



CDM 2015 is still proving a sticking point in some areas of the Industry.

Summer 2016

As consulting Health & Safety advisors we are very aware of the very real impact that poorly developed designs have on the health & safety on site and the long-term effect they can have on the facilities management of the building. We believe that there is a disproportionate priority given to initial costs, programme, "clean lines" and other agendas eg. Herbading Homes.

Here are few examples

- 1) There are still instances where concrete blocks over 20Kg are indirectly specified. With the focus on strength, little or no attention is given to the weight of full size blocks. Consequently, with poor detail in the specification, contractors will often procure the cheapest blocks to comply, sometimes resulting in heavy blocks being used. The solution would be to specify smaller or lighter blocks which still meet the structural requirements.
- 2) Many developments with flat roofs and need for access onto them, have running lines or "Mansafe" systems designed into them. This means that during construction and until the fall arrest or prevention systems are installed, temporary edge protection is required to be placed by the Principal Contractor (at additional cost) and the anchors need to be structurally secured through the roof waterproof membrane (at additional cost). After handover and for the life of the building, the owner or facilities management need to ensure that the fall arrest system is tested every year, that workers who need access are given correct training and equipment and access is otherwise prevented by everyone else. Furthermore emergency procedures must be in place for such activities. The solution for this would be to design a parapet or cordon to prevent access to an edge which could be part of the original structure. Of course this must be part of the initial planning application, but we often find that the planning permission has been granted on buildings which do not have such systems designed in. Consequently, any later attempts to address this omission which could increase height would mean further planning applications and consequential delays.
- 3) A recent window installation which complied with Herbading Homes, had transoms approximately 800mm above floor level. These windows were tilt and turn design with the upper windows opening into the room. No consideration was given to the fact that the 800mm height of transom represented an inadequate edge protection to residents after occupation. The reactive solution was to ensure that there were stops on the window hinges to prevent them being opened too far. However, these stops need to be robust enough to last the Herbading of the building as, if they became inoperative, the latent risk would still remain. The better long-term option would be to redesign the windows to prevent access to the transom by having hinges allowing the window to pivot horizontally halfway up the mullions. This allows for good access for cleaning and prevent access to the transom and edge.
- 4) We were recently asked to assist a contractor installing a balcony at high level to enable him to gain access to a craned-in unit to fix it to the structure. The balcony was bigger than the door opening to it and so access to the fixings at that level was prevented and a MEWP did not reach high enough. If the designer had considered the difficulties of installing such a unit he might have considered the design of a large structural bracket which could be reached from the doorway when the balcony was craned in which would be adequate for the cantilever of the canopy structure and its size.

All these issues could, and should, be addressed by designers were they aware of the impact of their designs on site and for the lifetime of the building. At Linco, we encounter these difficulties on a regular basis and are frustrated at the lack of foresight and reluctance to change by some stakeholders and therefore pleased to offer our services to assist designers effectively discharge their duties under CDM 15.

Bob Hinton.

HSE

GO TO



Do not pass go,

UPDATE

Demolition contractor sentenced over multiple safety failings

A Hertfordshire based contractor has been found guilty for a series of safety failings across two separate sites.

The Health and Safety Executive (HSE) received a complaint in March 2014 from a member of the public living close to the former Chesham Community Hospital site in Buckinghamshire, concerning activities taking place on the premises.

When HSE inspectors arrived they found a catalogue of failings including the presence of asbestos containing materials among building debris, demolition arrangements not recorded in writing, and witness accounts of dangerous practices including unsafe work at height and use of construction machinery, poor site security and a lack of welfare facilities. In HSE's opinion there was also a serious risk of injury from collapse of partially demolished buildings.

Enforcement action was taken immediately by way of Prohibition and Improvement Notices being served on both the contractor and client to ensure on-going risks were controlled. The client (Chesham Care Ltd) was prosecuted for failings under the Construction (Design & Management) Regulations 2007 (CDM) and fined a total amount of £30,000 in October 2015.

Milton Keynes Magistrates' Court heard attempts were made by HSE to contact the contractor without avail. However, in June 2015 an HSE inspector was alerted to unsafe working practices at a site in Stevenage, Hertfordshire.

Upon attending, the HSE inspector found the same contractor in control of workers unsafely dismantling parts of the building to recover recyclables, such as metal. No risk assessment had been done regarding respiratory exposure to asbestos containing materials. The client told HSE the contractor was working without their knowledge on the site and had alerted the police.

As well as immediate enforcement action being taken on site to control risks, a private investigator was subsequently used to track down the contractor who had failed to respond to HSE..

Milton Keynes Magistrates' Court heard Scot Ian Richardson t/a Aztec Demolition was acting as the contractor in control for both projects. After a trial Scot Ian Richardson was found guilty of two breaches of the CDM Regulations 2007, one breach of The Control of Asbestos Regulations 2012 and one breach of The Health and Safety at Work Act etc, 1974 and was sentenced to four months suspended custodial sentence and 200 hours community service order. He was also ordered to pay costs of £1,200.

After the hearing, HSE inspector Rauf Ahmed said: "Sole traders who control workers to demolish and dismantle structures must understand their legal obligations. This is a high risk industry in which poor planning has no place. Family members expect their loved ones to come home in one piece.

"Clients have a key role in safely directing construction projects. Effective arrangements at the start can have an amplified positive impact down the various stages to completion, including making informed and competent appointments".¹



¹ <http://press.hse.gov.uk/2016/demolition-contractor-sentenced-over-multiple-safety-failings/>

Company fined after worker injured by machinery

A Swansea company which manufactures plastic sheeting has been fined after an employee suffered serious injury when his hand was caught and dragged into machinery.

Swansea Magistrates' Court heard that the employee was part of a maintenance crew at ITW Limited, and was repairing a break in the plastic sheeting.

The court was told the employee was rethreading broken plastic sheeting into a pinch roll when his gloved hand was caught and dragged into the rollers. The first finger on his right hand was so badly damaged it was surgically removed below the knuckle.

Teenage farm worker dies clearing blockage in grain bin.

A farm has been sentenced after a young man was killed while trying to clear a blockage in a grain bin in Hawick.

Jedburgh Sheriff Court heard how Zach Dean Fox, 19, was working for Seamore Farming at their premises at Deanfoot farm in Hawick. The court was told that large metal containers known as bins were used on the farm for storing grain during harvest time.

There was an exit space at the bottom of the bin to allow the grain to escape onto a chain conveyor belt. The bins needed to be cleaned out before moving from one type of grain to another, which the court was told happened around four times a year.

It is not uncommon for blockages to occur in the exit holes at the bottom of the bin and Mr Fox was trying to clear such a blockage on 1 August 2014 from within the bin while it still contained a quantity of grain. He became immersed in the free flowing grain and died as a result of asphyxiation.

An investigation by the Health and Safety Executive (HSE) into the incident found the system

Firm fined after Man struck by gate

A company that produce and install gate systems been fined after a leaf of the gate fell and struck a man.

Newport Magistrates' Court heard how Advanced Gate Limited of Merthyr Tydfil were contracted to manufacture and install a gate system at PHS Limited in Caerphilly.

The gate consisted of two leaves; one of which was driven by a motor and connected to the second leaf by a chain and sprocket which provided the drive motion for the second leaf.

There was a failure of the gate mechanism and on 30 September 2014 an employee of PHS Limited went to manually close the gate. The leaf he was pulling came out of the runners and it collapsed on him. A vertical rail struck his leg and resulted in severe trauma to his leg with muscle and nerves torn away. He was hospitalised for ten days and off work for one year.

An investigation by the Health and Safety Executive (HSE) into the incident, which occurred on 30 May 2012, found that there was inadequate guarding along the length of the production line, despite ITW Ltd having identified the risks.

ITW Limited, of Queensway, Fforestfach, Swansea, pleaded guilty to breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998, and was fined £20,000 and ordered to pay costs of £6,018.¹

¹ <http://press.hse.gov.uk/2016/company-fined-after-worker-injured-by-machinery-3/>

of work in place to clear blockages in the grain bin was inherently and obviously unsafe.

Seamore Farming, of Deanfoot Farm, Denholm, Hawick, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974 and was fined £45,000.

After sentencing HSE inspector Allison Aitken said: "This was an entirely avoidable tragedy which resulted in the death of a young man".

"The dangers associated with working within the confined space of grain silos and clearing blockages in grain silos are well known within the farming industry and well documented in HSE guidance.

"Farmers should ensure that they have a safe system of work in place for clearing blockages in grain silos which avoids the need for anyone to enter inside them. This can be easily achieved, where necessary, by making some minor modifications to working practices to enable the task to be completed safely from outside the grain silo".¹

¹ <http://press.hse.gov.uk/2016/teenage-farm-worker-dies-clearing-blockage-in-grain-bin/>

An investigation by the Health and Safety Executive into the incident found that the underlying failure of the gate mechanism was as a result of inadequate design, assessment and control measures to ensure the gate was safe for use.

Advanced Gate Limited, of Brecon Road, Merthyr Tydfil, Mid Glamorgan, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974, and was fined £20,000 and ordered to pay costs of £5,000.

HSE inspector Dean Baker said after the hearing: "Powered gates pose a risk to employees and members of the public. Those responsible for installing, maintaining and operating these gates need to make sure they are safe during installation and use. This accident could have been avoided if the clearly foreseeable risk of the gate falling had been identified and controlled."¹

¹ <http://press.hse.gov.uk/2016/company-fined-after-worker-injured-by-machinery-3/>

Need to Know news...

Whats new in 2016



Our Open Training dates can be found below and also on our website where new dates are regularly updated monthly to suit demand.

Asbestos Awareness Cat A UKATA *approved

*UKATA - November 4th £65pp +VAT

CITB/Cskills - Health & Safety Awareness 1 day course – for the CSCS Card scheme

HSA CITB/Cskills - July 11th £150pp +VAT

HSA CITB/Cskills - December 5th £150pp +VAT

CITB/Cskills – SSSTS (Supervisor) 2 day course

SSSTS CITB/Cskills - 16th & 17th June
£290pp+VAT

SSSTS CITB/Cskills - 6th & 7th October
£290pp+VAT

CITB/Cskills – SSSTS (Supervisor) Refresher 1 day course

SSSTS Refresher CITB/Cskills - 30th June
£150pp +VAT

SSSTS Refresher CITB/Cskills 30th September
£150pp +VAT

CITB/Cskills – SMSTS (Site Managers) 5 day course

CITB/Cskills SMSTS- September 1,2,8,9,12 –
£500+VAT per person

CITB - SMSTS Refresher 2 day course

CITB/Cskills SMSTS Refresher 26th,27th May –
£150pp+VAT

IOSH Managing Safely 4 day course

IOSH Managing Safely 19,20,26,27 September
£465pp + VAT

IOSH Managing Safely Refresher 1 day course

IOSH Managing Safely Refresher / Re-certification
28th July £150+VATpp

IOSH Directing Safely

IOSH Directing Safely 27th July £140pp+VAT

IOSH Directing Safely 8th November
£140pp+VAT

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

01673 876 150
or
info@lincsafeco.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/>