



National Association for Safety & Health in Care Services

Volume 6 Issue 1

December 2011

Special points of interest:

- Seminar Cardiff
- Events 2012
- Bills update

In this issue

Seminar Cardiff	1
Event Planning	1
Focus on Care arrangements	1
Government Response to Lofstedt	1
HSE Cost recovery Scheme	1
News which may be of interest to Care services .	2
Legislation update which may affect Care Services	3 & 4
Offences and Prosecutions	4
Membership update	5
General Items & NE matters	5

NASHiCS e-News

Government's response to the Lofstedt

Report was published on 28 November 2011. The response fully supports the Professor's recommendations and sets out the next steps for implementation.

<http://tinyurl.com/cdh263r>

HSE Cost Recovery Scheme

Although the consultation has now closed it is worth noting the proposals whilst waiting for the results. Costs would be recovered, if during an inspection or investigation a material breach - a failure to adhere to health and safety law identified by an inspector as requiring formal action - is discovered. Law-abiding businesses will be free from costs and not have to pay a penny.

Under the proposals, HSE will recover costs at current estimates of £133 per hour. Costs of any specialist support needed by HSE would also be passed on. Invoices will need to be paid in 30 days.

<http://tinyurl.com/3z5hhgd>

Cardiff Seminar All Nations Centre

Not the perfect weather for our visit in November but nevertheless over **60 attended** for what the evaluation results said was a **very good event**.

Unmet needs and risks to independence was the theme of the session by **Dr Doughty**. He focused on the use of technology and assessing people in their own homes using affordable and easily obtained gadgets.

The role of commissioners looked at ensuring a safe service for all and how direct payments can affect this outcome? **Hope Daley** focused on the role of the carer and how the service is changing and what affected this is having on them as employees.

Although a speaker was missed by illness the delegates received an interesting up-date from **Fire & Rescue & rights of entry including domestic premises**.

Break out sessions covered "**Looked after children**" discussing a range of situations which pose a threat to their personal safety and those who work with them; A informative session covering **Water Safety**.

During and at the end of the day delegates posed **many questions for the expert panel** to answer/comment.

However still more questions remain on the subjects covered. There will be more information and photos on the web shortly.

Event Planning 2012.

National Event See the back page of this edition.

Seminars Continuing the second of our Capital events— 3rd April Edinburgh Scotland Already have commitments from the HSE and The Care Inspectorate, Scotland. Details will be with you in the New Year.

Networkers. The National Survey results indicated that you wished to have meetings more local and with an agenda. So we will endeavour to do this. **However we need your help.** Will you volunteer a room for 20 persons available from 1:30 to 4:00pm? Arrange some parking? Have some ideas for the subject matter which is pertinent to your area and activity.

We will support you with an NE Member, admin support if required and will provide beverages. If you wish to know more just email the administrator with details and he will arrange for you to talk it through with an NE member.

Please remember that **NASHiCS** is a Member Association and the NE and National Officers are volunteers who undertake this in addition to their full time work.

Exhibitions and Shows

There are plans to have a presence at several shows/exhibitions during the year but of course they will depend on Members availability and the final cost for having a presence. We will let you know and hope that you will visit and support the Association.

Focus on Care. Winter 2011.

All Members should have received their personal copies. So too those who requested bulk deliveries of the Journal. **Contact administrator if you did not receive yours** or would like further copies as there are only a few remaining. No charge.



News of interest to those in the care services.

Smoke alarm 'causes fire' in Hull

An investigation is underway after a smoke alarm appeared to spontaneously combust in a home in Hull this week. The **Fire Angel ST620** detectors fitted for free as part of fire prevention safety campaign was in a newspaper rack in the room at the time of the explosion. There have been reports that another fire was caused by the same model elsewhere in the UK last week.

<http://tinyurl.com/8xew4nv>

The Supply of Machinery (Safety) Amendment) Regulations 2011.

Made - - - 5th September 2011

Laid before Parliament 7th Sept 2011

Coming into force - 15th December 2011

CQC to carry out a themed inspection programme of home care services.

The programme will help the regulator develop new ways to ensure these services meet the essential standards people have a right to expect and that people are being treated with dignity and respect. The programme will **start in April** and will cover about 250 providers of domiciliary care services. It will run alongside CQC's planned reviews

<http://tinyurl.com/cbure3f>

Bogus HSE Inspectors

We have been informed of telephone contacts made by individuals claiming to represent the **HSE**, who then requested information about staff. It does not appear that these individuals were representing either the **HSE** or the **Local Authorities**.

It's worth taking this opportunity to confirm the following;

A genuine **HSE** or **Local Authority inspector** would always provide a name and contact number for both themselves and their manager, if asked, which would enable a call back to be made if ever in doubt about their identity.

If presenting themselves in person, an inspector would always carry their identification.

Care home checks 'fell significantly' under CQC, warns NAO

Work on checking standards in English care home fell "significantly" after a new watchdog was introduced, the National Audit Office has warned in report 02/12/2011. [Watch video in second link](#)
<http://tinyurl.com/brftamu> or <http://tinyurl.com/dyss8w2>

Carbon monoxide is a poisonous gas.

Don't mistake the symptoms for a hangover. According to HSE statistics, every year around 15 people die from carbon monoxide (CO) poisoning.

Don't become a statistic; there are things you can do to keep yourself safe.

<http://tinyurl.com/2oxz4x>

Rosepark Fire - BRE conference

On 31 January 2004, a fire occurred at the Rosepark Care Home, Uddingston near Glasgow, in which 14 residents, all older people, lost their lives.

The report of the fatal accident inquiry (FAI) into the fire, which was led by Sheriff Principal Brian Lockhart, was published on 20 April 2011.

BRE to hold one conference to discuss findings and lessons to be learnt.

Cold weather plan launched

The Department of Health (DH) and NHS have issued the Cold Weather Plan for England as part of their wider measures to protect people from the effects of severe winter weather.

The plan provides advice on how to prepare for ... [download here](#).

<http://tinyurl.com/6ck83ex>

Caring for our future workshop Videos.

See what Paul Burstow, Dr Robert Varnham and Dr Niti Pall had to say about the first of the four workshops that took place Nov 18 that bring together the seven discussion leaders and their reference group members.

<http://tinyurl.com/bmj3loc>

New guidance on fire risk assessments for complex buildings

A new guidance document on fire risk assessments for complex buildings has been released. The document is free of charge. Its author, Paul Bryant, outlines some of its key content.

<http://tinyurl.com/7cjlub>

New Cigarette Laws come into force.

New E U regulations 18 Nov making it compulsory for all cigarettes sold in the EU to extinguish if they are not actively smoked.

The so-called reduced ignition propensity cigarettes have special bands at intervals down the length of the cigarette

<http://tinyurl.com/cwfgsqf>

Bupa report: Elderly at risk as cash-starved care homes face closure

A generation of elderly people face a "tragedy" of worsening care after the number of nursing home companies collapsing through lack of funds doubled in a year, research has found.

Full report read any below....

<http://tinyurl.com/cpg927p>

<http://tinyurl.com/bstrdso>

<http://tinyurl.com/85ty6xf>

Guidance on Domiciliary Care and Section 51 of the Health and Safety at Work etc Act (HSWA)

FAQ.

I employ carers within my own home - do I have any health & safety responsibilities?

When you ask people to carry out work within your own home you will have a general responsibility for them under civil law.

If you live in a private domestic household and you employ someone to carry out solely domestic activities (e.g. cleaning, gardening or general personal care), it is unlikely that you will have any responsibilities under the Health and Safety at Work Act 1974 (HSWA) (see section 51).

However, if you employ carers to carry out tasks that **go beyond what may be considered to be ordinary domestic service**, for example, hoisting a person, dealing with challenging behaviour or using complex medical equipment, then you may have responsibilities under HSWA.

Under HSWA you would need to consider the carer's and your own safety. For example, there may be a need for suitable training and equipment for 'higher risk' activities.

<http://tinyurl.com/6czd2uu>

STEP - Slips and Trips eLearning Package

Employers seeking to procure new flooring must have the right information to enable them to source products which are suitable for preventing slips and trips. It is essential that they can be sure that the product description gives a good indication of how the flooring will perform in its intended use and how it should be cleaned. HSE's **STEP** eLearning tool provides more information.

<http://tinyurl.com/cmdqouh>

Blaze damages care home

Fire has damaged a residential care home in Bridgwater, Somerset in October. The cause of the fire is under investigation.



Legislation which may affect care services

Activity Centres (Young Persons' Safety) (Amendment) Bill 2010-11

Private Members' Bill (Presentation Bill)

Second reading – Commons expected on 20 January 2012.

Summary of the Bill.

A Bill to abolish the Adventure Activities Licensing Authority; and for connected purposes.

Building Regulations (Review) Bill (HL) 2010 –2011.

Private Members' Bill Starting in the House of Lords.

The Bill completed its Lords Stages on 5 April 2011.

Second reading - Commons scheduled for 20 January 2012.

Summary of the Bill.

A Bill to make provision for a review of the Building Regulations 2000 with regard to the installation of automatic fire suppression systems in new residential premises.

Carers (Identification & Support) Bill 2010-2011.

Private Members' Bill under the Ten Minute Rule.

Second Reading - Commons debate now on 20 January 2012

Summary of the Bill.

A Bill to require health bodies and general medical practitioners, and certain other organisations, to identify patients who are carers or who have a carer; **to require** identified carers to...

Carers and Employment Bill 2010-11.

Private Members' Bill (under Ten Minute Rule)

Second reading - Commons debate on 3 February 2011.

Summary of the Bill.

A Bill to make provision for carers' rights to flexible working; and for connected purposes.

Contaminated Blood (Support for infected & Bereaved Persons) Bill (HL) 2010-11 .

Private Members' Bill. starting in the Lords.

Second reading - Commons now on 20 January 2012 .

Summary of the Bill.

The purpose of the Bill is to provide support for people who have been infected with certain diseases as a result of receiving contaminated blood....

Cycles (Protective Headgear for Children) Bill 2010-11

Private Members' Bill (Presentation Bill)

Second reading - Commons now on 04 November 2011.

Summary of the Bill.

A Bill to require the wearing of protective headgear by children while riding cycles; to prescribe penalties for contraventions; and for connected purposes

Electric Personal Vehicles (Use on Highways) Bill [HL] 2010-11. No change

Private Members' Bill (Starting in the House of Lords)

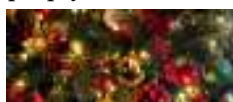
Epilepsy and Related Conditions (Education and Health Services) Bill 2010-11.

Private Members' Bill (under Ten Minute Rule.)

Second Reading Commons 20th January 2012.

Summary of the Bill.

A Bill to require action plans to be prepared for the provision of education and health services for children and adults with epilepsy and related conditions; to make provision about support for children and adults with epilepsy and related conditions; and for connected purposes.



Fire Protection (Protection of Tenants) Bill 2010–2011.

Private Members' Bill (Ballot Bill)

Second Reading - Commons now on 20 January 2012

Summary of the Bill.

A Bill to require landlords to provide smoke alarms in rented accommodation; and for connected purposes.

Health & Safety at Work (Amendment) Bill 2010-11.

Private Members' Bill (Presentation Bill)

Second reading - Commons now on 20 January 2012.

Summary of the Bill.

A Bill to amend the Health and Safety at Work etc Act 1974 in respect of systems of risk assessment; to make provision for separate requirements for play, leisure and work-based activities; to introduce simplified risk assessments for schools; and for connected purposes.

Health and Safety Consultants (Qualifications) Bill 2010-11.

Private Members' Bill (Presentation Bill)

Second reading - Commons now on 20 January 2012.

Summary of the Bill

A Bill to introduce qualification requirements for health and safety consultants; to provide accreditation for such consultants; and for connected purposes.

Health and Social Care Bill 2010-11.

Government Bill.

Committee stage - Lords continues on 5 December when further amendments will be discussed.

Summary of the Bill

The Bill proposes to create an independent NHS Board, promote patient choice, and to reduce NHS administration costs.

Key areas see details www.nashics.org
Members documents free section Care sector legislation.

Low Hazard Workplaces (Risk Assessment Exemption) Bill 2010-11.

Private Members' Bill (Presentation Bill)

Second reading - Commons now on 20 January 2012.

Summary of the Bill

A Bill to exempt employers from the requirement to produce a written risk assessment in respect of low hazard workplaces and the premises of those working from their own home with low hazard equipment.

Mental Health (Discrimination) Bill 2010-11

Private Members' Bill (Starting in the Lords)

Second reading - Lords took place on 25 November.

Committee stage - is yet to be scheduled..

Summary of the Bill.

Make further provision about discrimination against people on the grounds of their mental health.

Reporting of Injuries, Diseases and Dangerous Occurrences Regulation Bill 2010-11 .

Private Members' Bill (Presentation Bill)

Second Reading - Commons now 20 January 2012

Summary of the Bill.

A Bill to reduce the duties on employers to report matters under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.



Legislation which may affect care services

Please note. only brief details of the legislation. Details go to the <http://www.nashics.org> Members /documents/free/care sector legislation

Rights Bill 1010-11

Private Members' Bill (Presentation Bill)

Second reading - Commons may be 16 December 2011

Summary of the Bill

A Bill to set out certain principles in a United Kingdom Bill of Rights; to repeal the Human Rights Act 1998; and for connected purposes.

Snow Clearing Bill 2010-11

Private Members' Bill (Presentation Bill)

Second Reading—Commons. There is no indication when the Bill will progress further.

Summary of the Bill

A Bill to provide immunity from prosecution or civil action for persons who have removed or attempted to remove snow from public places; and for connected purposes.

Volunteering Bill 2010-11.

Private Members' Bill (Presentation Bill)

Second reading debate on 20 January 2012.

Summary of the Bill.

The Bill would provide for the introduction of a 'fit and proper person certificate', which would fulfil the requirement.....

Sheffield care worker recognised for house fire rescue

A young Sheffield care worker whose actions saved a bed ridden man from a house blaze has been recognised by the fire service. Rachael Wilks, aged 18, who works for Carewatch, was presented with the award at a special ceremony at Mansfield Road fire station. <http://www.syfire.gov.uk/1709.asp>

Are these another couple of examples of elf'n'safety idiocy? Apparently, you can no longer pass round a tin of biscuits at a meeting. The danger of infection is now deemed so severe that only individually-wrapped items are permitted. And in Richmond, Surrey, housing officials have removed all fire extinguishers from common areas after a risk assessment. Two reports...

Offenses and Prosecutions.

Council in Court over workers exposed to asbestos

Birmingham City Council and a Solihull refurbishment company have been sentenced for exposing three men to asbestos during work on a school. Birmingham fined **£5,000** with **£1,091** costs. Solihull Supplies Ltd, fined **£1,750** with **£1,091** costs..... <http://tinyurl.com/3u73u46>

Care home fined £65k over Preston mother's death.

The owners of a Preston care home have been fined **£65,000** following the death of a 40-year-old mother-of-one, who became trapped between a mattress and a bed rail. <http://tinyurl.com/bswu3y7>

Tiny URL's are SAFE.
A way of shortening the addresses.

Farnborough care home closes

Melbury House care home, which was falling short of the essential standards of quality and safety, has closed after the provider voluntarily cancelled its registration at the site. Checks were carried out in response to concerns that were identified regarding the health, safety and welfare of people who used the service. <http://tinyurl.com/d8xd842>

Illegal gas fitter receives two-year prison sentence.

An Accrington man who falsely claimed he was a registered gas engineer has been sent to prison for two years for endangering people's lives at two properties in Lancashire, including a baby boy. <http://tinyurl.com/3orblz7>

Self-Employment (Risk Assessment Exemption) Bill 2010-11 .

Private Members' Bill (Presentation Bill)

Second Reading— Commons 20 January 2012.

Summary of the Bill.

A Bill to exempt self-employed persons engaged in low hazard activity from the requirement to produce a written risk assessment.

Smoking in Private Vehicles Bill 2010-11

Private Members' Bill (under the Ten Minute Rule)

Second reading—Commons on 20 January 2012.

Summary of the Bill

A Bill to require the Secretary of State to make provision for a ban on smoking in private vehicles where there are children present; and for connected purposes.

Support and Protection for Elderly People and Adults at Risk of Abuse Bill 2010-11

Private Members' Bill (under the Ten Minute Rule).

Second Reading—Commons now on 20 January 2012.

Summary of the Bill.

A Bill to promote awareness of abuse of elderly people and adults at risk, to promote training on how to recognise and respond to such abuse amongst those who are likely to encounter abuse in the course of their work, to promote

Young offenders (Parental Responsibility) Bill 2010-11. Private Members' Bill (Presentation Bill)

Second reading - Commons. Maybe 9 March 2012

Summary of the Bill.

A Bill to make provision for a mechanism to hold individuals to account for any criminal sanctions imposed

Now burn to death in safety?

<http://tinyurl.com/6pznxpf>
<http://tinyurl.com/824sopl>

Landlord pleads guilty to breaching fire laws.

A landlord fined more than £33,000 for breaching fire safety legislation. He pleaded guilty to seven offences putting residents at risk of death or serious injury if there had been a fire in the house of multiple occupants. <http://tinyurl.com/cyqocqb>

HMO Landlord pays for Fire Breaches

The manager of a house in multiple occupation (HMO) has been ordered to pay more than **£20,000** for breaching fire safety provisions of occupancy legislation.. He failed to ensure the means of escape from fire in the HMO was kept free from obstruction.

Train driver awarded £5,000 over flexible working debacle

In this case an employee was awarded £5,000 after his employer assumed that women's applications to retain their flexible working arrangements should be given preferential treatment over men's applications.

<http://tinyurl.com/7jad64l>

One Liners issue 89 - October 2011: Wheelchair use.

<http://tinyurl.com/8yvgqzc>

Check the MHRA lists of Alerts.

Monthly lists of alerts are produce and e.g. This month includes bath lift, Wheeled walking aid and Rollaters.

<http://tinyurl.com/6ojvbc9>

FAQ Risk management and risk assessments.

<http://tinyurl.com/7qawbsu>

Can appointed persons perform first aid, e.g. CPR?

Appointed persons are not first-aiders and should not attempt to give first aid for

Speak English only (it's all health and safety).

One employer recently hit the headlines after it directed its Eastern European staff to "speak English only to colleagues". It said the requirement is based purely on health and safety grounds. Is this discriminatory or perfectly justified?

<http://tinyurl.com/7oerevr>

HSE Statistics for 2010/11

The new data confirms that Britain continues to have the lowest rate of fatal occupational injuries in Europe as well as one of the lowest levels of work-related ill health.

<http://tinyurl.com/6okx5z7>

Membership of the Association

WELCOME

We extend a warm welcome to the following organisations who have joined NASHiCS.

C=Corporate, I=Individual



- June** Alternative Futures Group Ltd. (C)
- July** Spectrum Healthcare (UK) Ltd. (C) Medway Council. (C)
- August.** Age (UK) Enfield. (I) Bridgend County Borough Council. (C) Elliott's Hill Care Ltd. (I)
- September.** Torfaen County Borough Council. (I) Praxis Care Ltd. (C)
- October.** Registered Nursing Home Association. (I) Bourneville Village Trust. (I) Fire Risk Consultancy Ltd. (I)
Precious Homes Ltd. (C)
- November** Parcs Healthcare Ltd. (I) Royal Surrey Hospital Foundation Trust. (I) MBHS. (C)

National Executive.

Membership figures.

Membership numbers have increased quite significantly during this last quarter as you can see from the welcome to organisations who have joined. Member Organisations now stand at 151 up from 135 in July with a couple pending.

National Event renamed.

The NE at its meeting in October agreed to the recommendation from the Conference Planning group to rename the Annual Conference to reflect the changing nature of the event.

The preparations are well underway and more information will be announced in the New Year. However... A preview



Membership questions? Change of address and/or Staff ?

The relentless review of structures seems to go on leading to changes in posts, reallocation of staff to different departments or sadly redundancies.

We do have quite a lot of chasing due to the movement of Members. We appreciate that should you leave/relocate probably the last thing on your mind is to let us know but if you can it would help enormously. If you know your successor this would be appreciated also so they may be contacted.

At renewal time we send out a copy of the entries in the database.

Please update them & return them or contact the administrator@nashics.org with the changes.

Thank you.

