

Health and Safety

Bulletin

Noise

Articles in this newsletter:

- Noise
- Time to Talk
- Case Law update – noise
- Do exercise balls make good office chairs?

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Noise is a health issue that has not gone away. The HSE estimates (based on Labour Force Survey data) that 14,000 workers had work-related hearing problems between 2018/19 to 2020/21. 1,125 cases of occupational deafness were identified under the Industrial Injuries Disablement Benefit (IIDB) scheme between 2010 and 2019, with only five of those cases involving female workers (this is thought to be because of the job eligibility criteria). EU-OSHA estimates that one-third of the workforce is exposed to hazardous level of noise at least a quarter of the time – mainly in manufacturing, construction and mining.

Current legislation

The current requirements are detailed in the Control of Noise at Work Regulations – this is supported by L108 the Guidance on the Regulations (available free to download from <https://www.hse.gov.uk/pubns/books/l108.htm>), which was updated and re-issued in 2021 to reflect changes in legislation, technical advances and experience.

Noise risk assessment

The most significant duty employers have under the regulations is to carry out a noise assessment where there is a risk that employees will be exposed to noise levels above the lower exposure action level (80dB) – the HSE has provided guidance on how employers can identify if a risk assessment is required.

Test	Probable noise level	Noise assessment required if noise is like this for more than:
The noise is intrusive but normal conversation is possible	80dB	6 hours
You have to raise your voice to talk to someone 2m away	85dB	2 hours
You have to raise your voice to talk to someone 1m away	90dB	45 minutes

Excerpt from L108

A noise risk assessment is more than a noise survey – it takes into account the level, type and duration of exposure, including any exposure to peak sound pressure and identifies the effect it may have on workers (especially those that may be particularly vulnerable). The significant findings of the risk assessment must be recorded in writing along with any action taken to reduce the risk of noise exposure.

Reducing noise exposure

Risk reduction should follow the normal hierarchy of control (e.g. elimination, substitution, engineering controls, safe systems of work, PPE), however hearing protection must be provided to any employee that requests it where exposure is above the lower exposure action level (80dB) and marked hearing protection zones must be implemented (for the mandatory use of hearing protection) where noise exceeds the upper exposure action value (85dB).

Consulting employees

Workers must be informed about noise risks where they are exposed to levels above the lower exposure action level (80dB) and they must be consulted about action to control exposure, including the selection of hearing protection.

All employees exposed to noise that may affect their health must be provided with audiometric testing – the guidance states that health surveillance should be provided to workers frequently exposed to noise above the upper action value. This surveillance should be used to check that the noise control measures are effective.

Conclusion

Noise at work can cause hearing loss that is often permanent (often people only notice the affects when they start to lose their hearing due ageing) or tinnitus (ringing, whistling, buzzing or humming in the ears) - a distressing condition which can lead to disturbed sleep. Hearing loss may also result in a worker having to take early retirement, which can have a psychological impact as the individual feels shame embarrassment and a lack of self-worth.

Hearing loss can also create additional risks - there is evidence that the risk of having an accident in the workplace increases – with normal hearing there is a 2.4% chance of having a workplace accident in a three-month timespan – with significant hearing loss this rises to 4.8%. Finally, there is also evidence it increases the risk of dementia – it is estimated that if work-related hearing loss was eliminated the number of people with dementia would decrease by 9%.

Recently issued/revised health and safety information:

- HSE COVID ventilation guidance <https://www.hse.gov.uk/coronavirus/equipment-and-machinery/index.htm>
- HSE's MSD signposting table https://books.hse.gov.uk/gempdf/MSD_Table.pdf
- HSE blog on handling change while avoiding stress <https://workright.campaign.gov.uk/blog-handle-change-avoid-stress/>
- EBRD guide on safe working in confined spaces <https://iosh.com/more/news-listing/iosh-supports-ebrd-safe-working-in-confined-spaces-good-practice-guide/>
- RoSPA fall fighter campaign <https://www.rospa.com/home-safety/advice/falls-prevention/fall-fighter>
- New Zealand Safepus – OHS assessment tool for SME's <https://online.safepus.nz/>

Time to talk

Thursday 3rd February is Time to Talk Day in 2022, run by the charities Mind and Rethink Mental Illness.

The aim of the day is to encourage members of communities (including workplace communities) to have mental health conversations – this year the focus is on listening rather than talking.

The campaign has a website

[Time to Talk Day](#), which contains a conversation starter packs to help people initiate the conversations – such as a conversation starter “pepper pot,” interactive bingo and a true or false quiz, as well as tips on how to have a mental health conversation.

There is a specific webpage with suggestions on how employers can initiate the Time to Talk activities at [Employers - Time To Talk Day](#)

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.

Case Law update

This issue focuses on cases that involved noise

Glamping Cocoon Limited, a woodworking company, were fined **£30,000** plus **£5,506** costs for failing to comply with improvement notices, one of which involved assessing the noise risk to employees. The HSE had tried to work with the company to support the improvements required but after two years finally prosecuted. A Director of the company was also fined **£2,640** with **£5,506** in costs

A furnishings manufacturer was prosecuted by the HSE for failing to carry out a suitable assessment of noise levels in their factory. The company had introduced new

machinery and an additional spray booth without assessing the noise level (which made the noise level 2-3 times higher than the maximum allowed). Additionally, they did not implement audiometric testing. The company were fined **£15,000** plus **£4,457** costs

A textile company were fined **£20,000** plus **£10,000** costs after a manager who was dismissed by the company fell ill due to chemical exposure and the HSE visited the site to investigate health risks associated with chemical exposure at the site. The investigation found that no health surveillance had been

implemented, even though there were high noise levels there

A manufacturer of kitchen worktops was prosecuted after they failed to comply with 5 improvement notices – one of which involved the failure to assess noise risks. The company never responded to any of the notices and although a company representative attended an interview under caution, no reasonable explanation was given for the continuing non-compliance. The company were fined **£10,000** and ordered to pay **£6,181.51** in costs.

Do exercise balls make good office chairs?

The idea of sitting on an exercise ball instead of a traditional office chair has often been promoted with the suggestion that the instability of the exercise ball requires the user to increase trunk muscle activation and thus increase core strength, improving posture and therefore decreasing discomfort. It has also been suggested that using an exercise ball burns more calories because the core is

engaged in keeping the user steady.

Unfortunately, the scientific evidence does not support these claims, instead it suggests there is: -

- no difference in the number of muscles used – 14 in both cases
- evidence they increase the risk of low back discomfort
- a greater potential for injury because the ball is unstable

In conclusion, the research states that the exercise balls were designed for exercise and that's what they should be used for. Most feedback suggests they actually increase the level of discomfort associated with sitting for long periods.

Anyone whose work requires them to sit should have an ergonomic office chair, to take short stretch breaks regularly throughout the day and go for walks during break times.



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