

Yorkshire and Humber TUC

Health and Safety Forum Newsletter



Sisters & Brothers, By way of introduction, I wish to inform you I have recently been elected as Convenor to the Yorkshire & Humber TUC Health & Safety Forum. I am looking to continue the diligent work down by our Comrade, John Campbell and continue to develop the Forum. My own background is in manufacturing for 18 years where I had several trade union roles including that of H&S Representative. I have been a Full Time Officer with a Trade Union for 10 years now, firstly with the TGWU and now Unite. I am the H&S Representative at work and have TUC, IOSH and NEBOSH qualifications. In order for the Forum to grow, however, it needs participation from all sections of the workplace and that is why I am asking for you to attend and also encourage representatives on your committees to do the same. The next meeting is on:

Wednesday 9th September 2015 – 10.00 am

Yorkshire & the Humber TUC, West One, 114 Wellington Street, Leeds, LS1 1BA

I look forward to seeing you there.

Increase in number of deaths at work

One death at work is one too many, so the fact that the overall number of workers fatally injured at work rose last year, according to the latest annual figures, makes for dismal reading.

The number of workers fatally injured at work in the year to March 2015 rose to a provisional figure of 142 against the revised figure of 136 the year before, according to the Health and Safety Executive (HSE).

Hugh Robertson, head of health and safety at the TUC, said the figures “once again demonstrate that the steady fall in fatalities that we have seen since 1974 has stopped and may even be beginning to reverse” and pointed out that the “rate of deaths has been almost unchanged over the past five years at 0.46 fatalities per 100,000 workers”.

He added: “Clearly the policies of the past five years have done nothing to help prevent workers being injured or killed and need a big change, with more emphasis on inspection and enforcement.”

A breakdown by main industry and the previous year’s figures from the HSE shows:

- there were 33 fatal injuries to workers in agriculture, compared to 27 the previous year and an average of 33 for the previous five years. The rate of fatal injury in 2014-15 is 9.12 per 100,000 workers, compared to the previous year’s average of 8.68
- in mining and quarrying one worker was killed, compared to three in 2013-14 and an average of five deaths for the previous five years to 2014
- there were 16 fatal injuries to workers in manufacturing, against the revised figure of 14 for 2013-14 and lower than the five-year average of 24. The latest rate of fatal injury is 0.55, compared to an average rate of 0.53 for 2013-14 and 0.84 over the five-year period 2009-10 to 2013-14

- there were six deaths in the utilities and waste and recycling industries, the same figure for 2013-14 and down on the five year average of eight;
- there were 35 workers' deaths in construction, against 44 in 2013-14 and the five-year average of 44. The latest rate of fatal injury is 1.62 per 100, 000 workers, compared to 2.06 last year and 2.07 for the five-year average; and
- there were 51 fatal injuries in services, compared with 41 the previous year and a five-year average of 42. The latest rate of 0.21 deaths compares last year's rate of 0.17 and the five-year average of 0.18.

These HSE figures are a gross understatement as around 13,000 people a year die through work-related ill-health — 100 times the annual work fatalities toll.

Safety Representatives and Safety Committees.

The new edition of the Brown Book was published in March 2015 by the TUC. As in previous TUC editions the book includes the official Approved Code of Practice and Guidance to the Safety Representatives and Safety Committees Regulations 1977 (as amended) reproduced exactly from the HSE publication L146 Consulting workers on health and safety.

The 2015 edition includes several important changes which are:

- A new introduction from the TUC which emphasises the vital role that trade unions play in ensuring that people go home safe and well from their work. It emphasises the Section 2(6) of the Health and Safety at Work etc Act 1974 which obliges employers to make and maintain arrangements that will enable employer and employees “to co-operate effectively in promoting and developing measures to ensure the health and safety at work of the employees”.
- An amendment to Regulation 6 which now allows inspections by safety representatives following over-three-day injuries, in addition to notifiable accidents, dangerous occurrences and diseases. From 6 April 2012 the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) changed. The over-three-day reporting requirement for people at work changed to more than seven days. This means that injuries that lead to a worker being incapacitated for more than seven days must be reported. A record must still be kept if a worker is incapacitated for more than 3 days, and this can be done by keep a record of the accident in the accident book. This was carried over to the new RIDDOR 2013
- Para 38-40 now headed Consulting health and safety representatives on risk assessments has been updated to reflect the withdrawal of the Approved Code of Practice to the Management of Health and Safety at Work Regulations and incorporates the text on consultation on risk assessment into the guidance supporting Reg 4A.

Appendices 1-3

The Brown Book continues to include useful appendices which list other health and safety regulations which have:

1. Requirements for information for employees
2. Requirements for instruction and training for employees
3. Requirements to consult health and safety representatives and/or employees

The Construction (Design and Management) Regulations 2007 are referred to in these appendices. These have been replaced since 6 April 2015 by the Construction (Design and Management) Regulations 2015. These differ in several important respects from the 2007 regulations.

The Control of Asbestos Regulations 2006, which are also referred to, have been replaced by the Control of Asbestos Regulations 2012.

Domestic abuse

Firefighters' union, the FBU, has published a domestic abuse policy document.

Secretary of the FBU national women's committee Samantha Rye said the model policy would help brigade officials "to negotiate a local policy which will help to improve the lives for members and raise awareness of the issues associated with domestic abuse and sexual violence".

Action on bullying

General union Unite has called on the Methodist Church to do much more to eliminate bullying and racism, after the church issued an apology for historic sexual abuse. The union said the church should also tackle "an epidemic of bullying" and deal with a whole range of abuse issues, including serious cases of racism.

And delegates at the Society of Radiographers annual conference voted for further investigations into the extent of bullying within NHS trusts, particularly in relation to those on student placements. Last year, as part of its Stamp Out Bullying campaign, the union asked radiography managers to sign up to four basic principles to prevent bullying occurring in their departments. Fifty had signed up by the end of May 2015.

Stop exposure to weedkiller

The TUC is calling on employers whose workforces use glyphosate to take action to prevent exposure to the weedkiller after the International Agency on Research into Carcinogens (IARC) announced in March 2015 that glyphosate probably caused a type of cancer called non-Hodgkin's lymphoma .

Workers including parks staff, agricultural workers, gardeners and forestry workers use the substance, and those working around them when the herbicide is being applied may also be at risk. If glyphosate gets on the skin it can cause irritation and dermatitis; it can cause oral and throat discomfort if breathed in; eye exposure may lead to conjunctivitis; and if swallowed it may cause corrosion of the throat or lead to kidney or liver failure.

In the light of the new evidence, the TUC says that employers must review their risk assessments, including their "COSHH" assessments.

Where possible, they should consider alternatives to the use of herbicides, but if that is not possible they must investigate whether there are safer herbicides available.

Teaching staff need more protection in classroom

The stabbing of supply teacher Vincent Uzomah by a student at Dixons Kings Academy in Bradford earlier this month came just weeks after education unions warned that their members needed better protection from violence in the classroom.

Last month, the annual conference of the teachers' union NASUWT Scotland heard that teachers are being left unacceptably exposed to violence and aggression from pupils in the classroom. And public services union UNISON warned the government that challenging behaviour from pupils is on the increase. It urged the government to better protect school caretakers, cleaners, dinner ladies, classroom assistants and other support staff from violent attacks.

The latest incident occurred just over a year after languages teacher Ann Maguire was stabbed to death by a 15-year-old student at Corpus Christi Catholic College in Halton Moor, Leeds at the end of April 2014.

UNISON has published a new guide, *Managing difficult behaviour in schools*, written by behaviour consultant Tom Bennett. This aims to give staff more confidence and practical help when dealing with difficult situations.

The union has also raised its concerns over a lack of training and guidance in this area, following a survey of more than 15,000 school support staff that revealed three in five (60%) were concerned about how to deal with challenging pupil behaviour. Staff reported being subjected to verbal abuse and physical aggression on a regular basis, some of which is of a racist or sexist nature.

Migrant workers safety advice from TUC

Help for safety representatives and other union activists who work with migrant workers to make sure that their rights and safety are protected is available in an updated guide.

Unfortunately there are no accurate figures on the number of migrant workers who are killed, injured or made ill through work.

Safety and migrant workers: a TUC guide for trade union activists explains that at one end of the scale many migrant workers face no, or very little, increased risk — as they speak fluent English, may have worked in the UK for many years and have the same working conditions and security as non-migrant workers. However, at the other end of the scale there are those “who have no rights and are effectively victims of slavery”.

The guide sets out that according to 2014 Home Office estimates, there were 10,000 to 13,000 modern slavery victims working as domestic servants, agricultural workers or in illegal sweatshops, although many other industries have been implicated ranging from nail bars to fishing.

Case studies on how unions have protected the health and safety of migrant workers and checklists on what safety reps can do are also included in the guide.

Night working grows since recession

Night working has grown since the recession, and there are now over three million employees who are regular night workers in the UK, a TUC report says.

A hard day's night highlights the evidence that night working can have a negative impact on worklife balance and family life.

The number of night workers has increased by 7 or 200,000 extra night workers between 2007 and 2014, taking the total to 3.17 million. And the proportion of employees who are night workers is creeping up too. In 2007, it was 11.7% of all employees, but by 2014 it had risen to 12.3%.

Men are still more likely to be night workers. In 2014, 14.9% of male employees were night workers, compared to 9.7% of female employees. However, the number of women working nights is growing at a much faster rate. Regular night working by women has increased by 12% since 2007, as opposed to a 4% increase for men. And the top two sectors for the total number of night workers are female dominated — care workers and nursing (including midwives).

Plans to increase public transport provision at night, and proposals for a seven-day NHS, are likely to lead to further increases in night work. And the greater availability of night-time transport may lead to more retail and leisure services adopting night opening.

The TUC says decisions to extend night working should always involve consultation and negotiation with workers' representatives to ensure fair and safe outcomes. The negative health impacts of night work are already well-documented, such as heightened risks of cardiovascular disease, diabetes and depression.

However, less attention has been given to the impacts on home life and relationships. 124 Fact Service Volume 77 Issue 31

The study reviews the available research, which shows that night working can increase the risk of relationship problems, can affect the emotional wellbeing of a night worker's children, and is associated with higher childcare costs. But the negative impacts of night working are less when employees have more influence and control over their shift patterns.

The report makes a number of recommendations:

- employers and unions should ensure that night working is only introduced where necessary;
- where night working is introduced into a workplace, no existing workers should be forced to work nights;
- shift patterns should be negotiated between unions and employers;
- workers should have some element of control over their rota, so that they can ensure that the shifts they work are best suited to their individual circumstances;
- workers should always have sufficient notice of their shift patterns so they can make arrangements well in advance. Changes at short notice should be avoided; and
- the remuneration paid to those working nights should properly reflect the likely additional cost of childcare and inconvenience that night shifts can entail.

TUC general secretary Frances O'Grady said: "It's not right for employers to require night working without adequate consultation and negotiation. With night work increasing, employers must play fair and play safe, or public safety will be put at risk and the families of night workers will suffer.

YORKSHIRE & HUMBER TUC ASBESTOS SUPPORT GROUP

is a partnership between Yorkshire and
the Humber TUC, trade unions, Tadea and
Macmillan Cancer Support.

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Y&H Asbestos Support Group

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