



## HSE BLITZES CONSTRUCTION SITES

More than 100 HSE Inspectors have targeted construction sites across Great Britain in a concerted effort to identify underperforming sites and encourage lax employers to shape up.

This is the third such blitz in what has become a successful initiative for the Executive. Currently a number of firms caught in the last blitz are going through the legal process, and HSE sees this as an effective method of enforcement.

Inspectors paid particular attention to fall hazards, slip and trip infractions and general housekeeping.

Around 1,500 sites were visited, using local intelligence via publicity in the local and regional press, to help identify underperforming sites.

The campaign targeted a number of towns and cities across Britain throughout March and results will be announced in the future.

## SMALL SCALE PROPERTY DEVELOPERS TARGETED

The HSE has announced a non-punitive campaign to raise awareness of CDM responsibilities amongst small-scale property developers.

The HSE has found that many people developing property on a smaller scale are simply unaware of their responsibilities as clients under the CDM Regulations. A small but notable proportion of accidents occur in this sector and the HSE in an attempt to reach the marketplace is undertaking

advertising, direct mail and PR, together with exhibiting at the Landlord & Buy To Let Show.

Robert Parkes of HSE's Construction Division said *"Tragically last year 38 people died on these types of projects and many more were injured or suffered ill-health because of poor health and safety practices... everyone has a role to play in helping reduce the number of serious and sometimes fatal incidents."*

The website can be found at [www.hse.gov.uk/property](http://www.hse.gov.uk/property)



## A BITTER DEBATE OVER STATUTORY DUTIES FOR DIRECTORS

An increasingly bitter debate is raging between employers' groups and unions in the long-running and provocative issue over directors' duties.

Following the recent release by the HSE of figures showing that barely one in twenty directors has taken any notice of the voluntary guidance on health and safety released jointly by HSE and IoD at the end of 2007.

Safety campaigners and pressure groups are now using the statistics to demand that

directors' duties be enshrined in law whilst the 'anti camp' does not support additional regulation, suggesting that unions had not worked hard enough to disseminate the guidance that they had helped write.

The IoD responded that their data showed 40% of members were aware of the guidance and EEF the manufacturers' organisation conducted a survey which showed that directors in over 80% of companies are actively involved in managing health and safety.

# TRAINING THE ISSUES



## THOSE WHO CAN – TEACH

Not the perceived wisdom of course, but our development and delivery training teams have taught at all levels in the private, public and voluntary sectors to deliver training courses that keep participants switched on.

All too often teachers, tutors and trainers succeed in turning people off with 'Death by Powerpoint'. Not so at RPEP, our industry competence and capability to deliver the message in a way that will add value to your organisation, is reinforced by our ISO 9001 Quality Management System; in addition Training Standards and teaching qualifications ensure that our delivery of training will keep your staff permanently switched on.

## DON'T JUST TICK THE BOXES – THINK OUTSIDE OF THEM

It's easy to undertake training for the sake of ticking the appropriate boxes, but does it add value to your business?

We all know the answer, so here's how you can get more from your training, more from your staff and more from your business – TNA!

Our Training Needs Analysis will help you analyse your business goals, review where you are and where you want to be in the future and how to develop the skills required to meet these goals.

Whether your workforce is 5 or 500 strong, undertaking a TNA is an effective way to identify any gaps between skills and your business needs and any needs your employees may have, making sure that money spent on training is directed where it will best help your business achieve its objectives.

RPEP has a range of services to help you including:

- Determining the information employees will need to be more effective in their work
- Evaluate who you want to reach and how best to train them
- Evaluate what your company can and can't provide in the way of in-house training
- Assess whether off-the-shelf or bespoke solutions will be more suited to achieving goals

Don't just tick boxes; call us in for an informal chat.

## TRAINING CALENDAR

REF	COURSE	LOCATION	DATES	AVAILABILITY	CONTACT
010	NEBOSH General Certificate	RPPML Training Suite Bradford	16th May - 5th August 14 days (Wednesdays)	6 places remaining	John Wynn 01274 693588
011	IOSH Managing Safety	RPPML Training Suite Bradford	21st, 22nd, 28th and 29th April	8 places remaining	John Wynn 01274 693588
012	CITB 5 Day SMSTS	RPPML Training Suite Bradford	24th June, 1st, 8th, 15th and 22nd July	8 places remaining	Robert Lewis 01274 693588
013	CITB 2 Day SSSTS	RPPML Training Suite Bradford	18th and 19th August	7 places remaining	Robert Lewis 01274 693588
014	Asbestos Awareness ½ day course	RPPML Training Suite Bradford	6th July (9am - 12.30pm) 7th July (9am - 12.30pm) 8th July (9am - 12.30pm)	7 places remaining 9 places remaining 5 places remaining	Patrick Antill 01274 693588
015	NEBOSH Construction Certificate	RPPML Training Suite Bradford	9th September - 16th December 14 days (Wednesdays)	9 places remaining	John Wynn 01274 693588

## DOOM, GLOOM AND SOMETHING TO SMILE ABOUT

The incessant media preoccupation with bad news stories could lead you to believe that there's little point in making any plans for the future, because there may not be a future!

But there's one thing for certain, the economy will improve and history confirms that when the economy heads north, construction moves in the same direction.

So rather than sit tight, trying to protect your existing margins and markets, why not prepare your business

for emerging opportunities by training or retraining your employees to meet changing requirements.

It's never been easier to find suitable training for your employees – and to bring a smile to your face – recent changes in funding can provide employers with up to 50% towards the cost of training.



**Asbestos Services  
Limited**

# ASBESTOS THE ISSUES



## PROSECUTION FOR KEEPING ASBESTOS REGISTER FROM WORKERS

A refurbishment firm has been prosecuted by the HSE for letting employees remove ceiling tiles containing brown asbestos.

The school provided the company with the asbestos register, which clearly identified the asbestos content in the tiles, but the firm did not tell its employees.

Westpoint Schoolcare was undertaking extensive work at a school in Whalley Grange, where workers removed the ceiling tiles without any of the necessary precautions – work that should have been carried out by licensed asbestos removal contractors.

The company admitted failing to properly assess the asbestos risk, failing to take steps to stop employees being exposed, and carrying out licensable work without the appropriate licenses, contrary to the Control of Asbestos Regulations 2006.

### ASBESTOS COMPENSATION FUND CALLED FOR

A Private Member's Bill could pave the way for a compensation fund for workers with asbestos-related conditions who have trouble claiming on employers' insurance.

MP for Hendon, allows for the creation of an Employers' Liability Insurance Bureau which would administer a compulsory employers' insurance register and a compensation fund for workers who cannot claim for work-related injuries because employers insurance details cannot be traced.

The Bill, introduced to parliament in January by Andrew Dismore, Labour

The Bill received a second reading in March and a decision is awaited.

## CONTRACTOR FINED FOR REMOVING ASBESTOS

A construction company sent employees to work in a contaminated area when it knew of the presence of asbestos.

of asbestos by the HSE, they sent employees back into the contaminated area.

Uxbridge based Waite Construction had not ordered an asbestos survey when the age of the building indicated the potential for the presence of asbestos. The company instructed employees to remove contaminated material from the boiler room with no protection and even after they were told of the presence

The HSE issued a prohibition notice to halt work and also ordered the company not to disturb a skip in a nearby public car park, which was thought to contain asbestos lagging. The company only arranged for a licensed contractor to clean public areas and seal the premises after the HSE stopped work.

Waite Construction was fined £15,000 at the City of London Magistrates' Court, together with £26,488 costs.

## RP&P MANAGEMENT LTD EXPANDS

RP&P Management Ltd has formed a new company RP&P Asbestos Services Limited, to provide full asbestos surveying, asbestos removal and management service. The service will fully meet the anticipated additional demands that will be placed on clients and surveyors when the HSE's planned revision to MDHS 100 for Asbestos Surveys is issued.

The revised document, likely to be released this Summer at the earliest, will be issued in the form of an Approved Code with an HSG numbering.

The new company offers a dedicated service to property occupiers and clients to help them meet the ever more stringent demands that may be placed on them when the revisions come into force and places the emphasis on providing a quality managed comprehensive service.

It is likely the designations of Type 1,2 and 3 surveys will disappear and become a two level system as set out in our previous newsletter. In addition the new documentation is likely to place more stringent guidance for the process of surveying including the planning of the survey by the client and the survey methodology used by the surveyor.

For further information please contact: Richard Symonds



# HEALTH & SAFETY THE ISSUES

## SAFETY OFFENCES ACT GIVES COURTS IMPRISONMENT OPTION

Introduced in January 2009, the new Health & Safety (Offences) Act allows for higher fines and imprisonment for both individuals and companies.

The legislation has raised the maximum fine imposable in the magistrates' courts on both companies and individuals and for most offences, from £5,000 to £20,000. It also makes imprisonment an option in both magistrates' and crown courts and allows some offences, which previously could only be tried in the magistrates' court to be heard in either court, where potential fines are unlimited.

Following on from the introduction of the Corporate Manslaughter Act, it sends a clear signal of how seriously health and safety is being treated.

The Government has stated three main reasons for the introduction of the act.

Firstly, although average fines per offence had increased from around £5,000 for the period up to 2005 to £15,370 by 2007, they were still considered to be too low and judges as far back as the mid 1990s were expressing discontent at being unable to impose jail sentences for serious health and safety offences.

A further reason for introducing the act was to reduce any competitive advantage firms might gain through non-compliance. The Hampton Report concluded that *"Illegal operators have incentives to undercut honest businesses, partly because penalties are low absolutely, but more worryingly because penalties imposed often do not reflect the commercial advantage a business has gained from non-compliance."*

As a consequence the Report recommended that maximum fines in the lower courts should be increased

and fine levels should take account of the economic benefits gained.

Finally, the Government wanted to see greater efficiency in the dispensation of justice by providing the lower courts with adequate sentencing powers for more serious cases thus reducing the delays and costs of referring cases to the higher courts.

### The detail

The Act has raised the maximum fine which can be imposed on companies and individuals in the magistrates' courts for most offences, including failure to do a risk assessment, a breach of asbestos regulations or CDM regulations from £5,000 to £20,000. The Act also makes imprisonment an option for more offences in both magistrates' and crown courts, whereas previously in the lower court it was only an option for failure to comply with an improvement or prohibition notice or with a court remedy.

Certain offences that previously were only triable in the magistrates court can now be heard in either, which includes contravening any requirement imposed by an inspector and preventing another person appearing before an inspector or answering his or her questions.

The maximum prison sentence the lower courts can now impose is 12-months other than Northern Ireland where it remains at six-months. However the maximum sentence in the crown court throughout the UK is two years.



### The impact

The threat of imprisonment will no doubt provide a greater deterrent and result in better standards of health and safety. The potential to reduce or remove any commercial advantage gained by ignoring health and safety should also prove a deterrent to previously wayward companies.

Because more cases will be resolved in the lower courts, justice will be faster, more efficient and less costly.

The potential for imprisonment will undoubtedly result in more people being imprisoned. Previously a director or manager could only be imprisoned if a death had occurred whereas prosecutors now only have to prove a breach of health and safety.

Any employee—including those on the shop floor who fail to take reasonable

care of the health and safety of others or themselves could potentially face jail and directors and senior managers whose company commits a breach of Section 7 of HSWA could face imprisonment – even for things they have no knowledge of, if the court believes they ought to have been aware of them.

The likely result is that companies and individuals will take health and safety seriously. Alternatively managers may become more reluctant to take on responsibility for health and safety if the possibility of failure could lead to a prison sentence – making it all the more essential to ensure the provision of adequate training for individuals with responsibility for health and safety.

For further information contact  
John Wynn

## HSE ANNOUNCES CHANGES TO FIRST AID AT WORK REGULATIONS

Changes to the First Aid at Work Regulations are likely to become effective from 1 October 2009 and include...

The four day First Aid at Work course becoming a three day course and the creation of a new one day Emergency First Aid at Work course.

Current certification will remain valid until its existing three-year expiry date even if this post-dates the 1st October introduction.

## CONFINED SPACES PROVE RISKY FOR WORKERS

New guidance has recently been published by the HSE on working in confined spaces...

The revised and updated publication contains an Approved Code of Practice and guidance on the duties related to the Confined Spaces Regulations, with specific reference to a range of industries and businesses that deal with confined spaces including agriculture, brewing, construction, maritime, waste and water where in recent years there have been fatalities and injuries.

For further information contact  
Bob Lewis

## RISK ASSESSMENT WITHOUT DEFINITION - IS IT A HAZARD?



**To assess risk, the responsible person must understand the meaning of the term yet in our laws there is no definition of 'risk'.**

Where a workplace death or injury occurs it's not uncommon for an allegation to be levelled against the employer on the grounds that he failed to assess a particular risk adequately.

However the criminal courts have never adequately clarified what exactly constitutes a risk. For example a Court of Appeal said risk was not confined to actual danger but included the possibility of danger. A more recent Court of Appeal raised concerns regarding the wide interpretation applied to risk stating the HSWA concerned real risk and not hypothetical or theoretical risk, saying there had to be a material risk "which any

*reasonable person would appreciate and take steps to guard against."*

The consequence of this lack of clarity is risk-averse behaviour as summarised by Dr MJ Pemberton in a recent letter to The Times saying, "*The failure to distinguish between risk and hazard is the reason why so many foolish decisions are made in the name of health and safety. The hazard is a circumstance with the potential to cause harm, the risk is in the likelihood that this potential will be realised.*"

To understand what is expected of you from the law, please contact Richard Symonds.

### HSE: HAVE YOUR SAY ON THEIR FUTURE

If you want to contribute to the future strategy of the HSE take action...

The Health & Safety Executive is running a three-month consultation process on their future strategy.

Businesses are being invited to read the proposed strategy and tell the HSE what changes they think need to be made to the system to enable delivery of the strategy and how businesses can contribute.

For further information visit:  
[www.hse.gov.uk/strategy/index.htm](http://www.hse.gov.uk/strategy/index.htm)

## HSE INVESTIGATIONS AND INTERVIEWS – EXERCISE CAUTION

Enforcing authorities are exerting increased pressure on organisations they come into contact with as part of an investigation, so companies should exercise caution when helping the HSE with its enquiries.

The regulatory climate has tightened significantly in the last 12-months with the introduction of new acts, including Corporate Manslaughter and onerous changes to the Health & Safety (Offences) Act.

The merger last April of the Health and Safety Executive with the Health and Safety Commission also signalled the commitment by the HSE to strengthening the importance of health and safety in Great Britain.

These developments are now resulting in enforcing authorities exerting increased pressure on organisations they come into contact with as part of their enquiries.

Where there is a suspected breach of Health & Safety legislation, an HSE investigation will often request an interview with an authorised representative from a company, under caution.

This is a formal process carried out in accordance with the relevant provisions of the Police and Criminal Evidence Act 1984 and as a result the interviews are taped and can be used as evidence.

It is, therefore, imperative that consideration is given to any such request. If, for example, the interview is to be conducted by an HSE inspector, the company is not obliged to attend and only the police have powers of arrest. However, providing the HSE inspector complies with the provisions set out in PACE, anything said by the representative of the company can be used in evidence against the company.

Given the rigour in which workplace accidents are investigated and the potential for higher fines and imprisonment it is imperative to know your rights.

For more information contact:  
Bob Lewis



# BUILDING SURVEYING THE ISSUES

## BUILDING MAINTENANCE – WILL STICKING PLASTER HOLD

If past recessions are a guide, planned and programmed maintenance may well turn into reactive maintenance, as 'patch' repairs become the norm...

With little money to spend, those responsible for managing buildings could turn to the sticking plaster approach, which in the longer term will undoubtedly result in deterioration of what is often a businesses greatest asset.

However there are common-sense actions which can be taken in a tough market. Indeed the present financial squeeze could present an opportune time to reconsider your approach to maintenance in order to ensure the work is both effective and cost-effective.

For example, as the volume of building work decreases wages and labour costs, even material

costs will begin to reduce, making it a good time to commission building and repair work. For the larger estates it's a good time to revisit and fix longer term maintenance contracts.

Where funds are tight, appropriate planned and preventative maintenance should be prioritised to include:

- Health and safety issues particularly as the new Health and Safety regulations place ever more onerous responsibilities on directors, managers and property owners.



- Preventative maintenance of fundamental elements of the building fabric such as the roof in order to prevent significant on costs at a later date.

An opportunity exists for building surveyors to prepare maintenance reports that target limited funds to the greatest effect whilst ensuring that their clients remain on the right side of health and safety legislation.



## KEEP UP TO SPEED WITH FIRE!

Since April 2007, owners and occupiers on non-domestic buildings with five or more occupants have been required by the Regulatory Reform (Fire Safety) Order 2006, to have carried out a fire risk assessment of the premises.

However there seems to be a lack of general awareness amongst small-to-medium enterprises of the requirements and of more concern, amongst fit-out contractors carrying out works.

Particular areas of concern include:

- What fire rating is required
- The type of glass to use in fire doors
- How building components can be compromised by follow on-trades
- Fire doors fitted without correct intumescent seal.

For further information contact:  
David Nussey

## PROTECT YOURSELF – PROTECT YOUR WORKFORCE

The new Health and Safety Offences Act has radically changed the situation for surveyors, building owners and others who fall within the mandatory duties imposed by the Control of Asbestos Regulations (2006).

The Act has significant bearing on the penalties for breach of regulations including:

Raising the maximum fine for breaches of regulation from £5,000 to £20,000

Introducing the possibility of 12-months imprisonment for many offences

Enabling specific offences such as obstructing an investigation, to be tried in the higher courts where there are no limits on the fines that can be imposed.

The consequences will be higher fines, individuals taken to court rather than corporate entities and custodial sentences.

For further information contact Stephen Crowther

## TEN OUT OF TEN FOR JUDGE BIRTLES

A recent decision by Judge Birtles concluded that party wall disputes can still be pursued under Section 10 of the Party Wall Act, even if a party has consented to works.

Although the building owner (the Party wishing to carryout works) must notify the adjoining owner of proposed works by way of a Party Wall Notice, there has been a misconception that if a party initially consents, thus saving their neighbour the costs and inconvenience of undertaking Section 10 procedure, the consenting

neighbour no longer has the right to use Section 10 Dispute Procedure if the works cause a problem at a later stage.

However Judge Birtles found that a surveyor's jurisdiction under Section 10 is not dependent on a party initially disputing the notice under Section 4 but is dependent on a number of sections which enable either party to evoke section 10.

For further information contact: Adrian Atkinson

## COMMERCIAL RENT ARREARS RECOVERY – RADICAL CHANGES

Part 3 of the Tribunals Courts and Enforcement Act came into force in April 2009, abolishing the landlord's traditional remedy of distraint and replacing it with a new statutory procedure called Commercial Rent Arrears Recovery.

This represents the most radical change to the Law of Distraint for a century and could be perceived as strengthening the tenant's position.

However it is not all bad but it is essential to know and understand your rights and responsibilities.

For further information contact: Stephen Crowther.



## INVOICING TERMINAL DILAPIDATIONS – VAT'S THE QUESTION!

Whether to include an amount equivalent to VAT on the cost of remedying breaches in a terminal dilapidations claim, is often made by surveyors based on whether a landlord is VAT registered or not – however this is incorrect...

Although the landlord may be registered for VAT, this does not necessarily mean that every building he owns is registered for the tax. If the landlord has waived the VAT exemption on the building, the input tax on supplies is generally fully recoverable. However if the exemption has not been waived all of the tax will be an additional burden which can be included in a terminal dilapidations claim. In this instance it may be preferable for the tenant to undertake the works in order to offset input against output tax and thereby reduce the overall dilapidations claim by the equivalent of the VAT.

Other VAT considerations include loss of rent, the application of VAT if there is no intention on the part of the landlord to carry out the works and how surveyors and solicitors fees should be treated.

Further information can be found on [www.hmrc.gov.uk](http://www.hmrc.gov.uk) and [www.rics.org](http://www.rics.org)

# ENVIRONMENTAL THE ISSUES



## SITE WASTE MANAGEMENT PLANS – A LIGHT TOUCH TO DATE

A year on from the introduction of the SWMP Regulations and there appears to have been no significant prosecutions...

The lack of prosecutions may be due to a 'light touch' enforcement policy that often occurs immediately post the introduction of new legislation, but there are a number of issues arising in relation to the interpretation of the regulations

1) The declaration set out in Regulation 6 (5) a and b requires that waste is:

- Managed in accordance with relevant statutory provisions

- Appropriately managed
- Materials are efficiently handled

The client, in order to ensure compliance must actively monitor the application and implementation of the plan during the project period. Although there is no formal duty stated in the regulations, the duty is implied.

2) Many contractors are using Waste Transfer companies to remove waste to be sorted at a location off-site, rather than implementing on-site segregation. Off-site sorting of waste is a licensed operation and few contractors are ensuring that they obtain copies of the relevant licenses. Such Transfer Sites may also not provide detailed site-specific information concerning the project waste stream.

3) The recording of waste information for electrical and electronic equipment is not consistently undertaken. The removal of this information from the Plan Records distorts the overall waste management information.

4) The post-construction reviews undertaken by the Principal Contractor are not as yet providing usable information. This is often due to confusion relating to the wording of the regulatory requirements or the lack of expertise in dealing with the issues.

The fines for breaches of the regulations are substantial including:

- Fixed Penalty Notice: £300
- Magistrates' court: Up to £50,000 per offence
- Crown Court: unlimited fine

## BROWNFIELD LANDFILL EXEMPTION TAX – THE FACTS

The exemption from landfill tax for brownfield sites no longer applies, clients should therefore review how waste is handled in order to minimise liabilities.

The following may assist in identifying reduction strategies:

1) The removal of all biodegradable materials from asbestos cement sheet or calcium sulphate bearing materials (IE Drylining) would permit the use of Mono-cell disposal rather than hazardous waste landfill.

2) Removal of metals from waste for subsequent recycling will reduce the weight of material for landfill

3) Subsoil is classified as inert waste and attracts a discount tax of £2-£3 per tonne rather than the full rate that would be chargeable for topsoil or mixed top and sub-soils.

4) Keep skips covered to prevent the ingress of water, which would otherwise result in additional weight.

5) Carefully examine strategies that reduce the need for significant 'muck-shift' operations.

6) Look for strategies for remediation that do not require the removal of contaminated spoils.

## WASTE TRANSFER STATIONS – KEEP AN AUDIT TRAIL

The use of waste transfer stations can be a useful route where space on site is at a premium. But to fulfil the Duty of Care requirements, clients and contractors must be in a position to identify precisely, the final disposal points that are used by the transfer station for its waste streams.

All stations are required by law to hold a license from the environmental Agency that defines the types and amounts of waste that can be handled on a daily/weekly basis at the station. The declaration required by Regulation 6 (5) of the Site Waste Management Plan Regulations 2008 concerning the handling of waste involves the client in ensuring that only properly licensed transfer stations are used.

Properly managed transfer stations are beneficial, badly managed the client and the contractor are open for enforcement action.



# LEGISLATIVE CALENDAR

JAN  
**16**  
2009

*Legislation:* HEALTH AND SAFETY (OFFENSES) ACT  
APPLIES IN GREAT BRITAIN

Amends Section 33 of the Health and Safety at Work Act to raise the maximum penalty available in the lower courts to £20,000 for most safety offenses, and make imprisonment an option for more serious breaches.

More information: <http://services.parliament.uk/bills/2007-08/healthandsafetyoffences.html>

APR  
**6**  
2009

*Legislation:* HEALTH AND SAFETY (MISCELLANEOUS AMENDMENTS AND REVOCATIONS) REGULATIONS  
APPLIES IN GREAT BRITAIN

Make revisions to the Manufacture and Storage of Explosives Regulations 2005, revoke redundant local mining regulations, correct an omission in the Control of Noise at Work Regulations 2005.

More information: [www.hse.gov.uk/consult/condocs/cd214.htm](http://www.hse.gov.uk/consult/condocs/cd214.htm)

APR  
**6**  
2009

*Legislation:* FACTORIES ACT 1961 AND OFFICES, SHOPS AND RAILWAY PREMISES ACT 1963 (REPEALS AND MODIFICATIONS REGULATIONS)  
APPLIES IN GREAT BRITAIN

Remove several form-filling requirements that currently apply to most businesses operating from factories, offices, shops and certain railway premises. The Regulations introduce no new requirements.

More information: [www.hse.gov.uk/consult/condocs/cd219.htm](http://www.hse.gov.uk/consult/condocs/cd219.htm)

APR  
**6**  
2009

*Legislation:* HEALTH AND SAFETY INFORMATION (AMENDMENT) REGULATIONS  
APPLIES IN GREAT BRITAIN

Amend the 1989 Regulation to allow for new approved workplace posters and leaflets that avoid the need for businesses to add or update information.

More information: [www.hse.gov.uk/consult/condocs/cd218.htm](http://www.hse.gov.uk/consult/condocs/cd218.htm)

APR  
**6**  
2009

*Legislation:* CHEMICAL (HAZARD INFORMATION AND PACKAGING FOR SUPPLY) REGULATIONS 2009 (CHIP 4)  
APPLIES IN GREAT BRITAIN

Amend the current CHIP Regulations to align them with the transitional period of the European Regulation on the Classification, Labeling and Packaging of Substances and Mixtures (the CLP Regulation).

More information: [www.hse.gov.uk/consult/condocs/cd220.htm](http://www.hse.gov.uk/consult/condocs/cd220.htm)

## DOMESTIC GAS INSTALLERS MUST REGISTER FROM 1st APRIL

Gas Safe Register, the new gas installer registration scheme run by Capita, came into force on 1st April and CORGI-registered installers can now register with the new body.

The HSE regulates domestic gas safety via the Health and Safety at Work Act and the gas Safety (Installation and Use) Regulations 1998 and will oversee the new system.

All gas installers involved with domestic work in Great Britain must register with the new scheme to carry out work lawfully.



## EMPLOYMENT LAW – THE CHANGES

6th April was the landmark day within the field of employment law.

- 1) Statutory Sick Pay, Maternity and Paternity Pay increases come into force.
- 2) Statutory Discipline and Dismissal

Procedures are revoked – and replace with a new ACAS Code of Practice.

- 3) The new A4 versions of form P45 must be used and any stocks of the old A5 documents should be destroyed.
- 4) The right to apply for flexible working is being extended to those who have parental responsibility for children aged 16 or under.

## STOP THE PRESS - STOP THE PRESS - STOP THE PRESS - STOP THE PRESS

### GYPSUM PRODUCTS BANNED FROM LANDFILL

New regulations have, from the 1st April 2009, banned all gypsum based products from being deposited in general landfill sites. Previously 10% gypsum products had been permitted in any load of mixed wastes.

The ban covers all gypsum based materials such as plasterboard, some insulation products and other similar materials. These products must now be recycled or deposited in landfill sites with special cells to receive the waste material. These cells will not

accept any gypsum load for deposition that contains any level of biodegradable materials.

Compliance with the new regulations will require the specific segregation of gypsum from the remainder of the mixed waste stream. Organisations reliant on segregation at waste sorting stations must take additional steps to ensure that they comply with the Duty of Care requirements under the Environmental Protection Act 1990.



RP&P MANAGEMENT LIMITED. ALWAYS ON TARGET.

RP&P Management Limited, Morley Carr House  
Morley Carr Road, Low Moor, Bradford BD12 0RA

[www.rpp-management.co.uk](http://www.rpp-management.co.uk)  
Tel: 01274 693588

## DRIVING AT WORK 2008 – A PRACTICAL GUIDE

Driving on the roads is the second biggest cause of accidents or death at work and employers are responsible for the health and safety of their employees while they are at work.

To help employers fulfil their Duty of Care, the Workplace Law Group has updated and reissued their special report, Driving at Work 2008, which considers changes to the Road Safety Act 2006, legislation on mobile phones and the increasing number of environmental schemes affecting vehicles, as well as Corporate Manslaughter Legislation.

The guide is aimed at the policy-forming and decision-taking managerial level in organisations; it covers all the pertinent issues including legislation, case law and risks managers face and how to control them.