



SAFETY UPDATE

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THIS ISSUE

NEWS

UNAUTHORISED ACCESS TO
SCAFFOLDS

CONSTRUCTION SECTOR DEATHS
RISE SHARPLY

HSE REFURBISHMENT
CAMPAIGN

CASES

FLAMMABLE SOLVENTS

FALL FROM HEIGHT

COMPRESSED GASES

WORK AT HEIGHT PROSECUTION 1

WORK AT HEIGHT PROSECUTION 2

HIT BY FALLING OBJECTS

TEMPORARY WORKS DESIGN

PUBLICATIONS

LITTLE BOOK OF BIM FOR
MANUFACTURERS

PAS 1085:2018 DIGITAL
SECURITY

EH40/2005 WORKPLACE
EXPOSURE LIMITS

NEWS

HSE ALERT: UNAUTHORISED ACCESS TO SCAFFOLDS

Regulator sets out new guidance to protect children and the public

HSE has issued [Safety Alert CON1 2018](#) entitled *Preventing unauthorised access onto scaffolding and other work platforms* regarding the prevention of unauthorised access onto scaffolding or other work platforms.

Falls from height from scaffolding or incomplete buildings following unauthorised access by the public frequently involve children and result in major and sometimes fatal injuries.

HSE stress that all access routes may need to be secured by a combination of perimeter fencing, local fencing and ladder removal out of working hours, or securing ladders using a suitable ladder guard to make them unclimbable (see image below).

HSE stress that the Safety Alert is

"not aimed at preventing all urban adventurers, determined trespassers, vandals or opportunistic thieves from finding a way onto a construction site."

It sets out the basic measures that must be taken, many of which will also provide a degree of deterrence against those more able and determined to enter the site/area.

Actions required

The Safety Alert sets out the actions required under the following headings: Site Assessment; Site Perimeter Fencing; Local Fencing to Vulnerable areas on the Scaffold; Ladder Removal; Ladder Guards and Other Controls e.g. CCTV

HSE conclude that the site risk assessment should be kept under review and reports of damage to site or local fencing or trespassing out of working hours should be investigated and security measures reviewed as a matter of urgency.

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CONSTRUCTION SECTOR DEATHS RISE SHARPLY

HSE report construction worker deaths increase by 27% during 2017/18

The HSE has released annual figures for work-related fatal injuries for 2017/18.

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

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

Construction sector deaths

There were 38 worker deaths in the construction sector compared to an all-time low of 30 worker deaths in 2016/17. There were a further 6 fatalities in the construction sector which involved a non-worker member of the public.

The rate of fatal injury in construction is now 1.64 per 100,000 workers employed. This is around 4 times as high as the average rate across all industries.

HSE Chair Martin Temple said:



Fatal injuries in Great Britain

144 Workers killed in 2017/18 (RIDDOR)



"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. 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."

HSE LONDON REFURBISHMENT CAMPAIGN FINDINGS

Material breaches of law found at over 50% of London sites visited

The HSE Board has reported that a two-week Construction Inspection Campaign in May 2018 across five London Boroughs targeted high risk construction activities e.g. refurbishment, asbestos removal and demolition.

The campaign resulted in HSE Inspectors and Visiting Officers attending on site at over 500 construction projects and “engaging” with over 600 contractors.

Noise, dust and vibration dangers revealed

The campaign found 54% of sites to be in material breach of health and safety laws and Inspectors served over 150 formal enforcement notices.

These unsatisfactory safety standards were found alongside poor standards of occupational health control (noise, dust, HAVS) in half of the cases where action needed to be taken.

A national refurbishment campaign is taking place at present (summer months) and HSE intended a further campaign in October 2018 focused on occupational health risks in construction.



CASES

IGNITION OF THINNERS VAPOUR CLAIMED TWO LIVES

Refurbishment project director jailed over fatal use of flammable solvent

A construction company director has been handed a prison sentence after the death of two workmen during refurbishment of a Hertfordshire industrial unit in October 2015.

Luton Crown Court heard that brothers, Ardian and Jashar Lamallari, were employed as labourers when an explosive fire occurred. They suffered near 100 per cent burns and died within 12 hours of the incident.

A third man who was working with them survived although he suffered severe burns.

Hertfordshire Police and HSE found that the director supplied the men with several litres of highly flammable liquid (“thinners”) which was poured onto the floor of the unit to remove carpet tile adhesive.

The solvent vapour spread over an area up to half the size of a tennis court and was ignited by one of several possible ignition sources that were in the area.

No serious consideration of safety

The investigation found that no serious consideration was given to the safe use of the thinners, despite the obvious warnings on the containers. The director pleaded guilty to breaching HSW Act Section 3 (1) and received a custodial sentence of 8 months.

Speaking after the hearing, HSE inspector Paul Hoskins said:



"The risks of using highly flammable liquids are well-known, and employers should make sure they properly assess the risks from such substances, and use safer alternatives where possible. Where the use of flammable solvents is unavoidable, then the method and environment must be strictly controlled to prevent any ignition."

ASSUMING OTHERS WILL ACT IS NO DEFENCE

Incomplete edge protection caused 8m fall from roof

A contractor has been prosecuted after an employee suffered a fractured skull when he fell 8m from a roof edge during roof felt laying operations in March 2017.

Reading Magistrates heard how the HSE investigation found that the work on the roof was not appropriately planned, supervised or carried out in a safe manner.

'Assumed' provision by others

The work to replace the roof coverings to mid-terraced three-storey town-houses was undertaken with edge protection only in place at the front of the properties with no edge protection provided at the rear of the properties.

The roofing contractor pleaded guilty to breaching the Work at Height Regulations 2005 and was fined £1,200 and ordered to pay costs of £923.75.

Speaking after the hearing, HSE inspector Stephen Manley said:



"The roofing contractor assumed the edge protection would be provided by others, and a lack of communication over what was needed and basic checks meant that work continued with no protection at all at one end of the roof."

OXYGEN CYLINDER "FIRED" INTO WORKSHOP

Violent discharge of gas bottle seriously injured two engineers

An engineering company has been sentenced after two employees were seriously injured during work to dispose of old gas cylinders at the company site in Hull in January 2017.

Beverley Magistrates heard how the defendant was engaged to decommission nine gas cylinders believed to contain oxygen. The pressure release valve on one nominally empty cylinder was 'stuck' and could not be removed.

The workers dislodged the valve using a hammer causing the cylinder and valve to separate violently as gas which remained in the cylinder was released.

Risk not assessed and safe system not implemented

The cylinder "fired into the workshop" and struck two employees who were standing inside. The employees suffered serious injuries to their lower limbs requiring multiple surgeries and spent several weeks in hospital. One of the injured workmen has not been able to return to work.

HSE investigators found there was no safe system of work in place for the decommissioning and disposal of old gas cylinders and the company had not carried out a suitable risk assessment to identify the associated risks.

The company from Hull pleaded guilty to breaching HSW Act Section 2(1) and was fined £14,000 and ordered to pay costs of £2,687.00.

Speaking after the hearing, HSE inspector James Harvey said:

"This case highlights the serious risks posed by gas cylinders and how the correct disposal as well as cylinder handling and storage is fundamental to ensuring safety."



CURFEW AND TAGGING FOR RECALCITRANT SCAFFOLDER

Suspended jail sentence handed down after unsafe work at height

A scaffolder has been sentenced after unsafe working practices were observed during the erection of scaffolding on a site in Kent during August 2016.

Medway Magistrates heard how the scaffolder was observed by an HSE inspector employing unsafe working practices whilst erecting scaffolding. He was putting himself at serious risk of falling from the scaffold under construction.

He refused to work safely and subject the Inspector to a "torrent of abuse" leaving the scaffold in an unsafe and incomplete condition with no warning for subsequent users.

The scaffolder pleaded guilty to breaching the Work at Height Regulations 2005. He was sentenced to 24 weeks imprisonment, suspended for 18 months and subject to a curfew between 9am and 5pm at his home address for which he will be tagged and pay £2k costs.

Obstructed the inspector in the exercise duty

After the hearing HSE inspector, Andrew Cousins said:



"An already worrying situation was compounded by the defendant's unwarranted abuse of a public official and then leaving the scaffold in a perilous condition.

He effectively obstructed the inspector in the exercise of her duty by his attitude, language and behaviour as well as his refusal to provide his identity or who he was working for."

PRISON SENTENCE OVER FAILURE TO MANAGE RISK

Sole trader contractor ignored HSE advice once too often

A Manchester-based roofing contractor has been given a suspended prison sentence, community service and an order to £4k prosecution costs after breaching health and safety laws in November 2017.

Manchester Magistrates heard how the contractor and employee were carrying out roof replacement work at retail premises. There was no edge protection or scaffolding provided and he did not have employers' liability compulsory insurance (ELCI).

Members of the public at risk

HSE investigators found that the contractor was served with two prohibition notices on two separate occasions in the past. He continued to work without appropriate scaffolding thereby putting workers at risk of a fall from height and members of the public at risk from any falling materials.

The contractor pleaded guilty to breaching the Work at Height Regulations 2005 and the ELCI 1969. He was sentenced to six months imprisonment suspended for two years, 240 hours community service and ordered to pay costs of £4,600.

Speaking after the hearing, HSE inspector Matt Greenly said:



"This incident could so easily have been avoided by simply having the correct control measures and safe working practices in place. The defendant chose to save money by not having scaffolding and in doing so put his life at risk as well as the lives of his employee and visitors to the butcher's shop."

SECURITY PANELS FELL DESPITE EARLY WARNING

Firm fined £1/4 million after worker crushed by falling fencing

A security fencing manufacturing company has been prosecuted after a worker sustained significant injuries in February 2017.

Liverpool Magistrates heard how the employee was manually loading fencing panels into shipping containers when over 30 panels fell on him.

He suffered a broken left shoulder, fractured vertebrae in his neck, two broken ribs, contusions to his lungs, and soft tissue damage to his face.

Two previous incidents

HSE investigators found there had been two previous incidents of fencing falling on workers, which should have acted as a warning to the company that the loading procedure was dangerous.

The company subsequently loaded the fencing using specially designed stillages, eliminating the need for workers to be inside the container, and therefore significantly reducing the risk of injury.

The defendant from London, pleaded guilty to breaching HSW Act Sections 2 (1) and Section 3 (1) and was fined £260,000 and ordered to pay costs of £5,177.30.

Speaking after the incident, HSE inspector Helen Jones said:



"This company had two previous accidents in identical situations, which should have served as a warning that the system in place was dangerous should they have heeded this warning, the serious injuries suffered by Mr Evans could have been prevented."

TEMP WORKS DESIGNED BY MANAGER AND UNCHECKED

Collapse of platform highlighted failure in temporary works management

A Manchester-based principal contractor has been prosecuted after a platform collapsed causing two workmen to fall from height in October 2014.

Leeds Crown Court heard how the two joiners were working on the refurbishment and construction of new build dwellings at the former Wharfedale Hospital in Otley, West Yorkshire.

The access platform collapsed causing the men to fall over 3m to a lower platform. The lower platform also collapsed and they fell a further 3m to the ground floor.

One of the workers injured their ankle while the other has suffered permanent nerve damage to the face.

TW must be designed to BS and reviewed

HSE investigators discovered the platforms were 'designed' by the site manager who was not competent to carry out such a design and the design had not been reviewed by a competent person. The platform was unsafe and collapsed.

The principal contractor from Manchester pleaded guilty to breaching Section 3(1) of the Health and Safety at Work Act 1974 and has been fined £56,000 and ordered to pay £7262.16 costs

After the hearing, HSE inspector Chris Tilley commented:

"The risks associated with working at height are well-known.

Temporary works must always be designed to meet British Standards by a competent person and in the case of more complex works such as this, be subject to a secondary overview."

Temporary works (TW) FAQs

- ▶ What are permanent works?
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- ▶ Are temporary works different to permanent works?
- ▶ Can I organise the temporary works myself?
- ▶ Do I have to appoint a 'temporary works coordinator'?
- ▶ Do I need to provide calculations for every temporary works situation?
- ▶ Can all structural engineers design temporary works?
- ▶ If I get a structural engineer to design the temporary works will they be the project Temporary Works Coordinator?

Resources



Health and safety in construction HSG 150



CDM Regulations 2015
– Legal Series
Guidance (L153)



The Absolutely
Essential Health and
Safety Toolkit INDG
344

PUBLICATIONS

Little Book of BIM For Manufacturers: BSI Publications,

BSI's guide to Building Information Modelling. "Fast-track your BIM knowledge by providing clarity around key terms and definitions" Free to download from:

http://page.bsigroup.com/lbb-for-manufacturers-uk?utm_source=pardot&utm_medium=email&utm_content=newsletter&utm_campaign=construction2-dyn-june18

PAS 1085:2018 Manufacturing. Establishing and implementing a security-minded approach. Specification: Innovate UK/ BSI Publications

How to recognize, manage and mitigate the potential risks and hazards posed by the adoption of digital solutions in the manufacturing value chain. Free to download from:

https://shop.bsigroup.com/ProductDetail?pid=00000000030371028&utm_source=pardot&utm_medium=email&utm_content=newsletter&utm_campaign=PAS3-dyn-june18

EH40/2005 Workplace exposure limits: HSE

Containing the list of workplace exposure limits for use with the Control of Substances Hazardous to Health Regulations 2002 (as amended). Download a free copy:

http://www.hse.gov.uk/pubns/books/eh40.htm?utm_source=govdelivery&utm_medium=email&utm_campaign=digest-23-aug&utm_term=headline&utm_content=eh40-update