

## Phil Chambers

**From:** phil@strategicsafety.co.uk on behalf of Phil Chambers at Strategic Safety Systems Ltd.  
[phil@strategicsafety.co.uk]  
**Sent:** 25 February 2014 10:31  
**To:** phil@strategicsafety.co.uk  
**Subject:** News and Legal Updates from Strategic Safety Systems Ltd.!



## Strategic Safety Systems Ltd. Newsletter

February 2014  
Issue 2

Dear Philip,

Welcome to the second February 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.

Regards,

Philip Chambers  
Strategic Safety Systems Ltd.

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## HSE Triennial Report published

The Department for Work and Pensions has published its independent review of the function, form and governance of the Health and Safety Executive (HSE). I'm sure that nobody is jumping up and down wanting to read this 110 page report, so I've done it for you.

Essentially, it recommends that the HSE remains essentially as it is to provide the following functions:

- Standard-setting and making regulations
- Enforcement
- Research
- Guidance and advice
- Ministerial advice

It is interesting to note that the report's writer is "very concerned at the strength of feeling from stakeholders that FFI (*see below*) has damaged HSE's reputation for acting impartially and independently, and thereby its integrity as a regulator. While few stakeholders disagreed with the principle of charging, concerns centred around two areas:

- Firstly, that FFI is a penalty or fine regime, but without any of the usual safeguards for such statutory schemes
- Secondly, that the introduction of FFI is linked to the need for HSE to fill the gap in its budget created by the reduction in government funding, creating the impression that HSE has an income target to achieve."

I guess it's a case of watching this space to see what happens. See the comments below.

[If you want to read the report, click this link.](#)

## Fees and fines

The Fees For Intervention (FFI) scheme that the HSE now follow is charged at £124/hour. SSS

understand that the HSE budget for an inspection + letter as incurring a charge of about £750 if fault is found. This rises to about £1500 for an inspection and enforcement, such as improvement or prohibition notices. These are not fines; they just look and smell like fines.

The budgets for this are:

- 1st year of FFI £31 million, of which the HSE keep £10 million.
- 2013/2014 £37 million, of which the HSE keep £17 million.
- 2014/2015 £39 million, of which the HSE keep £23 million.

The HSE June 2013 board paper stated that £2.6 million had been brought in in the first 6 months. So as a revenue earner, it is disappointing. Either the whole scheme will be dropped or the intensity of visits and likelihood of faults being found will increase. I suggest that the latter is almost certain, at least in the short term.

[See support services from SSS to help prevent FFI being charged to your company.](#)

## *Improvement notice contested*

It had to happen before long, but we've just had our first example where it seems that a problem was raised so that FFI could be charged. The improvement notice related to the lack of an isolation/lock-out procedure for a roll label printer. Lock-out is essential where a person puts themselves into a position of danger where start-up of the machine by someone who doesn't know he's there could cause injury. But there's no way you can hide on this type of machine. SSS are helping the company contest this.

[See SSS H&S support](#)

## *Incidents and court cases*

### **Pressure test using air instead of water causes horrific injury**

Filtration Service Engineering Ltd, a Worcestershire engineering firm has been fined £45,325 (inc. costs) on 20 February 2014 after a worker lost both his legs in a factory blast.

[See details](#)

### **Removed guarding causes broken arm**

One of the country's largest plastic recycling plants, MBA Polymers UK Ltd, in north Nottinghamshire, has been fined £10,851 (inc. costs) on 14 February 2014 after a worker suffered a broken arm when it became caught in machinery.

[See details](#)

### **Poor lifting practices causes loss of 2 toes**

Alumasc Precision Ltd, a Northamptonshire engineering firm has been fined over £16,000 (inc. costs) after a worker sustained a serious foot injury when lifting equipment failed.

[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](#).

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 below.

Regards,

Philip Chambers

Strategic Safety Systems Ltd.

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