

Business Doctor

A panel of experts from the Chamber answers your business dilemmas

+ **Many of my staff spend long periods of time sitting at their desks. Are there any health and safety issues I should be aware of?**

NIK GOODYEAR **Managing Director of Ergomonkey:** Companies have a duty of care to their employees to adhere to basic health and safety standards, particularly when employing staff who spend considerable amounts of time positioned at a workdesk.

Ergonomics is most commonly understood as the system for addressing issues relating to physical problems at work – for example, ensuring that work surfaces are high enough to allow clearance for a worker’s legs, or that screens are properly placed.

However ergonomics also influence the psychological and social aspects of an employee’s life, which can then directly impact on the motivation and productivity of a company’s workforce.

Compensation payouts for repetitive strain injuries (RSI) or Carpel Tunnel Syndrome can amount to many thousands of pounds and so clearly the initial outlay on ergonomic office furniture seems a prudent investment for employers.

Ergomonkey helps companies comply with legislation and address health and safety issues. However, it is more than just a supplier of ergonomic furniture – going the extra mile to actually work with companies to ensure that their products are put to best use.

Legally, organisations are obliged to complete Work Station Assessments (WSA) every three years, or whenever an employee’s workspace changes. Ergomonkey can work alongside companies to support their WSAs, and to ensure compliance with Display Screen Equipment (DSE) requirements, providing a consultancy service to interpret assessment results and advise companies how to address any issues.

Ergomonkey also provides Computer Aided Design (CAD) and space planning for office fitouts to ensure compliance with legislation and maximise safety for employees. This can improve morale and motivation, staff retention and reduce sickness and absence.

Too many organisations expect their people to perform at a workstation that is

wholly inappropriate for the tasks that are undertaken, with employers paying only lip-service to DSE requirements. Indeed, we have been approached by clients that are looking for help in reducing their spending on ergonomic equipment, whilst at the same time settling claims from employees for long-term injuries or illnesses sustained in the course of their work!

Claims for conditions such as Carpal Tunnel Syndrome, RSI or DVT can amount to tens of thousands of pounds, but some companies still fail to grasp the wisdom of investing in good ergonomic practices and equipment that will help prevent occurrence of these problems.

By investing in the health and well-being of your team, you will also improve their morale and effectiveness immeasurably.

+ **I am the HR manager of a law firm. Anecdotal evidence suggests that the IT and general English skills are below average amongst the support staff so I want to introduce mandatory training for a number of employees. Is there a risk of discrimination claims if I ask all members of staff to take part in a series of tests to see who needs further training?**

ANNA BUNTING **Solicitor in the Employment Team at law firm Davis Blank Furniss:** Generally, applying measures to all employees will help avoid claims of discrimination. However you must not forget that you still need to make sure your proposals do not indirectly discriminate against particular groups of employees.

Employees with dyslexia or other learning difficulties may struggle with a test situation and those whose first language is not English may also find it difficult. If those employees feel that they have been treated detrimentally as a result of a medical condition or their nationality, then you may find yourself subject to claims of disability or race discrimination.

You also need to consider the extent to which IT and English skills are relevant to the job in question. It may be essential for a legal secretary to possess these skills but not so important for an office junior. It will be easier to justify your actions if the skill for which you are testing is vital

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to the job. You may also need to consider whether you are justified in applying this only to support staff or whether it should apply to all.

If you want to avoid these risks and the costs are affordable, consider providing the training across the board. Also, if you treat the provision of training as a benefit rather than as a consequence of failing a test, this will reduce the likelihood of claims arising as a result. You can then monitor the effect of the training by assessing each employee’s skills as part of a regular appraisal process.

+ **A foreign worker employed by my firm was injured and had to be repatriated to his home country meaning a substantial insurance claim. What can I do to convince my insurers that we are still a good risk?**

KEVIN FINNIGAN **Partner and Head of the Insurance Division at law firm Halliwells LLP:** I assume your company has all the relevant licences from the UK Border Agency to employ Skilled Migrant Workers? If so, you must look carefully at how you manage risk in your business.

Unfortunately in your previous experience it seems that you were found to be negligent in causing your employee’s accident and subsequent injury and, while this may not imply systemic problems at your firm, it should serve as a wakeup call.

Without proper attention paid to workplace safety, you are exposing yourself to potentially costly claims against your employers' liability insurance policy, which will hike up your premium at renewal.

It is essential that you can evidence your company's compliance with the regulations under the Health and Safety at Work Act. Only then can you begin to work with your insurance broker to design a positive risk management framework from which you can demonstrate to insurers that yours is a business worth insuring, and that it discharges all duties towards its employees correctly, whether migrant workers or domestic.

UK employment or health and safety regulations exist to guide businesses like yours. If you have migrant workers, have you tested your compliance with these rules? Proper training with regular refresher courses should be considered a key part of your business.

The important message is to communicate; if your business remains a viable going concern then you should encourage a broker or an underwriter to see for themselves how the operation is being run and how you have improved its approach to health and safety following this claim.



What can I do to market my company through the economic storm?

CHRIS BELLAMY Founder of FirstFound:

In a recession, consumers become value oriented, distributors are concerned about cash, and employees worry about their jobs. But it is well documented that a downturn is no time to stop spending on marketing.

The marketing you do, however, must be cost effective. And one of the most money-savvy ways to promote your business is through Search Engine Optimisation (SEO).

That is if you have a website – and let's face it, in this day an age you really should. It is a lot cheaper than advertising in newspapers or magazines and you can reach a targeted or worldwide audience for as little as £50 a month. (Depending on which company you go with and your personal requirements).

SEO may sound terribly technical but the overall result is simple - it works to get more visitors to your website by improving your ranking in the listings on Google, Yahoo, MSN and the like.

In simple terms, it's about getting long-term exposure for your business.

If you are going to the expense of having an online presence, you need to be seen.

Research reveals that 85% of search engine users rarely bother looking further than the first page of results – as you may know from your own surfing habits. And the effectiveness of this technique speaks for itself as many businesses will testify. ■

Expert Advice

Have you contributed to Business Doctor in the past?

If so you may like to take part in the Chamber's latest initiative to help businesses. We are assembling a panel of experts to provide advice on coping with the downturn. We have a dedicated area of our website that we want to fill with practical advice for business and we need your help to do it.

If you have something to add from your own experience phone Simon Cronin on 0161 237 4226 or email simon.cronin@gmchamber.co.uk

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