

Health and Safety

Bulletin Remote working

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Approximately 50% of workers in the EU are now “distributed” or “remote” workers – people who spend a good proportion of their working week away from a main office or location. This is likely to increase, with the introduction of agile working practices – where organisations allow workers to work where, when and how they choose. The proponents of agile working suggest it has advantages to the employer (e.g. workers more responsive, allowing the organisation they work for to be more efficient and effective, which ultimately improves business performance and increases customer satisfaction) and for the workers (e.g. reduces travel time, improves work life balance).

However, as with all new working practices, legal responsibilities for the health and safety of workers remain with the employer and need to be managed.

What additional risks are associated with remote working?

- workplace – managers have less control over the choice of workplace and/or the maintenance of the workplace, especially if someone is working from home
- display screen equipment – remote workers may not have the same opportunity to access suitable workstations (e.g. if they work from home) or adjust workstations they are provided with in a “hot desking” environment
- manual handling – someone working remotely may not have other colleagues on hand to help them carry out manual handling or may not have access to shared mechanical aids (such as trolleys)
- violence and aggression – remote workers may be at higher risk because they are working alone
- driving – remote workers who drive may feel pressured to drive long distances in one day, carry out a day’s work and then drive home. This can lead to fatigue and increase the risk of road accidents

What risk controls should an organisation have in place to manage the H&S aspects of remote working?

Initially it is important to specify the scope of remote working activities and this can then be developed into a risk assessment. This should allow the control measures required to manage the risks to be identified – these are likely to include

- Development of policies and procedures – to ensure remote workers understand the range of activities they are authorized to carry out while remote working and the responsibilities they have to minimize the risks
- Provision of deterrents against violence and aggression – for example body worn cameras (BWCs). The use of data from these devices must comply with the General Data Protection Regulations
- Giving remote workers suitable training, for example, in carrying out dynamic risk assessments, conflict management and in the use of the buddying systems/equipment provided to monitor their activities
- Providing equipment to raise the alarm in the event of an incident – this may include panic buttons or emergency alarms. This equipment must be specified to reflect the outcome required, such as a loud noise to deter an aggressor or a system that connects them to a remote monitoring service

Conclusion

With the increasing use of remote workers in all types of organisations, employers must recognise the need to manage the risk systematically.

Recently issued/revised health and safety information:

- Driven to Distraction Interactive Game for people who have to drive for work <https://shop.brake.org.uk/collections/flets-and-employers-working-name/products/driven-to-distraction>
- ESIG Guidance on gloves used for handling solvents https://www.esig.org/wp-content/uploads/2018/03/BPG_gloves-when-working-EN-web.pdf
- Supporting mental health at work <https://www.cipd.co.uk/knowledge/culture/well-being/mental-health-support-report>
- TUC biennial survey of safety representatives <https://www.tuc.org.uk/research-analysis/reports/focus-health-and-safety>
- HSE's bouncy castle safety advice <http://www.hse.gov.uk/entertainment/bouncy-castles-safety-advice.htm>

Results of Fire and Rescue audit published

Recently, several of Clwyd Associates customers have been contacted by their local Fire and Rescue Service (FRS) so that they can arrange visits to site and review their fire risk assessment.

However, the results of an audit published by her majesty's inspector of fire and rescue services focused on 14 of the 42 of the FRS and found that

- There has been a 42% decline in the number of

fire safety audits in England since 2010/11

- Only 82 breaches of the Regulatory Reform (Fire Safety) Order led to prosecution

The report also found that eight services audited required improvement in the way they protect the public through the regulation of fire safety, and one service was inadequate in this area. Many of the protection teams interviewed stated they

were understaffed and under-resourced and explained they are struggling to recruit, train and retain staff with the specialist skills they need to carry out the more complex technical work.

The report is available at <https://www.justiceinspectorate.gov.uk/hmicfrs/wp-content/uploads/fire-and-rescue-service-inspections-2018-19.pdf>

Case Law update

This issue focuses on cases associated with lone working

Barnet Homes Ltd was successfully prosecuted by the HSE after an employee was found dead at the foot of a scaffold. The worker had been in charge of the Grahame Park Estate boiler house for 21 years. He had lone worker status and had checked in with his supervisor before going to the communal boiler room to repair a leak. The following day, his supervisor realised that no message had been received from the worker checking out after the previous day's shift. When attempts to contact him by phone were fruitless, staff at the housing estate office were alerted. They failed to find him at home and the search then turned to the boiler room, where his body

was found. Barnet Homes were fined **£37,000** and ordered to pay **£75,000** in costs.

A lone worker lost his life whilst decanting liquid nitrogen which he was using to freeze blood samples for transport. The HSE's investigation found the local exhaust ventilation (LEV) provided to extract dangerous substances, such as liquid nitrogen, had been switched off allowing the nitrogen to fill the atmosphere in the room. **Chelsea & Westminster NHS Trust** pleaded guilty to breaching the Health and Safety at Work etc. Act 1974 and were fined **£80,000** with costs of **£23,069.19**

South West Water Ltd pleaded guilty of breaching the Health and Safety at Work Act 1974 and was

fined **£1.8million** and ordered to pay costs of **£41,607.71** following the drowning of an employee. The worker was last seen on the top of a sand filtration unit several hours before he was found by his colleague who was responding to the lone worker system. An investigation by the HSE found the company failed to identify the risk of drowning during the maintenance activity which was undertaken by the worker and his colleagues on a regular basis. The HSE Inspector who handled the case commented "This worker was exposed to the risk of drowning which could have been easily been controlled if the task had been properly planned and simple measures adopted earlier"

About Clwyd Associates...

We are a management consultancy, focusing on health and safety and SAP based in the Midlands.

We employ consultants with at least 15 years practical experience backed up by recognised professional and academic qualifications - ensuring our clients receive first class service.

HSE Inspection initiatives

HSE has announced two inspection initiatives for the beginning of the year.

Both initiatives are an extension of the HSE's Go Home Healthy campaign which has a strong focus on not just workplace safety but also takes into consideration the issue of ill health in the workplace.

Food manufacturing
HSE will be inspecting food manufacturers between January and March 2019. The inspections

will focus on the controls to protect workers from occupational asthma due to exposure to flour dust, and from musculoskeletal disorders (MSDs) from lifting, carrying and repetitive handling tasks.

Construction
During January and February, the Health and Safety Executive (HSE) will be undertaking a new construction inspection initiative with the aim of improving the protection of employees from occupational lung disease.



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