

Safetyline 54

H & S UPDATE JUNE 2005

There have been a couple of recent incidents of staff using **aerosol sprays triggering fire alarms** in buildings. Smoke detectors on the fire alarm system cannot differentiate between dusts, aerosols, fumes or smoke, so smoking cigarettes or using equipment likely to generate airborne particles inside buildings is likely to activate the fire alarm.

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*The **Manufacture and Storage of Explosives Regulations 2005** came into force on 26<sup>th</sup> April 2005 consolidating the Explosives Act 1875 and 37 other pieces of secondary legislation. The Regulations require anyone manufacturing or storing explosives to take appropriate action to prevent fire or explosion; limit the extent of any fire or explosion; protect persons (usually by maintaining a safe separation distance between the explosives and neighbouring inhabited buildings); and obtain a licence for the manufacture or storage of explosives ( unless exemptions apply). Guidance is to be drafted shortly. SI 2005 No. 1082.*

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The HSC is seeking comments on possible changes to the **Reporting of Injuries, Diseases and Dangerous Occurrences** Regulations 1995 (RIDDOR), specifically relating to the use of fixed and administrative penalties; the "disconnection" of the ill-health and injury statistics from other information collected under RIDDOR; the removal of the duty to report occupational diseases; the removal of the duty to report dangerous occurrences; dropping the "major injury" category in favour of a single category of reporting work-related absence over three days and whether work-related road-traffic accidents should be brought within RIDDOR. The Discussion Document can be found on www.hse.gov.uk/consult/disdocs/dde22.pdf . E-mail comments to riddor.dd@hse.gsi.gov.uk by 30th June 2005.

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*The draft **Corporate Manslaughter** bill has just been published, although it is unlikely to become law until 2006 at the earliest. The draft Bill would make an organisation guilty of an offence of corporate manslaughter where the way in which its senior managers organise or manage any of its activities: -*

- Causes a person's death; and
- Amounts to a gross breach of the organisation's duty of care to the deceased.

*Whether an organisation owes a duty of care is decided by a judge and will typically arise: -*

- Under the common law of negligence to its employees,
- Under statute in its capacity as occupier of land (or premises). This would cover such issues as ensuring lifts are properly maintained and appropriate fire precautions taken,
- In connection with the supply of goods or services, specifically to negligence for the safety or products rather than statutory provisions.

*The draft Bill can be found on [www.homeoffice.gov.uk](http://www.homeoffice.gov.uk).*

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CIRIA has just published "**Guidance on Glazing at Height**" to give clear consistent information on glazing used in new and old buildings. They look at safety issues concerning glass facades, glass roofs and canopies, and glass barriers to protect drops. It covers glass manufacture and processing, the types, strength and breakage behaviour of glazing infill materials and glazing systems. The Guidance summarises existing advice and considers risk assessments in the decision making process. Visit www.ciriabooks.com or contact CIRIA on 020 7549 3300.

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**Delivery drivers and their passengers must now wear seatbelts except on very short journeys.** *Legislative changes came into force in March stating that drivers and customers in vehicles constructed or adapted to carry goods must now "belt up" when making deliveries or collections if they travel more than 50 meters. This change to the law is in response to evidence that many van and lorry drivers considered themselves exempt whatever distance they were travelling.*

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HSE have just published a flyer on "**Backs! 2005 initiative**" highlighting the main points to look for when carrying out manual handling tasks and giving tips on what can be done to minimise the potential for causing injuries. The flyer can be found on: - www.hse.gov.uk/backs/backsflyer.pdf

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**Work at Height Regulations 2005** summary can be found on our web site in the "Regulations" section