

# Be prepared!



## Health and safety at a glance

Figures from the HSE show that:

- 2 million people suffering from work related illness in 2005/6
- There were 339,000 threats of violence and 317 000 physical assaults in that period
- 24 million days were lost due to work related ill health with 6 million lost due to workplace injury
- There were 241 fatal injuries in 2006??

Under the Corporate Manslaughter & Corporate Homicide Act which comes into law in April 2008 an organisation could be prosecuted if there was a gross failing by its senior managers to take reasonable care for the safety of its workers or members of the public, which caused a person's death.

- Main penalty for conviction is an UNLIMITED fine.
- Remedial order, requiring a convicted organisation to take steps to remedy the management failure that led to the fatality.
- Publicise the organisations conviction and remedial order.
- No individual can be prosecuted under the ACT or be sent to prison, but it is expected that concurrent proceedings would take place under existing H&S legislation which can lead to life imprisonment

## *The rules governing a company's duty of care towards its employees are changing in early 2008 as the much publicised Corporate Manslaughter Act will become law. Health and safety procedures might need reassessing to prevent the first high profile lawsuit involving you...*

**O**n the 6th April 2008 the recently approved government bill, the Corporate Manslaughter and Corporate Homicide Act, will become law.

Following several high profile incidents, including the recent attempted prosecution of Balfour Beatty, the new Act will mean specific individuals within an organisation whose gross corporate failures in health and safety lead to the death of individuals are more likely to face successful prosecution, and an unlimited fine. As a result British companies are faced with a need to implement robust solutions to protect all workers and demonstrate that they have taken their duty of care to employees seriously.

Lone workers in particular represent a key area of risk for employers, as they are often placed in some of the most dangerous situations.

Lone workers are a feature of any industry, they can be health workers, security officers, sales people, construction workers, postal workers, any type of work or function that involves remote working comes within this remit. Because of this many different types of organisations need to find equally reliable methods for managing the growing risk associated with lone working.

According to the British Crime Survey, 2005/2006

there were 339,000 threats of violence and 317,000 physical assaults on British workers in 2005 so the problem is a reality for many employees in the UK.

Risk UK caught up with Michael Carrington, Director of lone worker technology company Romtrac to find out more about the possible changes ahead in light of the new Act.

## **How do you think that a company's approach to health and safety might typically change with the introduction of the Corporate Manslaughter Act?**

The legislation seeks to address the problems with the identification principle in the current law i.e. the need to find a very senior individual within the company who is guilty of gross negligence himself, before a company can itself be convicted.

Under the Act, a company will be guilty of the new offence if the way in which its activities are managed or organised, by its senior management, amount to a gross breach of the duty of care it owes to its employees, the public or other individuals and those failings caused the person's death.

Companies and corporate bodies face prosecution if they are found to have caused a person's death due to their corporate health and safety failings.

The order for delegating responsibility starts at the top and this will now end at the top making the entire senior management responsible for any breach in their responsibilities. As a direct result I believe risk assessment, training and personal security will become more of a priority.

**How will prosecutions be affected by the new Act? Will guilt be easier to ascertain?**

In the past, when someone has been injured, it has been very difficult to prosecute a single individual as the current law seeks to link a company's guilt to one individual who is said to be the embodiment of the company.

Take, for example, some of the high profile rail crashes of the past – the prosecution of the bosses of the rail companies was extremely tricky.

The new law will take a much wider view and will focus upon the way in which a company's activities are managed or organised, and it is not reliant on one particular individual being found guilty of gross negligence manslaughter. The courts will now be able to consider the wider corporate structure and will look collectively at the actions (or failings) of the company's senior management. As such, directors and senior managers are much more at risk.

**What is the first course of action that companies should be considering in light of the Act?**

I would suggest that CEOs and senior management need to have a look at some of the policies that they currently have in place. A lot of the managers that I spoke to at the Total Workplace Management exhibition told me that they were going on training courses over the next few months to get to grips with the main issues and implications of the Act so that they can get plans in place for next April. Anyone can be a lone worker at some point in their working day, so proper risk assessment, training and risk reduction policies and procedures should be implemented to ensure that risk is avoided, and if it can't be, then they have the recourse to alert and request assistance. It would also be a good idea to have a word with your insurer to check the details of any documentation etc in case it needs alteration.



**Do you feel that high profile health and safety prosecutions have a positive or negative effect on the issue?**

I work in the security sector, trying to protect people and stop bad things from happening and I know that when something does happen and it is covered widely in the media it makes people sit up and take stock of their own procedures. When the new Act comes in it will still take a long time for any cases to go through the court so hopefully companies will have got their act together by then and not need prompting.

**As it is so easy to instigate compensation proceedings against someone these days, do you think that there is a culture of fear surrounding health and safety?**

Since the Health & Safety At Work Act of 1974 we've looked after our workers in the UK very well but that Act is over 30 years old, so it is time to change the mindset to suit the modern times. I don't think that we live with a fear of litigation in business; people just need to be aware of their workers' conditions and what their requirements are. Health and safety is not just about preventing accidents, it's about good working environments and making employees feel comfortable too. The new Act will not require sweeping changes across the board but if companies are going to be declared responsible for health and safety matters they ought to make sure that they have taken all reasonable steps to ensure the well-being of all employees.

[www.risk-uk.com](http://www.risk-uk.com)

# IP answers

**Panasonic addresses some common concerns regarding the use of IP technology in the security sector**

**Is IP really the future of CCTV or is it just a passing phase?**

Analogue CCTV systems have existed for many years with one common feature throughout, the composite video signal. If we take a step back from this feature, the technology around it has changed dramatically, tube cameras were replaced by smaller more efficient CCD's and Digital Signal Processors allowed video signals to improve in real time by the camera. In recent years auto back focus on static cameras has been introduced, reducing installation time and improving camera performance during day/night operation.

An IP network interface is a common feature of most Digital Video Recorders (DVR's) showing the acceptance of both manufacturers and end users to the benefits of being able to access a CCTV system from a network. IP is developing rapidly and with serious investment into the research and development of IP technology it is evident to see that IP is the future of surveillance.

We are now in a time of transition between analogue and IP technologies, but with thanks to DVR hybrid systems end users do not need to feel that a complete migration of all equipment to IP is necessary.

The security industry saw a similar transition with the introduction of DVR's, designed to replace time lapse video cassette recorders. When DVR's were introduced, the time lapse market was an established and well adopted by users of the system, for example 31 days recording were visible by each days' individual tape. The opinion of the industry has thankfully changed, and the perception of disk based recording is now a common format.

**What are Panasonic's commitments to IP?**

The Panasonic I-Pro range boasts a collection of equipment specifically developed for the professional security market and the demands that it has to offer. Each product has been developed to give a high quality image suitable for both live monitoring and reviewing.

Panasonic's I-Pro range is constantly developing with new products being released on a regular basis. Intensive research and development is constantly being undertaken with Panasonic proving to be one of leading providers of security solutions, continually investing in IP to develop products for future technology demands.

**Product News – The Panasonic WV-NS202A**

The WV-NS202A PTZ IP network surveillance camera encompasses unrivalled high-sensitivity and high resolution image reproduction that is thoroughly reliable.

Featuring Panasonic's Super Dynamic III technology the camera is enabled to deal with any subject under difficult lighting conditions.

In order for the WV-NS202A to capture remote subjects smoothly, a 22x optical zoom lens is enables high power surveillance and the clear capture of subjects at long distances. For easy installation and IP configuration, the camera employs Power over Ethernet (PoE), which supplies power and transmits images through a single cable.

For more information please visit [www.pss.panasonic.eu](http://www.pss.panasonic.eu) or send an e-mail to: [system.solutions@eu.panasonic.com](mailto:system.solutions@eu.panasonic.com)



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