



Safetyform Monthly Newsletter - January 2022

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

Musculoskeletal Disorders



Employers must protect workers from the risks of musculoskeletal disorders (MSDs) being caused or made worse by work. MSDs include injuries and conditions that can affect the back, joints and limbs.

The parts of the body most likely to be affected by MSDs are:

- the lower back
- shoulders, forearms, wrists and hands, as well as the neck
- the hips, legs, knees, ankles and feet

You must consult with your workers or their elected representatives on health and safety issues. They know what they find difficult and often know how to improve things. Talking to them about how to improve health and safety will also make it easier to agree changes. Workers will be more likely to follow procedures they have helped design.

Make sure your workers know how to report any injuries or work-related health problems to you or their health and safety representative. Encourage them to do this early. This is a technique you can use to collect evidence about the effects of work on the body. You can use it to:

- identify clusters of problems you may need to investigate further
- encourage workers to think about solutions to the problems they report.

Safetyform News

New Year, Same Risks



Happy New Year! We hope you had a lovely festive break.

Safetyform are a UK-wide Health & Safety, and Fire Consultancy. As we enter the New Year it's a great time to reassess current and potential risks in the workplace.

If we can help with any of your H&S needs throughout 2022, please feel free to get in touch.

<https://safetyform.co.uk/contact-us/>

What's in the News?

Demolition work must be properly planned and managed to prevent serious injury

Great Britain's workplace regulator is asking demolition and construction firms to double-down on thorough planning, management and control of demolition and refurbishment work.

The Health and Safety Executive (HSE) is asking that businesses properly plan, organise, manage, and monitor their work and use competent people to avoid incidents and ill health amongst their workers and the public.

It is reminding companies that the safer they are, the more efficient they are. Good health and safety management increases the likelihood of contracts coming in on time and within budget with fewer added costs, and often to a higher quality.

In the past year HSE has dealt with prosecutions involving severe injuries and fatalities as a result of poorly planned demolition work. This has included:

- A contractor who suffered serious injuries when a single-story roof he was demolishing by hand, collapsed at a construction site in Cobham, Surrey.

- A 64-year-old man who was killed when a garage wall at a garden in Hampshire collapsed on him during demolition, after a contractor who was operating a digger failed to put an exclusion zone in place whilst carrying out the work.
- A 21-year-old employee who was killed whilst dismantling a redundant grain drying tunnel at a farm in Kent when a farming partnership failed to ensure the integrity of the structure during the dismantling process.
- An employee who sustained injuries to his shoulder, and a fractured heel and ankle when he was hit by falling debris from a garage wall in Clitheroe that was being demolished in an unsafe manner.
- A contractor who was prosecuted for disturbing asbestos and damaging underground cables during demolition works at a site in Blackburn, causing severe disruption to services.
- The operator of a cherry picker who sustained life-changing injuries when he became trapped during a demolition operation at a site in Greater Manchester. A HSE investigation found the vehicle he was operating was not suitable for the task and had not been fitted with proprietary devices to avoid the likelihood of operators being crushed.

HSE is reminding contractors that it is crucial to complete a survey ahead of demolition work including structural investigation and appraisal, which considers the age of the structure, type of construction, history of the building including alterations and design codes used to avoid an uncontrolled collapse. Specific consideration should also be given to the effect of additional weight of demolition machinery and debris on suspended floors; and the risks to nearby buildings and structures.

HSE's head of construction Sarah Jardine said: "Structural instability can be a problem in buildings that are old, decayed, poorly maintained, and in newer buildings that have been badly designed and constructed or abused in use.

"Even sound structures can become unstable because of a lack of planning of construction and demolition work.

"She added: "It is easy to get it wrong even on small, straightforward structures, which makes it even more important to put the planning in place when it comes to demolishing large, complex structures. Demolishing these types of structures is a particularly hazardous activity and doing it safely is highly complicated and technical, so relevant expertise is vital. These jobs require careful planning and execution by contractors who are competent in the full range of demolition techniques and have access to designers and engineers with the right knowledge, skills, and experience in this area.

"A systematic approach to demolition projects should be a team effort. Clients must appoint professionals who have the relevant skills, knowledge, experience, organisational capability, and who are adequately resourced.

Clients, with the help of the principal designer must provide essential pre-construction information to the relevant designers and engineers. This should include a range of surveys and reports to check for presence of asbestos, structural stability, and the location of above and below ground live services.

It is the principal designer's responsibility to plan, manage, monitor, and coordinate health and safety issues in the pre-construction phase to ensure principal contractors are provided with

relevant information to enable them to put safety measures in place. Once the demolition work has begun it is the principal contractor's responsibility to plan, manage and monitor the demolition activities and coordinate work to ensure that it is carried out without risks to health and safety. While site managers must ensure workers are supervised and are following safe working practice.

Sarah Jardine added: "Incidents caused by poor planning and risk management can have substantial human costs that are felt for many years by the victims and their families."

"In addition to the impact on people's lives, incidents can also lead to substantial remediation costs, higher insurance premiums, and, if HSE investigates, court fines and prison sentences, which will inevitably impact reputations."

"As well as being morally right, it is simply common sense and good business to ensure rigorous planning, organising, managing and monitoring of the whole project."

Director sentenced after apprentice injured in fall from height

The director of an air conditioning company has been sentenced after a worker sustained a broken back when he fell five metres to the ground.

Coolzone Air Conditioning Limited were contracted to replace an air conditioning unit at Eastman House, Radford Cres, Billericay, on 24 October 2019, Chelmsford Magistrates' Court was told.

As part of the works, an employee, who had never worked on a roof before, was required to go onto the roof to replace the external unit of an air conditioner. After accessing the roof via a man cage, the worker fell through a rooflight to the warehouse floor five metres below. The employee sustained a broken back and has not returned to work since the incident.

The [HSE's](#) investigation found that the company director, Daniel Biagioni, attended the site a month prior to the incident and as part of his risk assessment, identified that the rooflights on the warehouse roof presented a fall risk.

However, Mr Biagioni failed to implement the controls he identified in his risk assessment and sent the inexperienced apprentice onto the roof unsupervised.

Daniel Biagioni of Barrow Chase, Chelmsford, Essex pleaded guilty to breaching Section 37(1) of the [Health and Safety at Work Act 1974](#) and received a six-month custodial sentence suspended for 12 months. As part of his sentence he is required to complete 150 hours of unpaid work. Mr Biagioni was also ordered to pay costs of £4,886 and a victim surcharge.

Speaking after the hearing, HSE Inspector David, Tonge said: "Roof work is a high-risk activity and duty holders must ensure they put measures in place to protect against this risk."

"Falls from height often result in life-changing or fatal injuries. In most cases, these incidents are needless and could be prevented by properly planning the work to ensure that effective preventative and protective measures are in place."

Contractor sentenced after asbestos disturbance in public park

A contractor has been awarded 100 hours community service and 10 days Rehabilitation Activity following a conviction of health and safety breaches after labourers disturbed asbestos and worked dangerously at height while refurbishing a disused park toilet block.

A charity hired a local contractor, Fahadh Rasheed, to convert a toilet block in Valentines Park, Ilford, into a community meeting centre, Southwark Crown Court was told. The work, carried out in 2019, included replacing the weather-damaged roof.

Mr Rasheed employed unskilled and untrained labourers to undertake this work. The labourers disturbed a significant amount of asbestos insulation board present in the structure, spreading asbestos debris around the site.

The construction work was brought to the attention of the HSE by a member of the public who observed the labourers working on the roof, without scaffolding or other control measures, to prevent them falling from height. The asbestos was later cleaned up by a licensed asbestos removal company.

The [HSE's](#) investigation found that Mr Rasheed had not carried out a refurbishment and demolition asbestos survey before work began. Furthermore, he had not ensured the workers he'd engaged had the necessary skills, knowledge and experience, including asbestos awareness training, to undertake this work.

Previously a jury had found Mr. Rasheed guilty of breaching Regulation 15.(2) of The Construction (Design and Management) (CDM) Regulations 2015. At the sentencing hearing on 6 December 2021, Mr. Rasheed was given a Community Order including 100 hours unpaid work and a 10 days Rehabilitation Activity Requirement.

After the hearing HSE inspector David King said: "This was a case of a contractor completely failing to grasp the importance of planning, managing and monitoring construction work to ensure the health and safety of construction workers."

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

Construction company fined for unsafe removal of asbestos

A construction company has been fined after disturbing asbestos and removing it without adequate precautions at a pub in Trowbridge, Wiltshire.

Robert Angell undertook work to remove asbestos-containing material while renovating the property, on 8 September 2018, Salisbury Magistrates' Court was told.

The [HSE's](#) investigation found the company was not licensed to carry out asbestos removal work and failed to take appropriate measures to prevent the spread of the asbestos waste while. As a consequence the work undertaken exposed employees and neighbouring areas to risks from asbestos.

Robert Angell of York Road, Calne, Wiltshire was found guilty of breaching Section 16 of the Control of Asbestos Regulations 2012, together with section 5(1) and 8(1) of the regulations. The company were fined £300.00 and ordered to pay £8,266.40 in costs.

Speaking after the hearing, HSE Inspector Ian Whittles said: "The dangers associated with asbestos, including licensed asbestos, are well-known and a wealth of advice and guidance is freely available from the HSE website.

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

Construction company and its groundworks contractor sentenced

A construction company and its groundworks contractor have been fined after unsafe excavation work left a worker with serious burns to his hand and arm.

High Wycombe Magistrates' Court heard that, on the 2 August 2018, a groundworker was preparing the ground to install a post to carry an Automatic Number Plate Recognition Camera (ANPRC), at Twyford near Reading, Berkshire.

Initially, the worker dug hand, however, due to the ground conditions and numerous hedgerow roots he started to use an 110V mechanical electric breaker.

The incident occurred when the groundworker struck a power cable supplying an adjacent British Telecommunications building. The voltage of the cable was 415v causing the ground worker to receive an electric shock that caused burns to one hand and to his opposite arm.

An Investigation by the Health and Safety Executive (HSE) found that site plans for buried cables had not been consulted and a cable avoidance tool had not been used to locate buried services in advance of carrying out the work. In addition, there was a lack of properly trained labour and supervision in place for the excavation works.

The principal contractor on site had failed to plan, manage and monitor the excavation works and also failed to provide adequate supervision for the ANPR installation project.

CLC Contractors Limited (the Principal Contractor), of Unit 2 Northbrook Industrial Estate, Vincent Avenue, Southampton, SO16 6PB pleaded guilty to breaching 13 (1) Construction (Design and Management) Regulations 2015 and were fined £400,000.00 and ordered to pay costs of £5,300.00.

Paul Gale, Company Director of PAG Building Services Ltd of 2 Moore Crescent, Netley Abbey, Southampton, Hampshire pleaded guilty to Section 37(1) Health and Safety Work Act 1974.

Due to the seriousness of the offence the case was referred to Aylesbury Crown Court for sentencing. Paul Gale was sentenced to 14 months imprisonment suspended for 24 months and 150 hours of community service. HSE was awarded costs of £7,200.

Speaking after the case, HSE inspector John Caboche commented: "Those in control of work have a responsibility to devise safe methods of working and to provide the necessary information,

instruction and training to their workers in the safe system of working. In this instance, readily available buried service records were not consulted, and a cable avoidance tool was not provided to the groundworks team. Utilising these simple steps would have prevented this serious incident.”

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