

## Annex 2

### Experience of an Enforcement Inspector

I can foresee there will be an increase in workplace related injuries, occupational diseases, conditions and time off work through bad practice and dangerous workplaces if H&S enforcement is weakened!

It is quite apparent that the new government is misinformed and has focused on so called myths and stories. For example the banning of conkers at schools or use of safety goggles, was a story made up by a head teacher as a joke, this was blown out of proportion by the media. As enforcement inspectors we concentrate on significant risk, the legislation is worded to ensure this is the case. However many schools and other organizations have used this to cover their own backs from potential civil litigation/claims. This is because of the so called compensation culture which has developed in this country, with the introduction of 'no win no fee'.

It is also understood that government wishes to reduce the burden on businesses from unnecessary safety audits and over regulation. My point on this issue as an enforcement inspector is that the strategy to tackle high accident/injury rates has significantly changed, with the introduction of a new simple risk rating system, which enables local authorities to focus and optimize impact in areas of greatest risk.

Below is a "snippet" of H&S accidents, injuries and deaths that I and H&S colleagues have been involved with over the past 3 years :

- Fatality at local castle attraction, when a tourist fell off a bridge. A member of public was walking along a bridge over a dry moat at an ancient castle. It was just approaching dusk and for some reason he fell off the bridge falling 15ft and died consequently from the injuries sustained. It appears that the wall along the edge of the wall was too low (probably knee high) and should therefore have had additional barriers/fencing. Legal case proceeding.
- Famous High Street Retail clothes store 'River Island' prosecuted for bad practice and lack of maintenance. An employee was using a window display area at the shop and had to go open a large and heavy trap door to access the display area. The hatch door was not secured on a latch and as a result fell on top of the employee causing severe head injuries. Employee suffered serious head injuries, and has been unable to work ever since, she has difficulty driving and concentrating, it has changed her life and ability to work.

- NEC centre, Birmingham and private gas supplier prosecuted for unsafe systems of work, use of damaged gas equipment. Employee off work for long time after suffering severe body burns. Employee was trying to light a number of ban maries for outdoor wedding reception, he was not given any information, instruction or training on how to light this equipment safely. Equipment was not well maintained, it was difficult to determine if the gas control knobs were in the ON or OFF position.

- Office complex and maintenance of air conditioning systems. Two young workers 17-18 years old, suffered serious skin burns and time off work due to inadequate staff training and chemical exposure. They were trying to clean air condition coils at a local office complex, using a toxic/corrosive chemical. The risks were foreseeable in that the product contained phosphoric and hydrofluoric acid, which are known to have adverse health effects. Given the persons affected were 18 or under the company failed to carry out a young person's risk assessment. This case is due to go to court in the next few months.

- A local golf course accident – A member of staff has had his fingers amputated, after a machine used to wash golf ball jammed, it was standard practice to remove the panel exposing the prime movers and belts. The operative using the machine found the machine got stuck and so followed what he had observed other staff do to deal with this issue. He removed the front guard without the use of any tools or force, it was being supported by two bricks. He pushed on the pulley system and did not realize the machine was still on, hence it started up drawing his hand in to the rotating parts. Machine was not being maintained in good efficient working order. The member of staff is from Hungary, command of English language poor – could be migrant worker.

- Another recent case involving a local pub, found 50 patrons sitting out on a flat roof on a 3 storey building whilst consuming alcohol. There was no edge protection, hence a risk of falling 40 feet. As a result a prohibition notice was served preventing the use of the flat roof.

- A local pub employed a school pupil as a casual worker during the holidays to do washing up. The pupil had completed the washing up task and then asked if they could clean the deep fat fryer on the counter. Without thinking the landlord agreed, the worker lifted the fryer off the counter but had not unplugged it or left it to cool down. As a consequence hot fat was poured down the front chest, take to hospital with severe burns. The landlord had failed to carry out a young person's risk assessment to ascertain the abilities of the inexperienced worker.

- Under RIDDOR and the role of Warwick DC as the Local Authority, over 140 workplace accidents are received and investigated every year. A number of violence at work incidents have been investigated and formal notices served, where companies have failed to protect their staff from armed robberies and assaults. In a recent case a local high street

convenience store was raided by a gang with samurai swords, staff and a member of public seriously assaulted. There were no panic alarms on site , inadequate CCTV, no lone working policy etc.

- Several accident investigations, legal notices and “follow on” visits prevent serious harm to employees and members of the public.