

Health & Safety - Case File

You are a fully qualified Environmental Health Practitioner working in the Commercial Section of Chadwick Valley MDC's Environmental Health department. When you arrive at work on Monday, 28th June, you find on your desk a telephone message from a Mr James Clarke (01234-567890), the temporary manager of the Shawcross Spa Hotel, Spa Road, Chadwick Regis, CV3 4BY, that a serious injury had been sustained by a member of the public two days earlier (Saturday, 26th June), at approximately 8am, when an elderly lady slipped and fell down a short flight of steps at the Hotel. She is currently in the intensive-therapy unit at The Royal Chadwick Hospital with complications following surgery for a fractured pelvis and femur. The note goes on to say that the four steps concerned link the bakery / patisserie area with the main kitchen.

The Shawcross Spa Hotel was, at least for the first half of its 100 year history, the pride of Chadwick's hospitality industry. Hailed for its fine dining and sumptuous room, it was the spa water tapped from an underground spring supplying a plunge-pool, that gave it its name, attracting clients for its supposed health-giving properties. Since then it has fallen on hard times, and though it is still popular locally, it is no longer the attraction it was internationally. However, as one of the few places around with an old-style ballroom restaurant capable of serving 150 covers', and 'The Shawcross', as it is known locally, is a popular venue for conferences, wedding receptions and the like.

Perhaps the most striking feature of the Hotel was the fact that, despite going through a succession of sales to new owners, the kitchen was never properly modernised and retained original features, including a bakery with bread oven. However, it was not until the late 1990s when the current owners took over the hotel, that it was decided that the production of bread, cakes and patisserie items might be extended for sale to various outlets around Chadwick. However, until this accident the owners and the most senior management were unaware that local people called at the back-door on Saturday mornings where a fairly brisk trade is done selling bread, cakes and pastries. One of the regular customers has been the accident victim, 75-year old Mrs Elizabeth Gloria Shapiro, who lives at 43, Acacia Avenue, Chadwick Regis. CV3 6PZ.

As you are about to contact Mr Clarke, the telephone rings. It is a reporter from *The Chadwick Globe & Advertiser*, who tells you that she has it on good authority from someone who witnessed the incident at 'The Shawcross' on Saturday, that the floor at the top of the steps was wet at the time of the accident, and that the chef and duty manager's reaction, on learning of the incident, was to try to 'cover-up' the problem by contacting the lady's family offering them an incentive not to report the problem to the authorities. The suggestion is that this was because these 'sales' were not recorded and the cash was divided up amongst the junior kitchen staff as a 'perk'. You explain that there is nothing the local authority can say about the alleged incident at the present time, other than to confirm that the Council was investigating an accident in which an elderly lady had been hurt.

In light of the circumstances, you decide to visit the Hotel and on arrive at Reception you ask to speak to Mr Clarke. He is visibly upset by the whole incident, blaming himself for not knowing

what was going on under his nose. Accordingly, he will do everything in his power to co-operate in the investigation, knowing that he, ultimately, might be held responsible. The only good news he can report is that he has been in contact with the hospital through his insurance company, and that the lady is much better than she had been immediately following surgery. Your conversation with Mr Clarke proceeds, but it is clear there are large gaps in his knowledge of health and safety and he looks quizzically at you when you mention 'RIDDOR'. More positively, he vows to make good his ignorance of this and any other matters with which he should be conversant, though, as he points out, he has only been at the Hotel for three months, and he seems to have inherited some serious problems.

Following your conversation with Mr Clarke you ask to speak to the Head Chef (Pierre Gerraud), who is honest enough to admit that he knew of the 'bread scam', but he cannot believe any of his staff would have been stupid enough to invite members of the public to enter the kitchen, let alone go down to the bakery / patisserie area, knowing that it was a workplace and therefore contained hazards. The Chef acknowledges that he has made some enquiries of his own and believes that the 'scam' went from being a way of disposing of surplus stock, to being one where items were being 'baked to order', when a new sous-chef (Peter Duffy), with experience in a large London hotel, arrived at 'The Shawcross' and moved into the staff house and met management trainee, Paul Grant. It was Grant that was the duty manager on the day of the accident. Chef Gerraud admits that much of the mischief occurring in and around the kitchen in the last few months – thefts of food and practical jokes - can be traced back to this alliance, and he acknowledges that he should have done something about this earlier, before something serious like this happened.

Having elicited what you think to be the truth from the Chef, and hearing that Paul Grant appears to have 'gone missing' and is no-where to be found, you ask to meet the sous-chef, Peter Duffy, in the area where the incident occurred. Realising the seriousness of the issue and how his job might be in jeopardy, it is refreshing when Peter acknowledges his responsibility in the affair. Although he did not witness the accident at the precise moment that Mrs Shapiro fell down the steps, he confirms that the floor was wet, but insists that the kitchen porter, who was mopping up some spilt cooking oil at the time, had put out the two warning signs either side of the spillage. Aside from this, you note that the steps do not have a hand-rail, and in the low-light conditions of the kitchen when not preparing for a service, and with the lights off, the top step is not immediately visible; indeed, as Peter, himself, admits, he had 'a tumble' there a week previously, adding: "...but everyone has the odd slip and trip, once in a while, don't they?".

Health & Safety - Tasks

Task 1

A decision as to whether legal proceedings should be initiated against the Hotel and / or any individuals has yet to be made, and it has been decided to leave this off until the accident victim is well enough to make a statement. As a preliminary to working with the management on improving the health and safety culture at 'The Shawcross', you agree with Mr Clarke to revisit, and using the information known so far about the accident and injury sustained by Mrs Shapiro, complete an F2508 form to demonstrate what he will need to do to satisfy the requirements of RIDDOR in the event that a reportable incident occurs again. Accordingly, complete (as far as you can with the information to hand) the pro forma provided.

(25 marks)

Task 2

Interviews with other kitchen staff reveal that this area of the kitchen is often slippery and several admit to having 'lost their footing' on the steps before. The response to this information is that the manager immediately puts this area 'out of bounds' except for authorised staff, and within a week the steps have been made safer by the installation of a handrail, provision of additional lighting, and the use of a 'high-visibility' nosings to each step.

There remains the need to consider 'slips, trips and falls' generally, and to this end you have agreed to a request to remind members the Chadwick Hotels and Guesthouses Association on measures that they should take to reduce the risk to staff in the sorts of hazardous situations encountered in such premises. Accordingly, draft an article on 'slips, trips and falls' for inclusion in the Association's newsletter, in which you explain the nature and extent of the problem, before explaining what owners and managers might do to reduce the likelihood of incidents and injuries.

(75 marks)

<p>For the purpose of this examination you should justify any assumptions you have made within the answers given</p>
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Health & Safety - Marking Advice

1. *A decision as to whether legal proceedings should be initiated against the Hotel and / or any individuals has yet to be made, and it has been decided to leave this off until the accident victim is well enough to make a statement. As a preliminary to working with the management on improving the health and safety culture at 'The Shawcross', you agree with Mr Clarke to revisit, and using the information known so far about the accident and injury sustained by Mrs Shapiro, complete an F2508 form to demonstrate what he will need to do to satisfy the requirements of RIDDOR in the event that a reportable incident occurs again. Accordingly, complete (as far as you can with the information to hand) the pro forma provided.*

(25 marks)

The candidate should complete as much of the F2508 form as they are able, though entries must follow the directions given on the form and should be spelt correctly

The marks are allocated thus:

Part A – About you

1. What is your full name? **James Clarke** (1 mark)
2. What is your job title? **Temporary Manager** (1 mark)
3. What is your telephone number? **01234-567890** (1 mark)

About your organisation

4. What is the name of your organisation? **Shawcross Spa Hotel** (1 mark)
5. What is the address and post-code? **Spa Road, Chadwick Regis, CV3 4BY**
(1 mark)
6. What type of work does the organisation do? **Hotel** (1 mark)

Part B – About the incident

1. On what date did the incident happen? **Saturday, 26th June 2010** (1 mark)
2. At what time did the incident happen? **08.00** (1 mark)
3. Did the incident happen at the above address? **Yes** (1 mark)
4. In which department (or where) did the incident happen? **Kitchen** (1 mark)

Part C – About the injured person

1. What is their full name? **Mrs Elizabeth Gloria Shapiro** (1 mark)
2. What is their home address and post-code? **43, Acacia Avenue,
Chadwick Regis. CV3 6PZ.** (1mark)
3. What is their phone number? N/K
4. How old are they? **75** (1 mark)
5. Are they male or female? **Female** (1 mark)
6. What is their job title? N/K
7. Was the injured person: [tick] **'a member of the public'** (1 mark)

Part D – About the injury

1. What was the injury? **Fracture** (1 mark)
2. What part of the body was injured? **Pelvis and femur** (1mark)
3. Was the injury: tick] **'a major injury or condition'** (1 mark)
4. Did the injured person: [tick] **'remain in hospital for more than 24 hours'**
(1 mark)

Part E – What kind of accident

[tick] **'Fell from a height'** [height: unspecified, but **1-2 metres**] (1 mark)

Part G – Describing what happened

Candidates should use what they have been told in the case file to draft one or two sentences to describe the incident. (4 marks)

Part H – Your signature

Signed and Dated (1 mark)

2. *Interviews with other kitchen staff reveal that this area of the kitchen is often slippery and several admit to having 'lost their footing' on the steps before. The response to this information is that the manager immediately puts this area 'out of bounds' except for authorised staff, and within a week the steps have been made safer by the installation of a handrail, provision of additional lighting, and the use of a 'high-visibility' nosings to each step.*

There remains the need to consider 'slips, trips and falls' generally, and to this end you have agreed to a request to remind members the Chadwick Hotels and Guesthouses Association on measures that they should take to reduce the risk to staff in the sorts of hazardous situations encountered in such premises. Accordingly, draft an article on 'slips, trips and falls' for inclusion in the Association's newsletter, in which you explain the nature and extent of the problem, before explaining what owners and managers might do to reduce the likelihood of incidents and injuries.

(75 marks)

Although the candidate might choose to respond to these Tasks by establishing the evidence for the need to intervene, and establishing the means by which the hazard / risk might be minimized, the HSE has produced several documents of immediate relevance, and it is quite appropriate for these to form the basis for the Article. Nevertheless, that must be a real attempt at focusing the content of the article on the sorts of incidents that might occur in the hotel and guest-house sector, and it should be written in a style that would reasonably hope to engage managers of such premises and so members of the Association.

Although there is no indication of how the marks might be allocated in terms of the two elements of the Article – nature and extent of the problem and means of reducing the likelihood of incidents/injuries - it is reasonable to suggest that the latter might be deserving of the bulk of the marks, and so a 2:1 allocation (25 marks for the nature and extent: 50 marks for means of reducing likelihood of incidents) is anticipated.

Nature and extent of the problem

The HSE Information Sheet 'Slips and trips: the importance of floor cleaning' (Slips and Trips 2) suggests that slips and trips are the most common cause of injuries at work, accounting for 90% of fractured bones sustained at work and costing industry over £500 million per year, though this doesn't nor cannot take account of the pain and loss to the

victim. They account for over half of all reported injuries to members of the public, though for every 'major injury' accident there are around 40 cases of a slip or stumble resulting in no injury

or a minor injury. In this respect floor cleaning is, paradoxically, a significant cause of 'slip and trip' accidents affecting both the person involved in the cleaning operation and the unsuspecting passer-by. According to the Information Sheet, almost all slips happen when floors are wet or dirty and contaminated with water, oil, food debris etc. Smooth floor surfaces of vinyl, glazed ceramic tile and varnished wood present problems, as even a tiny amount of contamination can present real problem. On the other hand, trips occur on damaged, uneven and poorly-laid floors, or because something has been left in a place which is not anticipated by the passer-by.

There importance as the main preventable cause of accident and injury, prompted the HSE and local authorities to include this specific topic to appear in their programmes of work designed to meet national targets as detailed in the 'Revitalising Health and Safety' strategy of June 2000. In its revised guidance 'Preventing slips and trips at work' (INDG225) the HSE emphasizes the value of a 'good management system' to help identify problem areas, decide what to do, act on decisions and check that steps have been taken that are effective.

Means of reducing the likelihood of incidents / injuries

According to INDG225 there are several key considerations:

Managing health and safety, where a good management system should involve four stages:

Planning – identifying key areas of risk and set goals for improvement, with employers working with employees to identify sites, but also to explore the use of different materials and work practices that will minimize the impact of spillages from liquids, fine powders and objects. This might involve fitting splash guards in areas that can't be kept dry and using cordless electrical equipment to prevent trips over trailing leads.

Organization – ensuring that there is a commitment to improvement through the identifying of individuals with a specific remit to take responsibility of hazardous situations and so organizing cleaning up, and so should involve cleaning contractors and other coming on to the premises, from time to time

Control – provide a means of periodically checking that working practices and processes are being carried out and that floors are not being left wet after cleaning, and generally that housekeeping is good and that leaks associated with structural disrepair are attended to, providing a means of recording cleaning and maintenance activity.

Monitor and review – put in place a periodic evaluation of accident and inspection reports designed to reveal deficiencies in the arrangements of management, identifying whether these are leading to improvement, and through communication with safety representatives, establish whether they have comments or criticisms to make on the effectiveness of control measures introduced.

Examine slip and trip risks

Recognising that this is the responsibility of all who have cause to be on the premises (employers, employees, contractors and members of the public), the HSE recommends a five-step approach to risk assessment:

Step 1 - Look for slip and trip hazards (uneven floors, trailing cables and including outdoor surfaces)

Step 2 – Decide who might be harmed and how (including visitors, and remembering that older people may be at particular risk)

Step 3 – Consider the risks (are the precautions being taken adequate to deal with the risks?)

Step 4 – Record your findings (if you have five or more employees)

Step 5 – Regularly review the assessment (are precautions still appropriate over time, especially if changes have taken place?)

What the law says

Aside from the Health and Safety at Work etc. Act 1974 detailing the general duties of employers and employees, and the Management of Health and Safety at Work Regulations 1999 on risk assessment, the Workplace (Health, Safety and Welfare) Regulations 1992 requires floors to be suitable, in good condition and free from obstructions

Good working practice

Better to consider the issue of slips, trips and falls from the very start, ensuring that floor surfaces that will inevitably become wet e.g. entrance halls and kitchens, are provided with high-friction surfaces, and especially ensuring that that lighting levels are sufficient, with proper planning of pedestrian and traffic routes.

Cleaning and maintenance

Training is key to the appreciation of the nature of the problem and the practical means by which they can be minimized through cleaning methods suitable for the type of floor covering and to ensure that it doesn't become the problem and not the solution.

Maintenance work should be carried out promptly and the outcome checked, tested and, where necessary adjusted. Records should be kept of this so that the system can be checked.

Special attention needs to be given to:

Lighting – to see obstructions and potentially slippery areas, improving this where necessary

Floors – check for loose finishes, holes, cracks, worn mats etc. Seek specialist advice when choosing replacement floor surfaces

Obstructions – keep work areas tidy and if obstructions can't be removed, warn people using barriers and signs. Don't use cardboard to soak-up spillages as these then become a fresh slipping hazard.

Footwear – can play an important role, especially where floors can't be kept dry and a slip-resistant sole would add friction