

# THE DAILY HAZARD

## Voluntary Sector Breakdown

Of six hundred London based voluntary organisations (VO) polled by the London Hazard Centre's (LHC) Voluntary Sector Training Project (VST) between February and June 2000, 85% identified work stress as their major workplace health and safety issue. The key statistics emerging from the VST are in line with the findings of two recent national occupational health surveys which reveal that more than 70% of workers face unacceptable levels of stress in their work. Each survey identified work-stress as the most significant work related ill-health issue.

### Surveys back LHC

The annual survey of trade union health and safety representatives 2000 by the Trade Union Congress (TUC) showed that 82% of safety representatives in the voluntary sector identified work stress as their primary concern. 30% of safety reps in the voluntary sector say that bullying is a key stress factor. Heavy workloads, job insecurity, staffing cuts and organisational change all came high on the list of identified work-stress factors. This view was reflected across the range of employment sectors.

The Industrial Society (IS) reported that 75% of employers they had surveyed saw work related stress as the main safety issue facing them and disturbingly it identified bullying at work as the principal stress factor. More disturbingly while 75% are aware of the stress hazard less than 30% of the firms surveyed are addressing work related stress in any way at all.

Pat McGuinness, speaking for the IS, explained: 'Employers are aware of stress and its consequences but are struggling to find ways of identifying and dealing with it.'

This lack of direction was also emphasised by the safety reps, who reported their employers are unable or unwilling to tackle work induced stress.

Ironically the Health and Safety Commission (HSC) is failing employers and thousands of stressed workers by backing away from the strong public demand for an Approved Code Of Practice on reducing work-stress. Rather than telling employers how to create less stressful work environments and backing that up with strong enforcement the Health and Safety Executive (HSE) is mounting a stress awareness campaign.

### Voluntary sector action

Unlike the HSE and the employers in the IS and TUC surveys, voluntary sector managers and workers are extremely clear about what needs to be done to reduce stress. A secure funding base and more realistic workloads for the workers employed would largely eradicate most of the stress factors that were reported by project participants.

VST Project co-ordinator Shonagh Methven said: 'There is no difference in which borough a VO is located or which VO it is, they face a black hole of need. Managers are afraid to be honest with funders about what they can achieve with specific income levels, this leads the organisation to commit to 100% plus capacity to ensure their continued funding. This position is as unprofessional as it is unrealistic and depends on very heavy workloads with no slack to accommodate employee sickness, training, necessary meetings and other interruptions to service delivery.' She continued: 'VO workers know that if they are off work ill,

their work will just pile up and this often results in presenteeism – they go to work when they are ill.'

Shonagh went on to identify two of the main stress factors as bullying and isolation: 'Our health and safety training courses often gave workers their first safe "space" to talk about the stress that arises from their work. In a case of follow-up training on tackling bullying at work, for a large national voluntary organisation, the two managers responsible for the bullying came but none of the bullied workers felt safe to come.'

It is not difficult to eradicate bullying at work as a stress factor. The starting point is the adoption of a clear anti-bullying policy and employer vigilance to ensure that its procedures are adhered to.

Mumtaz Mahmood, co-worker on VST, is very clear about what has to be done:

- 'Managing the stress hazard starts with the organisation "owning" the solution to the problem. Only acting on this will prevent VO workers from becoming burned out and reduce the wasteful and inefficient levels of staff turnover. Voluntary sector providers must work together to put serious pressure on government and funders to address this issue'

The project found that funders can be effective in tackling this issue. Applicant organisations must be encouraged to submit safe proposals to their funding organisations. Funders can give guidance on the range of anti-stress policies and procedures that a VO must have in place before a funding application can be considered. On the HSE's estimates stress costs employers a phenomenal 80 million lost working days per year.



## Simon Jones, The Fight For Justice Goes On

The Director of Public Prosecutions (DPP) has decided that there is sufficient evidence to prosecute Euromin, the Shoreham dock company whose alleged negligence led to Simon Jones being tragically killed on his first day at work. The CPS is also initiating a manslaughter by gross negligence prosecution against Richard Martell, Euromin's big boss at Shoreham.

The Simon Jones Campaigners are pleased with the decision but critical of the way that the Authorities had to be pushed and pulled every step of the way from Simon's death to this very belated but welcomed prosecution. Families whose relations are killed at work still cannot expect any automatic justice when loved ones are killed at work by criminal negligence.

David Bergman, Director of the Centre For Corporate Accountability said, 'Only with the enactment of a new offence of corporate killing can we be confident that offending companies, their directors and managers will be swiftly brought to court.'

# Work Stops As Killing Continues

In eight days in December there were at least five construction workers killed in the UK, two in separate incidents in London. Shockingly the annual fatal accident figure for construction is expected to be almost twice that of last year.

Over 150 construction workers stopped work and attended a vigil which was held in respect of Vincent Dooley (54) who tragically fell to his death on the Sir Robert McAlpine's site in Bishopsgate three days before.

Following a minute's silence construction union organisers from UCATT, Jerry Swain and Lou Lewis, together with Tony O'Brien of the Construction Safety Campaign (CSC) called for an end to the slaughter that is currently occurring on Britain's building sites.

They reported the death of another worker, this time on the Sheffield United football ground two days previously and a 16 year old boy on a site in Leicestershire. There was no work being done at all on this London site as this was reported to the mass meeting and the mood was very sombre.



Building workers protest at the death site at Bishopsgate.

Jerry Swain and Lou Lewis, UCATT, remembered Vincent Dooley's and other families, and the dreadful time they will now have over Christmas. The massed workers agreed they hold a collection for Mr Dooley's family.

All three speakers forcefully called for everyone to support the day of action on February 27th when the government is to hold its crisis talks on construction's safety record.

Tony O'Brien called for all construction workers to stop work on that day and to attend the planned protest outside the Queen Elizabeth Conference Centre in Westminster. O'Brien said: 'Only when bosses face jail for negligently killing workers would we be sure our friends and family returned from work when they left in the morning'. Tony also told of the recent death of a diver working at the Canary Wharf development in

London and remembered the three men who died in the crane crash tragedy there recently.

After the meeting many of those present approached the union officials and asked about joining the union.

Tragically, another vigil was held the following day for Chris Supyia who fell to his death on the Laing Homes site on Montague Road, Edmonton that same week. Again workers stopped work to pay their respects and to listen to Michael Dooley, UCATT organiser. A minute's silence was held outside the gates at 8am and the mood was again very sombre. Again workers asked about joining the union.

A similar vigil was held at Sheffield United football ground on Monday 11th Dec. where Andrew Kitchen (42) died and another unnamed man (29) was taken to hospital with a badly broken arm after a crane collapsed. Both men were from Newark Nottinghamshire and employed by D R Rowland Ltd. The site is run by Mowlem.

28th April 2001, Worker's Memorial Day – Remember The Dead And Fight For The Living

## Good Intentions But No Action By Labour

A delegation from the Hazards Campaign met environment minister Michael Meacher just before Christmas for a wide-ranging discussion on current health and safety topics. The meeting, which was conducted in a friendly spirit, generated a number of issues which Mr. Meacher invited the Campaign to pursue with him in more depth by correspondence. It also seems likely that there will be further occasional meetings for an exchange of views. The minister also suggested that the Campaign open a dialogue with the Health and Safety Executive as an alternative means of putting forward the demands of the Hazards Charter. The delegation, from Manchester, Edinburgh, Keighley and London, will report back to a Hazards Campaign meeting in January with proposals on how to take the initiative forward.

One point that was clear from the meeting, if it was not already established beforehand, is that there will be no new legislative initiatives from the Government this side of the General Election. While there is a commitment in general to bring in a safety Bill with a very wide range of topics, this has not been drafted yet nor is there any final agreement on what exactly is going to go in it. It may be 2002 before the Bill appears. The delegation expressed its disappointment that the Government had not proposed any corporate accountability measures on safety amid all the anti-crime legislation currently before Parliament. Mr. Meacher expressed his personal support for corporate crime legislation but said the Government as a whole had still to decide exactly how to deal with the matter.

The delegation stressed the central importance of improvements in safety reps' rights as a means towards the achievement of the Government's targets for the reduction of workplace deaths and injuries. Again, the Government is only going to make its intention clear on this after the General Election. However, Mr. Meacher expressed interest in developing a pilot project on the introduction of Provisional Improvement Notices. He was determined that the planned pilot projects on roving saving reps in the building industry would go ahead despite the current opposition of the employers.

The delegation expressed its dismay at the failure of the Working Time Regulations to produce any reduction in working time and suggested that this was partly due to

intrinsic flaws in the legislation. The delegation also argued the case for the introduction of legislation on repetitive strain injury. It was ascertained that the Health and Safety Commission/Executive had no current plans in this direction.

One of the main reasons for meeting the minister was to explore options for obtaining improved funding for Hazard Centres. While Mr. Meacher had nothing concrete to offer on this, he did suggest some possibilities which can be investigated further.

Overall, while the minister and the Government have the best of intentions, there is still a huge amount to be done to bring these to fruition and the role of the Hazards Campaign in bringing pressure to bear remains absolutely crucial.

# FIRE IN THE WORKPLACE

Each year 5 workers are killed and ninety workers are seriously injured as a result of fires and explosions at work. Four thousand workers suffer less serious injury arising from fires at work. Fire injuries are predictable and preventable if suitable procedures are implemented. The major factor in fatal fires at work is deficient management of fire safety, rather than inadequate building design or failure of fire-fighting equipment.

There are three major elements which need to be present for fire to occur: a source of heat, some fuel and oxygen. The absence of any one of these eliminates the possibility of fire. This combination of features is commonly called 'the fire triangle' and its elements in dangerous proximity are what we look for when inspecting for fire hazards

## The Law

Workplaces are covered by the Health And Safety At Work Act (HSWA) 1974, and the Fire Precautions Act (FPA) 1971, as amended by the Fire Safety and Places of Sport Act 1987 (FSPSA). Any workplace premises not covered by the FPA or other specific regulations are subject to the Fire Precautions (Workplace) Regulations (FPWR) 1997. Premises which are covered by this legislation are under the jurisdiction the Fire Authority which has the power to issue improvement and prohibition notices. Crown premises are dealt with by the Fire Service Inspectorate of the Home Office.

Additionally the FPWR amend the Management of Health and Safety at Work Regulations and employers must carry out a 'suitable and sufficient' risk assessment of fire hazards. Essentially the risk assessment should contain details of what the employer proposes to do to comply with Part II of the FPA.

## Fire Certificates

If more than twenty people work in the same building, even if they have different employers, there must be a fire certificate from the fire authority. If more than ten people work in rooms above or below ground level, even in different businesses, the building must have a fire certificate. This certificate specifies the required fire protection measures for those premises. It covers:

- escape routes
- location of equipment (extinguishers, blankets, hose reels)
- fire safety signs
- testing and maintenance of equipment
- fire drills
- training
- limit on number of occupants

## Exemptions

The fire authority may decide to give an exemption certificate, for example, if everyone works on the ground floor, with several exits. The exemption notice will state the maximum number of people who can be in the building.

## Formulating policy

The risk of fire needs to be identified, the consequences understood, and a thorough policy put into practice.

Things to consider are:

- designating responsibility
- clear and well documented procedures
- training
- drills
- inspections
- maintenance and testing contracts
- liaison with the fire brigade
- record keeping
- COSHH
- smoking policies
- good housekeeping
- correct use of electrical equipment and appliances

## Designating responsibility

It is essential to appoint fire warden(s) who:

- are aware of their responsibilities
- consult with workers and trade union safety reps
- delegate duties to supervisors and ensure compliance
- have time allocated to the job
- have knowledge and access to specialist advice
- have support from senior management to develop and implement policies

## Procedures

There need to be pre-planned written procedures for raising the alarm, calling the brigade and getting safely out of the building, aimed at:

- the person who discovers the fire
- people who hear the alarm, but have no special duties
- people who have special duties in case of fire

## Raising the alarm:

Anyone must have the right to operate the fire alarm immediately if they suspect or know there's a fire. There must be means for warning every occupant of the building; consider cleaners, contractors etc. and the circumstances which arise outside normal working hours.

## Calling the Brigade:

The Fire Brigade must be summoned immediately. There must be a procedure in place to make sure this is done by responsible manager/s.

## Extinguishing the fire:

Procedures must not require anyone to attempt to tackle a fire.

## Action on hearing the alarm:

Everyone must know the escape routes and know to wait at the assembly point for a roll call. Re-entry must be clearly prohibited until the Brigade say it's safe.

## Implementing policy

### Training for workers

Management's duty to train is not satisfied by carrying out periodic drills. The details of the training /drill regime must be contained within the risk assessment.

Guidance says that everyone at work should be instructed by a competent person at least once, but preferably twice every year. New employees must be given basic instructions on their first day, and given detailed instruction as soon as possible. Don't neglect night shift, security and cleaning staff.

### Disabled people

Management must draw up a 'personal emergency egress plan' with each disabled person employed, to ensure that the poor design of buildings doesn't impair their ability to safely exit a building in an emergency. These plans must be integrated into the general emergency egress procedure.

### Training should include:

- action to be taken on discovering a fire
- action to be taken on hearing fire alarm
- raising the alarm, location and use of alarm points
- calling the Fire Brigade
- location and use of fire fighting equipment
- knowledge of escape routes, particularly stairways not in normal use
- method of operating escape door devices, such as panic bars
- appreciation of importance of fire doors and the need to close all doors during a fire
- stopping machines and processes and isolating power supply where appropriate
- evacuation of the building to a place of safety. Where members of the public are present this includes reassuring them, escorting them to exits etc.
- muster and roll call procedure

## Fire drills

Management should:

- record times
- record who has had drills and instruction
- review effectiveness and make improvements
- use alternative routes in drills, by designating an imaginary area of fire.

## Inspection, testing and maintenance

There should be a tailor-made inspection plan detailed in the risk assessment for the premises.

For example:

- Daily:* alarm equipment indicators, emergency lighting, fire exits, fire triangle.
- Weekly:* escape routes, final exit doors, test alarm, test sprinklers.
- Monthly:* test emergency lighting, signs, extinguishers, hose reels.
- Quarterly:* full inspections, maintenance of alarm and sprinkler systems.
- Annually:* maintenance of appliances

## Workplace Trade Union Action

Use safety representative investigation and inspection powers to ensure that policies and procedures are up to date and:

- regularly inspect to ensure that safety equipment is not damaged or broken, i.e. signs are in place, emergency lighting is working.
- check with disabled members that they were fully involved in creating their personal emergency egress plan.
- ensure that the control measures identified in the fire risk assessment are being properly implemented.
- use your right of consultation to check and contribute to training plans.
- bring all deficiencies in procedure or implementation to the attention of appropriate management as a matter of urgency.
- in the face of management non-cooperation, initiate grievance procedures
- if such procedures fail to rectify the deficiencies arrange for workplace consultations with the enforcement authorities.

If your employer claims 'Crown Immunity' remember that it only provides immunity from prosecution; health and safety standards should still be maintained. If matters are not brought up to standard by using the above procedures ensure that any deficiencies are brought to the personal attention of the appropriate Minister.

## Contacts

Your local health and safety enforcement agency and local fire brigade in London:

### London Fire Brigade

Telephone: 020 7582 3811  
E-mail: info@london-fire.gov.uk  
Web Site: www.london-fire.gov.uk  
**The Fire Protection Association:**  
Telephone: 020 7902 53000  
E-mail: fpa@thefpa.co.uk  
Web Site: www.thefpa.co.uk

# ASBESTOS STILL KILLS

23

**3rd April 2001**

**TUC, Congress House  
Great Russell St, London WC1  
10am - 4pm  
Cost: FREE  
(no lunch provided)**

This conference has been organised jointly by the Hazards Campaign and the Trade Union Congress.

Participants will be encouraged to speak out as well as to listen. We will cover:

- Government plans to do with the asbestos in our workplaces and homes
- The trade union response
- Improving things for disease sufferers and their families
- What needs to be done to protect workers and tenants
- International perspectives

For more information contact London Hazards Centre



## WE HAVE MOVED TO

**Hampstead Town Hall Centre  
213 Haverstock Hill  
London NW3 4QP  
Tel: 020 7794 5999  
Fax: 020 7794 4702  
Email: mail@lhc.org.uk  
Website: www.lhc.org.uk**

Registered Charity No: 293677



# Croner's Health and Safety Resources

Croner's fortnightly Health and Safety Briefing is a useful safety representative's resource containing a round-up of recent health and safety news, a 'Union Watch' page (it's used more frequently by the employer's safety advisors than by safety reps), a page on recent case law findings and an in depth health and safety feature.

For reps whose branches can't afford to annually subscribe to Croner's Health and Safety At Work there is good news! The briefing is available, free, at the Croner CCH website by completing a simple on-line registration document.

[www.croner.cch.co.uk](http://www.croner.cch.co.uk) is where you go. At the top left hand side of their opening page is the registration button, click it, fill in the required details, click on the submit button and when you are taken to your personalised web page, **don't forget to bookmark it** (add it to your 'favorites').

At the foot of your web page you'll find 'newsletter archive', click on it and explore some of the information available there. A must for stewards and safety representatives alike.

## BOOK REVIEW

**Tolley's Health and Safety at Work Handbook: A Comprehensive, Practical Guide to Health and Safety Law and Practice. £67.00 (£2.50 post and packing if purchased directly from Customer Services 020 8686 9141)**

The book is what it has always been; a good starting point for the Trade Union representative, (safety advisor, line manager) tackling hazards at work. It has a comprehensive contents table and is well indexed. It reflects the law accurately and provides useful summaries of case law; e.g. Skinner v HM Advocate, 1994 which clearly shows that managers who breach section 7 of the Health and Safety at Work Act (employee's duty to keep self and others safe) will be prosecuted in a personal capacity.

However don't treat it as a bible because it has deficiencies in content and editing. There are very few solutions in the book; e.g. on the common hazard of overcrowding it just says 'rooms may need to be larger or have fewer people working in them'. It offers no insight on practically solving the problem, the practitioner will have to go elsewhere for that. The book has an index of references to British Standards but inexplicably there is no mention anywhere of BS8800:1996 Safety Management or of the risk assessment methodology contained in that British Standard (which knocks spots off the risk assessment methodology advocated in Tolley's).

A glaring error in the illustration of a VDU workstation still survives, it is overlooked annually by the editor and any practitioner setting a

workstation up like the one illustrated will contribute to workers getting work related upper limb disorders (WRULDs). Any competent workstation assessor knows the top of the monitor screen is always level with the user's eyes when workstations comply with the standard defined by the Schedule to the Display Screen Equipment Regulations.

So, if your TU branch has £70 to spend and you need a decent reference book then Tolley's is worth buying but check out its advice and answers or you could take a pratfall in front of your members or management.

## Stop the carnage

**Tuesday February 27th 2001**  
National Day of protest over site deaths

**Assemble FROM 9am to 12 noon**  
At Queen Elizabeth Conference Centre  
London (opposite Parliament)

The national 'construction summit' has been downrated to a morning meeting, come and register your disgust at this insult to building workers. Make time and come to the protest.

**"I CAME HERE TO WORK..."**



**NOT TO DIE!"**

Construction kills one third of all those killed at work. Construction deaths in 1999 increased to 86. The numbers killed in the first six months in 2000 rose by 50% when 62 were killed.

Profits up by 23%, yet Construction Bosses break the law and get away with it. Fines are low and no director has been sent to prison for the death of a worker.

Tuesday 27th 2001 is the day the Government meets construction bosses, trades unions, safety experts and health and safety chiefs to discuss our lives.

When they hold their safety summit we will hold an alternative event and lobby in London. We urge you to stay away from work and join our protest.

The Construction Trades Unions are calling for a lobby of this safety summit.