



## Safetyform Monthly Newsletter - July 2019

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*Welcome to the July edition of the Safetyform monthly newsletter, bringing you up to date with all the latest construction health & safety stories.*

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## In This Issue



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- *Health & Safety campaign declares war on dust*
  - *HSE Safety Alert - Change in Enforcement Expectations for Mild Steel Welding Fume*
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### *What's in the News*

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- *Company sentenced after employees exposed to silica dust*
  - *Company director and two construction companies sentenced after worker falls from height*
    - *Roofing contractor sentenced for unsafe work at height*
    - *Roofing company fined after worker falls from height*
  - *Principal contractor fined more than £800,000 after worker hit by a heavy expanded polystyrene block*
    - *Don't fall victim to the 'invisible killer'*
  - *Company fined after woman crushed to death by roller shutter door*
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## Health & Safety campaign declares war on dust



A new publicity drive by the Health and Safety Executive (HSE) is warning construction companies of the dangers that dust can pose to their workers, with a campaign encouraging builders to pose for selfies.

The #DustBuster campaign, which is targeting firms in the London area, is an extension of awareness-raising work done by the HSE late last year.

More than 3,500 builders die each year from cancers related to their work, with thousands more cases of ill-health and working days lost, according to the HSE.

The campaign aims to reduce levels of lung disease among builders because of poor management of health risks.

It is highlighting the fact that HSE inspections are taking place over the coming weeks to see whether businesses have measures in place to protect their workers from substances such as asbestos, silica and wood dust.

Publicising the inspections is an attempt to encourage companies to review their health and safety practices.

The key messages of the campaign, which sits under HSE's 'Go Home Healthy' banner, are for people to be aware of the risks from dust exposure, mitigate against them accordingly, and refer to the HSE's advice and guidance.

The hashtags #DustBusters and #WorkRight are being used to promote the campaign, which is being communicated via a mix of traditional and digital media, including HSE's social-media channels on Twitter, Facebook, and LinkedIn.

HSE has produced a series of 'selfie cards' that builders are being asked to download and pose with for pictures, which are then posted on social media.

The cards include messages such as "I #WorkRight so I don't die young" and "I #WorkRight because I want to look after my kids, not have them look after me."

David Harrison, head of campaigns and marketing at HSE, said: "The #Dustbuster campaign aims to influence employer behaviour using the visit of inspectors as a motivator for builders to download free advice and guidance, which will in turn increase their knowledge and capability to protect workers' health."

## HSE Safety Alert

## Change in

## Enforcement Expectations for Mild Steel Welding Fume

### Introduction:

There is new scientific evidence from the International Agency for Research on Cancer that exposure to mild steel welding fume can cause lung cancer and possibly kidney cancer in humans. The Workplace Health Expert Committee has endorsed the reclassification of mild steel welding fume as a human carcinogen.

### Consequences:

With immediate effect, there is a strengthening of HSE's enforcement expectation for all welding fume, including mild steel welding; because general ventilation does not achieve the necessary control.

### Outcome:

Control of the cancer risk will require suitable engineering controls for all welding activities indoors e.g. Local Exhaust Ventilation (LEV). Extraction will also control exposure to manganese, which is present in mild steel welding fume, which can cause neurological effects similar to Parkinson's disease.

Where LEV alone does not adequately control exposure, it should be supplemented by adequate and suitable respiratory protective equipment (RPE) to protect against the residual fume.

Appropriate RPE should be provided for welding outdoors. You should ensure welders are suitably instructed and trained in the use of these controls.

Regardless of duration, HSE will no longer accept any welding undertaken without any suitable exposure control measures in place, as there is no known level of safe exposure.

Risk assessments should reflect the change in the expected control measures.

### **Action required**

1. Make sure exposure to any welding fume released is adequately controlled using engineering controls (typically LEV).
2. Make sure suitable controls are provided for all welding activities, irrelevant of duration. This includes welding outdoors.
3. Where engineering controls alone cannot control exposure, then adequate and suitable RPE should be provided to control risk from any residual fume.
4. Make sure all engineering controls are correctly used, suitably maintained and are subject to thorough examination and test where required.
5. Make sure any RPE is subject to an RPE programme. An RPE programme encapsulates all the elements of RPE use you need to ensure that your RPE is effective in protecting the wearer.

### **Relevant legal documents:**

- Health and Safety at Work etc. Act 1974
- Control of Substances Hazardous to Health Regulations 2002

### **References:**

- [Controlling airborne contaminants at work: A guide to local exhaust ventilation \(LEV\) HSG258](#)
- [HSE Local Exhaust Ventilation webpages](#)
- [Respiratory Protective Equipment: A practical guide HSG53](#)
- [HSE Respiratory Protective Equipment webpages](#)
- [IARC Monographs on the Evaluation of Carcinogenic Risks to Humans Volume 118](#)
- [The Lancet article on IARC Monograph](#)

## **What's in the News?**



## Company sentenced after employees exposed to silica dust



A stone masonry company has been sentenced after failing to adequately control employees' exposure to respirable silica dust, resulting in an employee developing silicosis.

Burnley Magistrates' Court heard how prior to 2017, employees of GO Stonemasonry Limited in Accrington carried out work that resulted in exposure to respirable silica dust.

An investigation by the HSE found that GO Stonemasonry Limited had been cutting and working with stone for several years without any suitable and sufficient dust extraction. The company failed to ensure

that respiratory protective equipment (RPE) was adequately controlling the inhalation exposure to respiratory silica dust. The company did not have appropriate work processes, systems or control measures in place and had no health surveillance to identify any early signs of effects on workers' health.

GO Stonemasonry Limited, of Turkey Red Industrial Estate, Baxenden, Accrington, pleaded Guilty of breaching section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £8000 and ordered to pay costs of £10,000.

HSE inspector Sharon Butler said after the hearing "Silica is found in most rocks, sand and clay and in products such as bricks and concrete. In the workplace these materials create dust when they are cut, sanded or carved. Some of this dust may be fine enough to breathe deeply into your lungs and is known as respirable crystalline silica. Exposure to this dust can cause silicosis, leading to impaired lung function, breathing problems and is life threatening.

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*"Simple steps to stop workers breathing in the dust must be taken and companies should know HSE will not hesitate to take action against those failing to protect their workers' health."*

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## Company director and two construction companies sentenced after worker falls from height



A company director has received a Community Service Order and two construction companies have been fined after a worker suffered life changing injuries following a fall from a scaffold tower during the refurbishment of an old pub in Reading.

Reading Magistrates' Court heard how on 2 December 2016 Samuel Goemans of Cedar Ridge Construction Limited suffered a serious head injury after falling from a tower scaffold onto the street below (London Road). His injuries have led to long term brain and memory problems and have resulted in him suffering from seizures and losing the ability to care for himself.

An investigation by the Health and Safety Executive (HSE) found that the principal contractor failed to control the safety and planning on site and the sub-contractor carried out unsafe working practices.



The principal contractor, Turnkey Contractors Limited of Ethelburt Avenue, Bassett Green, Southampton pleaded guilty to breaching Section 3 (1) of The Health and Safety at Work etc. Act 1974. The company has been fined £40,000 and ordered to pay costs of £3184.00.

The director of Turnkey Contractors Limited, Santokh Dhanda, of Ethelburt Avenue, Bassett Green, Southampton pleaded guilty to breaching Section 3 (1) of The Health and Safety at Work etc. Act 1974 and has received a Community Service Order for 100 hours.

The subcontractor, Cedar Ridge Construction Limited of Waterloo Road, Wokingham pleaded guilty to breaching Regulation 4 (1) of The Work at Height Regulations 2005. The company has been fined £40,000 and ordered to pay costs of £3184.00.

Speaking after the hearing HSE inspector Ian Whittles said: “Falls from height remain one of the most common causes of work-related injuries in this country and the risks associated with working at height are well known.

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*“The case highlights the importance of following industry guidance and in order to design and erect scaffolding in a safe manner, which does not raise risk to members of the public and workers using the scaffold.”*

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## Roofing contractor sentenced for unsafe work at height





A roofing contractor has been sentenced for failing to take adequate precautions to prevent his workers falling from height and for breaching a prohibition notice.

Llandudno Magistrates' Court heard how in April 2018 workers were observed working on the roof of a domestic two-storey house in Wrexham with no edge protection. A prohibition notice was issued preventing further work until control measures were put in place, but the contractor chose to ignore it and carried on working.

An investigation by the Health and Safety Executive (HSE), found that Asa Hamilton allowed his workers to be exposed to a continuing risk of falling from the roof, with potential for fatal or major injury.

Asa Hamilton of Linthorpe Road, Buckley, Flintshire pleaded guilty to breaching Regulation 6(3) of the Work at Height Regulations 2005 for failing to provide precautions to prevent falls from height and Sections 33(1)(e) and 33(1)(g) of the Health and Safety at Work etc Act 1974 for failing to comply with a prohibition notice.

Mr Hamilton was sentenced to 12 months imprisonment, suspended for 12 months, plus 200 hours unpaid work. He was also ordered to pay a contribution of £4,000 towards the costs.

Speaking after the case HSE principal inspector Paul Harvey said "This was a serious incident and it is fortunate nobody was injured as a result of it. There are well known standards in the construction industry for controlling risks from falls from height. Even when the dutyholder was served a prohibition notice to stop the activity they failed to take the appropriate action.

"HSE will not hesitate to take enforcement action against those that disregard enforcement notices when served or fail to take appropriate measures to control well known risks"

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*"HSE will not hesitate to take enforcement action against those that disregard enforcement notices when served or fail to take appropriate measures to control well known risks"*

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## Roofing company fined after worker falls from height

A London based roofing company, McDonald Roofing Contractors Limited, has been fined after a worker fell a distance of nine metres from a flat roof he was working on.

Westminster Magistrates court heard how McDonald Roofing Contractors Limited were carrying out re-roofing works at 12 Glebe Road, SW13 0DR. Work began at the end of February 2018. On 12 March 2018 an employee of McDonald Roofing Contractors Limited was carrying out work on a flat roof. Whilst carrying out this work he stepped backwards from the flat roof. As a result of the fall the worker suffered a broken right shoulder blade, a broken right collar bone, and a fracture to the left side of his face.

An investigation by the Health and Safety Executive (HSE) found that the company had failed to ensure that the work at height was properly planned; appropriately supervised; and carried out in a manner which is so far as is reasonably practicable safe.

McDonald Roofing Contractors Limited of 6 Colville Road, London W3 8BL pleaded guilty to breach Regulation 4(1) of the Work at Height Regulations 2005 and fined £30,000 with full costs of £1483.00.

Speaking after the hearing, HSE inspector Adam Thompson said: “The case highlights the importance of ensuring that work at height is properly planned and appropriately supervised.”

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*“The incident could so easily have been avoided by having suitable and sufficient edge protection around the flat roof.”*

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## Principal contractor fined more than £800,000 after worker hit by a heavy expanded polystyrene block



A construction company has been fined more than £800,000 after a worker suffered three fractured vertebrae when he was hit on the head by a large expanded polystyrene block when it slipped from an excavator bucket.

Brighton Magistrates Court heard how on the 20 January 2017 workers were constructing a piling platform at Redhill Station in Surrey from expanded polystyrene blocks when one of the blocks slipped from an excavator bucket whilst being lowered into place, hitting the worker Andrew Stewart. Mr Stewart is still suffering the effects of the injury and is likely to be on pain medication for the foreseeable future.

An investigation by the Health and Safety Executive (HSE) found that the lifting operation had not used appropriate lifting accessories to transport the load and had simply trapped the load with the bucket against the dipping arm of the excavator.

Bam Nuttall Limited of St James House Knoll Rd, Camberley pleaded guilty of breaching Section 2(1) of the Health and Safety at Work Act 1974. The Company has been fined £833,333.33, plus ordered to pay full costs of £5,478.22, as well as the victim surcharge of £170.

After the hearing, HSE inspector Andrew Cousins commented:

“This incident could so easily have been avoided by simply using appropriate lifting accessories such as chains and strops to carry out the lifting operation. Failure to do so has resulted in the serious injury of Andrew Stewart.”

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*“Companies should be aware that HSE will not hesitate to take appropriate action against those that fall below required standards.”*

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## Don't fall victim to the 'invisible killer'



**As occupational skin cancer cases increase, safety experts warn employers of the risks of UV radiation, as two out of three workers are unaware they are at risk of skin cancer, resulting in many not applying protection whilst working outdoors.**

Technical Skin Specialist at Arco, Nick Foort, discusses the risk of skin cancer facing outdoor workers, and that employers have the responsibility to guarantee protection.

With more than 1,500 new cases of non-melanoma skin cancer and 240 cases of malignant melanoma linked to solar radiation reported in Britain each year, it is vital employers understand their responsibility and legal duty of care when protecting their workers from UV radiation.

There is a common misconception that the weather in the UK is not sunny enough to pose a high risk of skin cancer to outdoor workers. However, up to 80% of dangerous UV rays still get through heavy cloud, and the strength of solar radiation is not connected to temperature.

Many Health and Safety Managers express a real concern around the health and wellbeing of their employees and appreciate the risk of skin cancer from UV exposure poses, but often feel that there are other risks that require more immediate attention.

However, many are shocked to learn that skin cancer is the most common type of cancer in the world, and cases in the UK are rising faster than the rest of Europe. On average five workers a day get skin cancer in Britain, with occupational skin cancer killing 60 people every year, which is more than falls from height or crush injuries.

90% of all occupational skin cancer deaths are preventable, thus the importance of employers placing the right precautions in place to protect their workers is paramount.

Due to the high risk involved with skin cancer and the fact that outdoor workers receive up to 10 times more yearly sun exposure than indoor workers, employers need to do more than simply provide sun

cream to their staff, greater education into the risks facing outdoor workers needs to be carried out. Now is the time employers need to ensure they are going above and beyond to offer education and protection.

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*Download your free skin care brochure here [https://www.shponline.co.uk/skin/preventing-occupational-skin-disorders-skin-care-best-practice/?cid=ons\\_Vs\\_CON20181218%7C9&actioncode=00000](https://www.shponline.co.uk/skin/preventing-occupational-skin-disorders-skin-care-best-practice/?cid=ons_Vs_CON20181218%7C9&actioncode=00000)*

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## Company fined after woman crushed to death by roller shutter door



An electrical company has been fined after a woman was fatally crushed by a roller shutter door.

Peterborough Magistrates' Court heard how on 14 August 2016 Heidi Chalkley pressed the button to open the roller-shutter door at Ruth Bagnall Court, Cambridge. She then held onto the grille as it raised and became trapped as it wound around the roller, fatally crushing her body.

An investigation by the Health and Safety Executive (HSE) found that the sensors at the top of the door were incorrectly wired and no longer functioned as the door opened.

B.S. Graves (Electrical) Limited had carried out work on the roller shutter door since 2012, including an inspection only a month before the incident. The company did not check the operation of the safety sensors and failed to identify the fault.

B.S. Graves (Electrical) Limited of Rushmere Close, Ramsey, Cambridgeshire pleaded guilty to breaching Section 3(1) of Health & Safety at Work etc Act 1974 and was fined £25,000 and ordered to pay costs of £6,500.

Speaking after the hearing, HSE inspector Graeme Warden commented: "This tragic and distressing incident has had an untold impact on all those who knew Heidi. It could have been avoided if the company had ensured employees were suitably trained to inspect the doors and the functioning of the safety sensors."

## Contact Us

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