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HSE WELDING FUME REVISED GUIDANCE PUBLISHED

New research evidence on cancer link prompts revision on welding fume

In February 2019 HSE issued a [safety alert](#) informing industry of a change in relation to the control expectations for exposure to welding fume including that from mild steel welding.

This followed new scientific evidence from the International Agency for Research on Cancer that exposure to mild steel welding fume can cause lung cancer and possibly kidney cancer in humans. HSE has now revised its guidance on the subject.

Visits to businesses in 2020

The revised guidance includes the Control of Substances Hazardous to Health (COSHH) [task specific advice](#) for welding to help make sure exposure to any welding fume released is adequately controlled and in addition the [HSE web pages](#) on how to manage exposure to welding fume. In 2020 HSE inspectors will be visiting businesses across the country to check compliance with the law.

HSE stress that employers should

"know the risks, plan your work and use the right controls when welding".



CASES

DIRECTOR HID UNSAFE WORKING PRACTICES FROM HSE

Workers exposed to sprayed paints containing asthma causing isocyanates

A manufacturer of trailers has been sentenced for putting his workers at risk of developing severe lung disease, after exposing them to substances harmful to health.

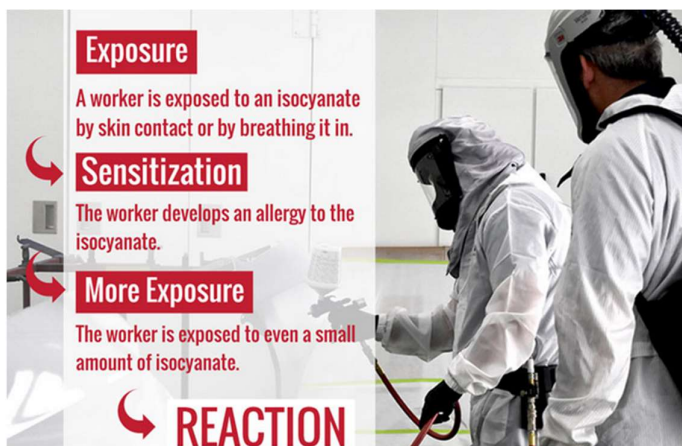
Preston Crown Court heard that over a period of time (up to February 2018) the managing director exposed employees to hazardous substances and “deliberately” hid unsafe working practices from HSE inspectors at the site in Blackburn.

Employee developed life changing condition

HSE investigators found that employees regularly used aerosolised paints containing isocyanates and solvents which can cause occupational asthma, dizziness, liver and kidney damage. This activity was being carried out without adequate controls in place to prevent workers from breathing in harmful substances.

The director from Keighley pleaded guilty to breaching the HSW Act 1974 was sentenced to 10 months imprisonment suspended for 18 months with 20 hours unpaid work, and ordered to pay costs of £5428.21.

Speaking after the hearing, HSE inspector Leona Cameron said



*"The defendant was well aware of the unsafe conditions that his employees were being subjected to whilst at work. The effect of being exposed to these substances has resulted in at least one former employee developing a life changing condition, which could easily have been prevented if **proper controls** had been in place, such as suitable extraction and respiratory protective equipment."*

UNDERGROUND CABLE STRIKE CAUSES 50% BURNS

Workman seriously injured using hand-held breaker to excavate post holes

A groundworks contractor has been prosecuted after a hand-held breaker struck an underground electricity cable resulting in multiple serious burn injuries to the user in October 2018.

Folkestone Magistrates heard that workmen were using the electric ground breaker to excavate fence post holes for a car park perimeter fence on a site in Ramsgate when the hand-held tool struck an 11kv electricity cable engulfing the workman in flames.

He sustained serious burns to his face, chest, abdomen, groin, both arms and both legs, amounting to approximately 50% total body surface area burns.

Plans absent and cable locator not used

HSE found that the company failed to obtain and refer to the underground services plans prior to breaking the ground so as to determine the location of any cables within the planned working area.

The firm pleaded guilty to breaching the CDM Regulation 2015 Regulation 25(4) and was fined £32,400 and ordered to pay costs of £2,657.18.

Speaking after the hearing, HSE inspector Ross Carter said



*"This incident could so easily have been avoided by simply carrying out **correct control measures** and safe working practices. If a suitable safe system of work was followed prior to the incident, the life changing injuries sustained by the operative would have been prevented."*

VERBAL WARNING OF DANGER IS NO DEFENCE

Hand of female worker entangled in modified metal drilling rig

A brake manufacturing company has been prosecuted after a worker suffered serious injuries to her arm and hand when she became entangled in a drilling machine in September 2018. Peterlee Magistrates heard that she was working on an adapted three spindle drill when her gloved hand became entangled in the unguarded rotating spindle. More than a year later she faces further surgery to both her hand and arm.

Failure to provide guarding

HSE found the company carried out a risk assessment and identified that there was a risk of entanglement on the rotating parts but failed to provide guarding to the area and relied on employees to "keep their hands away from the danger area".

Employees were not warned about the increased dangers of entanglement when wearing heavy-duty gloves of the type being worn at the time of the incident.

The company of Bishop Auckland breached Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998 and was fined £5,334 with £1,369.60 in costs.

Speaking after the hearing, HSE inspector Shuna Rank:



"Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards. In this incident a worker suffered and continues to suffer from serious, life-changing injuries which could have easily been prevented."

UNUSED SEAT BELT WAS "COMMON PRACTICE" ON SITE

Overturning dumper truck caused death of operators at spoil heap

A construction company has been fined following an incident in which a workman died when a dumper truck overturned in October 2016 at a housing development in Colchester. Chelmsford Magistrates heard that the groundworker was manoeuvring a 9T front tipping dumper truck on a spoil heap to offload top soil. He "lost control" of the truck which toppled forward and came to rest upside down at the base of the spoil heap. He sustained a serious head injury during the fall and died on scene.

Planning, training and supervision lacking

HSE investigators found major deficiencies in the management of tipping operations on the spoil heaps. In particular: the operation was not properly planned; drivers were not given training on how to safely operate vehicles and tip on spoil heaps; and the job was poorly supervised.

The deceased driver was not secured by the seat belt fitted to the vehicle and HSE found that using the dumper without the seat belt secured was "common practice on the site".

The builder contractor of East Lawford, Essex pleaded guilty to breaching Sections 2 (1) and 3(1) of the Health and Safety at Work Act 1974 and fined £225,000.

Speaking after the hearing, HSE inspector Kasia Urbaniak said:



*"This was a tragic and wholly avoidable incident, caused by the failure of the employer to assess the risk related to tipping operations, **implement safe systems of work**, and failure to ensure that such systems were communicated to ground workers and were followed."*

LADDERS WERE INAPPROPRIATE FOR WORK ON ROOF

Workman paralysed after falling whilst installing roof ladder

A painting and decorating employer have been sentenced after an employee sustained serious, life changing injuries after falling from height on a Northamptonshire property in August 2018.

Wellingborough Magistrates heard that the employee was severely injured when he fell from height whilst installing a roof ladder on the pitched roof. He is permanently paralysed from the chest down. The employee was in the process of setting up ladders to access the dormer windows when he fell.

Work was not short duration

Appropriate equipment should have been provided to employees e.g. fully compliant scaffolding. The risk assessment should have identified that this work was not short duration and that the use of ladders was not appropriate.

The sole trader was sentenced to a 12-month community order, 160 hours of unpaid work and ordered to pay costs of £2,124.28 with a surcharge of £85.

Speaking after the hearing, HSE inspector Rachel Grant said:



“ Employers and those in control of any work at height activity must make sure work is properly planned, supervised and carried out by competent people. This includes using the right type of equipment for working at height. In this instance, the painting of the soffits and windows was not short duration work and should have been done from appropriate work platforms. Ladders were not the appropriate equipment.”

FIRM FAILED TO MANAGE EXHAUST VENTILATION

HSE enforcement notices on wood dust and welding fume ignored

A metal fabrication company has been fined for not complying with three improvement notices issued by HSE in December 2018.

Boston Magistrates that the company was issued with three improvement notices relating to testing wood dust and powder coating [local exhaust ventilation](#) (LEV) for welding fume extraction.

Improvement notices are legal documents requiring improvements to be made by a specified date. The firm failed to comply with all three notices by the completion date.

Breaching notice is serious offence

The company was first advised of the problem in February 2018 but did not act following receipt of a Notification of Contravention letter. Further visits found the company had still not made the necessary improvements and a final visit showed they had not undertaken the work to meet the improvement notices.

The company pleaded guilty to breaching the HSW Act 1974 and fined £12,000.

Speaking after the hearing, HSE inspector Martin Giles said:



"The failure to comply with an improvement notice is a serious offence. If you receive a notice, you should ensure you take appropriate action to correct the health and safety problems and breaches that are identified in the notice."

UNSTABLE STAIRCASE COLLAPSE DURING REFURB WORK

Workman not informed of staircase hazard suffered serious injury

A building company has been fined after a sub-contractor fell into a basement following the collapse of a staircase on a site in Bolton on 26 April 2016.

Bolton Crown Court heard that the injured person was working on the refurbishment of a flooded basement when the staircase he used to access the basement collapsed. He suffered three fractured vertebrae.

Edge protection also inadequate

HSE investigators found that the company did not have a safe system of work in place and failed to induct sub-contractors about the staircase, part of which had been removed leaving it structurally dangerous.

The company also failed to provide suitable and sufficient edge protection at the top of the staircase which was situated next to the site welfare facilities and was fined £16,000 for breaching the HSW Act Sections 2(1) and 3(1).

HSE inspector Seve Gomez-Aspron said after the hearing:



"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, so it is important that the risks are managed properly and this is why we take action when failings are identified."

WORKMEN SUFFER SERIOUS BURNS FROM CABLE STRIKE

Assessment and system of work failed to appreciate electrical risk

A contractor has been fined after failing to protect workers from the risk of a cable strike explosion or electrocution whilst carrying out repairs at industrial premises in Coventry in November 2018.

Coventry Magistrates heard that the men received serious burns to their hands whilst using a drill to attach a pre-fabricated cowling to a cable tray.

The incident occurred when one of the fixings penetrated a cable, striking one of the phases and causing an explosion.

Danger from live cables not recognised

HSE investigators found that the risk assessment and method statement did not consider the risk of drilling into cable trays containing live cables, isolating the electrics to complete work, or other methods of fixing which did not involve drilling.

The contractor from Birmingham pleaded guilty to breaching Regulation 4(3) of the Electricity at Work Regulations 1989 and was fined £20,160.

Speaking after the case, HSE inspector Gareth Langston said:



"This incident demonstrated the importance of the role of those [preparing the job](#). The company overlooked the 415V 3 phase cabling they were drilling in towards. A cable strike, even at this voltage, can cause a major explosion."