



Safetyform Monthly Newsletter - September 2021

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

In This Issue

Safety Alerts

- *Work-related Lung Disease*
-

Safetyform News

- *Safetyform CHAS Accreditation*
 - *Contractor Competency Assessments*
-

What's in the News

- *Construction company fined for repeated health and safety failings*

- *Construction company fined after worker suffered life changing injuries*
 - *Company fined after several workers contracted occupational disease*
 - *Builder fined for unsafe practice*
 - *Contractors sentenced after employee breaks back in fall from height*
-

Work-related Lung Disease



Last year, 12,000 people in the UK died from lung diseases estimated to be linked to past exposure at work.

Breathing in dusts, gases, fumes and vapours in the workplace can cause serious, long-term lung damage and often incurable health problems. Diseases such as:

- work-related asthma
- COPD
- work-related lung cancer
- pneumoconiosis
- silicosis
- asbestos-related disease
- extrinsic allergic alveolitis.

Employers are obliged by law to protect their workers by using:

- alternative processes
- less hazardous materials

- enclosures/effective ventilation
- protective equipment - as a last resort.

The important thing is to keep workplace air clean.

If you're unsure of the risks, and require guidance on how to protect your workers' respiratory health, contact Safetyform today.

Safetyform CHAS Accreditation



We are delighted to announce that we have renewed our accreditation with CHAS as Principle Designer for a third year running!

Contractor Competency Assessments



Both you and the contractor you use have responsibilities under health and safety law, you need to satisfy yourself that the contractor you choose can do the job safely and without risks to health.

Safetyform offer a full contractor competence assessment service which forms a crucial part of the on-boarding process to give clients the confidence that contractors on your projects, are competent and have the right skills, knowledge, experience and training to do the job safely.

If you would like more information on how we can potentially assist you with you contractors, please get in touch today.

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What's in the News?

Construction company fined for repeated health and safety failings

Construction company, Urban Living Constructions Limited, has been fined following a Health and Safety Executive (HSE) inspection which identified numerous health and safety failings.

Westminster Magistrates' Court heard that an inspection of a construction site in Roseneath Road, London (SW11) on 5 August 2019 identified numerous health and safety breaches. These included locations on site that had no edge protection to prevent falls, including a plank that traversed a basement extension to provide access into the property.

There were also insufficient measures in place to prevent the collapse of the sides of a large excavation.

HSE had previously inspected other Urban Living Constructions sites between 2015 and 2019. During this time two prohibition notices were served in relation to unsafe work at height and one prohibition notice was served in relation to an unsafe excavation.

Urban Living Constructions Limited of The Broadway, Woodford Green, Essex, pleaded guilty to a breach of Section 2(1) of the Health and Safety at Work etc. Act 1974. The court fined Urban Living Constructions £50,000 and awarded full costs of £6,578.84.

Speaking after the hearing, HSE inspector Adam Thompson said: "The legal standards for ensuring work at height is carried out at safely and ensuring excavations on site are safe from the risk of collapse are well known throughout the construction industry. The standards on this site fell far below the minimum legal standard."

"This is inexcusable in any case, but even more so given the amount of enforcement action the company had previously received in relation to known health and safety risks."

Construction company fined after worker suffered life changing injuries

Hovington Limited was sentenced today for safety breaches after a worker was struck by a falling piece of plant machinery while working on a construction site in Rotherham.

Sheffield Magistrates' Court heard that, on 4 February 2019, groundworkers, including the injured person, were breaking out ground using a 13 tonne 360 excavator with a hydraulic breaker attached to an automatic quick hitch, as part of trench work to install new drainage of the site at Arconic Forging and Extrusions, Sheffield Road, Ickles, Rotherham. The breaker became detached from the quick hitch on the excavator. The breaker fell, narrowly missing one ground worker, and landed on the injured worker's right foot. He sustained injuries which led to amputation of his right leg below the knee.

An investigation by the Health and Safety Executive (HSE) found that the company failed to ensure that a safe method of work was in place when working in the vicinity of an excavator, there was no defined segregation between people and plant, and no use of a vehicle plant marshal to ensure the machine was isolated before pedestrians enter the working zone of the excavator. The company also failed to implement a dedicated bucket changing area for the changing of attachments to minimise the risk of attachments falling onto pedestrians.

Hovington Limited of Chichester Street, Rochdale pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £34,000 and ordered to pay £1,935.84 in costs.

After the hearing, HSE inspector Trisha Elvy commented: "This incident could have easily resulted in a fatality and could have been avoided by simply carrying out correct control measures and safe working practices.

"There should be suitable, defined safe systems of work so that persons who need to work in close proximity to excavators can do so safely."

Company fined after several workers contracted occupational disease

Construction company Peter Duffy Ltd was sentenced today for safety breaches after multiple employees were diagnosed with Hand Arm Vibration (HAVS).

Leeds Magistrates' Court heard that the company reported seven cases of HAVS between November 2016 and August 2018. All of the workers involved had been carrying out ground works involving vibrating tools. Many of them had been working in the industry for over 20 years.

An investigation by the Health and Safety Executive (HSE) found that in 2016 the company contracted a new occupational health provider to replace their existing one. The diagnosis of the workers' conditions resulted from these changes. Prior to the new company taking over the contract, there was no suitable health surveillance in place to identify HAVS.

Peter Duffy Ltd of Park View, Lofthouse, Wakefield pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £40,000 and ordered to pay £3,919 in costs.

Speaking after the hearing, HSE inspector Chris Tilley said: "The company should have undertaken a suitable and sufficient risk assessment to identify the level of vibration employees were exposed to throughout their working day and then put in place appropriate control measures.

“Furthermore, the company should have put in place suitable health surveillance to identify HAVS in their workforce”

Builder fined for unsafe practice

A builder has been fined after a worker lost a finger whilst cutting timber.

Brighton Magistrates’ Court heard that on 7 August 2019, two men were cutting timber joists for the flat roof of a domestic extension. A builder was carrying out the cutting using a circular saw, whilst the worker was holding the timber. During cutting, the saw slipped, amputating the worker’s index finger, severely damaging his middle finger and slicing open his thumb along its length. It was not possible to re-attach the amputated finger and the middle finger still has no movement or feeling. It is not known what, if any, movement will return following further operations. As a result of the injuries, the worker has lost 70 per cent of the grip in that hand and is still suffering from post-traumatic stress.

An investigation by the Health and Safety Executive found that the work had not been properly planned and the risk of the saw blade coming into contact with the worker’s hands had not been considered. The timber should have been secured to a workbench or similar so that no-one else was needed to assist whilst the saw was in use.

Benjamin Collier-Ware of Hailsham, East Sussex, pleaded guilty to breaching Section 37 (1) of the Health and Safety at Work Act 1974 and was fined £1,969 with a victim surcharge of £181. He was also ordered to pay full costs of £3,940.20.

Speaking after the hearing HSE inspector Stephen Green commented: “The worker’s injuries are life changing. This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices.”

Contractors sentenced after employee breaks back in fall from height

A building contractor and a roofing contractor have been fined after an employee fell five metres from a first-floor extension, breaking several vertebrae in his lower back.

Liverpool Magistrates’ Court heard that on 11 June 2018, Grayton Building Contractors Ltd was undertaking a first-floor extension to a residential bungalow in Noel Gate, Aughton. An employee was fitting fascia boards and soffits to allow roofers employed by Thomas Dean, who had arrived on site a week early, to commence work. Whilst stepping across a gap in the incomplete working platform to descend from the roof, the ladder, which was not tied, slipped sideways, causing him to fall. As a result of his injuries he was unable to work for eight weeks.

An investigation by the Health and Safety Executive (HSE) found that both Grayton Building Contractors Ltd and the roofing contractor Thomas Dean failed to properly plan the work, to assess

the risks and to provide appropriate supervision. Subsequently the work at height equipment selected was not suitable and the work was not carried out safely.

Grayton Building Contractors Ltd of Botanic Road, Churchtown, Southport pleaded guilty to a breach of Regulation 4 (1) of the Work at Height Regulations 2005. The company was fined £15,000 and ordered to pay costs of £3,742

Thomas Dean of Youatt Avenue, Prescot, Merseyside pleaded guilty to a breach of Regulation 4 (1) of the Work at Height Regulations 2005 and was fined £400 and ordered to pay costs of £3,000

Speaking after the hearing, HSE inspector Andy McGrory said: "The risks from working at height are well known. Those in control of the work have a responsibility to devise safe methods of working, which should include ensuring the use of suitable work equipment and adequate supervision.

"The incident could have easily been prevented with simple precautions including properly planning the work, undertaking a suitable risk assessment and by selecting, erecting and using suitable work at height equipment for the job."

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