

HEALTH & SAFETY BULLETIN

INTRODUCTION

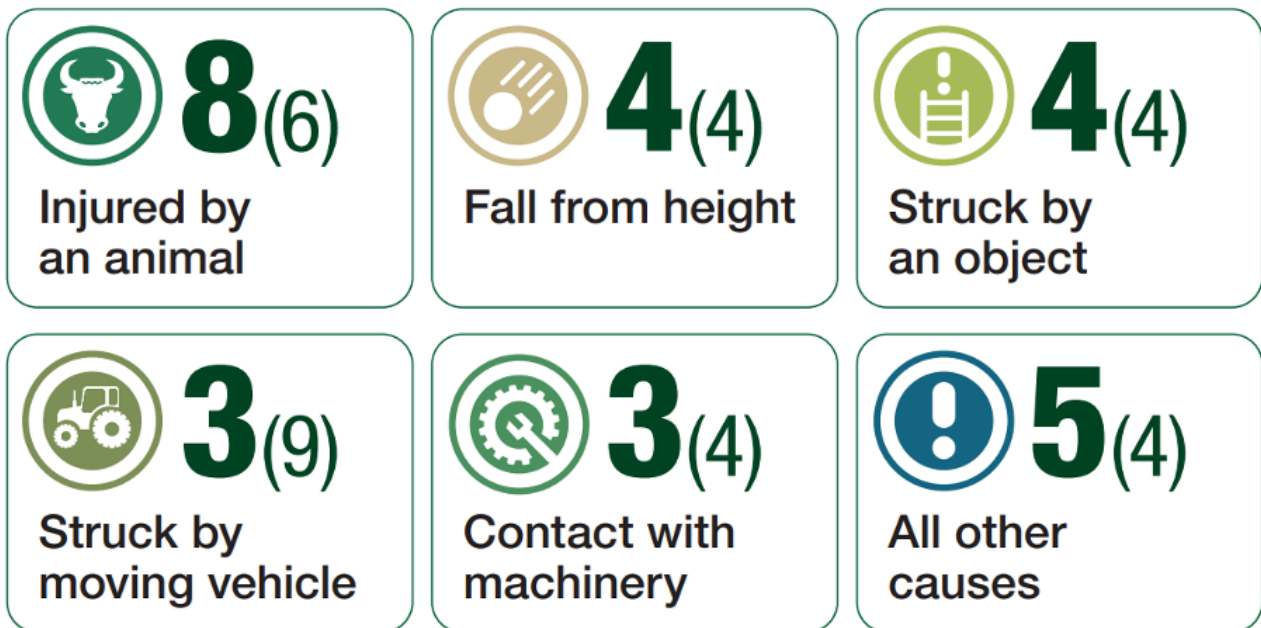
Welcome to Ceres Rural's Health & Safety Bulletin. Each quarter, we update you on industry news, topical issues, and safety alerts with the aim of supporting you in achieving best practice on your farm or estate.

This edition highlights the publication by the Health & Safety Executive (HSE) of the annual farming fatalities report, which shows a slight increase in the number of deaths on the previous 12-month period. The bulletin reviews the topic of hand-arm vibration before explaining the requirements of the Reporting of Injuries, Diseases & Dangerous Occurrences Regulations 2013 (RIDDOR). It also covers the subject of portable appliance testing and concludes with two case studies relating to hazardous atmospheres, with learning outcomes for the agricultural industry.

HSE REPORT 2022-23

The HSE has released its annual farming fatalities report for 2022-23. This shows that 27 people were killed in agriculture the 12-month period, an increase of two on the 2021-22 total of 25 but slightly below the five-year average of 31. Six of the fatalities were members of the public including one child, with 33% of those killed being aged 65 or over.

The main causes of deaths are shown below, with the figures in brackets noting the five-year average for each category.



Agriculture's fatal injury rate (the number of fatal injuries per 100,000 workers) is now 7.87, below the five-year average of 8.60, but still 21 times higher than the average all industry rate.

The HSE have called for a cultural shift away from poor behaviours, saying:

"It is disappointing that yet again so many farming families and communities are left devastated when their loved ones are killed or suffer life changing illnesses... we need everyone to improve the culture and change the poor behaviours we see far too frequently."

The HSE's summary report for 2022-23 can be found [here](#).

A summary of every individual fatality can be found [here](#).

HAND-ARM VIBRATION

The Control of Vibration at Work Regulations 2005 aim to protect workers from risks to health from vibration by introducing actions and limiting values for hand-arm and whole-body vibration. Hand-arm vibration comes from use of handheld power tools, hand-guided equipment or materials being worked by hand-fed machines, with regular and frequent exposure leading to hand-arm vibration syndrome (HAVS) or carpal tunnel syndrome (CTS).

Symptoms of HAVS include tingling and numbness in the fingers, loss of strength in the hands, and fingers going white (blanching) and becoming red and painful on recovery, all of which can cause an inability to work safely. CTS symptoms include tingling, numbness, pain and weakness in the hand, which can also interfere with everyday work activities.

The Regulations require:

1. Risks from vibration to be controlled.
2. Information, instruction and training for employees on controlling vibration risks.
3. Provision of suitable health surveillance.

The Regulations also include an exposure action value (EAV) and exposure limit value (ELV) based on a combination of the vibration level and time spent gripping equipment. These are:

1. A daily EAV of 2.5m/s^2 A(8) that represents a clear risk requiring management.
2. A daily ELV of 5m/s^2 A(8) above which employees should not be exposed.

Hand-arm vibration should particularly be considered when using chainsaws, grinders, impact drills, pedestrian controlled equipment including mowers, as well as hand-held saws for concrete and metal, and should be controlled by reducing the vibration transmitted to the hand (such as by using anti-vibration mounts or gloves) or the time spent holding vibrating equipment.

REPORTING OF INJURIES, DISEASES & DANGEROUS OCCURRENCES

RIDDOR place duties on employers regarding the reporting of certain types of incidents in the workplace. The Regulations hold employers responsible for negligence or bad working behaviours and in practice, encourage everyone to follow health and safety procedures in the workplace in order to prevent accidents. They also help the HSE to target their work and provide advice about how to avoid work-related deaths, injuries, ill health and accidental loss.

For the purposes of RIDDOR, an accident is a separate, identifiable, unintended incident that causes physical injury, including acts of non-consensual violence to people at work. Not all accidents need to be reported: those that do involve accidents that are work-related, and result in an injury of a type which is reportable. RIDDOR applies to:

- Workplace deaths (excluding suicide).
- Injuries resulting in an employee or self-employed person being away from work or unable to perform their normal work duties for more than seven days.
- Incidents involving members of the public being injured and taken to hospital.
- Specified injuries including fractures, amputations, loss of sight and serious burns.
- Occupational diseases including asthma, dermatitis, cancer, tendonitis of the hand or forearm, carpal tunnel syndrome and hand-arm vibration syndrome.
- Dangerous occurrences including explosions or fires resulting in work stopping for over 24 hours, plant or equipment coming into contact with overhead power lines, and lifting equipment collapsing, overturning or failing.

Those responsible must complete the relevant form on the HSE website or contact them by telephone, as well as recording the details in the Accident Book. Furthermore, accidents resulting in an employee or self-employed person being incapacitated for more than three days should be recorded, but does not need to be reported. The HSE's Incident Contact Centre can be reached on 0345 300 9923 or online [here](#).

PORTABLE APPLIANCE TESTING

Portable Appliance Testing (PAT) is the term used to describe the examination of electrical appliances and equipment to ensure they are safe to use. Most defects can be found by visual examination but some can only be identified through testing by a competent person. The frequency of inspection and testing depends upon the type of equipment and environment in which it is being used. The Electricity at Work Regulations 1989 require that any electrical equipment that has the potential to cause injury is maintained in a safe condition. For guidance on suggested frequencies of inspection and testing, see [here](#).

There is no legal requirement to label equipment that has been inspected or tested, nor is there a requirement to keep records of these activities. However, a record or labelling system can be a useful management tool for monitoring and reviewing the effectiveness of the maintenance scheme. In many work environments, a competent employee can undertake visual inspections but when undertaking combined inspection and testing, a greater level of knowledge and experience is needed with the right equipment to do the tests, and the abilities to use the equipment properly, and understand the results.

ENFORCEMENT ACTIVITY

The following are two examples of recent case studies specifically involving hazardous atmospheres – one is from outside of agriculture, but both have clear learning outcomes for the industry:

Jail Sentences & £2 Million Fine for Two Fatalities at Food Waste Business

Three managers have been jailed and a company fined after two people working at a food waste recycling plant in Leicestershire were killed as a result of being overcome by toxic fumes and drowning in a tanker containing pig feed.

On the afternoon of the incident, a 19-year-old yard staff member was instructed to clean a tanker that contained about six tonnes of semi-liquid pig feed. He entered through the top hatch, soon found it difficult to breathe, was overcome by toxic fumes and fell into the animal feed. Another 35-year-old worker climbed through the hatch to pull the first worker out but was also overcome and collapsed into the feed.

The HSE's investigation found that in addition to the toxic fumes from the food waste, there was a lack of oxygen and excess of carbon dioxide within the confined space. Neither employee had any breathing equipment to assist them. Under the Confined Spaces Regulations 1997, businesses are required to follow a hierarchy of controls. Entering the space is a last resort and should only be permitted when there is a safe working environment and breathing apparatus is provided.

The HSE commented that, *"the organisation wasn't supervising, it wasn't monitoring, and it didn't provide any training for any of the yard staff. All that you would expect was absent."* They explained that employees should have been told about the risks and trained not to attempt a rescue. There was no safe system of work or method statement in place and the risks had not been assessed.

The court returned guilty verdicts on charges including gross negligence manslaughter and multiple breaches of the Health & Safety at Work etc. Act 1974. The company's accounts manager, managing director and transport manager were jailed for 13 years, 20 months and 12 months respectively. The company was fined £2 million – £1 million for each fatality – and has since gone into liquidation.

LESSON LEARNT

Incidents of suffocation and drowning can be prevented by ensuring a safe system of work is established, employees are trained to understand the risks and emergency procedures, and the correct types of Personal and Respiratory Protective Equipment are being used. The incident reminds us of the hazards posed in agriculture by confined spaces and non-breathable atmospheres, whether this relates to grain bins, slurry lagoons or waste tankers.

HSE Report Highlights Risks Posed by Hazardous Atmospheres in Containers

Research published by the HSE has identified weaknesses in the control measures at a number of ports and distribution centres in relation to workers coming into contact with hazardous substances when working in containers, the findings of which could also be relevant to agricultural businesses.

The HSE notes that containers are confined spaces and hazardous atmospheres can build up inside over time as there is limited or no ventilation. The severity of risk is influenced by a number of factors, such as the container's contents, the condition of the contents and the length of time for which the container is sealed and undisturbed. Ports and distribution centres have a duty to put effective control measures in place to protect workers who routinely open and enter containers

LESSON LEARNT

Containers are frequently used in agriculture to store substances including pesticides, fuels, oils and lubricants. The Workplace (Health, Safety and Welfare) Regulations 1992 require that "effective and suitable provision shall be made to ensure that every enclosed workspace is ventilated by a sufficient quantity of fresh or purified air." Similarly, the Red Tractor Combinable Crops & Sugar Beet Standards include a requirement for plant protection product stores to have adequate ventilation, and fumes can also accumulate in containers used to store fuels, oils and lubricants. The duty which applies to ports and distribution centres also applies to farms and estates in ensuring that all containers which could contain hazardous substances, have adequate ventilation. Moreover, a safe system of work would allow sufficient time after opening a container for natural ventilation with fresh air and the dissipation of fumes, prior to employees entering.

GET IN TOUCH

If you would like to discuss any topics raised in this issue of the Health & Safety Bulletin, do not hesitate to contact our Healthy & Safety Guidance expert.



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