

**From:** Phil Chambers at Strategic Safety Systems Ltd. [phil@strategicsafety.co.uk]  
**Sent:** 30 April 2013 11:30  
**To:** phil@strategicsafety.co.uk  
**Subject:** News and Legal Updates from Strategic Safety Systems Ltd.!



**Strategic Safety Systems Ltd. Newsletter**

**April 2013  
Issue 2**

Dear Philip,

Welcome to the second April edition of our newsletter. What we aim to do is to provide information which is of use to you and to let you know the activities in which we have been involved. We also aim to let you know of any incidents that have occurred in, and legislation that is related to, the areas in which we work. We realise that, with the broad spectrum of our activities, some may not be relevant to you but we hope you find the rest useful.

Whilst the intention of this newsletter is to be useful, we realise that most people are plagued by spam and should you wish to prevent future issues being sent to you, unsubscribe using the link at the bottom of the page.

Regards,

Philip Chambers  
Strategic Safety Systems Ltd.

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*Removal of strict liability to go ahead*

The House Of Lords has voted to overhaul the law that makes employers liable to pay compensation to injured employees if they have breached statutory health and safety duties. This overcomes the setback in October 2012.

The amendment to the Enterprise and Regulatory Reform Bill (ERRB) is intended to address the perception of a compensation culture and employers' fear of being sued that this is said to generate.

Whilst some have said that this is "a return to Victorian times", in principle it is to be welcomed. Whether or not there is actually a compensation culture, the perception is that it exists, and this drives some of the silly precautions that are taken. Tackling this problem will have far more of an effect than the recent pruning of 13 regulations. However, the devil will be in the detail of how this is implemented. Note that ERRB covers more than just the item discussed here, such as employment issues. See the link below to a useful Pinset Masons paper which includes these.

The bill received Royal Assent on 26th April. Details on timing are variable, some parts will be in June and some in October 2013.

- [See more detail and comment](#)
- [See details of 13 regulations](#)
- [See example of compensation culture case \(Employee sues for £1M for dropped earring\)](#)
- [See Pinset Masons paper](#)

*Proposed removal of disease reporting under RIDDOR dropped but now limited to 6*

The HSE had originally proposed that disease reporting be dropped, but this resulted in many objections. The proposal now is that:

1. Disease reporting is restricted to the 6 diseases listed (see below).
2. To avoid the complexity and ambiguity associated with current reporting requirements, the existing complex schedule of diseases mapped against specific occupations would be replaced by simpler, more general reporting requirements to capture all of those situations where a person's work has caused their illness:

eg. any new diagnosis of asthma, where the person's work involves significant or regular exposure to a known respiratory sensitiser.

Strategic Safety Systems welcomes this proposal (Proposal B in the HSE paper.) The revised requirements would address the majority of concerns raised in relation to the loss of valuable regulatory data, and the reduction of the existing complex and lengthy schedule would ease the capture of ill health data relating to existing, novel or altered processes.

[See more detail \(including list of 6 diseases\) and comments](#)

## F gases

Plan to replace F gases

Don't forget that refrigerants containing HCFCs must be replaced by 1st January 2015. This may seem a long time off, but now is the time to plan for this. Don't forget chillers as well as air conditioning units. See the handy list in the link below to find out which gases need to be replaced.

[See list of refrigerants.](#)

## Incidents and court cases

### Arm crushed in machine at powder coating company

An employee of a powder coatings company had his arm seriously injured in machinery. He had not received any formal information, instruction or training. The company was fined nearly £20,000.

[See details](#)

### Overridden interlocks cost company £116,000

Staples Disposables Ltd, a Lincolnshire firm which makes disposable paper products has been ordered to pay more than £116,000 in fines and costs after three workers suffered hand injuries using unguarded machines **in 3 separate accidents.**

[See details](#)

### Company fined £32,000 after safety devices were deliberately disabled

A recycling firm has been fined for putting workers' lives at risk after two machines at their Durham site were found to have vital safety mechanisms deliberately disabled.

[See details](#)

## Daily updates

Don't forget, there's lots of useful information that is highlighted typically daily on the SSS Twitter and Blog sites.

Follow us on [twitter](#)

Visit our [blog](#)

I hope you have found this information of interest. If you have any suggestions of other information you would like to see, please [contact me](#)

Regards,

Philip Chambers

Strategic Safety Systems Ltd.

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