



New Act Places Onus On Businesses

A new corporate responsibility

The Corporate Manslaughter and Corporate Homicide Act, which came into effect in April 2008, heralds a new era for health and safety regulation in the workplace. The Act sets out a new offence for convicting an organisation where a gross failure in the way activities are managed or organised results in a person's death. If found guilty, companies, organisations and government bodies face considerable penalties and individuals potential imprisonment.

This landmark law could have a significant impact on businesses, including those employing remote workers.

In the past, though it has been possible to prosecute an individual director for corporate manslaughter, criminal action against a corporate body has been almost impossible. The Corporate Manslaughter Act makes it easier to convict organisations whose senior managers are found to be in breach of their duty of care and thereby cause a death.

The Act overcomes the barrier of having to identify the 'controlling mind' of an organisation. So an organisation can now be found guilty of corporate manslaughter if an organisational or gross management failing causes a fatality. This means that the actions of senior managers below director level could be deemed to be the actions of the organisation.

More than "Duty of Care"

Employers already have a duty of care, of course, under the Health and Safety at Work Act 1974, to take reasonable steps to protect the health, safety and welfare of their staff. This applies to staff working remotely as well as those following more traditional work patterns.

The new legislation goes further, placing the onus on businesses to ensure that health and safety guidelines are followed and that the relevant policy documents are in place.

The mere existence of a safety handbook, however, will not be sufficient defence in law. Companies will have to demonstrate that their policies are enforced and be able to produce appropriate evidence of compliance.

Home and Remote workers are also affected

For employees working remotely, including homeworkers, this might include carrying out risk assessments on the premises to identify potential hazards, and ensuring they are trained to use any equipment and that it is maintained correctly.

Remote workers who use their own cars for businesses are also covered by the Act. Businesses will need to implement robust policies to check, for example, that such staff hold valid driving licences and report any accidents, and use vehicles that are well maintained, insured for business use and have valid MOT certificates.

Technology can help

Technology – such as alarms, online monitors and other tracking devices that enable managers to determine the exact location of mobile staff – can be a great help in supporting staff and demonstrating effective corporate compliance.

Who can benefit from Personnel Alarm?

This easy to use, but deceptively capable, alarm system is useful in a number of lone worker situations including:

- ▶ Property Inspection
- ▶ Environmental Health
- ▶ Mobile Medical Staff & Locums
- ▶ Emergency Services
- ▶ Social Services and Community Workers
- ▶ Lone Office Workers
- ▶ Security Staff
- ▶ Parking Attendants / Traffic Wardens
- ▶ Payment Collectors
- ▶ Rural / Agricultural Workers

Recommendations

All organisations should review their health and safety policies in the light of the new Act. Any business that fails to address health and safety performance issues could find itself facing very serious charges.

Key points to remember:

- ▶ make health and safety a priority and a central part of your company culture
- ▶ ensure senior managers are aware of the implications of the new legislation and understand how it applies to homeworkers, including those using their own vehicles for business
- ▶ ensure remote workers are trained to use work equipment and that it is well maintained
- ▶ identify areas for risk relating to your remote workforce and address them
- ▶ check your health and safety policies are up-to-date, regularly reviewed and, most important, enforced
- ▶ make use of technology in protecting the health, safety and welfare of your staff

For more information:

For further details about how you can benefit from an Interchange Duty of Care or Personnel Alarm solution, or to arrange a trial, please contact Ken Hodgson or Andrew Moore on 08700 716400 or email info@interchange-group.com

Interchange Group Services and Product Portfolio

Remote and Mobile Worker Solutions

- IP and Telecoms Network Infrastructure Design and Commissioning (VoIP)
- Voice Network Installation and Configuration
- Virtual Private Network (VPN) installation
- Firewall implementation
- Business Systems Remote Access
- Connectivity Advice
- Hardware Selection / Provisioning
- Wireless Networking (WiFi)
- Installation and Configuration

Mobile Voice & Data Solutions

- Mobile Voice and Data solutions (e.g. BlackBerry and Pocket PC)
- Sales / Field Worker Mobility Solutions
- Mobile Engineer / Field Worker Portals
- Mobile Requirements Analysis, Solution Design & Development
- Mobile / Wireless Devices
- Laptop Connectivity
- Standard Application Evaluation & Selection
- Bespoke Application Development
- Mobile / Wireless Devices including portable Bluetooth scanners and printers
- Digital Pen & Handwriting Recognition Solutions
- Installation, Implementation and Configuration
- Device and Infrastructure Selection and Supply

BlackBerry™ Services

- Sourcing, testing, installation, and support of mobile devices and 3rd party applications and products e.g.:
 - Mobile email and PIM
 - Flowfinity Mobile Data Collection
 - Vetro On-Demand Sales and Service Applications
 - GroupWise for Blackberry Integration
 - Rove Remote System Administration
- Bes Installation and Configuration
- High Availability Solutions and Services

Corporate Solutions

- Remote Worker Applications
- Hosted & Enterprise Customer Service and CRM
- Helpdesk
- Corporate Information, Content Management, and Collaboration
- Staff and Customer Self Service Portals
- High Availability Solutions
- Implementation Consultancy

Technical Consultancy

- IP and Telecoms Network Infrastructure
- Mobile Solution Design & Evaluation
- Mobilisation of Existing Applications
- RIM BlackBerry development including MDS Studio, native J2ME and Flowfinity Development Tools
- Requirements Analysis and Needs Audits
- Hardware selection / provisioning
- Data and Network Security
- Ongoing Support
- System Implementation
- User Training

Application / Systems Integration

- Real time Data Interfacing
- Data Interface Design and Implementation
- Data Warehousing
- Data Visualisation
- Enterprise Application Integration & Messaging
- ASP / Java / COM / EDI / ODBC skills
- Custom Integration

Business Consulting

- Strategy Consulting
- Business Process Improvement
- Needs, Requirements and Benefits Analysis
- Benefits Driven Change Management
- Project Management

Network Infrastructure

- Network Strategy and Design
- Network monitoring & optimisation
- Cabling and Installation
- Network performance optimisation

Security

- Data, VoIP and Network Security
- SSL Implementation
- VPN Security Installation, Configuration and Management
- Firewall Implementation

Managed Services and Outsourcing

- Outsourced Helpdesk / Call Centres
- Hardware and Applications Hosting
- Website / Portal Hosting
- Third Party Software Support
- Hardware Repair & Warranty Services
- End-to-End Warranty Management
- On-site Technical Support
- IT Administration
- Contingency Planning and Recovery
- Asset Recovery and WEEE Compliance
- Remote or on-site system management and support
- Repair of mobile phones and PDAs.
- Field Engineering and Technical Services
- IT and BES Administration
- Contingency Planning and Recovery
- High Availability BES implementation



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