

Are you hot under the collar this summer?

Summer 2017

Safety fines double since sentencing shake-up

Stiffer sentencing guidelines more than doubled the total fines paid out by construction firms for safety offences last year.

Construction now ranks as the most costly sector for health and safety offences as fines reached £14m, followed by manufacturing at £12m.

Four construction companies were charged over £1m in 2016. Balfour Beatty Utility Solutions suffered the largest at £2.6m last May after a trench collapse killed a worker.

Research conducted by the insurance and risk law firm BLM tracked 87 offences committed by construction companies since January 2016, which accounted for almost a third of all health and safety fines issued.

The hike in fines comes after sentencing guidelines were ratcheted up in February 2016.

Courts now consider culpability, seriousness and likelihood of harm and the size of a business and its turnover when imposing fines.

Fines for businesses with a turnover in excess of £50m can now reach up to £10m for health and safety offences, and corporate manslaughter fines could be as much as £20m.

Ex-HSE principal inspector David Shorrocks, now managing director of DS Risk Management, said: "The year ahead will further reinforce how much getting health and safety wrong can cost an organisation.

"The astronomical levels of fines under the new regime will continue and it is not beyond the realms of possibility that 2017 will see the first £10m fine."¹

¹ <http://www.constructionenquirer.com/2017/05/10/safety-fines-double-since-sentencing-shake-up/>

Sun Safety

With the coming weeks heat wave please find below details on sun safety from the no time to loose campaign. Here you'll find factsheets, posters, presentations and more - everything you need to engage and inform the workforce.

<http://www.notimetolose.org.uk/Free-resources/Resource-library/Pack-2-Solar.aspx>

HSE

**Do not
pass go,**



£600,000 fine for Council contractor after major burns to employer

Gloucester Crown Court heard the 61-year-old man was working at the site on Eastgate Street on 29 May 2015. While trying to replace the traffic light pole he came into contact with a live underground cable which immediately gave him the electric shock and set him on fire. The man, who was an employee of another company asked by Amey to carry out the work, received burns to his hands, arms, stomach, face, legs and chest.

An investigation by the Health and Safety Executive (HSE) found that although this was the first time this particular group of individuals worked on an Amey project, Amey did not provide adequate information on the location of underground services in the area. The inquiry also found that Amey's supervision of the work was not adequate, and it had not properly managed the risks from the underground services.

Amey LG Limited, of Edmund Halley Road, Oxford, pleaded guilty to breaching Regulation 25 (4) of the Construction (Design and Management) Regulations 2015. The company was fined £600,000 and ordered to pay costs of £15,498.

After the hearing HSE Principal Inspector Helena Tinton said: "This man suffered life changing injuries as a result of this incident. He's not been able to return to work, he still can't use his hands properly and has been left both physically and mentally scarred by what happened. Had Amey given adequate information to the team working on site, and had Amey ensured the work was properly planned and supervised, this incident could have been avoided.

"This case should act as a reminder to local authorities and their contractors of the risks of working underground and the danger of severe electric shocks."¹



¹ <http://press.hse.gov.uk/2017/600000-fine-for-council-contractor-after-major-burns-to-employer/?eban=govdel-electricity&cr=08-Mar-2017>

Two construction companies fined after worker suffers severe electric shock

BAM Construction Ltd and Shoreland Projects Ltd have been fined after a man suffered multiple life changing injuries including severe burns to his neck.

Winchester Crown Court heard how BAM Construction Ltd had been appointed by Network Rail to construct a new railway operating centre in Basingstoke. BAM later appointed Shoreland Projects Ltd as the groundworks contractor for this project.

On 26 January 2015, when work began to install lampposts on the site entrance road, the fifth lamp post touched the 11kV overhead power lines when it was being lifted into position by an excavator, causing Mark Bradley to suffer his injuries. A colleague rushed to Mark's aid, using a piece of timber to push him away from the lamp column.

An investigation by the Health and Safety Executive (HSE) found a failure to properly identify the presence of the overhead power lines and appropriately plan this work activity. No suitable control measures were in place to prevent contact with the overhead power

lines. A number of workers were put at risk, including Mr Bradley.

BAM Construction Limited, of Breakspear Way, Hemel Hempstead, pleaded guilty to breaching Regulation 14 of the Electricity at Work Regulations 1989. The company has been fined £260,000 and ordered to pay costs of £9415.13.

Shoreland Projects Limited of Woodhouse Lane, Botley also pleaded guilty to contravening Regulation 14 of the Electricity at Work Regulations 1989, has been fined £22,000 and ordered to pay costs of £8442.53.

Speaking after the case HSE inspector William Christie said: "While this entirely preventable incident has had a permanent and very substantial effect on Mark's life, his very serious injuries could have been even worse had it not been for the quick thinking of his colleague.

"This case highlights the importance for all work to be planned properly by all duty holders. Overhead power lines pose a significant threat to the safety of workers. Construction work in the vicinity of live conductors must be properly planned, managed and monitored to ensure the risks are controlled."¹

¹ <http://press.hse.gov.uk/2017/two-construction->

Two firms fined for failing to check for asbestos in basement conversion

Two family run companies have appeared in court after the Health and Safety Executive (HSE) carried out an unannounced visit on a basement conversion and found that neither firm had undertaken an asbestos survey.

Manchester Crown Court heard last week that Hatters Taverns had appointed its sister company Hatters Hostels as the main contractor for the refurbishment, which was planned underneath a hostel at 50 Newton Street, Manchester.

The work involved the refurbishment of the basement, a former restaurant unit, as a bar.

When the HSE arrived unannounced to inspect the work, inspectors discovered that an asbestos survey had not been carried out before the tradesmen had started stripping out the space.

According to a report in the Manchester Evening News work had already been underway for eight months and had involved workers from six firms. While no asbestos had been found on the three walls which had been renovated at the time of the HSE inspection, it was impossible to determine whether any had been present because the refurbishment work had removed any potential evidence.

However, the HSE did find asbestos in the form of fire-retardant textured paint in a section that had yet to be stripped out.

The Manchester Evening News also reported that the firm had mistakenly believed that a subcontractor that was in charge of the project for the first five weeks had carried out the survey.

Hatters Taverns of 50 Newton Street, Manchester pleaded guilty to breaching reg 4(3) of the Control of Asbestos Regulations (CAR) 2012 and was fined £10,000.

Hatters Hostels of 56-60 Mount Pleasant, Liverpool pleaded guilty to breaching reg 5(a) of CAR 2012 and was fined £24,000. It was also ordered to pay the combined costs for both defendants of £10,232. The HSE has predicted that around 2,500 people a year will die from diseases caused by asbestos exposure until 2020 before annual numbers begin to decline. Asbestos-related diseases are currently untreatable and preventing future cases remains a priority.

HSE inspector Matt Greenly said: "The requirement to have a suitable asbestos survey is clear and well known throughout the construction industry. Only by knowing if asbestos is present in any building before works commence can a contractor ensure that people working on site are not exposed to these deadly fibres."¹

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https://www.ioshmagazine.com/article/two-firms-fined-failing-check-asbestos-basement-conversion?utm_source=NONHUB_IOSH_MEMBERSHIP&utm_medium=email&utm_content=https%3a%2f%2fwww.ioshmagazine.com%2farticle%2ftwo-firms-fined-failing-check-asbestos-basement-conversion&utm_campaign=IOSH+Newsletter+19+April+2017

Engineering firm fined after worker crushed in machinery

Moy Park Ltd has been fined after a worker was injured at the company's site in Anwick near Sleaford, Lincolnshire

Lincoln Crown Court heard on the an engineer was checking the blades on the cutting line when the machine restarted and he wasn't able to move his hand away from the blade he was inspecting when the machine started up. The worker suffered deep laceration to his hand as a result of this incident.

An investigation by the Health and Safety Executive (HSE) found the company failed to implement a safe system of work in relation to isolating procedures when maintaining the machinery in the production line.

Moy Park Ltd of Main Road, Anwick, Lincolnshire have pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work Act 1974 and have been fined £200,000 and ordered to pay costs of £11,924.

Speaking after the hearing HSE Principal Inspector David Butter said: "Duty holders must put measures in place to ensure there are safe procedures in place which are then followed when checking faults on machinery." ¹

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<http://press.hse.gov.uk/2017/engineering-firm-fined-after-worker-crushed-in-machinery/>

Company fined £700,000 for MEWP death fall

Whirlpool UK Appliances Limited has been fined £700,000 after a self-employed contractor fell from a mobile elevated work platform (MEWP) and later died from his injuries.

On 21 March 2015 the contractor had been working at a height of nearly five metres installing fire detection equipment, at the site of the former Indesit factory in Yate, near Bristol.

At the same time Whirlpool UK maintenance workers started an overhead conveyor unaware that the contractor was working nearby.

The movement caused the MEWP to tip over and the 66-year-old man fell to the factory floor. He later died from his injuries.

An HSE investigation found there was no effective control or supervision in place to prevent the conflicting work tasks from being undertaken at the same time.

Whirlpool UK Appliances Limited pleaded guilty at Bristol Crown Court to breaching the Health and Safety at Work Act and was fined £700,000 and ordered to pay costs of £11,466.

Speaking after the hearing HSE inspector Matt Tyler said: "This is a tragic case where the incident could have been prevented if the company had planned and controlled the work properly"¹

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<http://www.constructionenquirer.com/2017/03/22/company-fined-700000-for-mewp-death-fall/>

Need to Know news...

Whats new in 2017

Please find the Lincsafe (Health & Safety) latest training dates for 2017, at our offices in Lincolnshire between Lincoln & Scunthorpe. All prices inc Books and Certification; if you would like further information on Lincsafe (Health & Safety) courses please contact our office.

Asbestos Awareness Cat A UKATA – Initial in the Morning and Refresher in the afternoon.

~~24th April – Intial £65per person – Refresher £50per person.+VAT~~

6th November – Intial £65per person – Refresher £50per person.+VAT

IOSH Managing Safely 4 day course

October
- 9th,10th,16th,17th- 2017 – £465+VATpp

IOSH Managing Safely Refresher 1 day

~~13th Feb £150pp+VAT~~

14th July £150pp+VAT

20th October £150pp+VAT

IOSH Working Safely 1 Day course

30th June – £120pp+VAT

24th November – £120pp+VAT

Cskills SMSTS 5 Day course

June 1,2,8,9,16 – £500pp +VAT

September 4,5,11,12,18 – £500pp+VAT

Cskills SMSTS Refresher 2 Day course

~~3rd & 4th April – £290pp+VAT~~

12th & 13th July – £290pp+VAT

September 28th & 29th – £290pp+VAT

Cskills SSSTS 2 day Course

19th & 20th June – £290pp+VAT

27th & 28th November – £290pp+VAT

Cskills SSSTS Refresher 1 day Course

9th May £180+VAT per person

11th July £180+VAT per person

IOSH Safety for Executives & Directors 1 day course.

~~15th February 2017 – £140pp +VAT.~~

14th June 2017 - £140pp + VAT.

All prices inc Books and Certification; if you would like further information please contact our Lincolnshire office on:-

01673 876 150

or

djl@lincsafe.co.uk

If you use the Checklists and forms from the CITB / Cskills GE700 booklet and would like to download them for free please find them here on the following link from the CITB website:-
<http://www.citb.co.uk/publications/companion-websites/ge-700-companion/checklists-and-forms/>