



Gallagher

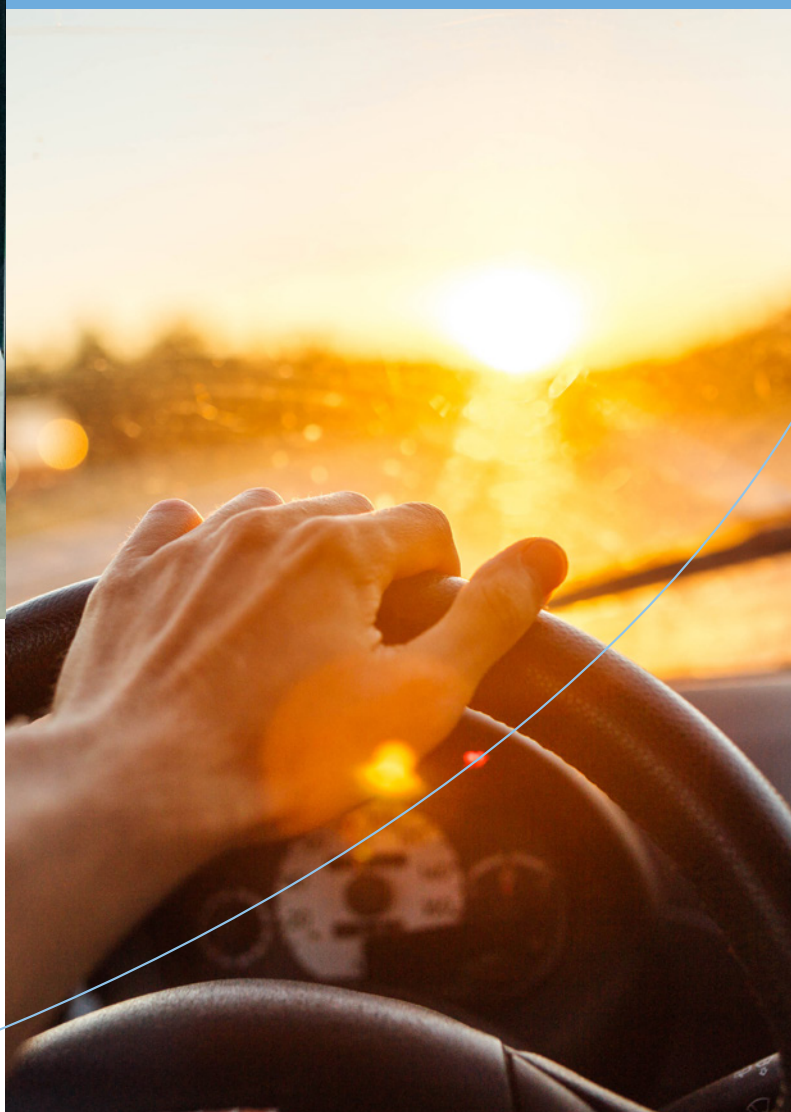
Insurance | Risk Management | Consulting



RISK MATTERS

A quarterly newsletter from Gallagher
Risk Management Solutions

December 2019



UPCOMING TRAINING DATES FOR 2020

IOSH Managing Safely Course

IOSH-approved Managing Safely gives your managers, supervisors and staff the skills they need to understand the risks and run effective Health & Safety programmes. Running over three days, the course covers risk assessment, risk control, hazard identification, waste and pollution protection, accident and incident investigation – plus performance measurement.

£650 + VAT (per delegate)

Location	Date
Wakefield	5th, 6th, 7th February
Leicester	25th, 26th, 27th February
Walbrook	18th, 19th, 20th March
Manchester	18th, 19th, 20th March
Birmingham	24th, 25th, 26th March
Glasgow	21st, 22nd, 23rd April

IOSH Safety for Executives & Directors Courses

The IOSH-approved Safety for Executives & Directors course is designed for individuals who hold senior positions such as business owners or Directors within any business sector. The course lasts one day, starting at approximately 10am and aiming to finish by 3:30pm. The course is based on the occupational health and safety standards which are found in the Health and Safety Executive Guidance, the Turnbull Report and the Corporate Manslaughter and Corporate Homicide Act of 2007.

£250 + VAT (per delegate)

Location	Date
Birmingham	17th Feb
Leicester	17th March
Manchester	24th March
Walbrook	14th April
Wakefield	5th May

Please email

riskmanagementtraining@ajg.com

to register your interest and/or

book a place on one of our upcoming

IOSH courses.

HEALTH AND SAFETY EXECUTIVE RELEASES 2019 INJURY AND ILL-HEALTH STATISTICS¹

The latest report from the Health and Safety Executive (HSE) has demonstrated that the number of accidents and incidents of sickness in workplaces across Great Britain is still high. The report catalogues all statistics for work-related ill health, which includes workplace injuries, working days lost, enforcement action taken, and the associated costs to the UK.

**Over
581,000** workers
sustained non-fatal injuries in 2018
and 2019 with a further 1.4 million
workers suffering from ill-health
directly caused by work.

The report also revealed that there were: 147 fatal injuries, 364 court cases which resulted in a conviction, with fines totalling £54.5 million, and 28.2 million working days lost due to illness and injury. In total, this has cost the British economy £15 billion.

Despite Great Britain continuing to be one of the safest places to work, the

figures within the report reveal that there is still work to be done to prevent fatalities, injuries and ill-health. This is especially poignant for the construction and agriculture sectors, which remain the highest-risk sectors to work in. The full annual injury and ill-health statistics report can be found on HSE's website.

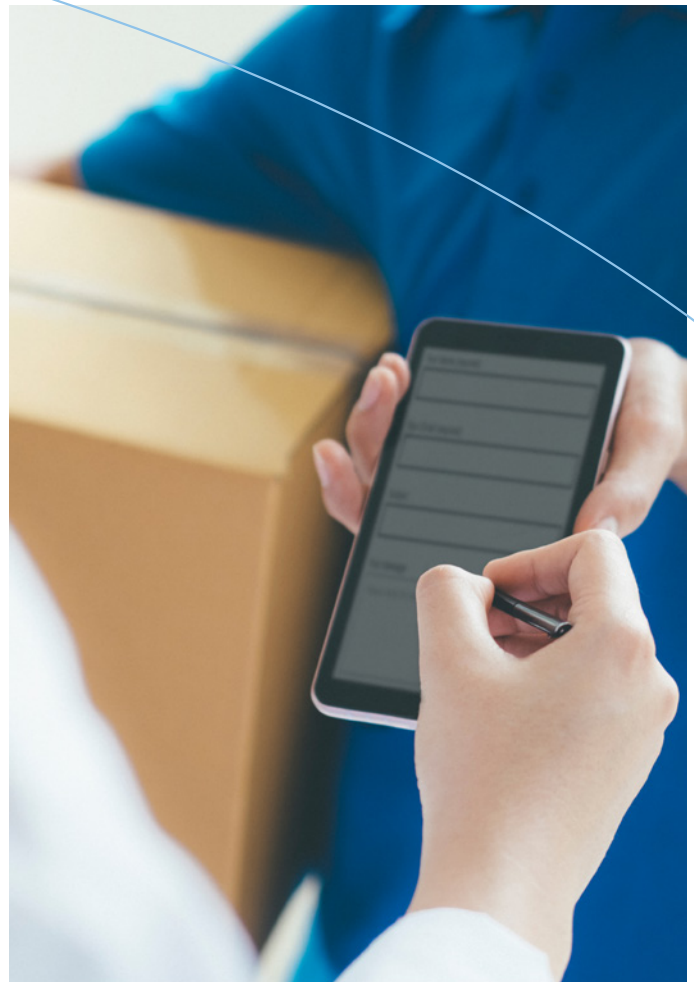
¹ http://www.hse.gov.uk/statistics/?utm_source=pressrelease&utm_medium=referral&utm_campaign=annualstats&utm_term=statistics&utm_content=illhealthandinjury

BE WARY OF COURIER FRAUD²

Action Fraud have released a warning following the rise in courier fraud. Courier fraud is when a fraudster cold calls a victim posing as a police officer or bank official, and convinces the target that their bank details have been compromised and that to help with the investigation, they either need to hand over their cards and pin or withdraw large sums of cash which the “bank” will keep secure.

The fraudster will then send a courier to collect the items, which the victim will never see again. While there are numerous approaches that fraudsters can take, the essence of the crime is the same. You should remember that your bank or the police will never ask you to share your pin or ask you to withdraw or transfer money from your account.

If you think you are being targeted by this scam, always contact your bank using a number that you trust such as the one on the back of your card.



² <https://www.cityoflondon.police.uk/contact-city-police/online-services-and-alerts/Pages/skyline.asp>

HSE UPDATE RIDDOR FORMS

A RIDDOR report is an incident report form designed to be used by designated ‘responsible persons’ including employers, the self-employed and those in control of work premises. These forms have been streamlined to make the process easier. Incidents can also be reported by telephone, but this is for fatal incidents only.

You can use RIDDOR online to report injuries, dangerous occurrences, diseases, flammable gas incidents or dangerous gas fittings. There is a separate form for offshore incidents (ROGI) which meets the requirements of RIDDOR.



RECENT PROSECUTIONS

Director jailed after employee killed on construction site³

The sole director of Front Row Builders Ltd has been sentenced after an employee was crushed to death by an excavator bucket which he was operating. An investigation by HSE revealed that he had failed to undertake a sufficient risk assessment and had operated the excavator without undergoing the appropriate training or certification.

Robert Harvey of Reston Drive, Glasgow pleaded guilty to breaching Section 7(a) and Section 33(1)(a) of the Health and Safety at Work Act 1974, and was given a 10 month custodial sentence.



Director fined after worker impaled⁴

The former director of a now-dissolved landscaping company R K United Ltd has been fined after a worker suffered life changing injuries. The court found how the employee had been using a lorry loaded crane to deliver soil, when he accidentally impaled his arm on a spike protruding from the control system, this shattered several bones in his arm.

The HSE investigation found the crane had severe defects including the removal of a safety guard leaving the spike in which the injury was caused, and a disabled safety system. As well as this, the worker had not received the correct training.

Hafeez Ghafoor pleaded guilty to breaching Section 37 of the Health & Safety at Work Act 1974 and received a suspended 12-month prison sentence and was ordered to complete 200 hours of community service.

³ <https://www.shponline.co.uk/in-court/sole-director-jailed-after-employee-killed-by-excavator/>

⁴ <https://www.shponline.co.uk/in-court/r-k-united-ltd-worker-impaled-on-a-spike/>

Ferry operator prosecuted after worker hit by moving vehicle⁵

The employee was struck by a 3.5 tonne delivery van at a port terminal in Birkenhead. The van was being reversed into the pontoon area by another employee. The vehicle reversed over the employee's head, after knocking him down. He received numerous injuries including skull and rib fractures, the loss of sight in one eye and as a result significant mental health problems.

An investigation by the HSE found there had been no separation of pedestrian vehicle operators from the unloading bay. Stena Line Limited had failed to assess the risks and had not put effective control measures in place.

Stena Line Limited pleaded guilty to breaching Section 2(1) of the Health and Safety at Work Act 1974. And were fined £400,000 and ordered to pay costs of £6576.15.

Port operating company fined after worker injured⁶

A worker was struck by a load falling from two forklift trucks, while acting as a banksman. The load, which weighed 1,924kg was suspended on the forks of two trucks, and fell when struck by the HGV's headboard, landing on the employee.

The employee sustained multiple fractures, lacerations, scarring and abrasion as well as ligament reconstruction to his left knee and the amputation of two toes on his left foot. Since the incident, he has been unable to work.

The investigation by HSE found no suitable risk assessment had been carried out, and that the tandem FLT lifting operation had not been properly planned, supervised, or carried out safely.

The Mersey Docks and Harbour Company Limited of Maritime Centre, Port of Liverpool pleaded guilty to breaching Section 3 (1) of the Health and Safety at Work Act 1974 and was fined £300,000 with costs of £7,593.55.

⁵ <https://www.shponline.co.uk/in-court/stena-line-fined-400k-following-vehicle-incident/>

⁶ <https://www.shponline.co.uk/in-court/port-of-liverpool-fine-after-worker-seriously-injured/>



NEW DRIVING LAWS INTRODUCED IN 2019⁷



A number of new laws have been introduced this year, below is a round-up of the most important legislation.

MOT standards tightened

Changes to the MOT test means that more cars are likely to fail the new test. This includes cars with outstanding recalls against them, which will instantly fail. It is estimated 2.39 million cars could be on the road with recalls against them.

This is in addition to 2018 changes to the test which introduced three new categories – Minor, Major and Dangerous.

Car tax increases

DVLA car tax rates are increasing for the third time in three years, in line with inflation. This could add £5 to £65 to your annual vehicle excise duty bill.

Smart motorways

This year will see the automatic enforcement of closed lanes by camera. Motorists can be fined £100 for ignoring the lane closure marked by a red X as these are used by emergency vehicles or are closed for the safety of a broken down car.

Highway Code change concerning cyclists

The Highway Code has been amended to note that there must be at least 1.5 metres (4ft 11 inches) between the driver and cyclist when overtaking. Drivers that fail to do so could receive a fine of £100.

Potential for graduated licenses

It has been proposed that new road users could receive a restricted license, to help reduce the number of accidents caused by new drivers. Restrictions could include curfews, passenger limits, speed limits, restrictions on engine size, a lower alcohol limit or mandatory P plates.

⁷ <https://www.express.co.uk/life-style/cars/1079321/driving-laws-2019-car-tax-MOT-test-motorways-new-rules> and <https://www.hirebrid.co.uk/new-driving-laws-for-2019/>

TFL RELEASES FATIGUE REPORT⁸

The new report outlines measures that drivers can take to self-identify when they're fatigued and what they can do to reduce tiredness on the road. This research is a world-first, and has resulted in TFL introducing a £500,000 fund for bus operators to use to reach the target of no deaths or serious injuries on London's roads.

The study has resulted in the implementation of a number of measures which will be required by any company operating London buses under new contracts next year. Firstly, all bus garage managers will have to undergo fatigue training, then all rotas will be reviewed by operators to reduce the risk of fatigue. As well as this all operators will ensure that driver representatives will be given the opportunity to be trained in fatigue. There will also be a fatigue risk management system introduced, which will assess fatigue and provide processes for managing and reporting it as it occurs, with the aim of reducing overall levels.

This is a part of a number of initiatives recently introduced by Mayor of London Sadiq Khan including better starter salaries for bus drivers and the option to freely move between bus companies. TfL has also confirmed that drivers will have access to welfare facilities and ensure all routes have driver toilets available.



DRIVING WHILE TIRED – DON'T RUN THE RISK⁹

Many of us have done it at some time or another, with statistics showing that 40% of all car, van and lorry drivers have driven while tired at some point. It is incredibly dangerous to do so however; as 20% of all UK collisions are caused by tiredness. That's why we recommend implementing a zero tolerance policy concerning driving while tired within your business. It's advisable to teach your employees to be comfortable with identifying the signs of tiredness and knowing when to take a break. These signs include: frequent yawning and eyelids drooping, failure to focus on the road, and memory lapses or hitting rumble strips.

If your employees experience these symptoms then they run the risk of microsleeping or sleeping for up to two seconds, which can have fatal results. Winding down the window, turning up music or talking to a passenger, despite popular belief, does not counteract tiredness.

To reduce fatigue drivers should try to get adequate sleep before a journey or nap before a journey, avoid journeying in the morning, swap drivers or pull over into a roadside hotel to sleep. These measures can help combat fatigue and make roads safer.



⁸ <https://tfl.gov.uk/info-for/media/press-releases/2019/august/tfl-sets-out-measures-to-tackle-bus-driver-fatigue>

⁹ <https://fta.co.uk/fta-blog/august-2019>

About Gallagher

Founded by Arthur J. Gallagher in Chicago in 1927, Gallagher has grown to be one of the leading insurance brokerage, risk management, and human capital consultant companies in the world. With significant reach internationally, our organisation employs over 30,000 people and our global network provides services in more than 150 countries.

Our people partner with businesses across countries and international territories to provide relevant and impactful professional advice. Regardless of what risk and human capital challenges our clients have, we work hard and utilise industry specific expertise to find the best solution and to deliver it with world-class service.

We continue to build on 90 plus years of expertise that spans global industries. No matter the size of the organisation we partner with and the challenges presented by the industry, we work tirelessly to provide solutions that maximise value for our clients.

Our values are core to our culture. Passionate service, strategic innovation, and ethical behaviour form the basis of how we do business.

**WE HELP OUR CLIENTS GO BEYOND THEIR GOALS.
IT'S THE GALLAGHER WAY.**

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Registered Office: Spectrum Building, 7th Floor, 55 Blythswood Street, Glasgow, G2 7AT.
Registered in Scotland. Company Number: SC108909. FPxxx-2019 Exp. DD.MM.2020

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