

Tim Galloway - HMSO inspector of Factories - Discusses the COSHH Regulations with ABTT Members.

Risk assessment, this is something you all need to understand. Regard risk assessment as COSHH in historical and statistical content. 1988 some 500 people were killed in industrial accidents. In the UK there were about 150,000 deaths due to cancer, of which 2-8% are considered to be occupationally related: 3000 people died, six times the fatal accident rate, many days lost through respiratory diseases. In response to this the government designed a set of regulations known as The Control of Substances Hazardous to Health. COSHH.

What does COSHH require? This may be summarised as follows: Regulation 6 Assess the Risk - Risk is the likelihood that harm to health is likely to occur.

Regulation 7 Provide Control: Design and implement controls to prevent harm in the first place. Reduce the likelihood of risk to as small a number as possible

Regulation 8. You have got controls, use them.

Regulation 9. Make sure you keep the controls in working order.

Regulation 12 Tell people how to use them - make people aware of the risk you are trying to prevent.

Regulation 10 If there is any kind of risk to health of a nasty nature you will be required to Monitor Exposure.

To monitor exposure we mean to determine the levels in the air. Levels of any fumes or dust people are breathing in.

If there is an identifiable condition which comes from exposure, you will need to conduct Health Surveillance
Regulation 11 - this does not need to be a medical surveillance - most people should be able to recognise dermatitis, on people's hands which might come from detergents in cleaning agents i.e.: Industrial Washing powders.

What are the areas it does not apply to?

A number of things are covered elsewhere - Asbestos: Lead: The risk which flow from the flammable nature of substances: The risk which solely come from temperature and pressure - i.e. steam under pressure: Radiation - Radioactivity unlikely to effect most of us in our work.

What do we have to assess?

Substances which are very toxic, Harmful, Corrosive, Irritant. You will see the marking on the labels.

A Human micro organism, Legionnaires is a prime example.

Any Dust in substantial quantities in the air.

Any substance with a prescribed 'Maximum Exposure Limit or approved Exposure Standard. Or a level with a substance you must not exceed.

Any other substance which creates a hazard to health which is comparable to the above.

Define the limits on COSHH - what does it ask for?

Regulation 17, an employer shall not carry on any work which is liable to expose any employees to any substance hazardous to health unless that person has made a suitable and sufficient assessment of the risk created by that work to the health of those employed and of steps that need to be taken to meet the requirements of the regulations.

An employer shall not carry on any work unless it is known what the likelihood of harm to health is and it is known how to control it. How to support those controls and is there a requirement for any monitoring or health surveillance.

This is COSHH. This is the meat, the most important regulation in COSHH.

What is the assessment of risk, How do you do it?

This applies to general risk assessment.

Gather information about the substance, request your suppliers to tell you what is in it and what it can do to you. Gather information on work and working practice. And what the substance should be used for.

Evaluate the risk to health; What do they use it for, where do they use it, how long are they using it, what concentration are they using it in.

Decide what further precautions may be required, how you are going to support these proposals.

Record the assessment. Write it down.

Decide when the assessment needs to be reviewed i.e.: how long it will stay valid.

Cover all these points and you should have made a suitable and sufficient assessment.

Regulation 7 - 'Every Employer shall ensure that the exposure of his employees to substances hazardous to health is either prevented or, where this is not reasonably practicable, adequately controlled'.

Do not assume you can just put some gloves on someone, the gloves need to be the correct gloves.

Prevention or substitution - is there another way of doing it which will stop you having to use a hazardous substance in the first place? Is there a less hazardous alternative you can employ. In the theatre's paint shop, for instance, you may be able to use a water based paint rather than a spirit based paint. In the workshop where possible use soft wood rather than hard. Hard wood has a maximum dust exposure limit and is known to be a high nasal carcinogen. We also have to control the dust exposure level by extraction and by using a respirator.

Adequate control: Elimination - Substitution - Total enclosure - Suppression - Partial closure with Local extracted Ventilation - is your wood working machinery extracted - General Ventilation: a vent-axis high in the workshop is of limited value - Limit contamination; cleaning separate facilities. - Limit numbers and time of exposure - protective clothing to be used when all other methods have been considered. Always use protective clothing in an emergency.

As employers so far as practical you must make your employees wear protective equipment. As employees you have a duty to wear that equipment. Without good reason for not wearing protective clothing you are committing a criminal act. Putting a pair of gloves in someone's hands and not seeing that they are worn the employer is committing a criminal act by not supervising properly.

It is important that after a period of time every employer who provides any control measures to meet the requirements of regulation 7 must maintain these controls in an efficient state.

Regulation 9 '...in efficient working order and in good repair'. Is the dust extractor still doing its job properly. System of work you must check the regulations are being properly adhered to. Appoint someone to check everything is in order.

Monitoring Regulation 10 - Where deterioration or failure of controls could result in a **SERIOUS** health effect. When measurement is necessary for you to **BE SURE** that a Maximum Exposure Limit (MEL) is a level which exposure should not go. You have a duty to reduce the MEL to as low as reasonably possible.

Occupational Exposure Standard (OES) a level where there is no harm to health. The duty is to reduce to the OES. or to plan to bring it down in a reasonable time scale.

Regulation 11 is a duty to check on health surveillance. Ensure no one is developing dermatitis. If you are using particularly hazardous substances such as Isosionate, found in expanded foam and some spray paints, you need to check on peoples breathing. These substances can cause asthma.

Regulation 12 this is asking you as the employer to tell people what risks they are facing. What precautions are in place to combat those risks. What monitoring or health surveillance you have. It asks you to train people in how to use respiratory protective equipment. This may sound stupid but a poorly fitted mask will simply allow the dangerous substance to come over the top or under the mask. Taking a pair of gloves off the correct way is important.

That is COSHH - it asks you to consider substances harmful to health. Substances which may be taken into the lungs, skin or may be taken in when you don't wash your hands properly.

Who does the employer have a duty to?

The risk to the employees - to other persons on the premises, in so far as can be assessed. In a play situation and we were using smoke machine we should assess the risk to an audience, but would not have to monitor or train them!

Defence in Proceedings for contravention of these regulations?

Having taken all reasonable precautions in assessing risk, training, supervising, if there is an accident which could lead to a prosecution you have a defence: In any proceeding for an offence consisting of a contravention of these regulations, it shall be a defence for any person to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of that offence.

These regulations are over five years old. The time is now when all theatre companies should have a COSHH assessment.