

## Health & Safety Update

March 2016

### Pint of Beer Ends in Tragedy

**A bar and its owner have been fined £25,000 for serving a glass of caustic soda instead of beer to a customer.**

David Caminal had to have his oesophagus removed after swallowing the drink at The New Conservatory in Leeds. Leeds Magistrates Court heard the liquid served by a staff member looked like a pale ale but was in fact beer line cleaner. The bartender who served it did not know the line was being cleaned at the time, as the liquid which came out of the pump was a similar colour to the beer. An investigation revealed a new member of staff had inadvertently turned the beer badge on the pump to face customers prior to the drink being served, not realising turning it the other way indicated it was unavailable. The company and Mr Bird, were also ordered to pay costs of almost £18,000 (BBC News Jan 2016).



**Lesson:** Are you happy that you understand how to use chemical safely without putting others at risk.

### Slips, Trips and Falls Account for Nearly Half of Food Industry Injuries



Research has revealed that slips trips and falls at the same level account for the majority (44%) of major injuries in the food industry over the last four years. The other main causes of major injury include handling, lifting and carrying (13%) falls from heights (10%) and contact with moving machinery (9%) (November 2015 The Institute of Food Safety Integrity and Protection).

**Lesson:** Are you cleaning up spills properly, is the floor around you clean and dry, are wearing sensible shoes with a good grip.

### Local Printing Firm- Employee Thumb Severed



**A Leeds printing company has been fined after an employee had the end of thumb severed his when it was drawn into an unguarded running nip between the rollers of a gluing machine.**

During a gluing process, he noticed a problem and reached over one of the other rollers to deal with it, as he did this his left thumb was pulled into the in-running nip and the pad of the thumb and part of the bone was torn or sheared off. The Lettershop Ltd., of Whitehall Park, Whitehall Road, Leeds, was fined £18,000 £9516 in costs (HSE eBulletin service Weekly Digest Bulletin August 2015).

**Lessons:** An **action plan** to put right the guarding issues had been drawn up, but most of the work was still **outstanding**. **Do you close out your actions promptly?**

Training was more informal leading to unsafe practices and employees had not been provided with adequate instructions. Have **training requirements been considered?**

**Have you provided written instructions for high risk machinery/equipment and activities?**

## Child Found Unconscious at Bottom of Pool

Two Scottish councils were fined in August 2015, after an 11-year-old pupil attending Stonehaven Open Air Pool was recovered unconscious from the bottom of the pool by a member of the public.

CPR was successfully administered by lifeguards and the pupil has since made a full recovery. The investigation found issues with staffing levels and lifeguard positioning at the pool, and the effective management of educational excursions at the school. Aberdeen City Council was fined £9000 while Aberdeenshire Council was fined £4000 (HSE eBulletin service Weekly Digest Bulletin August 2015).

**Lessons:** Groups in pools must be adequately managed, swimming ability requested and where necessary a review of lifeguarding. The CPR skills of the lifeguards saved this boy's life, attending training and ensuring your skills are up to date is vital.

## Gym Chain Fined After Swimmers Hospitalised

David Lloyd Leisure has been fined £70,000 and ordered to pay costs of £60,000 after Environmental Health Officers (EHO's) investigation found five people using a swimming pool in one of its centres were exposed to a noxious gas.

Staff at the David Lloyd club in Ipswich, were attempting to restart pumps when a substance was released into the pool. David Lloyd Leisure Ltd stated it had fallen short of its usual high standards and conducted an internal review immediately (EHN Tom Wall 19/08/2015).

**Lesson:** The judge said staff appeared to have failed to evacuate the pool of customers quickly enough once they realised what was happening. Early evacuation is a significant action and can prevent injuries. Are you satisfied that you know the EAP and when to trigger an event?



## Construction Work On-Site?

A construction company has been fined for safety failings which led to a two-year-old boy wandering onto a building site.

On 21 May 2015, a two year old child had gained access to the site and was riding his bike when he fell into a drain, the cover of which had been removed. Fortunately, the child was shaken but not injured. 360 Property Limited was fined a total of £10,000 and the HSE Inspector said "It is absolutely imperative that construction companies adequately secure their construction sites to prevent unauthorised access.

**Lesson:** If construction or maintenance work is going on around your work place it must be segregated off with physical barriers.

## Health and Safety Myth Busters

Health and Safety gets the blame a lot of times for stopping activities which isn't the real reason, as part of a campaign to address this HSE have put together a "Myth Busters" panel. The below is from <http://www.hse.gov.uk/myth/>

**Myth 1: Golf club won't put Committee meeting minutes on to a notice board due to health and safety**

**Verdict:** There are no conceivable health and safety reasons for not displaying documents such as minutes of a meeting on a notice board. It is totally mystifying that someone should suggest this.

**Myth 2: HR Manager for an office based company refuses to buy weights for a gym**

**Verdict:** H&S law does not stop use of weights in a workplace gym. The management should clarify why they didn't want them. It is particularly sad that provision of facilities which should improve the health and well-being of staff is being marred on "elf n safety" grounds!

**Myth 3: Child refused entry to swimming pool for wearing incorrect swimwear**

Child refused entry to a swimming pool for health and safety reasons. Unacceptable swimwear cited by leisure centre as reason why child could not swim in pool.

**Verdict:** There is no health and safety legislation which specifies that particular swimwear must be worn. The pool management are right to exercise judgment about what is/is not suitable for swimming but it would be helpful to explain this properly in this case.

**Myth 4: Gym manager queried customer's complaint on gym users topping up personal water bottles from cooler instead of using the disposable cone cups provided. The customer stated that this was against health and safety regulations as germs could be spread this way.**

**Verdict:** It is important for gym users to keep hydrated and there are no health and safety reasons why they cannot do so using their own bottles rather than the paper cups provided. Other establishments which do ban gym users from using their own bottles are likely to have other motives for doing so – but it is not a health and safety issue.



## Food Safety

### Huddersfield Takeaway fined for “food fraud”

As part of routine sampling work, an Officer from West Yorkshire Trading Standards visited the Spice Village Spice Village, 68 Sheepridge Road, Huddersfield. At



the time of the inspection, the Officer was told by that the meat in the Balti, was lamb, BUT analysis showed it was actually

**beef**, and the ham used for ham pizza was actually turkey and chicken. This meant that the owner had falsely described / were misleading in their food. . The owners of Spice Village were each fined £1800 with £120 victim surcharge, and each ordered to pay £739.50 prosecution costs.

### Food Safety Enforcement in Leeds from [leeds.gov.uk](http://leeds.gov.uk)

#### Takeaway owner prosecuted following closure: evidence of rats, Hygiene Emergency Prohibition served

Owner of RFC, in Burmantofts, was fined £750 and ordered to pay costs of £1,567 and a £70 victim surcharge in July 2015. EHOs closed down RFC having issued a Hygiene Emergency Prohibition Notice in October 2014 after they found evidence of rats and various hygiene issues. Leeds magistrates then granted a Hygiene Emergency Prohibition Order to ensure the premises remained closed until concerns about cleanliness and risks to public health had been resolved. The takeaway re- opened once necessary pest control treatment, cleaning and disinfection had been completed to the satisfaction of inspectors.

#### Drastic improvements have been made at a Leeds takeaway after safety inspectors took the owner to court for food hygiene failings

Operator of Royal Fisheries, Royal Park Road, appeared before Leeds magistrates on Monday 8 February following concerns raised by EHOs that the dirty kitchen posed a risk to the public. They found that fridges where uncovered food was kept were dirty and ready to eat food in the fridges were exposed to possible contamination by raw food. They also noted a chopping board awaiting use to prepare food standing in dirty water. Germs could be spread

easily throughout the kitchen as surfaces that people often touch – switches and handles – were dirty. This situation was made worse by poor hand washing provisions. The floor was filthy with dirt and a build-up of food debris. The premises has improved and now has a food hygiene rating of four (good). The owner as fined £255, and must pay costs of £1,690 and a victim surcharge of £25.

#### Dirty kitchen earns buffet restaurant £5,000 bill

The operator of a city centre buffet restaurant has been handed a bill of over £5,000 for filthy kitchen conditions. The director of OBM, New York Street, pleaded guilty to five food hygiene offences at Leeds Magistrates’ Court on the 1 February 2016. EHOs officers visited the premises on in June 2015 they discovered dirty and broken equipment including a tin opener caked with food and dirt, potentially contaminating food. The risk of contamination also came from dirty surfaces often touched by staff allowing the possible spread of germs. The situation was compounded with no means for staff to hygienically dry their hands after washing. The director advised magistrates that the issues had been rectified shortly after the inspection. (From YEP online)

## Allergy News

### Restaurant fined £1000 in Allergen Survey



Flintshire County Council successfully prosecuted Saffron Restaurant (Mold) Ltd. Following a visit was undertaken as part of an **Allergen Survey**, where the presence of peanuts in takeaway food was being checked. Before ordering a Chicken Tikka Passanda, officers had asked whether the curry contained peanut. They were told it contained almond and coconut. On analysis it was found to contain peanut and no almond. The officers then revisited the premises which revealed that a cheap peanut ingredient was being used instead of expensive almond powder.

Almost 2 million people in the UK suffer from a food allergy, with allergy to peanut being one of the most common food allergies. It can have extremely serious consequences such as anaphylactic shock resulting in death if those suffering from a peanut allergy consume even small amounts of peanut. Around 10 people a year die in the UK from food related allergies.