

THIS ISSUE

NEWS

HSE LOSES PATIENCE WITH
CONTRACTOR

FINE OVER ASBESTOS RISK

HSE RISK REDUCTION

CASES

BY-PASSING INTERLOCK FINED

CUSTOM AND PRACTICE CAUSED
EXPLOSION DEATHS

DIRECTOR PROSECUTED AND JAILED

REBAR FELL DURING TADEM LIFT

FIRM FINED AFTER ACCIDENT

BUILDING MATERIALS FIRMED FINED

NEWS

HSE LOSES PATIENCE WITH ERRANT CONTRACTOR

Roofing firm fined £30,000 over failure to manage work at height risks

A roofing company has been fined after repeatedly failing to manage health and safety on construction sites between March 2017 and October 2018.

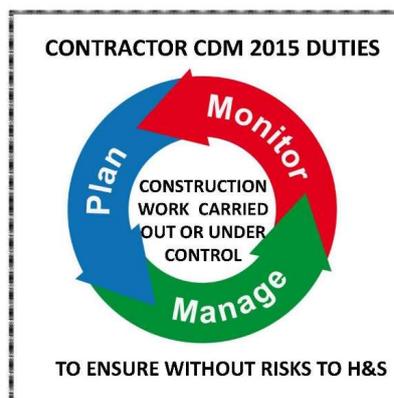
Westminster Magistrates heard how during this period the defendant received two HSE prohibition notices and serious breaches of legislation were found on sites during roofing work undertaken by the company in London and Essex.

Failure to plan, manage and monitor

HSE project site inspections found that the firm failed to plan, manage, monitor and carry out work at height safely. Work at height legislation had been "repeatedly breached" with uncontrolled fall from height risks at separate sites, and no signs of the company taking steps to improve standards.

The roofing contractor from Ilford, Essex was found guilty of breaching: the Work at Height Regulations 2005 and Regulation 15(2) of The Construction (Design and Management) Regulations 2015. The company was fined £30,000 and ordered to pay costs of £6,000.

After the hearing, HSE inspector David King said:



"Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards, and especially where companies don't heed previous advice."

CLIENT AND CONTRACTOR FINED OVER ASBESTOS RISK

Checks for presence of asbestos not undertaken prior to refurbishment

A contractor carrying out refurbishment work at a hotel and the client company who arranged for the work have been sentenced after workers carrying out the refurb work disturbed asbestos containing materials (ACM).

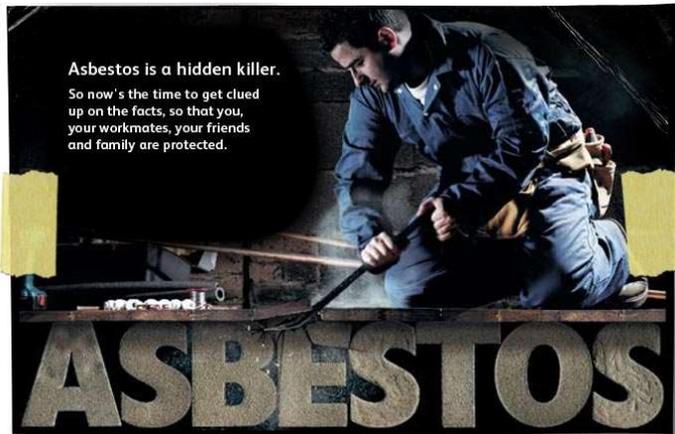
South Tyneside Magistrates heard that workers were refurbishing the hotel bar area in September and October 2018 when they disturbed the ACM.

Asbestos still present in buildings

HSE investigators found that both companies failed to ensure an appropriate assessment was carried out to check for the presence of asbestos in the areas where refurbishment work was taking place.

The contractor was fined for £20,000 for breaching Regulation 5 of the Control of Asbestos Regulations whilst the client pleaded guilty to breaching Section 3 (1) of the Health and Safety at Work Act 1974 and was fined £16,000.

After the hearing, HSE inspector Loren Wilmot said:



"Both the client and contractor failed to protect workers from the risks to their health by failing to prevent their exposure to asbestos. Whilst the supply and manufacture of asbestos has been prohibited in the UK for approximately 20 years it can still be present in any building or industrial process plant built or refurbished before the year 2000."

HSE RISK REDUCTION THROUGH DESIGN AWARD

Regulator seeks to promote hazard avoidance and risk minimisation

The HSE annual musculoskeletal disorders 'risk-reduction through design' award is now [seeking nominations](#) for the award which is intended to highlight the important contribution that design changes can make to reduce risks of musculoskeletal disorders.

HSE hope that the 2019 event will build on "the success of last year's award, captured in articles in 'The Ergonomist' pages 22-23 and 'Health + Safety at Work magazine' and want businesses to nominate design changes that have made a real impact.

The award is looking for approaches that have worked during the 2019 calendar year from across all sectors and anywhere in the United Kingdom.

Greatest risk reduction for greatest number

The emphasis is on design solutions that have or can reduce the risk of musculoskeletal disorders for the greatest numbers of workers, but HSE is also interested in novel, innovative or niche solutions that tackle difficult-to-solve problems. HSE add that:

Image shows recycled plastic kerbs.



"Involving the workforce in developing the solution is essential and cross-sector application, that might inspire others to think more actively about design-based solutions, will also be part of the judging criteria."

CASES

BY-PASSING MACHINE INTERLOCK FINED OVER £1.2 MILLION

Trapped key safety system failed to prevent access to conveyor danger

A waste recycling company has been fined after an employee lost part of his arm when he was trapped between a roller and conveyor belt in April 2015.

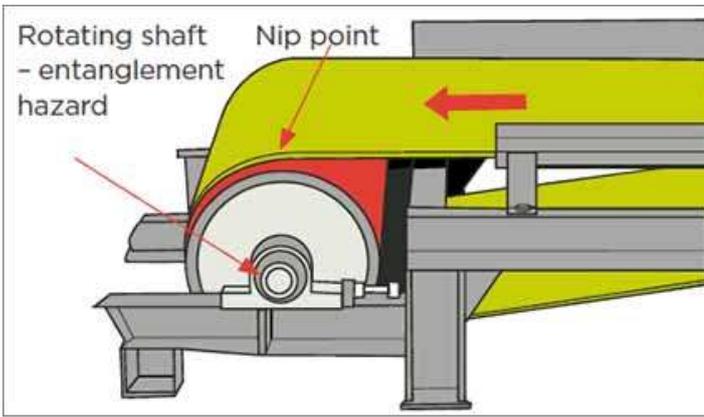
Lincoln Crown Court heard that the employee was working as a line operator in the material recovery facility. Blockages occurred and waste became wrapped around the lower conveyor axle within the enclosure around the machine.

Whilst removing waste from this axle his gloved hand was dragged into the in-running nip between the belt and the powered roller resulting in his left arm being amputated above the elbow.

Machinery safeguards must be maintained

HSE investigators revealed that trapped key system installed to prevent access with power energised had "essentially been bypassed" allowing the system to be operated in automatic mode with persons still inside the enclosure.

The company from Lincolnshire pleaded guilty to a breach of section 2 (1) of the Health and Safety at Work etc. Act (1974) and was fined £1,275 million and ordered to pay costs of over £45k. Speaking after the hearing, HM inspector Scott Wynne said,



"This incident could so easily have been avoided had the company ensured that the system designed to keep people away from dangerous machinery was properly maintained. Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards"

CUSTOM AND PRACTICE CAUSED EXPLOSION DEATHS

Electrical accumulator explosion claims the lives of two engineers

A steel producer has been fined £1.8m after an explosion caused the death of two workers and seriously injured another at Cardiff premises in November 2015. The explosion would have come "without warning" to the men involved.

Cardiff Crown Court heard that the engineers were working in the basement on an accumulator (vessel for storing electrical power) when the vessel exploded.

A flammable atmosphere developed within the vessel as hydraulic lubrication oil was being drained from the vessel. The flammable atmosphere was ignited by an electric heater within the accumulator.

Risk assessment and precautions left to "custom and practice"

HSE investigators found that manually draining hydraulic lubrication oil from the accumulator by a procedure referred to as a 'blow down' had developed through 'local custom and practice'.

This "procedure" was not fully understood or consistently carried out thereby exposing workers to the risk of explosion.

The company from Cardiff, pleaded guilty to breaching Regulation 3 of the Management of Health and Safety at Work Regulations 1999, fined £1.8m and ordered to pay costs of £145,771.85.

Speaking after the hearing, HSE inspector Lee Schilling said:



"This incident, which had devastating consequences for all of those involved, was entirely preventable. The company failed to assess the risks of the maintenance work and identify suitable control measures to prevent an explosion."

DIRECTOR PROSECUTED AND JAILED AS EMPLOYEE

Workman fatally injured when crushed between bucket and wall

The employee and director of a construction company has been handed a 10-month custodial sentence after an employee was crushed to death by the bucket of an excavator he was operating during construction of a vehicle wash pit in Blantyre during May 2016.

Hamilton Sheriff Court heard that a wall was being built within the excavation. The excavator was being operated to lower cement and blocks into the excavation for three other men to use when the deceased was pinned against the wall by the excavator bucket.

He died of blunt force injuries to his chest and abdomen.

Safe methods of working required

HSE investigators found that the operator and employee of the company, failed to undertake a sufficient assessment of the risks to those who had been instructed to work with him. He operated the machine without receiving the appropriate training or certification.

The operator from Glasgow pleaded guilty to breaching Section 7(a) of the Health and Safety at Work Act etc 1974, and was given a 10-month custodial sentence.

Speaking after the hearing HSE inspector Helen Diamond said:



"Those in control of work have a responsibility to devise safe methods of working and to provide the necessary information, instruction and training to their workers in the safe system of working. If a suitable safe system of work had been in place prior to the incident, the death of this worker could have been prevented."

REBAR FELL DURING TANDEM FLT LIFTING OP

Workman seriously injured during improperly planned and executed lift

A Liverpool port operating company has been fined £300,000 after a worker was struck by a load falling from two fork lift trucks (FLTs) in May 2015.

Liverpool Magistrates heard that three workers were loading bundles of rebar onto HGV trailers for onward transfer. The injured employee was acting as banksman whilst his two colleagues were operating their FLTs as part of a tandem lift manoeuvre.

During the loading procedure a single bundle of rebar weighing 1,924 kg, suspended on the forks of the two trucks, was struck by the reversing HGV's headboard causing it to fall onto the employee stood on the far side by the HGV's cab.

The workman sustained multiple fractures and the amputation of two toes of his left foot. He has been unable to return to work since the incident.

Tandem lifting operation not properly planned

HSE investigators found that a suitable risk assessment relating to the hazards arising from loading bundles of rebar onto reversing flatbed trailers had not been carried out.

The tandem FLT lifting operation was also not properly planned, supervised or carried out in a safe manner. The company was fined £300,000 and ordered to pay costs of £7,593.55.

After the hearing HSE inspector Rohan Lye said:



"Those in control of work have a responsibility to ensure they provide safe methods of working and a safe working environment. If suitable controls had been in place the serious physical injuries sustained by this worker could easily have been prevented."

FIRM FINED AFTER FINGER OF TRAINEE SEVERED

Young worker injured hand working on unguarded rip saw

A London joinery firm has been sentenced after a trainee worker suffered life-changing injuries when his hand came into contact with the blade of a rip saw in February 2018.

Westminster Magistrates heard that the 20-year-old employee was working with a colleague and being shown how to cut timber for beading. They were using the rip saw to split lengths of timber.

One of the men was pushing the timber onto the saw and the other pulled it from the other side when his hand was "pulled in" with the wood causing the loss of the first finger on his right hand, part of his thumb and a permanent disability.

Guarding and training inadequate

Measures to prevent access to dangerous parts of various machines were inadequate and the adjustable guard over the rip saw blade was "stuck" and not protecting access to the saw blade.

Adequate training was not provided on how to use the machinery. The company from New Cross, London pleaded guilty, fined £50,000 and ordered to pay £8005.44 in costs.

Speaking after the hearing, HSE inspector Sarah Whittle said:



"No safe system of work existed at the time of the incident. Those in control of work have a responsibility to devise safe methods of working and to provide the necessary information, instruction and training to their workers in the safe system of working."

BUILDING MATERIALS FIRM FINED OVER FATALITY

Failure to effectively isolated power to machinery caused death of engineer

A building materials company has been fined £1 million after a worker suffered fatal injuries in Scotland when he was struck by moving machinery in May 2017.

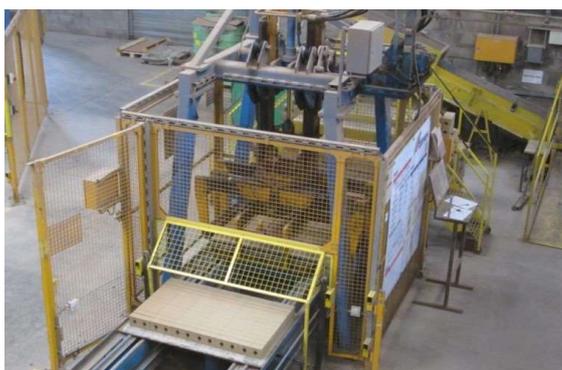
Livingston Sheriff Court heard that the workman was carrying out maintenance and repair work on a "dry sided conveyor" which ran under a machine known as a centering machine.

The machine was not isolated from power and the body of the deceased interrupted the path of the light beam between the sensor's emitter and reflector. This caused the lifting mast to descend, striking him on the body causing fatal injuries.

Death avoidable by power isolation

HSE investigators found that the company failed to ensure the centering machine was isolated from power prior to the maintenance and repair work being carried out on the conveyor. The company from Rugby pleaded guilty was fined £1,000,000.

After the hearing, HSE inspector Kim Ross said:



"This tragic incident led to the avoidable death of a man, which could have easily been prevented if had taken action to ensure the centering machine was isolated prior to the maintenance and repair work being carried out. If this had been in place before the incident, this death could have been prevented."