



Safetyform Monthly Newsletter - March 2020

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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Conquering the CDM Challenge



Can SafetyForm assist you with your Construction Projects

Our Services:

- Act as Principal Designer or CDM advisor
- Contractor Competence Assessments
- Notification of Project to the HSE
- Compilation of Pre-Construction Information
- Review Design Information for Design Risk Registers
- Compile the Construction Phase Plan
- Carry out site inspections during construction phase
- Compile the H&S File

- Assist in Site Set-up
- Undertake site specific risk assessments & develop method statements
- Assist Client, Designers, Principal Designers & Principal Contractor comply with their duties
- Safety awareness training
- Tool Box Talks

The team at Safetyform are more than happy to discuss your needs, please contact Gavin@safetyform.co.uk¹ or 02922 677182

What's in the News?

Building firm fined after worker injured



Stan England Builders Limited has been fined following an incident when a worker suffered serious injuries after falling from a mezzanine level and wooden platform.

Aberdeen Sheriff Court heard that on 31 March 2016, Alan Ness was working at a residential property in Banchory. He began taping areas on the ceiling of a mazzine level. He gained access to this level by a

¹<mailto:Gavin@safetyform.co.uk>

wooden platform which had a ladder propped against it. As he was working close to the edge of the mezzanine level, he lost his footing and stumbled a drop of 18.5cm onto the wooden platform. He was unable to regain his footing and fell a further 2.5 metres head first onto the floor below. He sustained head, back and neck injuries.

An investigation by the Health and Safety Executive (HSE) found that there was no edge protection on the wooden platform and no safe system of work had been put in place. Mr Ness had received no formal training for work at height or working on ladders, he had a lack of knowledge and awareness of the hazards associated with work at height. Stan England Builders Limited had failed to supervise appropriately and had not corrected deficiencies, despite visiting shortly before the accident there was no written risk assessments for this task.

Stan England Builders Limited of Raemoir Road, Banchory pleaded guilty to breaching Regulation 6(3) of the Work at Height Regulations 2005 and was fined £6,000.

After the hearing, HSE inspector, Connor Gibson 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.

"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. In this case a different and simple approach of using edge protection on the wooden platform could have prevented the life changing injuries sustained by the employee."

"Those in control of work at height should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards".

Poor management control puts workers at risk



A roofing company has been fined after a worker suffered serious back injuries when he fell from a ladder whilst transporting a bucket full of broken tiles. An investigation by the Health and Safety Executive found the contractor had not provided basic lifting aids, such as a wheel and pulley, which would have eliminated this risk. Folkestone Magistrates' Court heard that on 2 October 2018, AU Roofing and Building Ltd workers were working on a roof in Elmes Avenue, Ramsgate, Kent where they were required to carry buckets of materials by hand down the scaffold access ladder. Davey Battams, aged 31, was unable to maintain a constant three points of contact with the ladder, resulting in the fall.

AU Roofing and Building Services Ltd of Canterbury Road East, Ramsgate, Kent pleaded guilty to breaching Section 2(1) of the Health and Safety at Work Etc. Act 1974. The company has been fined £28,800.00 and ordered to pay costs of £4,213.70. After the hearing, HSE inspector Andrew Cousins commented: "This incident could have been so easily avoided by simply providing basic and inexpensive lifting aids, which are industry standard."

Company fined after self-employed roofer falls from roof



A company specialising in roofing work has been fined after a self-employed roofer was seriously injured when he fell from a roof.

Edinburgh Sheriff Court heard that, on 1 September 2016, a self-employed roofer was carrying out work for Phoenix Roofing and Cladding Limited, placing new roof panels and other materials on a roof at an industrial unit at the Butlerfield Industrial Estate, Newtongrange. Whilst traversing the roof, the roofer slipped and fell through an existing rooflight and landed on a suspended ceiling below.

An investigation by the Health and Safety Executive (HSE) found that the fall from height was possibly due to the unsafe working environment and unsafe methods of working being undertaken. It was established the main cause of the incident was insufficient identification of risk in the work being done.

Phoenix Roofing and Cladding Limited of Meeks Road, Falkirk pleaded guilty to breaching Section 3(1) of the Health and Safety at work etc Act 1974 and were fined £20,000.

Speaking after the hearing, HSE inspector Stuart Easson 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.

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

Construction firm fined after worker falls from height

A construction firm has been fined after a 17-year-old worker fell more than three metres through an opening for a roof light.

Cheltenham Magistrates' Court heard that, on 20 August 2018, an employee of Mark Holland Group Ltd fell through a sheet of insulation covering a skylight when walking across an unmarked and unguarded area on the first floor of a construction site in Southgate Street, Gloucester. He suffered multiple broken bones in his right leg and foot and, after two operations, was advised it was unlikely he could work in construction again.

An investigation by the Health and Safety Executive (HSE) found that the inexperienced young employee was not supervised properly and was unaware of the risks on site. There were no physical warnings that there was a hole or a fragile surface, and no verbal warning had been circulated to workers on site. There were also no physical barriers to stop anyone walking from the scaffold onto the flat roof. The company failed to ensure that work at height was properly planned and appropriately supervised. Despite this incident, the company continued to fail to ensure work at height was planned and managed on site. Numerous failings were identified by HSE during later visits to the construction site.

Mark Holland Group Limited of Victoria House, Churchill Road, Leckhampton, Cheltenham pleaded guilty to breaching Regulation 13(1) of the Construction (Design and Management) Regulations 2015 and has been fined £55,620.

Speaking after the hearing, HSE inspector Laura Banks said: “This worker’s injuries were life changing and he could have easily been killed.

“Falls from height remain one of the most common causes of injuries in the country and the risks associated with working at height are well known.

“Those in control of work at height should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards”.

This serious incident and devastation could have been avoided if basic safe guards had been put in place.

Proactive action could have saved three fines

Three companies have been sentenced for failing to take adequate precautions against fire risk when building a timber frame extension to a sheltered accommodation residential home.

In the months leading up to October 2017 principal contractor E Manton Limited, timber frame designer, manufacturer and

installer MTE (Leicester) Limited and principal designer Thornton – Firkin LLP were working on the project. This involved the installation of the timber frame three-storey construction with a timber frame link extension to an occupied sheltered accommodation residential home in Pershore, Worcestershire without adequate fire prevention controls in place, thereby putting members of the public at risk.

The HSE’s investigation found that the defendants failed to fulfil their respective duties to plan, manage and monitor construction work in a manner that prevents risks from fire and protects persons who may be affected by the project. The HSE advise that the risks should have been prevented by designing out the major fire risks and implementing a plan to incorporate measures to minimise the residual fire risk during the construction phase in accordance with industry good practice.

Charges and fines

E Manton Limited of Birmingham Business Park, Birmingham pleaded guilty to breaching Section 3 (1) of the Health and Safety at Work Act 1974² and has been fined £26,000 and ordered to pay costs of £6,944.

MTE (Leicester) Limited of Sunningdale Road, Leicester pleaded guilty to breaching Section 3 (1) of the Health and Safety at Work Act 1974 and has been fined £20,000 and ordered to pay costs of £6,413.

Thornton – Firkin LLP of Newhall Street, Birmingham pleaded guilty to breaching Section 3 (1) of the Health and Safety at Work Act 1974 and has been fined £8,000 and ordered to pay costs of £7,133.

Speaking after the hearing, HSE Inspector Christopher Gregory said: “These cases highlight the need for all duty-holders to take proactive action to ensure they are not putting workers and others at risk from foreseeable fire risks by taking reasonably practicable actions, in accordance with industry standards, to comply with their duties under the respective regulations. Fire kills and members of the public have a right to be protected.”

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

Young worker seriously injured in fall



On 20 August 2018, an employee of Mark Holland Group Ltd fell through a sheet of insulation covering a skylight when walking across an unmarked and unguarded area on the first floor of a construction site in Southgate Street, Gloucester. He suffered multiple broken bones in his right leg and foot and, after two operations, was advised it was unlikely he could work in construction again.

Investigating, the HSE found that the inexperienced young employee was not supervised properly and was unaware of the risks on site. There were no physical warnings that there was a hole or a fragile surface, and no verbal warning had been circulated to workers on site. There were also no physical barriers to stop anyone walking from the scaffold onto the flat roof.

The company also failed to ensure that work at height was properly planned and appropriately supervised. Despite this incident, the company continued to fail to ensure work at height was planned

²<https://www.shponline.co.uk/legislation-and-guidance/health-and-safety-at-work-1974/>

and managed on site. Numerous failings were identified by HSE during later visits to the construction site.

Mark Holland Group Limited of Victoria House, Churchill Road, Leckhampton, Cheltenham pleaded guilty to breaching Regulation 13(1) of the Construction (Design and Management) Regulations 2015 and was fined £55,620.

Speaking after the hearing, HSE Inspector Laura Banks said: “This worker’s injuries were life changing and he could have easily been killed. This serious incident and devastation could have been avoided if basic safeguards had been put in place.”

Agency worker suffers leg amputation after standing in the wrong place

Waste management company Peter Norris (Haulage) Ltd has been fined £140,000 after an agency worker suffered lower leg amputation after being struck by a moving excavator.

On 12 September 2017, the worker, who had been observing a tipping activity in the blind spot of the excavator, had his leg crushed by the machine which had reversed to accommodate another vehicle tipping off waste in an adjacent part of the site.

The HSE’s investigation found no evidence of any system whereby new agency hired staff were shown the site’s safety rules, meaning the injured worker was unaware he was to stand in the safe refuge areas whilst vehicles were moving around the site.

Peter Norris (Haulage) Ltd of Tower Bridge House, St Katharine’s Way, London, pleaded guilty to a breach of Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined 140,000 and ordered to pay full costs of £9,322.48.

Speaking after the hearing, HSE Inspector John Spence said: “This incident was entirely preventable and has caused a permanent and life-changing injury to a young agency worker.

“The company failed to implement an adequate system of monitoring of agency workers on site who were therefore, in effect, left to manage themselves without necessary oversight from the company.

“Any company that uses agency workers are required to extend the same duty of care to them as their own direct employee.”

Contact Us



Safetyform

Britannia House

Caerphilly Business Park

Caerphilly

CF83 3GG

T: 02922 677 182

E: info@safetyform.co.uk³

W: www.safetyform.co.uk⁴

³ <mailto:info@safetyform.co.uk>

⁴ <https://www.safetyform.co.uk>