



Hazardous Times

Greater Manchester Hazards Centre E-Newsletter

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Introduction

We have had a busy couple of months since our last newsletter. We have held two North West TUC and Greater Manchester Hazards Centre Safety Reps Network meetings in Liverpool and Manchester. We have also spoken at a number of events across the North West including TUC courses in Liverpool, Blackburn, Burnley and Halton and outside the region at Unite, BFAWU, ASLEF and Unison Health and Safety Conferences, IER conferences in London and Liverpool and both Hilda Palmer and John Bamford have delivered workshops and spoken at a NIPSA trade union health and safety training day in Northern Ireland. We have attended a number of conferences and events with our stand including the IER conferences, the Salford TUC week and the TUC equality conference.

There has been a development on the HSE board after a number of representations made from different organisations including the Hazards Campaign, the TUC and Trade Unions. The HSE have now agreed to advertise for another employee representative, which will bring the number up to two. This continues to be unsatisfactory, as there are still more employer representatives on the board than employee representatives and we will continue to campaign for genuine independent representatives such as FACK.

Preparation has begun on the Hazards Conference for next year and sponsorship forms are being circulated and the Conference form will be circulated in the new year.

Also, we have had a good response to our affiliation appeal, which enables us to continue to provide a free service to trade unionists and support for the families of those killed in workplace incidents. (email:mail@gmhzards.org.uk for more information)

During the European Health and Safety week we circulated a leaflet asking reps to carry out a workplace inspection on the Wednesday which was National Inspection Day. It would be great to hear from reps who have done this.

As 2016 comes to a close, we ask all reps to map their workplace, carry out inspections and organise campaigns around the issues that are of concern to their members, and hopefully we can all improve the health, safety and welfare in our workplaces.

**With best wishes,
For a Happy, Healthy and Safe New Year!**



John's News and Views:

Occupational Health providers update

The TUC has recently issued a couple of pieces of guidance on Occupational Health provision that are very useful. One enables you to check if the medical doctor providing services to the employer is appropriately qualified - for example, giving advice to the employer about a workers capacity to return to work, often an area of conflict with GP advice. <https://www.tuc.org.uk/workplace-issues/health-and-safety/sickness-absence/medical-referrals-employment-%E2%80%93-doctor>

The TUC has also published a briefing note on the accreditation of occupational health providers here <https://www.tuc.org.uk/node/125702>

The Faculty of Occupational Medicine developed and then, in 2005, published a set of accredited standards for the provision of occupational health, reviewed in 2015. The standards are known as SEQOHS - this stands for Safe, Effective, Quality, Occupational Health Service and is a set of standards and a voluntary accreditation scheme for occupational health services and occupational health physiotherapist practices.

SEQOHS accreditation is formal recognition that an occupational health service provider has demonstrated that it has the competence to deliver against the measures in the SEQOHS standards. Standard F covers the OH practitioners relationship with workers and covers things like seeking information and feedback, and consultation and involvement of workers AND their representatives.

There are 196 organisations fully accredited, and 207 currently working towards accreditation. Many providers are NHS trusts, and GMHC advice has always been to persuade employers to use public sector provision rather than private. Employers are required to consult with the unions over such appointments - OH is a service that helps the employer meet their statutory obligations and duties, required under Regulation 7 of the Management Regulations; so covered by the requirement on employers to consult with union reps under SRSC Regulation 4A(1)(b).

See more information about the standards, the standards themselves and for a list of accredited providers from their website

<https://www.seqohs.org/Default.aspx?PageId=66> Check your employers OH provider status. Our basic advice would be to demand your employer's supplier be an accredited organisation under these standards.

Occupational health provision has often been a contentious issue, and we've had a number of requests for advice and information about OH services over the years. This TUC advice and the standards themselves should help unions exercise some real influence over the provision.

Please pass this on to other reps and Branch officers in your workplace.

Some notes on work-related stress

Latest HSE figures for work related stress, depression and anxiety continue to represent a significant ill health problem for Britain's workers. HSE reports 488,000 cases for the year; 224 of these were new cases. Work related stress accounts for 37% of work related ill health and 45% of days lost, in 2015/16. The main occupations and industries reporting the highest rates of work related stress in the public sectors of the economy, including health, local authority and education. The HSE says that the numbers have not changed over the past 10 years. (See below)

The most common work factors cited as causes of work related stress are also consistent over time with workload, lack of managerial support and organisational change as the primary causative factors.

HSE Stress "summit"

HSE is promoting a stress summit in March 2017. It costs £425 a delegate, but if you apply before 6th January 2017 it will only cost £350! Unfortunately it only seems to be for employers, managers, HR practitioners and the like. That's a bit funny, because HSE always maintain that trade unions and workers are "stakeholders" in occupational health, safety and welfare, and are treated equally with employers. Perhaps that's no longer true; but it is the case that HSE is a regulatory and enforcement body responsible for ensuring the health, safety and welfare of workers against the depredations of employers, if nothing else.

I really don't want to go and listen to Professor Sir Cary Cooper explain the importance of getting stress management right, or understand the value of taking away expert advice, knowledge and experience from internationally renowned business experts, knowing instinctively that nothing is likely to change. If ever there was a case where expert advice is so consistently ignored, it is the case of work-related stress. The so-called "business case" has been around, and ignored, for too long now.

But it would be a grand day out, so I would strongly recommend that you ask your employers if they intend to send a senior manager and leader, an HR professional, senior H&S practitioner or Occupational Health practitioner (where not included with H&S professionals). You might want to ask if you could go too. It is a facility and assistance you reasonably require to undertake your safety rep functions, especially as so many of them relate to stress caused by work these days. There are opportunities for sponsorship and an exhibition too, so the whole thing sounds like a very commercial opportunity for HSE.

HSE has spent 12 years promoting their stress management standards and associated risk assessment toolkit. Their statistical arm after producing regular reports finds that they could detect little or no change since the management standards were introduced, See <http://www.hse.gov.uk/statistics/publications/illhealth.htm> That series has ceased publication now, so perhaps the lesson here is "If it doesn't work, forget about it".

<http://www.hsl.gov.uk/stress-summit>

Please let us know if anyone actually manages to persuade the employer to send you along.

When is enforcement not enforcement?

There is an ever decreasing picture of enforcement in the UK. As budgets are slashed, enforcement responsibilities are cut, regulations are undermined by cuts in proactive inspections, the HSE board tripartite arrangement was casually dropped and local authority inspectors are reduced, generalized and some privatized. No matter how good our regulations are, if there is no enforcement of them, then they are useless. Who benefits from this lack of enforcement? Unscrupulous, unsafe employers, who kill, injure or make their employees and the general population ill. There is every indication that the numbers of deaths, injuries and ill health because of work, are rising.

In his research 'Better Regulation, Better for Whom?', Professor Steve Tombs



interviewed Environmental Health Officers (EHOs) who were quoted as saying 'at present, we can't meet our statutory duties' and 'there is no padding left, we're below the statutory minimum....there are no areas of discretion left' and 'where we are now, we're at the point where worker safety is being jeopardised'.

In addition, in the research Professor Steve Tombs reports on the rationale for the Primary Authority scheme which enables businesses to 'form a statutory partnership with one local authority.

(*'Better Regulation': Better for whom? - Professor Steve Tombs*

www.crimeandjustice.org.uk/publications/better-regulation-better-whom)

Precarious Work and Vulnerable Workers

Many workers are working in workplaces that not only cause them to be ill or injured but it also means that they are unable to raise any unsafe or unjust working practices for fear of being dismissed or having future contracts stopped.

In a report from MPs Sports Direct has come under scrutiny as employees were going into work with life threatening conditions and having to call ambulances rather than take time off work ill, because their employer operated a 2 strikes and you are out absence policy. MP's called it no better than a 'Victorian workhouse'.

A recent Guardian report highlights the continuing practice of effectively paying below the minimum wage, as workers have to undergo searches at the end of their shift which is unpaid and 'harsh' deductions from their wages if they are a minute late. They also highlight 80% of workers in their warehouse are on zero hours contract, workers are harangued to work faster via tannoy, banned from wearing 802 separate clothing brands at work and working under a 6 strikes and you are out policy for excessive chatting, horseplay, sickness or errors.

<https://www.theguardian.com/business/2015/dec/09/how-sports-direct-effectively-pays-below-minimum-wage-pay>

There are many examples of unacceptable workplace conditions across the UK. Workers in call centres have some of the most draconian conditions, where they have to account for every minute of the day and there are maximum times allowed for taking a toilet break, leading to disciplinary action and dismissal, where they have taken more than the allotted time allowed. Drivers unable to use toilet facilities having to stop at the side of the road or in cardboard boxes in their vans and being disciplined. The use of toilets and toilet breaks must be a fundamental right at work. It must not be used to degrade or control workers. This sort of abuse will lead to workers with serious health conditions.

[http://www.unitetheunion.org/uploaded/documents/\(JN7023\)%20A4%20Time%20For%20a%20Loo%20Break%20Unite%20guidance11-23699.pdf](http://www.unitetheunion.org/uploaded/documents/(JN7023)%20A4%20Time%20For%20a%20Loo%20Break%20Unite%20guidance11-23699.pdf)

Workplace Issues and Concerns

One of the most interesting and enjoyable parts of working at Greater Manchester Hazards Centre, is discussing the issues, concerns and priorities of trade union representatives. It enables us to prioritise our campaigning work and to offer advice and support to trade union reps and members.





The TUC have recently produced their Health and Safety Reps Survey results, which again places stress at the top of the issues most affecting workers. It is the same on the TUC courses. Many workers experience excessive workloads, and are working under unacceptable pressures because of fear of redundancy, reorganization or workplaces moving. As we are now hearing on the news workers' pay has been static at best for a number of years, leading to reduced real pay when other costs rise. There are also bullying managers, deterioration of terms and conditions of employment and continuing downward spiral of employment rights such as sick pay, shift pay, bonuses and others which are not legal rights but part of workplace agreements.

Some other concerning reports we are aware of, include the lack of maintenance of buildings, near misses with lifts, items falling from unsafe windows, broken air conditioning units, ineffective face masks, and many other examples of unacceptable health, safety and welfare standards.

In October there was the European Health and Safety Week which included National Inspection day. It is essential we continue to challenge unsafe and unfair workplace conditions, safety reps have the right to conduct a workplace inspection every 3 months (SRSC Reg. 5(1): Guidance Paragraph 50. They can also inspect after a notifiable accident, dangerous occurrence, or notifiable disease (SRSC Reg. 6(1): Guidance Paragraphs 59-65). They can inspect after a substantial change in working conditions and after new information has become available from the HSE (SRSC Reg. 5(2)) Safety Reps can inspect relevant documents (SRSC Reg. 7: Code of Practice 66; Guidance paragraphs 67-69)

In addition Safety reps can report to management verbally and in writing, take up matters without delay and can keep their members informed. (TUC Hazards at Work page 14-15)

<https://www.tuc.org.uk/sites/default/files/BrownBook2015.pdf>

Fatigue

The TUC have produced a briefing on Fatigue at work and in the latest edition of the Hazards Magazine the centre page article is entitled 'Tired Out'.

https://www.tuc.org.uk/sites/default/files/Fatigue%20July%202016%20pdf.docx_0.pdf

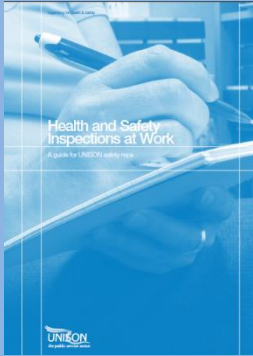
The guidance defines fatigue as mental and/or physical performance that results from prolonged exertion, sleep loss or disruption of the internal clock. It identifies that in the workplace, the main causes of fatigue include shift work duration, types of shift work and the sleeping disorders which are a consequence of these. In addition, sleeping disorders which develop because of stress from work.

Fatigue is a major problem for many employees and can lead to incidents with machinery or transport and can result in serious injuries and deaths. It is essential that where our members are at risk of fatigue then this is managed by our employers through risk assessment and risk management. The HSE have produced a 'fatigue risk index'. www.hse.gov.uk/research/rrhtm/rr446

Inspection, communication, risk assessment!!!

As a minimum, all safety reps should be carrying out four inspections annually. However, many reps carry out more. Progressive and reasonable employers value the input, enthusiasm and dedication of health and safety reps. They recognise that their expertise and skills, benefit the workplace in keeping members safe and healthy and lowering sickness costs.





Health and Safety reps, that carry out regular, specific and incident inspections are able to engage and communicate with their members. They will discuss these issues and concerns with their employers. They make a difference to improving the health, safety and welfare of their members. The TUC Hazards at work book contains a number of checklists, which can be used to conduct inspections.

<https://www.unison.org.uk/content/uploads/2013/06/On-line-Catalogue194653.pdf>

General checklist

Please adapt or amend this checklist to suit the circumstances of your workplace.

Asbestos

Have all areas containing asbestos been identified, marked and an up-to-date record kept? Yes No

Is all the asbestos in good condition/sealed in and monitored? Yes No

Has the risk of exposure to asbestos dust and fibres been assessed and an up-to-date written record kept? Yes No

Are there arrangements in place to inform contractors about asbestos within the building? Yes No

Is there a plan for specialist removal of asbestos where there is a risk of exposure? Yes No

Chemicals

Are all containers clearly labelled with contents, hazards warnings and the precautions to be taken? Yes No

Are there safety data sheets for all the chemicals used including cleaning materials? Yes No

Is training provided in the safe use of chemicals and on what to do in an emergency (spillage, poisoning, splashing etc.)? Yes No

Do staff have any complaints about possible symptoms of exposure? Yes No

Cleanliness

Are work surfaces, walls and floors kept tidy and regularly cleaned? Yes No

Electrical safety

Are all electrical equipment, fittings and tools regularly checked and maintained? Yes No

Are staff trained in their safe use? Yes No

Is there a procedure for reporting faulty equipment and for taking it out of use until repaired or replaced? Yes No

This is an example of a Unison checklist.

Hilda's Health and Safety Updates:

People power defeating Toxic Trade Deals



The people's campaign against trade deals that privilege investors (Capital) over citizens (Labour) are anti- democratic, intended to reduce social, environmental, labour rights and standards and protections in a race to the bottom, is winning! TPP the Trans Pacific Partnership between the USA and Pacific Countries has now run out of time to be signed as Obama chose not to push it during his lame duck period. TTIP, the Trans Atlantic Investment Partnership, between USA and EU has run into trouble in Europe due to effective campaigning, and has not been completed and signed as planned before Obama left office. Trump opposes TPP, TTIP etc but for very different reasons from the rest of us.

However, CETA, the Comprehensive Economic and Trade Agreement, between the EU and Canada was signed in October after hesitation in Austria and other countries plus dogged opposition from Wallonia, a region of Belgium.

CETA can act as a Trojan horse for US Corporations with subsidiaries in Canada to sue UK and other EU governments using the ICS system. This is a modified but not much improved form of Investor State Dispute Settlement kangaroo courts. This allows corporations to sue member states for current or proposed improvements in, for example, health and safety regulation or standards, or re-nationalisation, that interferes with their future profit making. Wallonia, has made it clear that it will not agree to CETA in its current form and wants the ICS clauses referred to the European Court of Justice.

The UK government has been forced to agree to a debate in Parliament on CETA after initially rejecting this. CETA needs backing from the European Parliament and that vote is expected in February 2017. Last week the employment committee voted 27-24 for a motion saying the 751-seat parliament should not give its approval to the deal, quoting studies that it could lead to 204,000 EU job losses. The European Parliament's trade committee is the lead body responsible for CETA, but before it holds a vote in January, other committees are also allowed to offer their opinions. The environment and foreign affairs committees are expected to give a view, with the latter expected to be in favour. We must keep up the campaigning to get MEPs to vote against CETA. Go to CETA Watch and use the tools to lobby UK MEPs: <https://stop-ttip.org/cetacheck/>

<http://www.gmb.org.uk/newsroom/stop-disastrous-ceta>

Night Shift and Breast cancer



The latest survey by the TUC shows a 9% increase in night shift workers, 275,000 (9%) between 2011 and 2016 to 3,135,000, now making up 1 in 8 employees (12%). The biggest increase is amongst women who now make up more than two-thirds (69%) of the growth in night-working over the past five years. Between 2011 and 2016 the number of women regularly doing night work increased by 190,000, while for men it increased by 86,000.

In 2007 the WHO International Agency for Research in Cancer, IARC, declared night work a 'probable' cause of breast cancer in women but the HSE has always wanted more evidence before acting.

In 2010 Dr. Rushton reported in her HSE-commissioned study "The Burden of Occupational Cancer", that an 'estimated 2,000 breast cancer cases and around 550 breast cancer deaths a year could be attributable to shift work, if such work does indeed cause this cancer'.

www.hse.gov.uk/research/rrpdf/rr595main.pdf

The HSE's reaction was to commission more research by academics at the University of Oxford for an extensive study on the relationship between shift work and chronic disease, with a focus on shift working patterns in relation to cancer and other chronic conditions in men and women.

This study has just been published. and the media have heralded the good news that 'Breast cancer risk is not increased by night shifts' and Cancer Research UK, which co-funded the study, said they hoped the conclusion 'reassures women who work nights'.

Great news? If true it would be but there is a great deal of concern about the quality of this study amongst scientists which suggest it is in fact 'bad science' based on poor selection of subjects and inaccurate analysis, so that the reassurance is false. Hazards Magazine's Rory O'Neill has written an extended critique of the research supported by a number of the top scientists in this field which shows this study should not be relied upon and that we must still fight for better protection for women who work night shifts of more than two nights a week for a long periods. See 'Graveyard shift' in the next issue of Hazards Magazine www.hazards.org

Families Against Corporate Killers - FACK

Sadly, we are always busy sitting with families in their darkest hour, helping them speak truth to power. We support advise, provide information and



advocacy throughout the investigation, Inquest and trial process. We ensure that families have 'equality of arms' with the employers in Inquests and throughout by getting them the help of experienced solicitors and barristers. In addition we also speak at conferences and events, enabling and empowering family members to tell their story, to speak out about the bombshell in the lives, the death of someone they loved due to the negligence of an employer. Joanne Hill has been bravely telling people how Cameron Minshull, her 16 year old son died:

<http://www.hazards.org/deadlybusiness/cameronminshull.htm>.

Louise Taggart, a founder member of FACK and now helping to run Scottish Hazards, regularly gives presentations to workers, managers and directors in workplaces such as the Docks and Crossrail, to health and safety officers at their professional conferences, and to trade unions, on the death of her brother. Michael was an electrician who was electrocuted at work due to massive safety failures. She tells Michael's Story to thousands of people every year: <http://www.michaels-story.net/>

Locally, we are working with the family of Ben Pallier who was killed at Vinyl Products in Disley in February 2015. He was driving a FLT over broken ground in poor lighting to go to the 'graveyard area' to pick up a pallet at 4am. When he didn't return, colleagues found the FLT had overturned crushing Ben's neck. On 12th December at Manchester Magistrates Court, the company pleaded guilty to one of two charges breaching Section 2 of the Health and Safety at Work Act but entered no plea for the charge of breaching Reg. 3 of Management of HSW Regulations. The case was referred to the Crown Court on 9th January 2017.

FACK is supporting the families of three of the men killed when the Didcot power station collapsed while being pre weakened ready for explosive demolition on 23rd February 2016: Ken Cresswell, John Shaw and Chris Huxtable. It took 6 months to recover their bodies from under 34,000 tonnes of metal, and the families have had an especially and uniquely traumatic experience. Currently the Police have primacy for the investigation and are working with the HSE and CPS under the Joint Protocol on Work-Related Death, to analyse all the metal, the documents, the health and safety systems in place, to work out what happened and why. Corporate Manslaughter and Gross Negligence Manslaughter charges are still possible if the evidence supports them. This investigation has a wider importance as there are another 20 power stations in the UK requiring demolition and the lessons must be learned to ensure this can be done safely. Never again must families see their loved ones killed through negligence and then left under thousands of tonnes of rubble for months on end, compounding and magnifying their agony and grief.

We supported Tracey Seward, the wife of Mark Seward, 49, who died in 2015 when he was hit by a missile but he wasn't a soldier, he was a factory worker, struck by flying metal while testing a hydraulic ram in a workshop with no protection. His widow Tracey, mum to 4-year-old Daisy, now campaigns for justice for those harmed by their jobs. Pin up the Hazards poster <http://www.hazards.org/gallery/goodgrief.htm> A recent Inquest returned a narrative conclusion and the prosecution of the company will take place next year.

FACK is supporting the mother and brother of John Atkin who died of septicaemia after being bitten by a dog while delivering disability aids to the house of a disabled woman. The HSE picked up the case late and is now examining the risk assessment systems of all the organisations involved and the Inquest is scheduled for February next year. The key issues concern risk assessments and communication of risk warning about dogs in homes to workers and also the first aid advice on puncture wounds. NHS advice is that

you should 'always seek medical advice if you've been bitten by an animal or person and the site has broken the skin'. This is because people and animals have a lot of bacteria in their mouths which can cause an infection if a bite breaks the skin and the bacteria get into the blood system:
<http://www.nhs.uk/Conditions/Bites-human-and-animal/pages/introduction.aspx> If dog bites are a risk in your work, it would be a good idea to review the workplace risk assessments and first aid advice and ensure that all dog bites that puncture the skin are referred to A&E as sepsis can develop rapidly and there is a short time period when treatment be effective.

Families Against Corporate Killers <http://www.fack.org.uk>

Greater Manchester Hazards Centre and other links:



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Our website needs to be revamped! – www.gmhazards.org.uk – if you have the skills or want to get involved in supporting us please contact us.

Other Links:

Facebook: We didn't Vote to Die at Work; Families Against Corporate Killers; Hazards Magazine

Twitter: @hazardscampaign; @HildaPalmer; @hazardsmagazine; @hazardseitor

HSE: www.hse.gov.uk

TUC Risks: <https://www.tuc.org.uk/workplace-issues/health-and-safety/risks-newsletter>

Breast Cancer campaigning organization for primary prevention: <http://www.frompinktoprevention.org/>

Cancer campaigning organization for prevention of environmental and occupational risk factors: <http://allianceforcancerprevention.org.uk/>

Greater Manchester Asbestos Victims Support Group: www.asbestos-victims-support.org

Hazards Magazine: www.hazards.org

Postcard link to the PM - <http://www.hazardscampaign.org.uk/postcard>