

SAFETY UPDATE

Issue 06 December 2020

IN THIS ISSUE

NEWS

HSE ANNUAL STATISTICS

MENTAL HEALTH LOST DAYS

HSE SAFETY FINES DROP

CASES

DIRECTOR FINED AFTER WORKER PARALYSED

FINE FOR SCAFFOLD COLLAPSE

FIRM FINED FOR VWF CASE

FINE FOR ASBESTOS FAILINGS

ICC FINED AFTER CONTRACTOR HIT BY FALLING WEIGHT

The Lift and Escalator Industry Association 33-34 Devonshire Street London W1G 6PY P: 020 7935 3013 F: 020 7935 3321 E: <u>enquiries@leia.co.uk</u>

NEWS

HSE releases annual injury and ill-health statistics for Great Britain

Statistics released by HSE show that Great Britain is still one of the safest places in the world to work with the lowest number of deaths on record.

However, more than half of Britain's working days lost in 2019/20 were due to mental ill-health.

The annual report by the Health and Safety Executive (HSE) includes statistics for work-related ill health, workplace injuries, working days lost, enforcement action taken, and the associated costs to Great Britain.

The emergence of COVID-19 as a national health issue at the end of final quarter of 2019/20 does not appear to be the main driver of changes seen in the 2019/20 data, although it is possible that COVID-19 may be a contributory factor.

HSE has been at the heart of work across government for getting Great Britain's workplaces Covid Secure. As part of HSE's response to COVID-19, it has continued to support the wider health response through working closely with National Public Health Bodies, Local Authorities and local health teams.

Figures show that around 693,000 workers sustained non-fatal injuries in 2019/2020 and 1.6 million workers suffering from work-related ill-health.

The statistics, compiled from the Labour Force Survey (LFS) and other sources, illustrate that in Great Britain in the 2019/2020 period there were.

- 111 fatal injuries at work
- 1.6 million working people suffering from a work-related illness
- 38.8 million working days lost due to work-related illness and workplace injury

 325 cases were prosecuted and resulted in a conviction. Fines from convictions totalled £35.8 million

In 2019/2020, the estimated economic cost to Great Britain totalled £16.2 billion with 38.8 million working days lost.

The full annual injury and ill-health statistics report can be found on HSE's website.

17.9 million working days lost due to mental health

More than half of Britain's working days lost in 2019/20 were due to mental illhealth, according to latest statistics from the Health and Safety Executive (HSE).

The rate of self-reported work-related stress, depression or anxiety was 828,000 workers last year, accounting for 17.9 million working days lost.

Workload, lack of support, violence, threats or bullying and changes at work are thought to be the main causes of work-related stress, depression or anxiety based on Labour Force Survey data.

HSE Safety Fines Drop

A HSE report has revealed that safety fines from 325 HSE prosecutions totalled £35.8 million in 2019/20, a decline from £55 million in 2018/19 and £77 million in 2017/18.

Reflecting on convictions in previous years, Kevin Elliott, head of health and safety at law firm Eversheds Sutherland, noted that the HSE prosecuted 660 cases with fines totalling £38 million in 2015/16 – before the sentencing guidelines came into force, the effect of which was to significantly increase the potential level of fines imposed for health and safety offences.

CASES

November/December 2020

Company and director fined after incident leaves worker paralysed

A company and an individual have been fined after a worker suffered life changing injuries while dismantling an external platform lift.



Basingstoke Magistrates' Court heard how, on 31 August 2017, a worker was injured whist working on an external lift shaft at Alton College. A heavy component of the lift toppled to the ground and he fell with it, suffering serious life changing injuries that resulted in him being paralysed and confined to a wheelchair.

An investigation by the Health and Safety Executive (HSE) found that the company was contracted to dismantle an external lift shaft to enable building works to provide ramped access for wheelchair users. The work was sub-contracted to premier lift solutions of which Davey Marcus was a director at the time. The companies failed to ensure dismantling of an external platform lift was undertaken without risks of persons falling or structural collapse.

The Company pleaded guilty to breaching a single charge of section 3(1) of the Health and Safety at Work Act 1974 and have been fined £6,000 and ordered to pay costs of £9,104.50.

A Director of the company pleaded guilty to two charges of Regulations 20(1) and 20(2) of Construction (Design & Management) Regulations 2015 and was fined £480 and ordered to pay costs of £1,000.

Scaffolding company fined after scaffolding collapse



A scaffolding company has been fined for safety failings after scaffolding collapsed on to a street in Maidenhead while it was being dismantled.

High Wycombe Magistrates' Court heard how the collapse could have resulted in serious injury or loss of life.

An investigation was carried out by the Health and Safety Executive following the incident that occurred on the 30 April 2018. It was found that the underlying cause of the scaffold collapse was a lack of training and adequate instruction.

The worker carrying out the dismantling of the scaffold and removal of the scaffold ties was not adequately trained. Subsequent high winds acting upon the monoflex sheeting on the day of the collapse caused then caused scaffold to act as a "giant sail" and subsequently toppled over into the street.

Formula Scaffolding (London) Limited of Church Lane, Chessington was found guilty in their absence to breaching section 3(1) of Health and Safety at Work Act 1974 and have been fined £160,000 and ordered to pay costs of £11,533.36

Engineering firm sentenced after employee suffers permanent nerve damage

An engineering company has been fined after a worker was diagnosed with hand-arm vibration syndrome (HAVS).

Manchester Magistrates' Court heard that prior to 22 October 2018, an overall lack of management relating to the use of vibrating tools at AIM Engineering Ltd led to an employee being diagnosed with HAVS.



Regular use of vibrating tools causes the painful and disabling disorder which, in this case, has left the employee with irreparable nerve damage to the hands and arms.

An investigation by the Health and Safety Executive (HSE) found that AIM Engineering Ltd of Wythenshaw, Manchester did not monitor how much work the employees were doing with vibrating tools. In addition, the company did not have any health surveillance in place, which would have picked up early signs of the disease. In 2017 an external company made recommendations to reduce employees' exposure to vibration when working with vibrating tools, and to implement health surveillance. This resulted in an employee being diagnosed with HAVS.

AIM Engineering Ltd of Southmoor Industrial Estate, Manchester pleaded guilty to breaching of Regulation 2 (1) of the Health and Safety at Work Act etc. 1974 and was fined £300,000 with costs of £7,831.90.

Building contractor fined for asbestos failings at domestic property construction project

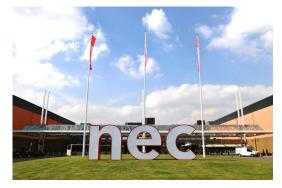
A company has been fined for failing to complete the correct asbestos survey at a domestic construction project.

Salisbury Magistrates' Court heard how, on 18 October 2017, there was a gas explosion at a flat at Market Place, Chippenham where construction work had been carried out to develop the property into flats.

Following the gas explosion, an investigation by the Health and Safety Executive (HSE) found Prestige EA Ltd failed to plan, manage and monitor construction work to prevent persons from being exposed to risks associated with asbestos. Prestige EA Ltd was contracted to advise and manage the development of the property into four flats above a retail unit. The wrong type of asbestos survey was carried out before the work, so the work completed was not in compliance with the law.

The now liquidated Prestige EA Ltd of St James Court, St James Parade, Bristol pleaded guilty to breaching Section 3 of the Health and Safety at Work etc. Act 1974 and was fined £2,000 and must pay costs of £3,000.

ICC's owners fined £400,000 after contractor hit be falling weight



National Exhibition Centre Limited was fined after pleading guilty to breaching health and safety legislation.

The National Exhibition Centre Limited was fined £400,000 with costs of £8,864.34 and a £170 victim surcharge having pleaded guilty to breaching Section 2(1) of the Health & Safety at Work Act 1974.

Birmingham City Council brought the prosecution following an incident on 11 January 2019 in Hall 1 of the International Convention Centre (ICC) in the city centre, when a freelance stage manager was struck on the head by a scenery counter-balance weight which had fallen from a high-level stage platform.

The court heard how the worker was assisting in the setup of scenery ropes on the stage for a performance by Chinese dance company Shen Yun, when an 11.5kg weight fell from the platform 11 metres above him. The weight caused a serious head injury leading to extensive life-saving surgery.

The falling weight also hit another person on the stage, who was not seriously hurt.

Health and Safety Inspectors from the council's Environmental Health team investigated the incident and found that the measures in place on the stage's fly-platform were inadequate to deal with scenery weights, in particular they should never be stored higher than the toe board to prevent them falling off.

The risk assessment failed to address the risk of scenery weights falling from that side of the platform, if stored higher than the toe board.

The National Exhibition Centre Limited co-operated with this investigation, appointing a contractor to install fencing on the fly platform to ensure the incident could not happen again. End.