



SAFETY UPDATE

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THIS ISSUE

NEWS

HSE ANNUAL FIGURES FOR
INJURIES

CASES

HASAWA MAINTENANCE OF
MACHINERY

FRAGILE ROOFS

YOUNG WORKERS

WORK AT HEIGHT

HAWS

WAH PROHIBITION

UNSAFE SCAFFOLD

ASBESTOS SURVEY CLIENT AND
SURVEYOR FINED

POWER MAINTENANCE OF
MACHINERY

PUBLICATIONS

RoSPA TOP TIPS FOR KEEPING
COOL AT WORK

NEWS

The Health and Safety Executive (HSE) has today released its annual figures for work-related fatal injuries for 2017/18, as well as the number of people known to have died from the asbestos-related cancer, mesothelioma, in 2016.

The provisional annual data for work-related fatal injuries revealed that 144 workers were fatally injured between April 2017 and March 2018 (a rate of 0.45 per 100,000 workers).

Although this represents an increase of nine fatalities from 2016/17, there has been a long-term reduction in the number of fatalities since 1981 and the number has remained broadly level in recent years.

HSE Chair Martin Temple said:

“Despite the fact that Britain’s health and safety record is the envy of much of the world, the increase in the number of workers fatally injured is clearly a source of concern.

“Published in the same week as the 30th anniversary of the Piper Alpha disaster, the figures serve as a reminder of why health and safety is so important and that we must not become complacent as we continue on our mission to prevent all forms of injury, death and ill health at work.”

15 fatal injuries were recorded in both the manufacturing and the transport and storage sectors. Both industries have an annual average rate of fatal injury around 1.5 – 2 times the rate across all industries over the last five years. AIR per 100,000 workers in this sector is 0.52.

The three most common causes of fatal injuries continue to be due to; workers falling from height (35), being struck by a moving vehicle (26) and being struck by a moving object (23), accounting for nearly 60 per cent of fatal injuries in 2017/18.

The new figures also highlight the risks to older workers; 40 per cent of fatal injuries in 2017/18 were to workers aged 60 or over, even though such workers made up only around 10 per cent of the workforce.

<http://www.hse.gov.uk/statistics/fatals.htm>

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CASES

DEATH EXPOSED MINIMAL MEWP MAINTENANCE

Court told about “almost complete” lack of MEWP maintenance

A construction company has been ordered to pay £130,000 in fines and prosecution costs after placing employees and members of the public at risk of serious injury by failing to suitably maintain their fleet of lorry-mounted mobile elevated work platforms (MEWP).

A fatal incident in Dawlish on 13 December 2014 found that the MEWP involved in the incident failed to automatically stop before over slewing thereby increasing the risk of vehicle overturn.

Exeter Crown Court heard that, prior to December 2014, there was an almost complete lack of a planned preventative maintenance systems at the company.

Workers not informed of requirements

The HSE investigation also found that workers had not been given adequate information or instruction regarding how to use or maintain the machines or how to carry out pre-use checks.

The contractor from Teignmouth was found guilty of breaching Regulation 2 (1) and 3 (1) of the Health and Safety at Work etc. Act 1974 and has been fined £60,000 and ordered to pay costs of £70,000.

Speaking after the hearing, HSE inspector Sue Adsett said:



"Owners of high risk work equipment such as cherry pickers have a responsibility to ensure that they are safe. The manufacturers' maintenance regime should be followed, rather than simply carrying out repairs when the machine breaks down."

CONTRACTOR FAILED TO IDENTIFY ASBESTOS PRESENCE

ACMs disturbed during works and firm failed to take suitable actions

A building contractor has been fined £185,000 after failing to carry out the correct procedures when asbestos containing material (ACM) was found during the refurbishment of a Bedford school building in August 2015.

Luton Crown Court heard how the large contractor failed to carry out a suitable and sufficient assessment to identify the presence of asbestos in all areas of the building where work was to be carried out.

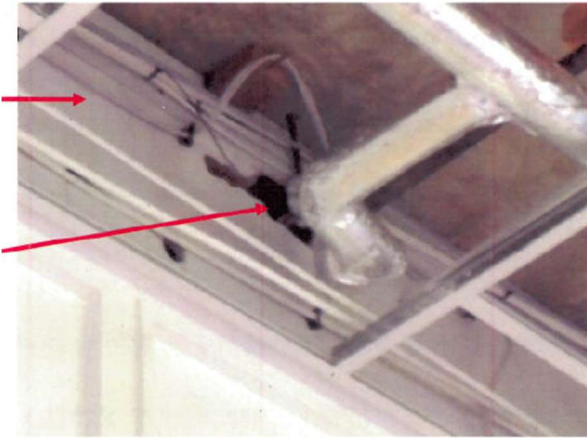
Pre-2000 buildings are high risk

The ACM was disturbed during the course of the work. The company failed to ensure all workers were informed and did not take the necessary measures to control access into the area until remedial actions were taken.

The defendant pleaded guilty to breaching Regulation 5 and Regulation 15 of The Control of Asbestos Regulations 2012. The company was fined £185,000 and ordered to pay costs of £28,118.74.

Speaking after the hearing HSE inspector Alison Outhwaite said:

Photo 2- Board with 15mm Copper Pipe Installed



"Asbestos remains the top cause of fatal illness because of exposure in the workplace. It is important that contractors responsible for refurbishment of premises constructed before 2000 identify whether asbestos is present and take the appropriate action to prevent exposure."

FALL THROUGH ROOF ON LOCAL COUNCIL BUILDING

Fragile rooflight fractured when workman 'misplaced footing'

A roofing contractor has been prosecuted after an incident revealed that roof work at height was undertaken unsafely.

Dudley Magistrates heard how the employees were working on the roof without measures in place to prevent them from falling and suffering injury.

The roofing contractor was contracted to carry out work for a Borough Council which involved applying a waterproof coating over roofing bolts in an asbestos cement roof in order to prevent the ingress of water.

It was whilst working on the corrugated asbestos cement roof that one of the workmen misplaced his footing whilst moving a board into another position. He stepped on a fragile roof light and fell through the roof onto a concrete floor approximately 4m below fracturing several ribs and suffering spinal injuries.

Platforms, handrails and netting etc. required

HSE investigators found that the roof work was not undertaken using the correct precautions i.e. sufficient platforms, coverings, guard rails, netting or similar means of support or protection.

The defendant pleaded guilty to breaching Regulation 9 (2) of the Work at Height Regulations 2005 and has been fined £40,000.

Speaking after the hearing, HSE inspector Gareth Langston 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. In this case suitable measures such as sufficient platforms, handrails and netting should have been provided to ensure the health and safety of people working at height on the roof".

YOUNG WORKER POSED SPECIAL RISK TO CONTROL

Conviction highlights duty to young persons and the vulnerable

A company providing support services to the oil, gas and utilities industries has been fined £120,000 after admitting safety failings which led to a teenage worker being seriously injured in August 2015.

Aberdeen Sheriff Court heard that the 17-year-old was found seriously injured at the company premises.

Consider capacity of workforce and risk

HSE investigators identified failings by the company in relation to the risks to the health and safety of the youth in his "special capacity as a young person at work" and in relation to ensuring the health, safety and welfare of all the employees who were engaged in the task of ultra-high pressure blasting and painting of a cable spooler machine.

The company of Inverurie pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 and was fined £120,000 on 4 December 2017.

Speaking after the hearing HSE principal inspector, Niall Miller said:

Young people at work

When employing a young person under the age of 18, whether for work, **work experience**, or as an apprentice, employers have the same responsibilities for their health, safety and welfare as they do for other employees.

This guidance will help young people and those employing them understand their responsibilities.



"The failures put the young person and other employees at a greater risk of injury. This conviction highlights the need for effective risk management particularly when those involved in the work activity are young or otherwise vulnerable. Employers must ensure that they consider the capacity of their workforce and provide appropriate levels of control to prevent risk occurring"

Work experience

Introducing young people to the world of work can help them understand the work environment, choose future careers or prepare

Young people FAQs

- ▶ **How do I assess a young person's psychological capability?**

TOWER DEFECTS AND UNSAFE SYSTEM CAUSED DEATH

Maintenance supervisor fell to his death through roof opening

A company has been prosecuted after a maintenance worker died after he fell 5m through a roof opening on 23rd September 2015.

HSE investigators found the tower scaffold used to access the roof was damaged and was incorrectly erected. The towers had been purchased second hand by the company without manufacturer assembly instructions.

No formal planning had been recorded for the work, which was outside the scope of the general maintenance duties of the team.

The work was discussed, and planned to be carried out from below, but no-one identified the errors with the towers which included, ladder sections the "wrong way round", damaged bracing and inadequate guardrails.

Proper planning, equipment and training required

The towers were erected by an employee who lacked any formal training on how they should be erected safely. The defendant pleaded guilty to breaching Sections 2(1) and 3(1) of the Health and Safety at Work Act 1974 and was fined £30,000.

HSE inspector Stephen Green said:



"Had the work been properly planned with suitable access equipment, correctly placed and erected, by those with adequate training, the work could have been done safely and this tragedy could have been averted. 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."

UK MAJOR FINED £1½ OVER HAVS RISK FAILURES

Danger caused by poor management of vibrating hand tool risk

A major contractor has been fined £500,000 after HSE found that workers at the company used vibrating hand tool e.g. hydraulics breakers and floor saws, between 2002 and 2011 which involved a risk of developing Hand-Arm Vibration Syndrome (HAVS), a permanent condition affecting the nerves and blood vessels of the hand.

HAVS can be associated with pain, tingling and numbness, making it difficult to carry out everyday tasks such as gripping and lifting objects, fastening buttons and zips, using a knife and fork or using a tooth brush.

Failure to heed warnings and “persistent poor compliance”

HSE investigators told Sheffield Crown Court that the company failed in a number of respects:

- Reduction – failed to ensure vibration risk was kept to as low a level as reasonably practicable;
- Assess – failed to assess the risk to worker health;
- Control – failed to put in place and monitor suitable risk control measures; and
- Surveillance – failed to put in place a suitable system of health surveillance.

The defendant from Sheffield pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974 and RIDDOR Regulation 5. It was fined £500,000 and was ordered to pay costs of £195,000.

Speaking after the hearing, HSE inspector Christine Mellor said:

“The company failed to heed warnings. Early health surveillance detected ill health but still this was not acted upon to prevent on-going exposure. This is a particularly serious case because of the extent and duration of failures. The breaches were repeated over several years and this resulted in persistent poor compliance.”

HSE
Health & Safety
Executive

HAND-ARM VIBRATION EXPOSURE CALCULATOR Version 4.3 January 2014

Tool or process name	Vibration magnitude m/s ² r.m.s.	Exposure points per hour	Time to reach EAV 2.5 m/s ² A (8)		Time to reach ELV 5 m/s ² A (8)		Exposure duration		Partial exposure m/s ² A (8)	Partial exposure points
			hours	minutes	hours	minutes	hours	minutes		
Tool or process 1										
Tool or process 2										
Tool or process 3										
Tool or process 4										
Tool or process 5										
Tool or process 6										

Lock Tool or process names

Zoom to fit
Help
Reset

Instructions for use:
Enter vibration magnitudes and exposure durations in the white areas
To calculate, press <Enter>, or move the cursor to a different cell
The results are displayed in the yellow areas
To clear all cells, click on the 'Reset' button
Tick the 'Lock tool or process name' check box to prevent 'Reset' clearing these cells
For more information, click the 'Help' button

Daily exposure m/s² A (8)
Total exposure points

DIRECTOR FAILED TO COMPLY WITH PROHIBITION

Precautions not taken to prevent excavation collapse and falling

A building company and its director have been fined after failing to comply with HSE prohibition notices issued on a construction project.

Westminster Magistrates how the company under the control of its director was issued with two prohibition notices on the project.

The prohibitions concerned persons at serious risk of falling from the unprotected edges of an excavation and at immediate risk of injury from the potential collapse of the unsupported excavation.

No action taken to comply

HSE investigators found that both parties had failed to take any steps to comply with the HSE notices which prohibited any work near the open edge of the excavation and had not taken measures to prevent dislodgement of material and collapse of the excavation.

The company and the director from Middlesex pleaded guilty and both were fined £2,000 and ordered to pay costs of £2,000.

Speaking after the hearing, HSE inspector Saif Deen said:



"The risks associated with work related to excavations are well known throughout the construction industry. The contractor and director failed to comply with prohibition notices and continued to put persons at risk of serious injury."

SCAFFOLD NOT TO INDUSTRY STANDARD OR DESIGN

Specialist and contractor in court over unsafe work at height

A main contractor and scaffolding specialist have been fined a total of £63,000 for safety breaches after a workman fell 5m from a roof in December 2015.

Leeds Magistrates heard how an employee was installing solar panels to the roof of factory premises when he slipped on the roof and slid towards the roof edge protection.

He struck the scaffold toe board which snapped and he fell through the gap in scaffold to a sub-station flat roof below suffering life changing injuries.

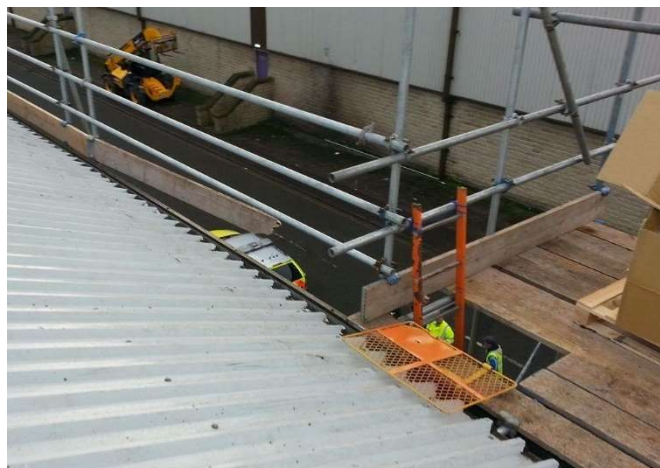
Scaffold of unknown design and roof lights unguarded

HSE investigators found the scaffolding company had not erected the scaffold to a known industry standard or design.

The investigation also revealed that roof lights were present on the roof and that the contractor had failed to take effective measures to prevent workers falling through these fragile surfaces.

The specialist contractor of Oswestry was fined £28,800 whilst the main contractor from Chorley was fined £33,500. After the hearing, HSE inspector Jayne Towey commented:

"Falls from height often result in life changing or fatal injuries. In most cases these accidents are needless and could be prevented by properly planning to ensure that effective preventative and protective measures are in place such as edge protection or barriers built to the correct standard."



CLIENT AND SURVEYOR FINED OVER ASBESTOS SURVEY

Refurbishment and demolition asbestos survey proved inadequate

A property management consultancy and an asbestos surveying company have been fined after an inadequate refurbishment and demolition survey was provided for a major refurbishment project which included partial demolition work.

Dudley Magistrates heard how the survey failed to identify asbestos cement and asbestos insulating board (AIB) containing chrysotile and amosite asbestos.

HSE investigators found that the person carrying out the survey had no training in asbestos surveying or previous work experience with a suitably qualified person or accredited organisation.

Failed to check skills, knowledge and experience

High level box work and asbestos cement panel to the underside of the brickwork column. 130m² of similar high-level boxing and 20m² asbestos cement fillet panels located at the columns.

The survey incorrectly advised that a non-licensed contractor could be engaged to remove the large quantity of AIB identified. The client failed to ask for any information from the surveying company which would demonstrate their skills, knowledge, experience and training relating to asbestos surveying.

The client was fined £8,400 whilst the surveyors were fined £4,800. Both parties were ordered to pay costs of £929.67.

Speaking after the hearing, HSE inspector Edward Fryer said:

"Asbestos surveyors have a duty of care to those persons who use the information they provide. The survey missed a significant amount of asbestos containing materials (ACM's) thus increasing the risk to workers, who would be disturbing the fabric of the buildings during the refurbishment/demolition project."

ROAD WORKER RUN OVER BY ROAD ROLLER

Reversing alarm not working and warning light not fitted

A road resurfacing company has been prosecuted after an employee was run over by a road roller in November 2015.

The incident happened in South Ayrshire during road re-surfacing work. Ayr Sherriff Court heard that the vehicle driver reversed the road roller and the vehicle ran over the leg of fellow employee.

Proactive maintenance and pre-use inspection required

HSE investigators found that the vehicle was operating without a flashing beacon and the reversing alarm was not working.

The civils contractor pleaded guilty to breaching Regulation 5(1) of the Provision and Use of Work Equipment Regulations 1998 and was fined £15,400.

Speaking after the hearing HSE principal inspector, Graeme McMinn said:



"This case highlights the importance of regular proactive maintenance and pre-use inspection of work equipment, including flashing beacons and reversing alarms. The defendant failed to effectively maintain their road roller and it could easily have resulted in a fatality."

PUBLICATIONS

RoSPA has published their Top Tips for keeping cool at work:

<https://rospaworkplacesafety.com/2018/06/28/feeling-hot-7-ice-cold-tips-for-keeping-cool-at-work-this-summer/>