

# T L Dallas Risk Management

Newsletter

July 2011

## HSE to Charge Firms for Inspectors' Time

Construction firms face being hit with charges up to £200 an hour for Health and Safety Executive inspectors' time if they breach safety rules.

The "fee for fault" proposals will be put to the industry for consultation in the summer and construction inspectors expect the rate for construction firms to be £150-200 per hour.

An HSE spokesman said it was too early to discuss the rate but said "determining factors will include what the market rate for construction experts is and how we can recover our full costs.

The HSE expects the charging system to be implemented in April 2012 after the Government passes enabling legislation.

---

## Bribery Act

The Bribery Act 2010 modernises the law on bribery. It came into force on 1<sup>st</sup> July 2011.

- This act only deals with bribery - not other forms of white collar crime.
- There is a full defence if you can show you had adequate procedures in place to prevent bribery. But you do not need to put bribery prevention procedures in place if there is no risk of bribery on your behalf.
- Hospitality is not prohibited by the Act.
- Facilitation payments are bribes under the Act just as they are under the old law.

A quick guide to the Act is available at [www.justice.gov.uk/guidance/docs/bribery-act-2010-quick-start-guide.pdf](http://www.justice.gov.uk/guidance/docs/bribery-act-2010-quick-start-guide.pdf)

---

## HSE decides its good NOT to talk

Work related injuries and incidents reportable under RIDDOR will have to be notified to the HSE via its website from September this year.

However, those reporting fatal or major incidents will still be able to do so by phone, in recognition of the need for a more personal response in such circumstances.

The announcement was made by the regulator a day after the close of the consultation on amending the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 in line with proposals made by Lord Young in his Health and Safety review.

From 12<sup>th</sup> September, a suite of seven forms will be available on the HSE's website to make the statutory reporting of work related injuries, dangerous occurrences, disease and gas related incidents quicker and easier.



Delivering the **Promise**



For further information on health and safety issues, please call

David Cartwright: 01274 465582 Graham Murphy: 01274 465565 Jaki Ainsworth :01274 465586

E-mail : [davidc@tdallas.com](mailto:davidc@tdallas.com) [graham.murphy@tdallas.com](mailto:graham.murphy@tdallas.com) [jakia@tdallas.com](mailto:jakia@tdallas.com)

[www.tdallas.com/risk-health-and-safety](http://www.tdallas.com/risk-health-and-safety)

For further information on insurance matters, please call our office on 01274 465500

## Employers' Liability Tracing Office now live

An online inquiry service designed to help claimants suffering from a work-related disease or injury find the insurer of their former employer is now live.

New Financial Services Authority (FSA) regulations require insurers to publish data on EL policies and all new claims made against them, by no later than 1 July 2011.

Under the previous voluntary code of practice, insurers were given details by the claimant or representative and were asked to search their records, but this did not produce an immediate result.

The new Employers' Liability Tracing Office (ELTO) will maintain an electronic database containing all new and renewed EL insurance policies from April this year, older policies that have new claims made against them, and policies identified through the previous code of practice. Search results will be available immediately, but in cases where no result is returned, details of the query will be sent to each insurance firm for further checks.

---

## Managers Warned Over Eye Tests

Fleet managers must do more to ensure that their company drivers undergo regular eyesight tests, road safety campaigners have warned.

Experts recommend that everyone should have an eye test at least every two years and whenever there is cause for concern.

But one in six drivers cannot see well enough to pass the basic eyesight test, according to the Fleet Safety Forum, a division of road safety charity Brake.

Every year in the UK, an estimated 12.5 million people who are due an eye test do not have one, the group said. In a bid to raise awareness of the issue, the Fleet Safety Forum is offering a poster and e-guidance pack, free to the first 50 companies to order it. The group's Look Sharp campaign aims to alert drivers and managers to the importance of regular eyesight tests.

"Eyesight needs to be tested regularly throughout a driver's lifetime," said Caroline Perry, marketing manager at Brake. "Fleet managers must address the issue internally and consider their drivers' eyesight as part of their wider fleet safety strategy. Being an experienced and skilled driver is meaningless if a driver is unable to spot hazards due to poor vision."

---

## IOSH Managing Safely

We will be delivering the next **IOSH Managing Safely** course at our offices in Bradford 12<sup>th</sup> - 16<sup>th</sup> September. Call us on 01274 465586, faxback to 01274 465575 or email [jakia@tdallas.com](mailto:jakia@tdallas.com) to book or confirm your place.

Managing safely is for managers and supervisors in any sector, and any organisation. It's designed to get managers up to speed on the practical actions they need to take to handle health and safety in their teams.

---

### Fax Response

Name \_\_\_\_\_

Company \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

Facsimile \_\_\_\_\_

Email \_\_\_\_\_

I would like to book \_\_\_\_\_ places on the IOSH Working Safely Course

Please can you let me have information on other training courses / services you offer.

Further comments (such as dietary requirements or mobility needs).