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Spring must be having an impact on H&S activity as this is a larger than normal edition of the newsletter. It's all go with new legislation, training courses, guidance material, requests for consultation and information and updates on various projects and programmes.

However, in highlighting one item I have chosen the publication of the final report by the HSE into the Barrow Legionnaires' outbreak. It was the Duke of Wellington who said of an early campaign that he, 'learnt what not to do, and that is always something'. If anything good is to come from this and other recent tragedies it is learning lessons and implementing them to try and prevent anything like this happening again. Prevention is always better than cure but in an age of cut backs it is sometimes hard to justify spending money on preventative measures unless the consequences of failure are so great as to be unacceptable. Such failures used to be associated with hazards from certain industries - nuclear and petrochemical - and transport - air travel and railways. To that list we can now add another hazard, Legionnaires' Disease.

Once again we are having to say goodbye to several Partnership Liaison Officers who are returning to their home LAs after a period of secondment. It's goodbye to Helen Barnsley, Peter Fielding, Richard Hogben and Nicola Pearce. We are also saying goodbye to Heather Swinnerton and David Lesser who were seconded to the Local Authority Unit itself. Over the last two years, Heather and David have made major contributions to the partnership, as have the others, but particularly for Heather in relation to training and the councillors' handbook and David in relation to the work on Section 18 guidance. We wish them all well and look forward to our new recruits later in the year.

Please feel free to comment on the Newsletter by writing to our dedicated e-mail address with your contributions, comments and suggestions: [lau.newsletter@hse.gsi.gov.uk](mailto:lau.newsletter@hse.gsi.gov.uk) or Tel: 0151-951-3114

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**FOR ACTION**

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**Secondment Opportunity**

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If you live or work in Yorkshire or the North East and would be interested in a secondment to HSE, working to help embed the partnership structures – please contact :

Allan Davies – Head of LAU  
Tel: 0207 7176663  
Email: [allan.davies@hse.gsi.gov.uk](mailto:allan.davies@hse.gsi.gov.uk)

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**Is the Law Working? The Law Commission wants to know.**

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The Law Commission has launched an interactive web discussion forum which gives both key stakeholders and the public the opportunity to discuss areas of the law which are in need of reform. It can be accessed at <http://forum.lawcom.gov.uk/>

Consultation on the Commission's Tenth Programme of Law Reform began in January. The web forum was set up to enable engagement with a much wider range of people than traditional means of consultation allows.

Law Commission Chairman Sir Terence Etherton said "We are trying to improve people's lives by making the law more up-to-date and fair and are keen to identify projects which will be of real public benefit. This forum will facilitate debate and discussion on law reform in a user-friendly and accessible way thus enhancing the consultation process."

Any proposal put forward will be considered. In making decisions the Commission will look at the extent to which the law is unsatisfactory and the potential benefits likely to accrue from undertaking reform. Suggestions which assist the drive for better regulation by reducing burdens on businesses and the public are of particular interest.

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**Workplace Transport: Falls from Vehicles Campaign 2007 - Organising educational/promotional events**

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Following the item in LAU Newsletter in late 2006, you will already be aware of the Workplace Transport campaign HSE is planning for October- November 2007. The campaign will include national publicity in a variety of relevant trade publications; educational/promotional events organised in conjunction with trade associations and other stakeholders and targeted inspections as part of the Moving Goods Safely 3 project.

The target audiences are those who can make the most difference in preventing falls from vehicles i.e. those who purchase and specify road going delivery vehicles and those who are responsible for organising loading/unloading activities e.g. operations manager, depot managers. Drivers are an important secondary audience.

HSE is keen to work together with Local Authority inspectors and we have appointed two Local Authority (LA) representatives to the campaign project team to ensure the LA view point is fully considered in developing our plans.

We are keen to explore any ideas that you have for local projects, events or other initiatives, which would help the campaign reach a wider audience and have more impact. Some funding, up to a maximum of £2,000, will be available to support agreed activities, which will be considered on a case-by-case basis.

If you have any ideas for events could you please forward them to the Campaign manager by the end of April 2007 giving brief details of the event, intended audience, purpose of the event and how you will measure its success. If you wish to discuss your proposals further please do

not hesitate to contact the Campaign Manager or one of the LA representatives whose contact details are given below.

Thank you in anticipation of your support – we look forward to seeing your ideas.

**Campaign manager:**

Rachel Corbridge, HSE Grove House, Skerton Road, Manchester

Tel: 0161 952 8227

[rachel.corbridge@hse.gsi.gov.uk](mailto:rachel.corbridge@hse.gsi.gov.uk)

**Campaign Project team Local Authority representatives:**

Glynis Buckley, Warrington Borough Council

Email: [gbuckley@warrington.gov.uk](mailto:gbuckley@warrington.gov.uk)

Edward Cooke, Daventry District Council

Email: [ecooke@daventrydc.gov.uk](mailto:ecooke@daventrydc.gov.uk)

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**Training course for new entrants to the Lead Authority Partnership Scheme.**

**18 - 19 June 2007**

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LAU in association with Loughborough University is providing a 2-day training course to equip both Local Authority officers and their business colleagues to participate in an effective and productive Lead Authority Partnership. Whilst the course is intended for new entrants to the scheme, it will be of equal value to those in existing partnerships who require refresher training or who have replaced staff that received training earlier in the programme. Local Authorities are encouraged to liaise with their business partners to ensure that they are fully represented on the course.



**The Centre for Hazard and Risk Management is running a Lead Authority Partnership training course on 18 - 19 June 2007 at Loughborough University.**

The course is designed to help new partners appreciate the aims and objectives of the scheme together with the practical implications of being in partnership. A significant element of the course will be devoted to safety management review (SMR) and is intended to provide the basic skills necessary within the partnership to conduct such a review. The course will include speakers from existing partnerships who will be able to share their experiences of both the scheme itself and safety management review.

The course will be beneficial to:

- Companies and Local Authorities about to establish a Lead Authority Partnership;
- Existing partners who need to train or update staff; and
- Organisations considering a Lead Authority Partnership, or who feel they would benefit from training in Safety Management Review

The course objectives are to enable the delegates to:

- Understand the key elements of 'Successful Health and Safety Management'
- Follow the main steps of an SMR including planning, conducting the review, preparing a report and presenting the report to the company
- Appreciate the practical implications of being in a partnership and be aware of flexible approaches to partnership.

The course fee of £399 includes VAT, meals, refreshments and course documentation. Details of local accommodation will be provided on request.

If you would like to attend please contact:

Sandy Edwards

Tel: 01509 222152

Email: [S.P.Edwards@lboro.ac.uk](mailto:S.P.Edwards@lboro.ac.uk)

(cheques made payable to Loughborough University)

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### Briefing events for the new Registration, Evaluation and Authorisation of Chemicals Regulations

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**REACH** is a new set of EU Regulations that comes into force on 1 June 2007. **REACH** stands for the **R**egistration, **E**valuation and **A**uthorisation of **C**hemicals.

It will replace a lot of existing legislation on chemicals and its scope means that there will be potentially many dutyholders in LA enforced premises and will have a significant impact on the retail supply of chemicals to the public. These dutyholders are now increasingly becoming aware that REACH is on its way. Cross-Government communications activities are also underway that are aimed at increasing awareness in dutyholders, which is likely to increase their chances of seeking help and advice.

HSE will host the Competent Authority (CA) for REACH. Operational staff in HSE or LAs may find themselves in situations where dutyholders could ask for advice about REACH and their duties under it. The CA is therefore offering you the chance to attend a short briefing meeting at one of the events listed in the timetable below. The intention is to give an overview of the Regulation to ensure that when approached officers are able to provide basic advice and direct inquirers to where appropriate detailed advice and information may be obtained. The briefings will last for around 1 – 1.5 hours at most and there will be at least two at each venue during the day. They will be delivered at a range of venues to enable staff from across the UK to attend.

Each briefing will cover:-

- Background information on REACH
- Its scope, which is very broad
- How the REACH system will operate
- HSE's CA role including the helpdesk
- Who are dutyholders and their duties
- The current position on enforcement of REACH
- Links with other legislation (e.g. COSHH)
- The chance to ask questions

The briefings will start at 10.30 and 13.30 at each venue. They are aimed at staff who will be given an enforcement role under REACH which includes HSE inspectors Environmental Health Officers and Trading Standards Officers. If you would like to attend one of these events then please can you let HSE know through the one of the following contacts:

Julian Delic

Tel: 0151 951 3593

Email: [julian.delic@hse.gsi.gov.uk](mailto:julian.delic@hse.gsi.gov.uk) (Julian can also provide more information on the events)

Joan Law

Tel: 0151 951 4253

Email: [joan.law@hse.gsi.gov.uk](mailto:joan.law@hse.gsi.gov.uk)

Please also inform your HSE Partnership Manager that you are attending. They will also be contacting LAs about the briefing days.

Date	Region	Venue
30 <sup>th</sup> April 2007	Bristol	Marriott Bristol City, 2 Lower Castle Street Old Market, Bristol <a href="http://www.marriott.co.uk">www.marriott.co.uk</a>
1 <sup>st</sup> May 2007	Cardiff	HSE Office, Government Buildings Phase 1, Ty Glas Llanishen, Cardiff
3 <sup>rd</sup> May 2007	Edinburgh	Menzies Belford Hotel, 69 Belford Road Edinburgh <a href="http://www.menzies-hotels.co.uk">www.menzies-hotels.co.uk</a>
4 <sup>th</sup> May 2007	Glasgow	Thistle Hotel, Cambridge Street Glasgow <a href="http://www.thistlehotels.com">www.thistlehotels.com</a>
8 <sup>th</sup> May 2007	Nottingham	HSE Office, City Gate West Toll House Hill, Nottingham
9 <sup>th</sup> May 2007	Northampton	Park Inn Northampton, Silver Street Northampton <a href="http://www.parkinn.com">www.parkinn.com</a>
11 <sup>th</sup> May 2007	Birmingham	HSE Office, 1 Hagley Road Birmingham
15 <sup>th</sup> May 2007	Stoke	HSE Office, Lyme Vale Court, Lyme Drive, Parklands Business Park, Newcastle Road, Trent Vale, Stoke on Trent
18 <sup>th</sup> May 2007	London	HSE Office, Rose Court 2 Southwark Bridge London
29 <sup>th</sup> May 2007	East Grinstead	Felbridge Hotel London Road East Grinstead
31 <sup>st</sup> May 2007	Basingstoke	HSE Office, Priestley House Priestley Road Basingstoke
1 <sup>st</sup> June 2007	Chelmsford	HSE Office, Wren House Hedgerows Business Park Colchester Road, Springfield, Chelmsford
4 <sup>th</sup> June 2007	Newcastle	Marriott Gosforth Park, High Gosforth Park Newcastle-upon-Tyne <a href="http://www.marriott.co.uk">www.marriott.co.uk</a>
6 <sup>th</sup> June 2007	Leeds	HSE Office, Marshall's Mill Marshall Street, Leeds
7 <sup>th</sup> June 2007	Preston	HSE Office, Marshall House Ringway, Preston
8 <sup>th</sup> June 2007	Manchester	HSE Office, Grove House, Skerton Road Manchester
11 <sup>th</sup> June 2007	Luton	HSE Office, AW House, 6-8 Stuart Street Luton
12 <sup>th</sup> June 2007	Sheffield	Holiday Inn Sheffield, Victoria Station Road Sheffield <a href="http://www.ichotelsgroup.com">www.ichotelsgroup.com</a>
15 <sup>th</sup> June 2007	Bootle	HSE Office, Redgrave Court Merton Road, Bootle Merseyside

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**LAE1 (Local Authority Health and Safety Return) 2006/07**

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All local authorities should soon receive a request to complete the LAE1 form for 2006/07. The LAE1 form and guidance will soon be available on the HELA Extranet and a link will be emailed out to all the Local Authorities. The layout of the form is similar to last year; the only addition is a section asking for information relating to Fit3 topics. The deadline for completion is likely to be mid to late May.

Sam Wilkinson  
Tel: 0151 951 3399  
Email: [sam.wilkinson@hse.gsi.gov.uk](mailto:sam.wilkinson@hse.gsi.gov.uk)

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**Calling Note for LA Prosecutions data 2006/07**

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A letter will shortly be sent out to Chief Environmental Health Officers, requesting information on **ALL** prosecutions with a final hearing date between 1 April 2006 and 31 March 2007. A Prosecutions proforma will need to be completed for each case, whether successful, unsuccessful or withdrawn.

This year we are using an interactive form on the Extranet, so please bear with us if there are teething problems. Further details of how to submit your returns will be contained within the above correspondence and will also be posted on the Extranet soon.

In the meantime, if you require a username and password for the Extranet, please email your details to [helaextranetenquiries@hse.gsi.gov.uk](mailto:helaextranetenquiries@hse.gsi.gov.uk) and a member of the Extranet Team will contact you.

Tracy Hamilton  
Tel: 0151 951 3114  
Email: [tracy.hamilton@hse.gsi.gov.uk](mailto:tracy.hamilton@hse.gsi.gov.uk)

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**FOR INFORMATION**

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**The final report by the Health and Safety Executive into the Barrow Legionnaire's outbreak has been published**

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In August 2002, seven members of the public died and 180 people suffered ill health as a result of an outbreak of legionella at a council-owned arts and leisure facility in the town centre of Barrow-in-Furness, Cumbria.

Barrow Borough Council and their Design Services Manager were both convicted of offences under the Health and Safety at Work etc Act 1974. Following the court case and at the request of Furness MP John Hutton, two public meetings were held in Barrow to allow members of the public, especially the families of those who died, the people who suffered illness and the wider community, to learn more about the circumstances and the causes of the outbreak. It enabled those affected to raise, in an independently chaired public forum, any outstanding concerns and to ask questions to those involved. It also helped to identify valuable lessons both for the Barrow community and other employers.

The Barrow Legionnaires' Outbreak Public Meetings were held on 4 and 11 December 2006 at Abbey House Hotel, Barrow. They were chaired by former West Lancashire MP Colin Pickthall. The first meeting examined the circumstances, the causes of and responses to the outbreak. The second was to discuss and identify lessons to prevent further comparable tragedies, both in Barrow and elsewhere. The meetings highlighted a catalogue of errors and series of oversights that led to the legionella outbreak.

The purpose of the report is to record the content of the two public meetings and to allow others to learn what caused the outbreak and what changes have been made since. It has also been produced to allow dutyholders with similar responsibilities for controlling legionella to benefit from the findings of the investigation and be able to apply the recommendations identified as a result of the tragedy.

Colin Pickthall in his conclusions and recommendations found that there were:

- Poor lines of communication and unclear lines of responsibility
- Failure of act on advice and concerns raised
- Failure to carry out risk assessments
- Poor management of contractors and contract documentation
- Inadequate training and resources
- Individual failings

Colin Pickthall said:

“Like most accidents, this tragedy could have been avoided if the risks had been properly managed. It was most important that we should produce a report that would be useful in helping not only Barrow, but also other local authorities and other relevant organisations, avoid any repetition though negligence, mismanagement or ignorance, of Barrow’s tragedy.”

Barrow has shown again how deadly legionella can be, but also that well-understood precautions will control the risk. The report explains both the technical steps, and the essentials of good health and safety management that can make sure a similar tragedy never happens again.

[A copy of the Report is available here](#)

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### Revision of LAC 67/1

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Local Authority Circular 67/1r3 sets down quite specific guidance to Local Authorities on setting up health & safety inspection arrangements. It includes a risk based rating system that indicates frequency of inspection/re-inspection. Whilst not mandatory, it is used as a key benchmark by the majority of LA’s when deciding on resource allocation. LAC 67/1 has been revised 3 times previously to accommodate changes in health & safety inspection and enforcement practice. Revision 3 was introduced in 2003 to incorporate the focus on topic-based inspections.

Since this last review there has been a significant change in the way HSE and LAs work together. Partnership working is well on the way to becoming the way that LAs engage with HSE; it has led to new ways of jointly targeting business to achieve improvements in compliance.

Concern has been expressed that FIT3 related work is not specifically included in the current guidance and as a result LAs are finding it difficult to allocate resources to this programme.

In response, a task and finish group (TFG) has been set up by HELA to review LAC 67/1r3 and ensure that it is relevant and fit for purpose having regard to the fundamental change in the way that HSE and LAs now work together.

The TFG, Chaired by Kim Pugh, Head of Public Protection at Torfaen CBC, is tasked with producing, by October 2007, a revision of LAC 67/1 guidance that is robust and relevant and which enables LAs to justify support and resources for partnership working and the Fit3 initiative.

You will be consulted on the revised draft around June 2007. In the meantime, please email any comments to:

Heather Swinnerton  
Tel: 02920 263121

Email: [heather.swinnerton@hse.gsi.gov.uk](mailto:heather.swinnerton@hse.gsi.gov.uk)

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**Inspection Rating System 2007/08 and National Accident Data (NAD) 2007/08**

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Whilst the HELA Strategy and HSC's strategic programmes should be the primary driver in selection of premises for inspection, the NAD figures are produced annually to enable Local Authorities (LAs) to recalculate inspection ratings for work planning purposes.

HELA advice to local authorities on the 'Inspection Rating system', most recently issued as LAC 67/1 **rev.3**, can be accessed at [here](#). LAs are asked to continue to use the same scoring systems as has operated since 2001/02. However, the NAD weightings for 2007/08 (below) have been adjusted slightly. They are based on injury data up to 2005/06 from two sources: injuries reported to LAs under RIDDOR; and from the Labour Force Survey, which allows for under-reporting of injuries by employers. There have been no changes to Catering, restaurants & bars, Wholesale, Leisure and cultural and offices; however, scores for all other premise types have changed.

Premise Type	NAD Weight 2007/08
Catering, Restaurants & Bars	5
Wholesale	4
Residential Care Homes	9
Hotels & Short Stay Accommodation	3
Leisure & Cultural	6
Consumer Services	2
Retail	4
Offices	1
Other Premises	6

For further information please contact:

Tracey Oliver  
Tel: 0151 951 4862  
Email: [tracey.oliver@hse.gsi.gov.uk](mailto:tracey.oliver@hse.gsi.gov.uk)

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**Moving Goods Safely (MGS) National Project**

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Preliminary results are now starting to be received by the MGS project team in respect of both local supply chain inspections and the national Supply Chain Inspections (SCI). Some SCI teams have even reached the stage where they are feeding back the results of their inspection to the senior managers of the relevant companies. Don't panic if you haven't reached this stage, as the completion date for this phase of MGS is 30th June.

The latest local supply chain project that we have become aware of is being undertaken in Scotland where the local authorities are looking at the supply of electrical goods under the Scottish Hydro brand. If your authority is involved in a local MGS project or awareness-raising event, let us know either directly at the contact details below or through your HSE Partnership Manager.

The MGS project team has recently published on the Extranet, the preliminary information concerning the next stage of MGS in [LAC85/13](#). This work will commence in October 2008 and will cover such areas as:

- Third party logistics providers
- Pallet networks
- Road haulage and distribution
- Warehousing
- Manufacturing supply chains e.g. concrete products

This work will also coincide with the Workplace Transport Campaign 2007 on “falls from vehicles” – see the separate article in this addition of the newsletter.

To find out more about the MGS Project, or to let us know what local initiatives you are planning, contact:

John Berezansky  
Tel: 01582 444263,  
Email: [john.berezansky@hse.gsi.gov.uk](mailto:john.berezansky@hse.gsi.gov.uk)

Representing LAs on the MGS Project Board are Debbie Herbert and Choy-leen Liu. If you have a LA-related concern or issue that you wish to input into the Project Board you can contact:

Debbie Herbert, Wychavon District Council  
Tel: 01386-565490  
Email: [debbie.herbert@wychavon.gov.uk](mailto:debbie.herbert@wychavon.gov.uk)

Choy-Leen Liu, London Borough of Hackney  
Tel: 0208-3564914  
Email: [choy-leen.liu@hackney.gov.uk](mailto:choy-leen.liu@hackney.gov.uk)

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### Stop Slips in Kitchens – Initiative

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Despite all efforts, slip accidents within catering remain stubbornly high, with 674 slip and trip major injury accidents in 2006/07 alone. A national initiative is planned for 2007/08, its aim, to reduce slip accidents happening in kitchens within hotels, pubs, fast food premises, restaurants and catering kitchens.

Local Authority health and safety enforcement officers are asked to support the campaign, help raise awareness of standards amongst dutyholders and enforce where appropriate. We are looking for improvements in management systems, contamination control and cleaning in kitchens. You can provide support by:

- Alerting relevant dutyholders to the campaign and its key messages
- Distributing employer information packs to local businesses (mentioned below)
- Conducting targeted inspections between the 4<sup>th</sup> to 15<sup>th</sup> June 2007 and, or the 21<sup>st</sup> January to 1<sup>st</sup> February 2008, when publicity will be at its highest.
- Holding awareness raising events at any point between April 2007 and March 2008

Materials have been developed to support this initiative, all of which will soon be accessible via the Internet. Employer information packs will be sent out to all local authorities in May, the packs will include:

- Reduce slips - table of actions card
- Effective floor cleaning systems card
- Posters
- Information card

Full information concerning this initiative can be found in the [LAC 77/5 'Preventing slips and trips in kitchens within Catering'](#).

Your support is key to the success of this initiative.

Helena Allum  
Tel: 01752 276323  
Email: [Helena.allum@hse.gsi.gov.uk](mailto:Helena.allum@hse.gsi.gov.uk)

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### RIDDOR Review Update

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Last summer the Health and Safety Commission decided not to change the Reporting of Injuries, Diseases, and Dangerous Occurrences Regulations 1995 (RIDDOR) but did want HSE to improve and simplify the way the reporting process is communicated, particularly for Small to Medium Enterprises (SMEs).

For the first time, information about RIDDOR has now been consolidated into a [single website](#) with simple messages focussed on the ease of reporting, particularly through calling the Incident Contact Centre (ICC).

Please note that there has been **no change** to the Guidance or what is reportable under RIDDOR. The web content is simply a new, user-friendly and easier to understand presentation of the current guidance.

Content from the 'RIDDOR Explained' leaflet is at the core of the site and the paper version will be withdrawn when stocks run out. The ICC leaflet will also be withdrawn and replaced with a single page flyer reflecting the new web pages. Stocks will be available from HSE Books in due course (publication code MISC769).

For further information please contact:

Aarti Thakeria  
Tel: 020 7717 6430  
E-mail: [Aarti.Thakeria@hse.gsi.gov.uk](mailto:Aarti.Thakeria@hse.gsi.gov.uk)

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### 2006 Review of Domestic Gas Safety

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On 7<sup>th</sup> March Lord McKenzie announced that the government had accepted the advice of the Health and Safety Commission on proposals for an improved domestic gas safety regime. Oversight of the new gas safety regime will remain with HSE and the changes are aimed at reducing bureaucracy; simplifying the law; strengthening industry participation and securing the best use of resources. The agreed proposals are:

- A new specification scheme for the gas installer registration scheme will be drawn up and bids invited for a five-year agreement to run it;
- A single provider will be appointed to run the new scheme. There will be a new framework agreement between HSE and the provider setting out performance and requirement criteria to provide stronger oversight by HSE;
- The role of the new registration scheme provider will be extended to include co-ordinating stronger industry action to raise public awareness of gas safety;
- The new body may also be given other functions such as limited enforcement powers to help tackle the problem of illegal, unregistered installers; and
- Gas installers will be encouraged to apply for registration through incentives such as a simplified registration process.

These proposals have resulted from extensive stakeholder consultation over the past year as part of the HSE Review of Domestic Gas Safety. The [Commission paper \(PDF 169kb\)](#) sets out the advice of the HSE.

#### What Next

There will be an open competition to run the new registration scheme. HSE has appointed a regulatory economist to develop the specification for the new registration scheme and held a

meeting on 8 March with stakeholders to discuss developing it. Further work on a draft to refine it will be explored with an additional stakeholder event on 4 April. The agreed specification and invitation to apply for the new gas registration scheme will be published in May. HSE will announce its decision in September and the new provider will begin work in April 2008. There will be an efficiency and effectiveness review of the new arrangements during the five year period of the agreement

### **What does this mean for the regulator?**

HSC/E's aim has been to look for ways of making a good record on gas safety even better for gas consumers. The RIDDOR reported statistics show an improving record on fatalities with 16 fatal gas related CO poisonings in 2005/06, which is half the number ten years ago. However, reported non fatal incidents in the same period are broadly static at around 200 per year. Added to this new research suggests that 45% of all households may be at risk through ignorance of gas dangers. Ill health from CO poisoning is often mistaken for other illnesses and is suspected to be widespread but this is unquantifiable. This reinforces domestic gas safety as a widespread consumer protection issue.

The HSC 'Strategy for Workplace Health and Safety in Great Britain to 2010 and beyond' says that things need to be done differently, with others getting involved. New initiatives on unregistered gas installers, encouraging registration and promoting gas safety messages should reduce illegal work and promote higher standards of public gas safety. The eventual aim is to reduce the need for intervention on the part of the regulator through an improved and strengthened industry led regime and greater public awareness.

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## **Managing Asbestos: Revised Enforcement Guidance & Duty-Holder Seminar**

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### **Revised enforcement guidance**

In the coming workyear HSE expects the topic: 'duty to manage asbestos' (DTM) to be raised with duty-holders at all relevant inspections. This follows on from the training provided to enforcement officers and the introduction of the Control of Asbestos Regulations (CAR) in 2006. After nearly 3 years of being in force, HSE now expects proactive enforcement to be used to achieve compliance with regulation 4 within the Enforcement Management Model guidelines. Revised versions of HSE's asbestos enforcement guidance (LAC X, the DTM Inspection Pack & HSE's OC265/50) will be placed on the Extranet (?) in the near future. HSE's Asbestos Licensing Unit (ALU) is working on a CD that will contain the CAR 2006 slides and the revised reg 4 enforcement guidance – date to be confirmed.

### **Duty-holder DTM seminar**

Standard Life Investments and their consultants ARK Workplace Risk Ltd are hosting a seminar for large-scale DTM duty-holders in the retail, financial and property sectors at the Guildhall, London on 10 May 2007. HSE speakers will be describing what good asbestos management should look like with senior HSE managers providing keynote speeches. An industry led DTM case study will be presented by ARK consultants. A representative of one of the London Local Authorities will be present to help answer questions from delegates. A list of delegates will be available from Liz Standen at ALU after 10 May if you wish to check the attendance of any of your key stakeholders/duty-holders.

### **For further information, please contact:**

Liz Standen  
Tel: 01224-252514  
Email: [liz.standen@hse.gsi.gov.uk](mailto:liz.standen@hse.gsi.gov.uk)

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### **Asbestos Training DVD for Local Authority (LA) Inspectors**

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The Health and Safety Laboratory (HSL) has produced a DVD providing LA inspectors with a refresher and reference tool in ensuring safety during asbestos removal. Many LA inspectors receive infrequent notifications of this work and training courses, equivalent to that available to HSE inspectors, are not widely-available.

The DVD follows the progress of a notification from arrival of the paperwork on the inspector's desk, through assessment of the method statement, site visits to stripping operations and details of the final clearance procedure. It explains the enforcement expectations and gives details of the reference material that inspectors may need to use.

Asbestos is the greatest single cause of work related deaths in the UK and Asbestos-related enforcement was identified as a key area for further update training by a training needs survey conducted in 2005-6 by the south west's Forum for Regional Excellence in Safety & Health.

The format and content of the DVD was planned by a project team consisting of members from HSL, Andy Netherton (SW Partnership Liaison Officer), Heather Clarke (Senior EHO, Bristol City Council) and Ray Cooke (Partnership Manager, Midlands). The DVDs are being distributed by Partnership Managers over the next few weeks.

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### **New 3-way LAPS launched between Boston Borough Council, British Frozen Foods Federation and HSE**

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The British Frozen Food Federation (BFFF) has formed a unique partnership agreement with the Health and Safety Executive (HSE) in the Midlands and Boston Borough Council in Lincolnshire. This partnership is part of the Lead Authority Partnership scheme (LAPS) and is the first three-way agreement in the UK between HSE, an LA and a trade association.

We have formed this unique partnership agreement to include both the LA and the HSE due to the diversity of BFFF's membership profile. BFFF members are involved with LAs, HSE or even both enforcing authorities for health and safety depending on their individual business profile.

For contact details see [LAPS database on HSElex](#)

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### **Research into Welsh Smoking Ban**

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A colleague from Blaenau-Gwent County Borough Council is undertaking some research into the effect of the Welsh Smoking Ban. Approximately 40 volunteers, who are non-smoking bar staff/landlords in licensed premises have been recruited from the region and saliva samples will be taken just prior to the implementation of the Smoking Ban. These samples will be tested for the presence of Cotinine, a metabolite of nicotine.

The collection of saliva samples and testing will be repeated in approximately 8 weeks and the difference in exposure measured.

Information concerning planning/undertaking the study, ethical approval, laboratory selection etc may be of use to English colleagues prior to the implementation of the Smoking Ban in July.

For further information, please contact:

Gareth J Jones, Specialist Environmental Health Officer  
Tel: 01495 355964  
Email: [gareth.j.jones@blaenau-gwent.gov.uk](mailto:gareth.j.jones@blaenau-gwent.gov.uk)

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### DVD for local councillors

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At last December's partnership conference, a DVD was shown highlighting the issues in the HSE/LACORS booklet 'Local authority health and safety in Great Britain: Councillors' Handbook.

- The DVD, introduced by HSC Commissioner Sandy Blair, shows the essential role and contribution that local councils can make to improving health and safety standards in the workplace. Their contribution to health and safety initiatives is vital and can make a real contribution towards the objectives of the authority, helping support their key priorities.

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The purpose of the DVD is to demonstrate the impact health and safety regulation activity can have on local authorities' key aims and priorities. In particular, links are made to the Local Government White Paper 'Strong and Prosperous Communities' which sets a vision for local government.

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The DVD is around 7 minutes long and is also available in CD format for use with a PC.

The DVD presents key information for local councillors to support them in making resource decisions for their communities and can be used by LA managers to initiate debate on health and safety regulation, with supporting information being available through the Councillors' Handbook.

[HSE's Partnership Managers](#) have a limited number of copies of the DVD/CD and Handbook for distribution at member events etc. but please contact them if you'd like one for your councillor. The Handbook is also available for [download here](#).

Heather Swinnerton  
Tel: 02920 263121  
Email: [heather.swinnerton@hse.gsi.gov.uk](mailto:heather.swinnerton@hse.gsi.gov.uk)

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## LEGISLATION

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### Construction (Design & Management) Regulations 2007

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The revised Construction (Design & Management) Regulations (CDM) are due to come into force on 6 April 2007. The revised regulations will incorporate the provisions of both CDM and the Construction (Health, Safety and Welfare) Regulations 1996 (CHSW) into one set of regulations. The key aim of the revision is: **To reduce construction accidents and ill health.**

Whilst the on-site safety requirements are almost unchanged, there are some significant changes to CDM. The most fundamental changes are:

- Some explicit duties on construction clients so that they can have greater influence over the health and safety standards of their project.
- To replace the role of Planning Supervisor with a new role of CDM Co-ordinator. The Co-ordinator will be empowered by the client, and will act as the client's key advisor for effective communication and co-ordination of health and safety information.
- To emphasise the importance of competence at all levels in securing health and safety benefits, whilst simplifying the assessment of competence.
- To drive out needless paperwork and bureaucracy that had become associated with CDM 1994. Paperwork should be project-specific, relevant, proportionate to the risk, and of real use in helping to manage the risk. If not, it is not required.

- Simplification of when a project is notifiable. Projects will be notifiable if they will last more than 30 days or 500 person days. No projects for a domestic client will be notifiable.

Local authorities will also now have the ability to enforce all of the CDM 2007 regulations in relation to activities where they are the enforcing authority.

Further Information can be found on the [construction pages](#) of the HSE Website.

“Managing Health and Safety in Construction” Approved Code of Practice. L144 ISBN 978-0-7176-6223-4 (HSE Books)

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### NEW GUIDANCE

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#### **New material published on the HSE website/Local Authority Unit section of the HSE website**

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The following material has recently been published on the HSE Website/Local Authority Unit section of the HSE website:

- Safety and health practitioner awards 2007  
<http://www.hsenews.com/2007/02/20/safety-and-health-practitioner-awards-2007/>
- Health services website updated  
<http://www.hsenews.com/2007/02/26/health-services-website-updated/>
- Stone flooring slip characteristics study  
<http://www.hsenews.com/2007/02/28/stone-flooring-slip-characteristics-study-rr529/>
- Partners for better health at work newsletter  
<http://www.hsenews.com/2007/03/01/partners-for-better-health-at-work-newsletter/>
- New and expectant mothers  
<http://www.hse.gov.uk/mothers/index.htm>
- Work related dermatitis  
<http://www.hsenews.com/2007/03/06/work-related-dermatitis-its-in-your-hands/>
- Slips and trips in the cleaning industry  
<http://www.hsenews.com/2007/03/12/slips-and-trips-in-the-cleaning-industry/>
- Health surveillance for occupational asthma  
<http://www.hsenews.com/2007/03/13/health-surveillance-for-occupational-asthma/>
- Preventing contact dermatitis at work  
<http://www.hsenews.com/2007/03/14/preventing-contact-dermatitis-at-work/>
- Workplace health connect  
<http://www.hsenews.com/2007/03/16/workplace-health-connect/>
- BOHS student bursary scheme  
<http://www.hsenews.com/2007/03/26/bohs-student-bursary-scheme/>
- LAC 50/18 - Guidelines on the supplementary tests of in-service lifts  
<http://www.hse.gov.uk/lau/lacs/50-18.htm>
- LAC85/13 - Moving Goods Safety 3 2007/08  
<http://www.hse.gov.uk/lau/lacs/85-13.htm>
- LAC 77/5 - Preventing slips and trips in kitchens within catering  
<http://www.hse.gov.uk/lau/lacs/77-5.htm>
- LAC 77/1 (Revised) - Pedestrian slipping risks - A new slips assessment tool for use by HSE and Local Authority Field Staff and by other Duty Holders  
<http://www.hse.gov.uk/lau/lacs/77-1.htm>

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### Diversity

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The Disability Rights Commission and the Health and Safety Commission have agreed a [joint statement on the overarching principles of health and safety management and disability](#)

[in the workplace](#). It is intended to promote a positive and sensible approach to risk management, encouraging the inclusion of disabled people in the workplace. The Disability Rights Commission and HSE are developing practical guidance on health and safety risk assessment and disability at work. Publication is scheduled for autumn 2007. The External Diversity Team is currently working with OPSD and Solicitor's Office to ensure it fits with regulator needs.

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### Withdrawn Local Authority Circulars (LACs)

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The following Local Authority Circulars (LACs) have been withdrawn from the LAU pages of the HSE website. These circulars have been withdrawn because they were no longer current.

5/2	Asbestos Removal
6/1 rev 1.0	Blue- Green Algae
22/15	HSC's Enforcement Policy Statement, Revised January 2002
37/7	The Chemicals (Hazard Information & Packaging for supply) Regulations 1994 (as amended)
40/1	Complaints about enforcement of Health and Safety law: HELA request to all Las for an annual return of information (2002)
40/5	HELA Strategic Plan 2001-2004
41/2 rev	Health and Safety Information for Employees Regulations 1989 revised statutory "Health & Safety Law!" poster and leaflet
41/3	The safe working and use of Water Jetting in drains and sewers
63/2	The relationship between The Safety of Sports Grounds Act 1979 (as amended by The Fire Safety and Safety of Places of Sports Act 1987) and The Health and Safety at Work Etc. Act 1974
63/3	The Disability Discrimination Act 1995
63/4 rev	The Working Time Regulations 1998
63/5	The Human Rights Act 1998 : Interim Guidance
63/6	Limited Liability Partnerships
64/2	Timber Treatment Code of Practice
64/4	Local Environmental Risk Assessments for Pesticides (LERAPs)
64/6	The Pesticides Incidents Appraisal Panel
64/7	The Pesticides Act 1998, Additional Powers and new Warrants for Inspectors
65/35	Lead Authority Partnership Scheme: London Fire and Emergency Planning Authority and Texaco Ltd
66/1	British Standard 470: 1984 specification for Inspection, Access and Entry Opening for Pressure Vessels
66/4	Pressure Systems and Transportable Gas Containers Regulations 1989. Application of Regulation 8 (written schemes of examination ) to portable oxy-fuel/gas welding equipment
67/1	Advice to Local Authorities on Inspection Programmes and an Inspection Rating System

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### GOOD PRACTICE

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### Display Screen Equipment (DSE) Forum

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This forum is a place where Local Authorities and HSE can exchange information about DSE compliance issues. In the past it has contained details of relevant LA initiatives on DSE, notifications of forthcoming events, and descriptions of revised guidance and other sources of information. It has also discussed emerging issues and even breaking news. Although there is nothing specific to report in this issue please watch this space for future developments.

Next month there will be a discussion of the answers to the quiz questions set in the February issue.

If you have any comments, questions or issues you think this forum should address please contact:

Lisa Jewell  
Tel: 0207-717-6053  
Email: [lisa.jewell@hse.gsi.gov.uk](mailto:lisa.jewell@hse.gsi.gov.uk)

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