

# T L Dallas Risk Management

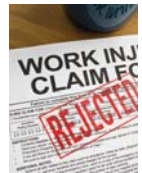
Newsletter

Spring 2014

## Workplace Compensation Claims drop by 50%

*Workplace compensation cases have fallen by more than 50 per cent in the last decade, reveals a new joint report published 16<sup>th</sup> April by the TUC and the Association of Personal Injury Lawyers (APIL).*

It is common to hear stories that the UK is rife with a compensation culture and is becoming risk averse as a result of compensation claims. However, *The Compensation Myth* - which tackles seven myths about compensation - smashes this misconception and finds that there were 183,342 compensation claims in 2002/03 but only 91,115 in 2012/13, a fall of more than 50 per cent.



In spite of this decline in the number of cases staff are taking to court, the government is making it even harder for workers to pursue claims of employer negligence by taking the burden of proof away from the employer and increasing the costs employees have to pay to have their case heard.

The report also finds that more than six out of seven (85.7 per cent) of workers who are injured or made ill at work get no compensation whatsoever.

Each year around 500,000 people are made ill as a result of their job and a further 110,000 are injured while carrying out their daily duties. The most common injuries include musculoskeletal disorders such as back problems or repetitive strain injury, injuries from slips and falls, skin diseases and hearing problems. However, only around 90,000 workers manage to gain any compensation from their employer following an injury or accident in their office or workplace.

Another common perception that the report rebuffs is the size of compensation payments. According to an analysis of nearly 64,000 claims in 2011, the majority of workplace damages paid to injured workers was for less than £5,000, and around 75 per cent of cases are for damages of less than £10,000.

## **IOSH Managing Safely Course: 22<sup>nd</sup> September 2014 - 26<sup>th</sup> September 2014**

We will be delivering another IOSH Approved Managing Safely course at our offices in Bradford.

Managing Safely is a course for managers and supervisors in any sector and any organisation. It's designed to give managers all they need to know to help them handle health and safety in their teams. The flexible new high impact programme covers all the main health and safety issues, and includes a session tackling the environment too.

This course is approved by the Institute of Occupational Safety and Health (IOSH) and is designed for those who wish to improve Health and Safety standards within their organisation.

At the conclusion of the course delegates are required to undertake a multi-format assessment. Delegates must also complete a project and return it to the tutor within 10 days of the course completion date.

Successful candidates will receive an **IOSH Managing Safely Certificate**.

**Cost: £559** per delegate Plus VAT (10% discount for existing T L Dallas Clients)

Course materials and refreshments for the full week are included in the above price.

Limited places available. Call us on 01274 465586, faxback to 01274 465575 or email [jakia@tldallas.com](mailto:jakia@tldallas.com) to book your place.



*A previous attendee said "Makes a dry subject interesting".*

## Revised Work at Height Guidance

The HSE has overhauled its guidance on working at height with the aim of setting out in clear, simple terms what to do or what not to do and debunking common myths that can confuse and mislead employers. It's part of the government's long-term economic plan to abolish or improve outdated, burdensome or over-complicated regulations which waste businesses' time and money.



More than a million British businesses and 10 million workers are estimated to carry out jobs involving some form of work at height every year. Falls are one of the biggest causes of death and serious injury at work.

### Key changes include:

- providing simple advice about do's and don'ts when working at height to ensure people are clear on what the law requires
- busting some of the persistent myths about health and safety law, such as the banning of ladders when they can still be used
- offering targeted advice to helping business in different sectors manage serious risks sensibly and proportionately
- helping workers to be clearer about their own responsibilities for working safely.

The guidance currently consists of two publications:

'Work at height: A brief guide'

<http://www.hse.gov.uk/pubns/indg401.htm>

'Safe use of ladders and stepladders: A brief guide'

<http://www.hse.gov.uk/pubns/indg455.pdf>

## New COSHH Guidance

Information on controlling substances that are hazardous to the health of workers has been updated to help businesses comply with legal requirements. The HSE has revised its Approved Code of Practice (ACOP) to clarify and simplify practical advice to help dutyholders comply with the requirements of the Control of Substances Hazardous to Health (COSHH) Regulations. The revised guidance is contained within an updated document and aimed at management, supervisory staff, safety representatives and technical specialists (e.g. occupational hygienists, consultants etc). Legal responsibilities to protect workers' health and safety are not altered by any changes to ACOPs. The revisions reflect other ongoing reviews of technical guidance associated with COSHH, e.g. for local exhaust ventilation (LEV) and health surveillance.

The revised ACOP is available on the HSE website at:

<http://www.hse.gov.uk/pubns/books/l5.htm>

ACOPs give advice on how to comply with the law; they represent good practice and have a special legal status. If dutyholders are prosecuted for a breach of health and safety law and it is proved that they have not followed the relevant provisions of the ACOP, a court will find them at fault unless they can show that they have complied with the law in some other way. Following the advice in an ACOP, on the specific matters on which it gives advice, is enough to comply with the law.

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This newsletter was brought to you by T L Dallas & Co Ltd, Dallas House, Low Moor, Bradford, BD12 0HF. For further information on any of the subjects above or advice please use the contact details below and we will be happy to help.

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