

Falls from height

Businesses are still failing their staff when it comes to managing work at height, as revealed by claims being made against employers.

Some of the most serious consequences are caused by falls from a "low height" (activities that are carried out close to the ground).

In one claim, valued at more than £200,000*, an employee fell while working on a van that was located on a low loader. He was using a chair to stand on at the time.

In another, totalling £175,000*, a chef fell 12ft from a ladder that he was using to replace light bulbs on a hotel frontage, causing ankle and wrist fractures, four months off work and the need for the hotel to find a replacement in the kitchen.

Despite the implementation of new Working at Height Regulations (2005), businesses still seem oblivious to the risks involved and unwilling to put cheap and simple controls in place. Falls caused by working at height are happening across a wide range of sectors, including construction, agriculture, motor vehicle repair, haulage and freight transport and across service businesses such as window cleaners, electricians, painters and plumbers.

If you would like a risk assessment which will identify areas of your business that could be improved to reduce the number of claims you may make as well as reduce the potential for employee related incidents, please contact us.

* Source: Norwich Union



Email hints and tips

More and more businesses are using email to improve their communications. It can be a quick convenient and effective way of contacting both customers and other members of your team, without the disruptive effect of a phone call. But if you use email or plan to introduce it, you need to set up a clear email policy. This will help you prevent time wasting, protect the security of your systems and data and minimise the risk of legal problems.



Email etiquette

Some companies have still not realised how important their email communications are. Many companies send email replies late or not at all, or send replies that do not actually answer the questions you asked. If your company is able to deal professionally with email, this will provide your company with that all important competitive edge. Moreover by educating employees as to what can and cannot be said in an email, you can protect your company from awkward liability issues

What are the etiquette rules?

There are many etiquette guides and many different etiquette rules where some may differ according to the nature of your business and the corporate culture. Here is a list of what we consider as the most important email etiquette rules that apply to nearly all companies.

Email etiquette tips:

1. Be concise and to the point
2. Use proper spelling, grammar & punctuation
3. Use proper structure & layout
4. Do not overuse the high priority option
5. Do not write in CAPITALS
6. Add disclaimers to your emails
7. Read the email before you send it
8. Do not overuse Reply to All
9. Do not forward chain letters
10. Do not use email to discuss confidential information
11. Avoid using URGENT and IMPORTANT
12. Avoid long sentences.
13. Don't reply to spam
14. Use cc: field sparingly

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Preparing for a flood makes good business sense



All businesses are at risk of financial loss as a result of flooding, even those with insurance.

Estimating potential loss

The level and duration of potential flooding is important when estimating loss, as some businesses are more at risk of financial loss than others.

- High street shops and other retailers are most at risk due to the combination of high stock value and intense use of space. Retailers account for a third of all businesses in floodplains.
- Businesses that rely on technology and computing, such as IT service companies, use extensive cabling and electrical services and are frequently located on ground floor level or below, so are especially vulnerable to flood damage.
- Warehouses that keep stockrooms almost full have little opportunity to stack goods out of the reach of floodwaters. Single story properties are especially susceptible in these conditions.

Taking action in response to flooding helps minimise business interruption, and the costs of getting your business up and running - factors which often outweigh the direct physical costs of flooding. For example, saving vital files and records may be especially important, or installing an emergency generator which can power refrigeration units, as well as heating and other systems that help a building dry out.

Reducing damage and getting your business back into operation quickly makes a big difference financially, and reduces the likelihood of losing customers permanently to your competitors. However, only you can decide the level of action that is right for you.

In recent years we have seen an increasing amount of flooding in England and Wales, which has focused attention on the need to provide better flood protection for you and your business.

Floods are one of the most common and widespread of all disasters and are growing in frequency and severity. Businesses are more likely to be flooded than burned down, resulting in devastating financial loss, yet fire safety is often considered more important. By taking action to prepare in advance for flooding, most businesses can save on the cost of lost stock and moveable equipment, as well as a lot of trouble and stress.

It is vital that businesses:

- Find out if they are at risk from flooding
- Find out about flood warnings
- Plan to protect property and minimise financial risks
- Ensure the safety of all staff

Contact us for our top tips on taking effective flood action.

This newsletter contains a general overview of the UK SME insurance market based on our understanding as insurance brokers and risk consultants. It is not intended that it be used, and should not be used, to replace specific advice relating to individual situations. In particular, we do not offer either legal or accounting advice.

Whilst we endeavour to provide accurate and up to date information, we cannot guarantee this and you should not rely on the information contained in this newsletter without seeking further more detailed advice to suit your particular needs.

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Covernotes

Are you guilty of not having Employers' Liability Compulsory Insurance?

The City of London Magistrates Court found the proprietor of a London based business guilty of not having Employers' Liability Compulsory Insurance. He must now pay £500 plus prosecution costs of £10,000 and £1,000 in compensation.

Throughout the case, the proprietor maintained his innocence of the breach, pleading not guilty of failing to have the required insurance. The charges against his business were dismissed as the Court felt that he was responsible for the breaches.

On 15th July 2005, one of the days without insurance cover, a 17 year old college student working as a mechanic sustained a leg injury in an incident with a vehicle, resulting in permanent scarring. The duties of the injured teenager, and her colleague, included paint stripping and brake changing, for which they were paid £3 an hour, and the convicted man's not guilty plea was based upon his understanding that they were not workers, but attending his business to watch, and additional insurance was not required.



However, the prosecution introduced a questionnaire signed by him that showed that he had falsely claimed to the college that he did have insurance cover.

Having the right insurance in place means the victim can get some compensation to cover losses and help their recovery. The young person in this case thankfully did not suffer more serious injuries, but if she had, she might at only 17 years old have been left unable to work again and yet not received any compensation.

Certain types of insurance cover are mandatory and your business must be covered by law. Employers' Liability Compulsory Insurance is one of those covers.

The Employers' Liability (Compulsory Insurance) Act 1969 requires that employers have insurance cover against claims involving employees. All businesses need Employers' Liability Compulsory Insurance unless exempt under the Employers' Liability (Compulsory Insurance) Act 1969.

There are positive steps which employers can take to manage the risks employees are exposed to. Apart from providing a safe place of work in terms of safe premises, equipment and machinery etc, every employer has a duty to ensure safe systems of work are in place.

Employers' Liability Compulsory Insurance is a legal requirement for anyone employing people to carry out work including workers who might incorrectly be thought to be non-employees, such as trainees or students on work experience.

As your insurance broker, we can arrange the most appropriate insurance cover for your business, including other types of cover which should be seriously considered to help prevent your business suffering financially.

A smile a day keeps your rivals at bay



Smiling when you are speaking to clients on the phone is the secret behind successful customer care – especially when you are talking to a woman.

A recent poll found that three quarters of women know if the person they are speaking to on the phone is being genuinely friendly. The survey also found that people aged between 55-64 are most likely to complain if they are treated badly by a company's employees. But they are also most likely to offer their appreciation when they are treated well.

Source: Standard Life Healthcare

Enlarging Europe – how does this affect you?

The growth of the European Union has seen a number of migrants from Europe to the UK with the hope of securing work in this country.



Since EU borders opened up in May 2004 to include another 10 countries, there have been enhanced opportunities both for residents of the new member states and British employers.

If you employ non-English speaking workers you must be aware of the language and cultural barriers that may prevent your business from operating smoothly.

Employers need to know the following facts about their non-native English speaking employees:

- Can they speak and understand enough English for their role?
- Can they read and understand work instructions and health and safety related notices and warnings? Employers have a legal duty to ensure the employee understands notices, symbols etc related to Health and Safety. If the employee does not understand or can't read English, these have to be translated into the employee's language.
- Are there other members of staff who can speak the employee's native language? They could help the employee understand the working culture and environment in the UK.

- What is the employee's job history? This shows whether he/she has relevant experience to work in this job.

Make sure you are understood

Employers should use the following measures to make sure they are understood:

- Use simple language
- Demonstrate tasks and actions, use gestures
- After explaining something, ask the employee to explain it back to you to check if the employee understands
- Translate important notices into the employee's own language. This is particularly important to avoid a breach of Health and Safety regulations.
- Employ a cultural briefing consultant to help the employee understand the way in which we work and our culture. Think also about their native culture and how the existing workforce, by learning some simple customs, can make the new employee feel more welcomed.

Source: Regional Language Network South West. <http://www.rln-southwest.com>