

CONSTRUCTION HEALTH AND SAFETY NEWS



LEGISLATION & GUIDANCE

New code of practice for demolition

The British Standards Institute (BSI) have just published a new standard code of practice for demolition, **BS 6187:2011, Code of practice for full and partial demolition.**

“Demolition” is often defined as the complete removal of a structure or building. But it can also mean deconstructing a single element of a structure such as a porch or part of a building such as a wall, for example. This standard now covers both. So whether your demolition activities are large or small, include undertaking partial or total demolition, the updated version of BS 6187 is an invaluable reference.

Fully revised and updated to include changes in best practice across the industry, driven in particular by health and safety requirements.

BS 6187 has also been revised to reflect advances in technology and equipment in the demolition industry, and to give recommendations on the following principal areas:

- Project development and management, site assessments, risk assessments, decommissioning procedures, environmental provisions and façade retention
- Deconstruction techniques, including activities for reuse and recycling
- Exclusion zones and safe working spaces, including their design and application.

The standard has been significantly updated to reflect current and developing good practices. By being less prescriptive, this edition also allows for innovative techniques and methods to be employed.

Naturally, the standard gives valuable guidelines on health and safety, and how

demolition work could affect the protection of the environment.

Persons carrying out demolition activities must possess the necessary levels of competence. Clients or procurers of demolition works need to ensure that all contractors, designers and other team members that they propose to engage or appoint are competent to comply with the health and safety requirements necessary to undertake demolition activities. Guidance is given on the training and competence required for the activities covered by this standard.

Also included:

- The proper and effective management of demolition processes, including those forming part of structural refurbishment
- Maintaining structural stability, including through the provision of temporary structural support, where necessary
- Managing deliberate structural collapse
- Identifying and establishing responsibilities during all phases of the demolition processes
- Acquiring a knowledge of the site, including its former uses
- Managing environmental issues
- Managing health and safety hazards
- Carrying out risk assessments and planning the work accordingly
- Establishing and managing procedures effectively
- Determining and managing safe exclusion zones.

[BS 6187:2011](#) is available for purchase from BSI at £123.00 for BSI Members and £246.00 for non-members.

RIDDOR Change

From **6 April 2012**, subject to Parliamentary approval, the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) over three day injury

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reporting requirement will change. From then the trigger point will increase from over three days' to over seven days' incapacitation (not counting the day on which the accident happened).

Incapacitation means that the worker is absent or is unable to do work that they would reasonably be expected to do as part of their normal work.

Employers and others with responsibilities under RIDDOR must still keep a record of all over three day injuries, if the employer has to keep an accident book, then this record will be enough.

The deadline by which the over seven day injury must be reported will increase to 15 days from the day of the accident.

The 4th edition of L73, updated to reflect the above changes, is available to download from the Health and Safety Executive (HSE) website at:
www.hse.gov.uk/pubns/priced/l73.pdf

A guidance leaflet, INDG453, Reporting accidents and incidents at work, has also been published to reflect the new requirements, and is also available to download from:
www.hse.gov.uk/pubns/indg453.pdf

Both documents are also available for hard-copy purchase through the following link:
www.hse.gov.uk/riddor/reporting-change.htm

NEWS

The Independent Regulatory Challenge Panel

The Independent Regulatory Challenge Panel will look into complaints regarding advice given by HSE or LA inspectors about health and safety which you think is incorrect or goes beyond what is required to control the risk adequately.

The panel will consist of independent members who will have the competence and experience to assess advice that has been given on regulatory matters.

Before you raise an issue with the panel, you should have first tried to resolve the matter with the relevant HSE or LA inspector and their manager.

Your issue will be put before the panel members who will review it thoroughly and inform you of its findings.

The panel will only consider cases from 30 June 2011 onwards and the outcome will be made available on the HSE website.

The panel's role is advisory. The regulators will respect the independence of the panel and its advice and where appropriate take it onboard.

If you are still not satisfied with the findings of the Panel, you can follow the existing complaints procedures.

Further information and contact details for the Independent Regulatory Challenge Panel and other routes of complaint can be found at:
www.hse.gov.uk/contact/challenge-panel.htm

BSIF concerned about competency of RPE fitters

Reported in the SHP, the official magazine of the Institute of Safety and Health (IOSH) on 14 December 2011, an accreditation scheme set up by the HSE and the British Safety Industry Federation (BSIF) to check the competency of face-piece fitters has returned a pass rate of less than 50 per cent.

The Fit2Fit Fit-Test Providers Accreditation Scheme was launched in 2009 in an effort to reduce the number of occupational respiratory illnesses. The scheme highlights the need for respiratory protective equipment (RPE) to be fitted correctly and

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tests the competency of any person performing face-piece fit-testing.

The Federation's CEO David Lummis admitted that the pass rate for the scheme raises questions about the competency of workers tasked with fitting RPE.

He said: "The low pass rate has caused the BSIF to reflect on the general competence of RPE fitters. This incompetence may be due to a lack of knowledge, skills, experience and/or understanding of fit-testing, or that these skills may have deteriorated over time. Either way, the wearer of the equipment will be risking potential respiratory health problems if the RPE is ill-fitted."

He insisted that the results would drive the BSIF to redouble its efforts to increase the pass rates of the scheme, and continue to strive to educate and raise the proficiency of RPE fitters.

"It is vital that everyone who carries out this job is accredited to the necessary standard, thereby reducing unnecessary risk to workers." concluded Lummis.

More information on the Fit2Fit Fit-Test Providers Accreditation Scheme can be found at: www.bsif.co.uk.

Scottish Fire and Rescue Service announced

On 18 January 2012 the Scottish Government announced a huge proposed reform of Scottish fire and rescue services that will mean the creation of a single combined department.

Justice Secretary, Kenny MacAskill, says that the move will bring local services to the heart of communities, but critics fear that it will mean less accountability at a local level.

Under the plans, which will also create a single unified Police Service of Scotland, the new Scottish Fire and Rescue Service will be established with a Chief Officer overseeing

designated local fire officers for each local authority area.

The Police and Fire Reform (Scotland) Bill will create stronger ties between the fire service and local authorities, as senior officers will have to have their local plan for rescue services approved by the council, giving many more councillors a say in the running of their local service than at present.

The service will be independent, with no operational control by government, but still subject to Parliamentary scrutiny from ministers.

CIRIA asbestos in soil project begins with appointment of research contractor

CIRIA, the construction industry research association, has announced the start of its project, [Guide to managing and understanding the risks of asbestos in soil and on Brownfield sites](#), with the appointment of lead research contractors, Land Quality Management and The Institute of Occupational Medicine.

The project aims to improve the performance of practitioners and other professionals when undertaking risk assessments on sites that could be contaminated by asbestos. The project will also assist land owners, developers and regulators as they assess and manage the potential for asbestos in Brownfield sites.

The scope of the project includes health risks posed by asbestos, relevant legislation such as Part IIA / Planning, and the advantages and limitations of various remediation approaches.

The project will also review international case studies and experiences of assessing and managing asbestos from countries such as the USA, Australia and the Netherlands.

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The resulting guidance will work in tandem with previously released publications and work from the likes of ICRCCL, HSE, HSL, IOM, CL:AIRE, EIC, SOBRA and the Environment Agency. The project report is due to be released at the end of 2012.

For more information about this project, contact [Joanne Kwan](#) at CIRIA.

Competency criteria for fire risk assessors released

As reported by [info4fire.com](#), a document setting out criteria against which the competence of a fire risk assessor can be assessed is now available.

[Competency Criteria for Fire Risk Assessors](#), published by the cross-industry Fire Risk Assessment Council, sets out the criteria that could be used by professional bodies and third party certification bodies to register or certificate fire risk assessors, and by organisations providing fire risk assessment services.

The document sets out broad criteria for fire risk assessors of both 'simple buildings', where the fire risk assessor might, for example, be an employee of the occupier, and 'complex buildings', which will require higher levels of knowledge understanding and preferably experience on the part of the fire risk assessor.

Under the criteria and other than in the case of simple, low risk premises, fire risk assessors would need to show 'evidence of specialist training and experience, or membership of a professional body, or certification by a third party certification body.' They would need an appropriate knowledge of:

- The assessment of risk from fire (appendix A)
- Applicable legislation (appendix B)
- Appropriate guidance (appendix C)
- Behaviour of fire in premises (appendix D)

- Effects of fire on people and behaviour of people in fire situations (appendix E)
- Means of escape (appendix F)
- Fire prevention (appendix G)
- Fire protection (appendix H - includes passive and active)
- Management of fire safety (appendix I)

Such knowledge, the document says, can be obtained by academic study, training, working alongside others, short courses, continuing professional development or any combination of these.

A companion document to help duty holders assess whether they can undertake fire risk assessments in-house or whether they should appoint an external specialist will be available shortly.

Tree work news and information

For those who perform or manage tree work, the HSE have provided a news and information services. To subscribe to a free regular email bulletin, go to:

www.hse.gov.uk/treework/subscribe.htm

APS Design Risk Management course

Following the successful presentation of the first of these courses provided by Callsafe Services Limited in 2012, we are providing another public course in Lichfield on Tuesday & Wednesday, 6 & 7 March 2012.

This two-day course is designed to provide Designers and Design Risk Managers with the necessary knowledge and confidence in the performance of the task to ensure compliance with the designers' duties under CDM2007, and is accredited by the Association for Project Safety (APS).

The course is highly interactive and includes presentations, notes, syndicate exercises, delegate discussions, and an examination to

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ensure learning outcomes. The course programme can be seen at:
www.callsafe-services.co.uk/training.asp.

An individual who successfully completes this course can claim points allocated in the Qualifications and Experience table towards meeting Full Membership of APS.

An individual who meets the above criteria will also be exempt from sitting the examination for admission to the APS Register of Designers for a period of three months from the date on which APS issues a certificate confirming successful completion of the course.

For further details and to book onto this course, contact Gemma Esprey at:
gemma.esprey@callsafe-services.co.uk, or by telephone: 01889 577701.

PROSECUTIONS

Fall from vehicle-mounted lift - Sign company fined

An East Midlands sign company has been fined after a worker fractured his neck falling from a vehicle-mounted lift.

The City and County Signs Ltd employee was using the lift to remove a sign from a commercial property in Hucknall High Street when the incident happened.

Southern Derbyshire Magistrates' Court heard on 22 December 2011 that the worker was standing in the basket but as it elevated one of two levelling rods that keep the basket horizontal at all times broke, causing the basket to tip backwards.

The man, who does not want to be named, fell around 1.5 metres and suffered minor injuries in addition to breaking his neck. He was in hospital for six days following the 5 November 2009 incident and when discharged was initially unable to drive or undertake routine tasks. He was off work for nine weeks.

The HSE investigation found City and County Signs Ltd had failed to ensure the vehicle-mounted lift was thoroughly examined in the six months before the incident, as required by law.

City and County Signs Ltd pleaded guilty to breaching Regulation 9(3)(a)(i) of the Lifting Operations and Lifting Equipment Regulations 1998. The company was fined £10,000 and ordered to pay costs of £8,032.

After the hearing, HSE inspector Lorna Sherlock said: "There is a legal requirement for all employers who use lifting equipment to ensure they have it thoroughly examined by a competent person every six months."

"Had the company done this the cracks in the levelling rod would have been identified and repaired and this incident avoided. Instead, a worker suffered some nasty injuries which could have easily been much worse."

Further details of this case, and other cases, can be found at:
<http://news.hse.gov.uk/category/prosecution/>

House building firm sentenced over worker's electric shock

A worker could have been killed when he cut into a live electricity cable on a building site near Wigan, a court has heard.

The HSE prosecuted his employer, Wain Homes (North West) Ltd, after an investigation revealed he had been told the cable did not have power running through it.

The worker was thrown across the room and knocked unconscious by the 230 volt electric shock. Trafford Magistrates' Court was told the worker, who has asked not to be named, has suffered serious psychological harm as a result of the incident.

The court heard Wain Homes had been refurbishing an old farm house as part of a project to build a cluster of new houses on

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Smethurst Lane in Pemberton. The worker had been employed as a casual labourer on the site and was working in the cellar at the time of the incident on 12 November 2010.

The investigation found that a construction plan, prepared ahead of the building work starting, had identified live electricity cables as being a potential danger. But Wain Homes did not check existing cables to see if they were live or properly isolated.

Inspectors also discovered that a gas pipe, serving a neighbouring property, had been damaged by a digger more than two months earlier, on 25 August 2010.

Wain Homes (North West) Ltd admitted two breaches of the Construction (Design and Management) Regulations 2007 and one breach of the Health and Safety at Work etc Act 1974.

The charges were brought after the company failed to plan and manage the construction work safely, failed to locate and check existing gas and electricity services, and failed to ensure the safety of workers.

Wain Homes was fined £8,000 and ordered to pay £2,095 in prosecution costs on 23 December 2011.

Driver paralysed in vehicle-mounted crane incident

A HGV driver will never walk again after being crushed by metal tubes which fell from a crane. David Collins, a 31-year-old father of two who worked for Bury firm Spectra Scaffolding, suffered severe injuries to his head, back and leg and is now paraplegic.

The HSE prosecuted Spectra Scaffolding following the incident on 7 November 2008 at Festival Park, Hanley, Stoke-on-Trent, where refurbishment to retail premises was being undertaken.

On 9 January 2012 Stoke-on-Trent Crown Court heard how Mr Collins was unloading 21ft long scaffolding tubes from the back of

a truck using a vehicle-mounted crane. As he stood under the load operating the crane controls, one of the lifting slings detached from the crane hook, causing the metal tubes, which weighed nearly 1.5 tonnes, to fall onto him.

The HSE's investigation into the incident found Mr Collins had not been properly trained or supervised and Spectra Scaffolding had failed to plan the work adequately.

The court also heard that a safety catch on the crane hook was faulty, which led to the scaffolding tubes falling. Although the company had known about this for some time before the incident, no action was taken to replace the catch and Mr Collins had not been trained to realise its importance.

Spectra Scaffolding pleaded guilty to breaching Regulation 8(1) of the Lifting Operations and Lifting Equipment Regulations 1998 and Regulation 5(1) of the Provision and Use of Work Equipment Regulations 1998 and was fined £40,000 and ordered to pay £45,000 costs.

Lancashire roofer caught on camera risking lives

A Lancashire roofer has been prosecuted after he and two employees were spotted on a shop roof without any protection to stop them falling.



Ross Singleton (left) and another worker carrying out work on the roof of a hairdressers' in Colne

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Ross Singleton, who trades as Ross's Roofing, was photographed by a HSE inspector as he and the two other workers carried out repairs to the roof of a hairdressers' on Skipton Road in Colne.

Burnley Magistrates' Court heard the inspector immediately issued a Prohibition Notice ordering the men to come down from the roof but, despite initially stopping work, they later returned to the roof without any safety measures in place.

The court was told Mr Singleton had also put members of the public at risk as he was working above a busy row of shops, and any falling debris could have struck someone.

Ross Singleton pleaded guilty to breaches of the Work at Height Regulations 2005 and the Health and Safety at Work etc Act 1974 after he failed to take action to prevent workers being injured in a fall, and ignored a Prohibition Notice.

Mr Singleton was fined £350 and ordered to pay £300 in prosecution costs on 12 January 2012.

Demolition worker fined after colleague was severely injured

A demolition worker from Croydon has been taken to court after his actions left one of his colleagues with serious leg injuries.

Devon Stoner was prosecuted by the HSE after the incident that occurred when he was carrying out demolition work for Sloane Demolition Limited in Kent.

Maidstone Magistrates' Court heard that on 20 January 2011, five employees, including the defendant were sorting through rubble and reclaiming bricks at the former Leybourne Grange Hospital in West Malling, Kent. The two-storey building was being demolished with the use of a 360 excavator.

Workers were putting bricks from a demolished chimney breast into the bucket

of the excavator which the operator had left switched off but with the keys left in it.

Mr Stoner climbed into the excavator and began to move it around the site. However he was unable to control the machine and caused a wall to collapse. His co-worker was unable to move out of the way quickly enough and was trapped. He suffered serious injuries to his left leg, a broken right ankle and a shattered shin. He has had to have a steel plate inserted into his right shin and ankle.

Mr Stoner was not authorised by his employers to operate the excavator and it was his actions alone that caused the incident.

Devon Stoner pleaded guilty to breaching section 7(a) of the Health and Safety at Work etc Act 1974. He was ordered to undertake 120 hours community service and pay £500 in costs.

Crane company fined after steel beam falls and fatally injures worker

On 13 January 2011 a specialist crane supplier was fined £180,000 after a worker was killed when a large steel beam fell on him at an incinerator in Slough, Berkshire.

Colin Dickson died when the temporary suspension points on a suspended beam he was under failed at the Lakeside Energy from Waste installation in Colnbrook. The 1.4 tonne beam fell five metres onto Mr Dickson causing fatal injuries to his chest, and fractures to his legs and back.

The HSE prosecuted Mr Dickson's employers JH Carruthers Ltd and one of its supervisors, John Hamilton, after an investigation into how the lifting operation failed.

Reading Crown Court heard that on 29 August 2007 a team of five people were installing two cranes in the hall of a new incinerator building. They were lifting two steel beams to a height of approximately 18

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metres, which then had to be welded to the underside of the roof beams that were fixed to the rafters.

The investigation found that the lifting operation could have been successful if the whole process had been planned, appropriately supervised and carried out in a safe manner from the outset.

JH Carruthers Ltd (formerly Konecranes (UK) Ltd) pleaded guilty to breaching section 2(1) of the Health and Safety at Work etc Act 1974. The firm was fined £180,000 and ordered to pay costs of £74,000.

Mr John Hamilton, the supervisor, pleaded guilty to breaching Regulation 8(1) of the Lifting Operations and Lifting Equipment Regulations 1998. He was fined £1,500 and ordered to pay costs of £400.

Liverpool businessman fined £112k over roof fall death

A Liverpool businessman has been fined £112,000 after a labourer died following a fall from the roof of an industrial unit, just months after another worker was injured in a fall at the same site.

John McCleary fell 15 feet while fitting roof panels at a construction site in Toxteth being managed by Taj ul Malook Mann. He lost his balance while on a narrow beam he was using as no scaffolding had been erected.



The industrial unit in Toxteth where John McCleary fell

The 51-year-old father-of-two, from Toxteth, was paralysed from the waist down and died of pneumonia just over seven months later as a result of his injuries. Mr Mann was prosecuted by the HSE following Mr McCleary's death.

Liverpool Crown Court heard Mr Mann had hired Mr McCleary to fit roof panels on an industrial unit he owned in High Park Street, Toxteth. But no scaffolding was supplied and Mr McCleary had to carry out the job while standing on four-inch wide steel beams, leading to him losing his balance and falling.

He underwent an eight hour operation after the incident on 12 June 2008 and was readmitted to hospital in December with illnesses related to his condition. He died on 27 January 2009.



Video image taken from John McCleary's mobile phone showing the unsafe work

During the HSE investigation, video was discovered which had been filmed by Mr McCleary on his mobile phone in the weeks before his fall. It shows labourers carrying out work while on top of the narrow roof beams.

Investigations also revealed a bricklayer had escaped with minor injuries after falling from scaffolding at the site in an earlier incident. The worker had refused to continue working for Mr Mann after the incident.

Taj ul Malook Mann admitted four breaches of health and safety regulations after failing to take steps to prevent a fall which could have resulted in injury, and failing to ensure that work on his site was being carried out safely. He also did not fulfil his legal duty to report the incident to HSE.

He was fined £112,000 and ordered to pay £19,331 in prosecution costs on 13 January 2012.

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Suspended sentence after death of worker

A Leicester man has been given a suspended prison sentence after a worker was killed when he fell through a corrugated asbestos cement sheet roof at a disused factory unit in Leicester.

Robert Jozwiak was repairing the roof on the former textile dye house at Evington Valley Road, Leicester on 3 June 2009 when it gave way and he landed on the concrete floor six metres below. His skull and back were fractured and he died from his injuries later that evening.

He had been instructed to carry out the work by Musa Suleman who was helping to bring the building back into use.

Mr Suleman was prosecuted by the HSE for failing to ensure the work he arranged to be carried out was properly planned, supervised or carried out in a safe manner.

He pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005 and was given a 12 month prison sentence suspended for two years at Leicester Crown Court on 16 January 2012. He was also ordered to pay compensation of £13,800 to Mr Jozwiak's family and full costs of £17,337.

Contractor and Secretary fined for unsafe work at height

A construction firm and its company secretary have been fined after construction workers were put a risk during the refurbishment of its offices in Hatfield, Hertfordshire.

HSE Inspectors visited the premises of Haz International in Great North Road, Hatfield in September 2009 and again in July 2010 after receiving complaints about unsafe working at height.

During the 2009 visit, inspectors served a Prohibition Notice on the company preventing further work until improvements to the scaffolding had been made. A further two prohibition notices were served in July 2010, as poor working practices regarding work at height had continued.



Worker on external scaffolding site

Watford Magistrates' Court was told on 16 January 2012 that the firm and its company secretary failed to heed warnings from HSE that put in place adequate measures to manage the health and safety of construction workers and specifically of those working at height.

Internal tower scaffold arrangement at the site



Haz International Ltd admitted three breaches of health and safety legislation: Section 2(1) of the Health and Safety at Work etc Act 1974; Regulation 13(2) of the Construction (Design and Management) Regulations 2007; and Regulation 4(1) of the Work at Height Regulations 2005.

It was fined at total of £54,000 (£18,000 for each breach) and ordered to pay £13,280 costs.

Company secretary, Mark Adams, admitted two breaches: Regulation 13(2) of the Construction (Design and Management) Regulations 2007 and Regulation 4(1) of the Work at Height Regulations 2005. He was fined £1,800 per breach and did not have to make a contribution to costs.

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HSE Inspector John Berezansky said: "Construction, in particular working at height, is a high risk activity with significant numbers of major and fatal injuries. Implementing appropriate standards with good planning, communication and cooperation is an absolute must."

"The defendants in this case failed to put these arrangements in place and it was pure luck there wasn't a serious incident at this site."

"Even though they had received a previous Prohibition Notice and further advice from HSE and their own Construction Design and Management Coordinator (CDMC) they failed to heed it."

Excavator struck bridge

An engineering contractor has been fined after a worker suffered severe injuries when his excavator struck a bridge on the M1 motorway in the East Midlands.

A maintenance fitter employed by Nottinghamshire firm, Van Elle Ltd, was driving a wheeled excavator during widening work on the motorway between Junctions 25 and 28 when its boom hit a bridge.

The worker, who has asked not to be named, was not wearing his seatbelt and was thrown over the steering column and through the open front screen, hitting his head on the front excavator blade.

He suffered severe head injuries and was in a coma for two weeks. Rehabilitation lasted a further five months and he has since returned to the company though he has been left with reduced function in his left arm and leg for which he receives ongoing physiotherapy.

The HSE investigation into the incident on 22 September 2009, found the driver had not received adequate training in use of the excavator. He had been assessed to carry out lifting operations at the company's premises but on the day in question was

standing in for a regular driver on the motorway construction site.

Mansfield magistrates were told he was driving through the site with the excavator boom at an unsafe height. The manufacturer's guidance states the boom must not be more than four metres high while travelling but in this case the machine was being driven with the boom elevated to more than six metres.

Van Elle Ltd pleaded guilty to breaching Regulation 9(1) of the Provision and Use of Work Equipment Regulations 1998. The firm was fined £12,750 and ordered to pay costs of £29,660.

Three companies fined after worker falls from roof

Three Dundee companies have been fined a total of £336,000 after a worker fell six and a half metres through a roof light onto a concrete floor.

Christopher Carson was working as an electrician's labourer for Robert AS. Crockett and Partners Ltd, who had been contracted by Electroguard Security Systems to fit a lighting system as part of a larger project at Dundee Cold Stores Ltd, Kingsway West, Dundee.

Dundee Sheriff's Court heard that on 3 October 2008, Mr Carson was attaching cables to the wall of the building in order to install the new security system. One of the cables he needed was on the roof of the building so he decided to use a mobile platform to get to the roof level and then walk across the roof to retrieve it. Once on the roof he realised he needed some clips, and as he was returning to the platform he stood on a roof light and fell through it, hitting machinery in the building below, before landing on the concrete floor.

He suffered a number of fractures to his back as well as fractures and dislocation to his left shoulder. He also suffered a puncture wound to his lower back from a drill bit

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which was in his pocket when he fell. Mr Carson required surgery to reattach three tendons to his shoulder and had to undergo physiotherapy. He still suffers from chronic pain in his back and shoulder from which he is making a slow recovery.

The HSE investigation found that Dundee Cold Stores Ltd had not asked either Electroguard Security Systems or Robert AS. Crockett and Partners Ltd for a written risk assessment for the work they had been asked to carry out. Nor was there a method statement from either company as to how the work was to be carried out safely.

Although Electroguard had carried out a site risk assessment for working at height, this was not specific to the job at Dundee Cold Stores. This risk assessment was known to its employees, but not to those of Crockett and Partners, who had been subcontracted by Electroguard to do the same type of work at height. The fact that employees would be working at height ought to have been the focus of safety planning, however no safe system of work was implemented to ensure any risks identified were eliminated or reduced to an acceptable level.

The investigation also revealed that Robert AS. Crockett and Partners Ltd had not given Mr Carson any training or information that would have helped him identify that the roof could be fragile. Additionally, Dundee Cold Stores Ltd did not carry out any safety inductions before contractors started work on the site, nor were there any safety meetings once the work had started to ensure that it was progressing safely.

At Dundee Sheriff Court on 24 January 2012, Robert AS Crockett and Partners Ltd was fined £66,000 after pleading guilty to breaching Section 2 of the Health and Safety at Work etc Act 1974. Electroguard Security Systems was fined £135,000, and Dundee Cold Stores was fined £135,000, after they both pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974.

Scaffolding firm fined after man's fall through roof

A construction firm has been prosecuted after a scaffolder suffered multiple injuries when he fell seven metres through a roof in Stoke-on-Trent.

The employee of Fred Lewis Scaffold Company Ltd was installing scaffolding on 30 April 2010 at a factory in Plantation Road, Newstead Industrial Estate, when he fell through the fragile roof.

Fenton Magistrates' Court heard that Gary Hampton shattered his thigh bone, bruised his lungs, broke both wrists, broke two vertebrae and cracked another. He was in hospital for six weeks and will never be able to carry out any manual work again as his injuries have left him with considerable pain in his left leg and extremely weak wrists, which will require further surgery.

The HSE investigation into the incident found the company did not prepare or survey the job properly at the outset and failed to supervise or train its employees adequately.

Fred Lewis Scaffold Company Ltd, whose registered office is in Birmingham Road, West Bromwich, pleaded guilty yesterday to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 and was fined £10,000 and ordered to pay £19,000 costs.

Fine of over £100k for death due to wrong equipment

A 23-year-old Keighley man died from massive crush injuries when his head became trapped in the jaws of a grab machine being wrongly used to move a pallet of cement bags.

Steven Allen was part of a team working for Skipton-based construction company JN Bentley Ltd on a building project for Bradford Council in Manningham in March 2007.

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Moving the 30 or so cement bags was to be the last job before the weekend when the incident happened.

Bradford Crown Court heard during 25-27 January 2012 that workers used a block grab attached to an excavator to move the load. As they did, the bags fell two metres to the ground, but the pallet remained in the jaws of the block grab. The pallet pivoted and Steven Allen took hold of it to pull it free. As the pallet came away, the jaws dropped and clamped on Steven's head, causing severe injuries. He died the following day.

The court was told the HSE's findings revealed that the grab was being used against manufacturer's instructions and was not suitable for the job. Block grabs are designed to lift and move rectangular loads strapped together such as packs of bricks. The company had also failed to implement a safe system for lifting and transporting the bags of cement.



Block grab mechanism that was attached to an excavator and used to move a pallet of cement bags

JN Bentley Ltd had pleaded guilty at an earlier hearing to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. They were fined £106,250 and ordered to pay costs of £90,000.

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Contact details of organisations mentioned in this and other Newsletters

Ai Solutions Ltd
PO Box 5025, Leighton Buzzard LU7 1ZN
Tel: 01525-850080
www.aisolutions.co.uk

Association for Project Safety (APS)
12 Stanhope Place, Edinburgh EH12 5HH
Tel: 0845-6121-290
www.associationforprojectsafety.co.uk

British Approvals for Fire Equipment (BAFE)
Bridges 2, The Fire Service College, London Road
Moreton in Marsh, Gloucestershire GL56 0RH
Tel: 0844-335-0897
Email: info@bafefire.org.uk
www.fiaf.co.uk

British Occupational Hygiene Society (BOHS)
Tel: 01332-298101

British Safety Council (BSC)
70 Chancellors Road, London W6 9RS
Tel: 020-8741-1231
Email: mail@britsafe.org
www.britsafe.org/

BSI Customer Services
BSI Standards
389 Chiswick High Road, London W4 4AL
Tel: 020-8996-9001
<http://shop.bsigroup.com>

Container Handling Equipment Manufacturers Association (CHEM)
David Buxton, Honorary Technical Secretary
3 Berry Close, Farringdon, Oxfordshire. SN7 7FL
Tel: 01367 244992
Email: enquiries@chem.uk.com
<http://chem.uk.com/>

CITB ConstructionSkills
www.cskills.org

Construction Industry Publications
c/o BTB Mailflight Ltd
2B Viking Industrial Estate, Hudson Road, Bedford
MK41 0QB
Tel: 0870-078-4400
Email: sales@cip-books.com
www.cip-books.com

Construction Plant Hire Association
27/28 Newbury Street, Barbican, London EC1A 7HU
Tel: 020-7796-3366
www.cpa.uk.net

Department for Communities and Local Government
PO Box 236, Wetherby, West Yorkshire LS23 7NB
Tel: 0870-839-7099
Email: odpm@twoten.press.net

Engineering Employers' Federation (EEF)
Tel: 020-7222-7777

Electrical Contractors Association
Tel: 020-7313-4800

F-Gas Support
P O Box 481, Salford, M50 3UD
Tel: 0161 874 3663
www.defra.gov.uk/fgas

FPA Publications Department
Tel: 020-8207-2345

Health and Safety Executive (HSE)
Incident Contact Centre Tel: 0845-300-9923
www.hse.gov.uk

Health and Safety Executive for Northern Ireland (HSENI)
www.hseni.gov.uk

info4fire.com
www.info4fire.com

International Institute of Risk and Safety Management (IIRSM)
Suite 7a, 77 Fulham Palace Road, London, W6 8JA
Tel: 020-8741-9100
Email: info@iirsm.org
www.iirsm.org

Keeleys Solicitors
28 Dam Street, Lichfield, Staffordshire WS13 6AA
Tel: 01543-420000

National Underground Assets Group (NUAG)
www.nuaq.co.uk/

Office of Public Sector Information
www.opsi.gov.uk

Occupational Safety and Health Consultants Register (OSHCR)
www.oshcr.org

The Fibre Cement Manufacturers Association
Ghyll House, Cock Road, Cotton, Stowmarket
IP14 4QH
Tel: 01449-781577

The Loss Prevention Council
Tel: 020-8207-2345

The Stationery Office Ltd (TSO)
Tel: 0870 600 5522
www.tsoshop.co.uk

TUC Publications
Tel: 020-7467-1294

National Access and Scaffolding Confederation (NASC)
Tel: 020-7397-8120
www.nasc.org.uk