Health & Safety at Work Regulations 1999

As an employer you have a duty to organise and control any employees who work on their own as part of their normal work, this can include company car drivers, sales reps, surveyors, building managers etc.

What can we do to ensure our lone workers are safe?

The following measures should be considered:

- Draft lone worker procedures and train out to all staff.
- Provide employees with a means of communicating with the office.
- Have a system in place for employees when out on site if they are in trouble i.e. using a key word which triggers assistance.
- Provide torches and panic attack alarms.
- Ensure company cars and personal vehicles are serviced on a regular basis.
- Ensure drivers are members of breakdown organisations.
- Do not allow employees to go alone to any areas where there are known risks.

Should you have any issues with regards to lone workers then please contact our office on 01604 654111.

INFLATABLE ARTWORK INCIDENT

The Health & Safety Executive and Durham Police are jointly investigating an incident that took place at Riverside Park in County Durham on Sunday 23rd July 2006.

The large inflatable installation which is half the size of a football pitch blew free from its moorings and lifted 30ft into the air killing two members of the public and injuring many more including a 3

year old girl. The HSE has set up an investigation team providing technical support to the police, the investigation is on going.



POSITIVE STEPS UPDATES

RECRUITMENT

Positive Steps are pleased to announce that we have recruited two new high calibre consultants.

PROJECT MANAGER & ACCESS AUDITOR

Tony Sewell has joined us from Nationwide Building Society as our Senior Project Manager, Tony has worked in design, workspace planning and project management for the last 30 years. He brings a wealth of knowledge and experience in this field and we believe he will be a valuable asset to our company.

HEALTH & SAFETY CONSULTANT

Sandy Duck has joined us from Barclays Bank as a Health & Safety Consultant, Sandy has vast experience in health and safety within call centres and offices and her area of expertise is workstation assessments. Sandy is a technician member of IOSH and we feel she will be a great asset to the success of Positive Steps.

VALUE ADDED SERVICES FROM POSITIVE STEPS



As a health and safety consultancy in a very competitive market people often say "What is the key to your success?"

Our response would be:

- We take the time to understand our client's operational challenges and long term objectives.
- We tailor a complete solution matched precisely to the needs of the business.
- We produce detailed user friendly reports.
- We remain committed to providing value across our full range of services.

VALUE ADDED SERVICES

In addition to the above we provide the following services to our clients at no additional cost:

- Positive Steps 24 hour helpline which offers advice and guidance to our clients on any health and safety issues which enables our client to act quickly and efficiently with minimum risk.
- Appointment of Positive Steps as the company's competent person which is a requirement under current UK legislation.
- Liaison with the enforcing authorities in the event of an enforcement notice being served or possible prosecution.
- Appear as an expert witness in court on behalf of our client, if necessary.
- Regular health, safety and disabled access updates via our newsletter. Please contact the office on how Positive Steps can assist your company in relation to health and safety.

EFFECTIVE HEALTH AND SAFETY MANAGEMENT STARTS WITH A POSITIVE STEP...

Positive Steps was founded on the basis that health and safety should help, not hinder the growth of a business. By understanding your company's aims and objectives we can identify workable solutions to meet your everyday and long term health and safety goals.

Our service based approach will enable your company to make the welfare of employees, contractors and clients a core part of your business aspirations.

We offer a comprehensive range of safety management services some of which are detailed below:

- **Access to Chartered Health & Safety Practitioners**
- **Health and Safety Risk Assessments**
- **Fire Safety Risk Assessments**
- **Disabled Access Audits**
- **Company Health and Safety Policy**
- **Display Screen Equipment Assessments**
- **Health & Safety Audits**
- **Health and Safety Training, including basic health and safety, fire safety awareness and fire warden training, disability awareness training, manual handling and DSE assessors training.**
- **Method statements**
- **Contractors Approval Scheme**

For further information on any of our services, please call **01604 654111** or e-mail **office@positive-steps.net**, one of our consultants will be happy to assist.



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