

RoSPA publishes two journals giving news and views about workplace health and safety:

- **Occupational Safety & Health** is published monthly and is aimed at those with specific responsibility for ensuring employees (and all those who may be affected by their work activity) work safely and in safety.
- **Safety express** is published bi-monthly and is aimed at the non-specialist who has an interest in occupational safety and health (OSH).

The material in this E-Bulletin (you should have 12 pages) is produced by the editors of these two journals. Much of the content is being published in the RoSPA journals. However, some material has been prepared for print but has not been used because of lack of space.

RoSPA also publishes the **Safety Education** journal which is published every term. It contains news, reviews, articles, updates and briefings to keep readers in touch with government initiatives and with good practice from colleagues around the UK. Every issue supports both the teaching of safety in the curriculum as well as the management of safety - *teaching safety and teaching safely*.

To find out how to subscribe to any of the RoSPA journals, contact the RoSPA sales department on 0121 248 2051 or email sales@rospa.com

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Law lords rule on teacher stress

In awarding teacher Leon Barber, £72,547 in damages against his former employers Somerset County Council, the Law Lords have ruled that employers must take the initiative to protect employees they know are vulnerable to stress-related illness.

Mr Barber was mathematics co-ordinator at East Bridgwater Secondary School but retired in March 1997 on medical advice following a series of depressive illnesses.

His union, the National Union of Teachers (NUT), said that for two years he had been teaching full-time as well as being responsible for the mathematics department and for promoting the school at a time when it was seeking to improve its image to attract more pupils.

"The two roles, combined with the removal of his deputies, meant that Mr Barber was regularly working between 61 and 70 hours a week and he began to suffer stress at work," the union said.

In May 1996 his doctor signed him off sick for depression brought on by the heavy workload. He complained to school managers but nothing was done. He became seriously ill in November 1996 and was no longer able to work. A judge at Exeter County Court found Mr Barber had been given little help even though the school's senior management was aware of the stress he was under. But in 2002 the Court of Appeal found that Mr Barber's employers had not breached their duty to him.

It said they were not required to check whether Mr Barber was still suffering from stress after the summer break, despite knowing of his previous illness. It quashed an award of £101,041 in damages and interest.

The House of Lords has now overturned that. In his judgement, backed by three other Law Lords, Lord Walker of Gestingthorpe said the breach of the county council's duty of care was "fairly close to borderline".

But he said: "At the very least the senior management team should have taken the initiative in making sympathetic inquiries about Mr Barber when he returned to work, and making some reduction in his workload to ease his return.

"Even a small reduction in his duties coupled with the feeling that the senior management team was on his side, might by itself have made a real difference. In any event Mr Barber's condition should have been monitored, and if it did not improve, some drastic action would have had to be taken."

Afterwards Mr Barber said: "This is an important ruling and is as significant for the teaching profession as it is for working conditions in this country generally.

"I believe that many cases of excessive workload and unnecessary stress can be resolved if a clear structure and positive attitude exists between employers and employees."

Somerset County Council said in a statement that it was disappointed with the outcome of the case, but until it had had time to consider the full findings it would not be appropriate to comment further.

The NUT's general secretary, Doug McAvoy, said: "This is a most significant ruling and restores responsibility where it belongs. Teachers endure excessive workload and are subject to continuous monitoring. Teaching is a most stressful profession. Teachers need and deserve all the support necessary to protect their health."

LA Green Book commits to os&h

For the first time guidance on health and safety has been included in the national handbook of current agreements for Local Government Services - known as *the Green Book*.

The handbook covers the pay and conditions for 1.3 million local authority workers from architects to cleaners and lawyers to school meals staff. The new guidance - backed by both employers and unions - aims to drive up health and safety standards in local government by encouraging authorities to mainstream health and safety into management and decision-making.

Published by The National Employers' Organisation for local government services, the national body representing local authorities as employers, the guidance says it seeks to address the health and safety management issues faced by local authorities which set them apart from other employers.

It establishes the basic ground rules in terms of the value of effective health and safety management, and the shared aims of both employers and trade unions in securing and improving the health and safety of the workforce. It reinforces the legal requirement for consultation on health and safety matters as well as its value, and emphasises that risks need to be controlled within a risk assessment framework.

According to research by the Employers' Organisation for local government (EO) ill health absence costs local authorities significantly more financially than accidents. The biggest causes of this kind of absence are back problems, other musculoskeletal disorders and stress - accounting for 9.3%, 13.9% and 20.3% of absence days respectively in 2002/03.

Safety on beaches

470 people drown annually in the UK - 20 per cent of them around the coastline. In the face of such statistics, The Maritime & Coastguard Agency, in

partnership with the Royal Society for the Prevention of Accidents, (RoSPA) and the Royal National Lifeboat Institution (RNLI) are urging people to take more care and make more sensible choices when on and around water.

At RoSPA's annual national water safety congress, Transport Minister David Jamieson supported the launch of *Safety on beaches*, a guidance document for beach operators produced by RoSPA, with the support of the Maritime and Coastguard Agency.

Peter Brown, Head of Prevention for the Maritime and Coastguard Agency said: "In the UK we have an excellent Search and Rescue response system, and Coastguard can readily call upon a variety of volunteers and professional from all walks of life to help us help you when people get into trouble, providing you dial 999 and ask for Coastguard. But in reality, its all about choices; the choices people choose to make when they go afloat, go swimming and are having fun at the waters edge.

If they make a smart choice then we rarely hear about it and they can enjoy the day safely. However, if they make a stupid choice, then the chances are that they will need help, and quite possibly, their lives may never be the same again."

"So we say make Smart choices, and be Sea Smart! These 5 simple points will help you reduce the risk of an accident and have fun in anything that you do.

1. Look around – is the water deep enough? Can I get out if I need to? Is the area safe? Are there warning signs I should read? Should I ask somebody?
2. Wear the gear – Should I wear a head protection, a wetsuit or a lifejacket? Will I be warm enough?
3. Buckle up – Only secured buckles will actually protect you!
4. Get Trained – Do you really know what you are doing and what your limitations are?
5. Be Sober – Drink and drugs may impair your judgment and expose you to risk

Peter Cornall, RoSPA Head of Water Safety, said: "Last summer's heatwave again focused attention on the dangers water can pose to all sections of the community. More than 150 people drowned both inland and on the coast in June, July and August alone. Education and efficient safety management of water sites are essential tools in trying to limit the number of fatalities and accidents.

"With hotter summers forecast, action needs to be taken now to reduce the number of future tragedies, and we believe these two initiatives will be of great help in doing that. "We don't want to scare people away from water. The idea is to encourage them to use it safely and for those with responsibility for water sites to do all they can to ensure people are not placed in unnecessary danger."

RoSPA water safety awareness pack

The Environment Agency has also joined forces with RoSPA to produce a new water safety awareness pack for 12-16 year-olds, as drowning is the third most common cause of accidental death among young people in the UK.

The pack has a CD-ROM highlighting dangerous activities by teenagers around Britain's lakes, rivers and coast, and includes notes for teachers, youth workers and youth leaders. It helps youngsters to assess risks and make decisions about how to walk away from danger, but also explains how they can enjoy water activities safely.

For more information visit www.rospace.com

Workplace bullying pilot project

Trade and Industry Secretary Patricia Hewitt has announced the world's largest project to stamp out bullying and discrimination at work.

The trade union Amicus will lead the project, worth £1.8m, and will work with some of Britain's biggest employers to develop practical guidance to help all employers tackle bullying.

Half the project's funding - almost £1m - will come from the DTI's Strategic Partnership Fund, which helps strengthen employer-employee relationships and improve business performance.

The project will provide support, advice and training to organisations trying to deal with bullying by:

- * training employees as counsellors and investigators of bullying and harassment;
- * devising and promoting a voluntary charter on 'dignity at work';
- * promoting examples of excellent employers in the UK and lessons to learn;
- * producing a benchmarking tool enabling organisations to measure their success in achieving dignity; and
- * producing a 'ban bullying' pack.

Ms Hewitt said: "We must tackle discrimination from the cradle to the grave. People's lives should not be made a misery by bigots fuelled by hate and ignorance."

"For too many people discrimination begins at school. And for many, the discrimination, harassment, victimization and violence that they experience at school is something they have to deal with through their whole lives - particularly in the workplace.

"The best employers already know prejudice stops talented individuals

reaching their full potential and this is bad for business. Equality and economic success go hand in hand.”

The project has ten partners including British Aerospace, Royal Mail, Legal and General, and British Telecom, Remploy, and will be supported by Government agencies such as Acas and the Health and Safety Executive.

More information is available at www.dti.gov.uk/er

Beware fake health and safety ‘agencies’

Having received hundreds of complaints from companies across the country that have been sent requests for payment in return for compliance with health and safety law, HSE is warning organisations to ignore information they receive from three firms purporting to regulate health and safety legislation.

The three firms, all based in north-west England, have written to companies all over the country asking for between £125 and £249 to ensure they comply with health and safety law.

A Liverpool firm calling itself the Health and Safety Enforcement Agency (HSEA) demands £125 for a health and safety compliance pack. The Manchester-based Health and Safety Compliance Agency (HSCA) says a health and safety compliance register became law on 1 May and that all businesses should apply for registration, for a fee of £129.25.

A third company, the Health and Safety Registration Enforcement Division (HSRED), which gives a Rochdale address, tells recipients to pay up to £249 for health and safety registration.

Anyone receiving literature from any of these companies should ignore it says HSE: there is no legal need for anyone to buy literature or services from these companies.

Justin McCracken, HSE's Deputy Directory General, said: "None of these companies is connected to HSE. Organisations should be very wary of any approach from these firms, or any company 'offering' similar services. All three firms use wording suggesting they are official enforcement bodies, but they are not.

"HSE never writes indiscriminately to firms seeking advance payment for services which it has not provided.

"HSE's legitimate Health and Safety Starter Pack is available to any business for £30. Not only does the pack cost a lot less than the information provided by these companies, but it is also the real thing.

"All organisations are required by law to register - free of charge – with their enforcing agency, either HSE or their local authority in the case of supermarkets, hotels and sports arenas, for example."

HSE is liaising with trading standards offices and the police, who are investigating all three companies.

Anyone receiving literature from any of these firms should report it to HSE's Infoline on 08701 545500, or their local HSE office.

Copies of *The Health and Safety Starter Pack: Health and Safety Advice and Guidance for New and Small Businesses* are available from HSE Books, priced £30. ISBN 0 7176 2738. www.hsebooks.com

Road safety web pages for children

Interactive web pages designed especially to help children aged between 10 and 11 years old learn about road safety are the latest addition to the Highways Agency's website.

Highways Agency Chief Executive Archie Robertson said:
"The Agency, which maintains and operates England's motorways and strategic roads, recognises that education of all road users, including young children, is fundamental to improving road safety.

"Children are often fascinated by motorways and busy roads. Our new web pages will help them to find out more about roads and road safety, give them things to look out for on their next journey, and help them to stay safe at the same time."

The 'Now we are 10' web pages (so called because the launch coincides with the Agency's 10th birthday) include:

- * Information about HA plus fun facts from 1994.
- * Positive Passengers - includes animations and games. Children learn about being safe pedestrians, as well as 'safe passengers'.
- * Messing with motorways is madness - a storybook highlighting the dangers of throwing objects off bridges.
- * What's new - find out about the Highways Agency's new Traffic Officers.

Youngsters who visit the web site have a chance to win an MP3 CD player with built in games. To find the site, visit

www.highways.gov.uk and follow the link to "Now we are 10".

Fall down stairs lead to permanent disability

Accountant Dilys Jackson fractured her ankle in three places and dislocated her left foot when she fell down the stairs after tripping on a badly-worn carpet which had been patched together with adhesive tape. She has been left permanently disabled.

Her manager, Robert Eyles, had been warned by safety inspectors about the hazardous carpet at property management firm, E Gordon Hudson and Co, Oxford before the incident. Mr Eyles admitted breaching health and safety regulations when he appeared before Oxford Magistrates.

Mrs Jackson could not walk for six months after her fall and still experiences pain with every step she takes.

She spent ten days at the John Radcliffe Hospital in Oxford after the accident, where her ankle was completely reset under general anaesthetic and a metal plate fitted in her leg.

As chairman of Abingdon Hospital League of Friends and a volunteer for Care in Action in Abingdon, she was used to providing help and support for elderly people, but now depends on friends to help her get around.

She said: "I had to learn to walk again. I used to be a very active person, I would swim and go dancing. I can't do much now. My ankle aches, it's painful when I walk and I can't go up and down stairs."

Mr Eyles was fined £670 and ordered to pay £864 towards the prosecution costs.

Mrs Jackson, who has been unable to work since the accident, is waiting to receive compensation through Mr Eyles' insurance company. After the hearing she said she thought that the sentence was 'a bit on the light side', but that the money was not the issue – 'it's the fact that he's guilty.'

"I just hope that this case will be a warning to other employers that the safety of their employees is paramount."

Jeremy Franklin, prosecuting, told the court that health and safety officers from Oxford City Council had written to Mr Eyles in November 2001, following an inspection. They pointed out a number of hazards and had warned him that the worn carpet on the steep, narrow staircase posed a tripping hazard.

Mrs Jackson said repeated requests by staff for the carpet to be replaced were also ignored. After the accident, the carpet was inspected again and found to be in a "poor" condition. It has now been replaced.

Nicholas Syfret, defending, said Mr Eyles had delayed renovations at the 19th-century office because of building work being carried out in neighbouring buildings.

He said Mr Eyles had made a misjudgement and was not "needlessly skimping".

Helen Wheeler, environmental health technician at the city council, said: "Mr Eyles had been warned on previous visits to make the carpet on the stairs to his office safe and had been sent a warning letter requiring him to make improvements, but he chose to delay replacing the stair carpet.

"We take a dim view of employers who fail to comply with such basic requirements as keeping a stairway safe."

National Curriculum – incorporating road user education

The Motor Cycle Industry Association (MCI) is holding a one-day conference to explore different methods of incorporating road user education within the National Curriculum. Steven Norris, MCI President will be chairing the event and panel discussion.

The MCI has, for a long time, recognised that road user education should be an integral part of the National Curriculum. People of all ages have to use the road either as a pedestrian, cyclist, driver or rider and it is essential that young people learn about the different aspects of safe and responsible road use.

Citizenship is now a statutory part of the National Curriculum at Key Stage 3 and 4 and this conference will help investigate how road user education and citizenship can be linked into an educational package.

Higher education will be discussed, as there are a variety of career options linked to road user education and the automotive industry as a whole. Engineering, maths and environmental studies are just some of the possible study options that young people can pursue.

Speakers will be present from the Driving Standards Agency (DSA), Kingston University and Merton College, Road Safe and the Department of the Environment for Northern Ireland and a number of case studies of best practice will be included.

The event is aimed at road safety officers, teachers, youth workers, Local Authority personnel, Connexions managers, probation officers and all professionals who work with young people.

The conference is on the 28th May 2004 and will be held at One, Great George Street, Westminster, London. Tickets are £99.00 plus VAT and this includes a conference pack with speaker's notes and lunch and refreshments.

To reserve a place call Jenny Luckman on 02476 250 806 or email j.luckman@mcia.co.uk

Large scale school fires increase

New figures released by Zurich Municipal show that the number of large fires causing significant damage to schools has increased by more than half (55%) over the last year. Related costs incurred as a result of school fires have increased by more than 170% over the last 10 years.

Zurich Municipal estimates that 90 per cent of the fires were a result of arson attacks, and believes these large fires would not have escalated to such damaging proportions if the schools were fitted with sprinkler systems.

The company is now renewing its call for sprinklers to be made compulsory in all new or refurbished schools in light of the fact that the problem still needs to be addressed.

Despite previous campaigns, only 150 out of 28,000 schools in the UK are fitted with sprinklers. Losses from fires in buildings with sprinklers are estimated to be just one tenth of those in unprotected buildings, and fires in the limited number of schools fitted with sprinklers have resulted in minimal damage and disruption.

These figures are just the tip of the iceberg with numerous smaller fires also causing damage to many schools. In addition, uninsured costs will be incurred by Local Education Authorities, the fire brigade and police, and cause considerable disruption and inconvenience to pupils, teachers and parents. According to recent Arson Prevention Bureau research, one third of schools are started in the daytime, putting pupils and teachers at risk of injury or loss of life, emphasising the possible life safety aspects of fire sprinklers.

Larry Stokes, Underwriting Manager at Zurich Municipal and Chair of the Arson Prevention Bureau's Schools Working Group, says: "The Government has recently announced it is releasing £2 billion for the Building Schools for the Future programme. With schools being built from new or refurbished, it is the perfect opportunity to include sprinklers in the design.

"Two cases in Greater Manchester illustrate the point. One school that didn't have sprinklers suffered extensive damage and had to be destroyed; in the other, damage was limited to one room because a sprinkler head was operated and extinguished the fire. The school was able to open as normal the next day."

The estimated average number of pupils affected by large school fires is 90,000-100,000 per year as a result of the destruction or damage of classrooms and school property. The disruption to pupils and staff ranges from an individual classroom being out of action for a matter of weeks to whole schools being taught in portakabins for two to three years.

The biggest objection to installing sprinklers is cost. However, sprinkler systems are surprisingly economical to install, accounting for 3-5 per cent of the cost of a new building. An initial investment can minimise disruption and actually save schools money in the long term. Other areas where the costs can be recovered are through lower insurance premiums and through offsetting other building costs. It also gives greater flexibility in design.

A regional breakdown of the number of fires across the UK for 2003 include:

	2003	2004
London & South East	12%	5%
Midlands	23%	43%
North	26%	2%
North West	13%	13%
Scotland	20%	34%
Wales & South West	6%	4%

Last year Zurich Municipal launched a number of initiatives to tackle the problem of arson. These include a guide, *The design and protection of new school buildings and sites*, which is available to download from its website, and a specially commissioned play and education programme, Arson Combated Together (ACT).

RoSPA key road safety resource for ESL use

Key Road Safety Messages - Key Stage 1, is a road safety resource for children with English as a second language.

The resource, produced by RoSPA with DfT funding, was written after consultation with road safety professionals and others working in the field. It provides translations of the most common words in Road Safety for Key stage 1 children in Bengali, Urdu and Hindi. It is designed to be used by a teacher or classroom assistant with a small group of children.

1,000 copies of the resource are being distributed free of charge. Copies are also available to purchase at £9.95 per copy. Contact the Marketing Dept at RoSPA on 0121 248 2000 for details.

EU education os&h factsheets

The European Agency for Safety and Health at Work has published three factsheets aimed at the education sector. Issue 46: *Occupational safety and health in the education sector* covers musculoskeletal disorders, stress and bullying as well as general health and safety advice for educational establishments.

Issue 45: *Management of occupational safety and health in the education sector* covers legislation and the risk management process. It is for everyone who is involved in the process of managing occupational safety and health,

including head teachers, teaching and other school staff, health and safety representatives, and relevant external safety and health services and is intended for all workplaces where teaching is performed, from kindergarten to university.

Results from an EU survey in 2000 show that 4 % of employees have been subjected to violence at work (from inside or outside the workplace), and, in addition, 12 % of workers in the education sector reported having been subjected to intimidation. Issue 47: *Prevention of violence to staff in the education sector* focuses on high-risk activities, risk assessment, prevention and protection.

All three can be downloaded from

http://agency.osha.eu.int/publications/factsheets/index_en.htm

Teachers who wish to see a sample copy of the latest issue of **Safety Education** should email jcave@rospa.com with their name and address.

Similarly, if you would like a sample copy of **Occupational Safety & Health** or **Safety express** please email jsteemson@rospa.com (Don't forget your address)

SUPPLIES OF ALL THE JOURNALS ARE LIMITED SO COPIES WILL BE SUPPLIED ON A FIRST COME FIRST SERVED BASIS.

For full details of the RoSPA occupational journals, go to the RoSPA home page (www.rospa.com); select 'Occupational' and then click on 'journals'.

If you wish to comment on this E-Bulletin, please email:
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E-Bulletin ends