



Safetyform Monthly Newsletter - October 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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Safety Alert

HSE Crack Down on Dust



HSE's inspectors across Great Britain will be targeting construction firms to check that their health standards are up to scratch during a month-long inspection initiative, starting on Monday 4 October 2021.

This year inspections will focus on respiratory risks and occupational lung disease, looking at the control measures businesses have in place to protect their workers' lungs from construction dust including silica, asbestos and wood dust. This is part of HSE's longer term health and work strategy to improve health within the construction industry.

While the primary focus will be on health during this programme of inspections, if an inspector identifies any other areas of concern, including immediate safety risks, they will take the necessary action to deal with them.

Inspectors will be looking for evidence of employers and workers knowing the risks, planning their work and using the right controls. If necessary, they will use enforcement to make sure people are protected.

The initiative will be supported by HSE's WorkRight campaign, aimed at influencing employer behaviour by encouraging builders to download free guidance and advice, increasing knowledge and capability to protect workers' health.

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.

HSE's chief inspector of construction, Sarah Jardine, said: "Around 100 times as many workers die from diseases caused or made worse by their work than are actually killed in construction accidents.

“Our inspection initiatives ensure that inspectors are able to speak to duty holders and visit sites to look at the kind of action businesses in the construction industry are taking right now to protect their workers’ health, particularly when it comes to exposure to dust and damage to lungs. These are mature health challenges that the industry ought to be managing effectively.

“There are a few simple things that everyone can do to make sure they are protecting their health and their future. Be aware of the risks associated with activities you do every day, recognise the dangers of hazardous dust and consider how it can affect your health. We want businesses and their workers to think of the job from start to finish and avoid creating dust by working in different ways to keep dust down and wear the right protective equipment.”

HSE is being supported by the Health in Construction Leadership Group (HCLG) and Tier 1 industry contractors. Throughout October 2021, HCLG members will carry out more than 1,000 site visits to assess the effectiveness of measures in place to controls workers’ exposure to respiratory risks from dust. Findings from site visits and a survey will allow industry to feed into HSE’s broader commitment to improve the health of construction workers by providing HSE with a wider dataset to evaluate ongoing practices across industry.

Safetyform News

e-Learning and Bespoke Training

Health and Safety e-Learning is a simple way to provide training solutions to meet the training requirements of businesses large and small.

The right solution for your need will of course depend on your company circumstances but here at Safetyform we can develop your bespoke solution.

- **e-Learning:**

Our e-Learning solution can have you up and running within 48 hours. You will have 24/7 access to a streamlined, yet extremely robust Learning Management System, benefit from access to our complete course library and be able to report confidently on all training records and is the easiest way to comply with your health and safety legal requirements quickly, efficiently and with minimum downtime from your employees’ everyday tasks.

- **Bespoke:**

We also offer bespoke training solution for our clients, delivered at your venue or at our locations. All our trainers are Health & Safety Professionals with a wealth of experience in all industries. Please contact us for further information.

What's in the News?

Construction company fined after worker suffered multiple fractures

Britcon (UK) Ltd have been sentenced for safety breaches after a worker was struck by a falling load from a mechanical excavator.

Leeds Magistrates' Court heard that Britcon (UK) Ltd were appointed as a contractor to construct a surge pit as part of a renewal and refurbishment project at the McCain's Foods (GB) Limited site at Havers Hill in Scarborough. Part of the process involved removing sheet piles from the ground.

An investigation by the Health and Safety Executive (HSE) found that on 21 March 2018, 66-year-old Stephen Gouldthorpe was assisting with cleaning sheet piles as they were removed from the surge pit by a Doosan DX 225 LC3, 360-degree excavator. The excavator had an attachment known as an EMV 300 pile attachment fitted to remove the sheet piles from the ground. The mechanical excavator was removing a seven-metre sheet pile weighing approximately 190 kg to a lay down area when a safety chain slipped causing the pile to fall and strike Mr Gouldthorpe.

He suffered a fractured left tibia and fibula and ankle, a fractured right clavicle, seven fractured ribs, pulmonary contusion and fractured vertebrae.

Britcon (UK) Ltd of Midland Road, Scunthorpe, North Lincolnshire, DN16 1DQ pleaded guilty to breaching Section 3 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £570,000 and ordered to pay £40,054.68 in costs.

After the hearing, HSE inspector Paul Thompson commented: "There was insufficient supervision and communication during the lifting operations. There was no specific exclusion zone in place and workers had to approach the sheet pile to clean it.

"This incident could so easily have been avoided by simply carrying out the correct control measures and safe working practices"

Contractor fined after employee falls from scaffolding

A shopfitting company has been fined after an employee suffered multiple fractures after falling fifteen feet from scaffolding.

Manchester Magistrates Court heard how on the 24 October 2019, an employee of TA Knox Shopfitters Ltd was working from a tower scaffold at the front of the Footasylum Store in the Trafford Centre, Manchester, when the scaffold moved throwing him off balance. He fell backwards against the safety rail of the scaffold, which gave way and he fell fifteen feet to the ground. The employee suffered ten fractured ribs, a fractured shoulder and a collapsed lung.

An investigation by the Health and Safety Executive (HSE) found that the safety rail had not been fixed in place correctly, causing it to give way when the employee fell against it. It also found that the tower scaffold had not been erected by somebody with the appropriate skills, knowledge and

training. If the edge protection been suitable and sufficient and the tower constructed by somebody competent to erect tower scaffolds, the incident could have been prevented.

TA Knox Shopfitters Ltd of Hollingworth Road, Bredbury, Stockport pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £18,000 and ordered to pay costs of £4,623.

Speaking after the hearing, HSE inspector Seve Gomez-Aspron said: "Falls from height remain one of the most common causes of work-related fatalities and severe injuries in this country. The risks associated with work at height are well known. This incident could so easily have been avoided by ensuring that suitable and sufficient edge protection had been used and qualified people had been on site to erect a tower scaffold."

Construction company fined after three contractors fell from height



A construction company has been fined following an incident where three contractors fell from height suffering serious injuries.

North Somerset Magistrates' Court heard how, on 18 July 2018, three bricklayers fell approximately 2.5 metres onto a concrete floor sustaining serious injuries ranging from a broken back, a broken sternum to a swollen knee. The three workers fell through a temporary stairwell cover, which gave way underneath them because it had not been correctly fitted.

An investigation by the Health and Safety Executive (HSE) found that St Modwen Homes Limited did not have a robust system in place to ensure that the temporary stairwell cover was identified as a temporary working platform and treated as such. It failed to coordinate matters relating to the safe use of the temporary platform and it failed to plan, manage and monitor the installation, inspection, maintenance and use of the temporary working platform.

St Modwen Homes Limited of Park Point, High Street, Longbridge, Birmingham pleaded guilty to breaching the Construction (Design and Management) Regulations 2015, contravening Regulation 13(1). The company has been fined £200,000 and ordered to pay costs of £13,332.

Speaking after the hearing, HSE inspector Stephan Axt-Simmonds 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 incident could so easily have been avoided by simply carrying out correct control measures and safe working practices. Temporary stairwell covers need to be inspected the same as any other working platforms.

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

Contractor prosecuted after spot check reveals multiple breaches

A construction contractor has been fined after multiple health and safety issues were identified during a proactive COVID spot check at a site in Manchester.

Manchester Magistrates’ Court heard that on 9 July 2020, a HSE inspector performed a proactive Covid-19 spot check at a construction site in the city.

During the inspection, a host of safety issues were identified including working at height, welfare, Covid-19, site security, and electricity. The principal contractor was served with a Prohibition Notice and two Improvement Notices.

A return inspection was made on the 17 August 2020, after very little communication from the principal contractor. Little or no improvements had been made regarding the issues and additional enforcement action was required, including a further Prohibition Notice regarding an unsupported excavation.

It was subsequently established that the contractor had failed to comply with any of the Improvement Notices HSE had served.

Principal contractor Umar Akram Khatab, now resident in Hollingwood Lane, Bradford, pleaded guilty to breaches of Section 21 of the Health & Safety at Work etc. Act 1974 and Regulation 13(1) of the Construction (Design and Management) Regulations 2015. He was sentenced to a 12-month community order. He was also ordered to pay £3,000 towards costs and a victim surcharge of £95.

Speaking after the hearing, HSE inspector Rebecca Vaudrey said: “HSE prides itself on being a proportionate and evidence-based regulator. Since the beginning of the pandemic HSE has carried out more than 316,000 COVID spot checks, with the priority to urgently make workplaces safe from transmission risks, rather than heavy-handed enforcement.

“These checks have demonstrated that the majority of employers want to do the right thing to ensure their workers go home safe and well.

“This is the first prosecution to arise from the Spot Check programme. We’ve repeatedly stressed that prosecution is a last resort, but this case clearly illustrates that where there is consistent disregard to COVID or other risks to employees’ health and safety, HSE will use its powers to take action.”

Construction company prosecuted for multiple safety failings



A construction company has been fined after repeated health and safety breaches, giving rise to significant risk, were found on a site in Bolton.

Manchester Magistrates’ Court heard how inspections at the construction site at Manchester Road, Bolton, had taken place three times between October 2019 to January 2020 by the Health and Safety Executive (HSE). As a result of these inspections, multiple Prohibition and Improvement Notices were issued to Venus Properties and Development Limited for various Health and Safety failings. Work at height breaches were found on every occasion and other breaches included sleeping on site, lack of guarding on a metal guillotine, electrical safety, wood dust and safety during lifting operations.

The HSE investigation found that Venus Properties and Development Limited failed to properly assess, plan and implement health and safety procedures and measures resulting in repeated breaches giving rise to significant risk.

Venus Properties and Development Limited of High Street, Waltham Cross, Herts pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974 and was fined £23,000 with costs of £6,917.40.

After the hearing, HSE inspector Rebecca Hamer said: “Companies 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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