

CONFERENCE PROGRAMME

Conference Chairman: Roger Lambert MIDHEE

Morning

- 9.15 Delegates assemble- coffee will be served.
- 9.50 Opening address- Conference Chair Roger Lambert
- 10.00 Building Services Competence.
Colin Sutherland. In his paper Colin will explore the history of the industry and the issues of competence, what effect the of lack of competence has had on the image of the industry and his views on the way forward.
- 10.30 Questions
- 10.35 The DETR's proposal for "Competent Persons".
John Thompson, John will discuss the work done to date on the Competent Persons proposal and the initial feedback from public & industry consultation.
- 11.05 Questions
- 11.10 Competency.
Bob Towse. Bob will discuss Competency — what is it, how does it apply to the gas industry from the point of view of CORGI, he will expand on the implications for operatives of the ACOP and the change in the requirement for certification and the introduction of UKAS.
- 11.50. Questions
- 11.55 Competence and Vocational Standards in the Building Services Industry.
Tony Thomas. The implications of the drive for a competent and well trained industry will be reviewed and the responsibilities of employers to finance the training necessary to acheive this.
- 12.25 Questions
- 12.30- Aperitifs and Luncheon

Afternoon

- 1.55 Delegates reassemble.
- 2.00 Gas Safety Points of View.
Stephanie Trotter looks at a typical legal case resulting from a gas safety incident and discusses the implications of the action from the points of view of all the affected parties.
- 2.30 Questions
- 2.35 Open the Window.
David Gaine. With energy efficiency and the reduction of greenhouse gasses on the top of the environmental and political agenda David discusses the importance of correct ventilation in domestic dwellings.
- 3.05 Questions
- 3.35 Domestic boiler anti-cycling controls.
Dr Howard Porter discusses the findings of the BRECSU research into the currently available anti-cycling devises and draws conclusions on their energy saving claims.
- 4.05 Questions
- 4.10 Question forum.
The speakers will form a panel to take questions from the floor.
An opportunity to air your point of view and exchange ideas with the panel.
- 4.30 Conference closes — tea will be served



C O-Gas Safety



The Carbon Monoxide & Gas Safety Society

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The Carbon Monoxide & Gas Safety Society (C O-Gas) is a charity committed to reducing accidents from Carbon Monoxide and other gas dangers worldwide and supporting gas-related accident victims. Company Limited by Guarantee, Registered in England, Registration No. 3084435
Charity Registration No. 1048370

CO-Gas Safety to Address Gas Forum Gas Suppliers on Friday 12th June 1998

Thank you Ian McCleskey

You may recall that I addressed you on 16th April 1997. During that talk I told you how I became involved in safety campaigning, (through our son Alex's accident while on a children's activity holiday).

The attitude shown by some company directors, as demonstrated in the cartoon below, is one reason why I continued.



During over three years of work I have come across many victims of CO. I would like to tell you about a typical case so you can see the problems from a victim's point of view and also from the point of view of all the players involved.

A Typical Incident

A young couple, Jane and Pat get engaged and set up home together in rented accommodation. They have just qualified at university and have their first jobs. Things go quite well, they have gas central heating, a gas fire and cooker. Winter is drawing on and Jane and Pat feel increasingly tired and ill, especially in the evening when sitting in front of the gas fire - they do this because the radiators do not seem to work properly. Jane goes to see her doctor who at first diagnoses stress, then 'flu and finally, ME. Eventually, after trying the landlord several times, Jane rings Transco which immediately calls and turns off the gas fire, as this looks black and dangerous.

*Rented
ex
Fire
cooker
Dr
stress
flu
ME
Transco*



**CO-Gas
Safety**

Jane calls the landlord, Mr. Brown and complains. Mr. Brown calls his CORGI installer and Mr. Jones, although busy on another job, calls on Jane and Pat. Mr. Jones does a few things and tells Jane how the clock and thermostat work. He is in a hurry and hopes that this will sort out the radiators. He makes a date to come back to fix the fire. He then leaves.

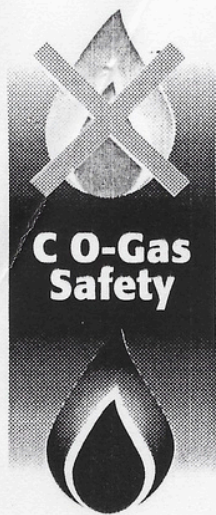
It is a cold night and Jane and Pat go to bed leaving the central heating on. In the morning neither turn up to work and eventually Pat's parents and Jane's workmates investigate. Their car is in parked by the house. The police are called and break in to the house. Pat is obviously dead and Jane, nearer the window is near to death. The ambulance is called. Jane arrests twice in the room but they get her out and to a hyperbaric unit. HSE investigate and an inquest is opened before a charge is brought. At the inquest it is established that:-

1. No service has ever been undertaken on the appliances since installation some eight years earlier. *No service*
 2. Mr. Jones was told to deal with the problem not to undertake a service. *—*
 3. He was paid £10. *—*
 4. He has recently completed an ACOPS course. *—*
 5. The gas fire worked well but looked terrible. *—*
 6. The heat exchanger of the gas boiler is completely gummed up, the ventilation is inadequate and the flue is too short. *—*
 7. A verdict of accidental death is returned. Pat's parents and Jane are furious. Even the Coroner realises that the jury is angry at only being given a choice between accidental death and open verdict.
- Jane instructs solicitors who press the CPS to bring a manslaughter charge. Eventually the CPS refuse and the normal HSE charges are dismissed as an abuse of process due to delay.
- Mr. Jones is still undertaking gas work. Mr. Brown is still letting property to young and vulnerable tenants. *|*

In one night Jane has lost:-

1. Her future husband
2. Her job and career prospects - she is too damaged to work.
3. Her home.

Nobody contacts her and she is left to clear up the house and settle the bills including the gas bill. She has a good legal claim but at first consults a firm of solicitors which is unfamiliar with this type of case. Even after she changes to another firm, it is unlikely that she will recover much in the way of damages as her injuries are hard to assess and her loss of earnings also very difficult to assess as she was only just starting her career. There is no recoverable sum for bereavement as she was not his wife. (Even if she had been his wife the sum for bereavement is only £7,500). Pat's parents can only recover funeral expenses.



Points of View

Gas Suppliers

We only supplied the gas - it wasn't our fault.

CORGI

We will look into it but he hasn't been found guilty. If an inspector had been called out, only 20 of the 120 have flue gas analysers anyway.

Reason: presumably resources.

Gas Consumers Council

We do not have the resources to be proactive. We cannot even attend every inquest into each CO death. (CO-Gas estimated cost of this at £400 x 30 deaths = £12,000 per year - CO-Gas knows of barristers who would do this for £100 per inquest.)

HSE

We did what we could - anyway we only investigated 15% of the 359 gassings, poisonings and asphyxiations 1996/7. In the same year we could only investigate 4% of the 50,000 major incidents (includes blindings and amputations).

Source : HSE's own figures given to the Institute of Employment Rights Tel 0171738 9511.

Reason: presumably resources.

IDHE

They should have used a plumber - I know that they must use CORGI by law but what good did this do? Why are CORGI fees so high?

Victim Support

We will help on a case by case basis if notified but we cannot be notified by the police automatically - but we are notified in every burglary. Reason: presumably resources.

Police

HSE is investigating.

Objection by CO-Gas Safety - only the police can investigate and charge manslaughter by gross negligence. Answer - we'll wait until the HSE investigation is complete and anyway it is extremely rare for evidence to be destroyed. Response by CO-Gas Safety - you cannot be serious! Do you live in this world?

CPS

We cannot act until we receive a report from the Police.

HSE

We investigated but the family wanted manslaughter which we cannot charge.

Transco

We came when asked. We have equipment to trace natural gas which has a smell but no equipment to trace CO which cannot be smelled.

Coroner

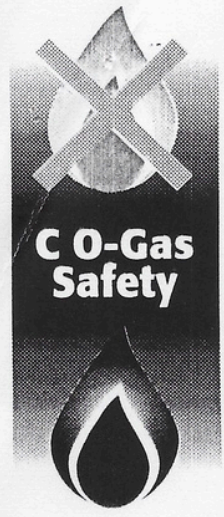
Inquests inquire how someone died not why.

DTI

We sent out leaflets with the gas bills and put out free TV filler adverts.

DETR

We act on HSE's advice and so far we have done whatever they want.



Points of View (Continued)

DOH

We send a letter to GPs by the Chief Medical Officer each year. There is a good instrument to measure CO in breath which costs around £500 and each hospital and GP surgery would be welcome to buy it - so long as it is within their own budget.

£375
 At 46,000
 to equip A+E
 + £3 m.
 group practices

Ofgas

It is up to HSE and they seem happy

Pat's parents

We lose our son and nothing happens - no charge - nothing. People think that at least we will be able to sue and recover huge amounts of money - not that money would help but it is also incredibly insulting to be told that we can only recover funeral expenses. It makes us feel that our precious son is considered to be without worth.

Jane

I have lost everything. I am now living on social security and I cannot work, I cannot even afford to take a Local Authority evening class as I have no money. I sit alone all day at home. As I am only 25 years old, none of my friends understand; they expect me to just get over Pat's death but I cannot even hold down a job as a waitress. I have a long legal battle ahead of me and even then, I will recover far less than I have lost. The maximum so far recovered for brain damage from CO (and I hope I don't have this as badly anyway) is £175,000 for a top fashion designer, (the MacRae case).

Social sec
 Even classes
 25 friend
 legal battle
 Damages

Fatalities
 67 Gas
 (55 mains)
 13 Car exh.
 52 Solid
 2 Oil

 134

Figures

Our figures are 134 deaths and over 800 near misses in 26 months from accidental CO poisoning. We include domestic appliances, (all combustible fuels) and also accidental car deaths.

The DTI found 50 deaths and 175 near misses from accidental CO poisoning. (domestic appliances, all combustible fuels).

Why are some 21 deaths from E Coli given greater prominence?

Main problems

1. Transco - it is scandalous not to provide emergency engineers with equipment to trace CO - like sending someone out to check radioactivity without a Geiger counter. Flue gas analysers should be provided.

2. Poor training and accountability - there should be better training and CORGI should be tougher. But CORGI cannot prosecute and HSE is very short of funds.

There should be individual accountability - not a wait until 2003 and then no resources for proper complaints' panels and appeals.

3. Gas Consumers Council - should have resources to research causes of death and injury and to be proactive to help consumers who have been injured or whose family member has died. Why should a funded body be insufficiently resourced to do this when each death costs the country some £830,000?

4. Difficulty of CORGI installers if landlords refuse to pay - CORGI installers must be professional enough to overcome this and there should be spot checks and proper enforcement against landlords who fail to fulfil their legal duties. This means there has to be increased resources.

CO-Gas
 first ever
 Consumer
 Group to
 propose a
 B B
 Sept
 BS7927



CO-Gas Safety

5. Problems between police and HSE - the police should be in charge whenever there is a death. We have a Serious Fraud Squad - why can't we have a Preventable Death Squad?
6. Lack of Victim Support - why automatic support in the case of burglary and not after a death?

Conclusion

Why should the industry make so much profit without making a proper financial contribution to the safety of their customers?

Urgent Need for a Fuel Safety Bill to:-

1. Licence landlords
2. Provide a fuel safety levy.
3. Make further safety changes.



Please note that Nigel Griffiths MP can no longer be our chairman as he is now a minister. Baroness Maddock has kindly agreed to be our new chairman. There are some other changes to our membership. Our Labour party MP is Fraser Kemp and our Liberal Democrat is Colin Breed MP. We are in the process of obtaining new headed paper.

c Stephanie Trotter 1998

GUIDE TO FUEL SAFETY BILL
(i.e. some reasons for drafting this bill)

N.B. CO-Gas Safety has found 134 deaths and over 800 near misses from accidental Carbon Monoxide (CO) poisoning in 26 months, from 01.09.95 to 30.11.97.

DTI figures show 50 deaths and 175 injured per year from accidental CO from domestic appliances, (i.e. do not include accidental CO cases relating to vehicles).

Cost Implications of this Bill - Initial funding might be required but the Bill should be cost neutral or even produce surplus funds, especially if the costs of each sudden death, (around £830,000 DOT figures), are taken into account. The Fuel Safety Levy should bring in at least £19 million per year to be spent on safety improvements. Licensing landlords should pay for itself and provide interesting, worthwhile jobs.

Licensing of Landlords, Carbon Monoxide and Fuel Safety in Dwelling-Houses Bill 1998

A bill to license landlords of dwelling-houses and to improve safety with regard to the dangers from carbon monoxide poisoning from gas and all combustible fuels

Part A Licensing of Landlords of Dwelling-Houses

The government has pledged to license Houses of Multiple Occupation but due to deaths and injuries in ordinary rented accommodation it is felt that all landlords need to be licensed - N.B. Dog kennels are licensed.

Part B An Annual Safety Check for dwelling-houses

An annual MOT is attractive but seems impossible to enforce. This is a compromise on such an annual MOT.

- Suggestions*
- ① Voucher scheme
 - ② 1-1 Suppliers + COGSI
 - ③ % off Community Charge
 - ③ % off House Insurance

Part C No Gas Work Without Registration

This is to make it illegal for people to undertake DIY gas work, (for example the recent tragic case of the death of two children and their grandmother from a gas water heater, installed by the father of the children).

Part D Registration of any Person who Undertakes Work to Install and/or Maintain Appliances powered by Combustible Fuels other than Gas

This is to provide registration for fuels other than gas, (40% of CO-Gas's accidental CO deaths were from solid fuel).

Part E Registration of Chimney Engineers

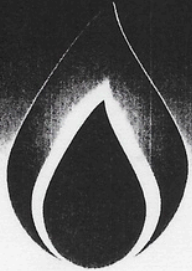
This is to provide for registration of chimney engineers as their work is as important to safety as that of gas operatives.

Part F Compulsory Insurance of any Person Registered to Undertake Work on an Appliance Powered by Combustible Fuel

This is to provide Public Liability Insurance for persons undertaking such work in order to raise standards and where necessary, to provide funds for the injured person or bereaved family, (where someone is injured in a car there is compulsory insurance and the Motor Insurance Bureau).



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Safety**



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**CO-Gas
Safety**



Part G New Offence of Causing Serious Injury by Undertaking Work on Appliances Powered by Combustible Fuel - Gross Negligence

If a consumer dies, an operative can be charged with manslaughter, an imprisonable offence. If, by luck, the consumer survives, the operative can only be charged with an offence punishable by a fine. Yet the consumer may be a virtual vegetable and the negligence can be the same, i.e. gross.

Part H Fuel Safety Levy

Equip to £1 per household

This is to provide resources for the many measures which need to be taken to stop these unnecessary deaths and injuries, from better training and equipment, spot checks and enforcement to providing some help and support for bereaved families. Why should people who have been burgled receive more help than those whose children have died from carbon monoxide poisoning?

*TV
adverts*

Part I Miscellaneous Provisions to Prevent Deaths and Injury from Carbon Monoxide Poisoning

(i) Vehicle MOTs to include test for exhaust leak into car or cabin.

To cover the cases CO-Gas has come across, where drivers could cause accidents by falling asleep because of CO.

(ii) Conveyance of property - preliminary questions by purchaser to vendor to include questions on the installation and maintenance of appliances burning combustible fuels.

To cover the cases we have found where someone moves into a property not realising that the cooking and heating appliances are lethal.

Dated 1st day of May 1998

Comments, (whether good or bad) are very welcome:-

Stephanie Trotter, Lorien House, Common Lane, Claygate, Surrey KT10 OHY
Should we strive to try to marry safety with efficiency? We did try this but reluctantly decided it did not seem to work. However, inevitably, safer appliances are also more efficient so fuel should be saved and emissions reduced.

Please note that if the government took up this Bill it would no doubt be changed considerably. I have tried to use some drafting conventions but this has been abandoned where to do so would either make the text even longer or would obscure the immediate meaning.

Please note that it is doubtful if the idea of allowing the licensing authority itself to prosecute would find favour - the job of prosecuting would probably be given to the Health and Safety Executive. However, I would like to see an independent prosecutor because the HSE is short of resources - in 1996/7 it only investigated 4% of the 50,000 major incidents and only 15% of the 359 cases of gassing, poisoning and asphyxiation - HSE's own figures, published by the Institute of Employment Rights Tel. 0171 738 9511

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5 June 1998

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Dear Stephanie,

**THE IGE "GAS - TECHNOLOGY AND ISSUES" CONFERENCE,
GRTC LOUGHBOROUGH 3 AND 4 JUNE 1998**

For my own part and on behalf of the Council and Members of the Institution, I thank you most sincerely for the part which you played in making the IGE Conference this week such a success.

As an important part of my Presidency, I am determined to lay emphasis on the Learned Society role of the Institution and to examine current issue from an engineering viewpoint. My objective was fully realised during both days at the GRTC and I believe that delegates gained a great deal from all that they saw and heard.

I thought that your session went extremely well and generated significant interest. It was certainly most useful to hear so much practical experience being described.

Many thanks indeed for taking part and my best wishes to you for the future.

Mike Hilson

Mike Hilson
President



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Secretary/Chief Executive Mrs. S. M. Raine, B.A. (Hons), A.C.I.S.

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