



Safetyform Monthly Newsletter - July 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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Need help with your Fire Risk Assessment ?



Fire Risk Assessments

Controlling fire risks is an important part of managing a property. In order to be able to protect against the risks of fire, the first step is to identify these risks and this is where the fire risk assessment comes in.

Fire risk assessments (or FRAs) are a snapshot of how protected any given property is to ensure the safety of its occupants in the event of a fire. The FRA also identifies corrective actions and further steps to achieve an appropriate level of fire safety.

The Regulatory Reform (Fire Safety) Order 2005 (commonly known simply as the Fire Safety Order) introduced a legal duty for 'the responsible person' to take all reasonable steps to ensure that fire safety levels are appropriate at all times.

This legislation applies to all non-domestic properties including commercial and public premises, such as shops, factories, warehouses and offices, but also schools, nursing homes as well as businesses

providing sleeping accommodation. It also applies to sheltered housing as well as the communal areas of blocks of flats and houses in multiple occupation.

For businesses employing five or more employees, there is a legal requirement to not only carry out a fire risk assessment, but to document the findings in writing.

Safetyform carry out type 1 and 3 FRAs for many of our clients and can happily assist you with your needs.

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?

Company fined £1.1m after worker injured in fall from height

A London-based relocation and refurbishment company has been fined after a worker was seriously injured when he fell from height.

Luton Crown Court heard that on 5 September 2016, an engineer was testing a sprinkler system for leaks at a site in Hemel Hempstead. He climbed onto an internal roof and was inspecting the leak from an extension ladder. The ladder slipped away from him and he fell almost three metres into the gap between the internal roof and the external wall. The worker suffered severe blood loss, amounting to around half of his bloodstream. He required a blood transfusion and needed 14 stitches to his head. He also sustained a fractured vertebrae and suffered soft tissue damage.

An investigation by the Health and Safety Executive (HSE) found that reasonably practicable measures had not been taken to prevent a fall from the internal roof for both the engineer and other contractors working on the roof. The investigation found that Modus Workspace Limited, the principal contractor, had failed to discharge its duty to ensure those not in their employment were not exposed to risks, in particular that of falling from height.

Modus Workspace Limited of Greencoat Place, London was found guilty after a five-week trial of breaching Section 3 (1) of the Health and Safety at Work etc. Act 1974. The company was fined £1.1 million and ordered to pay costs of £68,116.18.

After the sentencing, HSE inspector John Berezansky, commented: "This case highlights the importance of taking reasonably practicable measures when planning and managing the risks regarding work at height within the construction industry.

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“Falls from height remain one of the most common causes of work-related fatalities and injuries in this country and the risks and control measures associated with working at height are well known.

“The engineer’s injuries were life changing and he could have easily been killed. This serious incident and devastation could have been avoided if basic safety measures had been put in place.”

Tameside company fined for work at height failings

Crystal Architectural Aluminium Ltd has been fined following an incident where two employees suffered serious injuries after falling from height whilst removing large window frames from a school hall at St Saviour RC Primary School in Ellesmere Port.

Liverpool Crown Court heard that on 28 November 2016, an employee fell from a tower scaffold, through a window frame, knocking another worker off a stepladder. Both employees were airlifted to hospital as one had lost consciousness and the other had sustained broken ribs and a punctured lung.

An investigation by the Health & Safety Executive (HSE) found that the tower scaffold had not been assembled correctly, and the stepladder that was used was not suitable for the task. The investigation also identified that the work was being carried out without proper training, qualifications, supervision and planning.

Crystal Architectural Aluminium Ltd of Mackeson Road, Ashton-Under-Lyne pleaded guilty to breaching Regulations 4, 5 and 6 of the Work at Height Regulations 2005.

The company was fined £17,000 and ordered to pay costs of £32,106.80.

After the hearing, HSE inspector Seve Gomez-Aspron 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 have been avoided with proper planning, supervision, and training, and the use of correct equipment. Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standard.”

Scaffolding company fined after scaffold collapse causes employee to fall



JR Scaffold Services Ltd has been fined after an employee fell eight metres to the ground and sustained severe injuries when the cantilever section of a scaffold he was erecting collapsed.

Glasgow Sheriff Court heard that, on 2 September 2016, work was undertaken at a four-storey property in Alexandra Parade in Glasgow to erect a tower scaffold to repair a roof. An employee was fitting toe boards to a cantilever section attached to the tower scaffold and the tower partially collapsed causing him to fall eight metres to the ground below.

An investigation by the Health and Safety Executive (HSE) found the company had carried out a risk assessment and method statement for the initial work and erected an eight metre high tower to allow for access to the roof. The tower had been erected in the wrong place. It was decided that, rather than disassemble and reassemble in the right place, a cantilever section would be added. There was no design for the cantilever section and due to there being insufficient anchor ties available on site, it was decided to support the cantilever by splicing the frame of the scaffold. There was also no ballast/counterweight which meant that the top section of the tower was unable to support the weight of the cantilever. When an employee stood on the cantilever section to fit toe boards the top section of the scaffold and cantilever section collapsed.

JR Scaffold Services Ltd, Cardea House, Sandyford Road, Paisley pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 and was fined £5,000.

Speaking after the hearing, HSE inspector, Helen Diamond said "Falls from height remain one of the most common causes of work-related fatalities in Britain and the risks associated with working at height are well known.

"This incident could have been avoided if the task was properly planned, the existing scaffold was correctly positioned and securely attached to the tenement and any cantilever section properly designed and attached correctly to the main scaffold.

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

Construction companies fined after workers seriously injured

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Two construction companies have been fined after a mobile elevated working platform (MEWP) with two workers inside was struck by a collapsing reinforcement cage during the construction of a road bypass.

Manchester Minshull Street Crown Court heard that in the summer of 2015, to support the construction of the A556 bypass in Cheshire, work had started to build a pier designed to eventually support a bridge. This involved erecting a steel cage. On 3 August, two workers on a MEWP were working on the structure, when it collapsed. The cage crashed into the MEWP, causing it to fall on its side.

The first employee sustained life changing head injuries and the second a leg fracture. A third worker nearby escaped injury by moving away just in time.

An investigation by the Health and Safety Executive (HSE) found there was no temporary support for the reinforcement cage during construction of the central pier. Costain Limited was principal contractor and Brenbuild Limited was appointed by Costain to construct seven bridges and an underpass.

Costain Limited and Brenbuild Limited were both aware the cage was visibly leaning and that workers on site had raised concerns. Neither company recognised the inherent instability of the reinforcement cage or took measures to ensure the work could be carried out safely. Brenbuild Limited failed to stop work to prevent injuries from the risk of collapse and to implement control measures to prevent instability. Costain Limited failed to plan, manage and monitor construction of the central pier.

Brenbuild Limited of Parkway Business Park, Scunthorpe pleaded guilty to breaching sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £80,000 and ordered to pay costs of £21,730.11.

Costain Limited of Vanwall Business Park, Maidenhead, pleaded guilty to breaching sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £1.2million and ordered to pay costs of £21,644.51.

Speaking after the hearing HSE inspector Deborah Walker said: “This incident could have been easily prevented and the risk of collapse should have been identified by both companies.

“If a suitable safe system of work had been in place, this incident would not have occurred, and the two workers would not have suffered these injuries.”

Company fined after an employee died and another worker was seriously injured

Concrete manufacturer Treanor Pujol Ltd was sentenced for safety breaches following two separate incidents including the death of an employee and series injuries to a second worker.

Health and Safety Executive (HSE) investigators also identified several electrical safety failings.

Leeds Crown Court heard how on 5 June 2014 Treanor employee Mathew Fulleylove, 30, was operating a mobile saw unit on Line 12 at the factory in Stourton, Leeds, while another employee was operating a mobile bed cleaner on Line 11. Mr Fulleylove was standing on the footwell of the saw unit as the other machine passed on the adjacent production line. As the bed cleaner came past, Matthew's head was crushed between the frames of the two machines and he was killed instantly.

An investigation by HSE found that it was the nature of production for machines to routinely pass each other on adjacent lines. On lines 11 and 12 the gap between the passing bed cleaner and saw machines was very small – between 65 and 93mm at different parts of the frames. It was identified that Treanor Pujol Ltd failed to identify the risk of crushing posed by the passing machines; failed to devise a safe system of work to control this risk and failed to provide adequate training in such a procedure to employees.

On 12 April 2018, in a second incident, a 47-year-old employee was operating a hooks machine, which embeds hooks into precast concrete when a fault developed during the operation. While attempting to reset the machine his elbow leant on a concrete dispenser box and a metal shutter designed to close off the flow of concrete. The metal shutter closed, trapping his hand resulting in a fracture and partial de-gloving of his left hand.

An investigation by HSE found that the machine was not fitted with working interlocks, meaning several of the machine doors could be opened to gain access to dangerous moving parts whilst the machine was operating.

In the early stages of the investigation into the incident involving Mr Fulleylove, HSE inspectors also noticed several electrical safety concerns with the equipment in the manufacturing shed. Inspectors carried out numerous visits between 2014 and 2018 and discovered further failings, one of which related to electrical equipment not being suitably constructed or protected from the environment. It was left in wet, dirty, dusty and corrosive conditions, which resulted in rapid deterioration and safety features becoming inoperable over time. This exposed employees to a risk of serious personal injury or death.

Treanor Pujol Ltd of former Bison Works site, Pontefract Road Leeds pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974, breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998, and breaching Regulation 3(1)(a) of the Electricity at Work Regulations 1989 by failing to comply with Regulation 6(c). The company has been fined £285,000 and ordered to pay costs of £56,324.97.

After the hearing, HSE inspector Kate Dixon said: "Treanor Pujol Ltd should have identified the risk of crushing between passing machines on the production lines. The company should have taken steps to

reduce and control the residual risk, organising production to minimise the likelihood of machines passing each other on adjacent lines, as well as devising and implementing a safe system of work.

“This should have included a designated place of safety where operators were required to stand as a machine passed. The operator’s manual for the bed cleaning machine stated an exclusion zone around the machine at 655mm should be implemented. If this had been in place, it would have addressed the significant crushing hazard and prevented the death of Mr Fulleylove.”

Ms Dixon added: “In regard to the second incident, the company should have ensured that the dangerous parts of the Hooks Machine could not be accessed by anyone whilst they were moving by way of suitable guarding arrangements.

“Duty holders should ensure they carry out site specific risk assessments to identify any issues relevant to a particular location, task or piece of equipment. It is important to ensure where safe systems of work are required, employees are properly trained and monitored to ensure the correct way of working is followed.”

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