

# Risks

TUC 

*e-bulletin*

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**HAZARDS  
MAGAZINE**



**Asbestos -  
The hidden killer**

**Hazards at Work**

updated second edition  
now available

**Risks** is the TUC's weekly online bulletin for safety reps and others, read each week by over 16,000 subscribers and 1,500 on the TUC website. To receive this bulletin every week, click [here](#). Past issues are [available](#). This edition contains [Useful links](#) [TUC courses for safety reps](#) [Disclaimer and Privacy](#)

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### **TUC launches safety reps charter**

The TUC has launched a new charter to enhance the role of safety representatives in the workplace. The Safety Representatives Charter, launched to coincide with the European Week for the Healthy Workforce campaign, makes the case for better communication with safety reps. It gives examples of how safety reps have made a real difference and how, by not involving them, workers have been injured or even killed. The charter points to research from around the world that consistently links consultation with workers, when they have union backing, to reduced injuries and disease at work. Recent government statistics found that safety reps prevent between 8,000 and 13,000 workplace accidents and between 3,000 and 8,000 work-related illnesses each year in the UK. Safety reps have also helped to ensure that unionised workplaces have better standards of health and safety than similar non-unionised ones. TUC general secretary Brendan Barber said: "Union safety reps have a proven track record in reducing an organisation's serious injury record. A major extension of their role could therefore be the most significant development in occupational health and safety since the 1974 Health and Safety at Work Act." He added: "The proposals in our charter will help employers to consult with their workforce on health and safety issues. Most of these simply involve enforcing the existing legal obligations on employers which at present are often ignored." The charter also calls for more rights for safety reps, and protection from victimisation when they use them. TUC also wants employers breaking consultation rules or denying safety reps training to face prosecution. And it is calling for measures to create more safety reps covering many more workers.

- [TUC news release. Safety representatives - A charter for change.](#)

### **Plasterer paid out for loss of eye**

A plasterer who lost the sight in one eye in a workplace incident has secured £32,000 damages from Cardiff County Council. GMB member David Perry, 52, was working in the council's maintenance services department, digging up the passage floor of a council house and demolishing the passage walls. He caught his right eye on the handle of a cement mixer. The rubber cap normally in place at the end of the handle had worn away, exposing sharp jagged metal. Mr Perry said: "I was terrified. I was told that the cornea of my right eye had been ripped out requiring extensive surgery and treatment. Sadly I lost the sight of this eye and I've been left disfigured and have had to keep it in place for cosmetic purposes. I am extremely frustrated by the disability that I have been left with." GMB regional legal officer, Nick Hughes, commented: "This is a very distressing case for our member David Perry. Although he had been issued with safety glasses, they had slipped off as he was working as there was no band to hold them in place. Cardiff County Council should have had the appropriate risk assessments in place to avoid such injuries to staff." The case settled two days before the trial.

- [Thompsons Solicitors news release.](#)

### **NUJ tells MPs of police harassment**

A Westminster committee has heard evidence from media union NUJ of the "intimidation and obstruction" many journalists face in their dealings with the police. Giving evidence to an inquiry by the Parliamentary Joint Committee on Human Rights, NUJ general secretary Jeremy Dear highlighted the need for better police training and improved enforcement of guidelines already agreed between the police, the NUJ and other news organisations. In his oral evidence, NUJ general secretary Jeremy Dear highlighted some of the violent consequences faced by journalists going about their work, including details of past physical assaults. The NUJ is concerned by the increasing use of counter-terrorism legislation to obstruct legitimate journalistic activities. The NUJ leader gave the committee examples of places and events at which the Terrorism Act has been used to stop photographers, including the London Eye, a road traffic accident, a railway station and the switching on of the Christmas lights in Ipswich. The union is calling on the authorities to improve the training of the police to ensure they understand their responsibility to the media and to better enforce the existing guidelines.

- [NUJ news release.](#) [Watch the evidence session on the UK parliament's website.](#)

### **Anger at crane death inaction**

The Health and Safety Executive's (HSE) decision not pursue a prosecution relating to the death of Polish carpenter Zbigniew Swirzynski "is a kick in the teeth" for construction workers, site union UCATT has said. Mr Swirzynski was killed on 15 January 2007, when a tower crane collapsed and crushed him on a construction site in the centre of Liverpool. The crane driver was also injured in the incident. Following a 16-month inquiry, HSE and the Merseyside Police decided there was insufficient evidence to prosecute anyone involved in the incident. Mike Cross, HSE head of operations for construction in the North West said: "This decision was reached after a lengthy and exhaustive investigation into the causes of the collapse which involved interviews with numerous witnesses and the extensive involvement of HSE and HSL specialists." He added: "No effort was spared in determining the cause of this tragic incident, which involved visits to the crane manufacturers in Spain and full engagement with the tower crane community in GB. We have already contacted Mr Swirzynski's family to let them know our decision." George Guy, regional secretary for UCATT's North West region, said: "This decision is a kick in the teeth for construction workers. How on earth can they have any confidence in health and safety provisions on sites, if the powers that be can't find anyone to prosecute in such a high profile incident?" He added: "Tower cranes do not fall apart of their own accord. Something clearly went wrong and a worker died." UCATT has called for a national register of tower cranes, to keep track of their condition and maintenance record. However the call, which was also recommended by a work and pensions select committee earlier this year, was rejected by the government.

- [UCATT news release](#). [HSE news release](#). [Contract Journal](#). [BBC News Online](#).

### **Firefighters let down on safety**

Most firefighters think insufficient or inadequate training is compromising their safety, a poll for their union has found. A majority want an end to cuts in frontline personnel, and most firefighters do not feel the government values them. Government proposals to create eight big new fire control rooms for the whole country will make the fire and rescue service respond less well to incidents, and make firefighters less safe, in the opinion of a majority of firefighters. The YouGov poll of Fire Brigades Union (FBU) members found almost nine out of 10 (89 per cent) of those surveyed wanted to see more training, almost three quarters (74 per cent) wanted more frontline personnel, and six out of 10 (59 per cent) wanted modern and safe personal radios. More than two-thirds (67 per cent) agreed that "insufficient or inadequate operational training is compromising the safety of firefighters at incidents." And more than nine out of 10 (92 per cent) agreed that the fire service must "stop cutting frontline personnel if it is to provide a coherent, effective and safe response to the incidents it is expected to attend." FBU general secretary Matt Wrack commented: "This is the authentic voice of the men and women who save lives every day, and it is telling the government, not just to change course, but to change its whole approach." He added: "They want resources to go into frontline personnel, training and equipment to do the job, which are being cut; not into extravagant and untried mammoth computer systems and the army of consultants required to explain why they do not work properly."

- [FBU news release](#).

### *Other news*

#### **Toothless enforcement 'invites disasters'**

Health and safety enforcement in Britain is withering away and Scotland has been hit particularly hard, academics have claimed. Figures obtained by the University of Stirling's Occupational and Environmental Health Research Group (OEHRG) show that the number of people employed by workplace safety enforcement body the Health and Safety Executive (HSE) have fallen by 13 per cent in Scotland. Since the ICL Stockline disaster in 2004, numbers employed by HSE have fallen year on year, from 304 in 2004 to just 264 in April 2008. The number of posts lost at the safety watchdog covering Scotland's key industries is more dramatic still. Frontline inspectors covering factories and agriculture have dropped by over 16 per cent. Offshore inspectors are down by 20 per cent and only one inspector covers all of Scotland's quarrying industry. Quarrying is the most hazardous land based occupation in the UK. OEHRG senior researcher Tommy Gorman commented: "Britain's largest industrial tragedy in a generation took place in Scotland in 2004. However since the ICL Stockline factory blast which killed nine and injured dozens more, HSE staffing in Scotland has fallen year on year." Commenting on the second phase of the public enquiry into

the disaster, which started this week, he said it was important it "thoroughly investigates the regulatory framework and enforcement practices of agencies such as the HSE and fire brigade responsible for oversight of the industries where major health and safety disasters occur." Professor Andrew Watterson, head of OHERG, said: "We need a doubling of the size of the enforcement staff in Scotland, including the right for trade union safety reps - including roving representatives - to stop the job, as HSE inspectors are so few in numbers. We also need effective enforcement, including a realistic expectation of a jail term, for those committing egregious occupational health and safety offences. This needs to be linked to a properly resourced Scottish Hazards Centre where any employee can obtain independent advice about the risk they face in the workplace". Bodies including the STUC are supporting the call for a stronger inspectorate, stronger enforcement and more rights for trade union safety reps.

- [University of Stirling news release](#). [Official ICL Stockline enquiry website](#). [ICL Stockline campaign website](#). [BBC News Online](#).

### **Haulage firm fined £5,000 over death**

A Scottish haulage company has been fined £5,000 for breaking safety rules after one of its drivers died in a fall from his tanker. Glasgow-based Carntyne Transport pleaded guilty to safety offences at Cupar Sheriff Court. Driver James Hutchinson, 57, was found by two farm workers in February last year. It is thought he fell three metres from the top of the tanker after setting some valves for the delivery of animal feed. There was no safety rail on the driver's side of the vehicle. Mr Hutchinson went to Vicarsford Farm, Leuchars, Fife, at 5.30pm on 8 February last year to deliver the feed. His body was found in the yard at 6am next day and his footprints suggested he had tripped and fallen off the lorry. HSE inspector Robert Fraser said: "Mr Hutchinson's death was entirely preventable and arose from the clear failure to carry out a risk assessment and ensure there was safe access to the top of the vehicle." He added: "Although workplace transport injuries form a fairly small part of all accidents at work, they are more likely to result in serious injuries and much more likely to lead to fatalities."

- [HSE news release](#). [BBC News Online](#). [The Scotsman](#). [Daily Record](#).
- [HSE workplace transport webpages](#) and [falls from vehicles campaign](#).

### **Firm fined £300k over electrician's death**

Engineering firm Mitie Engineering Services (Edinburgh) has been fined £300,000 after one of their electricians died at work. Michael Adamson, 26, was electrocuted connecting live wires which had been marked "not in use" at a new retail outlet ([Risks 378](#)). His sister Louise Adamson, 32, said: "Michael's life was priceless. You could never put a value on that. They have been fined a substantial sum but firms have been getting fines for years. Scotland still has one of the worst work-related death records and until you have individuals held responsible for these, they are unlikely to sit up and take real notice." After last week's guilty verdict, STUC said managers should

be held to account. It said a bereaved family had been "left cheated by a justice system that appears powerless to punish those who take management decisions which place the lives of their workers at risk." HSE principal inspector Jim Skilling, commented after the case, said: "Michael Adamson's death could have been prevented had his employer ensured that safe working practices were being carried out in accordance with the company's own written procedures. Managers and supervisors in this industry must take active steps to ensure that their electricians work safely." Even in a good year, only 1 in 30 fatal or major injuries in Scottish workplaces result in a referral by HSE to the legal authorities, to be considered for prosecution.

- [HSE news release](#). [Daily Record](#). [BBC News Online](#).

### **Minister praises union safety role**

The trade union safety role has been praised by health and safety minister Lord McKenzie. Speaking this week at a North West TUC conference in Manchester, the minister said: "Organisations that have good worker involvement deliver better performance on health and safety. A management culture that genuinely values employees will result in a more committed and productive workforce." He added: "Workplaces with health and safety committees where some members are selected by trade unions have a significantly lower rate of injuries than those without cooperative health and safety management." Lord McKenzie also praised the effectiveness of unions in the training of safety representatives. "There is no doubt that the trade unions have long been the driving force behind the training of safety reps - and have been very successful in doing so," he said. "They have made sure their safety representatives have up to date knowledge enabling them to address the issues more effectively, and to deal with the more complex issues with confidence - particularly occupational health." He suggested the great majority of employers fall short of "good practice" on worker involvement, citing a recent HSE survey that found nine out of ten employers claiming to have staff involved in health and safety management. However, when asked for further information only four in ten said they held regular meetings with workers, designated health and safety representatives or a health and safety committee.

- [HSE news release](#). [Video of HSE chair launching HSE's new worker involvement guide](#). [HSE worker involvement webpages](#).

### **Asbestos 'hidden killer' campaign push**

The Health and Safety Executive has warned that "every week 20 tradesmen die from asbestos-related diseases," and this number is set to rise. Former plasterer and England and Arsenal footballing legend, Ian Wright, is the "ambassador" fronting HSE's 'Asbestos: The Hidden Killer' campaign. He said he was shocked when he learnt that 20 people from construction trades a week were dying from having been exposed to asbestos in their working lives. "I used to be a plasterer before becoming a professional footballer,

and was really surprised to learn that the number of deaths is actually on the increase year on year. If that was footballers dying, the whole of the premiership would be wiped out in just three months." He added: "I can really relate to the situations tradesmen find themselves in and urge them to take care." The campaign includes new materials, prepared in consultation with unions, to highlight how to avoid potentially deadly exposures. HSE says one in four asbestos related cancer deaths are in tradespeople, and the numbers are rising. Asbestos may be present in any building constructed or refurbished before the year 2000, and it is estimated that around 500,000 non-domestic buildings could contain asbestos. A free information pack provides information on the dangers of asbestos, highlighting where asbestos-containing materials may be present in buildings, what they look like, how they should be dealt with and where to find training.

- [HSE news release](#) and [hidden killer campaign](#). Podcasts featuring [former footballer Ian Wright](#) and [HSE chair Judith Hackitt](#). [Daily Mirror](#).
- For a free asbestos information pack, call 0845 345 0055.

### **Workers need mental health support**

The UK needs a major rethink of workers' mental health during the current economic uncertainty, government advisers have said. More than 450 experts assessed the potential challenges of the next 20 years that could impact on wellbeing. Professor Cary Cooper, one of the authors of the report from the Foresight group, said a pressing issue was the number of workers who did not feel able to take time off when they were sick or stressed. Presenteeism - where the 'working wounded' troop in despite being unwell - could cost the UK around £900 million per year, the report estimated. Professor Cooper said employees in the UK already worked longer hours than in other European countries and that workers might feel under even more pressure to "put in the hours" given the unstable economic climate. "We want more opportunities to request more flexible working arrangements," the professor said. "This is a business issue, it's not a soft issue. People who work flexibly can have more job satisfaction, be healthier and more productive." Professor Cooper said companies could be required to make public their sickness absence rates and suggested performance indicators for managers. The report also recommends occupational health experts are linked to primary care practices, which is usually the first port of call for people when they are feeling stressed or depressed. John Denham, secretary of state for innovation, universities and skills, whose department sponsored the report, said: "I welcome this report which provides new insights and creates fresh opportunities to offer support to individuals, families and organisations in building and sustaining mental capital and good mental health." Drawing on over 100 expert papers, the report identifies three key areas which need to be tackled: learning in the early years; wellbeing at work; and the ageing population.

- [Foresight Mental Capital and Well-being webpages](#) and report executive summary [[pdf](#)]. [DIUS news release](#). [BBC News Online](#).

## **Safety group backs site union demands**

The British Safety Council (BSC) has backed demands by construction union UCATT to make construction sites safer and healthier. BSC chief executive Brian Nimick expressed support for the extension of the Gangmasters Licensing Authority to construction, a call for more Health and Safety Executive inspectors and the re-establishment of the worker safety adviser scheme. Writing in the union's Building Worker magazine, Mr Nimick said: "There is convincing evidence to support the extension of the regulatory remit of the Gangmaster Licensing Authority into other areas where gangmasters are operating in significant numbers, including construction." He added that the worker safety adviser pilot projects had "some remarkable successes". And he said there is a "clear correlation between the continuing reduction in the number of HSE inspectors and the worrying number of major accidents and deaths in the construction industry." UCATT general secretary Alan Ritchie welcomed Mr Nimick's comments, adding: "In the coming months I expect several more high profile organisations will back our safety initiatives. By building a large coalition we will be able to place ever greater pressure on the government and employers, to make changes which will transform the safety of the industry."

- [UCATT news release](#).

## **Shopworkers back call to cut crime**

Shopworkers' union Usdaw is backing the British Retail Consortium (BRC)'s demands to cut retail crime. The BRC's Retail Crime Survey 2008, published this week, shows that incidents of shoplifting and violence against shopworkers are down. But there is still a theft from a shop every 90 seconds. The BRC also suggests that a likely result of the economic downturn would be an increase in theft, burglary and violence. Usdaw is echoing the BRC recommendations, which include ending the misuse of Penalty Notices for Disorder and raising the understanding of local police officers for dealing with fraud and the growth of online crime. Usdaw general secretary John Hannett said: "Contrary to what many people believe, shoplifting is not a victimless crime. In fact, many incidents of abuse, both verbal and physical, against shopworkers is caused when they confront people stealing from their stores. Usdaw takes shoplifting very seriously and we are calling on the authorities to do the same. In areas where the police work closely with local stores and recognise the seriousness of shoplifting, the safety of shopworkers is much improved." The union leader added that Usdaw's "respect week", to run from 3-7 November, will highlight the issue of abuse against shopworkers.

- [BRC news release](#). [Usdaw news release](#) and [Freedom from fear campaign](#).

## *International News*

### **Canada: Asbestos 'death-dealing charade' slammed**

Canada's federal government is being accused of the "shameful political manipulation of science" as it heads into international meetings next week where it is expected to defend Canada's controversial exports of asbestos. Three medical journals are blasting Prime Minister Stephen Harper's government for "suppressing" a Health Canada report on the health dangers posed by asbestos and supporting exports of asbestos to developing countries. The Canadian Medical Association Journal is calling for a ban on the exports, which it describes as a "death-dealing charade." An editorial says the government "knows what it is doing is shameful and wrong." A report to appear later this year in the US Journal of Occupational and Environmental Medicine says Canada's position that asbestos can be safely exported to developing countries "should be truly embarrassing to the Canadian government and people." And the Annals of Occupational Hygiene, a British journal, says in an editorial published online that suppression of the Health Canada report means the "best evaluation" of the dangers posed by asbestos will not be on the table at the UN's Rotterdam Convention prior informed consent meeting in Rome next week. The meeting will again consider adding asbestos to the list of substances requiring a health warning when exported. Canada and other asbestos producers have vetoed previous attempts to get chrysotile asbestos listed, despite it meeting all the scientific criteria. Dr Trevor Ogden, a British occupational health expert who chaired the Health Canada committee, said Health Canada's statement that it is still reviewing the report months after it was submitted "is so obviously untrue as to be insulting - the government clearly has a very low regard for the intelligence of the public." He said the panel's summary report is less than 4,000 words. "If we'd known that the government [was] going to labour through the report at a rate of 20 words a day we would have put in a few jokes to entertain them," he told the National Post.

- Amir Attaran, David R Boyd, and Matthew B Stanbrook. [Asbestos mortality: a Canadian export](#). Canadian Medical Association Journal, volume 179, pages 871-872, 2008. [Related CMAJ news item](#). [National Post](#). [Globe and Mail](#).

### **India: Fireworks blast 'kills 26'**

At least 26 people have died after a huge explosion at an illegal fireworks factory in the western Indian state of Rajasthan. Police say the dead include 12 children. The blast in Deeg town near Jaipur early on Thursday 23 October left some 16 others injured. The blast was so powerful that it destroyed the factory in a slum and brought down two neighbouring homes. "It was a devastating explosion. And most people apparently died after being buried under collapsed houses," police Superintendent Rohit Mahajan said. Police rounded up 10 people for questioning and said they expect to announce arrests. A police search of neighbouring houses after the explosion recovered firework-making material. "It was an absolutely illegal factory," Mahajan said. Fireworks factories in India are most at risk of explosions around this time of the year. Indians are celebrating Diwali, the festival of lights, next week and fireworks manufacturers step up production to meet a surge in demand. In 2005, at least 35 people died in a huge explosion at a fireworks store in northern Bihar state. In the same year, at least seven people from the same family were killed in a firecracker blast in the western state of Gujarat. And in 2002, at least 23 people were

killed in separate incidents in southern India caused by fireworks explosions.

- [CNN](#). [BBC News Online](#).

### **South Africa: Workers down tools at Anglo Coal mine**

More than 500 workers at Anglo Coal, a division of global mining giant Anglo American, downed tools on 21 October at the Greenside Colliery in South Africa to mark the death of a worker. South Africa's biggest miner's union, the National Union of Mineworkers (NUM), said the worker died after he was electrocuted while working underground on 18 October, worsening an already appalling mining safety record in this precious metals producer. About 140 workers have died in mines so far this year. Mining companies have suffered production losses after fatalities due to routine shutdowns ordered by the government for investigations and work stoppages by union members, who have vowed to stop work for a day to mark the death of colleagues. More than 500 mineworkers are today observing a day of mourning at Anglo Coal's Greenside Colliery," Lesiba Seshoka, the NUM's spokesperson, said on 21 October.

- [Mail and Guardian](#).

## *Resources*

### **UNISON risk assessment resources**

UNISON has upgraded its online resources on risk assessment. Guides cover risk assessments, workplace inspections and risk and body mapping. There's also a new risk assessment campaign poster and pamphlet.

- [UNISON publication note](#). Risk assessment poster [[pdf](#)] and pamphlet [[pdf](#)]. [UNISON health and safety documents](#).

### **Prospect's better for health and safety**

Prospect has given its health and safety webpages a serious shake-up, and they make for an extremely useful resource as a result. The pages cover issues from the law to branch organisation about health and safety. A toolkit for health and safety reps covers from getting started, to getting trained, to getting organised. There's the usual collection of factsheets, links and resources which together add up to an impressive package.

- [Prospect health and safety webpages](#).

## *Events and Courses*

### **HSE stress event for union reps, 25 November, London**

The Health and Safety Executive has organised a free event for safety representatives on dealing with stress, using the HSE stress management standards.

- [TUC briefing](#). [Trade union booking form](#).

### **TUC courses for safety reps**

COURSES FOR SEPTEMBER TO DECEMBER 2008

- [Northern](#), [North West](#), [Southern & Eastern](#), [Yorkshire & Humber](#), [South West](#), [Midlands](#), [Scotland](#), [Wales](#)

## *Useful Links*

- Visit the TUC [www.tuc.org.uk/h\\_and\\_s](http://www.tuc.org.uk/h_and_s) website pages on health and safety. See what's on offer from TUC Publications and What's On in health and safety.
- Subscribe to Hazards magazine, supported by the TUC as a key source of information for union safety reps.
- What's new in the HSC/E and the European Agency.
- HSE Books, PO Box 1999, Sudbury, Suffolk CO10 2WA. Tel: 01787 881165; fax: 01787 313995