



GOWLING WLG

IOSH SOUTH MIDLANDS: LEGAL UPDATE

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TOPICS

Drones and Health and Safety

Contractor Management

Landlords and Health and Safety

CDM Changes

FFI Changes

Vicarious Liability

Sentencing Update



IOSH SOUTH MIDLANDS: LEGAL UPDATE

- Drones and Health and Safety
 - Drones as a risk
 - Drones as a safety tool
 - Government consultation December 2016 – July 2017
 - Government announcement – November 2017
 - New Legislation
 - The Drone Code



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- Contractor Management
 - Selection
 - Price, competence, track record, timing
 - Information exchange
 - Manage and supervise
- Liability

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- Landlords and Health and Safety
 - Fire
 - Water
 - Asbestos
 - Electricity
 - Lifts
 - Gas
- Section 3 HSWA

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- CDM update
 - Construction Manager/Health and Safety at Work Magazine Survey
 - HSE Construction Sector Business Plan

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- FFI Changes
 - The new system
 - Effective from 1 September 2017

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- Sentencing Update
 - Biggest fine £5m Merlin Entertainments
 - 111.7% increase in fines from 2015
 - 19 fines exceeded £1m in 2016
 - Company Directors prosecuted by HSE
 - 15 to 31 March 2015
 - 48 to 31 March 2016
 - 86 to 31 March 2017 (at least)
 - Custodial sentences

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- Vicarious Liability
 - Employer liable for employee's negligent actions, if committed in course or scope of employment
 - Agency workers
 - Intentional acts
- Armes v Nottinghamshire CC – Supreme Court – 18 October 2017

QUESTIONS?



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