

Keep it legal

Welcome to the First in the series of our Health & Safety News Bulletins: "Keep It Legal" circulated to all Hacking Ashton LLP Clients. Hacking Ashton LLP have a NEBOSH qualified Regulatory Team for all advice on all your Health & Safety needs. The first bulletin looks at Accidents in the Workplace.

Accidents at work!

Reported non-fatal injuries at work statistics 2008/9

There were 27,594 major injuries to employees – over one third of these were caused by slipping and tripping – the single most common cause of injuries at work. Slips and trips also cause over half of all reported injuries to the public.

Prosecution statistics 2008/9

The Health & Safety Executive (HSE) prosecuted 1245 offences, resulting in 860 convictions (78%). Local Authority prosecuted 329 offences, resulting in 309 convictions (94%).

Prosecutions

December 2009:

- Oldbury employer fined £3,500 for breaching the Health & Safety at Work etc Act 1974 and Work at Height Regulations 2005, when two sub-contractors fell 26 feet through the roof of an industrial unit.
- Tarmac Ltd (Wolverhampton) were fined £10,000, with costs of £6,930 when a 15 year old boy gained access to a quarry, & fell 50 feet.
- KTC Ltd were fined £12,500, with costs of £2,388 under the Health & Safety at Work etc Act 1974 & under Reporting of Injuries, Diseases & Dangerous Occurrences Regulations 1995 for failing to promptly report an injury.

November 2009:

- MWS Scaffolding Services was fined £5,000 for breaching the Health & Safety at Work etc Act 1974 when a worker fell more than 10 metres through a roof.

Some of your duties - Preventing slips, trips & falls

There are a vast number of Laws and Regulations which apply to health and safety matters.

Sanctions for breach may result in extremely heavy fines and / or imprisonment.

Some of the main laws relating to slips, trips and falls include:



Health & Safety at Work etc Act 1974

It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees [Section 2.(1)].

Employers must also ensure the health and safety of anyone who may be affected by their work. Employees have a duty to take reasonable care of the health and safety of themselves and others, and to co-operate with the employer with regard to health & safety.

Workplace (Health, Safety and Welfare) Regulations 1992

These Regulations (amongst other things) require that floors and traffic routes are suitable for purpose, and shall have no hole, unevenness, shall not be slippery and shall be free from obstruction from articles which may cause slips, trips or falls.



Management of Health & Safety at Work

Regulations 1999 These Regulations include the duty on employers to carry out risk assessments, and where it is necessary, take action to put in controls.

Work at Height Regulations 2005 (as amended)

These Regulations place a duty on employers to do what is reasonably practicable to prevent anyone falling, to avoid work at height where they can, use work equipment / measures to prevent falls in circumstances where they can not avoid the work at height, and should they be unable to eliminate a risk of falling, to use equipment and measures to ensure that falling distances and consequences are minimised through the use of work equipment or other measures.

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) Places a legal duty on employers, self employed and those who control premises to report work accidents and injuries at work, including work related deaths, any major injuries, over 3 day injuries, work related diseases and dangerous occurrences, and in some circumstances injuries to members of the public.

Information Sources: www.hse.gov.uk