



# The Safety Guardian

July 2011



*"Asbestos related diseases are responsible for around 4,000 deaths every year. Building managers have a duty to identify the presence and condition of asbestos and, where necessary, engage a suitably qualified company to remove it safely."*

*"The HSE will not hesitate to take action against those who fall short of the law."*

## Rotherham firm's blatant lack of concern for safety

A Rotherham firm continued exposing workers to dangerous asbestos-containing materials despite advice from the local council.

Only when the Health and Safety Executive (HSE) issued a Prohibition Notice banning entry to two warehouses run by local storage firm, Rotherham Bonding Company Ltd, were employees removed from danger.

Rotherham Magistrates' Court heard the Council bought the warehouses in Oldgate Lane from Fosters of Thrybergh Ltd in July

2009 and arranged for a professional asbestos survey before demolishing them. In the meantime Rotherham Bonding Company, which ran the warehouses, was using staff from its sister company, Fosters of Thrybergh, to empty them of their stock of wine and spirits.

The court heard Rotherham Council's surveyor spotted large amounts of damaged asbestos containing materials on the floors where forklift trucks were operating. Fosters of Thrybergh Ltd, Doncaster Road, Thrybergh, pleaded guilty to two charges under

the Control of Asbestos Regulations 2006 and was fined £5,500 with £6,250 towards costs. After the hearing, Inspector Mark Welsh said:

*"Fosters of Thrybergh was prosecuted because it was directly responsible for the exposure to asbestos of about six of Fosters' employees. This breach could and should have been avoided by straightforward safety precautions. This is a particularly shocking incident as not only did this firm not undertake an asbestos survey, they completely ignored the advice given by the council and a specialist surveyor."*

## HSE to Charge for Visits if you get it wrong

The HSE expects to charge organisations £133 an hour for inspectors' work identifying and helping remedy minor breaches. HSE programme director Gordon Macdonald said the provisional hourly rate for so-called fee-for-fault charging would be introduced in April 2012, following a consultation exercise due to start later this month.

It would therefore be more cost effective for smaller organisations to engage the services of a health and safety manager with a salary of 35-40K per annum or

take on a qualified and competent consultant to ensure compliance and that Health and Safety management within the organisation is robust. Ensure references and qualification checks are performed on any consultancy services.

### Cost comparison:

HSE £133 per hour (£1064 per day)  
Health & Safety Manager £35 - 40k per year  
Health & Safety Consultant £350 - 600 per day

# New online basic fire safety certificate course

This course meets the fire control order regulations that make it a legal requirement for all employees to undergo basic fire safety training. It is certificated by the IFE (Institute of Fire Engineers) and because they are done online your people work at a time and pace that suits them. Call 0114 2490312 or visit [www.bridgesafetyandtraining.co.uk](http://www.bridgesafetyandtraining.co.uk) for more information.

Don't see a course you need telephone **0114 2490312** to enquire, all our courses can be tailored to your specific requirements and we can deliver in house at your premises at a time that will best suit your business.

## Up and Coming Courses

### August 2011

22nd to 24th 3-Day FAW a few places still available

### October 2011

3rd to 5th 3-Day FAW: Places still available.

### November 2011

21st to 26th NEBOSH Certificate in Environmental management: Places Available

### December 2011

5th to 10th NEBOSH Certificate in Fire and Risk management: Places Available

## First Aid in the work place

**In the event of injury or sudden illness, failure to provide first aid could result in a casualty's death. The employer should ensure that an employee who is injured or taken ill at work receives immediate attention. HSE will prosecute in cases where there is a significant risk, a disregard for established standards or persistent poor compliance with the law.**

### Employers' legal duties

The Health and Safety (First-Aid) Regulations 1981 require employers to provide adequate and appropriate equipment, facilities and personnel to ensure their employees receive immediate attention if they are injured or taken ill at work. These Regulations apply to all workplaces including those with less than five employees and to the self-employed.

What is 'adequate and appropriate' will depend on the circumstances in the workplace. This includes whether trained first-aiders are needed, what should be included in a first-aid box and if a first-aid room is required. Employers should carry

out an assessment of first aid needs to determine what to provide.

The Regulations do not place a legal duty on employers to make first-aid provision for non-employees such as the public or children in schools. However, HSE strongly recommends that non-employees are included in an assessment of first-aid needs and that provision is made for them. Assessment of first-aid needs  
Employers are required to carry out an assessment of first-aid needs. This involves consideration of workplace hazards and risks, the size of the organisation and other relevant factors, to determine what first-aid equipment, facilities and personnel should be provided.

### Self Employed

Application of the Health and Safety (First-Aid) Regulations 1981 to self-employed workers If you are self-employed you are required to ensure you have such equipment, as may be adequate and appropriate in the circumstances, to provide first aid to yourself while at work.



You should make an assessment of the hazards and risks in your workplace and establish an appropriate level of first-aid provision. If you carry out activities involving low hazards (e.g. clerical work) in your own home, you would not be expected to provide first-aid equipment beyond your normal domestic needs. If your work involves driving long distances or you are continuously on the road, the assessment may identify the need to keep a personal first-aid kit in your vehicle.

Many self-employed people work on mixed premises with other self-employed or employed workers. Although you are legally responsible for your own first-aid provision, it is sensible to make joint arrangements with the other occupiers and self-employed workers on the premises.