

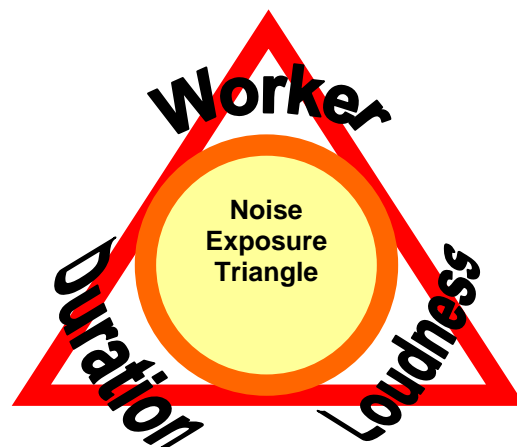
Noise Induced Hearing Loss

In light of January 2009 being "**Hearing Clearer Awareness Month**" we thought it would only be right to highlight the dangers of industrial and noise-induced deafness.

The Facts:

- In 2007/08 an estimated 21,000 individuals who worked in the last 12 months were suffering hearing problems which they believe to be work-related (source: Labour Force Survey)
- Factors that contribute to hearing damage are noise levels and length of exposure to the noise, daily or over a number of years

Noise Exposure Triangle:



Remove any element and overexposure to noise is prevented

Reduced Loudness or Duration and exposure is reduced

Noise Induced Hearing Loss

The Bells....

The **Control of Noise at Work Regulations 2005** are there to ensure that employees' hearing is protected from excessive noise in the workplace, which could cause them to lose their hearing and/or suffer from tinnitus (permanent ringing in the ears).

Decibels

Your employer:

- must provide hearing protection and hearing protection zones if the noise level is 85 decibels (daily or weekly average exposure) or higher
- must assess the risk to you and provide you with information and training if the level reaches 80 decibels
- must not expose you to noise levels above 87 decibels



Symptoms/Signs of Hearing Loss

- Conversation becomes difficult or impossible
- Trouble using the telephone
- You find it difficult to catch sounds like "t", "d" or "s", so you confuse similar words
- Permanent tinnitus (ringing, whistling, buzzing or humming in your ears)



Noise Induced Hearing Loss



Continuous exposure to noise

In 1830, Dr John Fosbroke published a paper that recognised that continuous exposure to noise suffered by workers, eg blacksmiths, during the course of their employment caused deafness. It was only 153 years later when the landmark case of *Thompson v Smiths Shiprepairers (North Shields) Ltd* that many of the issues involved in noise induced hearing loss litigation were adjudicated upon properly.

In 1963 the Health and Safety Executive (HSE) published "Noise and the Worker" to help combat the problem. We are currently governed by the "Control of Noise at Work Regulations 2005" which requires employers to prevent or reduce risks to health and safety from exposure to noise at work.

Who is most at risk?

Anyone working in a loud, noisy environment is at risk eg:

- Employees using power tools, machinery or artillery
- Certain types of industry eg: construction, demolition, road repair, woodworking, plastics processing, engineering, textile manufacture, general fabrication, forging, pressing or stamping, paper or board making, canning or bottling and foundries

In the case of *Thompson v Smiths Shiprepairers* the employees were labourers in ship-repair yards. They claimed damages against their employers for loss of hearing caused by exposure to excessive noise in the course of their work. The employees stated that the employers had been negligent and in breach of their statutory duty to recognise the existence of high levels of noise in their yards and the fact that the noise created a risk of irreversible damage to hearing and had failed to provide adequate protection devices or give the necessary advice and encouragement for the wearing of such devices.

The employers admitted that the employees had suffered impairment of hearing due to excessive noise. The employers came under a duty of care because either they should have sought the knowledge or they should have known that effective precautions could be taken in their yards to protect their employees against the risk of deafness.

Noise Induced Hearing Loss

Deafness fears for UK soldiers

Hundreds of UK soldiers are returning from Afghanistan with permanent hearing loss/damage.

The causes of the hearing damage are roadside bombs, close-combat clashes and coalition aircraft. The extent of the hearing damage ranges from tinnitus (a permanent ringing in the ears) to total deafness.

The Ministry of Defence (MoD) has defended itself by saying that all soldiers are issued with earplugs to protect their ears. However, in the past many of the soldiers have said that they have lost awareness of events when using ear plugs and struggled to hear commands.

The MoD also made an initial statement saying that "Although the majority of hearing impairment cases cannot be directly attributed to deployment we are continually looking at ways of monitoring and mitigating the risk of operational scenarios".

It sounds as if the MoD is trying to pass the buck and Shadow Defence Secretary, Liam Fox said they really do regret the statement from the MoD.

The Royal British Legion confirmed that it had helped personnel deal with 1,195 hearing loss compensation claims against the MoD since 2005.

The Royal National Institute for the Deaf believe that service personnel need improved ear protection and went on to say: "There is no cure for noise-induced hearing loss, but it is 100% preventable".

The RNID has offered to work with the MoD to explore way of ensuring hearing protection and raising awareness.

Many soldiers are now treading the fine line between preventing hearing loss and wearing earplugs that restrict their awareness of a situation. They also face the uncertainty that if they do suffer a substantial level of hearing loss they could be rendered undeployable.

Noise Induced Hearing Loss

Up to 10% of the population suffer from tinnitus

Sufferers of tinnitus can hear noise within their ear or head that is not coming from an outside source. It can be quite common amongst sufferers of colds, but can also be caused by exposure to loud music.

It can range from nothing more than an annoyance to a much more serious condition that can cause problems when sleeping or concentrating. The most common cause is old age, but it can occur in any age group, and more recently, cases are often self-inflicted by over-indulgence in loud music in clubs and at music events.

The problem is caused by damage to the hearing nerves that causes a random series of signals to be received by the brain, and interpreted as sound. It can also be caused by ear wax, anaemia, and in rare cases by more serious medical conditions such as tumours. There is no cure for tinnitus, but there are various coping mechanisms that you can discuss with your GP.

Tinnitus is usually only heard by the person with the condition, but in a very few rare cases it can also be heard by other people. Temporary tinnitus is common if you have a cold, after exposure to loud noise, such as at a music concert, or following a blow to the head.

Avoiding tinnitus is as simple as putting the volume of your MP3 players, iPods, or CD players at a moderate level. If you are a regular visitor to pubs and concert places where your ears will be exposed to loud noises, consider wearing earplugs.

It is estimated that around 10% of the population are affected by some degree of tinnitus. For most people it is an irritation they learn to live with, but for others it can lead to poor concentration, difficulty in sleeping and depression.



Industrial Deafness/Noise Induced Hearing Loss

If you have been diagnosed with **Industrial Deafness** or believe that you have **suffered hearing loss** and were **exposed to noise** during the course of your **employment** then you may be **entitled** to receive **compensation** for your injuries.

Call our specialist **Industrial Deafness team** now on:

0800 195 4365

to discuss your claim.