



Safetyform Monthly Newsletter - March 2021

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

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e-Learning



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We are continuing to offer a 20% discount to all new customers for 2021 and a free demo can be arranged through gavin@safetyform.co.uk

For further information on ways in which you can reduce risks, contact Safetyform on:

Tel: 02922 677182

What's In The News?

Worker killed falling through asbestos roof



A roofer was fatally injured when he fell six metres whilst working on a replacement roof at a property in Kirkdale, Liverpool.

On 22 May 2017, the roofer was completing snagging work on a replacement roof. The worker had accessed a part of the old roof made of fragile asbestos cement sheets, which gave way. He fell through the sheets to the ground below sustaining fatal injuries.

The HSE's investigation found that the area accessed did not have safety nets fitted and the building occupier failed to take reasonably practicable measures to reduce the risk to those working on the roof.

Owners of the building Pearsons Glass, of Maddrell Street, Liverpool, pleaded guilty to breaching the Health and Safety at Work etc. Act 1974, section 3. The company was fined £80,000 and ordered to pay costs of £6,656.

Speaking after the hearing, HSE inspector Andrew McGrory said: "The risks from working on fragile surfaces are well known.

"Businesses have a responsibility to ensure that the contractor they select to undertake any construction work devise safe methods of doing so, which should include providing the necessary information to their workers and ensuring that they are adequately supervised."

Fines after failed safe systems of work



Two companies have been fined after a worker sustained serious injuries by falling approximately three metres through a hole cut into a floor. The incident happened during the refurbishment of a property at in Aldeburgh, Suffolk.

On 27 July 2017, an employee was working as a dry liner for R and B Plastering Limited, who were contracted on the site to Robert Norman Construction Limited, the Principal Contractor (PC).

The employee was working on the second floor of the property, near to a hole that had been cut into the floor to facilitate plaster board being passed up from the level below. The employee fell approximately three metres through the hole, causing him to sustain fractures to his vertebrae and ribs, and severe bruising.

He required hospitalisation for nineteen days and had to wear a back brace for six months. He also suffers ongoing physical and psychological issues as a result of the incident.

The HSE's investigation found that the hole was not adequately protected via covering or access. R and B Plastering Limited had put a risk assessment in place for the work, but it was not adequate, and was not provided to the PC prior to work commencing.

The PC's own policy outlined the need to review any sub-contractors' risk assessments prior to them starting work; and by failing to follow this policy the PC missed any opportunity to review R and B Plastering's risk assessment.

Robert Norman Construction Limited of Framlingham, Suffolk were found guilty in their absence to breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc. Act 1974 and have been fined £140,000 with costs of £8,426.

R and B Plastering Limited of Bury St Edmunds, Suffolk pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974 and have been fined £26,700 and ordered to pay costs of £8,426.

Speaking after the hearing, HSE inspector Prentiss Clarke-Jones said: "The employee's injuries are life-changing and he could have easily been killed. The incident could have been avoided if both companies had fully implemented safe systems of work and identified, during the planning stages, that materials would need to be safely transported between floors.

“Falls from height remain one of the most common causes of work-related injuries in this country, and the controls needed to prevent the associated risks are well known. Duty holders should follow the guidance on planning works to ensure that risks such as this work at height can be eliminated in the first instance by allowing safe means of access.”

Employer sentenced after worker struck by excavator



A sole trader who operated a construction and demolition waste recycling business has been fined after a worker sustained serious crush injuries when he was struck from behind by a 13.5 tonne excavator.

A 50-year-old employee was manually sorting demolition waste in the yard of the waste recycling premises of William Leeson t/a W Leeson and Son, in Walkden, Greater Manchester, Manchester Magistrates' Court was told. He was struck by the a 360 tracked excavator, which reversed over the lower part of his left leg as he bent down to pick up some waste from the ground, resulting in life changing injuries. The incident happened on 11 February 2019.

These injuries have prevented his return to work and left him struggling to cope independently with daily activities; he is currently awaiting a below the knee amputation of his left leg.

An HSE investigation found that William Leeson t/a W Leeson and Son had no safe system of work in place to effectively segregate pedestrians and vehicles, thereby ensuring the pedestrian pickers were always a safe distance from the moving vehicles.

William Leeson t/a W Leeson and Son of Sale, Greater Manchester, pleaded guilty to breaching [Section 2\(1\) of the Health and Safety at Work etc. Act 1974](#). Mr Leeson was sentenced to 17 weeks in prison suspended for 12 months and ordered to pay costs of £9,000.

Speaking after the hearing, HSE Inspector Jackie Worrall said: "This injury could have easily been prevented had Mr Leeson ensured that effective segregation of pedestrians and vehicles was in place."

"This case is a reminder to all employers to properly assess the risks arising from workplace transport and to put in place effective control measures to minimise these risks. Most importantly,

where vehicles and pedestrians operate within the same workspace it is essential that there is effective segregation at all times.”

One in three construction contracts is not fit to address the effects of the Covid-19 pandemic

That’s according to research from Turner & Townsend, which called for greater clarity over contract terms.

A survey by the consultant found that the majority of liability arising from the pandemic was believed to be held by clients.

A total of 83% of respondents experienced a pause or temporary site closure because of covid -19, and a further 72% considered that productivity generally has reduced on projects currently on site compared to pre-pandemic levels.

Nearly half (45%) of those surveyed reported an increase in contractual disputes since the start of the pandemic, while one third believed their contracts were unfit to address the effects of notifiable covid-19 events.

Some 43% of respondents considered that covid-19 events were not sufficient on their own to claim additional time and/or money. As a result, 63% of respondents have sought contractual guidance from the government due to the uncertainty, with another third consulting industry bodies or other industry professionals.

The research found that 49% of contractors are allowing for covid-19 related costs in their tender submissions.

Nick Jones, associate director, contract services at Turner & Townsend, said: “The covid-19 pandemic hit live projects with delays, site closures and reductions in productivity. Almost a year on though and we still do not have enough clarity on the liability within construction contracts. This needs to be addressed, and quickly, particularly with new projects coming online thick and fast as part of the push for economic recovery.”

“As contractors and clients alike now seek to recover losses incurred during the pandemic, it’s important to seek specialist advice. If 2020 has taught us anything, it is that all parties will now want to ensure clarity for covid-19 event liability through the drafting of expressly worded contract terms, and the contractual ‘employers’ may also be looking to address the current imbalance of risk and responsibility for the future.”

'Matter of fortune' nobody injured in scaffolding collapse



A firm has been fined after scaffolding collapsed across the entrance to the car park of Coventry Skydome.

The scaffolding had been erected to protect the public from falling debris. On 3 March 2020, the scaffolding, which was approximately 13 metres long and four metres high, had blown down in high winds.

Investigating, the HSE found that the scaffolding was not adequately fixed into the structure and was not designed and installed to withstand foreseeable wind loads. The management of the scaffolding operation was well below the expected standard because it did not identify the need for a bespoke design, which is required to ensure the strength and stability of the proposed scaffolding structure.

Climar Scaffolding Limited of Widney Avenue, Birmingham, pleaded guilty to breaching Regulation 19(2) of the Construction (Design and Management) Regulations 2015. The company has been fined £15,000 and ordered to pay costs of £2,532.

Speaking after the hearing, HSE inspector Edward Fryer said: "Scaffolds need to be adequately tied, in line with the recognised health and safety requirements or a bespoke design should be created based on established engineering principals. In this case the scaffolding was not properly designed or adequately tied into the permanent structure.

"It's only a matter of fortune that nobody was seriously injured, the collapse presented a significant risk to the safety of the public."

Contact Us

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