



Eatons

Manual Handling

The Health and Safety Executive (HSE) has reminded employers of their legal duties with regard to manual handling, after an employee was injured when a 50kg sack of basmati rice fell onto the back of his neck.

The man's employer, East End Foods plc, pleaded guilty to failing to take reasonable care of the health and safety of its employees under Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £25,000 with £28,000 costs.

The court heard that during the course of an investigation into the incident, it transpired that large consignments of sacks of rice were routinely manually offloaded from containers without the use of any mechanical aids. The company had not carried out a suitable and sufficient risk assessment for the unloading process, nor had it taken appropriate steps to reduce the risk of injury to the lowest level that is reasonably practicable.

According to HSE statistics, 30 per cent of all acute injuries in the food and drink industry result from bad practice in manual handling, which is defined in the Manual Handling Operations Regulations 1992 as '...any transporting or supporting of a load (including the lifting, putting down, pushing, pulling, carrying or moving thereof) by hand or bodily force'.

The HSE has useful guidance on this topic, 'Getting to grips with manual handling – A short guide'. This outlines problems associated with manual handling and sets out best practice in dealing with them. The publication is available at www.hse.gov.uk/pubns/indg143.pdf. In addition, there is a Manual Handling Assessment Chart Tool, which has been developed to help the user identify the level of risk involved in workplace manual handling activities. This is available at www.hse.gov.uk/msd/mac/.

Employers who fail to comply with their duties under health and safety law not only risk having to pay fines and possible prosecution but also lay themselves open to claims for damages from employees who suffer injury as a result of poor workplace practices

For advice on all aspects of employment law please contact Maureen Singleton, Head of Corporate and Employment Department, on Tel: 01274 728 327.

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