

Welcome the Safety2Business Ltd News Letter

Brought to you by Safety2Business (S2B), this monthly newsletter is aimed at keeping you informed of existing S2B service offerings, forthcoming legislation, Health & Safety Executive activities, Health & Safety initiatives as well as a variety of informative articles on issues that will affect your business.

As successful risk management consultants, we continually strive to improve our service offering to new and existing clients. We have therefore launched a range of extended services which we feel will be of real benefit to your business from a financial perspective including employment law consultancy, which many businesses are finding invaluable in the current economic climate.

We welcome any feedback you may have about our newsletters to allow us to develop them further over the next few months. We encourage you to contact us with any health and safety, risk management, employment law queries you may have.

IOSH Managing Safely Training

Safety2Business are holding an IOSH Managing Safely Course on 18th August 2009, one day per week for four consecutive weeks.

This comprehensive course will enable anyone who manages risks and resources to review their systems and introduce practical controls to improve health and safety.

This approach will help to reduce sickness and absenteeism, improve the productivity of the workforce and the quality of the product or service, and reduce costs such as healthcare, insurance premiums and compensation claims.

Breaking News

CPS brings first corporate manslaughter charge.

The Crown Prosecution Service (CPS) has announced it is bringing the first ever charge under the Corporate Manslaughter and Corporate Homicide Act 2007.

On 23rd April 2009, the CPS authorised a charge of corporate manslaughter against Gloucestershire-based Cotswold Geotechnical Holdings over the death of 27-year-old employee Alexander Wright.

Wright, a junior geologist, was killed in September 2008 when the sides of the pit in which he'd been collecting soil samples collapsed and crushed him. The pit had been excavated as part of a survey at a site in Stroud.

As well as corporate manslaughter, Cotswold Geotechnical Holdings has been charged with breaching Section 33 of the Health and Safety at Work Act (HSW Act).

Company director Peter Eaton has been charged with gross negligence manslaughter and with breaching Section 37 of the Health and Safety at Work Act, which states that where a company's offence is committed with the consent, or due to the connivance or neglect, of a director, the director will also be guilty of that offence.

Eaton will appear before Stroud magistrates on 17th June to face charges as an individual and on the company's behalf.

Kate Leonard, reviewing lawyer at the CPS Special Crime Division, said: "Under the Corporate Manslaughter and Corporate Homicide Act 2007 an organisation is guilty of corporate manslaughter if the way in which its activities are managed or organised causes a death and amounts to a gross breach of duty of care to the person who died.

"A substantial part of the breach must have been in the way activities were organised by senior management... I have concluded that there is sufficient evidence for a realistic prospect of conviction for this offence."

The penalty for a conviction under corporate manslaughter is an unlimited fine for the organisation, while a conviction for gross negligence manslaughter carries a maximum sentence of life imprisonment for the individual.

Fire Safety in your Workplace

Under the Regulatory Reform (Fire Safety) Order 2005, it is a legal requirement for a responsible person at all community, industrial and business premises to complete a fire risk assessment, to implement appropriate fire precautionary and protection measures, and to maintain a fire management plan.

Not having a fire safety management system in place can lead to prosecutions under the Regulatory Reform (Fire Safety) Order 2005;

“On Wednesday 30th July 2008 Lancashire Fire and Rescue Service prosecuted Shuaib Aram Peracha the secretary of Retson Ltd who operated the New Central Hotel, in Blackpool, at the Blackpool Magistrates Court for 8 offences under the Regulatory Reform (Fire Safety) Order 2005... The Magistrates decided to deal with what they considered the two worst offences (failing to comply with an enforcement notice, and failing to provide a risk assessment) as specimen offences and awarded fines of £3,300.00 for both offences, with £1,928.00 full costs awarded to Lancashire Combined Fire Authority, a total of £8,543.00.” (www.taysidefire.gov.uk 14.04.09)

Not having a Fire Risk Assessment and Fire Safety Management System can also have a detrimental affect on your insurance cover, and affect future insurance premiums.

Safety2Business have extensive experience in fire safety management, and can provide a comprehensive fire safety management solution, compliant with the regulations, whilst tailored to your organisations needs, for further information please contact 0161 320 2020.

Management of Asbestos at Work

Asbestos is a natural fibre used extensively in construction materials up until the 1980's. It can be found numerous places in the workplace, and can be hard to identify. The Control of Asbestos Regulation 2006 came into force in November 2006, covering the prohibition of the use of asbestos, the control of asbestos at work and asbestos licensing.

The Asbestos Regulations include a 'duty to manage asbestos' in non-domestic premises. This includes the completion of an Asbestos Survey, Asbestos Management Plan and Training for anyone liable to be exposed to the asbestos fibres.

Safety 2 Business employ fully qualified safety consultants who are trained to carry out asbestos surveys, and can put into place a bespoke asbestos management plan, tailored to your organisations requirements.

Ask the Expert

All Safety2Business Clients have access to the Ask the Expert Facility. An online, 24 hour response line for health, safety and employment law enquiries.

For further information on how to become a Safety2Business Client, please contact 0161 3202020.

