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Health & Safety News Bulletin



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Shocking Increase in Construction Fatalities

FATAL INCIDENTS in the UK construction industry have risen by almost 20% in the last five years, new data has found. In 2022/23, 45 fatal injuries were reported, an increase of 15% compared to the previous year.

Falling from a height is still the number one cause of fatal and non-fatal incidents in the construction sector. Those working in the industry are three times more likely to experience falling from a height than experiencing an injury through something collapsing or overturning.



Being struck by a moving vehicle and then being struck by a moving object were the second and third most common fatal accidents for workers. Between them, these accidents account for around two-thirds of fatal injuries to workers in 2022/23.

The rate of deaths per 100,000 workers also surged by 22% in 2022, reaching 2.1 per 100,000, compared to 1.72 in 2021. The death rate in the construction sector is three times higher than in the transportation and storage industry. This increases to over seven times higher than those working in the waste and recycling industries.

The data also revealed a significant rise in the number of days lost per construction worker due to injuries, 6.4 days were recorded in 2022, resulting in an uptick of 23% since 2021.

Injuries and ill health in workers in Great Britain cost around £16.2 billion in 2018/19. This compares to £20.6 billion in 2022/23.

Phil Beaumont, Health and safety consultant says, “First and foremost it's important for sites and companies to implement rules, procedures, and policies that people can follow clearly to conduct safe practice at work. Keeping a record of incidents and continuously assessing what went right, what went wrong, what was irrelevant and what more could have been done previously is vital to minimise future accidents at work.

“If a company reports an accident at work amongst one of its workers, depending on the severity of the accident and cause, they should carry out a thorough risk assessment for the returning person/people to ensure they're capable of doing the tasks they're assigned which won't aggravate their recovery. This should also include manual handling and Control of Substances Hazardous to Health (COSHH) assessments.

How can companies prevent accidents on construction sites?

- **Training and Education:** Provide thorough training on safety protocols and equipment operation.
- **Regulatory Compliance:** Ensure adherence to safety regulations through regular inspections.
- **Equipment Maintenance:** Maintain machinery and tools to prevent accidents caused by faults.
- **Clear Communication:** Use visible signage and encourage reporting of safety concerns.
- **Risk Assessment:** Conduct thorough assessments and develop mitigation strategies.
- **Safety Culture:** Promote a culture where safety is prioritized through open communication and regular meetings.

Source: Health & Safety Matters

Construction Worker Killed by Excavator

A NORTH Yorkshire construction company has been fined after a worker was struck on the head and killed by a 16-ton excavator.

On 13 January 2021, Dean Myers, an employee of HACS Construction Ltd, was undertaking groundwork activities in a partially excavated trench at a site in Ripley, North Yorkshire.

During the works, the 56-year-old was struck on the head by the moving bucket of the excavator suffering catastrophic injuries to his face and head. He was pronounced dead at the scene by the ambulance service.

The groundworks team had been preparing the trench for the laying of new drainage. Mr Myers had moved to the foot of an existing manhole directly adjacent to the trench when the excavator was reported to have met resistance while digging.



With nothing in place to prevent his entry into the danger zone of the excavator, Mr Myers exited the manhole via a makeshift opening to investigate. However, the excavator driver and other workers were not in a position to see that he had entered the danger zone. Here the excavator bucket then swung into him with fatal consequences.

The Health and Safety Executive (HSE) has guidance on excavator industry safety. The precautions needed include considering clearance, visibility and the bucket attachment.

HSE's investigation found that HACS Construction Limited had failed to identify or assess the risk arising from using the existing manhole chamber as an improvised refuge. This meant the company failed to implement a system whereby workers were prevented from entering the dangerous working zone of the excavator while the machine was being operated by a driver with limited sight. There was also inadequate supervision on site, alongside a failure to carry out monitoring visits which would have identified crucial safety failings.

At Leeds Magistrates' Court on 24 January HACS Construction Limited of Station Yard, Ripley, North Yorkshire pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company was fined £330,500 and ordered to pay £9,142 costs.

After the hearing, HSE inspector Ben Caines said, "This tragic incident could so easily have been avoided had HACS Construction Limited simply ensured that adequate control measures and safe working practices were identified and followed.

"The company should have put in place measures including the use of trained plant marshals for high-risk activities, such as the work Mr Myers was undertaking. Such measures are widely recognised and used across the construction industry as well as being advised within HSE and industry guidance."

This HSE prosecution was brought by HSE enforcement lawyer Gemma Zakrzewski.

Source: Health & safety Matters

Non-registered PPE Providers Failing BSIF Tests

THE BRITISH Safety Industry Federation (BSIF) has issued a warning to those overseeing personal protective equipment (PPE) and safety product procurement after its latest tests on non-member products highlight the widespread availability of substandard and even dangerous items.

Between December 2022 and December 2023, the BSIF examined 123 non-member products, assessing advertised performance, marking adequacy and compliance with standards. Shockingly, only 21% – 26 products – proved fully compliant, leaving a staggering 79%—97 products—falling short of testing criteria. Worryingly, many of these substandard products are still available and in use, posing serious risks to unsuspecting users.



Examples of non-member product failures

Some examples of products from non-BSIF-registered members that failed testing include a Flame-Retardant Parka, bought from an online retailer. During flame spread testing, the outer layer burnt through, exposing the inner layer, which then caught fire, resulting in the entire coat being consumed by flames. The garment also lacked correct documentation and markings in line with PPE Regulation requirements. A pair of safety boots from the same retailer failed toe cap compressions tests. They were also over ten years old and supplied with outdated certification, didn't have the correct documentation, and were not correctly marked.

Elsewhere, a pair of safety spectacles, acquired from a high street retailer failed an impact resistance test, with lenses cracking/breaking when struck by a projectile. The spectacles also lacked markings and the required documentation. Despite promises to remove the product from sale, it was still available over two months later.

Three pairs of protective gloves from a high street retailer failed testing against abrasion, returning just half the claimed performance level. They were also incorrectly marked and missing the required documentation. When contacted by the BSIF, the retailer said they would take action but the products were still on sale four months later.

Meanwhile, a Respiratory Protective Mask (FFP3) purchased from a PPE distributor performed at only half the required level during filter penetration tests against contaminants and had missing documentation. When contacted, the distributor didn't act to remove the product from sale or initiate a recall.

BSIF member test results

The non-member test result findings sharply contrast the results of tests conducted on products supplied by BSIF Registered Safety Suppliers, who are committed to only selling certified PPE and trading honestly and ethically. Of the 348 tests completed on products from Registered Safety Suppliers between December 2022 and December 2023, 91% – 315 products – passed immediately. Even for the 9% – 33 products – initially falling short, all issues were promptly addressed and rectified.

Check for the BSIF Shield

For buyers and end users seeking assurance, the BSIF Shield is a respected mark of credibility. Companies displaying this shield have pledged a binding declaration that their offered PPE and safety equipment meets the correct standards, fully complies with regulations, and bears the necessary UKCA and/or CE markings. Choosing a Registered Safety Supplier ensures not only genuine products fit for purpose but also authentic information and guidance.

Source: Health & Safety Matters

Suspended Sentence for Director after Scaffolder Suffers Electric Shock

A Kent scaffolding company has been fined and its director given a suspended prison sentence after a scaffolder suffered an 11,000-volt electric shock.

Canterbury City Scaffolding Ltd had been contracted by Drinks Warehouse UK Ltd to erect the temporary roof structure over its open-air depot in order to provide shelter for operations during the winter months.

Steven Gilmore was working alongside a small team of scaffolders, to erect a temporary roof scaffold, when he struck a live 11kV power line running across the site while lifting a six-metre scaffold tube.



Mr Gilmore then fell over five metres to the ground, suffering a badly broken leg and life-changing electrical burns to both hands.

An investigation by the Health and Safety Executive (HSE) found that Canterbury City Scaffolding Ltd and its director had failed to ensure the high-risk temporary roof scaffold assembly job near a high voltage line was properly risk assessed.

The investigation also highlighted that, despite being fully aware of how close the temporary roof scaffold was being built to the power line, no attempt was made by the scaffold contractor or its director to consult UK Power Networks (network operator) about line voltage and safe clearance distances.

Work around overhead power lines, no matter how temporary, is high risk with serious or fatal consequences if not carefully planned and carried out, the HSE has emphasised. It has published guidance on these dangers.

Canterbury City Scaffolding Ltd pleaded guilty to breaching s.2(1) of the Health and Safety at Work, etc Act 1974 (HSWA) and was fined £50,000 at Brighton Magistrates' Court.

Director Ian Pepper, who pleaded guilty to an offence under s.37(1) of the HSWA, was sentenced to 18 weeks in prison, suspended for 12 months, and was ordered to undertake 200 hours of unpaid work and 20 rehabilitation activity requirement days.

HSE Inspector Susie Beckett said: "This scaffolder's injuries were life-changing and could have been fatal. This incident could have been avoided if this high-risk scaffold job had been properly planned, including seeking free advice from the Network Operator on what precautions to take, and then implementing those well-established precautions to prevent accidental contact with the overhead line."

Source: Croner-i

First ever No Falls Week Launched

THE NO Falls Foundation, the first and only UK-based charity for the work at height sector, is proud to be launching its first ever 'No Falls Week', a powerful campaign dedicated to promoting safe working at height.

Taking place between 13th – 17th May 2024, No Falls Week's mission is simple yet crucial; to raise awareness about the importance of safe working at height, prevent falls and ensure everyone that works at height comes down safely.

It is estimated over 1 million businesses, and 10 million workers, carry out work involving some form of working at height every year. No Falls Week will provide the opportunity for organisations across all sectors to place a focus on work at height safety.



Falls from height are consistently the leading cause of workplace fatalities in the UK, with 40 people losing their lives at work due to a fall from height in 2022-2023. Latest figures from the Health and Safety Executive (HSE) show that falls from height were responsible for a third of all workplace deaths last year, up from a quarter the year before.

As awful as the fatality statistics are, there are an even greater number of non-fatal injuries resulting from a fall from height, with over 5,000 people in Great Britain having been reported injured at work in 2022/23. However, the No Falls Foundation know there is substantial underreporting of non-fatal falls from height for all workers, particularly the self-employed, who were found to report just 12% of workplace incidents. According to the Labour Force Survey (LFS), the HSE estimates the number of workplace falls from height over the last 10 years may be up to 425,000.

Along with the lives, families and businesses affected by these accidents, up to 992,000 working days were lost through non-fatal falls from height in Great Britain in 2022/23 alone. Not only that, the total cost of falls from height last year was estimated to be over £847 million, made up of costs to the employer and the individual, government tax losses and benefit payments.

Hannah Williams, charity manager at the No Falls Foundation said, "Everyone who needs to work at height should be able to work safely and return home unharmed at the end of every shift. Unlike most other types of workplace injuries, the consequences of a fall from height are usually life-changing for the person involved, with many unlikely to return to their previous occupation, as well as having long-term consequences for employers, colleagues and families.

"Whether you work in construction, manufacturing, agriculture or any other sector, No Falls Week is an opportunity for everyone to shine a spotlight onto the mental, physical, and societal consequences of working at height accidents."

Employers can sign up to get involved via the No Falls Week website, where there are a host of toolkits and resources from members of the Access Industry Forum (AIF) to help organisations plan activities during No Falls Week. This may include hosting toolbox talks, workshops or safety demonstrations, distributing informational materials, and engaging in social media campaigns.

For further information and to sign up for No Falls Week, please visit:

<https://nofallweek.org/get-involved/>

Source: Health & Safety Matters

Driver Suffers Brain injury in Fall

A COMPANY has been fined £380k after a delivery driver fell and suffered a traumatic brain injury while working at its site in Walsall.

Timothy Bates was delivering fuel for a temporary diesel generator at Haldane Fisher Limited's timber processing site on Long Street when he fell from a trailer on 28 July 2022.

Mr Bates, who is from Stafford, had been stowing equipment in a trailer attached to his truck when the vehicle was struck by a forklift truck reversing out of a nearby mill. This led to the trailer shunting into Mr Bates, with the 57-year-old then falling over and hitting his head onto the tarmac floor below.



He spent five weeks in hospital after sustaining a traumatic brain injury before spending 13 weeks in a care facility where he undertook CBT. He suffers from memory loss and dizziness as a result of his brain injury.

A Health and Safety Executive (HSE) investigation found Haldane Fisher Limited, trading as GE Robinson, failed to identify safe systems of work for the delivery of fuel to the temporary generators at its site. There was inadequate segregation of vehicles and pedestrians in the yard. There were no measures in place to prevent forklift trucks from entering the areas in which delivery drivers were working whilst refuelling generators.

The company understood the risks associated with workplace transport, as control measures had been identified for separating pedestrians and vehicles, but these had not been implemented. Site rules had been identified but were not routinely implemented or monitored by the company.

Every workplace must be safe for the people and vehicles using it and traffic routes must be suitable for the people and vehicles using them. HSE has guidance on workplace transport with advice on keeping traffic routes safe and separating people from vehicles.

Haldane Fisher Limited, of Shepherds Way, Carnbane Industrial Estate, Newry, Northern Ireland, pleaded guilty to breaching Sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £380,000 and ordered to pay £5,935 in costs at Birmingham Magistrates' Court on 1 March 2024.

HSE inspector Heather Campbell said, "This case highlights the dangers arising from inadequate management of workplace transport. It also highlights the requirements to ensure the safety of non-employees including contractors at employer's sites."

This prosecution was brought by HSE enforcement lawyer Samantha Wells and supported by HSE paralegal officer Gabrielle O'Sullivan.

Source: Health & Safety Matters

Recent Court Cases

Bedding manufacturer fined after employees injured

A BEDDING manufacturer has been fined more than £250k after two of its employees were seriously injured during separate incidents at its site in Rochdale.

The Health and Safety Executive (HSE) prosecuted Sartex Quilts and Textiles Limited following the incidents, which saw both workers undergo amputations. HSE inspector Elena Pickford described the injuries sustained by the workers as “serious and avoidable”.

| LEGAL BREACHES | FINE | COURT COSTS |
|---|----------|-------------|
| Section 2(1) of the Health and Safety at Work Act 1974 Regulation 11 of the Provision and Use of Work Equipment Regulations 1998 | £251,250 | £6,862.63 |

Source: Health & Matters

Farmer fined after escaped cow attack

A WOMAN and her friend had to climb up a tree to escape an attack by more than a dozen cows on a public right of way in North Yorkshire.

An investigation by the Health and Safety Executive (HSE) found that livestock were being kept in a field with a public right of way across it and insufficient measures were taken to protect members of the public from cattle and calves.

The farmer responsible has been prosecuted by the Health and Safety Executive (HSE) as a result.

| LEGAL BREACHES | FINE | COURT COSTS |
|---|------|-------------|
| Section 3 (2) of the Health & Safety at Work etc Act 1974 | £771 | £4,539 |

Source: Health & Matters

Worker doing maintenance loses two fingers

AN ENGINEERING firm in Perth has been fined after an employee lost two of his fingers. The worker, employed by Edwards Engineering (Perth) Limited, had been carrying out maintenance work on a grain dryer at East of Scotland Farmers on 28 June 2020.

He inadvertently placed his hand into the blades of an unguarded rotary fan in the grain dryer. The fan was rotating at 1200 revolutions per minute when it came into contact with the worker’s hand.

| LEGAL BREACHES | FINE | COURT COSTS |
|---|---------|-------------|
| Regulation 22 of The Provision and Use of Work Equipment Regulations 1998 | £10,000 | N/A |

Source: Health & Matters

