



## Safetyform Monthly Newsletter - September 2019

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

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## What's in the News?

### Construction company fined after putting workers at risk of falling from height



A construction company has been fined for failing to comply with work at height regulations, placing employees at greater risk of injury.

Westminster Magistrates' Court heard that during an inspection on 23 May 2018 at Dudley House, The Grove, Hounslow, a number of issues in relation to working at height were identified. These included several unprotected edges, where a person could fall a significant distance and also a floor that was being removed by a handheld breaker whilst workers were standing on it. No measures were in place to prevent them falling if the floor collapsed.

An investigation by the Health and Safety Executive (HSE) found that the risk assessment identified measures that needed to be implemented. These measures were not implemented and therefore created a significant risk of people falling, and causing serious or fatal injury.

STS Constructions Limited of North London Business Park, London, pleaded guilty to breaching Regulation 6(3) of the Work at Height Regulations 2005 and was fined £26,666 and ordered to pay costs of £1135.10 plus a victim surcharge of £120.

Speaking after the hearing, HSE inspector Matthew Whitaker said: "Falls from height remain one of the most common causes of work-related fatalities in this country and the risks associated with working at height are well known. Work at height is dangerous and should be planned correctly and the required measures implemented".

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*"Duty holders should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards".*

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## Partners of roofing company bowled over for unsafe work



Both partners of a roofing company have been sentenced following out unsafe work on a Bowls Club in Salisbury.

Swindon Magistrates' Court heard how between 23 April and 7 May 2018 workers of CB Roofing were seen working on the roof with unsafe access, no edge protection and nothing to prevent falls through the fragile roof material.

An investigation by the Health and Safety Executive (HSE) found that the partners failed to ensure that the work at height was properly planned, appropriately supervised and carried out safely.

Philip Robert Stanley Spring of Blyth Way, Salisbury pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005 and has received a six-month custodial sentence, suspended for 12 months, in which time he must undertake 250 hours unpaid work. He was also ordered to pay costs of £1836.31.

Christopher James Barham of Hughendon Manor, Salisbury pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005 and has received a six-month custodial sentence, suspended for 12 months, in which time he must undertake 250 hours unpaid work. He was also ordered to pay costs of £1836.31.

Speaking after the hearing HSE inspector Sue Adsett 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.

### Company and sub-contractor fined after worker falls from height



Two companies, P.D.R. Construction Limited and Metcalfe Roofing & Building Services Limited, have been fined after a worker fell through a fragile mesh roof whilst carrying out work at height.

Teesside Crown Court heard how, on 21 July 2016, the injured person had been in the process of installing a roof on a new KFC Drive Thru in Coulby Newham. Whilst moving materials on the roof, he stepped backwards onto an adjacent fragile mesh roof that was not loadbearing, falling approximately three metres and suffering multiple fractures of his lower left back.

The Health and Safety Executive (HSE) investigation found that in failing to prevent access to the fragile roof area, the roofing contractor, Metcalfe Roofing & Building Services Limited, had failed to plan and carry out the work at height in a safe manner. The investigation also found the principal contractor, P.D.R. Construction Limited, had failed to plan, manage or monitor an aspect of the construction phase without risk to safety.

P.D.R. Construction Limited of Salisbury House, Priory Park West, Hessle pleaded guilty to breaching Regulation 13(1) of the Construction (Design and Management) Regulations 2015 and was fined £225,000 with £8,000 costs.

Metcalfe Roofing & Building Services Limited of Sandgate Industrial Estate, Hartlepool, pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005 and was fined £2,000.

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*After the hearing, HSE inspector John Heslop said: "This incident highlights the importance of thorough risk assessment, appropriate planning and adhering to a safe system of work that is regularly monitored and managed by those in control of that work."*

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## Groundworks company fined after security guard suffers life changing injuries



A groundworks company has been fined after a security guard suffered serious hand injuries.

Bristol Magistrates' Court heard how on 17 November 2017 at the site on Ableton Lane in Avonmouth, a plant driver employed by APK Earthmoving Limited requested the assistance of a security guard working for a separate company to remove a trailer from a bulldozer whilst the machine was operated by the

driver. The security guard's right hand was trapped between a metal post and the bulldozer resulting in the amputation of his middle and ring fingers, and loss of movement in his index finger of his right hand.

An investigation by the Health and Safety Executive (HSE) found that APK Earthmoving Limited had failed to conduct its undertaking, the hire of mobile plant and driver services, in such a way that people not in its employment were exposed to risks to their safety.

APK Earthmoving Limited of Oxfordshire pleaded guilty to breaching Section 3 (1) of The Health and Safety at Work etc. Act 1974. The company has been fined £10,000 and ordered to pay costs of £1297.00.

The injured person said: "I was off work for seven months and I still have a lot of pain in my hand. As I am right-handed my injuries have affected my writing, and there are many tasks at work and at home that I need help with. I tend to keep my hand in my pocket because I'm concerned it will affect people if they see my injuries."

Speaking after the hearing HSE inspector Berenice Ray said: "This injury could have been easily prevented if a safe system of work had been followed, with the bulldozer ignition turned off before anyone was allowed close to remove the trailer.

"Employers should make sure they properly assess risks and apply effective control measures to minimise the risk from their machinery operations."

## Roofing contractor company fined after fatal ladder fall



An Aberdeen based roofing contractor has been fined after an employee fell to his death from a ladder while exiting a scaffold at Jute Street in the city.

Aberdeen Sheriff Court heard that on 21 September 2016, Joseph Kane, an employee of Henderson and Aitken Limited fell from the top rungs of a ladder when it slipped sideways on the scaffold. Mr Kane died of multiple injuries.

The scaffolding had been erected by Henderson and Aitken Limited employees and the ladder was tied, using a blue nylon cord, to the scaffold ledger at only the left stile.

A Health and Safety Executive (HSE) specialist inspector that carried out the investigation estimated the lateral movement of the ladder due to the lack of fixity was approximately 20cm.

HSE found a Henderson and Aitken Limited employee had erected the scaffold even though he was not a qualified or competent scaffolder. He had been asked to do this by the company director who was aware he was unqualified. The director then allowed three people to access the scaffold. The scaffold was not erected to the correct standard.

Henderson and Aitken Limited of 6 Balmoral Terrace, Aberdeen, AB10 6HH pleaded guilty to breaching Regulation 4 of Work at Height Regulations 2005 and Section 33(1)(c) of HSWA and was fined £53,000.

Speaking after the hearing HSE Principal Inspector Niall Miller said: "Falls from height remain one of the most common causes of work-related fatalities in this country and the risks associated with working at height are well known.

"This tragic and preventable death highlights the need for those undertaking work at height to ensure that it is carried out safely, that industry guidance is followed and that the relevant regulations are complied with. It is vitally important that those planning and arranging for such work give sufficient regard to the risks posed to workers and members of the public through their actions."

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*Working at height must be properly planned and carried out by trained and competent workers. When working at height, employers must provide the most appropriate work equipment to enable operatives to carry out their work safely.*

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## Contact Us

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