



Prosecutions

Managing Director and Companies Fined

Two companies and a managing director have been fined a total of £170,000 after a 23-year old worker from Kettering fell more than nine metres, leaving him paralysed from the chest down.

The Health and Safety Executive (HSE) prosecuted SDI Group UK Ltd of Main Street, Hardwick, Cambridge, Steel Construction Ltd of Bodmin Road, Coventry, and Richard Mark Berwick, the managing director of RM Berwick Steel Erection Services Ltd of Fairfield Road, Isham, Northamptonshire, after the incident on 8 February 2007 in Glossop, Derbyshire.

SDI Group UK Ltd pleaded guilty to breaching section 3(1) of the Health and Safety at Work etc Act 1974 and were fined £80,000 and ordered to pay costs of £20,000.

Steel Construction Ltd pleaded guilty to the same offence and were fined £50,000 and ordered to pay £22,000 costs.

Richard Mark Berwick pleaded guilty to breaching section 37 of the Health and Safety at Work etc Act 1974. He was fined £40,000 and ordered to pay costs of £5,000. He was also disqualified as a director for four years commencing today.

The court heard that Wayne Simpson, now 26, from Kettering, Northamptonshire, was working at a construction site off Waterside, Hadfield in Glossop on the day of the incident. He was installing a new racking system when he fell more than nine metres to the concrete floor below.

The incident has left Mr Simpson paralysed from the chest down and he is likely to use a wheelchair for the rest of his life.

Almost three years on, he relies on family and friends for assistance. He has not been able to return to work.

Following the hearing, HSE inspector Kevin Wilson said:

"It is unacceptable that a young man should suffer such life-changing injuries while just trying to do his job. Mr Simpson has been left with a long-term debilitating condition because the two companies and Richard Berwick failed to ensure his health and safety.

"Employers must understand the importance of protecting their workforce. Mr Simpson should have been provided with an appropriate safe system of work to protect against falls. This could have included personal fall protection, such as a harness and work restraint lanyard fitted to a running line, and properly fitted safety nets.

"Companies should adequately plan for working at height and ensure fall protection and mitigation measures are in place so incidents like this do not happen."

Teenage Worker Trapped – Company Fined

A Wolverhampton manufacturer has been fined £8,000 after a teenage employee was trapped under a load of steel, breaking his leg.

The Health and Safety Executive (HSE) prosecuted Dranson Ltd after a 17-year-old worker was left pinned to the floor in agony after approximately 700 kg of steel fell off a trolley he was pushing. He needed several pins and metal plates in his leg and his recovery has been delayed due to complications with the broken and shattered bones.

The company, based in Bushbury, Wolverhampton, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. As well as the fine, it was also ordered to pay £3,603 costs.

Wolverhampton Magistrates heard how on 4 November 2009 at the firm's site in Bushbury in the city, the injured man was helping two other people to push a trolley loaded with lengths of steel into the warehouse.



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As it was being pushed over a ramp, the trolley wheel became wedged in its lip and toppled to one side, falling onto him, pinning him to the ground and breaking his right leg in several places.

HSE investigations at the site found the condition of the floor had not been maintained and the trolley being used was not intended for outdoor use.

The court heard that Dranson had bought the business less than four years ago and had left unsafe practices in place which included transporting lengths of steel in this way.

HSE inspector Amarjit Kalay said:

"This was this young man's first job after leaving school and he suffered a nasty injury caused by a poorly-maintained work environment and unsuitable work equipment. Although it had been used in this role for a while, the trolley was really unsuited to this type of work and it was only a matter of time before something like this occurred.

"It is vital that when moving heavy items like this that the proper equipment and precautions are taken. Just because something has always been done in a certain way without incident, doesn't mean that it is the proper way of doing it nor that it should continue in that way.

"It should also act as a reminder to firms to carry out proper risk assessments. In this case it would have highlighted that incorrect work equipment was being used and something should have been done about it."

Company Fined for Failing to Ensure Safety

A Burnley tool manufacturer has been fined £1,000 after one of its workers lost a finger when it became trapped in machinery.

C.M.A Tools (Burnley) Ltd, of Westgate in the town, was prosecuted by the Health and Safety Executive (HSE) following the incident at its factory at Belle Vue Mill on 1 April 2009.

Reedley Magistrates' Court heard that Paul Whittaker, 30 from Burnley, was using a piece of emery cloth to reduce the size of a metal component on a metalworking lathe.

The cloth became trapped by the rotating mechanism, pulling in his right hand. Mr Whittaker was wearing a glove at the time which pulled his hand further into the machinery.

Reedley Magistrates' Court heard that Mr Whittaker had not received training on how to operate the machine safely, or on the dangers of using emery cloths on metalworking lathes.

HSE Inspector Imran Siddiqui said:

"Paul Whittaker has been unable to return to work and his injury has significantly affected his ability to grip and lift with his right hand. Sadly injuries like the one he suffered are all too common.

"A significant proportion of incidents at lathes are caused by emery clothes being used in an unsafe way. If Mr Whittaker had been warned against using a piece of emery cloth while he worked on the lathe, he would not have lost his finger."

The HSE investigation found that the company had failed to adequately assess the risks of using emery cloths on rotating mechanisms, and had not implemented a safe system of work to control the risks.

CMA Tools pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 by failing to ensure the safety of its employees. The company was ordered to pay costs of £1,000 in addition to the fine on 6 May 2010.

Imran Siddiqui added:

"CMA Tools should have provided a safe system of work and the appropriate training for Mr Whittaker. Workers should have been instructed to use a suitable tool to handle emery cloth so that their hands could not become trapped.



"This incident is also a reminder that gloves should not be worn when working with rotating parts. I hope manufacturers learn lessons from this case so that no more workers suffer permanent injuries in the future."

News

Warning to Roofers

Building firms in Greater Manchester are being urged to improve safety standards after nearly 180 formal warnings about work at height were issued last year.

Health and Safety Executive (HSE) inspectors served 148 enforcement notices in the county in 2009, immediately stopping unsafe work being carried out at height. They issued another 29 requiring safety improvements to be made.

More than 100 roofers across Greater Manchester are now being encouraged to attend a free safety awareness event on Tuesday 11 May, or risk an unannounced visit from an inspector.

The HSE is concerned that some companies may be trying to save money by allowing employees to work on roofs without scaffolding or other safety equipment, putting lives at risk.

The free safety event at Clifton Territorial Army Centre in Salford has been organised as part of a joint initiative with Trading Standards. It will aim to raise awareness about the dangers of working on roofs without scaffolding, and of the standard of work expected in the industry.

Neil Jamieson, a Principal Inspector for HSE in the North West, said:

"We're worried that some roofing and building companies in Greater Manchester are trying to cut down on costs and undercut each other by not using scaffolding and other safety equipment.

"Falls from height kill dozens of workers every year and seriously injure hundreds more. But the number of deaths will carry on rising if firms don't accept they're putting their workers in danger.

"We will continue to take action against companies that do not take the safety of their workers seriously, and will prosecute those that fail to provide the necessary scaffolding.

"It simply isn't worth companies trying to cut costs if lives are going to be put at risk. And it will cost them time and money in the long run if we decide to take any kind of enforcement action."

Falls from height are the biggest single cause of workplace deaths in the UK, with two deaths in Greater Manchester during 2008/9. Another 521 workers in the county suffered serious injuries from a fall

Asbestos Surveys – HSE Issues Reminder

Asbestos surveys are only effective if competent surveyors are employed to do them, that is one of the key messages being promoted at roadshows to help explain new guidance devised for those responsible for managing the risks from asbestos.

'Asbestos: The survey guide', published by the Health and Safety Executive (HSE) in January, is aimed at those who commission asbestos surveys, the surveyors who carry them out and those who use them such as architects and demolition or removal contractors.

A number of successful road shows, attended by surveyors and health and safety professionals have already taken place with further events scheduled for Cardiff (19 May), Birmingham (16 June) and London (30 June).

The new guide stipulates that clients and duty holders only engage a surveying organisation that is competent. This can be demonstrated either through the organisation being accredited and/or individual surveyors having their own certification.

The guide strongly recommends the use of UKAS accredited or ABICS certified surveyors for asbestos surveys



Said Dr Martin Gibson, author of the guide and a Principal Specialist Inspector for the HSE:

"Ensuring that contractors are competent to do asbestos surveys should be a top priority for those responsible for managing the risks from asbestos.

"Those organisations or individuals without accreditation and/or certification will find it more difficult to demonstrate that they are competent, so by employing a contractor with accreditation and/or certification, dutyholders can better meet their legal requirements."

Added Martin Stear, Chair of the ABICS certification scheme:

"ABICS certification is a new scheme which certifies individuals, and has been introduced to expand the options for demonstrating competency. Clients engaging certificated surveyors can be assured that surveys will be undertaken by competent people."

Said Rob Bettinson of UKAS:

"UKAS accreditation for surveying companies is a well established scheme. Accredited organisations can demonstrate that not only do they have competent surveyors but they are also working within a well defined management system that provides confidence in the surveying procedures that are used. Clients can have confidence that accredited surveyors will provide a quality service."

Job Pressure and Heart Risk

High pressure jobs increase young women's risk of heart disease, according to a new study of female nurses.

The research team assessed the impact of work pressure and degree of personal influence in the workplace on the heart health of 12,116 nurses, who were taking part in the Danish Nurse Cohort Study.

The nurses were all aged between 45 and 64 in 1993, when they were asked about their daily work pressures, after which their health was then tracked for 15 years, using hospital records.

By 2008, 580 nurses had been admitted to hospital with heart disease, which included 369 cases of angina and 138 heart attacks.

Nurses who indicated that their work pressures were a little too high were 25% more likely to have heart disease as those who said their work pressures were manageable and appropriate, the study found.

Those who felt work pressures were much too high were almost 50% more likely to have heart disease. After taking account of risk factors for heart disease, such as smoking and lifestyle, the risk fell to 35%, but still remained significant.

Poor job control in the workplace did not influence heart disease risk, while the amount of physical activity at work, which is known to affect health, had a small although significant impact.

When the findings were analysed by age, only the nurses under the age of 51 were at significant risk of heart disease.

In a separate analysis, the researchers looked at the impact of work pressures on the same group for just five years up to 1998.

Nurses who felt themselves to be moderately pressurised at work were 60% more likely to have heart disease, while those who said they faced excessive pressures at work were almost twice as likely to have heart conditions.

The researchers, from Glostrup University Hospital in Denmark, say it seems the effects of work pressure have a greater impact on younger nurses.



Guidance

Artificial Optical Radiation - Guidance on Regulations

Guidance issued by the HSE includes information to help employers decide what needs to be done to protect workers and comply with the Control of Artificial Optical Radiation at Work Regulations (AOR) 2010.

It gives examples of safe sources of artificial optical radiation (AOR) that require no further action, and examples of hazardous sources of AOR that could harm workers and the types of activities where they are used.

The Control of Artificial Optical Radiation at Work Regulations 2010 came into force on 27 April 2010. They require employers to protect the eyes and skin of workers from exposure to hazardous sources of artificial optical radiation.

AOR includes light emitted from all artificial sources in all its forms such as ultraviolet, infrared and laser beams, but excludes sunlight.

The guidance should be used by working through a series of questions to help identify the things that need to be done in order to protect workers. A useful table covering work activities that use hazardous levels of AOR is included.