

Happy New Year!

Welcome to our
January 2010
Health and Safety
Newsletter

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Health and Safety News

Drivers advised to be 'satnav' savvy

Misusing in-vehicle satellite navigation systems is like "driving blind", a leading motoring organisation has warned.

A recent survey by motoring.co.uk found that 20 per cent of women and 30 per cent of men have blindly followed a satnav into the middle of a field, and Network Rail has experienced damage to railway bridges and level-crossing collisions as a result of drivers' failure to use their initiative.

While such incidents are generally made light of in the media, the Institute of Advanced Motorists (IAM) believes they could have serious consequences. IAM chief examiner Peter Rodger said: "Satnavs can be a real aid to road safety, providing the driver already has an idea of the route. Your satnav aids your own navigational abilities - it should not replace them. Have a map as a fall-back and remember: satnavs are no more infallible than the person who uses them, so do have some idea of your route before you set out." □

The Institute is also concerned about the distraction potential of the devices and recommends drivers do the following:

- Always programme your satnav before you set off, not while you are driving;
- Use the audible instruction to guide you and only use the screen for a quick glance as a confirmation; and
- Think about the position of the unit - it shouldn't obstruct your vision, or be placed where an airbag could be deployed.

It also points out that although there is currently no legislation governing the correct use of satellite navigation equipment, the Police have a number of offences they can apply if they believe the driver to have been 'driving without due care' or 'failing to have proper control'. These could result in the driver receiving between three and nine penalty points on their licence.

IOSH praises Cameron for getting the ball rolling

IOSH has welcomed David Cameron's plans to address burdensome health and safety regulations, saying he has opened up a "much-needed debate on risk and responsibility". As a result, says the Institution, we could end up with a "more risk-intelligent society, characterised by a greater awareness and understanding of sensible risk management".

Said IOSH president John Holden: "Our attitude to risk has got stuck in an uneasy contradiction: on the one hand we won't tolerate risks or mistakes, but neither do we want to be controlled or nannied. □ "In an increasingly individualistic society, we now seem able to hold two completely divergent views at the same time - 'I want to take the risks I want to take but I don't want to be exposed to any risks that are not of my making' and 'I want those who are involved in accidents to be held accountable, whatever the circumstances'." □

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IOSH praises Cameron for getting the ball rolling

John Holden welcomed the Conservative leader's challenge, to end the 'culture of blame'. "Without a doubt," he said, "it would do all of us a power of good to get some sensible risk management back in the equation, to come to terms with the fact we'll never exist in a risk-free world, and get on with our lives in enterprising, creative, innovative and successful ways." □ □

IOSH said it will be keen to influence the Conservatives' planned review of health and safety legislation, to be headed by Lord Young, particularly to support the Working Time Directive and current UK health and safety standards. In particular, it will emphasise that the UK has no need to 'gold-plate' EU legislation, as the flexibility of the Health and Safety at Work, etc. Act enables a more balanced interpretation than in other European countries of what health and safety protection needs to be put in place.

As for the 202 statutory instruments that have come into force since Labour came to power, IOSH will be underlining the critical nature of some of these, including regulations governing the control of asbestos, offshore safety, noise at work, and decommissioning of nuclear reactors.

News from QRM

Find out more about QRMonline - our report delivery and management platform

The application has been designed to:

- Help managers track and action risk improvements.
- Email approved contractors with work requests.
- Log all statutory tests and examinations.
- Retain risk management reports.



Health and Safety Court Round-Up

Oldbury employer fined after worker fell through roof

An Oldbury man has been fined £3,500 after one of his workers fell 26 feet through a roof onto a concrete floor, breaking several bones.

Ian Brian Griffiths, 41, of Theodore Close, Oldbury recently pleaded guilty to breaching Regulation 4(1)(c) and 6(3) of the Work at Height Regulations 2005 and to breaching section 3(2) of the Health and Safety at Work etc Act 1974 at Birmingham Magistrates Court. He was also ordered to pay £1,408 costs.

The court heard that Craig Richard Thomas, aged 35 from Wolverhampton, and Paul Anthony Leggett, 28 from Oldbury, were working on the roof of industrial units. They were employed as subcontractors by Mr Griffiths, who had been contracted to repair the building.

While Mr Leggett was on the roof, he lost his balance on a crawling board and fell through the roof. He suffered a broken leg, ankle, wrist and nose in the fall.

The Health and Safety Executive (HSE) inspector Mike Ford, said: "Mr Leggett was lucky to survive falling 26 feet through the roof, landing on the concrete floor below. The equipment provided to these men and the system of work used was completely inadequate. The precautions taken to ensure their safety fell far short of what is acceptable. Working at height remains a major cause of death and injury at work in Great Britain. Employers must ensure the correct precautions are taken and the right equipment is used."

During the investigation by the HSE it also emerged that Mr Thomas had not received adequate training to carry out the job, putting him in danger.

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Company fined after man loses leg

A man had to have his leg amputated after visiting a waste and recycling site in Ilkeston, a court recently heard.

The HSE successfully prosecuted Donald Ward Ltd of Woodville near Burton-on-Trent, who were fined £10,000 and ordered to pay £1,572 costs at Southern Derbyshire Magistrates Court today. The company pleaded guilty to breaching Section 3(1) of the Health & Safety at Work Act 1974 for failing to ensure that people visiting their site at Griffon Road, Ilkeston were not exposed to health and safety risks.

The case was brought as a result of an incident on 16 January 2008, after a man was seriously injured. He was visiting the Donald Ward recycling plant and a pile of scrap metal suddenly moved, knocking a steel girder onto his legs. After the incident, the man had to have his left leg amputated below the knee and he also sustained serious injuries to his right leg.

HSE Inspector Andrew Turner said: "Companies and individuals have duties to ensure that hazards created by their work activities are managed such that they do not put the health or safety of employees, or others, at risk. This case is a graphic example of what can go wrong when these duties are not rigorously managed and it is tragic that because of the failings outlined in Court today a young man has been so seriously injured."

Company fined £7,500 after worker injured

A food processing firm in County Durham has been fined £7,500 after a 22-year-old worker had two fingers amputated by a mixer machine.

Ravendale Foods Limited, of Leadgate Industrial Estate, Lope Hill Road, Consett, was recently fined a total of £7,500 and ordered to pay costs of £2,865.20 at Consett Magistrates' Court. The company pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974.

The worker from County Durham, was working at the company's premises in Consett. As he attempted to clear away meat from the opening of a mixer onto a conveyor, his left hand came into contact with the rotating paddles. The index and middle fingers of his left hand were amputated.

Company fined £7,500 after worker injured

After the case, HSE Inspector Cain Mitchell said: "This incident could have easily been prevented if Ravendale Foods Ltd had identified the risks from using the machine, ensured suitable guarding was in place on the machine and that staff were properly trained in how to use it. Although this young man underwent surgery to re-attach one of his two fingers, he has only recently gone back to work and is still unable to do his normal job. He was working as part of a makeshift overtime team and was not doing his normal full-time job. He had not received any training in how to operate the mixer machine."

The company has since fitted an extended guard which prevents access to the paddles.

Development company fined £5,500 following asbestos contraventions

A development company that exposed both employees and others to the risks of asbestos during renovation work has been prosecuted by the HSE.

Stonehouse Design and Build Limited, based in Houndiscombe Road, Mutley, Plymouth, Devon, was charged with health and safety breaches under the Control of Asbestos at Work Regulations 2002, following renovation work at the former Sharksfin Hotel at The Quay in Mevagissey, Cornwall.

The company was charged with breaching Regulation 15 (relating to the spread of asbestos) and Regulation 16 (1) (a) (relating to the failure to keep the site clean). Having pleaded guilty to both charges, Stonehouse Design and Build Ltd was fined £2,700 for the each of the breaches then ordered to pay part costs of £8,267 at Bodmin Magistrates.

Stonehouse Design and Build Limited bought the former hotel site in order to convert the building into apartments. During the course of the renovation work, asbestos was disturbed and HSE was notified in confidence that the hazardous material was not being removed under appropriate controlled conditions. This included the illegal disposal of asbestos materials alongside general waste, designated for general landfill waste.

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Development company fined £5,500 following asbestos contraventions

Work at the site was halted by HSE inspectors in July 2009 and the asbestos was removed under licensed conditions then the site decontaminated by a specialist team.

Speaking after the hearing, HSE Inspector, Martin Lee, said: "We have just been running an asbestos awareness campaign called 'The Hidden Killer' precisely to highlight the dangers of this potentially lethal material to tradesmen such as those working at the former Sharksfin Hotel site.

The dangers of exposure to asbestos cannot be underestimated. In Cornwall alone, 250 men died from mesothelioma caused by asbestos between 1981 and 2005 (latest figures available). This figure will continue to rise unless we can educate tradesmen about the dangers of asbestos and why this is relevant to them. We want them to change the way they work so that they don't put their lives at risk.

The most simple, but important advice is, if any worker or developer is not 100 per cent certain that there is no asbestos on site, then work should not begin before the facts are known. It is not worth the long-term risk."

Property developer prosecuted for dangerous scaffolding

Businesses are being warned to take proper precautions with scaffolding following the recent successful prosecution of a Sheffield firm that ignored important advice and enforcement action by the HSE.

Pullan Development (Selby) Ltd, of Broomhall Street in Sheffield, pleaded guilty to two breaches of the Work at Height Regulations 2005 in relation to poorly erected scaffolding at the Sheffield Ski Village construction site in Vale Road, Parkwood Springs.

Sheffield Crown Court heard that during an inspection by HSE, people were seen working on scaffolding that was extremely unsafe and posed a risk of serious, if not fatal, injuries due to the manner in which it was constructed.

Three months earlier HSE had inspected the same site and ordered all work to be stopped, due to health and safety failings, including problems with the scaffolding.

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Property developer prosecuted for dangerous scaffolding

The company was today fined £15,000 and ordered to pay £5,000 costs for breaching Regulation 8(a) and 8 (b) of the Work at Height Regulations 2005.

Following the hearing HSE Inspector David Bradley commented: "This company had failed to heed previous health and safety advice which is extremely disappointing. The scaffolding was so dangerous that people should never have been allowed to use it. Pullan Development (Selby) Ltd has received extensive advice from HSE going back several years. The company had also been served with 11 prohibition notices for failures to address health and safety issues on site. A recurring theme in this advice is the company's failure to address the risks to people working at height. The risks of working at height, and the controls required to avert these risks, particularly with scaffolding, are well documented.

Falls from height remain the largest cause of fatal and serious injuries in the construction industry. We hope today's prosecution serves as a reminder to all companies using scaffolding that they need to ensure it is fit for purpose. Furthermore, HSE will not hesitate to prosecute, even when there has been no incident, should conditions on site be so poor to merit this."

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