

First Corporate Manslaughter Case Postponed

The first case to be tried under the Corporate Manslaughter and Corporate Homicide Act 2007, which was due to commence on 23rd February, has been adjourned due to ill health of the director of the defendant company, Mr. Peter Eaton.

Mr. Eaton's company, Cotswold Geotechnical Holdings Ltd, is facing prosecution following the death of an employee whilst carrying out a survey on its behalf

Mr. Eaton also faces a charge of manslaughter by gross negligence and a health and safety offence in his personal capacity as a company director.

The trial has been adjourned for at least 18 weeks and may not resume until early October 2010.

If found guilty, Mr. Eaton's company is likely to face a fine in excess of £500,000 - possibly up to seven figures, and Mr. Eaton himself could also incur a substantial fine and/or custodial sentence.

Health & Safety Executive to Crackdown on Construction Sites



The Health & Safety Executive (HSE) has announced an "intensive inspection initiative aimed at stopping dangerous practices on building sites across Great Britain"

Construction sites now have a greater chance of an unannounced inspection by HSE inspectors, who have the power to issue formal Improvement Notices, close down sites, or instigate criminal proceedings possibly resulting in fines and/or imprisonment.

The inspections will primarily focus upon refurbishment work and roofing, but no construction site should be surprised if they receive an unexpected visit by a HSE Inspector during the coming months.

Is Your Gas Fitter "Safe"?



Two recent prosecutions have reiterated the importance of ensuring that anyone you commission to carry out work on your gas installations or equipment is fully certified.

In one of these cases an engineer placed the residents of a council property at serious risk of carbon monoxide poisoning as a result of shoddy workmanship.

In the second case an engineer who was featured on the BBC's "Rogue Trader" programme pleaded guilty to 8 separate breaches of gas safety regulations.

Neither of these engineers were Gas Safe registered at the time.

The Gas Safe Register replaced the old CORGI registration scheme in April last year, and anyone carrying out gas maintenance or installations MUST be registered with Gas Safe or they, and possibly you, are breaking the law.

If you are considering any gas installations or maintenance works, check first that the engineer you are planning to use is registered at: http://www.gassaferegister.co.uk/help/check_an_engineer.aspx

Lone Working – The “Forgotten” Risk



We often encounter organisations that have addressed many of the significant risks to their employees, but have missed some of the less obvious hazards – including lone working

Many employers think that lone working risks only apply to their employees who work alone in obviously hazardous environments such as farms, boiler / plant rooms or workshops.

But what about your staff? Do they ever work or travel alone? If so, have you considered the risks they face whilst working on your behalf?

Typically, lone working activities or many organisations which might not have been previously considered include:

- Staff meeting clients for customers alone – especially off premises.
- Staff opening up or closing premises, particularly early in the morning or late at night.
- Staff who are occasionally or regularly left alone to “hold the fort” – especially if they are meeting or greeting customers or clients for the first time without an appointment.
- Employees who visit other organisation’s premises or sites to carry out surveying or maintenance works.

Where to begin? Well the obvious starting point would be a risk assessment. - Looking at all the circumstances in which your employees might work alone, and considering the risks they face.

For example:

- When, and where, do your staff work alone? Either on your premises or whilst visiting other locations.

- What are the risks created by the fact that they are alone? Are other risks increased because they are alone?
- How much guidance & instruction have your employees been given regarding the risks from lone working?
- Would they know how to spot the early warning signs of potential danger when working alone, and would they know how to respond?
- What systems do you have for checking on the safety of lone workers? How long might an employee be “missing in action” before it caused concern?
- How would a lone worker call for help in the event of an accident or emergency?
- Are there specific factors regarding the location that could create risks?
- What about the worker themselves – Are they at any special risk? Young persons, trainees, pregnant women or employees with medical conditions would fall into this category.
- If it came to it – What are your plans in the event of a lone worker going missing or needing help?

Of course, for many organisations, the solutions to these questions are relatively simple. Talking to staff about the risks from lone working, providing guidance, looking at any special risks arising from the working environment or task, ensuring that certain employees do not work alone, and making regular check calls to those that do, would all be viewed as reasonable practices.

Your risk assessment should identify all of the occasions when your staff could work alone, the risks they face, and how you control them.

Further information & guidance regarding the risks to lone workers is available at:

<http://news.hse.gov.uk/2009/09/18/working-alone/>

If you have any concerns regarding lone working in your organisation, just contact us at Essential Safety, and we will be more than happy to help.