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lace it with anixines (pesticides that are being used as poisons), and leave them out in the open. Crows and foxes are usually the intended targets but whatever comes along and eats it is going to die, be it hedgehogs, red kites, eagles, whatever. In this area, south and central Scotland, the common Buzzard has been a success story. They are now breeding almost everywhere, which is great, but they have also become probably the biggest targets. They are dropping like flies to poison, shooting, trapping, and so on, and they are not even a major hazard. I was speaking to a gamekeeper yesterday and he is adamant the buzzards do not cause a major problem, but they are still getting slaughtered.

Here is another trap [slide], not a very good view of one, but again, a legal trap, designed to catch stoats and weasels. The idea to put it in a place where it is not going to catch the non target species. Excellent, no problem. However, put the same trap on a pole, preferably surrounding a pheasant release pen, and then you're going to catch something like a Long-eared Owl. Owls are, without a doubt, interested in pheasants within their release pens, even if they are not catching many, but that could just as easily been a Sparrowhawk, Goshawk or something like that.

This is one that Bob and Andrew might remember from their past and caused a fair bit of debate by way of identification. Everybody agreed at the end of the day as to what it was, and indeed it was a juvenile Honey Buzzard. The number of breeding Honey Buzzards in the UK is small and the number of times they breed in Scotland is tiny but this could have been a Scandinavian bird that had flown over. It was actually found shot within a mile of my home. When I heard about that I had some very unprofessional thoughts.

We also have a problem with finch trapping. It's one of these pastimes dotted about the UK, which seems to centre on certain areas, including, I'm afraid to say, old coal mining communities. Certainly in Scotland, that is a fact. It's quite legal for people to breed finches and show them, and I've got no difficulty with that, but it is quite often the case that the best bird is one freshly caught from the wild, as long as you can tame it enough so that it doesn't kill itself flying about in it's box on the day of the show.

Going back to something that Steve has just shown you, egg collecting. There are still hardened groups of people within the UK who are determined to do this. Already on Mull this year, a sea eagle's nest has been robbed. It is incredible, but it is something we've got to be alert to. I suspect we will be involved in these cases for some time to come. Perhaps in another generation or two it will have died out, but certainly this hardened core will stop at nothing. We, the police,

are dependent on experts. In other words, someone from the RSPB, helping out the police with identification of eggs and collections of eggs. As you can imagine it is going to take some time to deal with something like that, and it does happen. Sometimes there is no catalogue of identification, and to prove a case from scratch you've got to identify every egg and have people prepared to go into the witness box and say, yes, that is the egg of such and such.

People have touched on taxidermy. This was a bird found in someone's freezer [slide], and was obviously destined to become a taxidermy specimen at some later stage and was awaiting transportation. I have all sorts of things in my freezer from time to time. My wife put her foot down at the otter I had a fortnight ago. This chap had the hawk and the reason I've put this one in is because whilst we were searching this chap's house, we found this species (and not *Homo sapiens*)(?) so he got caught on two accounts there, and shame on you if you can't identify this!

To finish off with, this is what we are trying to protect in the wild at this time of year, clutches of Peregrine Falcon eggs. In East Lothian, which is just east of you, is a nest site which is traditionally the first clutch to hatch in Scotland and they are just at the point of hatch now, so we're giving that a fair bit of extra attention. With any luck they will be something ready to fly off in a few weeks time. Thank you very much.

Health and Safety Issues.

Allan Young, Royal Museum of Scotland.

Perhaps I should explain my role in RMS. I appear in the programme here as the Health and Safety Officer that's not quite how I see myself. My department, which is Administration, co-ordinates health and safety activity and I will try to say a bit about how we manage health and safety in the course of my talk this afternoon. What I intend to do is very quickly to outline the key legislation relating to health and safety, particularly as it applies to the work of biology curators.

The Health and Safety at Work Act is a key piece of legislation. It was introduced after a fairly extensive commission review in the early seventies and it has been compared in its importance with the Factory Act of 1833 which puts it fairly high in terms of legislation. The significant thing about it is it is an enabling act. It does not deal in a great deal of detail with the minutiae of legal management. It sets a framework within which regulations can be made to deal with a range of activities and that is the way the framers of the Act saw it being taken forward. They

saw it as legislating for a range of activities and progressively bringing together all previous legislation so that it was brought together within this one code. The Act also introduced the use of approved codes of practice, which was another significant development. So, since 1974, health and safety legislation has depended increasingly on statutory regulations, regulations made by statutory instruments which are much simpler and easier to manage than changing laws which depend on great complex parliamentary procedures and getting time in the programme. Statutory regulations are simple by comparison, they are easy to do, they are easy to amend, they are still under the control of parliament and they are subject to the overriding control that they cannot go beyond the ambit of the enabling act. So there is a control. You cannot just legislate without regard. The statutory regulations, the statutory instruments have the force of law. Prosecutions may take place on the basis of an infringement – an offence against a statutory regulation. Approved codes of practice do not have force of law but the courts and tribunals increasingly have regard to the way that employers have used codes of practice – if they have taken account of them or if they have not. So the code of practice which was a completely new concept is increasingly becoming quite an important aspect although not, as I say, having the force of law.

Since 1974 we have become increasingly involved with the European Community and the European Community, itself, has been concerned with health and safety and a directive of 1989 gave birth to what is colloquially known as the 'six pack' – six regulations which very largely cover the range of work activity. Two were mentioned by the last speaker, the Management of Health and Safety at Work Regulation and the Display Screen Equipment Regulation. The other four are Workplace Health and Safety which deals with the general regulations of work places to ensure that employees have a safe environment. Another regulation dealing with Personal Protective Equipment where employees have to wear protective equipment, be that ear defenders, protective safety glasses or whatever. Another deals with manual handling. This is quite an important one and is perhaps one that biology curators might know very well, although on the face of it, do not seem to have a great deal of interest in. Perhaps manual handling training is something that needs to be quite wide spread. It is something we are beginning to recognise here, It is not just the porters and the house-men that need to be trained in handling – there are lots of people who handle things and don't see themselves as manual handlers but when they get a sore back they begin to get the message. We've got to get to them before the sore back develops. The sixth regulation deals with work equipment. So these are the six main regulations. There is one more, not within the six pack, the Control

of Substances Hazardous to Health and that is perhaps the one that will concern most of you and probably most of you have had some experience.

The 1974 Act, as I said, is the key basic legislation to which increasingly everything feeds back. That Act requires that employers ensure that as far as is reasonably practical the health, safety and welfare of employees and other persons who would be affected by work place activity. That is a fairly key comprehensive requirement on employers to ensure the health and safety of their staff. The Act also places duties on employees. It requires them to take reasonable care of their own health and safety and of the health and safety of other people with whom they work or who may be affected by what they are doing so there is a responsibility also on the employee. There is a responsibility also on the employee to have regard for duties and requirements imposed by the employer. You cannot ignore with impunity requirements which have been put upon you by your employer. There are cases where someone has been injured and has subsequently taken an employer to a tribunal where the award, while in favour of the employee, has been significantly reduced because the employee has not had a proper regard for the duties and requirements imposed by the employer and has not co-operated fully. Indeed it is possible under the Act to prosecute employees for disregarding health and safety requirements so the 1974 Act imposes a duty of care and imposes responsibilities on employers and employees.

The Management Regulations and the Control of Substances Hazardous to Health regulations impose a further duty which is to carry out assessments of risks to health and safety of employees and others arising out of work activity. This is an important development and one which has involved many of you. It certainly has involved us over the past few years in bringing our procedures up to date and ensuring we are providing a safe and comfortable and proper environment for our staff. The one good thing about the COSHH Regulations and the Management Regulations is that if you have done an assessment under COSHH you don't need to do another under the Management Regulations. Basically what the regulations require is that assessments are undertaken to evaluate the risks to health which arise from work which might be hazardous in some way and to determine as a result of the assessment what needs to be done to ensure that a proper working environment is provided. What does this mean? It means that we need to look at hazards. What are the hazards? What risks are posed by these hazards? If we don't do that we are not able, effectively, to discharge our duty of care and responsibilities under the 1974 Act.

So what is a substance hazardous to health? The regulations say any substance capable of causing adverse health effects or disease arising from work activities. It then goes on to list quite a number of things. It picks up on substances, which are specified in the regulations, which have a maximum exposure limit. It picks up on substances for which the Health and Safety Commission have approved an occupational exposure standard. It refers to substances on the approved supply list under the Chemical Hazards Information, Packaging and Supply Regulations, which are toxic, corrosive or irritant. It refers to biological agents, it refers to dust concentrations and then it refers to anything not covered by these categories, which causes a health hazard. So basically you have got to regard anything as potentially a health hazard but you have got to take a balanced view. It would be very beguiling just tie everything down and close your eyes and hope that nothing happened. You are in the real world; we have to move on. The way we have approached it here is to make general surveys. We have virtually worked through most of our basic COSHH assessments. There is one major area Geoff Swinney and I are going to talk about in the next couple of weeks which is related to taxidermy and I had hoped that I might have been able to have a bit more to say to you about taxidermy today but we haven't got to that stage. But we have made a general survey of risk areas and it is important to do this and eliminate hazards that are inconsequential or trivial. It is important to be comprehensive because you can easily enough, once you have got a long list, start to go through it and say, well, is that really significant? Does it affect many people? Is there a real risk? If there is a risk, what is it? There is a great importance in getting a general survey of the field and then work down.

Your concern will mainly be with biological material, with dead animals, with bits of animals, with bits of insects and possibly bits of birds. You need to know where they came from. If you know where they came from you may have some idea of what possible hazards they carry. If you bring something home and your overnight bag from the Far East, which is furry, it may contain 'nasties', which you don't really want to find. There are import regulations which have to be observed and obviously if you are importing material from abroad you have to follow the regulations and you have to employ an agent who is well apprised of these regulations and able to advise you properly on the procedures you should follow. But it is important to know as much as possible about material you are using so that you can get some sort of insight into what sort of risks it might pose. You have got to consider how significant the risks are. Again, in relation to the regulations, what exposure limits might apply? That is perhaps not appropriate in relation to biological material but in terms of chemicals it is. You need to

look at the level of access, the number of people who are involved. What the process involved? There are processes in taxidermy involving de-fatting where there is a possibility of a spray. Is the aerosol created by de-fatting a potential health risk, if so what should we do about it. We need to think about the implications for other people. If there are others moving through the laboratory are they likely to be put at risk by the activities that are being carried out. What processes do we have in place to reduce risk because most people have an instinctive recognition that you should treat any material, organic or chemical with some caution?

So you have to assess all of these aspects and consider what you need to do. Do you need to do anything? If you need to do something what do you need to do? Is the process so dangerous that you should not be carrying it out? Is there an alternative way of carrying out a dangerous process? Can you substitute something less hazardous? Should you separate off the process? Do you need to enclose it? Do you need to enclose it completely or partially? You need to look at the length of exposure. Are people going to be exposed for long periods and what are they exposed to? Do they need protective equipment? Should they be wearing goggles? Should they be wearing masks? What information have you got over the whole process? You have got to record what you do and it is important, even if you decide that something is not a hazard you record the fact that you have looked at it and decided it is not a hazard because you may need to refer to that and keeping records, tedious as it is, is actually quite important. I suspect that is why Administration got the job of doing this because they keep records. That is an area we have been trying to build up a body of information so that we know what is being done so that we can show that we have taken steps to protect staff and to protect visitors so that we know when we need to go back because there is no point in doing an assessment and forgetting about it. You have to go back. You have to review it. You may need expert guidance.

I mentioned earlier, the structure we have in RMS; I'll say a brief bit about that. We don't have a Health and Safety Officer as such. We have a system of co-ordination. I co-ordinate over the organisation as a whole. We have departmental co-ordinators covering COSHH and covering General Risk Assessments, covering VDU assessments and they provide advice and guidance to line managers and to staff involved in carrying out processes and link back with my own department for co-ordinating purposes.

To explain, briefly, how this works in relation to COSHH, we have a member of our conservation department who is the COSHH assessor and she requires departments to complete assessment forms in

respect of all processes undertaken. The operator carrying out the process completes the form and the departmental assessor and line manager check it over and ensure that they agree with the assessment as carried out. The assessment then goes to the COSHH assessor who will review what has happened, will make any alterations or recommendations, obtain further information if necessary, identify any high risk factors and, if necessary, deal with the department on that and consider whether any alternative processes should be used. Once agreed the assessment will then be logged and that will be our record that that process has been assessed. We can then come back periodically to review. We would review COSHH assessments on an annual basis. We require departments, if they change processes, to send us an amendment form and that enables us to update our record. So that, in a very simple way is how we deal with COSHH and it is how I would expect most organisations would operate.

I did mention the need for expert guidance. We do this in-house with our own resources. We do draw in expert guidance. Currently we have engaged the Institute of Occupational Medicine to look at our Taxidermy Department and provide us with a report. We believe that was necessary because there were aspects of that where we did not feel qualified to make judgements and it is important to know where to make judgements. The regulations talk about assessors being competent persons but they don't specify in any detail what they mean by competence. Assessors have got to know the process, they have got to have the relevant technical knowledge, but most importantly, they have got to know the point at which they need to call expert back up.

We see health and safety as a positive factor. A lot of people consider it an intrusion and a bit of a chore and it is to a certain extent but it is important. The law is quite clear. Employers who do not observe the regulations put themselves in danger of prosecutions. It is important for employers, museums or anyone else, to ensure that they have proper procedures in place. It is important for staff working in organisations to ensure that they follow the procedures that are laid down. If you look at the process in that way and see it as a means of providing an effective environment for working and a means not of restricting what can be done but of ensuring that things can be done to the best effect and in an environment where all of those coming in contact, staff, visitors and others, can feel safe and secure and that is objective.

Legal issues in collecting, keeping and using biological material.

Lynn Garvey, Enforcement Co-ordinator, Global Wildlife Division, Department of Environment, Transport and the Regions.

The title of my talk sounds rather mammoth and we might have to limit that a little bit because we only have an hour. We will do a quick cooks tour of as much of the controls as we possibly can.

The first question I suppose we ought to ask is why do we have controls at all? The answer to that I am told is that the removal of plants and animals from the wild for commercial purposes has been identified as the primary factor after habitat destruction that is currently driving species to extinction and we don't want that. The CITES Secretariat have estimated that the total trade in live and dead animals and plants has an annual turnover of a staggering \$20 billion. This is the legal turnover of the wildlife trade. There is also a substantial illegal trade in wildlife estimated by the US Fish and Wildlife Service as being second only to the illegal trade in drugs and arms. So it is an enormous commercial activity that we are talking about. Some figures about the type of wildlife that is being popularly traded, 25-30,000 primates per annum lawfully traded, 2-5 million wild birds are traded every year, 10 million reptiles skins, 7-8 million cacti and a staggering 500 million tropical fish. So that's part of the reason why it's so important that we have controls.

The UK itself, although not a range state to an enormous quantity of wildlife is nonetheless a significant wildlife consumer. The pet trade in this country is booming. Figures for 1993, which is the last time we had a real review on this show that over a million reptiles were imported and consignments of 5,000 iguanas at a time weren't unusual which is quite a staggering figure. In the bird trade significant figures are also available and in one particular year a well-known trade magazine published 94,700 advertisements for a staggering 961 species and that's in one year. Of that particular figure a significant proportion, 80% of them in fact, were CITES species that were being advertised for sale. So it is an enormous market that is going on out there in the United Kingdom. Taxidermy specimens are also popular. They are popular with people like collectors and also they're becoming more popular for public houses it seems and theme managers alike. There appears to be a chain of restaurants going across the south of England who thinks it's fun to use stuffed specimens of wildlife to decorate their walls, floors and even their tables I'm told. So specimens of taxidermy are becoming increasingly popular. We're not quite to the Victorian standards yet but I think we