

Sharing > Learning > Improving  
**Newsletter**  
June 2022

Sharing > Learning > Improving  
**Legal Update**  
13 June 2022 13.30 – 15.30





Presentations by  
**Louise Mansfield,**  
Bevan Brittan  
**Ben Mills**  
St Philips Chambers  
Member Spotlight –  
**Tony Kempton**

Bevan Brittan 





Lunch from 12.45  
13.30 – 15.30  
Walsall FC, Bescot Stadium

**Topics / Highlights / Features**

- > Introduction 
- > Hazard Spotting 
- > Main Topic(s)
  - Legal Update – Louise Mansfield – Bevan Brittan 
  - H&S Legal Cases - Ben Mills – Barrister – St Philips 
  - Members Spotlight– Tony Kempton – BHSEA Vice Chair 
- > Toolbox 
- > Information 
- > Next Event(s) 



## Welcome & Introduction



### To:

- Guests – Paul Tebbet, Emma Osborne and Nebin Jose
- New Members – Emma Woodhouse and Mark Mortiboy and Amy Fullaway
- New attendees – Steve Poxton, Richard Dawson, Amy Nesbitt and Jon Green
- Everyone
- Our Speakers – Louise Mansfield, Polly, Hannah, Ben Mills and Tony Kempton

### Introduction:

Welcome to the June Newsletter, following our June Legal Update monthly event. These monthly meetings are open to other member company employees so why not bring a colleague or guest.



# Welcome to all



Stephen Betts  
BHSEA Chair  
13 June 2022



## George Allcock

### An outstanding contribution as BHSEA Chair and Member

George and some of the team pre-Covid.



As a key member of BHSEA for over 37 years George has fulfilled many roles including Management, Council, SGUK Representative, and Chair twice over, the last and most recent time being for eight long and successful years. George has steered the Association through many changes and even a pandemic. He has seen through the purchase and sale of BHSEA premises and has been instrumental in the development of the Investment Policy and re-definition and implementation of the management structure that has led to the continuing success of BHSEA today. In the words of David Hughes... *“George is a stalwart member of BHSEA”*

This doesn't mean that we are letting him go, since George remains very much a key member of the Association as now Vice President, Trustee and Management Member.

One of George's highlights as Chair was his involvement in the Association's key event, the Construction Section 60 Years Anniversary event at the Barclaycard Arena in 2015. Alex Grieve the event chairman and GKN colleague of George remembers ....

*“I first met George when GKN decided after about 250 years to have a Group Safety Adviser, and it was my job to find one. George had all but completed a career with Lucas and was resting at home when I called. We met that day, and he was recruited immediately. His contribution to safety in GKN cannot be exaggerated. In a company spread over 130 locations in 30 countries, he implemented and ran a Group Reporting System whilst travelling extensively, auditing, advising and teaching. The improvement in GKN Safety Performance was steady and relentless. A great colleague, with clear vision and an unswerving determination that things should be done correctly both for the safety of employees and to improve business performance. He will not merely be a hard act to follow, it will be impossible.”*

And in the words of Andy Chappell... *“George has an altruistic zeal and vocation for his profession”*

Thank you, George, from everyone at BHSEA - BHSEA Chair: Stephen Betts



## A message from George Allcock

Dear BHSEA colleagues,

As you may be aware, a couple of weeks ago I had a surprise visit from Sarah who brought a John Lewis gift card for me and a lovely bouquet of flowers for my wife Lesley. We were very touched by this, particularly in these difficult and challenging times for us.

As a result of your generosity, am pleased to say that I now have a new and very impressive and versatile 14" touchscreen laptop computer – an Asus Chromebook Flip. Not forgetting 'Simple – Visual – Practical' here it is:



I already have BHSEA files uploaded together with several apps including Zoom so that I can stay in touch and join meetings and events from anywhere in the house; well what else did you expect?

I look forward to being able to join you in-person again later in the year. In the meantime I will be continuing to follow BHSEA's fortunes and contribute where I can, using my new bit of technology.

Thanks again and best regards

George



# What regulations are being breached and how?





# Legal Update

## Louise Mansfield, Bevan Brittan

**Agenda**

- HSE strategy
- Legislation update:
  - PPE
  - Building Safety
  - CE / UKCA markings
  - Covid!!
- Case law / sentencing update

**New HSE Strategy – Protecting People and Places – 2022-2032**

- Reduce work-related ill health, with a specific focus on mental health and stress
- Increase and maintain trust to ensure people feel safe where they live, where they work and, in their environment - Building Safety Regulator
- Enable industry to innovate safely to prevent major incidents, supporting the move towards net zero
- Maintain Great Britain's record as one of the safest countries to work in
- Ensure HSE is a great place to work, and we attract and retain exceptional people



## H&S Legal Cases Ben Mills, St Philips



[Link to presentation slides / website](#)





**NEW Feature**  
**Members Spotlight**



**BHSEA Vice chair**  
**Tony Kempton**

[Link to presentation slides / website](#)



## Questioning and Challenging the 'Law'



Often the 'law' is used to try and support a case or argument.

When this results in something that seems illogical, particularly onerous or costly, it can be useful to explore and question whether the case or argument is based on:

- the law as **intended**.
- the law as **written**.
- the law as **interpreted** *e.g. it may be a local interpretation by a well meaning, possibly inexperienced person.*
- the law as **applied in practice** *e.g. as applied by companies including large multi-nationals that are known for good health and safety systems and standards.*
- the law as **enforced** *e.g. by means of Improvement & Prohibition notices.*
- the law as **determined by court judgements**

It can be helpful and often enlightening to follow up with further questions and if necessary to seek other opinion, perhaps from an industry group, professional body, or health and safety group such as **BHSEA**.



Received  
08/06/2022

## Protect your workers from MSDs

**Employers must protect workers from the risks of MSDs being caused or made worse by work.**

MSDs include injuries and conditions that can affect the back, joints and limbs.

[Our MSD website](#) has information and advice on a range of related topics including:

- [manual handling at work](#)
- [working safely with display screen equipment](#)

We are also running a free webinar on 22 June (10.30am) on how to effectively manage the risk of MSDs in your workplace and protect your home workers.

[Get more information and register for the webinar](#)





Received  
08/06/2022

## [Help us improve the HSE website](#)

### Can you help us test our website and make it better?

It's crucial that we hear from site users, so we can make sure we are providing the information and services you want from us.

If you can help, please [sign up and join our website improvement group](#).

If you sign up, we will periodically email you asking you to look at some content on [our website](#) and complete a quick questionnaire to tell us what you think of it.

We will not ask for any information that will identify you individually (though we'll need your email address) and you'll be able to unsubscribe at any time.

We will let you know about any changes made as a result of your feedback.





Received  
06/06/2022

## Latest press releases

[Former construction company directors sentenced for failing to prevent exposure to asbestos](#) 8th June 2022

[Construction company fined and director sentenced after workers exposed to asbestos](#) 7th June 2022

[Company fined after contractor injured in a fall from height](#) 7th June 2022

[Health and Safety Executive supports workers' health at Great Britain's construction sites](#) 6th June 2022

[Company sentenced after worker fall from height](#) 1st June 2022

[Scottish care provider found guilty of Health and Safety breaches following death of a vulnerable adult](#)  
27th May 2022

[Sea food processing company fined after fatality involving forklift](#) 26th May 2022





Received  
25/05/2022

## The Accident Book: a vital document for your business

**The HSE Accident Book is a valuable document that organisations can use to record accident information.**

[The Accident Book](#) can be used to record details of all work-related accidents including injuries from accidents at work that employers must report under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 ([RIDDOR](#)).

The book contains 50 perforated accident record forms and is designed to support users in being GDPR compliant.



### **20% Discount for BHSEA Members**

Purchase a copy of the HSE Accident Book from CIP and get a 20% discount using the Promotional code BHSEA .

Just click [here](#) to buy



## Programme of Events 2022

Monthly meetings take place on the second Monday of each month\*

**18 May: WWT/SHAD – Mental Health**

**13 Jun: Legal Update, including Case Law, & Refresher**  
- Bevan Brittan and St Philips Chambers

**12 Sep: DSEAR and Chemical First Aid**

**27 Sep: WWT/SHAD – Physical Health**

**10 Oct: Construction Matters - Work at Height and Virtual Reality**

**14 Nov: Waste Management and Environmental Update**

**23 Nov: WWT/SHAD – Temporary Works**

**12 Dec: Members Challenges and Achievements – What, why and how**

➤ *Please also visit our online ‘Coffee Shop’ chat and discussion forum anytime between at 10-11am on the following dates: 23<sup>rd</sup> June, 20<sup>th</sup> July, 23<sup>rd</sup> Aug, 29<sup>th</sup> Sept, 19<sup>th</sup> Oct, 29<sup>th</sup> Nov.*

➤ *And don't forget WWT events*

**Further details of all of the above at [www.bhsea.org.uk](http://www.bhsea.org.uk)**

\* Apart from July/August



Birmingham Health, Safety & Environment Association

*A forum that helps to protect people & safeguard your business*

*Free membership until further notice*

**Introduction & Event Programme 2022**

*Aiming to make health and safety Simple*  *Visual*  *Practical*



By courtesy of Black Country Living Museum

Talk to us:  07681 290238

Contact us:  [secretary@bhsea.org.uk](mailto:secretary@bhsea.org.uk)

Visit us:  [www.bhsea.org.uk](http://www.bhsea.org.uk)

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# Sarah's Coffee Shop

## Thursday 23rd June 2022

*Topics, questions, shared interests or simply staying in touch*



**Everyone welcome**

*Take a break - Stay in touch*

An invitation to **zoom** to  
**Sarah's Coffee Shop**

**23<sup>rd</sup> June 2022: 10 - 11 am**

Join / leave at any time

Sharing Hazard Spotting Opportunities 😊



### Topics / Highlights / Features

- Legal Workshop
- Training Opportunities
- Summer holidays – H&S good and poor practice -photo opportunities





# WWT/SHAD Event – Physical Health Tuesday 27 September

## Topics / Highlights / Features

- MSDs
- Manual Handling
- Noise
- HAVS
- Drugs and Alcohol – the effects on physical health
- Presentations from Peritus Health Mgt, Hampton Knight, and Kasozi Wellness

**BHSEA**

**A FREE Construction Event**  
for small companies and others

**PHYSICAL HEALTH RISKS IN CONSTRUCTION**  
for small companies and others

27 September 2022 8.30 – 12.30  
Walsall FC, Bescot Crescent, Walsall. WS1 4SA

"EVERY WEEK ONE OF US DIES"

To book your **FREE** place go to Eventbrite  
<https://www.eventbrite.co.uk/e/protect-your-employees-from-work-related-msds-and-other-health-conditions-tickets-358532499357>

**Next  
Monthly  
Event**

*Sharing > Learning > Improving*  
**DSEAR**  
**12 September 2022 13.30 – 15.30**


Main theme



### Topics / Highlights / Features

- > Introduction
- > Hazard Spotting
- > Main Topic(s)
  - **Dangerous Substances & Explosive Atmospheres – Kate Joy DipHex**
  - **Members Corner TBC**
- > Toolbox
- > Information
- > Next Event(s)

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