

## Safetyform Monthly Newsletter - November 2019

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

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## VolkerLaser hit new heights with support from Safetyform



VolkerLaser appoint Safetyform as their site safety inspectors on a range of construction projects throughout the UK. Their projects ranging from car park refurbishments to large scale bridge works, each posing significant risks to construction workers.

The purpose of these inspections is to ensure everyone working on site does so in a safe manner and to ensure the Principal Contractor manages the site in accordance with their duties under CDM 2015. Since the start of their inspection regime Safetyform have gathered the results of these inspections and report back to VolkerLaser on the findings.

Safetyform visited one such site in Barrow in Furness in October and found the management of the site to be impeccable, thus rewarding a compliance score of 100%. Speaking after the site inspection the Safetyform Operations Manager, Joseph Hoey said "I have visited some sites over the years for various different clients and can honestly say it was an absolute privilege to award a score of 100% on this occasion. The site manager has applied the principles of CDM impeccably. It must be an honour to go to work each day on a site which is so well laid out, kept clean and tidy and managed by a truly well experienced and competent site manager".

In response the VolkerLaser Senior SHEQ Manager Phil Bruce said "*VolkerLaser's work takes us to a wide variety of locations that are dispersed across the UK. SafetyForm are supporting the implementation of our SHE requirements on sites that are sometimes difficult for us to reach by our in-house team. On this occasion I am delighted with the feedback about our site in Barrow – George Mangalo has done a great job in setting high standards of health & safety. Well done George*"

Should you require any further information relating to the above, you can contact Safetyform on: Tel: 02922 677182 Email: [info@safetyform.co.uk](mailto:info@safetyform.co.uk)

## Promoting Health & Support on Construction Sites



In light of raising awareness of health within the construction industry, construction sites are more likely to display information relating to health as well as safety in line with current HSE initiatives. Safetyform are finding varying forms of health promotions on sites across the country, which is an encouraging sign. However, there is more to do to bring the health of the construction industry in line with other industries and bring down the increasing number of health-related issues to our workers. Safetyform encourage the promotion of all types of health and wellbeing, from dust exposure to all types of cancers and through to mental health. All of which can be reduced if the correct management arrangements are in place. There is a charity called The Lighthouse Club which has been delivering charitable welfare and support to the construction community since 1956, who in turn are funded by and supported by the businesses and people in the construction industry and their network of 21 regional volunteer clubs. They help run the Construction Industry Helpline which provides a 24/7 safety net for all construction workers and their families in the UK and Ireland. It is a charitable service funded by the industry, for the industry and provides;

- Emergency financial aid to construction families in crisis
- Advice on occupational health and mental wellbeing
- Support on legal, tax and debt management matters

**Benefits to you** - Those working in the industry, as well as their families, can contact the Construction Industry Helpline and will be able to call the 24/7 confidential Construction Industry Helpline on 0345 605 1956 to access:

- Emergency financial aid in times of crisis following an illness, accident, injury or bereavement that forces a family into a state of poverty
- Advice on occupational health and wellbeing issues as an employee or an employer
- Support and advice for sufferers of stress and addiction-related illnesses
- Advice on matters ranging from divorce to employment
- Advice on specific tax-related issues concerning employment within the construction sector
- Help to manage and reschedule debt
- Help to understand the benefits system and your entitlement, especially if you are caring for others
- Support on career changes, especially after accident or injury preventing you from returning to your original job

Their mission is to make sure every construction worker carries a Construction Industry Helpline Card. You can help your construction workforce gain access to this invaluable support service by purchasing a helpline pack for your site or business. To get your pack please click on the link below.

[https://www.constructionindustryhelpline.com/store/c2/Construction\\_Industry\\_Helpline\\_Packs.html](https://www.constructionindustryhelpline.com/store/c2/Construction_Industry_Helpline_Packs.html)

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## What's in the News?

### Companies fined after workers exposed to asbestos

RJW Building Solutions Limited, a contractor carrying out refurbishment work at the Sea Hotel in South Shields, and Hotel 52 (Sea) Limited, the client company who arranged this work, were sentenced after workers disturbed asbestos.

South Tyneside Magistrates' Court heard that while workers were refurbishing the bar area of the Sea Hotel in September and October 2018, they disturbed asbestos.

An investigation by the Health and Safety Executive (HSE) found that both companies had failed to ensure an appropriate assessment was carried out to check for the presence of asbestos in the areas of the Sea Hotel where refurbishment work was taking place.

RJW Building Solutions Limited of Bridge End Industrial Estate, Hexham pleaded guilty to breaching Regulation 5 of the Control of Asbestos Regulations 2012 and was fined £20,000 with £1,084.59 costs.

Hotel 52 (Sea) Limited of Stockbridge, Newcastle upon Tyne pleaded guilty to breaching Section 3 (1) of the Health and Safety at Work Act 1974 etc and was fined £16,000 with £1,246.90 costs.

After the hearing, HSE inspector Loren Wilmot said:

“Asbestos is a naturally occurring mineral fibre which was widely used in both building and engineering materials for its strength, heat and chemical resistance. There are several different types of asbestos however they all share similar properties. When asbestos is disturbed, fibres are released into the air where they can be inhaled and may penetrate the lungs. This can cause serious diseases including mesothelioma, lung cancer and asbestosis. These diseases do not have an immediate effect, they often take a long time to develop, but once diagnosed, they are often fatal.

“Asbestos related disease is responsible for the premature deaths of approximately 5000 people annually. Whilst the supply and manufacture of asbestos has been prohibited in the UK for approximately 20 years it can still be present in any building or industrial process plant built or refurbished before the year 2000.

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*“In this case both the client and contractor failed to protect workers from the risks to their health by failing to prevent their exposure to asbestos.”*

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## Company sentenced after fall through fragile roof



A building and maintenance company has been fined after an employee fell from height, causing a head injury.

Birmingham Magistrates' Court heard that on 11 May 2018 two employees of M & M Damproof were replacing a leaking roof sheet above a motor vehicle repair workshop in Digbeth, Birmingham. The pitched roof consisted of corrugated asbestos cement sheets and perspex roof lights. The pair accessed the roof via a ladder which they positioned at the rear of the premises and walked along the roof valley to the site of the repair at the front of the building.

They went onto the roof several times during the course of repair and also worked from a mezzanine floor below part of the roof. Shortly after returning to the mezzanine area inside the building, one worker heard a cracking sound and a shout. Looking across the workshop he saw that his colleague had fallen five metres from the roof onto the concrete workshop floor below. He had fallen head first through a fragile roof light. The injured worker suffered multiple fractures and a head injury. He spent eight weeks in hospital and continues to recover.

An investigation by the Health and Safety Executive (HSE) found that M & M Damproof failed to assess the risks of the job and there were no precautions in place to prevent falls from height through the fragile roof.

M & M Damproof Co. Limited of Clements Road, Birmingham pleaded guilty to breaching Regulation 9 (2) of the Work at Height Regulations 2005. The company was fined £20,000 and ordered to pay full costs of £996.79.

HSE inspector Amanda James said: “Falls through fragile roofs are a far too common cause of serious and fatal injury in the construction industry and the precautions are well established.

“All roofs can become fragile over time. In particular cement sheets and roof lights are known to be fragile.

“Work on fragile roofs should be avoided where possible, for example by replacing roof sheets from underneath. If it is necessary to go onto the roof, suitable measures such as platforms, coverings and guard rails should be used to prevent falls. Walking along valleys and gutters without protection is not safe; a mis-step, slip or trip could be fatal. With proper planning, safe systems of work and equipment, accidents like this are completely avoidable.”

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*All roofs can become fragile over time. In particular cement sheets and roof lights are known to be fragile.*

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## Property development company and director prosecuted after unsafe demolition work



A building development company and its director have been sentenced after unsafe demolition work took place at a former pub in Bexley.

Westminster Magistrates' Court heard that on 22 June 2016, the former Ye Olde Leather Bottle pub was completely demolished without appropriate action taken to ensure members of the public were not in danger of harm.

An investigation by the Health and Safety Executive (HSE) found no safe system of work existed at the time of the incident. There had been no asbestos survey done before the demolition work began, which meant any asbestos-containing materials present would, during the demolition, have caused asbestos fibres to be released and widely spread. The company had not arranged for gas and electricity supplies to be properly disconnected by the appropriate bodies, leading to a potential risk of explosion or of electrocution of people on site.

There were no measures, such as hoarding or fencing, of the site to prevent access to the dangerous activity, or to prevent the ejection of materials from site. The building was on a busy road and pedestrians passing by, including primary school aged children going to and from a school 200 metres away, and traffic were all at risk.

Balmonza Ltd of Woolwich Road, London pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974 and has been fined £20,000 with £1000 costs.

Mr Kulvinder Singh, also of Woolwich Road, London pleaded guilty to Section 37(1) of the Health and Safety at Work etc. Act 1974 and was sentenced to £5000. He was ordered to pay costs of £1000.

Speaking after the hearing, HSE principal inspector Sue Parkyn said: “The work was done in a haphazard and ultimately unsafe manner. This was a very serious incident and it is fortunate nobody was injured as a result. It could so easily have been avoided by ensuring that someone competent was supervising the carrying out the demolition in a planned manner, in accordance with the law, relevant published guidance and British Standards.

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*“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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## Sole director jailed after employee killed by excavator



Robert Harvey, sole director and employee of Front Row Builders Ltd has been sentenced after an employee, Nicholas Hall was crushed to death by an excavator bucket, which Harvey was operating.

The employee was pinned against the wall of an excavation pit for a vehicle wash bay that was under construction for Peter Lawless Road Planing Limited at Whistleberry Road, Blantyre

Hamilton Sheriff Court heard that on 7 May 2016 work was being carried out by Front Row Builders Ltd employees to build a wall within an excavation. Robert Harvey operated an excavator to lower cement and blocks down into the hole for three other men who were working in the hole to use. Robert Harvey tipped the bucket to empty the mortar contents and shouted to Nicholas Hall to 'scrape the rest out with a shovel'. Nicholas was pinned against the wall by the excavator bucket and died of blunt force injuries to his chest and abdomen.

An investigation by the Health and Safety Executive (HSE) found that Robert Harvey failed to undertake a sufficient assessment of the risks to those who had been instructed to work with him, he operated a long reach excavator without receiving the appropriate training or certification and he instructed Nicholas Hall, who was working within the excavation, to remove mortar from the bucket.

Robert Harvey of Reston Drive, Glasgow pleaded guilty to breaching Section 7(a) and Section 33(1)(a) of the Health and Safety at Work Act etc 1974 and was given a 10-month custodial sentence.

Speaking after the hearing HSE inspector Helen Diamond said: "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.

"If a suitable safe system of work had been in place prior to the incident, the death of this worker could have been prevented."

## Roofing company fined for failure to plan work at height safely

A roofing company has been fined after repeatedly failing to manage health and safety on construction sites.

Westminster Magistrates' Court heard how between 7 March 2017 and 8 October 2018, Superfast Roofing Ltd received two prohibition notices. Serious breaches of legislation were found on sites during roofing work they carried out in London and Essex. This included the Old Dagenham Methodist Church Hall, Rainham Road South, Dagenham, Essex.

Inspections by Health and Safety Executive (HSE) found that Superfast Roofing Ltd had failed to plan, manage, monitor and carry out work at height safely. The company had repeatedly breached work at height legislation, with uncontrolled fall from height risks at separate sites, with no signs of the company taking steps to improve standards.

Superfast Roofing Ltd of Grange Road, Ilford, Essex was found guilty of breaching Regulation 6(3) of The Work at Height Regulations 2005 and Regulation 15(2) of The Construction (Design and Management) Regulations 2015. The company has been fined £30,000 and ordered to pay costs of £6,000.

After the hearing, HSE inspector David King said: 'Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards, and especially where companies don't heed previous advice.'

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***Working at height must be properly planned and carried out by trained and competent workers. When working at height, employers must provide the most appropriate work equipment to enable operatives to carry out their work safely. Further guidance on doing it the right way is on HSE's website: <http://www.hse.gov.uk/construction/safetytopics/roofwork.htm>***

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## Construction company fined after carpenter injured in fall from height

A Hitchin-based construction company has been sentenced after a carpenter sustained nerve and tissue damage to his lower back after a fall from height.

Luton Magistrates' Court heard on 2 May 2017, the employee was working for and under the control of MP Building Limited. He climbed up to remove a nail from a brace holding trusses, one of which started to fall causing the employee to fall with it. Raised safety decking used as fall mitigation within the building did not cover the whole area and left significant gaps.

The 36-year-old carpenter sustained nerve and tissue damage to his lower back, whiplash to neck and his little finger was ripped open.

An investigation by Health and Safety Executive (HSE) found that the risk assessments of MP Building Limited were generic. They identified falls from height, but control measures focused on scaffolding and did not mention internal falls and decking. It was also found that operatives on the site were not trained to install the safety decking.

MP Building Limited of Bilton Road, Hitchin pleaded guilty to contravening Regulation 6(3) of the Work at Height Regulations 2005 and Regulation 13(1) of Construction (Design and Management) Regulations 2015. The company has been fined £65,000 and ordered to pay £6,298.82 in costs.

After the hearing, HSE inspector Jenny Morris said: 'This incident could so easily have been avoided by planning work at height to ensure that suitable and sufficient measures were in place to prevent falls.'

'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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*Further guidance to doing it the right way can be found at:*

<http://www.hse.gov.uk/work-at-height/key-messages.htm>

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## Contact Us

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*This newsletter was produced by Safetyform Ltd.*

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