


From: Phil Chambers at Strategic Safety Systems Ltd. [phil@strategicsafety.co.uk]
Sent: 27 September 2012 11:30
To: phil@strategicsafety.co.uk
Subject: News and Legal Updates from Strategic Safety Systems Ltd.!

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	September 2012
Strategic Safety Systems Ltd. Newsletter	
<p>Dear Philip,</p> <p>Welcome to the September 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.</p> <p>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.</p> <p>Regards,</p> <p>Philip Chambers Strategic Safety Systems Ltd.</p>	<p>IN THIS ISSUE</p> <p>HSE START CHARGING FEES NEXT MONTH</p> <p>ANNOUNCEMENT TO CUT RED TAPE</p> <p>MINOR CHANGES TO LEGISLATION</p> <p>QUICK LINKS</p> <p>Our website More about INTACT Health, safety, environmental support</p>

HSE fee-charging starts next month

The HSE's 'Fees for Intervention' (FFI) scheme, under which it plans to recover its investigation costs from businesses it finds to be in breach of health and safety law, will start in October. The charges apply to anything from a letter through to improvement and prohibition notices.

Announcement to cut red tape

The announcement by Business Minister Michael Fallon to cut red tape is to be welcomed by all. I think that we are all fed up with the ridiculous stories we hear of excessive measures being taken in the name of health and safety.

The snag is that there is not a lot to cut back. A study carried out under Loftsted last year resulted in only 21 being targeted for removal, most of which were really obscure; I'm sure that we will be relieved that we no longer have the burden of the Locomotives etc Regulations 1906 (Metrication) Regulations 1981 to content with.

The cause of the stories of which we hear is the fear of civil action, and the announcement that that businesses will only be held liable for civil damages in health and safety cases if they can be shown to have acted negligently seems a step forward. However, most civil cases that are brought are based on some level of negligence, so it does not seem to be as much an improvement as is required.

Before we all get carried away with the announcement, remember the following:

- The Health and Safety Executive, who people seem to regard as the bogeyman, do not normally inspect shops, offices, etc.; this is the local council. So no change there.
- The Fire and Rescue Service are now required to carry out more rigorous inspections of premises. This will not go away. Given the appalling situations they found at many (big name) shops which resulted in several massive fines, they would be negligent not to continue to inspect such premises. This is not burdensome, but lock or block fire exit routes and you are asking for trouble.
- And for those of you who do come under the Health and Safety Executive, as noted above, they are about to start charging for some visits.

What really needs to be done to reduce the burden is to completely revise the no-win, no-fee legislation. The cases with which I get involved require such a lot of effort from the defending companies, even for spurious cases. There are [some improvement proposals](#) already, and these are at least a step in the right direction.

Minor changes to legislation

There are a couple of changes related to environmental legislation. Neither have an impact on those on the circulation list of this newsletter, but it would be a good idea if the dates are changed in your register of legislation. For those with the SSS register of legislation the changes are:

- Page 8: Controlled Waste Regulations 1992 (as amended 1993) need to have "and 2012" added after 1993
- Page 13: Waste (England and Wales) Regs 2011 need to have "Waste (England and Wales) Amendment Regs 2012" added

Note that SSS have already done that for those people with issue S1 of the register.

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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