



# SAFETY UPDATE

Issue 04 April 2019

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BS EN 61010 1:2010+A1:2019

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## NEWS

### CONSTRUCTION SITE DEATHS SET TO FALL?

#### HSE in-year fatality records for 2018/19 suggest significant reduction

HSE publish each month the in-year details of all deaths at work under their jurisdiction including those occurring on construction projects.

*The information is 'as reported' by third parties and does not purport to be a formal statistical release.*

HSE reports (as updated 05/03/2019) show that eighteen worker deaths occurred involving 'construction' during the first 10 months of the reporting period April 2018 – March 2019 inclusive. The reports indicate that four types of incident account for 100% of all construction industry fatal injuries.

Descriptions of the 18 incidents are classified as follows:

- **FELL – from height** – 8
- **STRUCK – by a moving vehicle** (5) **or an object** (1) – 6
- **TRAPPED – by something collapsing** – 2
- **ELECTRICITY – contact with** – 2

Subsequent HSE investigation may determine that some of the deaths are not reportable under RIDDOR.

#### Number of deaths set to show 40% fall

In 2017/18 HSE published statistics showed a total of 38 worker deaths.

The number of deaths recorded by HSE during the first 10 months of 2018/19 suggest there could be a fall of 40% in the number site fatalities.

In past years a fall in the number of worker deaths has also been associated with a fall in the worker fatal injury frequency rate i.e. deaths per 100,000 persons employed.

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## HSE ISSUES REMINDER ON SAFE SCAFFOLD DESIGN

### Recent incidents and high winds prompt warning from regulator

HSE has issued a Safety Bulletin following a spate of scaffold incidents during high winds across the UK. The regulator has pointed out that:

*"The scaffold checklist is a guide for when scaffold design is required and what level of training and competence those erecting, dismantling, altering, inspecting and supervising scaffolding operations are expected to have obtained."*

See 'PUBLICATIONS' for a link to the Scaffold Safety Checklist



## HSE WELDING FUME SAFETY ALERT

HSE recently issued a safety alert regarding exposure to welding fume. This was in response to new scientific evidence that such exposure, including to welding fume from mild steel, can cause lung cancer. The alert highlights the actions now required and the strengthening of HSE's enforcement expectations in relation to them.

While welding fume was the focus of this new evidence, cutting and burning processes can also produce significant metal fume. Paragraph 24 of the guidance to the Control of Substances

Hazardous to Health Regulations 2002 (COSHH) recommends employers review their risk assessments and controls in the light of such new knowledge. Equivalent control to welding fume is a suitable baseline.

See 'PUBLICATIONS' for a link to the Safety Alert



## HSE RIDDOR FORMS REFRESHED

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) require employers, self-employed and people in control of work premises to report certain serious workplace accidents, occupational diseases and specified dangerous occurrences.

The suite of RIDDOR forms is being refreshed to improve user experience and give an enhanced look and feel. Reporting requirements remain unchanged.

A feature of the new forms is that when a RIDDOR report is submitted a copy will no longer be automatically sent by the system to the notifier's email address. However, the notifier can download a copy of their form at the point of submission if required.

## **CSCS END GRANDFATHER RIGHTS**

The Construction Skills Certification Scheme (CSCS) announces the end of 'Grandfather Rights'. From 1 January 2020, all Industry Accreditation cards will expire on 31 December 2024 and the CSCS will stop issuing card renewals from 30 June 2024. Holders of Industry Accreditation cards should visit the CSCS website.

<https://www.cscs.uk.com/news/ia-withdrawal/>

## **CSCS TO WITHDRAW POSTAL APPLICATION**

The Construction Skills Certification Scheme (CSCS) has announced plans to withdraw postal applications.

CSCS currently provide a postal application service that is used by construction workers to apply for their CSCS cards. Over the last few weeks the CSCS team has been working with the industry to remove this largely paper based and inefficient service.

Gordon Jenkins, Director of Operations at CSCS said: "Postal applications do not deliver good customer service. They are a complex, time-consuming and inefficient way for our customers to make an application and this is why we have decided to withdraw the service."

From 30th April 2019 postal application forms will be removed from the CSCS website and from 30th June 2019 CSCS will stop processing applications received via the post.

CSCS are encouraging applicants who have historically relied on the postal application service to start making their applications over the phone, or if applying for two or more cards, to use the online employer application form.

Gordon Jenkins continued: "All postal applications received after 30th June will be returned to the applicant with a request to make a telephone application. Removing the postal applications takes away much of the complexity surrounding the paper-based system and it will speed up the application process for individual applicants."

Removal of the postal application service will also mark the end of cheques and postal orders as approved methods of payment. From 30th June 2019 all payments must be made via debit or credit cards. For more information on the removal of the postal application service, see our FAQs at [www.cscs.uk.com/paperlessfaq](http://www.cscs.uk.com/paperlessfaq).

The withdrawal of the postal application service forms part of CSCS's longer term plans to move the majority of applications online and to improve the existing telephone processes.

For further information on applying for a CSCS card please visit: [www.cscs.uk.com/apply](http://www.cscs.uk.com/apply)

## CASES

### VIBRATION RISK UNCONTROLLED FOR TEN YEARS

#### Company workers used sanders and air-fed cutting equipment

A train refurbishment company has been sentenced after exposing workers to hand arm vibration.

Stoke-on-Trent Crown Court heard how workers were exposed "to uncontrolled and unrestrained exposure to vibrating tools from 2005 to 2015" from sanders and air-fed cutting equipment to refurbish train doors.

A member of staff raised concerns with the company in 2015 but failed to take prompt action to manage the risk.

#### Management oversight absent

A suitable and sufficient assessment of exposure was not undertaken, instruction and training on tool use was not provided and health surveillance was not in place.

There was little or no oversight by management to control exposure to vibrating equipment and an absence of a safe system of work including control, monitoring and maintenance measures.

The company from Burton upon Trent pleaded guilty to breaching Section 2 of the Health and Safety at Work etc. Act 1974, fined £90,000 and ordered to pay costs of £45,000.

Speaking after the hearing, HSE inspector Theresa Hewkin said:



*"This was a case of the company completely failing to grasp the importance of HAVS health surveillance. If the company had understood why health surveillance was necessary, it would not only have ensured that it had the right systems in place to monitor workers' health but would have identified from the outset that one of their employees has primary Raynaud's phenomenon and should not have been made to work with vibrating tools because of his likely heightened susceptibility."*

### FRAGILE ROOF FALL

A food manufacturing company has been fined £1.8m after two workers suffered serious injuries when they fell over 4m through a rooflight in April 2016 at a factory in Malton, Yorkshire.

Leeds Magistrates heard how the two men were investigating a leak in the roof. The men were walking closely together and both stood on the same roof light which failed under their weight.

One man suffered fractured ribs, a punctured lung, and muscular contusions to his outer right thigh. The other suffered a fractured skull, muscular injuries to his right leg and injuries inside his ear which cause ongoing problems with his balance, memory and mental health.

#### Roof fragility assessment essential

HSE investigators found the roof was made of asbestos cement and contained several rooflights situated along the roof surface which were not visible due to the build-up of moss and dirt which had accumulated over the years.

The employees had not been made aware of the presence of fragile surfaces in the roof.

The firm of Malton, Yorkshire pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc Act 1974. The company was been fined £1,866,000 and ordered to pay £8,019 in costs. After the hearing, HSE inspector Mark Slater commented:



*"This was a wholly avoidable incident, caused by the failure of the company to provide adequate controls against the risks arising from working at height.*

*Consideration of roof fragility and rooflights, visible or not, should be made, especially on older buildings."*

## **BRICKLAYER FATALLY INJURED BY FALLING WALL**

### **Masonry collapsed during concrete back filling operation**

A building company, now in administration, has been fined £900,000 after an employee died from head injuries sustained when a wall collapsed on a construction site in Lyme Regis, Dorset in June 2015.

Bournemouth Crown Court heard how the bricklayer was struck by falling masonry after a retaining wall failed as it was being back filled with concrete.

### **Director found not guilty of charges**

HSE found that the company failed to appropriately manage the work that was being carried out at the construction site and thereby failed to ensure the safety of employees.

The company was found guilty after a trial to breaching Section 2 and Section 3 of the Health and Safety at Work Etc Act 1974 and the company was fined £900,000 and ordered to pay costs of £60,336.99.

The sole director of the company was found not guilty of the same charges. Speaking after the hearing, HSE inspector Ian Whittles said:



*"This tragic incident could so easily have been avoided if the appropriate measures were in place to provide a safe working practice. Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."*

## BASIC LADDER SAFETY FAILURES FINED £150,000

### Repair and maintenance firm had no excuse for errors causing injury

A repair and maintenance company has been fined £150k after an employee fell from whilst working on a roof in September 2016.

Barkingside Magistrates heard how a roofer was working with a colleague to repair a leaking roof in Felixstowe.

There was no edge protection around the roof and access was by an unsecured ladder which slipped causing him to fall 2m causing contusion and bruising to his head along with hearing damage.

### High level of planning and supervision required

HSE found the assessment of the work prior to the arrival of the roofers on site was inadequate. There was neither a system for checking the correct equipment for work at height was being used, nor for supervision of the work on site.

The company from Norwich pleaded guilty to breaching Regulation 4(1) of Work at Height Regulations 2005 and has been fined £150,000 and ordered to pay costs of £5,391.76.

HSE inspector Prentiss Clarke-Jones, speaking after the sentencing said:

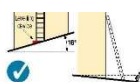


Figure 3 Ladder showing maximum angles at 16° on a side slope and 6° on a back slope

#### Is it a safe place to use a ladder or stepladder?

13 This covers the specific place where you are going to set up and use it. As a guide, **only** use a ladder or stepladder:

- on firm ground or spread the load (eg use a board);
- on level ground - for **stepladders** refer to the manufacturer's instructions, for **ladders** the maximum safe ground slopes on a suitable surface (unless the manufacturer states otherwise) are as follows:
  - side slope 16° but the rungs still need to be levelled (see Figure 3);
  - back slope 6° (see Figure 3);
- on clean, solid surfaces (paving slabs, floors etc). These need to be clean (no oil, moss or leaf litter) and free of loose material (sand, packaging materials etc) so the feet can grip. Shiny floor surfaces can be slippery even without contamination;
- where it has been secured.



Figure 4 Ladder tied at top sill (correct for working on, not for access)

14 The options for securing a **ladder** are as follows:

- tie the ladder to a suitable point, making sure both stiles are tied, see Figures 4, 5, 6 and 7;
- where this is not practical, use a safe, unsecured ladder or a ladder supplemented with an effective ladder stability device (see paragraph 11);
- if this is not possible, then securely wedge the ladder, eg against a wall;
- if none of the above can be achieved, foot the ladder. Footing is the last resort and should be avoided, where reasonably practicable, by the use of other access equipment.



Figure 5 Tying part

*"Roofwork requires a high level of planning, and supervision should be in place to ensure it is carried out safely. This incident so easily could have been fatal; work at height is a well-documented, well-regulated risk and there is no excuse for getting it wrong".*

## LORRY DRIVER DIED IN OVERHEAD POWER STRIKE

### Major company failed to communicate precautions to grab arm operator

A leading service provider for the utilities, communications, highways and renewals sectors has been fined £400,000 after an employee died when the vehicle, he was operating struck an overhead power line on 16 September 2016.

Luton Crown Court heard how the driver of a grab lorry was unloading material at a farm location in Hertfordshire, when the grab arm came into contact with an 11kv overhead power lined.

### Safety documentation not communicated and followed

HSE found that the defendant identified the risk from but had failed to implement the precautions, adequately plan construction work and train the employees.

The company of Leystonstone, London pleaded guilty to breaching section 3 of the Health and Safety at Work Etc Act 1974 and was fined £400,000.00 and ordered to pay costs of £17,242.33.

After the hearing, HSE inspector Samantha Wells said



*"This was a tragic and wholly avoidable incident, caused by the failure to implement safe systems of work and to ensure that health and safety documentation was communicated and followed. Every year in the UK, two people are killed and many more are injured when machinery comes into contact with, or close proximity to, overhead power lines".*

## ASSESSMENT SHOWED RISK PRECAUTIONS NOT TAKEN

### Workman seriously injured when falling into open unguarded stairwell

A construction company has been sentenced for safety breaches after workman fell from a height of just below 3m into an open stairwell in May 2017.

Leeds Magistrates heard how he was working on the upper floor of a cricket club which was undergoing refurbishment.

He was removing a 'genie lift' from the forks of a lift truck which would be used to lift steel beams into position when he stepped backwards and fell through the stairwell opening sustaining multiple injuries.

### No measures to prevent or mitigate the consequences of fall

HSE investigators found that the company risk assessment identified there would be gaps in the floor through which a person could fall. However, the defendant failed to put in place any measures to either prevent or mitigate the consequences of a fall.

The developer from Mossley, Lancashire pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc Act 1974 and was fined £20,000. After the hearing, HSE inspector Jayne Towey commented:

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



This is a web-friendly version of leaflet INDG163(rev4), published 08/14

**This leaflet is aimed at employers, managers and others with responsibility for health and safety. It will also be useful to employees and safety representatives.**

### Introduction

As part of managing the health and safety of your business, you must control the risks in your workplace. To do this you need to think about what might cause harm to people and decide whether you are taking reasonable steps to prevent that harm.

This is known as risk assessment and it is something you are required by law to carry out. **If you have fewer than five employees you don't have to write anything down.**

**A risk assessment is not about creating huge amounts of paperwork, but rather about identifying sensible measures to control the risks in your workplace.** You are probably already taking steps to protect your employees, but your risk assessment will help you decide whether you have covered all you need to.

## PUBLICATIONS

### HSE Scaffold Safety Checklist

[http://www.hse.gov.uk/construction/safetytopics/scaffoldinginfo.htm#utm\\_source=govdelivery&utm\\_medium=email&utm\\_campaign=high-winds-0319&utm\\_content=scaffolding-checklist](http://www.hse.gov.uk/construction/safetytopics/scaffoldinginfo.htm#utm_source=govdelivery&utm_medium=email&utm_campaign=high-winds-0319&utm_content=scaffolding-checklist)

### BS EN 61010-1:2010+A1:2019

Safety requirements for electrical equipment for measurement, control, and laboratory use. General requirements March 2019

Available from BSI Shop:

<https://shop.bsigroup.com/ProductDetail?pid=000000000030311241>

### Exposing skin to harmful substances

EU-OSHA have produced another Napo short film on skin protection.

The film raises awareness of the dangers of exposing the skin to harmful (and sometimes not so harmful) substances, the situations where exposures occur, and what can be done to avoid risks, protect the skin and prevent damage.

[https://www.napofilm.net/en/napos-films/napo-protect-your-skin?utm\\_content=&utm\\_medium=email&utm\\_name=&utm\\_source=govdelivery&utm\\_term=](https://www.napofilm.net/en/napos-films/napo-protect-your-skin?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=)

### HSE Welding Fume Safety Alert

[http://www.hse.gov.uk/safetybulletins/mild-steel-welding-fume.htm#utm\\_source=govdelivery&utm\\_medium=email&utm\\_campaign=construction-25-mar&utm\\_term=safety-alert&utm\\_content=welding-alert](http://www.hse.gov.uk/safetybulletins/mild-steel-welding-fume.htm#utm_source=govdelivery&utm_medium=email&utm_campaign=construction-25-mar&utm_term=safety-alert&utm_content=welding-alert)