



South Cumbria &  
North Lancashire Branch

## Joint Zoom meeting 10<sup>th</sup> December 2020



South Cumbria Occupational  
Health & Safety Group

**Topic:** *HSE Update*

**Speakers:** Steven Boyd, Principal Inspector of Health and Safety, *Health and Safety Executive*, Carlisle

Gary McAteer, Chair, *South Cumbria & North Lancashire IOSH Branch*, welcomed members to the joint virtual meeting with *South Cumbria Occupational Health & Safety Group (SCOHS)*. He then introduced our speaker, Steven Boyd, Principal Inspector of Health and Safety, *Health and Safety Executive*, Carlisle

Steve said that he planned to cover three main topics during his presentation:

1. *HSE's 2020/2021 Workplan* focusing on: Covid-19, the Building Safety Regulator and the EU Transition
2. *HSE's 2021/2022 Workplan*
3. Matters of interest and recent notable health and safety cases in Cumbria and North Lancashire

Steve explained that at the beginning of 2020 (pre-Covid) *HSE* inspectors focused on high-risk workplaces and targeted health and safety inspection topics. The onset of the Covid-19 pandemic led to a change in priorities. From March onwards most inspections were designed to provide advice and guidance about implementing Covid-19 workplace regulations. He said that *HSE* also set up a temporary team was to ensure that imported PPE complied with the UK's PPE standards.

Steve said that Covid-19 site visits were undertaken:

- If concerns were raised by employees or members of the public about workplace Covid-19 practices.
- To ensure good compliance with Covid-19 regulations in schools.
- As a result of a spot-checking telephone system where unsatisfactory answers to questions about Covid-19 protocols were followed up with a site visit.

Steve explained that Covid-19 inspections covered four main areas:

1. Looking at Risk Assessments to ensure that they incorporated additional measures to reduce employees' risk of catching Covid-19, based on Government regulations.
2. Checking cleaning and hygiene arrangements.
3. Ensuring that social distancing was maintained or that appropriate measures had been put in place to inhibit the transmission of the Covid-19 virus where this was not possible.
4. Checking the validity of other workplace measures introduced to protect employees from the Covid-19 virus.

Steve said that generally there had been a good level of workplace compliance with Covid-19 requirements. He said that the main failings identified by inspectors were associated with:

- *Welfare provision* – inadequate handwashing and toilet facilities/protocols.
- *Cleaning* - inadequate cleaning procedures.
- *Monitoring* – inadequate supervision and lapses due to 'Covid-19 fatigue'.

As with all safety related policies Steve reminded members that successful implementation of Covid-19 control measures depended on a strategy of: Act → Plan → Do → Check.

He explained that Covid-19 infections were only RIDDOR reportable if employees, such as *NHS* workers and social care workers, were exposed to a known Covid-19 risk as part of their work. Or, if specific outbreaks, were attributable failings in workplace Covid-19 controls and protocols.

Steve then considered new legislation in the aftermath of the Grenfell fire. He explained that the draft *Building Safety Bill*, July 2020 provides for a *Building Safety Regulator* which will sit within the *Health and Safety Executive* and is likely to become law in 2021.

The *Building Safety Regulator* will have responsibility for:

“...(a) securing the safety of people in or about buildings in relation to risks arising from buildings, and (b) improving the standard of buildings...”

Responsibilities include providing practical advice and ensuring that appropriate risk assessments have been completed with provisions for:

- The safety of people, including residents, using higher-risk buildings, and
- Identifies people:
  - a) with safety responsibilities for high rise buildings (duty holders).
  - b) who are accountable for ensuring that appropriate safety measures are in place and that these are regularly reviewed. For example, safety managers.

The regulator will have wide-ranging duties and functions, including taking over the building control regime for higher-risk buildings, enforcing sanctions for non-compliance, improving the competence of those working on high rise buildings and overseeing the safety of high-rise buildings that are occupied.

The regulator will be self-funded from the fees and charges it will levy; the level of these fees will be set out in the regulations.

Steve then briefly considered how leaving the EU would affect UK's health and safety provision. He said that CE marking will be accepted until 2022 but that new products will need to be supplied with a *Declaration of Conformity Certificate*. Further details about these certificates can be found on *HSE's* web site. Steve also explained that chemical regulation will be independent, but similar to the *EU* regulations, and that there will be a series of podcasts on *HSE's* web site with up-to-date information on Brexit related topics.

Steve then explained that *HSE's* priority inspection topics for 2021 will continue to be based on a high-risk sector approach that includes: Covid-19 control measures, waste and recycling, food manufacture, healthcare and construction (wood dust silica dust, asbestos), alongside investigating serious workplace incidents and following up reports of unsafe workplace practices.

Steve then gave members an over-view of some of the most notable and avoidable health and safety problems encountered by *HSE* inspectors in Lancashire and Cumbria recently. He explained that agricultural fatalities continued to be a problem in spite of efforts by *HSE* inspectors to improve farm safety through educational programmes and inspections. He said that sadly, farm accidents/fatalities often involved children because the farm environment was both a workplace and home. Falls from height and/or use of quad bikes also still occurred regularly in the agricultural sector.

Steve explained that all the following examples of workplace accidents/incidents were avoidable and would not have occurred if appropriate safety measures had been in place:

1. *A high tip dumper overturn* – inadequate risk assessment – overturn on slope with pot holes, seat belt not worn, lack of training, inadequate supervision.
2. *Fork lift truck overturn* - inadequate risk assessment – poorly maintained vehicle, lack of training, inadequate supervision.

3. *Gas explosion* - inadequate risk assessment – gas not properly isolated, use of blow torch by unregistered gas engineer, worker wore gas registration clothing although not registered, *HSE* prohibited gas worker with a long history of offences.
4. *Unsafe waste disposal* - inadequate risk assessment – unsafe equipment, history of *HSE* breaches, firm's Director prosecuted and disqualified
5. *Unsafe spray booth for isocyanate paints* - inadequate risk assessment – firm's Director prosecuted.

Steve then fielded questions from members about *PPE* face fit testing, targeted and random *HSE* inspections and rules about wearing of safety helmets when driving quad bikes.

Gary thanked Steve for giving members such a wide ranging, worthwhile and informative presentation. He also expressed the hope that it would be possible to have a face-to-face *HSE* update meeting next year.

**Related UK Government and HSE web site links:**

HSE Covid-19 workplace guidance: [Making your workplace COVID-secure during the coronavirus pandemic \(hse.gov.uk\)](https://www.hse.gov.uk/covid-19/making-your-workplace-covid-secure-during-the-coronavirus-pandemic/)

Draft Building Safety Bill: [Draft Building Safety Bill - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/draft-building-safety-bill)

The Building Safety Bill explained: [The Building Safety Bill explained | Comment | Building](#)

UK conformity assessment: [Declaration of Conformity - Work equipment and machinery \(hse.gov.uk\)](https://www.hse.gov.uk/conformity/)

Health and safety changes resulting from Brexit: [The UK last left the EU - HSE](#)