



Newsletter Number 46

The Bradford Area Occupational Health and Safety Forum

Well @ Work

Spring 2012

Lofstedt Review of Health and Safety Laws

Last year the Government-commissioned a review, led by Professor Ragnar Löfstedt of King's College London, who was aided by an independent panel, investigated opportunities for "reducing the burden of health and safety legislation on UK businesses while maintaining the progress made in improving health and safety outcomes".

The Lofstedt review reported in November 2011 and found that the present legal structure for health and safety is broadly fit for purpose. Prof Löfstedt accepted that more work is needed in tackling the very real difficulties which many small

firms seem to face in responding in a proportionate way to goal-setting duties informed by risk assessment. Bradford Occupational Health and Safety believes that 'If SMEs are 'making a meal of things' or accepting 'over-the-top' advice uncritically, this points to the need for such firms to get effective diagnosis and signposting so they can access the information, training and advice they need to manage their health and safety problems effectively.'

Reductions in HSE resources, including the closure of the HSE Infoline, plus other cuts, such as the winding up of the health and safety team at the Skills Funding Agency, mean that expertise in this area will be at a premium. Other players in

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the system, such at Bradford Area Occupational Health Forum are going to have to step up to the mark and show the way forward on health and safety.

The proposal is that the voluntary sector covers occupational health and safety and that support is given for Bradford Area Occupational Health and Safety Forum and its Health, Work and Wellbeing Strategy for Bradford 2011-2014 (http://baohsf.org.uk/downloads/adobe_pdfs/2010/Bradford%20Health%20Work%20an

Asbestos Maintenance *free* Seminar

Council Chambers, Keighley Town Hall,

Tuesday 20th March 2012

10am - 12.00noon (registration and refreshments from 9.30am)



City of Bradford Metropolitan District Council
www.bradford.gov.uk



a s b e s t o s :
w h e r e i s i t ?

Speaking will be representatives from:

Health and Safety Executive, Bradford Council Environmental Health Department and an independent Asbestos Safety Specialist

The seminar will be looking at asbestos in the workplace.

This is a free event and is targeted at employers and duty holders in the Keighley district.

If you wish to book a place ring Bradford Area Occupational Health and Safety Forum on 01274 393949 or email: jane@baohsf.org.uk

Access to work

The purpose of Access to Work is to:

Help pay towards the equipment an individual needs at work; a communicator at job interviews, adapting premises to meet an individual's needs, or paying a support worker. It can also pay towards the cost of getting to work if an individual cannot use public transport.

An individual may be able to get Access to Work if they are:

- In a paid job
- Unemployed and about to start a job
- Unemployed and about to start a Work Trial
- Self-employed and their disability or health condition stops them from being able to do parts of their job.

An individual's disability or health condition may not have a big effect on what they do each day, but may have a long-term effect on how well they can do their job.

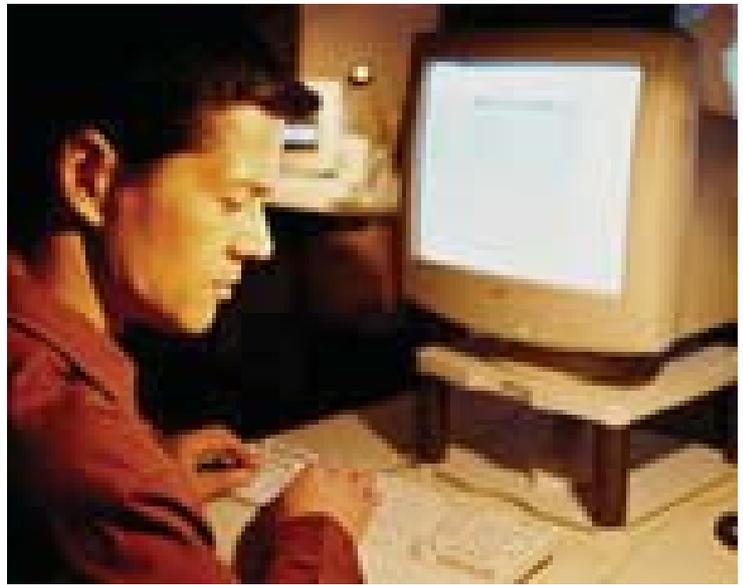
The amount of help which an individual may receive from Access to Work will vary depending on how long they have been employed, what support they need and whether they are self-employed.

Access to Work can pay up to 100 per cent of the approved costs if an individual is:

- Unemployed and starting a new job
- Self-employed
- Working for an employer and have been in the job for less than six weeks

Whatever an individual's employment status, Access to Work will also pay up to 100 per cent of the approved costs of help with:

- Support workers
- Fares to work
- Communicator support at interview



Access to Work pays a proportion of the costs of support if all of the following apply to an individual:

- They're working for an employer
- They've been in the job for six weeks or more
- They need special equipment or adaptations to premises

The precise level of cost sharing is agreed between the employer and the Access to Work adviser. After between one and three years, Access to Work will review an individual's circumstances and the support they're receiving.

Contact Jobcentre Plus
Access to Work Operational Support Unit
on 0141 950 5327
or email: atwsu.glasgow@jobcentreplus.gsi.gov.uk

For more details.

The Forum is looking for sponsors for its seminars, Please let us know if your company may be interested and we will let you know more details about the benefits your company will get in return.

contact: jane@baohsf.org.uk
Telephone: 01274 393949

European Health and Safety Seminar

There was a seminar for European Health and Safety week 2011 held on Thursday 27th October 10am - 12.15 in the Council Chambers of Bradford City Hall. Two power point presentations can be downloaded on the Forum website from the seminar - see below link.

<http://baohsf.org.uk/events.html>

Work -related road risk

Angus Robbins an HM Inspector for the Health and Safety Executive in Leeds spoke about **Work-Related Road Risk**-Legal Obligations on Employers:

Legal Obligations

Health and Safety at Work etc Act 1974

Section 2 – duty on every employer to ensure, so far as is reasonably practicable the health safety and welfare at work of all his employees. General duty, extended by lots of subsections, none of which mention driving or roads.

HSWA section 3 – duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment ...are not exposed to risks to their health or safety.

Another general duty, again with no mention of driving

Health and Safety at Work etc Act 1974

Section 52 – definition of “at work”

“Throughout the time when he is in the course of his employment”

“commuting” not held to be “at work”

but

Travelling away from “base” considered to be “at work”

HSWA section 7

General Duty on an employee at work

To take reasonable care.....

And

Cooperate with his employer...

So not all on the employer

Management of Health and Safety at Work Regulations 1999

Risk assessment

Health and safety arrangements

Both recorded (5 or more employees)

Provision and Use of Work Equipment Regulations

Equipment to be suitable

Equipment to be maintained

Information Instruction and Training

Not forgetting

Road Traffic Act

Highway Code

MOT test

Construction and Use Regulations

Corporate Manslaughter

(the Corporate Manslaughter and Corporate Homicide Act 2007)

Personal manslaughter

Common Law

Both rely on proving “gross negligence manslaughter”.

Lots of legal tests to prove.



Changes to RIDDOR

The HSE guide to RIDDOR has been updated to reflect the changes to reporting that are likely to take place from 6th April when employers will only have to report injuries that lead to an absence from normal duties of over-7days. The revised guidance is at: www.hse.gov.uk/pubns/priced/173.pdf

The HSE website, and the guidance, both make it clear that “Employers and others with responsibilities under RIDDOR must still keep a record of all over three day injuries – if the employer has to keep an accident book, then this record will be enough.”

Pay people properly and you will get better results

A £100m bonus has been paid to some of the country's lowest-paid workers over the past decade by employers who have signed up to paying above the statutory minimum wage.

Ten years of work by the Living Wage campaign has yielded £96m in topped-up wages for thousands of workers, according to new research. The campaign, spearheaded by Citizen UK, calls for every worker to earn enough to provide their family with the essentials of life, which it says are not met by the national minimum wage. Now, some of the country's most prestigious employers are expected to boost that figure dramatically as firms buy into the idea that paying staff more increases productivity.

The study, by Queen Mary College, University of London, reveals that more than £33m extra has been paid to workers on the so-called "living wage" – an hourly rate set independently each year, calculated to allow workers to pay for essentials – since 2010. Firms including Bank of America, Goldman Sachs, L'Oréal and the retailer Lush have committed to paying

£8.30 an hour rather than the national minimum wage of £6.08 for staff in London who are over 21.

One in five workers across the UK – and one in six in the capital – is paid less than the living wage. But more than 130 London employers have signed up to the campaign, a threefold increase since 2008, and it is now being rolled out nationally. Campaigners believe that this year politicians across the country will give support by boosting pay rates in the public sector.

London's Mayor, Boris Johnson, said: "More and more organisations recognise that it suits them as well as their staff" to pay the rate. He added that the policy was a "win-win for employers", fostering a "loyal and motivated workforce" and helping to "boost the capital's economy". Richard Reid, London chairman for KPMG, said that since the company had introduced it, staff turnover had fallen and productivity increased.

Sarah Morrison
The Independent January 2012

BAOHSF

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WHAT

Workers' Health Advice Team
Bradford Resource Centre, 17-21
Chapel Street, Little Germany,
Bradford, BD1 5DT
Tel: 01274 393949



To receive newsletters, seminar lists and keep in touch please complete this form

Name _____

Organisation _____

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Post Code _____ E-mail _____

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Send to Bradford Area Occupational Health and Safety Forum, c/o BRC, 17-21 Chapel Street, Bradford, BD1 5DT