



Safetyform Monthly Newsletter - February 2022

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

- *Mental Health*
-

Safetyform News

- *Safetyform 2022 Brochure*
-

What's in the News

- *Scaffolding contractor fined after worker sustains multiple injuries in fall*
- *Contractor given suspended sentence after carrying out illegal gas work*

- *Plant hire company in court over work at height and welfare issues*
 - *Company sentenced after fatal fall through fragile asbestos roof*
 - *Construction firm fined and director given community order for breaching working at height regulations*
-

Safety Alert

Mental Health

The logo consists of the words "MENTAL", "HEALTH", and "AT WORK" stacked vertically in a bold, teal, sans-serif font. The text is centered within a white rectangular area.

MENTAL HEALTH IS THE NUMBER ONE REASON CITED FOR SICK DAYS IN THE UK AND IS ON THE RISE.

Even before the pandemic took hold, it was estimated that mental health issues cost UK employers up to £45 billion a year.

Whether you're a small business or a large corporation, the law requires all employers to prevent work related stress to promote, support and sustain good mental health in the workplace.

How employers can support individuals:

- Produce, implement and communicate a mental health at work plan that promotes good mental health of all employees and outlines the support available for those who may need it
- Develop mental health awareness among employees by making information, tools and support accessible
- Encourage open conversations about mental health and the support available when employees are struggling, during the recruitment process and at regular intervals throughout employment, offer appropriate workplace adjustments to employees who require them
- Provide employees with good working conditions and ensure they have a healthy work life balance and opportunities for development

- Promote effective people management to ensure all employees have a regular conversation about their health and well-being with their line manager, supervisor or organisational leader and train and support line managers and supervisors in effective management practices
- Routinely monitor employee mental health and wellbeing by understanding available data, talking to employees, and understanding risk factors.

Safetyform News

Safetyform 2022 Brochure

Would you like to know more about the services we offer? Check out our exciting new Safetyform 2022 brochure, now on our website: <http://ow.ly/M0ka50E2LJs>

If we can assist you with your H&S and Fire requirements in any way, please feel free to get in contact today: gavin@safetyform.co.uk

What's in the News?

Scaffolding contractor fined after worker sustains multiple injuries in fall

A scaffolding contractor has been fined after a worker fell from height resulting in serious injuries.

Brighton Magistrates Court heard how, on 15 August 2019, Darren Barnett was dismantling temporary over-roof scaffolding at a site in Hailsham, East Sussex, when he fell through the scaffolding landing on to the roof of the property below, before rolling down and on to the ground. Mr Barnett fell approximately eight meters in total and sustained two brain haemorrhages, six vertebra fractures, a fractured shoulder blade and multiple rib fractures.

An investigation by the Health and Safety Executive (HSE) found the company had failed to properly plan the works in respect of giving consideration to how the temporary over roof should be dismantled safely. Furthermore, Mr Barnett was only provided with a single lanyard harness that was not suitable for such works, rather than a twin lanyard harness.

Zendrill Ltd of Blind Lane, Bredhurst, Gillingham, Kent pleaded guilty to breaching Regulations 4 (1) (a) and 6 (3) of the Work at Height Regulations 2005. The company was fined £16,667 and ordered to pay costs of £6,767 and a victim surcharge of £170.

Speaking after the hearing, HSE inspector Ross Carter said: "The case highlights the importance of following industry guidance in order to design and dismantle scaffolding in a safe manner with the correct equipment made available to those undertaking the work.

“If a suitable safe system of work had been in place prior to the incident, the life changing injuries sustained by Mr Barnett would have been prevented.”

Contractor given suspended sentence after carrying out illegal gas work

A self-employed contractor has been given a suspended sentence and community service after undertaking gas work on a property whilst not being gas safe registered.

Crewe Magistrates’ Court heard how, on 1 June 2019, Robert Allen, a self-employed contractor trading as A&E Property Services, replaced a boiler at a property in Ledward Street in Winsford. Following the installation, a number of problems arose including loss of pressure and water leaks. In August 2019, a Gas Safe Registered engineer attended the property and discovered multiple issues with the installation including an inadequately sized pipe, which they felt posed immediate danger. The case was reported to the Health and Safety Executive (HSE) in the form of a Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) report.

An investigation by HSE found that Mr Allen had never been Gas Safe Registered. It was discovered that he had provided himself with a false registration number and had also used the registration number of a completely unconnected company.

On the inspection of the work carried out at Ledward Street, five separate serious defects were found including an unsealed flue, a pressure relief valve incorrectly located, undersized gas pipework, uncommissioned appliance, and corrosion to the gas pipework. These defects could have led to carbon monoxide leakage, scalding, unsafe combustion, and unburned gas release, which could have proved fatal.

Robert Allen of Nixon Drive, Winsford, Cheshire pleaded guilty to two breaches of Regulation 3 (3) of the Gas Safety (Installation and Use) Regulations 1998 and breaches of Regulation 3 (7) of the Gas Safety (Installation and Use) Regulations 1998 and Regulation 5 (3) of the Gas Safety (Installation and Use) Regulations 1998. He was given a 40 week suspended sentence, 200 hours community service and ordered to pay costs of £5,263.

Speaking after the hearing, HSE inspector Ian Betley said: “This case highlights the dangers of carrying out unregistered gas work. All gas work must be done by registered Gas Safe engineers to ensure the highest standards are met in order to prevent injury and loss of life. Installers will be prosecuted if they carry out gas work without the proper qualifications. Householders should check that anyone they allow to work on the gas supply is gas safe registered.”

Plant hire company in court over work at height and welfare issues

A plant hire company has been fined for leaving workers at risk of a fall from height and failing to provide minimum welfare facilities. Blackpool Magistrates’ Court heard how, on 17 November 2020, Ruttie Plant (Birmingham) Ltd was in the process of building a new aggregate recycling facility at their site at Common Bank Lane, Chorley. Part of the work included the provision of cladding to the

roof, which was carried out using a cherry picker. However, as some areas of the roof were difficult to reach, employees had to step onto the roof where no edge protection had been provided, putting them at risk of a 30ft fall. In addition, workers had been on site for some considerable time without the minimum required welfare facilities being available. This included facilities for hand washing during the height of the Covid pandemic.

An investigation by the Health and Safety Executive (HSE) found that the workers had been left unsupervised by site management, there had been no method statement to follow when they climbed onto the roof and there were no preventative measures in place to prevent the risk of a fall from height. Workers were also expected to drive to the company's head office along an unadopted roadway more than five minutes' drive away to use the toilet, despite there being ample room on the site for facilities. Ruttle Plant Hire (Birmingham) Ltd of Lancaster House, Ackhurst Road, Chorley, Lancashire pleaded guilty to breaches of Regulation 13(4)(c) of the Construction (Design and Management) Regulations 2015, and Regulation 4(1) of The Work at Height Regulations 2005. The company was fined £66,667 and ordered to pay costs of £1,847.

Speaking after the hearing, HSE inspector Christine McGlynn said: "Had a worker fallen off the roof edge, it could have been fatal. Employers should ensure that workers are not left to carry out high risk roof work without supervision.

"Work at height and roof work should only be carried out by trained workers, who are being robustly monitored, following proper planning, risk assessment and using suitable equipment. The minimum standards for welfare must also be met."

Builder prosecuted for exposing employees to asbestos during unsafe removal

Kieran Lynch has been prosecuted after his employees were exposed to asbestos while refurbishing domestic premises in Barnsdale Road, Reading.

Reading Magistrates' Court heard how Mr Lynch, trading as Lynch and Co, was contracted to carry out a largescale refurbishment for his client who had recently purchased the property from their local council. Prior to the project commencing, the owner of the property informed Mr Lynch that the ceiling boards in the garage contained asbestos.

Mr Lynch instructed two employees, who had no experience in asbestos removal, to take down the boards with no protective measures in place. Once they had taken down the boards, they stored them inside the house for a further three months before they were moved into the front garden to be disposed of. Subsequent examination of these boards identified them as Asbestos Insulating Board (AIB) – a high risk product which requires an asbestos removal licence to remove.

An investigation by the Health and Safety Executive (HSE) found that Mr Lynch was made aware that asbestos was present in the property, and yet he failed to make adequate enquiries as to where the asbestos was, its type and the condition it was in, prior to carrying out the removal. He also instructed his employees, who lacked the necessary competence, to carry out the removal with no control measures in place.

Mr Kieran Lynch of 9 Old Barn Close, Emmer Green, Reading pleaded guilty to breaching the Control of Asbestos Regulations 2012 Regulations 5(1)(a), 8(1), 11(1) and received a Community Order for a period of 12 months with a Rehabilitation Requirement of 25 days and Unpaid Work of 100 hours. Mr Lynch was also ordered to pay £5,000 in costs and a £95 victim surcharge.

Speaking after the hearing, HSE inspector David Tonge said: “Refurbishment work, even in domestic premises, is liable to expose people to asbestos and adequate steps must be taken to find out if asbestos is present. If so, appropriate measures must be taken to ensure people are not exposed to asbestos fibres.”

Company sentenced after fatal fall through fragile asbestos roof

A company has been sentenced after an employee of a Powys construction company was fatally injured in Liverpool when he fell six metres through a roof whilst working on a replacement roof project.

Liverpool Crown Court heard that on 22 May 2017, roofer Marius Andrus 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.

An investigation by the Health and Safety Executive (HSE) found that the area accessed did not have safety nets fitted and that the employer failed to take reasonably practicable measures to reduce the risk to those working on the roof.

AJM Services (Midlands) Ltd of Llanfihangel, Llanfyllin, Powys pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005. The company was fined £51,000 and ordered to pay costs of £5,000. Speaking after the hearing, HSE inspector Andy McGrory said: “This was a tragic incident, which resulted in a needless loss of life and could have easily been avoided by properly planning the work and ensuring appropriate safeguards were in place.

“Those in control of work at height have a responsibility to devise safe methods of working, which should include providing clear and comprehensive information for their workers and ensuring that they are adequately supervised.”

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, at an earlier hearing and were sentenced at Liverpool Crown Court in February 2021. The company was fined £80,000 and ordered to pay costs of £6,656.

Construction firm fined and director given community order for breaching working at height regulations



A construction firm and its director have been sentenced after carrying out unsafe work on the roof of a multi-storey building in Manchester.

Manchester Crown Court heard that concerns were raised with the Health and Safety Executive (HSE) after workers were spotted on the roof of the building in Norfolk Street, Manchester, without safety measures in place to prevent a fall.

HSE carried out two inspections at the site following the reports. On the second site visit, on 27 February 2019, employees were found to be working on the roof with no suitable controls in place to prevent falls. Inspectors intervened and stopped the work on site.

An investigation by HSE found that the unsafe work on the roof had taken place over a period of time from 1 January 2019 to 28 February 2019 with a significant risk of death or serious injury.

Exquisite Solutions (Alsager) Limited of St James House, Salford, was found guilty of breaching section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £42,500 and ordered to pay costs of £5,049.73 plus a victim surcharge of £170.

Company director Ali Wit Wit of St James House, Salford, was found guilty of breaching section 37 of the Health and Safety at Work etc. Act 1974, in relation to the company's failing of section 2(1) of the Act. Mr Wit Wit was given a community order for 270 hours of unpaid work and ordered to pay costs of £5,049.73 and a victim surcharge of £85.

Speaking after the hearing, HSE inspector David Norton 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. HSE will not hesitate to take appropriate enforcement action against companies that fall below the required standards and endanger their employees."

Contact Us

Safetyform

Britannia House

Caerphilly Business Park

Caerphilly

CF83 3GG

T: 02922 677 182

E: info@safetyform.co.uk

W: www.safetyform.co.uk
