



**Indepth Hygiene Services Limited**

In the fifth of a series of articles offering advice to FMs, **Richard Norman**, managing director at Indepth Hygiene Services, looks at the Government's plans to make us more responsible.

**On 8 March this year, the Government announced that it was to proceed with its Corporate Manslaughter Bill. This legislation is part of a common theme that demonstrates the Government's determination to make businesses – and perhaps more importantly, employees – responsible for safety at work.**

The 'responsible person' issue was highlighted in a landmark court case which last year saw Barrow-in-Furness District Council charged with seven counts of manslaughter in connection with an outbreak of legionella. The outbreak killed seven and infected 172 others and its source was traced to a 30-year-old air conditioning unit at the council. The investigation found that the service contract to clean and treat the unit had lapsed and the council had failed to continue the required maintenance.

The key point here though is that while charges against the council were dismissed, Gillian Beckingham, the council's design services manager, was personally charged with 'gross negligence' and faces seven charges of manslaughter which, if found guilty, could result in a lengthy term of imprisonment. A new trial date has yet to be fixed.

**Implications**

So it is clear that being elected a 'responsible person' is extremely serious and the Government's determination to 'make someone pay' may well have implications for many of us.

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The Corporate Manslaughter Bill comes hot on the heels of the Regulatory Reform (Fire Safety) Order 2005, another piece of legislation designed to define 'responsibility'.

The Regulatory Reform (Fire Safety) Order is expected to come into effect on 1 October 2006. The main change will be an emphasis towards risk reduction and fire prevention.

The Order firmly places the responsibility for ensuring lives are not put at risk with the 'responsible person', who in some cases will be the employer but in others key personnel such as the FM. The Order requires the 'responsible person' to carry out a suitable and sufficient fire risk assessment of their workplace.

**Risk assessment**

The major change in the legislation will be the mandatory requirement to prepare fire risk assessments and that to ignore serious hazards identified during the preparation of a fire risk assessment that pose a risk of death or injury to building occupants, will become an offence and someone, ie, the responsible person or persons, will be held personally liable for the consequences of any fire.

Our company provides specialist hygiene and fire safety services to businesses to help them ensure that their premises are safe, healthy and legal. Last year we visited 464 catering premises and found that 78% of the units we inspected were in need of cleaning to remove grease deposits from the ventilation canopies and grease extract systems that were potential fire and health hazards.

In fact the grease extract system is a good example of the kind of problem that the new RRO is trying to address. Grease deposits in extract ducting present a potential fire hazard that is frequently overlooked, often because ducting runs behind false ceilings or walls and, therefore, tends to be in areas that no-one feels responsible for.

**Vital signs**

It is absolutely vital that fire risk assessments of buildings with a catering operation include a risk assessment of the grease extract ventilation system. Most commercial catering facilities have one of these to draw grease-laden air directly from the areas above cookers, grills and fryers via the cooker hood and out to the atmosphere. While the filters in the cooker hood are designed to trap grease particles,

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some pass through into the extract system coating the internal surfaces of the ductwork and fans with potentially flammable deposits. In fact the new legislation calls for a service provider, for example a contract caterer who occupies part of the premises, ie, a kitchen, to appoint a 'responsible person'.

So remember, under the new legislation, if a fire were to start and people and/or buildings affected, then the designated 'responsible person or persons' may be held personally liable for failing to have kitchen grease extracts thoroughly and regularly cleaned. This could result in a considerable fine or even a prison sentence.

**Warning**

And just one final warning, there have been instances where facilities and buildings management have thought their grease extract systems had been cleaned only to find, sometimes as a result of a fire, that grease deposits had not been removed from the system. There are a number of inexperienced companies who do not have the skills or knowledge to do the job. The HVCA-recommended procedures and standards are set out in specification TR/19 and only contractors which comply with these standards should be retained.

Indepth Hygiene Services provides ductwork cleaning, kitchen grease extract cleaning, deep cleaning of catering facilities, water tank refurbishment, cleaning and disinfection as well as legionella control, assessment and monitoring. For more information or to arrange a FREE survey of your grease extract ductwork, please call 020 8661 7888 or log on to [www.indepthhygiene.co.uk](http://www.indepthhygiene.co.uk) ■