MANAGING OCCUPATIONAL ROAD RISK

The Royal Society for the Prevention of Accidents (RoSPA) [www.rospa.com](http://www.rospa.com) has published a guide, designed to help organisations adopt a systematic management approach to reducing the risks that their workers face and create for others while they are at work on the road.

Organisations need to have a clear understanding of the risks involved when employees are driving for work-related purposes and ensure that they extend the arrangements which they should already have in place to deal with other aspects of health and safety to road safety performance.

According to the guide:

- car and van drivers who cover 25,000 miles each year as part of their job are likely to be at almost the same risk of being killed at work as those working in mining and quarrying;
- from 3,500 road accident fatalities every year, it is estimated that between 800 and 1,000 occur in accidents involving people who are at work at the time, compared to around 350 other notifiable fatal accidents per annum;
- HSE guidance states that employers have duties under health and safety laws to assess these risks and take ‘reasonably practicable’ steps to ensure ‘safe systems of work’;

- companies that take action to promote the safety of their staff whilst driving will achieve major cost savings, improve their image, and make a significant contribution to meeting UK road safety targets.

To ensure that an organisation has the capacity to address occupational road risk (ORR) systematically and to achieve a cycle of continuous performance improvement, they are advised to make sure that:

- clear corporate ORR goals and objectives are communicated throughout the organisation;
- key people are trained and made accountable for achieving such goals;
- there is a planned approach to reducing risk (informed by risk assessment and supported by standards, targets, and timescales);
- there is effective monitoring of both management and driver performance; and
- the organisation is committed to periodic performance review to feed back lessons learned and address weaknesses.

In addition to this nearly 70 organisations are behind a new website - [www.orsa.org.uk](http://www.orsa.org.uk) - which has been launched to raise awareness of work-related road safety and to encourage businesses to manage at work-road risk more effectively. The Occupational Road Safety Alliance site
has been developed with the support of the Department for Transport. It provides ORSA members and others in the road safety and occupational safety communities with access to up-to-the minute information and new developments about managing occupational road risk. ORSA brings together employers, trade unions, local authorities, police forces, safety organisations, and professional and trade associations which are determined to reduce work-related deaths and injuries on Britain's roads.

**OVERCROWDING**

Under Regulation 10 of the Workplace Health, Safety and Welfare Regulations, every workroom must have sufficient floor area, height, and unoccupied space to ensure health, safety and welfare.

The associated Approved Code of Practice (ACOP) requires enough space for people to move freely and easily to workstations and within rooms, with each room having a minimum of 11 cubic metres per person. Ceiling height is only counted up to a maximum of three metres for the purpose of this calculation. It is also noted that, as the bare minimum, 11 cubic metres may be insufficient depending on the room layout, furniture, etc. Employers must implement the ACOP and be able to demonstrate in their defence, if prosecuted, that they have either complied with it, or implemented the regulation in some other way.

Other relevant pieces of legislation, are the Health and Safety at Work Act and the Management of Health and Safety at Work Regulations, which require that risks be assessed and reasonably practicable steps taken to prevent or control any risks identified.

Safety representatives are advised to check that there are 11 cubic metres per person. When doing this calculation only count the room height up to the maximum of 3 metres (room: width x length x height (to 3m max.) ÷ number of persons). No one benefits from a 10 metre high room if at floor level the place is overcrowded. Even if there is 11 cubic metres per person remember that this is the bare minimum and may not be sufficient. Does furniture or work materials, etc. occupy most of the space? Does the room layout or shape mean that part of the room cannot be used?

Referring to the accident book in a workplace may indicate that there is insufficient space, or suggest incidents where people have walked into corners of desks or tripped over items. Speaking to workers or conducting a staff survey may also highlight evidence of overcrowding. Questions could address any accidents/near-misses caused by overcrowding, whether storage space is lacking, etc. Consideration should also be given as to whether any provisions of the Disability Discrimination Act apply.

If overcrowding is a problem, ask your employer for their risk assessment on the hazard, or get them to conduct one. It may be necessary to get the different types of work undertaken risk assessed separately, since the potential risks and solutions may vary dramatically depending on the nature of work.
HEALTH AND SAFETY COMMISSION’S STRATEGY FOR IMPROVING HEALTH AND SAFETY ON RAILWAYS 2002-2005 (UPDATED FOR 2004-2005)

The original Strategy was published in May 2002, which outlined the HSC’s broad priorities for regulating rail health and safety under five specific aims. Since the strategy was first published, a number of new institutions with a role in the health and safety system have emerged:

- Network Rail (NR) took over the management of the rail infrastructure in October 2002
- the Rail Accident Investigation Branch (RAIB) is being established as a new independent accident investigation body
- the Rail Safety and Standards Board (RSSB) was set up in April 2003 to provide health and safety leadership for the rail industry.

Additionally, arrangements for the ownership and management of the London Underground have fundamentally changed, and NR is in the process of bringing maintenance of the national mainline railway infrastructure in-house.

This update has been published to keep up with the changes and to give more detail about the work of the HSC during the final year of the Strategy. In particular, details are given about specific projects designed to deliver improvements following Lord Cullen’s recommendations.

Overall, the HSC aims to protect people’s health and safety by ensuring risks in the changing workplace are properly controlled. HM Railway Inspectorate (HMRI) and a team of policy advisers (HSE Rail) seek to improve rail health and safety for the benefit of staff and passengers through various regulatory activities. HMRI focuses on operational activity, such as assessing safety cases, whilst the policy teams are presently concerned with reviewing and developing regulations, developing policies, and representing the UK’s interests in Europe.

Statistics show that, on average, there is a major accident on Britain’s railways every 18 months, plus an annual toll of around 300 individual deaths of which around 270 are associated with trespass, suicide and level crossings. The HSC’s approach to taking forward a health and safety agenda is based on the use of risk assessment and reasonable practicability.

The Strategy for 2004-2005 sets out five specific aims that continue to guide HSC’s activities:

- revitalise health and safety performance on the railways through targeted action
- provide an effective, transparent and risk-based regulatory framework
- ensure the delivery of the improvements recommended in public inquiry reports
- influence and contribute to the wider strategies of other rail stakeholders to maximise the HSC’s collective contributions to rail health and safety
- shape the rail safety agenda in Europe so that it aligns as far as possible with UK structures and approaches.

The report discusses each of these aims in more detail, highlighting why
and how they will be achieved. Measures to assess the progress with each are also outlined.

Work on occupational health will target specific key areas such as the management of contractors, level crossings, track maintenance, track worker safety, assaults on staff, and vandalism and trespass.

The report is available from the HSE website at: www.hse.gov.uk/hsc/strail0405.pdf

MANUAL HANDLING - MANUAL HANDLING OPERATIONS REGULATIONS 1992 (AS AMENDED) - GUIDANCE ON REGULATIONS

The third edition of this HSE legal series publication provides detailed guidance on manual handling and aims to help employers; managers, safety representatives and employees across all industries reduce the risk of injury from manual handling.

The booklet describes how to comply with the Manual Handling Operations Regulations 1992 and this new edition has been produced in response to the changes made to the Health and Safety (Miscellaneous Amendments) Regulations 2002. The revised edition also brings the guidance up to date with improvements in knowledge of the risks from manual handling and how to avoid them.

The small change made to the Regulations in the 2002 amendment was to better integrate several factors from European Directive 90/269/EEC on the manual handling of loads into the Regulations. These factors are that a worker may be at risk if he or she:
- is physically unsuited to carry out the task
- is wearing unsuitable clothing, footwear or other personal effects
- does not have adequate or appropriate knowledge or training.

These factors are now included in regulation 4(3). This amendment does not impose any new duties on employers.

The Regulations are applicable to a wide range of manual handling activities involving the transportation or supporting of a load, including lifting, lowering, pushing, pulling, carrying or moving. The load may be inanimate (e.g. a box) or animate (e.g. a person).

The latest research into self-reported work-related illness estimated that 1.1 million people in Britain suffered from musculoskeletal disorders (MSDs) in 2001/02, including those caused by manual handling. These account for around half of all work-related ill health, leading to an estimated 12.3 million working days lost in that year.

Manual handling injuries are not confined to a narrow range of industries, nor is the problem confined to ‘industrial’ work, with manual handling accounting for over 39% of accidents in wholesale and retail distribution and 52% in health services.

Due to the scale of the problem, MSDs are one of the Health and Safety Commission’s priority programmes in its strategic plan. Employers, employees’ safety representatives and trade unions are advised to take steps
to comply with the Regulations and guidance; review risk assessments when necessary; encourage the early reporting of signs and symptoms; ensure cases of manual handling injuries are managed effectively; and consult and involve the workforce.

Risk factors in the development of MSDs include heavy manual labour, awkward postures, manual handling, and a previous or existing injury.

The ergonomic approach to preventing manual handling problems is important in removing or reducing the risk of manual handling injury. This approach considers manual handling as a whole, taking into account a range of relevant factors such as the nature of the task, the load, and the working environment. This approach is central to the European Directive on manual handling, and to the Regulations.

The Regulations should not be considered in isolation. Regulation 3(1) of the Management of Health and Safety at Work Regulations 1999 requires employers to undertake a suitable and sufficient assessment of the risks to health and safety to which their employees are exposed at work. Where this assessment identifies risks from manual handling operations then the requirements of these present Regulations should be followed. A clear hierarchy of measures is established by the Regulations:

- avoid hazardous manual handling operations so far as is reasonably practicable. This can be achieved by redesigning the task to avoid moving the load or by automating or mechanising the process
- make a suitable and sufficient assessment of any hazardous manual handling operations that cannot be avoided
- reduce the risk of injury from those operations so far as is reasonably practicable. Where possible, mechanical assistance should be provided, such as a sack trolley or hoist. Where this is not reasonably practicable, then changes to the task, the load and the working environment should be explored.

It is stressed that the Regulations set no specific requirements such as weight limits.

Where a manual handling operation cannot be avoided, employers must assess any risks to the health and safety of their employees. It is recognised that a full assessment of every manual handling operation could be a major undertaking. Consequently, Appendix 3 provides numerical guidelines to act as an initial filter. This enables identification of the operations that require detailed assessment and those that do not.

Clear advice is given on such points as: work away from the employer’s premises, automation or mechanisation; and assessment of risk, risk reduction and information of the load.

General advice is provided on manual handling risk assessment, including the use of generic manual handling assessments, the employees’ contribution, who should undertake the assessment, recording the assessment, and making a more detailed assessment.

General principles for reducing manual handling risks cover an ergonomic approach, mechanical assistance, and ‘appropriate steps’ (that is, steps that
Detailed advice on assessing and reducing the risks in manual handling is also provided, which includes providing training and information to employees.

The guide contains illustrations of common handling aids and of the various right and wrong ways of undertaking manual handling tasks. The appendices contain further information covering:

- principles of a successful risk control/management system for controlling risks from manual handling
- an overview of assessment of manual handling risks
- examples of assessment checklists for lifting and carrying and pushing and pulling
- manual handling assessment chart (MAC).

Copies of the Guidance can be purchased from the HSE via

www.hsebooks.com/Books/Default.asp?cookie%5Ftest=1
HSE Books, £8.95, ISBN 0 7176 2823 X

A twenty page ‘short’ guide to manual handling can be downloaded from the HSE at

www.hse.gov.uk/pubns/indg143.pdf

BULLYING

The Trade and Industry Secretary Patricia Hewitt recently announced a project to eradicate bullying and discrimination in the workplace. The Government is investing £1m to fund the biggest study yet into bullying at work and the results are likely to result in exclamations of concern from both employers and trade unions. Bullying was recently also the subject of a BBC series “Bullying – Britain’s Secret Shame”, which included a programme looking at bullying in the workplace.

Employers are required, as part of their obligation, to provide a safe place and system of work for all staff. As well as this the potential cost in terms of lost productivity, legal claims, and damage to businesses reputations of ignoring workplace bullying should be sufficient reason for employers to address the problem. An employer in breach of the duty of care may face claims in the civil courts as well as claims for constructive dismissal.

Part of the reason why bullying in the workplace remains widespread is that most people seem to believe that it happens elsewhere but not in their own place of work. Personnel workers will believe that what happens in the Finance office might amount to bullying whilst workers in the Sales office look towards the call centre for examples of bullying. What is bullying is normally subjective and hidden in phrases such as “strong management” or “constructive criticism”.

To address bullying in the workplace it is important for TSSA representatives to raise awareness of the issue amongst colleagues and to press their employers for an agreed bullying and harassment policy. This should clearly identify unacceptable behaviour, include procedures for dealing with such behaviour, be zero tolerant of such behaviour and be communicated to all workers.