



Safetyform Monthly Newsletter - December 2019

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

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EACH Children's Charity work hand in hand with Safetyform



The widely acclaimed children's charity EACH (East Anglia Children's Hospices) has appointed Safetyform as their health and safety advisors to assist with their compliance requirements on their children's hospices and retail portfolio. Recently Joseph Hoey and Iain Patrick visited one of EACH's charity shop's in Thetford to undertake a review of their health and safety management systems and met up with EACH's regional facilities manager Ruth Martin. Speaking on behalf of Safetyform, Joseph Hoey said "it is an honour to work with such an organisation, which is solely funded by donations and fund raising events. The work EACH do for the children is fantastic. I'm humbled to be working hand in hand with this amazing charity".

Safetyform Christmas opening hours



What's in the News?

Building company fined after staircase collapse seriously injures worker

A Keighley building company has been fined after a sub-contractor fell into a basement following the collapse of a staircase.

Bolton Crown Court heard that on 26 April 2016, David Walsh, a 59-year-old sub-contractor was working on the refurbishment of a flooded basement at a site in Bolton when the staircase he used to access the basement collapsed. As a result of the fall Mr Walsh suffered three fractured vertebrae.

An investigation by the Health and Safety Executive (HSE) found that Rombalds Builders Ltd did not have a safe system of work in place and had failed to induct sub-contractors about the staircase, part of which had been removed leaving it structurally dangerous. The company also failed to provide suitable and sufficient edge protection at the top of the staircase which was situated next to the site welfare facilities.

Rombalds Builders Ltd, of Station Works, Parwood Street, Keighley pleaded guilty to breaching Sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974 and was fined £16,000 with costs of £16,561.50.

HSE inspector Seve Gomez-Aspron said after the hearing:

“These injuries could have been avoided by properly planning the work and managing the risk on site and making the site secure. 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, so it is important that the risks are managed properly and this is why we take action when failings are identified.”

Groundworks contractor fined for cable strike



A groundworks contractor, G&R Groundworks (South East) Ltd, has been fined after an operative struck an underground electricity cable resulting in multiple serious burn injuries.

Folkestone Magistrates' Court heard that, on 15th October 2018, G&R Groundworks (South East) Ltd operatives were using an electric ground breaker to dig fence post holes for a car park perimeter fence at a Cummins Power Generation site in Ramsgate, Kent.

While operating the electric breaker, one of the operatives struck an 11kv electricity cable causing a large flash and engulfing him in flames. The operative sustained serious burns to his face, chest, abdomen, groin, both arms and both legs, amounting to approximately 50% total body surface area burns.

An investigation by the Health and Safety Executive (HSE) found that G&R Groundworks (South East) Ltd failed to source and refer to the underground services plans prior to breaking the ground to determine the location of any cables within the planned working area. They also failed to provide their operatives with cable identification equipment to further locate any cables within that area.

G&R Groundworks (South East) Ltd of St Lawrence Avenue, Ramsgate, Kent, pleaded guilty to breaching Regulation 25 (4) of the Construction (Design and Management) Regulations 2015 and was fined £32,400 and ordered to pay costs of £2,657.18.

Speaking after the hearing, HSE inspector Ross Carter said “This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices.

“If a suitable safe system of work was followed prior to the incident, the life changing injuries sustained by the operative would have been prevented.

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

Places for People Homes fined after five employees developed Hand Arm Vibration Syndrome (HAVS)

A property management and development organisation has been fined after five employees developed Hand Arm Vibration Syndrome (HAVS).

Aylesbury Crown Court heard that between 2009 and 2014 five employees of Places for People Homes Limited used vibrating powered tools to carry out grounds maintenance tasks at sites in Milton Keynes, Rotherham and Hull.

An investigation by the Health and Safety Executive (HSE) found the company failed to assess or manage the risks associated with vibrating tools. It also failed to provide suitable training or health surveillance for its maintenance workers and failed to maintain and replace tools which increased vibration levels.

Places for People Homes Limited of Cheapside, London pleaded guilty to breaching Section 2(1) of the Health and Safety at Work Act 1974. The company has been fined £600,000 and ordered to pay costs of £13,995.06

Speaking after the hearing HSE inspector Andrew McGill said: “Companies must manage the risks associated with vibrating tools. Hand arm vibration can be a significant health risk wherever powered hand tools are used for significant lengths of time.

“Damage from HAVS can include the inability to do fine work and cold can trigger painful finger blanching attacks. Health surveillance is vital to detect and respond to early signs of damage.”

HAVS is preventable, but once the damage is done it is permanent

Construction company fined after dumper truck overturns and fatally injures worker



A leading construction company has been fined following an incident in which a worker was killed when a dumper truck overturned.

Chelmsford Magistrates' Court heard that on 3 October 2016, David Scott Green, a groundworker working for Rose Builders Ltd, was manoeuvring a 9T front tipping dumper truck on a spoil heap to offload top soil at the Summers Park Development site in Colchester, Essex. He lost control of the truck which toppled forward and came to rest upside down at the base of the spoil heap. A colleague noticed the overturned truck and ran over to assist, but Mr Green had sustained a serious head injury during the fall and died on scene.

An investigation by the Health and Safety Executive (HSE) found major deficiencies in the management of tipping operations on the spoil heaps. The investigation established that the operation was not properly planned; drivers were not given instruction or training on how to safely operate vehicles and tip on spoil heaps, and the job itself was poorly supervised. The victim did not have his seat belt fastened and the investigation confirmed that this was common practice on the site.

Rose Builders Ltd of Riverside House, East Lawford, Essex pleaded guilty to breaching Sections 2 (1) and 3(1) of the Health and Safety at Work Act 1974. The company has been fined £225,000 and ordered to pay costs of £11,822.90.

Speaking after the hearing, HSE inspector Kasia Urbaniak said, "This was a tragic and wholly avoidable incident, caused by the failure of the employer to assess the risk related to tipping operations, implement safe systems of work, and failure to ensure that such systems were communicated to groundworkers and were followed."

Speaking after the hearing, HSE inspector Kasia Urbaniak said, "This was a tragic and wholly avoidable incident, caused by the failure of the employer to assess the risk related to tipping operations, implement safe systems of work, and failure to ensure that such systems were communicated to groundworkers and were followed."

Roofer sentenced after dangerous carbon monoxide release

A self-employed roofer has been sentenced after leaving a gas appliance flue in an immediately dangerous condition when he removed a chimney stack from a property in March 2019.

Truro Crown Court heard how Mark Reski, trading as MR Roofing & Leadwork, was contracted to remove and rebuild a chimney stack from the roof of a client's property in Fowey.

The chimney stack was shared between the client's and a neighbouring property, occupied by a vulnerable elderly woman. In removing the chimney stack, Mr Reski exposed the flue liner for the gas range within the elderly woman's property. He left the flue liner unsupported, dangling at an angle and exposed to the elements. A flue liner left in this condition would not function correctly, with a high risk of combustion products, including carbon monoxide, entering the property.

The flue liner was left in this dangerous state for seven days and was only discovered when a carbon monoxide alarm sounded in the elderly woman's home. When the fire service entered her house, their carbon monoxide alarms sounded, so they ventilated the property and made it safe by isolating the gas supply. A Gas Safe Registered engineer tested the gas range flue and found it to be spilling dangerous levels of carbon monoxide. He classed the situation as 'Immediately Dangerous'.

An investigation by the Health and Safety Executive (HSE) found that Mr Reski had failed to make any proper or meaningful enquiries into what gas appliances were fluing through the chimney he was working on.

Mark Reski of Lockengate, Bugle, Cornwall pleaded guilty to breaching Regulation 8(1) of the Gas Safety (Installation and Use) Regulations 1998. He has been sentenced to 6 months in prison, suspended for 24 months, fined £5,000 and ordered to pay costs of £3,000.

Speaking after the hearing, HSE inspector Simon Jones said: 'It should have been obvious to Mr Reski, an experienced roofer, that the chimney that he was working on was fluing a gas appliance when he exposed the flue liner.'

'Mr Reski made no enquiries whatsoever as to what was fluing through the chimney and his actions put an elderly and vulnerable woman's life in serious danger. It is only by good fortune that she heard an alarm sounding and called for help and so did not suffer potentially fatal carbon monoxide poisoning.'

'Builders and roofers should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standard.'

Further information about gas safety can be found at: www.hse.gov.uk/gas/

Construction company fined after carpenter injured in fall from height

A Hitchin-based construction company has been sentenced after a carpenter sustained nerve and tissue damage to his lower back after a fall from height.

Luton Magistrates' Court heard on 2 May 2017, the employee was working for and under the control of MP Building Limited. He climbed up to remove a nail from a brace holding trusses, one of which started to fall causing the employee to fall with it. Raised safety decking used as fall mitigation within the building did not cover the whole area and left significant gaps.

The 36-year-old carpenter sustained nerve and tissue damage to his lower back, whiplash to neck and his little finger was ripped open.

An investigation by Health and Safety Executive (HSE) found that the risk assessments of MP Building Limited were generic. They identified falls from height, but control measures focused on scaffolding and did not mention internal falls and decking. It was also found that operatives on the site were not trained to install the safety decking.

MP Building Limited of Bilton Road, Hitchin pleaded guilty to contravening Regulation 6(3) of the Work at Height Regulations 2005 and Regulation 13(1) of Construction (Design and Management) Regulations 2015. The company has been fined £65,000 and ordered to pay £6,298.82 in costs.

After the hearing, HSE inspector Jenny Morris said: 'This incident could so easily have been avoided by planning work at height to ensure that suitable and sufficient measures were in place to prevent falls.'

'Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards.'

Further guidance to doing it the right way can be found at: <http://www.hse.gov.uk/work-at-height/key-messages.htm>

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