

Laying down

European directives are continuously forcing changes to UK legislation around health and safety. Brian Wall reports on what plant engineers and managers need to know

It was the activist Wendell Phillips who observed most pithily: 'Law is nothing, unless close behind it stands a warm, living public opinion'. On which note, perhaps the warmth necessary to encourage plant engineers and managers to embrace European health and safety directives constantly being despatched in their direction has now cooled.

Not that there isn't plenty of activity at home as well. Indeed, as part of the government's plans to reform Britain's health and safety framework, the Department for Work and Pensions' Minister for Employment Chris Grayling commissioned an independent review of health and safety legislation in March, chaired by Professor Ragnar Lofstedt.

Reducing the burden

In this case, however, the review will consider the opportunities for reducing the burden of health and safety legislation on UK businesses, while maintaining the progress made in improving health and safety outcomes. Throughout the consultation period, Lofstedt will be

gathering feedback from a range of stakeholders, including the British Safety Industry Federation (BSIF).

"The UK has long had a leading safety record worldwide and it would be a retrograde step for this position to be jeopardised," comments David

Lummis, chief executive officer at BSIF. "The current suite of health and safety legislation has been developed over many years to meet the ever-changing needs of society. BSIF agrees that reducing the burden of paperwork and overzealous legislation is an excellent aim.

"However, any possible weakening [of the legislation] or the omission of key sections may have unforeseen consequences and potentially diminish the importance of safety. As a federation, we strongly believe that the underlying strength of safety legislations needs to be maintained to protect workers' health."

The Löffstedt Review, due to be made public in October, will consider

opportunities for combining, simplifying or reducing the approximately 200 statutory instruments that are owned by the HSE, by learning lessons from health and safety regimes in other countries, and considering the extent to which regulations have: impacted on positive health and safety outcomes and businesses; led to unreasonable outcomes or inappropriate litigation



Visual tagging

With falls being such a common cause of fatal and major injuries to workers, it is imperative that access-related equipment be properly maintained and managed to avoid potential accidents, and the subsequent disruption and cost to any business.

"One solution is to implement an effective inspection and visual tagging system that can play a significant part in preventing these situations arising," says Chris Nix, UK sales manager at Scafftag. "Ongoing inspections and communicating the status of equipment are both key to working safely at height, and key to adhering to health and safety regulations."

Scafftag, inventor of the 'Scafftag' tagging system, has been working with and advising companies for many years regarding on-site safety and legal compliance with regulations. "Whilst a visual tagging system isn't a legal requirement, many engineers have recognised the benefits of using such a system and adopted it as a solution to aid the safety inspection process, which is a requirement under law," advises Nix.

"As a result, visual tagging is becoming more commonplace and workplace safety is improving," he says.

the law

and compensation; and unnecessarily enhanced the requirements of an EU directive.

Steve Pointer, head of health and safety policy at EEF (the Manufacturers' Organisation), believes the review is an opportunity to address the real issues on the basis of evidence, "rather than the knee-jerk response, based on supposition, that too often dogs health and safety".

At the same time, he points to one particular area that needs to be addressed, namely the way in which the European Commission "continues to see more legislation as the answer to all ills, without stopping to look at whether existing requirements are actually being implemented effectively".

Says Pointer: "This is not an easy problem to remedy; UK government cannot resolve it alone. But it is important that the review shines a light on the issue, and provides some independent evidence that can help a growing alliance of member states and MEPs change the commission's direction."

No drastic impact

Back to Europe then, and the Institution of Occupational Safety and Health (IOSH) is reassuring plant engineers and managers that upcoming changes from that direction shouldn't drastically alter the way they work. Richard Jones, head of policy and public affairs at the organisation, says, for example, that future European directives on musculoskeletal disorders (MSDs) and the risks that exposure to equipment emitting electromagnetic fields (EMF) presents shouldn't mean radical changes to well managed UK workplaces.

In evidence that IOSH recently submitted to Professor Löfstedt, some of the organisation's members suggested merging the laws on display screen equipment with those covering manual handling. In 2009, the European Commission called for the same. And now an EU directive, combining these two with wider coverage of MSD hazards and ergonomics at work, is expected to be proposed later this year.

"Measures protecting people from injury and ill-health related to manual handling, workstations and other musculoskeletal issues should already be part of health and safety management," states Jones. "For the vast majority of premises and processes, EMFs aren't an issue. However, those whose work generates high and potentially harmful EMF levels – such as resistance welding, induction or RF

dielectric heating – need to manage the risks they create."

And he continues: "Plant managers with equipment that generates high EMF levels will need to protect their staff by staying within the permitted limits of exposure, while using a combination of risk assessments, control measures,

Push for safer maintenance

It is estimated that between 25–30% of all manufacturing industry deaths in Britain result from maintenance activity. Common

causes of fatalities and major injuries include falls from height and failure to properly isolate machinery, so that it restarts while still being worked on.

Many of these incidents are entirely preventable and a new initiative has been launched to raise awareness among businesses and their workers, and to help them implement simple solutions.

The European Healthy Workplaces Campaign on Safe Maintenance 2010–2011, coordinated by the European Agency for Safety and Health at Work (EU-OSHA), is being taken forward in Britain by the HSE, along with organisations representing employers, workers and other interested bodies, including the Trades Union Congress (TUC) and EEF (the Manufacturers' Organisation).

"Maintenance work is often seen simply as a disruption to normal service, but it is fundamental to the integrity of every system, and to the health and safety of workers and the public," HSE chair Judith Hackitt (pictured above), told those present at a launch in London.

"Workers are often under pressure to complete jobs quickly, but there is no excuse for putting themselves and others in danger by taking shortcuts," she continued. "All organisations, irrespective of their size and purpose, need to take the opportunity to look at how they plan and manage maintenance to see if improvements could be made. With planning and the right skills, it can be done efficiently, and will lead to increased production and better service delivery."

For more information, visit: www.hse.gov.uk/safemaintenance

worker training, consultation and health surveillance – all part of good management practice."

To meet the requirements, IOSH urges plant operators to seek more information from their equipment manufacturers, while also using international guidance and standards.

In summary, there are some good and some poor regulations governing plant equipment. Not everything that comes into force is appropriate or helpful. To end with another quote: 'Everything that can be counted does not necessarily count; everything that counts cannot necessarily be counted.'... Albert Einstein. **PE**



Left top: David Lummis of BSIF

Left below: Richard Jones, policy and technical director, IOSH