

Phil Chambers

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Sent: 12 March 2013 10:30
To: phil@strategicsafety.co.uk
Subject: Your email News and Legal Updates from Strategic Safety Systems Ltd.! has been sent

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Subject: News and Legal Updates from Strategic Safety Systems Ltd.!

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Strategic Safety Systems Ltd. Newsletter

March 2013
Issue 1

Dear Philip,

Welcome to the first March 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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HSE charge fees for up to one third of inspections

As stated in previous newsletters, the HSE introduced their Fees for Intervention (FFI) scheme last year where they charge £124/hour for their work if there is a "material breach" of safety requirements.

SSS have found from information gained from a freedom of information request that their budget is £37 million over an accounting period which we understand to be 3 years. At about £12 million per year and £124/hour, that makes 96,000 hours of charged work. To meet such a target, one

suspects that the HSE will have to move away from being proactive to finding fault as much as possible so that companies can be charged.

At the IOSH conference on 26th February, the Head of Field Operations for the HSE stated that 25 to 33% of inspections resulted in fees being charged and "the money was rolling in." Whilst he stated that there was no targets set for inspectors, FFI is addressing the 35% cut in the HSE's funding so you can draw your own conclusions.

It is extraordinary how many companies I go into who have no safety management system; this does not mean they are unsafe but I am always alarmed how many people are ignorant of the simple steps they are legally obliged to take. And the FFI scheme in the light of such ignorance is going to hit quite few profit and loss accounts.

[See more details on the HSE's statements at the IOSH conference.](#)

House of Lords reject changes to personal injury claims

The government had included plans to scrap personal injury claims unless negligence can be proved, in its Enterprise and Regulatory Reform Bill, which was debated on 6 March 2013. But peers backed an amendment to preserve the current rules by a majority of 2.

Introducing the amendment, shadow work and pensions spokesman Lord McKenzie said: "The government seeks to paint a perception of a compensation culture with anecdotal evidence that the threat of being sued is putting employers off recruiting. But surely the task is to focus on the reality and not to pander to this perception."

In my opinion, we've lost a major opportunity with this decision.

[See the BBC recording](#)

Am I missing something?

In an article last week in the London Evening Standard, workplace deaths and injuries are on the increase due to a hostile political climate. But this is contrary to HSE published data.

[See my blog on this \(with the HSE data\)](#)

[See the London Evening Standard article](#)

Incidents and court cases

Major fire at whisky warehouse

A major scotch whisky manufacturer has been fined after two workers had to flee a warehouse fire. The Edrington Group were fined £40,000 following a fire which happened on 29 June 2011.

Two men were using flexible hoses to fill the 450-litre casks with whisky which was being pumped from steel vats when a jet of whisky shot up towards a ceiling light fitting above a forklift truck. The whisky hit the light fitting and a flame engulfed the cage of the forklift truck.

[See details.](#)

Company charged with corporate manslaughter

Mobile Sweepers (Reading) Ltd is being charged with the corporate manslaughter, along with its sole director, Mervyn Owens, who faces a charge of gross-negligence manslaughter, in relation to the death of employee, Malcolm Hinton on 6 March 2012.

Mr Hinton died from crush injuries after working on a repair underneath a road-sweeping truck. He had inadvertently removed a hydraulic hose, which caused the back of the truck to fall on him.

[See details.](#)

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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