

Briefing:

Control of Noise at Work Regulations 2005



Protecting the hearing of workers in the music and entertainment industry

RNID does not believe that the current Noise at Work Regulations (1989) are being properly enforced in the music and entertainment industry, and we do not believe the industry is ready to comply with the new regulations coming into force in April 2008.

Simple measures can be taken to protect the hearing of staff while maintaining the lively and exciting environment offered by the industry.

The problem

In the music and entertainment industry (i.e. all workplaces where live music is played or where recorded music is played in a bar, pub, nightclub or restaurant) workers are regularly subjected to noise so loud they are at risk of permanent hearing damage.

Over 170,000 workers already suffer deafness, tinnitus or other ear conditions in Great Britain and we believe that this figure will increase in the future unless more is done to protect employees.

It is widely agreed that sound levels over 85 decibels (dB(A)) can damage hearing over time. Sound levels in nightclubs can reach 110dB(A) while levels in pubs and bars routinely reach 90dB(A). Employees face serious, permanent hearing damage from exposure to these noise levels and should already be protected by the 1989 Noise at Work Regulations.

However, our survey of 200 small businesses in the sector found:

- **31%** of businesses had not heard of the current regulations.

The law is changing

The Control of Noise at Work Regulations 2005 update the 1989 Regulations and the first phase came into force for most industry sectors in April 2006. The music and entertainment sector was given two extra years to comply, and so April 2008 sees the final phase of the regulations being applied to them.

We believe that if properly implemented the new regulations will stop the 568,000 music and entertainment workers from losing their hearing prematurely, and from developing conditions such as tinnitus.

Are businesses in the music and entertainment sector ready?

We wanted to find out how ready businesses are for these regulatory changes. The findings are startling:

- **68%** of employers said they were unaware of the new regulations.

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Are businesses carrying out their legal duties?

When we asked businesses what steps they are taking, or are planning to take, we found a shocking amount of inaction:

Action that employers should be taking:

- Carrying out regular noise assessments
- Providing staff with information and training about how to protect hearing
- Making hearing protection available to staff
- Ensuring hearing protection is worn by staff
- Giving regular hearing checks to those at risk
- Setting up Hearing Protection Zones

We found:

- 43%** of employers had not conducted a noise assessment in the last 2 years, and **16%** didn't know if they had done so.
- 35%** of employers do not currently do this, and had no plans to do so in future.
- 55%** of employers do not currently do this, and have no plans to do so in future.
- 67%** of employers do not currently do this, and have no plans to do so in future.
- 80%** of employers have no plans to do this.
- 67%** of employers do not have these, and have no plans to set one up in the future.

Are the changes to the law being communicated to businesses?

We asked those we surveyed if they had received information from their Local Authority about this issue.

- **74%** of businesses said they had not received advice.

Our recommendations:

- **Government and local authorities must work with industry to explain changes to the law**
- **Local authorities must check that industry is complying with the law**
- **Government should ensure the HSE has put the proper mechanisms in place to enforce the law.**

For more information contact the RNID Campaigns Team:

Email: campaigns@rnid.org.uk
Online: www.rnid.org.uk