



Prosecutions

Lifting Operation Fine

A Hertfordshire company has been fined after a worker was seriously hurt when he was struck by steel beams falling from a tower crane.

Stephen James, 58, was working as a slinger (a person directing crane drivers) for John Doyle Construction Ltd at a residential development at Wilton Plaza in Victoria in September 2007.

City of London Magistrates heard Mr James had slung 20 steel beams onto two chains attached to a tower crane to be moved across site.

The 2.7 metre beams were slung with six metre length chains attached to the crane, but as the load was lowered it hit a piece of reinforcing bar protruding from a first floor slab. The chains came together allowing the beams to slip from the chains.

Mr James suffered multiple injuries including severe damage to his right arm and leg and now has a metal plate in his head and has been unable to work since his accident.

A Health and Safety Executive (HSE) investigation found the lift was not carried out in a safe manner and the site was congested with building materials. HSE asserted that there should have been a specified safe zone for lifting.

The company, of Little Burrow, Welwyn Garden City, Hertfordshire, pleaded guilty to breaching Regulation 8(1)(c) of the Lifting Operations and Lifting Equipment Regulations. The firm was fined £2,000 with costs of £17,466.

HSE inspector Monica Babb said: "The terrible injuries Mr James suffered in this incident should and could have been avoided.

"This type of incident illustrates the importance of lifting operations being properly supervised and carried out in a safe manner. The site should have been tidier and there should have been a specific area set aside for lifting operations.

"This includes indentifying and dealing with the risks that can arise from an overcrowded site."

Fine for Water Company

A water services company and its sub-contractor have been fined after a technician fell through the roof of a pumping station in Cambridgeshire, fracturing a vertebra in his back.

Technician Matthew Morgan, sub-contracted to Anglian Water Services, fell through an unmarked fragile roof light while taking a reading from a rain gauge on top of a pumping station in Willingham, near Cambridge.

Mr Morgan, 28, of Wellington Grove, Pudsey, Leeds, West Yorkshire, suffered a fractured vertebra, cuts and bruising, and has had ongoing back pain since the fall on 6 August 2007.

His employer IETG Ltd, of Hapco House, Cross Green Way, Cross Green Industrial Estate, Leeds, appeared at Ely Magistrates' Court today and admitted breaching Section 2(1) of the Health and Safety at Work etc Act 1974. The company failed to ensure the health and safety of those working near unmarked fragile skylights. Magistrates fined IETG £1,500 and ordered it to pay £3,219 in costs.

Anglian Water Services Ltd, which owns and runs the pumping station, sub-contracts IETG Ltd to carry out specialist services on its behalf.

Anglian Water Services, of Anglian House, Ambury Road, Huntingdon, Cambridgeshire, admitted breaching Section 3(1) of the Health and Safety at Work etc Act 1974. The company failed to adequately identify the risks associated with working near the unmarked fragile skylights. It was fined £4,000 and ordered to pay £3,261 in costs.



HEALTH & SAFETY NEWS

Issue	1
Date:	11/05/10
Page:	2 of 6

The company was also fined a further £12,000 with £6,286 in costs, after it admitted breaching Section 2(1) of the Health and Safety at Work etc Act 1974 in relation to a separate issue.

While investigating Mr Morgan's fall, Health and Safety Executive (HSE) inspectors found problems with the safety of a number of machines at Anglian Water Service's sewage treatment plant in Angel Drove, Ely.

Some machines were missing safety guards, which protect workers from dangerous moving parts. Some interlocking devices, designed to isolate power from the machines, were not working properly meaning the machines could automatically start up when the guards were open.

HSE Inspector Penny Leede said:

"Incidents like Mr Morgan's fall are entirely avoidable. Falling from height is one of the most obvious and well-known dangers for those working on roofs.

"Unfortunately, Mr Morgan is not alone. More than 4,000 British employees suffered serious injury after falling from height in 2008/09. Employers need to plan ahead and assess potential risks before carrying out any work at height.

"Proper safety guards and the isolation of power from exposed machinery play an important role in protecting workers from dangerous moving parts. HSE will continue to prosecute companies that fail to carry out their duties."

Vital Guard Missing

A specialist bread manufacturer has been fined after a worker was injured by a dough mixing machine and had his finger amputated.

Thambirasaiyah Roy, 39, from Edgware, was using a spiral mixing machine to make dough in October 2006, at the company's factory in Garrick Road Industrial Estate, Hendon.

While using the machine Mr Roy's left hand came into contact with the unguarded beater of the mixing machine. As a result part of his left index finger had to be amputated.

A Health and Safety Executive (HSE) investigation showed the guard covering dangerous parts of the machine had been missing for some time before the incident and previous advice from HSE regarding maintenance of machinery in the factory had been ignored.

Bread Factory Limited, formerly known as Bread Limited, of Hendon, Barnet, pleaded guilty to breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998. The company was fined £3,500 and ordered to pay costs of £2,926, at the City of London Magistrates Court.

HSE inspector, Anne Gloor said:

"This incident could easily have been avoided. The hazards associated with this type of machine are understood within the food manufacturing industry and there is clear guidance on the guarding standards which should be followed.

"There were clear failings on this occasion. Had a simple guard been fitted to this machine then Mr Roy would never have suffered these injuries."



News

Thomas Cook Case - Lessons for Employees

Two Thomas Cook employees standing trial following the death of a brother and sister in Corfu have been cleared of manslaughter. The case highlights the serious issue of employees below director level accepting and understanding the importance of their health and safety responsibilities.

Richard Carson (28), a consumer affairs executive who was responsible for filling in health and safety forms for the travel agency, and Nicola Gibson (26), a holiday representative, were cleared by three judges at Corfu Town courthouse. Of the 11 people on trial, three, including Georgios Chrysikopoulos, the hotel manager, were found guilty of manslaughter by negligence and one of breaching building regulations.

Robert Shepherd, six, and Christianne, seven, of Horbury, West Yorkshire died of carbon monoxide poisoning at their apartment in October 2006.

The children had been on holiday with their father and his partner, who were both left in a coma as a result of the accident but survived. Carbon monoxide fumes leaked into the bungalow from a 'decrepit' boiler in an outhouse next door; there was no flue for the gas to be released, so it entered the bungalow through holes in the roof. The court heard expert opinion that there was a "catalogue of failings" in installation and maintenance of the gas boiler.

The parents of the two children believe that Thomas Cook should shoulder some of the blame.

Thomas Cook said in a statement: "What happened in Corfu was a tragedy and the thoughts and sympathy of everyone at Thomas Cook will always be with the family and friends of Christianne and Robert Shepherd.

"We have always maintained that this tragic accident was the result of a unique set of circumstances, none of which could be the responsibility of the company or Richard Carson and Nicola Gibson.

"We believe that they should never have formed part of this court case."

New Support Group for Asbestos Victims

A new organisation has been launched to provide support and advice to victims of asbestos and their families in the Northern Region.

The Northern Asbestos Support & Campaign Group was launched on Worker's Memorial Day (28 April).

Asbestos is the biggest single work-related cause of death in the UK. It kills thousands every year and wrecks the lives of many more. The North's industrial past means the area has one of the highest rates of death from mesothelioma, a fatal asbestos related cancer.

The new group, operating under the auspices of Northern TUC will be the first of its kind aimed at delivering professional support to people affected by asbestos disease across the North East & Cumbria. Its services will include a drop in centre, a telephone helpline, expert advice on benefit entitlements, home visits on request and support for family members at Coroner's inquests.

It will be chaired by former Swan Hunter shipyard convenor Michael Blench from Wallsend.

He said: "As a former shipyard worker I have known many workmates die from asbestos diseases like mesothelioma. Many more have suffered from conditions like pleural thickening and pleural plaques.

"I am well aware of the devastating impact asbestos has had on families across the region. We hope by setting up the Northern Asbestos Support & Campaign Group we will be providing much needed help and advice to those affected by asbestos.



HEALTH & SAFETY NEWS

Issue	1
Date:	11/05/10
Page:	4 of 6

"By creating a group which will extend across the North East and Cumbria we aim to coordinate campaigning on asbestos issues. Through our links with trade unions, health professionals and expert legal firms we are determined to make a real impact on providing services to victims of asbestos and to find ways of making our workplaces and communities safer by enforcing safeguards to prevent asbestos exposure."

Kevin Rowan, Regional Secretary of Northern TUC added: "For the first time practical support will be available to families affected by asbestos disease across the region delivered free of charge by a professional team. The group will work with other interested organisations to create a focus for campaigning on health and safety and social justice issues to deal with the legacy of asbestos in the region."

Chris Knighton from the Mick Knighton Mesothelioma Research Fund added: "We are delighted this group is being launched and we look forward to working closely together to provide extra services to those suffering from mesothelioma and their families."

"There has been a need for an organisation of this kind in the North East and Cumbria. I wish this service had been around when my husband Mick was ill as it would have eased the burden of navigating the benefits system during such a heartbreaking time. The Northern Asbestos Support and Campaign Group will be launched on 28 April 2010 at Wallsend Memorial Hall followed by a service to commemorate Workers' Memorial Day."

Safe Maintenance in Focus

To mark the World Day for Safety and Health at Work (which was on 28 April) the European Agency for Safety and Health at Work (EU-OSHA) launched its new Healthy Workplaces Campaign for 2010/11, promoting safe maintenance across Europe.

In some European countries as much as 20% of all workplace accidents are connected with maintenance and in a number of sectors over half of all accidents are maintenance-related.

Maintenance is essential to prevent workplace risks, but it is itself a high risk activity for the workers that carry it out. It is estimated that in Europe 10-15% of fatal accidents at work can be attributed to maintenance operations. It is vital, therefore, that maintenance is carried out properly, taking into consideration workers' safety and health.

Launching the Campaign at the European Commission's headquarters in Brussels, Dr Jukka Takala, Director of EU-OSHA, alongside the EU Commissioner for Employment, Social Affairs and Inclusion, Mr László Andor, outlined the campaign's objectives and the basic rules for safe maintenance as a key contribution to healthy workplaces.

Mr Andor giving his backing to the Campaign, said: "Maintenance is a daily part of every workplace and sector. The 20% of accidents currently linked to maintenance is too high and shows it's an area where we have to raise awareness and step up our efforts". He added: "Our overall strategy is to cut all work-related accidents in the EU by 25% over the coming years. This campaign will help to raise awareness about maintenance-related risks, saving lives across Europe and bringing us closer to our overall goal for safer and healthier workplaces".

Poorly managed maintenance activities and procedures raise the risks of workplace accidents, including fatal accidents, involving workers at all levels across a wide range of industries. In one of the worst incidents of its kind in Europe, the Piper Alpha disaster of 1988 saw the North Sea oil and gas platform turned into a blazing inferno within seconds, killing 167 workers – a tragic example of the potential consequences of inadequate maintenance procedures.

Guidance

Healthy Workplaces: A Model for Action

The World Health Organisation has published 'Healthy Workplaces: A Model for Action'. This document addresses:

- work-related physical and psychosocial risks
- promotion and support of healthy behaviours
- broader social and environmental determinants.

In October 2009, and after a systematic review of literature on healthy workplaces, WHO held a workshop with attendance of the ILO, 56 experts from 22 countries, international worker and employer representatives, and NGOs in official relations with WHO.

The result was the healthy workplaces model that combines evidence-based approaches and principles of health protection and health promotion. The ideas are not new, but the model is innovative as it combines the four avenues of influence employers can take, with the participation of workers.

According to the document, an estimated two million people are currently dying each year as a result of occupational accidents and work-related illnesses or injuries. Another 268 million non-fatal workplace accidents result in an average of three lost workdays per casualty, as well as 160 million new cases of work-related illness each year. In addition, 8% of the global burden of disease from depression is currently attributed to occupational risks.

It is highlighted that these data, collected by the International Labour Organization and the World Health Organization, only reflect the injuries and illnesses that occur in formally registered workplaces.

The definition of a healthy workplace, developed in the consultations that took place around this document, is as follows:

A healthy workplace is one in which workers and managers collaborate to use a continual improvement process to protect and promote the health, safety and well-being of all workers and the sustainability of the workplace by considering the following, based on identified needs:

- health and safety concerns in the physical work environment
- health, safety and well-being concerns in the psychosocial work environment, including organization of work and workplace culture
- personal health resources in the workplace
- ways of participating in the community to improve the health of workers, their families and other members of the community.

The five objectives set out by the Global Plan of Action are to:

- devise and implement policy instruments on workers' health
- protect and promote health at the workplace
- promote the performance of, and access to, occupational health services
- provide and communicate evidence for action and practice
- incorporate workers' health into other policies.

In line with the Global Plan of Action, this brochure sets out a framework for the development of healthy workplace initiatives adaptable to diverse countries, workplaces and cultures.

The principles outlined are based on a systematic review of healthy workplace programmes in the global literature, including definitions, policies and practices for improving workplace health.

Safe Maintenance – Asbestos in Building Maintenance

Asbestos is the collective name for several naturally occurring fibrous silicate minerals that can be separated into thin, durable threads. It was once widely used because of its properties: it is heat resistant, withstands acids and other chemicals, is a good insulator, has a high strength and can be woven. The main forms are:

- chrysotile or white asbestos
- crocidolite or blue asbestos
- amosite, also known as grunerite or brown asbestos
- anthophyllite
- actinolite.

The first and to a lesser extent the second and the third have been the main commercially used varieties of asbestos.



HEALTH & SAFETY NEWS

Issue	1
Date:	11/05/10
Page:	6 of 6

This factsheet, issued by the European Agency for Safety and Health at Work, aims to help building maintenance companies and workers become more aware of the risks of asbestos, and develop the knowledge and skills to avoid exposure to the hazardous fibres.

A brief overview of the risks resulting from exposure to asbestos is given. Depending on the degree of binding of the asbestos into a product or material and on the degree of disturbance, microscopic asbestos fibres are released into the air in smaller or larger quantities. When these fibres are inhaled, they may get into the lungs and may remain there for many years because they are not soluble. Over time they may cause scarring and inflammation, which can affect breathing and – usually decades later – lead to serious health problems.

Depending on the type of the fibres and the level and duration of exposure these health problems can develop into:

- asbestosis, a chronic lung disease that can cause shortness of breath, coughing, and permanent lung damage
- lung cancer
- mesothelioma, a cancer of the thin membranes that line the chest and abdomen
- to non-malignant pleural lesions, known as pleural plaques.

The factsheet gives details of where in a building asbestos can be found, such as in asbestos cement products like flat or corrugated sheets, tiles, slates and other roofing panels.

A structured approach to maintenance is set out, which explains the planning element: safety and health management, clear responsibilities. This covers:

- risk assessment
- notification and licences
- training
- using appropriate equipment
- monitoring
- medical surveillance.