

ICL INQUIRY STATEMENT

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QUALIFICATIONS

1. I have a BA (Hons) in Industrial Relations at Strathclyde University. This was a 4-year course. I started it in the summer of 1993 and completed it in the summer of 1997. It is now called Human Resource Management. Basically it was a business type course and consisted of pay, motivation, the relationship between employer and employee, and employer and the State.
2. I have a Masters in Business and Management at Strathclyde Graduate Business School. I obtained that Masters between 1997 and 1998. This was not governed by Strathclyde University and as far as I know was a private enterprise course.

EMPLOYMENT AT ICL TECH

3. .
4. From about 16 years of age, I worked every summer, July, August and the beginning of September, from 8.00 am till 5.00 pm at ICL Tech.
5. I would go in during the summer and do basic fabrication work such as drilling holes into plastics and I also painted the floors in the fabrication and coating shop. I remember I painted them red and grey.
6. When I was 18 years of age I went to University. However, I continued to work at ICL Tech during the summers when I was aged 18, 19, 20 and 21 years old.

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coating shop. This was essentially listing every process taking place i.e. scrapping, drilling, burning, welding and I then drew up a list of the employees and essentially put ticks against their skills in plastics, fabrication and coating. I then compiled a grid to assess how developed people were in particular fields.

13. It was following on from this that I was asked to do the risk assessments. It is likely that I would have been carrying out the Training Needs Assessment then this risk assessment as well as doing general office filing.

14. I expect that it was either Bill Masterton or my dad who asked me to do the risk assessment.

15. I am not sure if the risk assessment was required through legislation but in my opinion I thought it was being carried out as good practice. This was not a paper exercise. It was a genuine desire to address the problems identified. It was a concern for the workers' welfare.

16. I had not conducted any previous risk assessments for any other company prior to this one. I had not done anything in my University training that would have assisted me in producing this risk assessment. However, I obviously had experience of working in the factory in all departments (i.e. office, coating shop, fabrication shop) which helped me.

17. On the basis of my remit (which was to identify potential hazards, through my own knowledge and through discussion with experienced managers and employees, I did not and do not think that I required any external qualifications to do this. I felt competent in conducting the risk assessment because I knew the building well because I had worked there over an extensive time period. I felt competent to identify potential hazards at the factory through my own knowledge and through discussions with numerous experienced managers and employees. My

task was to look for physical type hazards. I was to walk around the building looking to see if something was potentially hazardous or not.

18. I did not request any training on risk assessments, except reading materials, which were useful. I was not given any internal training on risk assessments other than I think I discussed with Peter Ferguson because he had done something similar in the past. I did not feel that training was especially beneficial because my remit was not especially complex. Much of it was common sense, for example, a brick lying in a walkway.
19. At the time of the risk assessment I would have been aware of the Health and Safety at Work Act, probably from reading manuals. I was also probably aware from University studies that risk assessments were a requirement in law.
20. I would not have been aware of industry standards regarding underground pipework. I may have browsed through them whilst completing preparatory reading but I'm not sure. They were not on my agenda in terms of the scope of the risk assessment I was undertaking.
21. Prior to commencing this risk assessment, I read up on Health and Safety publications. I remember that one of the Health and Safety publications had a yellow cover but I cannot remember the names of the HSE publications. These were all official Health and Safety publications. I can't remember whether they were solely on risk assessments but they did contain risk assessment material. I recall one manual from Health and Safety outlined various risks such as people tripping on pallets and other general risks within premises.
22. I also, a few times, telephoned the Health and Safety hotline to ask questions when putting my risk assessment together. I now cannot recall what questions I asked. I can't remember what information I got

from the HSE but I seem to recall that I received positive feedback in terms of how I was carrying out my part in the risk assessment exercise.

23. I think I also looked at a previous risk assessment, which I think came from Peter Ferguson, but it could have come from Bill Masterton or the foreman Laurie Connolly.

24. I also read some documentation that already existed at ICL Tech regarding Risk Assessment but I do not know who produced it. It was a list of certain potential hazards within the premises.

25. I did not consider obtaining advice from an external risk assessment consultant because what I had read in the HSE literature was fairly explanatory and I had consulted numerous experienced members of the ICL workforce, who provided me with helpful guidance.

26. I initially carried out the exercise with supervision from Bill and Frank. I had meetings with Bill and Frank outlining the objects of the risk assessment exercise and how I might go about it.

27. I then walked the entire premises with a pen and piece of paper and wrote down anything and everything that I thought might be a potential risk. This included the coating shop, fabrication shop and offices on the second floor. It included the ICL Tech staff offices, ICL Group accounts and the offices of Campbell Downie, Lorna Downie and Stewart McColl. It was most of the offices on the second floor apart from the main Stockline open plan offices. I looked at the machinery, storage, trip hazards, lighting, fire hazards and chemical hazards.

28. I can't remember if I went into the basement when conducting the risk assessment.

29. I then returned to Bill and Frank with an exhaustive list of what I had found. Also included were risks that I had used from the Health and

Safety publications such as someone tripping over pallets and from me sitting at my desk thinking about potential risks such as a bad back from lifting things. We discussed what was to happen next, which was to develop a basic matrix of the risks in terms of low, medium and high risks.

30. I initially scored the risks in terms of low, medium or high. Bill, Frank and I then re-assessed every risk. We would have discussed the gradings that I had given the risks, the likelihood of it happening and the actions that should be taken i.e. guards, goggles, training etc. I think they changed one or two. Bill and Frank had more experience than most. I understand Bill had knowledge on health and safety together with chemicals.

31. Anything identified as a high or medium was made a priority and had to be dealt with. Also noted was what action was to be taken, if an action had already not been taken.

32. A high risk was a risk that could possibly cause serious injury or kill someone, even if it was unlikely. It had to be dealt with immediately. An example being, the motor power generator, which was situated in a brick room on its own, off the coating shop. The potential, albeit very unlikely danger of that was that it could explode. The action for that could be that no one was to go into the power generator room.

33. A medium risk was a risk that could possibly cause serious injury but was not likely to kill some one. An example being, a saw could cause a serious injury. The action for that could be putting a guard on the saw machine or training on how to work the equipment safely.

PAGE (2) [ICL/011895]

34. Page 2 is titled "Contents". Listed on this page is "(1) Safety Policy, (2) Methodology, (3) Introduction to Risk Assessment and (4) Hazard

Rating – Method and Results Appendix”. This page looks familiar and could have been prepared by me.

PAGE (3) [ICL/011896]

35. Page 3 is a page divider.

PAGE (4) [ICL/011897]

36. Page 4 is titled “Safety Policy”, which is category (1) in the above-mentioned contents page. On page 4 it is noted that “The board of ICL Tech Limited with the participation of employees, pursues a policy aimed at ensuring our places of work can be regarded as safe and non injurious to health. To this end we will control risks to health and safety by positive action, on going assessment, communication and awareness. Safety is everybody’s business”. This looks familiar and may have been completed by me. However I note at the bottom of this page it is dated “Updated October 2001”. I was not involved in any way at ICL Tech in October 2001. I think perhaps they have either re-used or updated this page which was possibly prepared by me.

PAGE (5) [ICL/011898]

37. Page 5 is a page divider.

PAGE (6) [ICL/011899]

38. Page 6 is titled “Methodology”, which is category (2) in the above-mentioned contents page. This is a summary of how the report was compiled.

39. Paragraph 1 details, “in compiling this report, all hazards at ICL Tech were identified. This was achieved through an initial inspection of all workplaces, equipment and information. The inspection was followed up by interviews with post holders and their bosses supplemented as required by observing the workplace and persons carrying out specific tasks”.

40. Paragraph 2 details, "The hazards were then discussed by the risk assessment team (F Stott, B Masterton and A Stott) and a rating given to each one, in accordance with the rating system recommended by The Royal Society for the Prevention of Accidents (ref?). When the hazard rating stage was completed a course of risk reduction was discussed and agreed upon by the risk assessment team for each hazard. These courses of risk reduction have either been implemented or are in the process of being so".

41. I know that we used the rating system recommended by The Royal Society for the Prevention of Accidents but we have not noted the reference for that publication. This page looks familiar and could have been completed by me.

PAGE (7) [011900]

42. Page 7 is a page divider.

PAGE (8) [011901]

43. Page 8 is titled "The Royal Society for the Prevention of Accidents Risk Assessment – Introduction", which is category (3) in the above-mentioned contents page. This page looks familiar and could have been completed by me.

44. It provides the definitions of "Hazard" and "Risk". It also details the process of hazard identification, the estimation of the associated risk followed by an evaluation of the tolerability of these risks.

PAGE (9) [ICL/011902]

45. Page 9 is titled "Hazard Rating Method and Results", which is category (4) in the above-mentioned contents page. This categorises the risk in terms of injury namely minor, significant, major or catastrophic. This looks familiar and could have been completed by me. The definitions of the four categories are listed as;

46. Catastrophic probability of multiple deaths, major injury or catastrophic process interruption.
47. It is not noted but in my opinion, this would include an injury resulting in death or injury resulting in use of a wheelchair.
48. Major probability of death, major injury or major process interruption.
49. It is not noted but in my opinion, this would include an injury resulting in broken bones or a finger being taken off by a saw.
50. Significant probability of injury resulting in loss of three or more working days or serious process interruption.
51. It is not noted but in my opinion, this would include an injury resulting in a nasty cut from a saw.
52. Minor probability of minor injury that would cause no time or process interruption.
53. It is not noted but in my opinion, this would include an injury resulting in a minor injury such as tripping.

PAGE (10) [ICL/011903]

54. Page 10 is a matrix that I used to score the risk. The risk was scored in terms of “**severity of outcome**”, namely, minor would score 1 point, significant would score 2 points, major would score 3 points and catastrophic would score 4 points. This is then multiplied by the “**likelihood of outcome**” namely improbable would score 1, remote would score 2, occasional would score 3, likely would score 4 and certain would score 5. The total is then given a priority category. Namely a total scoring P1 was categorised as a “Low priority risk insignificant”, a total scoring P2 was categorised as a “Medium priority

risk, important action within days” and a total scoring P3 was categorised as a “High priority, action immediately”.

55. To explain the ratings, you would consider the two risk metrics, being (1) severity of outcome and (2) likelihood of outcome and develop a risk priority rating on the basis of these. Anything that was a catastrophic or major injury outcome (in terms of severity) would score a P3 (meaning high priority action immediately) regardless of the likelihood of the outcome. Those risks regarded as Minor or Significant (in terms of severity) would either be P1, P2 or P3 depending on the likelihood of the outcome.

56. This page finally details that the hazards found at ICL Tech have been grouped under size headings namely, buildings, compressed air, electricity/gas, fire, machinery and miscellaneous.

PAGE (11) [ICL/011904]

57. Page 11 is a page divider.

PAGES (12) AND (13) [ICL/011905-011906]

58. Pages 12 and 13 are horizontal tables titled “Risk Assessment – Building”. This table does not look familiar to me. I note that this risk assessment is horizontal but I am unsure as to whether mine would have been horizontal or vertical. I observe that there is handwriting in the last column. This is not my handwriting. It is not Frank Stott’s handwriting. The content of this table is probably similar to what I prepared in my risk assessment. Someone may have prepared this table based on what I did previously. I note that this table is dated “October 2001”. At that time I had no involvement at all at ICL Tech.

PAGES (14), (15) AND (16) [ICL/011907- 011909]

59. Page 14 is a horizontal table titled “Fork Lift Movements”. Page 15 is a horizontal table titled “Risk Assessment – Coating Department” dated October 2001. Page 16 is a horizontal table titled “Risk Assessment –

Compressed Air” dated October 2001 Again these were not prepared by me.

PAGE (17) [ICL/011910]

60. Page 17 is a horizontal table titled which is titled, “Electricity and Gas”.

It is dated October 2001 and therefore would not have been completed by me. I think it is similar in terms of “frequency potential” and “severity potential” to the risk assessment that I carried out.

61. I note that the first entry on this risk assessment is “Propane Gas Pipes”, “potential Harm – Leakage and Explosion”. It has been scored with a “frequency potential” of “2”, meaning “possible”. It has been scored with a “severity potential” of “6” meaning “death (several)”. This severity outcome in this table of “5” death (one) and “6” (several) was not a scoring that I have seen before. I would probably have scored this risk as having a frequency potential of “2” – “Possible” and a severity of “6” – death (several).

PAGES (18), (19) AND (20) [ICL/011911-011913]

62. Page 18 is a horizontal table titled “Risk Assessment - Fire” dated October 2001. Page 19 is a horizontal table titled “Risk Assessment – Machinery” dated October 2001. Page 20 is a horizontal table titled “Risk Assessment – “Miscellaneous” dated October 2001. Again I did not prepare these.

PAGE (21) [ICL/011914]

63. Page 21 is a list titled “ICL Technical Plastics Limited Health and Safety – Electricity/Gas”. This looks familiar and could have been completed by me. This appears to be a list of the potential risks that I identified when I walked around the factory looking for potential risks. I would have noted these risks and then discussed these with Bill and my dad prior to putting them into a matrix table indicating the score in terms of severity and likelihood. I would also have put an action beside the score.

64. I note that the first item on this list is titled "gas pipes in coating shop are old". This could have been one of my observations. In a matrix I would have noted that risk as "Catastrophic". That is because propane gas is flammable and could be lit with a match, or from the ovens or from the click of a light switch. I can't remember this being discussed or the proposed action but as it has been listed, it is likely that it would have been discussed. Underneath this I have noted 'smoking', which again would be a risk to propane gas.

65. A possible action that I might have put against that risk could have been for the pipe to be reviewed.

66. In my opinion old pipes are potentially not as safe as new pipes but this does not mean old pipes are necessarily dangerous. There is a potential danger with old pipes in that they can burst or leak (but equally so can new pipes), which is dangerous when there is a naked flame. However, I would reiterate that old does not necessarily equate to danger.

PAGES 22 TO 41 [ICL/011915-011934]

67. Page 22 [ICL/011915] is a list titled "Miscellaneous". Page 23 [ICL/011916] is a list titled "Buildings". Page 24 [ICL/011917] is a list titled "Machinery". Page 25 [ICL/011918] is a list titled "Fire". Page 26 [ICL/011919] is a list titled "Compressed Air". Pages 27 to 30 [ICL/011920- 011923] are lists titled "Machinery and Plant". Pages 31 to 37 [ICL/011924 - 011930] are lists titled "Coating Shop Hazard List". Pages 38 to 41 [ICL/011931 - 011934] are lists titled "Non-Task Related Hazards". These all look familiar and are in my style, wording and could have been prepared by me. These look like the lists that I prepared when I walked around the factory looking for risks.

PAGE 42 [ICL/011935]

68. Page 42 is a divider page.

PAGE 43 [ICL/011936]

69. Pages 43 to 45 are lists titled "ICL Technical Plastics Limited - Factory Plant". It is a list of the plant, in other words, where the machines are and what they are. This does not look familiar. In my opinion I did not prepare this.

PAGES 46 TO 53 [ICL/011939-011946]

70. Pages 46 to 53 appear to be maintenance plan weekly requirement sheets. The terminology in these seems familiar to me. However, this was not done by me and was not one of my tasks.

PAGE 54 [ICL/011947]

71. Page 54 is a matrix table and it looks like the matrix table that I used for my risk assessment. It is a vertical table. It is titled "Risk Assessment Form - Miscellaneous". The first hazard noted is "Provision of Soap/Barrier Creams". The assessment rating is "1/3, P1". This would probably have been based on the matrix table on page 10. One would be based on the severity of outcome as being "minor" and three would be based on the likelihood of outcome being "occasional". After considering these metrics a priority rating of P1 (low priority risk insignificant) would have been allocated to this particular risk. Noted in the "Action" column beside this hazard is "Make barrier cream available" and noted in the "Follow up" column beside this hazard is "Barrier cream is now available". This was the methodology recommended by the Royal Society for the Prevention of Accidents. This would have been done during my time there. Some of the follow-ups would have been completed while I was there and preparing this table, such as the barrier cream had been purchased by the time this table was typed. I observe that this document that I am shown only contains one page showing our matrix table in use. However there would have been several pages of matrix table detailing the numerous risks that I helped to collate and their assessment ratings.

PAGES 55 TO 63 [ICL/011948-011956]

72. Pages 55 and 56 [ICL/011948 – 011949] are lists titled “Fabrication Tasks - Hazard List”. Pages 57 and 58 [ICL/011950-011951] are lists titled “Coating Shop Tasks – Hazard List”. Pages 59 and 60 [ICL/011952- 011953] contain lists titled “Building Maintenance Tasks – Hazard List”. Page 60 [ICL/011953] contains a list titled “Despatch tasks – Hazard List”. Page 61 [ICL/011954] contains a list titled “Sales Tasks – Hazard List”, and “Inspection Task – Hazard List”. Page 62 [ICL/011955] contains a list titled “Vehicles – Hazard List”. Page 63 [ICL/011956] contains a list titled “Office – Hazard List”. These look familiar and could have been completed by me. These look like the lists that I prepared when I walked around the factory looking for risks.

PAGE 64 (MEETING ON 23 JANUARY 1997) [ICL/011957]

73. Page 64 are minutes dated 23 January 1997”. These detail those present at that meeting were Frank Stott, Bill Masterton and myself. I don't remember this meeting but the likelihood is that it would have happened.

74. Paragraph 1 details, "The completed risk assessment forms were studied and discussed".

75. Paragraph 2 details, "Risk assessments forms for general hazards (non task related) to be completed by Thursday 30 January 1997".

76. Paragraph 3 details, "A meeting to be held with C Brown, P Ferguson, J McGoldrick and L Connelly on Friday 31 January 1997 to explain and distribute assessments for evaluation".

77. Paragraph 4 details, "Reaction meeting to item 3 on 7 February 1997".

78. Paragraph 5 details, "After meeting on 7th begin implementation of agreed recommendation".

PAGES 65 AND 66 [ICL/011958 - 011959]

79. Pages 65 and 66 are titled "Hazardous Substances - Safety Data Sheets". I think these would have been prepared by Bill Masterton because this is where he had knowledge. The bulk of the input would be his regarding hazardous substances.

PAGE 67[ICL/011960]

80. Is a page divider.

PAGE 68[ICL/011961]

81. Page 68 is an "Appendix" detailing that meetings were held on 17 October and 8 November 1996, and 23 January 1997.

PAGE 69[ICL/011962]

82. Page 69 are minutes of a meeting held on 17 October 1996. These detail that on that date I attended a meeting with my dad, Frank Stott and Bill Masterton.

83. I do not recall that meeting but I believe I would have attended it.

84. Paragraph 1 details that the purpose of "this first meeting was to establish terms of reference on how to tackle the problem of establishing a Risk Assessment Programme at ICL Tech".

85. Paragraph 2 details, "The first item of business discussed was the main objective of the exercise - to create a safety policy and then to implement it. It was noted that this aim should be undertaken with regard to any health and safety regulations that may be applicable. The safety policy already in place was acknowledged as insufficient and as being required to be re-defined".

86. Paragraph 3 details, "Secondly, it was concluded that our first priority must be to develop an exhaustive list of any hazards that exist at ICL Tech. This, it is hoped, shall be completed by 31 October 1996".

87. Paragraph 4 details, "Finally, it was proposed that the development of plant maintenance hazard booklets should be continued. These booklets are to come under the heading of fire, machinery, compressed air, electricity/gas and buildings". It is not noted but I don't recall much about those hazard booklets.

88. As I have described earlier, about that time I started the risk assessment.

PAGE 70 [ICL/011963]

89. Page 70 are minutes titled "Health and Safety Meeting - 8 November 1996". It details those present as Frank Stott, Bill Masterton and myself. I do recall being at that meeting.

90. Paragraph 1 details, "The first priority of this meeting was to check that the aims ensuing from meeting one had been achieved. It was agreed that they had".

91. Paragraph 2 details, "An exhaustive list of hazards within the factory, drawn up by Andrew Stott, was then analysed. It was then decided that this list should be refined as discussed and then re-typed and produced for further analysis".

92. Paragraph 3 details, "It was proposed that Jim McGoldrick and Laurie Connelly should become more involved in the Risk Assessment Programme, perhaps sitting in on the next meeting".

PAGE 71 [ICL/011964]

93. Page 71 is the same minutes of 23 January 1997 as per page 64 but in a different font.

94. This folder is incomplete and does not contain all my matrix tables on the risks identified. This folder is a mismatch of documents.
95. When I was walking around the factory I was looking for dangers such as cutting yourself, burning yourself, lifting something or tripping. I was not qualified to complete a detailed inspection of the pipework, however I did feel competent to identify the gas pipework as potentially hazardous, which is what I was asked to do (and which I understand is normal risk assessment protocol).
96. I do think that pipework should have been part of a risk assessment and I identified the gas pipework as a potential hazard. However, if it was necessary to carry out a particularly detailed inspection of the pipework at any time, I would not have felt qualified to do this. I would point out that in helping to complete the risk assessment according to the Health and Safety guidelines that were followed, such a detailed inspection was not highlighted as necessary. I think there may have been another risk assessment other than the one that I was doing. Mine was more a general assessment of potential hazards within the building or premises.
97. I would have noted anything that looked like it was worn (if I could see it) and therefore was going to be a danger regarding pipework.
98. If I were to score pipework I would score it at being "4", this being catastrophic because potentially people could die. I would also rate it as improbable because it is not something that happens very often, thankfully.
99. I am not sure who owned the LPG pipework. I am not sure whether it was the company or the gas company. When I say company, I am unsure whether it would be ICL Plastics, ICL Tech or Stockline Plastics. I think if it were the company then it would probably be "Group" (ICL Plastics) because I think they were top of the companies although I have never looked at the corporate situation.