

Environmental and Waste Management Group



Summer 2018 Newsletter

During the recent upgrade of IOSH's website we have been unable to publish our monthly newsletter. The following provides a roundup of news from the summer and our monthly newsletter will resume from the autumn. Kind regards, IOSH EWMG

LEGISLATION

PPE Regulations

On the 21st April 2018, the European Regulation (EU) 2016/425 on Personal Protective Equipment (PPE) came into force and replaced the old PPE Directive 89/686/EEC. In the UK, The Personal Protective Equipment (Enforcement) Regulations 2018 (SI 2018/390) provide an enforcement and penalty regime for Regulation (EU) 2016/425.

There is a transition period of 1 year where both the old Directive and the new Regulation are applicable, after which the Regulation takes full effect from 21 April 2019. The new Regulation now applies to the whole supply chain rather than just manufacturers. Everyone involved in the manufacture, supply and distribution of PPE must ensure their PPE meets with the standard requirements. (Read more: legislation.gov.uk / hse.gov.uk)

ISO 14001 deadline

According to a technical bulletin published by UKAS, the deadline for ISO 14001:2015 and ISO 9001:2015 will be extended to 15th March 2019, in certain situations. More than 16,500 UK organisations are accredited to ISO 14001: 2004, with many in the process of upgrading to the more challenging ISO 14001: 2015. In June, the International Accreditation Forum decided to extend the deadline for making the transition by six months.

Quoted in ENDS, Rachel Jones, technical director in environmental health and sustainability at consultancy WSP, said all of its clients bar one were making the transition to ISO 14001: 2015. "The latest version contains new features that have been quite challenging and time-consuming for organisations to tackle... These include a requirement to prove that environmental issues have been integrated into an organisation's governance and business practice, rather than managed in isolation by an environmental team. In addition, organisations need to consider not only the impact of its operations on the environment, but also the impact of the environment on their operations, and how that can be managed through supply chains". (Read more: Legislationupdateservice)

REGULATORS, GUIDANCE & CONSULTATIONS

HSE business plan targets mental health, ISO 45001 and major hazard industries

The Health and Safety Executive's business plan for 2018/19, which identifies four priority areas, includes revised employer guidance to assess and manage mental ill health, a guide on how to implement ISO 45001 proportionately and efforts to improve reporting of safety performance in high-hazard sectors. In its foreword the document explains that the plan “sets out priorities for HSE in 2018/19, drawing on our recently published sector plans and our Helping Great Britain work well strategy. It does not attempt to capture all that we do, or the detail of the difference we make every day to individual lives and businesses. Instead it highlights specific priorities, within an overall framework that reinforces our ongoing commitment[s]...” Read more: [hse.gov.uk](https://www.hse.gov.uk))

Waste Classification Technical Guidance

Technical guidance WM3 applies in England from 1st July 2015, when the legal requirements changed. It provides guidance on waste classification and is a comprehensive reference manual for anyone involved in producing, managing and regulating waste. The document was updated in June with some interesting information within Appendix D – waste sampling. (Read more and download: www.gov.uk)

Defra consultation on post-Brexit environmental protection

Over summer Defra undertook consultation on an Environmental Principles and Governance Bill to safeguard environmental protection in the UK after Brexit. The proposed bill could see the creation of an independent and statutory environmental watchdog capable of holding the government to account. (Read more: [defra.gov.uk](https://www.defra.gov.uk))

Clean air strategy

In May the Government published its consultation on a Clean Air Strategy, with intent to invest £10m in improving modelling, data and analytical tools to give a more precise picture of current air quality and the impact of policies on it in future. (Read more: www.parliament.uk / [defra.gov.uk](https://www.defra.gov.uk))

Common human factors underlying worker fatalities in the waste and recycling industry

A HSE report on fatalities in the waste sector found a deliberate disregard for safety and lack of ownership and control with a poor safety culture linked to two-thirds of waste fatalities.

Improvement in health and safety performance in the waste sector is a priority for HSE. The waste management and recycling industry accounts for about 0.4% of employees in Great Britain. However, the fatal injury rate was fifteen times greater than the average across all industries over the period 2012/13 – 2016/17.

The report describes “research to identify common underlying human factors that have contributed to fatal incidents within the waste and recycling industry. Eighteen fatal incidents were analysed: 12 in small and medium enterprises (with less than 250 employees) SMEs, and 6 in large enterprises. The research identified four top level human factors: (i) ‘preconditions for deficit’ (i.e. fundamental issues) such as lack of separation of workers and hazardous machinery; (ii) ‘organisational

influences' such as inadequate safety management systems and safety culture; (iii) 'individual actions' such as tasks not being performed in the safest manner; and (iv) 'wider influences' specific to SMEs such as machinery that is supplied to them with inadequate documentation on safe operation. The majority of factors were not specific to company size.

The research also identified potential actions to reduce the likelihood of future fatalities. These focus on: equipment selection, use and maintenance; raising awareness of associated risks; the need for effective safety management systems; and the sharing of good practice. These potential actions are irrespective of organisational size." (Read more: [hse.gov.uk](https://www.hse.gov.uk))

Radioactive contaminated land: statutory guidance

New Part 2A Statutory Guidance for Radioactive Contaminated Land has been issued by the Department for business, Energy & Industrial Strategy. This guidance is intended to explain how local authorities should implement the radioactive contaminated land regime, including how they should go about deciding whether land is 'contaminated land'. (Read more: www.gov.uk)

Dangerous pollution incidents increasing, says EA report

The Environment Agency's (EA) latest report finds South West Water and Northumbrian Water are the worst performers for environmental compliance. Overall the EA's report found water companies need to do more to protect the environment. While the industry has made gradual improvements, the EA feels utilities' are not doing enough to reduce the most dangerous serious pollution incidents (category 1), which increased in 2017 to 11 from 9 the previous year. (Read more: [environmental-analyst](#))

INCIDENTS AND PROSECUTIONS

Worker crushed in compactor had no safe method for clearing blockages

A waste paper management company has been fined £250,000 after an employee was fatally crushed inside a baling machine. RRS London was sentenced at Westminster Magistrates' Court over the accident in Erith, south-east London, on 27 March 2017. The Health and Safety Executive's (HSE) investigation found it was "most likely" the worker fell down the baling machine's hopper and into the compactor chamber while clearing material that had blocked the hopper. "Falling into the chamber initiated the compaction sequence," it said.

Speaking after the hearing, HSE inspector Nicholas Wright said: "This tragic incident, which led to the avoidable death of a father, was easily preventable and the risk should have been identified... Employers should make sure they properly assess and apply effective control measures to minimise the risk from dangerous parts of machinery. Maintenance work should only be carried out when the piece of equipment is isolated and confirmed safe. Companies should be aware that HSE will not hesitate to take enforcement action against those that fall below the required standards." (Read more: [hse.gov.uk](https://www.hse.gov.uk) / [hse.gov.uk](https://www.hse.gov.uk))

Company fined after worker trapped by falling scrap lead

A lead recycling company was sentenced after a worker was trapped under a load of falling scrap lead. H J Enthoven Ltd of South Darley, Matlock pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 and has been fined £200,000 and ordered to pay costs. Speaking after the hearing HSE inspector Rubeena Surnam said: "This incident could so easily have been avoided if the company had properly planned the work and implemented the control measures identified. (Read more: [hse.gov.uk](https://www.hse.gov.uk))

Solar panel installer sustained spinal fracture in 5m scaffold fall

Two companies have been fined by the HSE after a worker fell whilst installing solar panels on a roof when he slipped, sliding on to the edge protection; the toeboard of which snapped causing him to fall through the scaffold and on to a substation roof. Scaffolding firm Oswestry Shropshire Scaffold was fined £28,800 and contractor Centreco was hit with a £33,500 fine because of the incident, which put the worker in hospital for three months and left him unable to work due to ongoing mobility issues.

HSE inspector Jayne Towe said: "Falls from height often result in life-changing or fatal injuries. In most cases these accidents are needless and could be prevented by properly planning to ensure that effective preventative and protective measures are in place such as edge protection or barriers built to the correct standard." (Read more: [Constructionnews.co.uk](https://www.constructionnews.co.uk))

Pembrokeshire man sentenced after worker seriously injured

A man has been sentenced to 18 weeks in prison after a worker received serious injuries from an electric shock. Swansea Crown Court heard that, on 12 March 2014, Mr Hearne, under instruction from George Jones, sustained serious injuries whilst plugging a tyre stripping machine into a wall socket. Mr Jones pleaded guilty to breaching Section 4 of the Health and Safety at Work etc. Act 1974, and was sentenced to 18 weeks in prison to run concurrently with his existing sentence.

Speaking after the hearing, HSE inspector Anne Marie Orrells said: "This case highlights the importance of regular proactive maintenance and inspection of work equipment, including electrical installations, to ensure that they do not deteriorate to the extent that it puts people at risk. In this case, George Jones failed to effectively maintain equipment and it could have resulted in a fatal injury." (read more: [hse.gov.uk](https://www.hse.gov.uk))

OTHER TOPICS OF INTEREST

Scottish ministers back country's largest solar energy project

Scottish ministers confirmed in May that Scotland's largest solar farm to date, of some 50MW, can go ahead on a disused RAF airfield in Moray. (Read more: [solarpowerportal](#))

“Shape a new world of work” – IOSH Conference, 17-18 September 2018. ICC Birmingham.

The annual conference offers an exciting, relevant, up to the minute insight on the world of work from both national and global perspectives. Aimed not only at occupational safety and health (OSH) professionals, the conference will also be invaluable to anyone who wants to create a safer, healthier and better world in which to work. (Details and booking: [ioshconference.com](#))