

**COU11D069**

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UNIVERSITY HEALTH AND SAFETY EXECUTIVE  
Report to Council – 1<sup>st</sup> October 2011 to 31<sup>st</sup> March 2012

### **Recent legislation changes**

#### **The Environmental Permitting (England and Wales) (Amendment) Regulations 2011**

The University has applied to the Environment Agency for its radioactive waste in the category VLLW (Very Low Level Waste) to be removed from its Permit for the accumulation and disposal of radioactive waste. This application has been granted and consequently such waste will now be managed under the exemption allowances in the Regulations. This will allow the university more options for disposal of the waste but overall will have no effect on how we have to manage these wastes on our premises.

There is some uncertainty regarding the cost impact of the changes to the exemption limits for disposal of any uranium or thorium holdings that the university has now, or in the future. Further guidance from the Environment Agency and DEFRA has been promised.

#### **Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)**

From the 6<sup>th</sup> April, the RIDDOR regulations have been changed such that the requirement to report to the Health and Safety Executive any accidents which result in incapacity for work for more than three consecutive days now is a requirement to report if the period of incapacity is more than seven days. This will have a small effect on the number of accidents reports that the University makes to the Health and Safety Executive.

#### **Control of Asbestos Regulations 2012**

From the 6<sup>th</sup> April these new regulations, in addition to previous controls, introduce a new category of work (Notifiable Non-Licensed Work - NNLW) and a new definition of Licensed work.

**Note:** There may be some additional costs to building maintenance and refurbishment activities as a result of the changes in the legislation.

### **Upcoming legislation changes**

#### **Löfstedt's review of health and safety legislation**

Despite the way it was largely reported in the national press, the Löfstedt review (<http://www.dwp.gov.uk/docs/lofstedt-report.pdf> ) largely confirmed the appropriateness of H&S legislation in the UK. Many of its recommendations will have little impact on an employment organization such as this university. There may be a few changes eventually made to the Construction, Design and Management Regulations which will make the running of building and refurbishment projects a little less bureaucratic - but otherwise it is likely to have little impact on how health and safety needs to be managed at UEA. For example, the Health and Safety Executive are reviewing legislation and are currently consulting on the removal of the following legislation (none of which will impact on the university):

Anthrax Prevention Order 1971 etc (Revocation) Regulations 2005.  
Employment Medical Advisory Service (Factories Act Orders etc Amendment) Order 1973  
Health and Safety (Foundries etc) (Metrication) Regulations 1981  
Non-ferrous Metals (Melting and Founding) Regulations 1962  
Pottery (Health and Welfare) Special Regulations 1950  
Pottery (Health etc) (Metrication) Regulations 1982  
Regulations for use of locomotives and waggons on lines and sidings in or used in connection with premises under the Factory and Workshop Act 1901 (1906) (1906 No.679)

2012 Budget Report ([http://cdn.hm-treasury.gov.uk/budget2012\\_complete.pdf](http://cdn.hm-treasury.gov.uk/budget2012_complete.pdf) )

The Chancellor of the Exchequer's budget report, in March, included a section on plans for deregulation in the economy with a specific section on health and safety legislation, which is given here:

*"2.238 Health and safety – The Government will scrap or improve 84 per cent of Health and Safety regulation, including by:*

- *introducing legislative change in 2012 so that health and safety law will no longer hold employers to be in breach of their duties in civil law where they have done everything that is reasonably practicable and foreseeable to protect their employees;*
- *giving the Health and Safety Executive (HSE) authority to direct all local authority health and safety inspection and enforcement activity, in order to ensure that it is consistent and targeted towards the most risky workplaces. A code based on existing powers will be introduced in April 2013;*

- *amending the Health & Safety (First Aid) Regulations 1981 to remove the requirement for HSE to approve the training and qualifications of appointed first-aid personnel. Revised guidance aimed at small business will be published by May 2012, and provisions repealed by October 2012;*
- *amending the Reporting of Injuries, Diseases and Dangerous Occurrences Regulation (RIDDOR) and its associated guidance to provide clarity for businesses on how to comply with the requirements by October 2013. This is in addition to the legislative change being made in April 2012 to extend to seven days (from three) the period an employee needs to have taken off work before an injury or accident needs to be reported;*
- *HSE redesigning information on its website in 2012 to distinguish between the regulations that impose specific duties on businesses and those that define ‘administrative requirements’ or revoke or amend earlier regulations;*
- *HSE providing further help to businesses by summer 2012 on what is ‘reasonably practicable’ for specific activities where evidence demonstrates that they need further advice to comply with the law in a proportionate way;*
- *aiming to start health and safety prosecutions within three years of an incident occurring by April 2013;*
- *HSE inputting ideas for micro-exemptions or lighter touch EU health and safety regulation for SMEs to the European Commission, based on ideas raised during the Red Tape Challenge;*
- *agreeing that the insurance industry will produce guidance for SMEs setting out what is and is not required to demonstrate compliance with health and safety law when obtaining insurance cover as agreed at the Prime Minister’s insurance summit in February 2012;*
- *agreeing that the insurance industry also commits to challenge vexatious civil claims in order to tackle the compensation culture; and working with business and the ABI to build confidence in challenging such claims and ensure businesses have access to the right guidance and support.”*

On the face of it (as with the Löfstedt review) there is nothing in this report to suggest that the proposed deregulation activity, as described, will have any impact on the university’s management of health and safety.

#### Health and Safety (Fees) Regulations

Regulations to allow the HSE to recover the costs of its inspection work (from inspected employers if H&S law has been breached) have been delayed until at least October. These impending regulations were reported as being due in April in the last report.

Rewording of some parts of the regulations are rumoured to be planned. As yet these changes are not available

## **Accidents and Incidents**

Total numbers of recorded accidents is at a low for recent years with staff

	2006	2007	2008	2009	2010	2011
Total	305	266	260	252	267	<b>207</b>
Staff	240	204	186	179	186	<b>140</b>
Students	32	38	41	26	29	<b>38</b>
Others	30	24	33	47	52	<b>29</b>
Reportable	8	17	8	13	15	<b>9</b>

### **Serious injuries**

Reportable accidents are categorised into *deaths*, *major injuries*, *over 3-day injuries* (accidents which result in incapacity for work for more than three consecutive days), and *dangerous occurrences* (certain incidents which have the potential for causing serious injury without actually having done so). The university is also required to report to any accident to a non-employee which resulting in their being taken to hospital.

There have been 7 reportable accidents in the period since the last report - 1<sup>st</sup> October 2011 to 31<sup>st</sup> March 2012.

Five members of the public were *taken to hospital* as a result of accidents at the university:

- an undergraduate fell off a chair and struck her head;
- a student hurt her ankle when miss stepping on stairs;
- a visitor sustained a leg injury after being struck by a car which had skidded on ice;
- an undergraduate injured a knee after falling off a chair;
- a visitor tripped over a raised paving slab and received facial injuries.

Of the other 2 reportable accidents (*over three day accidents*), one was due to a slipping on “squirrel droppings” and the other due to tripping on a pavement.

### **Dangerous Occurrences**

There were no reportable dangerous occurrences in the period report 1<sup>st</sup> October 2011 to 31<sup>st</sup> March 2012.

## 2011 USHA Statistical survey data for the '94 Group

Rates are the numbers of accidents per 1000 people at risk

<u>Staff Reportable Rate</u>	<u>Staff Total Rate</u>	<u>Student Reportable Rate</u>	<u>Student Total Rate</u>
0.00	7.33	0.00	1.42
0.87	5.25	0.00	0.07
<b><i>1.28</i></b>	<b><i>35.89</i></b>	<b><i>0.22</i></b>	<b><i>2.89</i></b>
1.33	7.67	0.08	0.50
1.87	17.31	0.16	1.28
2.10	28.03	0.00	1.04
2.32	61.03	0.07	1.76
2.87	65.90	0.04	1.87
3.05	31.85	0.39	3.10
3.14	55.77	0.24	2.59
3.33	34.67	0.00	1.90
3.65	43.76	0.12	2.55
3.99	66.46	0.11	3.34
4.61	40.35	0.14	2.98
8.18	41.41	0.57	4.34

The above table provides data from universities within the '94 Group. UEA's data is given in bold italics.

## **Fire Safety**

There were 10 reported fires 1<sup>st</sup> October 2011 to 31<sup>st</sup> March 2012.

<b>Date</b>	<b>Building/Area</b>	<b>Cause Of Fire</b>
16/10/2011	Village	Toaster fire
17/11/2011	BMRC	Glass bottle containing paraformaldehyde exploded on a hot plate.
20/11/2011	Britten House	Oil from wok overflowed onto hob
05/12/2011	External to ARTS	Fire in cigarette bin
07/12/2011	Britten House	Burning food in microwave
25/12/2011	Norfolk Terrace	Chip pan fire
10/02/2012	Mary Chapman Court	Pan of oil left on hob.
21/02/2012	Coleman House	Pan of oil caught fire
09/03/2012	Chemistry	Sodium hydride/ water reaction fire
28/03/2012	External to ITCS	Fire in cigarette bin

There were 5 fires in the previous six month period (1<sup>st</sup> April to 30<sup>th</sup> September 2011) and 20 fires in the equivalent period last year (1<sup>st</sup> October 2010 to 31<sup>st</sup> March 2011).

False fire alarm data for the full calendar year will be provided in the next report.

### **Reported false fire alarms**

Frequent false fire alarms degrade fire safety as they lead to the assumption by building occupants that any alarms that sound are false. Consequently occupants can respond poorly, or not at all, to such alarms and thereby place themselves and others at risk in a real fire emergency.

There has been significant improvement in levels of false fire alarms in student accommodation. From 2005 onwards smoke detection has been gradually introduced into student bedrooms (starting with the build of the new residences) to provide better protection for sleeping occupants. However this has led to activations of these detectors by steam from the ensuite shower rooms. Measures to reduce these steam activations resulting in evacuation and also measures to reduce malicious activation of manual call points have resulted in the reduction of false fire alarms to the levels experienced in 2005 and 2006.

The large reduction in false fire alarms in non-residential buildings is difficult to explain.

Fire brigade attendance has been greatly reduced by the introduction of a 5 minute checking period before Security call the brigade.

<b>Calendar year</b>	<b>All buildings</b>	<b>Residential buildings</b>	<b>Non-residential buildings</b>	<b>No. attended by fire brigade</b>	<b>% attended by fire brigade</b>
<b>2011</b>	<b>171</b>	<b>147</b>	<b>24</b>	<b>6</b>	<b>4</b>
2010	449	376	73	15	3
2009	444	360	84	11	2
2008	410	340	70	18	4
2007	397	310	87	63	16
2006	241	153	88	147	61
2005	215	136	79	135	62

#### **Cause of false fire alarms in residences**

<b>Calendar year</b>	<b>Malicious</b>	<b>Steam from shower</b>	<b>Other eg cooking</b>
<b>2011</b>	<b>25</b>	<b>47</b>	<b>75</b>
2010	74	127	175
2009	87	105	168
2008	54	137	149
2007	44	118	148
2006	32	10	111

## UHASE and the University Committees

### UHASE

UHASE met in November 2011.

#### UHASE

- approved a revised university health and safety policy and risk assessment guidelines for pregnant students
- received update on implementation of stress management arrangements.
- received update on progress in formulating alcohol policies for staff and students.
- Discussed fire evacuation arrangements, fire risk assessments, revision of the Fire Risk Management Policy, pedestrian issues at the Edith Cavell Building, and driving at work.

### Consultative Committee

The Consultative Committee met in November 2011 and March 2012.

The Committee.

- Discussed sickness absence data, risk assessment forms, access for disabled persons, a staff alcohol policy, the training of fire risk assessors, facilities for pregnancy, and revisions to the UEA H&S Policy.

### Biological Hazards and Genetic Modification Committee

The Biological Hazards and Genetic Modification Committee met in October 2011 and February 2012.

The Committee

- received and considered reports on on-going microbiological and genetic modification work
- considered the membership of review panels, which review and approve Containment Level 1 and 2 projects.
- considered an update on the impending Biological Agents and Genetically Modified Organisms (Contained Use) Regulations 2010.
- Discussed health surveillance and risk assessment forms.

### Fire Safety Committee

The Fire Safety Committee met in October 2011 and January 2012.

The Committee discussed:

- malicious activations of fire alarms
- steam activations of smoke detectors and malicious activations of the fire alarm systems in student accommodation
- progress on fire risk assessments
- the fire strategy for the teaching wall
- evacuation chairs, refuges and lifts
- Norfolk Fire Service familiarization visits

The Committee agreed to the introduction of a ban on chip pans in student accommodation.

### Radiation Protection Committee

A meeting of the Radiation Protection Committee had to be postponed in February 2012, it is hoped to hold a meeting during the summer.