



Prosecutions

Joinery Apprentice Dies at Work

The Health and Safety Executive (HSE) is warning company directors of their personal duty to protect their employees following the death of a 17-year-old apprentice.

On 6 November 2006, Simon Murphy, an apprentice at Chris Pridmore Joinery Ltd's workshop on the Maun Valley Trading Estate in Sutton-in-Ashfield, died from serious head injuries after a stack of MDF boards fell on him..

HSE inspector Maureen Kingman said: "The boards were stored on top of a bench in the workshop and fell because a bracket that was intended to restrain them was not strong enough to support their weight. The bracket failed after only a week in use."

Regulation 4 (1) of the Provision and Use of Work Equipment Regulations 1998 states: "Every employer shall ensure that work equipment is so constructed or adapted as to be suitable for the purpose for which it is used or provided."

The Company Director, Christopher John Pridmore, of Scholars Way, Mansfield, Nottinghamshire, was fined £7,500 and ordered to pay costs of £2,500 at Nottingham Crown Court after pleading guilty to breaching the above Regulation.

Student Suffers Burns Whilst on Work Experience

A young man was hospitalised, suffering burns from a fire-ball, following an incident at a garage where he was taking part in work experience.

Hockmeyer Motors Ltd of Sleaford, who own Holdingham Garage was fined £15,000 and ordered to pay £9,000 costs, at Grantham Magistrates' Court on 5 March 2009. They pleaded guilty to breaching section 2 (1) of the Health and Safety at Work etc. Act 1974 for failing to ensure the health and safety of their employees.

The fire-ball started when brake fluid ignited after being sprayed onto a running engine by a colleague. This melted the plastic print of the student's t-shirt onto his skin.

HSE inspector Judith McNulty-Green, said: "This incident left a young man hospitalised, and could have been avoided if the company had assessed the risk associated with such habitual use of the solvent and implemented appropriate risk control measures to reduce identified risks.

"Work experience pupils are viewed as employees for the purposes of health and safety legislation, yet they are often more vulnerable than a company's trained and qualified employees.

"It is therefore imperative that if companies contract to have work experience pupils from local schools they update any risk assessments to take into consideration this particularly vulnerable group of employees."



HEALTH & SAFETY NEWS

Issue	1
Date:	17/03/09
Page:	2 of 4

Company Prosecuted after Ignoring Roof Improvement Notice

The Health and Safety Executive (HSE) has issued a warning to companies of the consequences of failing to comply with Improvement Notices. The Executive's warning comes in the wake of a prosecution of a company from St Helens who failed to carry out repairs or comply with an Improvement Notice in respect of a damaged workshop roof.

DG Engineering Co. Ltd, of Jackson Street, St Helens pleaded guilty to two offences under the Health and Safety at Work etc. Act 1974, namely:

- failing to ensure the roof of an engineering workshop was maintained in a safe condition (section 2(2)(d))
- failing to comply with an Improvement Notice to repair the roof, served under section 21.

The company was fined £5,000 and ordered to pay costs amounting to £1,628. It was also ordered to complete the necessary repairs within four months.

On 7 June 2007, an anonymous complaint was made to the HSE concerning the state of the roof at DG Engineering Co Ltd's engineering workshop. The roof had a hole in it, which meant that the premises were very cold and that workers were exposed to precipitation in poor weather conditions.

The HSE requested the owners of the factory to write with details of their proposed actions to fix the roof but they failed to do so. Following a further complaint, the company owners said they would set out their proposals, but again the HSE received no response.

An inspector visited the factory and issued an Improvement Notice requiring the necessary repairs to be undertaken by 18 January 2008. The company did not comply with the Notice and the HSE decided to proceed with prosecution.



Sub-standard PPE is Putting Lives at Risk

A recent report has revealed that sub-standard protective clothing is putting workers' lives at risk. Retailers are selling fake or poor standard clothing that, in the worst cases, has only 1% of the required under the European Standard.

The Department for Business, Enterprise and Regulatory Reform (BERR) has agreed to fund an investigation, bringing the situation to the attention of local Trading Standards Authorities, following calls from health and safety professionals.

High visibility garments were tested by the Reflective Manufacturers Association (REMA) during 2007 and 2008 in 12 local authority jurisdictions. It was found that sub-standard garments were on sale in two of the UK's largest supermarket chains. Similar garments were also found in a car accessory chain and two multi-chain discount stores.

This type of clothing could be worn by people working on road and construction sites as well as members of the public such as cyclists. A major concern surrounds the labeling of the clothing which can be misleading.

Action has been called for from retailers and the Government, as well as from HM Revenue and Customs to prevent the goods entering the country in the first place.

There have been many reports recently concerning the mis-use of PPE, predominantly within the construction sector. A recent survey showed that the recession and cutbacks have led to PPE not being replaced or used as often as it should.

Fire Safety Logbook for Landlords

The National Landlords Association (NLA) has published a Fire Safety Logbook to help landlords maintain high standards of fire safety in their properties.

The online tool enables landlords to keep a record of their fire safety precautions in one document ensuring that all necessary safety measures are being implemented.

It includes a template for a fire safety risk assessment and a means to keep a record of mandatory safety checks, fire equipment defects and instances where the fire alarm has been activated.

Used in conjunction with the LACORS Housing Fire Safety guide the log book should be updated regularly.

David Salusbury, Chairman, NLA, commenting on the launch of the Fire Safety Logbook, said: "Fire safety in the private-rented sector is clearly an issue of vital importance and one that all landlords must take seriously. Keeping a record of all the fire safety precautions taken in a rental property will offer reassurance to tenants that their landlord strives to keep their property as safe as possible.

"Landlords face a complex maze of fire safety laws, with different legislation relevant to specific property types. It is important that landlords are aware of which is relevant to their properties and ensure they are adhering to the rules."



HEALTH & SAFETY NEWS

Issue	1
Date:	17/03/09
Page:	4 of 4

HSE Targets 1,500 Refurbishment Sites

The Health and Safety Executive (HSE) has announced that, throughout the month of March, it intends to inspect 1,500 refurbishment sites in Great Britain in order to address poor health and safety standards.

In 2007/08, over half of the fatalities to workers on construction sites, concerned those involved in refurbishment, repair and maintenance work. The statistics for the previous year are similarly shocking.

The HSE is targeting the principal contractors on sites like these as part of its 'Shattered Lives and Hidden Killer' campaigns. The inspectors will focus on:

- safe working at height, eg whether the risks have been identified properly and appropriate precautions are in place
- good organisation on site in order to avoid slips, trips and falls
- exposure to asbestos, eg whether the risks of exposure are being managed properly.

Accompanying the HSE's inspections announcement is a warning that, as in previous years, contractors can expect strong enforcement action. Over the last two years, HSE construction inspectors undertook over 2,400 inspections of refurbishment sites. Furthermore, these inspections resulted in instigation of enforcement action on approximately 1 in 3 of the sites visited.

"While workers in the refurbishment sector continue to be injured and killed, as we stated before our last inspection initiative, HSE will continue to target the contractors and principal contractors on those sites who flout health and safety law and come down hard on them where necessary".