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CONSTRUCTION HEALTH & SAFETY CONSULTANTS & TRAINERS

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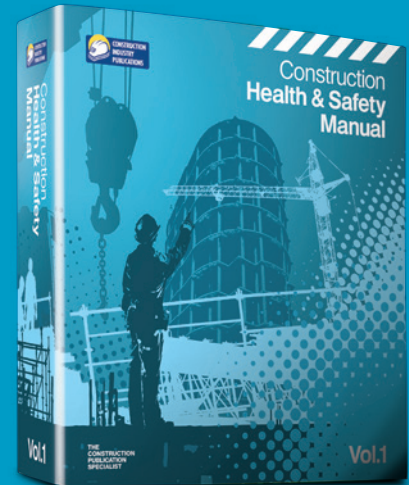
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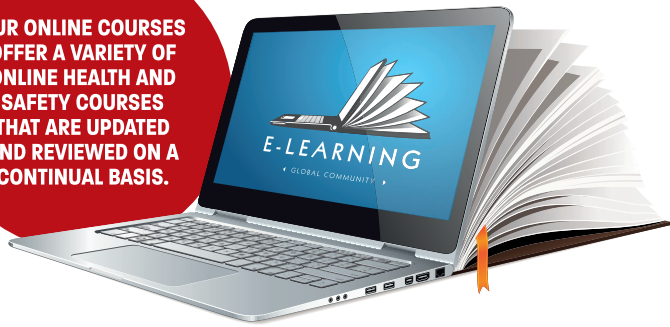
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editorswelcome

Dave Carr Managing Director, Callsafe Services

Well, we have gone and done it, as Theresa May keeps on saying, Brexit means Brexit, and we are now in the two-year negotiation period with the EU, having initiated Article 50.

We will all have to wait and see what this really means in terms of health and safety, industry and business, so here is hoping!

Another, not quite so momentous an event for the country to happen during March as Brexit, but still momentous to us at Callsafe, is the eventual, and final, retirement of Chris Myles. Chris has worked for Callsafe for many years, first as an

employee, and subsequent to his 'retirement' as an associate.

Chris has provided an outline of his time with us later in this issue of Callsafe Today, which may be an interesting read for those who know Chris or just may be interested in what a H&S consultant/trainer actually does.

From all of us at Callsafe, we are sorry to see you go, but are happy that you can now have a well-earned rest. Don't do anything we wouldn't do!?

We have now achieved accreditation by UKATA of our elearning Asbestos Awareness course, so can now offer this course as a face-to-face learning experience or on-line learning. See our website.

Best Wishes

Dave Carr
Managing Director
Callsafe Services

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22 A FOND FARWELL - CHRIS MYLES



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BREXIT AND A DIFFERENT OUTLOOK

On 21st March 2017, provided an article prepared by Elaine Knutt and Chris Warburton of Health and Safety at Work, looking at the possible outcomes of Brexit on health and safety.

Triggering Article 50 will lead to two years of intense negotiations on a Brexit settlement. Safety might not be on the agenda, but it will feel the impact.

Prime minister Theresa May was fond of saying that “Brexit means Brexit”, but that particular adage is now past its sell by date. Brexit will mean leaving the single market while attempting to secure as much “access” to it as possible; swapping the free movement of people for a yet-to-be-designed alternative; a Great

Repeal Bill that will copy and paste EU law but leave open the option of future repeals; negotiations on our future relationship with a clutch of EU-wide technical agencies; and reversing out of Euratom, a kind of parallel EU Commission for the nuclear sector.

With greater clarity on the underlying rules of engagement, the implications for health and safety are becoming clearer too. It’s likely that longer term shifts in the make-up of the workforce, with a tighter supply of EU labour and more reliance on UK workers, could bring changes to organisations’ risk profiles. There will be implications for the import and export of safety equipment and other goods, and for the

standards that regulate the market. And as we leave the EU regulatory framework, gaps may be created that have to be filled by the HSE and its co-regulators, all these issues are explored on the following pages.

The consensus view on the regulatory framework is along the lines of: “It ain’t broke, so why would anyone want to fix it?” But there is also a minority opinion asking why, once the government has steered the nation to Brexit, it would opt to keep EU law in freeze frame after the Great Repeal Bill. “If nothing has changed, why have we gone through the whole process?” asks Andrew Regel, health and safety training technical lead at safety consultancy Alcumus.

There will be the opportunity to repeal a few regulations on the fringes of the safety canon: aspects of the CDM Regulations, Display Screen Equipment Regulations and Electromagnetic Radiation Regulations are often mentioned. But there are also calls for a more thoroughgoing consolidation of UK and EU derived law, or even a post-Brexit update to the 43 year old Health and Safety at Work Act. Taking into account other ongoing shifts, such as the growing gig economy and the current government's calls for tighter corporate governance, and the case for a regulatory refresh could build in the next two years.

ECONOMIC AFFAIRS

Business and employers' lobbies will also have a voice, although not necessarily a clear one. The British Chambers of Commerce, in its Business Brexit Priorities report, on the one hand calls for continuity, saying: "A UK standards regime which diverges significantly from the EU regime could make UK businesses less competitive by introducing new compliance costs."

However, it also wants light touch regulation, arguing for "an independent body (such

as the Regulatory Policy Committee) to promote a flexible domestic regulatory environment ... and identify burdensome regulations which could be repealed or amended".

There is a widely held argument that no government would countenance a watering down of safety standards (although some might point out that trade negotiators could hold the whip hand). But there's also the possibility that, cut free from Brussels, the UK could overtake its former EU partners in regulatory resolve. That's already the case in London, where mayor Sadiq Khan has made two proposals

that go beyond EU plans: the direct vision standard for HGVs; and an emissions standard for non-road mobile construction plant. Is Khan pointing to a future direction of travel?

The opposite direction was flagged by chancellor Philip Hammond, however. He chose to warn the EU that denying the UK a favourable Brexit deal could force it to switch to a low tax, low regulation economy, like Singapore, as some in the press pointed out, to "regain competitiveness". But Geoffrey Podger, senior visiting research fellow at King's College London and former chief executive of the HSE, is less concerned, saying



that Singapore is investing heavily, guided by the HSE, in its health and safety systems. “Countries that want to be major trading nations globally want to invest in health and safety. I don’t think they want to do it down,” he says.

Apart from questions around the regulatory framework, the wider economic implications of Brexit will also resonate in the safety sector. “The economy’s going to change, exchange rates will change, there’s potential for import costs to go up,” notes Louise Ward, policy, standards and communications director at the British Safety Council, adding that workforce issues are “coming onto the radar” in the construction, healthcare and hospitality sectors.

If trade patterns shift away from the EU market, there could be safety implications if established supply chains are disrupted. This effect could be even more significant if we find ourselves in a world where tariffs are imposed on imports and exports. “Changes to trade agreements are likely to mean changes to affordability. It may encourage people to go to developing economies to source equipment. There needs to be an awareness that trade agreements take account of



equipment safety,” says Ward. Already, the 15% decrease in the value of sterling versus the US dollar since the EU referendum means that anyone with responsibility for buying PPE is likely to be aware of price rises feeding through. “The major issue at the moment is currency. Most PPE is imported into the UK, and usually it is a dollar commodity, traded in dollars in East Asia. So there’s already a direct impact,” says Alan Murray, chief executive of the British Safety Industry Federation.

The legal requirement for all PPE and construction products to be CE marked is enshrined not only in UK law, but also in custom and practice, Murray notes.

“Our utility companies are often foreign-owned, so the expectation around CE marked products is well embedded.” There are also countervailing trends, though. In the domestic market, there are concerns that the CE mark is a devalued currency due to inadequate market surveillance, and an argument that consumers could drive a preference for British standards for British products. In international trade, the UK could well gravitate towards international ISO product standards.

Nine months on from the referendum, and after so many twists in the Brexit narrative, the vote is already fading into memory. With two years of negotiations ahead, there will



be more changes to come, and to quote Harold Macmillan, “events, dear boy, events”. “In two years time, when the final breach is made, things might have changed beyond recognition. What people want to retain and what they don’t might have changed,” notes Regel. So while this article presents a snapshot of opinion in the safety sector as it currently stands, it also comes with a reminder that Brexit isn’t kind to pundits.

THE REGULATORY FRAMEWORK

Leaving the single market, the pan-European trading bloc underpinned by harmonised legislation, will mean that the UK will have “the freedom to determine what we want to do

without the European Union having any influence,” says Geoffrey Podger, a former chief executive of the HSE.

To provide legal continuity, the government will prepare a Great Repeal Bill while it negotiates Brexit with Europe. Its February Brexit white paper said this will “remove the European Communities Act 1972 from the statute book and convert the ‘acquis’, the body of existing EU law, into domestic law”.

“It is then open to the UK government, if it wishes, to amend or alter that law subsequently,” says Podger. “Inevitably, and to some extent quite properly, the government, the HSE as regulator and both sides of industry will want to have another look at some of the requirements, both to update them in light of new knowledge, but also to look again at whether they are really worthwhile.”

But how much change will this review herald? The dominant opinion in the health and safety field is that most safety law will stay as it is, because it has proved effective and is valued. “I don’t think there will be anything dramatic, despite the fact that a lot of health and safety legislation in the

UK now stems from a directive or is linked to a directive,” says Mary Lawrence, a partner at law firm Osborne Clarke and a member of the IOSH council.

Garry Graham, one of Prospect trade union’s deputy general secretaries, argues that calls from deregulators should be ignored. “When I speak to large reputable companies, often operating in safety critical environments, what I don’t get from them are complaints about health and safety as a burden on the business.”

Doug Russell, health and safety officer at union USDAW, adds that David Cameron’s government dissected the regulatory framework on a number of occasions and found it, for the most part, satisfactory. However, he anticipates changes in some areas later on. “I get the impression that there’s quite a lobby against the changes to CDM in 2015 as well; that might be another target.”

Lawrence endorses that view: “In CDM we’ve got specific appointments that need to be made and a number of quite specific obligations. If there was anything that was going to change on CDM it would be consolidation and simplification of those



requirements, allowing businesses to be a bit more flexible.”

Both Podger and the British Safety Council's Ward say that Brexit may offer an opportunity to review the regulations stemming from the Electromagnetic Fields Directive and Artificial Optical Radiation Directive, as their value has frequently been called into question. Ward calls for “evidence-based re-evaluations”. “There’s definitely an opportunity for change; for instance looking at legislation where there’s less robust evidence.”

Others argue that deeper reform could be on the cards, either because this will be politically attractive to a government seeking to demonstrate “sovereignty” or because health and safety regulation, which has links to product safety and workers’ rights, will be caught up in a wider review.

“Does anyone really think they won’t look at it again?” asks Paul Reeve, in charge of health and safety policy at the Electrical Contractors’ Association, who argues the case for consolidation to eliminate the repetition in EU derived regulations.

Gerard Forlin QC argues that the government will undertake a “root and branch audit of all the current health, safety, environmental, employment and product liability issues that are currently in the form of directives”, although he adds that potential outcomes include endorsement of the status quo.

Another dimension to the debate is the fact that, once freed from the EU rules that prohibit member states from negotiating agreements with outside nations, the government has confirmed in the white paper that it will pursue new trade deals with other countries around the world. Could this reduce standards to the lowest common denominator?

“The worry is that the only way Britain’s going to get its own bilateral trade agreements is by offering to be extremely flexible and give up standards that have been developed over the years,” Russell says.

However, Podger responds that that would be too politically dangerous for the government. “The reality is that we are a first world country and we’re going to stay that way,” he says. “I just don’t see any government of any political persuasion being

prepared to relax standards to the extent that they put people at risk. There would be an enormous backlash.”

If there is to be a review of safety law, whether aimed at picking off less effective regulations or a more radical rethink, Podger says that the HSE and its board must imminently start the “spade work” to identify reforms and lead the debate. But for many, the debate has already begun.

LEAVING THE SINGLE MARKET

Theresa May wants to secure “frictionless” access to the single market for as many sectors as possible in EU trade negotiations. However, failure to secure a free trade deal could mean imposing World Trade Organisation tariffs on the import and export of products between the UK and EU, including PPE, workplace machinery and construction products, along with increases in costs and lead times. The construction sector currently imports around one third of its supplies from the rest of the EU, so a “hard Brexit” that leads to disruption of existing supply chains could impact on safety.

Not surprisingly, one UK PPE manufacturer that exports

50% of its products, with a large volume headed for other EU countries, is hoping that a free trade deal with the EU-27 will be signed. “That would be ideal!” says Matthew Judson, technical director at JSP.

But as well as free trade, the single market gives us harmonised product standards and the CE marking system, which applies in around 20 product categories, including toys, electrical equipment, lifts, radio equipment and PPE. Any product in these areas, wherever it was manufactured, must carry a CE mark to be sold legally in the EU and European Economic Area. So what happens when we leave the single market?

The short answer is that there would be little change, as the CE mark requirement is enshrined in UK law, under the PPE Regulations, the Construction Products Regulation and the Supply of Machinery (Safety) Regulations. After the Great Repeal Bill, it’s likely that these will continue to apply, so UK distributors would not be tempted to import non-CE marked PPE or construction products from East Asia or the Indian subcontinent. Companies manufacturing in the UK and only supplying the

domestic market would also need CE marks.

But there are still questions. First, with a new and more exacting PPE Regulation due to be enforced in April 2018, UK-based manufacturers of PPE will have to renew the testing certificates for thousands of products in order to renew their CE marks. The British Safety Industry Federation is concerned that limited capacity in the UK testing houses, such as BSI and Satra, could mean a potential bottleneck just as trading arrangements are thrown into upheaval by Brexit.

Future regulation will depend on the terms of any EU trade deal. Depending on its scope, the UK might have to implement future updates to EU directives. But if no deal applies to these product categories, then in theory the UK could repeal these UK regulations, either to re-introduce its own British Standard regime for products sold in the domestic market, or perhaps to apply international ISO standards instead.

No one is predicting that yet, though.

"I can't see that being revisited in our lifetime," says the BSIF's Alan Murray. "Yes, there are

British Standards, but no one is going to go back to them; a new British Standard costs tens of thousands of pounds to create, never mind the time that would be committed."

If the UK seeks free trade deals with other trading nations, there are fears that the terms could include lowering "non-tariff trade barriers", including product standards. Similar concerns lay behind opposition to CETA, the newly signed trade agreement between Canada and the EU, and could resurface if the UK seeks deals with nations that currently have lower safety standards.

However, in the case of a future deal between the UK and the USA, both the BSIF and JSP report that PPE safety standards would be broadly similar. "The main difference is units. In the EU, we're dropping kilograms through metres to test the impact resistance of hard hats, in the US it's pounds through feet," says JSP's Judson. Murray agrees: "I wouldn't say that US standards are lower, they're just different."

Another possible change is seeing more of the UK's indigenous Kitemark on products. Owned and operated by the British Standards Institute, the

scheme tests products to the relevant BS EN standard but also checks that manufacturers continue to meet that standard. It was once an expensive optional extra, but manufacturer JSP is returning to it in reaction to a perceived lack of confidence in CE marking. Judson explains: "It gives consumers extra comfort. Initially, the CE mark was an indication a product was above board, but now we're seeing products getting approved and then the specification changed to something inferior."

But Judson also predicts that UK safety managers will hear more about international standards for PPE, either alongside adopted BS EN standards, or possibly a convergence between the two. "Most standard development work at the moment is international, not European, and the EU countries are participating in the ISO processes," he says. "Companies will prefer it if they only have to test once."

LEAVING EU AGENCIES

The Brexit white paper made clear that the UK's future relationship with EU agencies, such as the European Food Safety Authority and the European Aviation Safety

Agency, will be part of negotiations with the EU. For safety, the two relevant agencies are EU-OSHA, based in Bilbao and focused on research and information dissemination, and the Helsinki-based European Chemicals Agency (ECHA), responsible for chemical registration and testing under the REACH Directive.

According to the Chemical Business Association (CBA), the process of harmonisation under REACH was a long hard struggle for the chemical sector, and decoupling could be equally fraught. Essentially, any UK company marketing a new chemical substance, whether it's destined for household cleaning products or an airliner's cabin, sends a full "data dossier" on its physical hazards, health hazards and eco-toxicity to ECHA, which is used to produce a classification for hazard communication labels for consumers, or safety data sheets for manufacturers.

Under REACH, ECHA also runs an EU-wide Substance Information Exchange Forum (SIEF) that collates data and arranges testing programmes, so that substances are only tested in one country. This is known as the OSOR principle (One Substance, One



Registration).

Douglas Leech, CBA technical director, stresses the importance of ECHA's registration role. "If we're not careful in the future and we get it wrong, it could be that hazard communication is diluted." Also, if an arrangement isn't in place on Brexit day one, UK companies could be unable to register new substances for the EU market.

A similar system is operated by EASA, the European Aviation Safety Agency, whereby UK companies and the components they place on the single market both have to be registered with the Cologne-based agency.

To maintain continuity and trade, the UK will either have to secure ongoing relationships with ECHA and EASA, or set up new domestic capabilities. On the future of chemical registration, Peter White, head of operational strategy at the HSE, confirmed recently that the regulator has "had a look at the resources and the implications of that; but it is just too early to say how things will pan out".

However, Leech would be concerned if the HSE directly assumed ECHA's responsibilities for registering companies and products



under REACH, as well as its enforcement. "They might say there will be a Chinese wall between enforcement and regulation policy, but I am concerned that it would result in the HSE acting as both judge and jury."

But if leaving ECHA and EASA would create a regulatory vacuum, there's little sense that leaving EU-OSHA would weaken the UK's health and safety capability. Geoffrey Podger, former chief executive of the HSE, said: "I don't think it's vital to the UK national interest to remain a part of that agency, although

having a looser co-operative arrangement with it would be perfectly fine."

However, the British Safety Council's policy, standards and communications director, Louise Ward, puts the relationship in a different light. "Bodies that allow collaboration, information sharing and best practice are really important, so I think it would be really unfortunate to lose those links." And, she adds, it would be pointless if the HSE or others invest in research that mirrors work undertaken by EU-OSHA, rather than sharing outcomes.

PEOPLE AND SKILLS

The UK's vote to leave the EU is already having an effect on the composition of the workforce, a phenomenon only likely to increase in the coming two years. The Office for National Statistics data released on 23rd February suggests that the quarterly number of EU-27 nationals arriving in the UK had halved since the referendum. A recent survey by CIPD, the HR practitioners' body, and Adecco said that one in four employers had seen evidence that their EU workers are considering leaving their organisation, or the UK entirely, this year.

The CIPD report also said that skills crises are biting in industries with large numbers of EU nationals, including healthcare, hospitality and construction. Going forward, this will inevitably challenge health and safety managers. "If you reduce the availability of skilled labour and have fewer people doing more things, it will need good risk-based thinking and controls," says Louise Ward at the British Safety Council.

Construction looks set to bear a considerable impact. A report by the Mayor of London released on 27th

February revealed that one in four construction workers in the capital are from the rest of the EU, with mayor, Sadiq Khan, warning that Brexit could have a "crippling" effect on infrastructure projects and homebuilding in the capital.

Employers adapting to restricted supply of EU migrants are likely to turn to young apprentices, and retain older workers, says Osborne Clarke's Mary Lawrence, meaning businesses will have to "do things slightly differently". "Apprentices, even in the next two years before we exit, will only have limited skills, so businesses will need to adjust their approach on supervision," she says.

Extending the age profile of the workforce in two directions at once will certainly be a safety issue, but Andy Hawkes, deputy president of IIRSM and chief executive of Cardinus Risk Management, says professionals will adapt "in the same way as [they did to the] challenges of the last 20 years, with the EU workforce coming in and language and cultural changes. It will be an evolutionary slow burn over a number of years."

Ward says that tighter labour supply may encourage

employers to think hard about how to retain and recruit staff, including the safety and welfare standards on offer. "Employers will have to be focused on the workforce as a key asset if skills aren't as freely available. There's a potential for economic situations to force people to view aspects of their business in a different light."

Companies will also look to automation and robotics to plug gaps. Harry Hall, managing partner of fruit supplier, Hall Hunter Partnership, told delegates at an NFU conference that robotic fruit picking machines, which use 3D cameras and sensors to gauge when fruit is ready, will soon be economically viable. "If Theresa May decides in 2019 'that's it, you're on your own', that would radically impact my approach to robots. I would have 500 robots in two years and probably spend £5m on [them]," The Observer reports him as saying.

Construction could see a similar shift, with attendant changes in site risk profiles. Jaimie Johnston, director of Bryden Wood, a firm that has pioneered click-and-connect buildings, says it is well placed for Brexit. "We've been looking at using low-skilled local



people and meeting them half way, turning construction into something relatively straightforward,” he says. Safety practitioners from the EU also face uncertainty given the current lack of a guarantee on their future rights in the UK.

Italian national, Erica Monaco, is a principal designer for a London firm supplying professional services to the construction industry, who came to the UK in 2015 with experience as an engineer and in health and safety. She plans to stay here as long as there is work to be found. “[Brexit] is a long process, so I don’t think it will affect a professional who has been working in the UK for two or three years.” She recognises, though, that the uncertainty may push EU nationals to look elsewhere for work. “If you don’t feel confident that this country wants you to work here, maybe you will say ‘it’s better to explore other possibilities, to build a more secure future, professionally speaking’.”

IN BRIEF

- **EURATOM**

The UK's decision to leave Euratom, the Europe-wide treaty organisation on nuclear safety, puts it outside the "nuclear common market" for the cross-border movement of fuel, equipment and staff. The Office for Nuclear Regulation (ONR) says there is no pressure on safety standards as the UK will still be bound by International Atomic Energy Agency conventions. However, the ONR would have to set up a new safety inspection system to demonstrate IAEA compliance: at the moment, this is achieved via Euratom's inspectors and test equipment.

- **RESEARCH**

The university sector fears that Brexit will mean a loss of EU funding for research, innovation and collaboration. In health and safety, however, academics agree that EU funding for work related safety research is rare. "I suspect [Brexit] may have a bigger effect on science and technology research, such as

technology to indirectly reduce accidents and ill health through automation," says Billy Hare, professor of construction management at Glasgow Caledonian University.

- **HORIZON 2020**

The EU's technology research programme is currently addressing road safety and nanotechnology. Researchers are looking at vehicles' "on board computerised sensing" and radar technologies to improve the detection of cyclists. On nanotechnology, "a lot of work is around the political aspects of regulation, such as what do you register? At what stage?" says Professor Alistair Gilb of Loughborough University, adding that plans to set up a registration body along the lines of the European Chemical Agency appear to have been shelved.

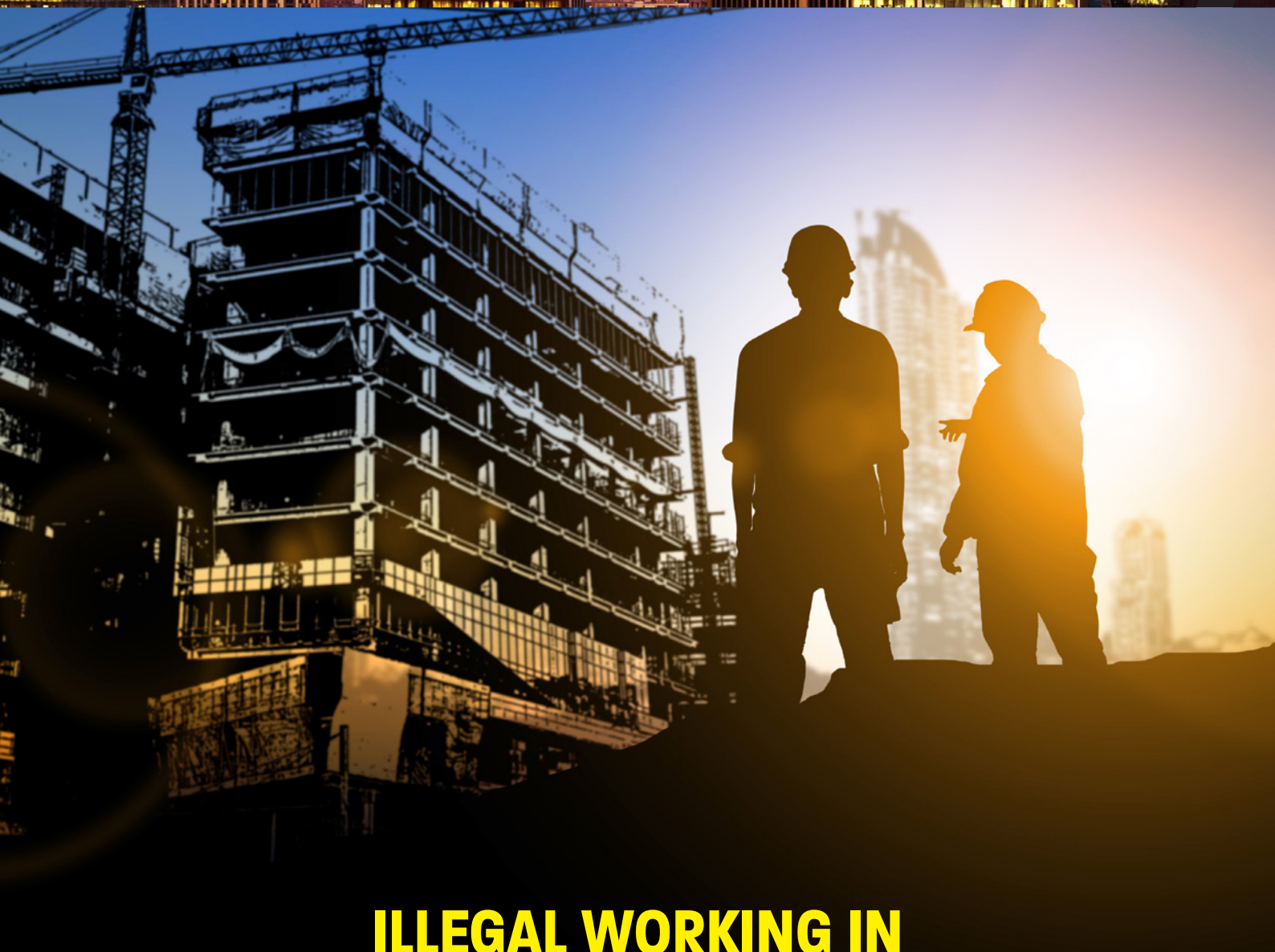
- **CDM REGULATIONS**

The 2015 update was partly driven by the requirement to align the UK with the EU's Temporary or Mobile Construction Sites

Directive. As this will not apply post-Brexit, many see an opportunity to revert to some features of CDM 2007, including dropping the extension of duties to domestic clients, and simplifying the notification (F10) criteria. "You could say there is now less bureaucracy, but smaller sites are arguably being overlooked," says architect Paul Bussey, of the Construction Industry Council's health and safety panel.

- **SCOTLAND**

Prospects for another independence referendum are uncertain, and the result doubly so. But whether Scotland becomes an independent nation or seeks further devolved powers, it has aspirations to set up its own health and safety regulator, a goal flagged in the Scottish government's 2013 pre independence referendum white paper, Scotland's Future: your guide to an independent Scotland.



ILLEGAL WORKING IN UK CONSTRUCTION

On 31st March 2017 www.shponline.co.uk published an article on the Considerate Constructors Scheme national campaign regarding illegal workers

The national campaign 'Spotlight on...illegal workers' has been launched by the

Considerate Constructors Scheme. The Scheme – which makes around 18,000 monitoring visits to construction sites, companies and suppliers every year – surveyed the industry in December 2016 to gauge the issue of illegal working in construction. The survey revealed:

- 93% agreed illegal working could be better tackled in the construction industry
- 81% would say illegal working has been on the rise over the past 15 years
- 61% admitted they have

not received – or rarely receive – information on illegal working

- 33% suspected a chance that illegal working had been present at a previous or current employer
- 30% agreed that health and safety was placed at greatest risk as a result of illegal working.

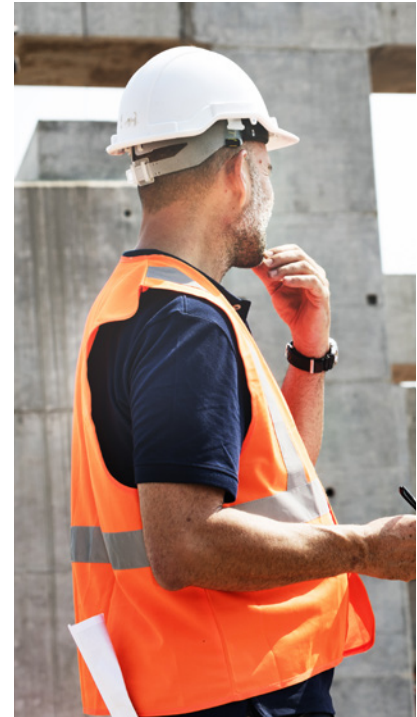
‘Spotlight on...illegal workers’ provides the construction industry with an essential resource to increase understanding of the risks posed by illegal construction workers, and what can be done to tackle the problem.

The issue of illegal working in construction is a major priority for the Home Office – which recognises the harm illegitimate labour does to the industry. As such, the Home Office has made an important contribution to the ‘Spotlight on...illegal workers’ campaign; providing detailed, practical information about how to conduct the necessary and correct right to work checks.

Earlier this year, the Scheme introduced new questions in the 2017 Monitors’ Checklist to encourage sites, companies and supply chains to examine how they are ensuring the legitimacy of their workforce:

- Are there processes in place to ensure subcontractors (and subsequent subcontractors) are conducting right to work checks?
- Are physical spot checks conducted to ensure minimum standards of right to work checks are taking place within the supply chain?

Considerate Constructors Scheme Chief Executive Edward Hardy said: “Ensuring the legitimacy of the workforce is one of the key challenges facing the construction industry today. The industry must work together to ensure that checks for workers’ legitimacy becomes firmly entrenched within all construction activity across the UK.



“By challenging sites to explore how they currently assess and monitor the legitimacy of their workforce, the Scheme believes that in the not-so-distant future, all registered sites, companies and suppliers will have robust procedures in place.

“The Scheme’s ‘Spotlight on... illegal workers’ campaign provides the industry with the ‘go to’ resource to fully understand how it can effectively tackle illegal working, and ultimately help to improve construction’s image and reputation.”

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TRAINING & EVENTS

CALLSAFE PUBLIC COURSES

We have programmed a number of public courses as follows. The detailed programme of courses is shown on the previous page.

MANAGEMENT OF PRE-CONSTRUCTION HEALTH AND SAFETY 3 DAY COURSE

This APS accredited course is aimed at those persons who will be performing the duties of the Principal Designer on behalf of their employer, who has been appointed to this role by the Client.

It provides knowledge on the requirements, methods that could be used to achieve these requirements and the personal qualities necessary. The course also provides for the additional services that could be offered by the Principal Designer, or as a separate commission, for advising and assisting the Client with the Client's duties.

DESIGN RISK MANAGEMENT AND CDM2015 FOR DESIGNERS 2 DAY COURSE

This APS accredited course is aimed at Designers and Design Risk Managers, providing a full understanding of the Designers' duties under CDM2015 and the options that are available for achieving these obligations.

The course could also be suitable for Principal Designers if they are experienced in the design requirements of CDM2007. Discussions and debates are encouraged throughout this course.

CDM2015 AWARENESS 1 DAY COURSE

This APS accredited course is designed to provide all persons involved in construction projects, including current and potential clients, project managers, principal designers, designers, principal contractors and contractors with a broad overview on the CDM Regulations 2015.

CDM2015 FOR FACILITIES MANAGERS 1 DAY COURSE

This non-accredited course is designed to provide Facilities Managers, and designers and contractors working for Facilities Managers, with an understanding of their duties under the CDM Regulations 2015. Larger fit-out and refurbishment projects will be discussed as well as planned maintenance and reactive repair activities.

MANAGING SAFELY IN CONSTRUCTION 5 DAY COURSE

This IOSH accredited course has been developed to provide managers, designers, etc. the knowledge and skills necessary to enable them to recognise the hazards likely to be present in the construction industry and the actions needed to control and manage them.



The course is suitable for Principal Designers, Designers, Project Managers, Facilities Managers and Managers of any construction-related organisation.

Further details of these, and other, courses can be found on our website: www.callsafe-services.co.uk, or by contacting Gemma Esprey at: gemma.esprey@callsafe-services.co.uk or by phone on: 01889 577701

IN-HOUSE COURSES

The above public courses, and many other CDM and other health and safety courses are offered as 'in-house' courses, where the trainer presents the course at a venue provided by the delegates' employer, and are priced at a daily rate.

Details of all courses offered can be found at: www.callsafe-services.co.uk, most of which can be customised to a particular customer's needs.



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AI SOLUTIONS HEALTH & SAFETY EVENT – 13TH JUNE 2017

Ai Solutions have been an associate company of Callsafe Services for many years, during which time we have collaborated on a number of CDM and asbestos related services and training. The following announcement has been made by Ai Solutions to advertise their forthcoming event, at which Dave Carr, Managing Director of Callsafe, will be presenting.

The Event – by Ai Solutions
We are exceedingly happy to announce that we will be running a prestigious Health and Safety event on Tuesday 13th June 2017 at the London Marriot County Hall. We are looking forward to some

healthy debating from our speakers and attendees. So, as usual, we will have a fabulous line up of speakers who will be providing you with valuable health and safety information regarding:-

- CDM and BIM working together
- Asbestos – understanding your obligations
- Legislative areas like lead paint and legionella
- Advice on environmental good practice
- Latest information from the HSE in regard to the CDM2015 regulations
- Intelligent Statutory documentation
- Skills shortage in the

construction industry

Additionally you will have a chance to join in the forum at the end of the event to ask your burning questions of our industry experts. That, plus refreshments and a lovely lunch at a central London location, equates to a day well spent updating your health and safety knowledge and gaining CPD points.

Spaces are limited, so to book your place at this important event please go to book my place or contact a member of the team on 01525 850080 or email events@aisolutions.co.uk to get your information pack about the event.

BOOK YOUR PLACE TODAY

A FOND FAREWELL FROM CHRIS MYLES

After 18 very good years working as a full-time H&S consultant for Callsafe Services and as an Associate since 2008, I have decided now is the time for me to hang up my hard hat and high-viz jacket for the last time, and to park my laptop. Never did I think on being made redundant by the MOD in 1999 that I would enjoy such a varied career, taking me all over the world representing Callsafe Services on major projects and a variety of training programmes.

Bruce Calder was the MD at the time of my appointment. I had known him from when I worked as an H&S advisor at the National Gas Turbine Establishment, Pyestock, and he was contracted to undertake some of our H&S training. After redundancy, I contacted Bruce and he invited me up to his office in Rugeley for a chat. He took great delight in showing me around, after which he asked if I was interested in becoming a consultant. I already had two other job offers, but on the spur of the moment I said yes, and never looked back.

Some years later Bruce took early retirement and Dave Carr

took over the company and moved Callsafe Services to the next level, to enjoy the fine reputation that it has today.

I have been very fortunate during my career to work on three of the biggest engineering projects this country has undertaken. Whilst working as a craftsman with the MOD, I assisted in the development of Concord, and upon becoming a Callsafe consultant, I worked on the Channel Tunnel Rail Link and the first phase of the Olympics.

Being based in Dagenham when working on the Channel Rail Link Project was an experience in itself. A contract that was set to last four weeks, ended up being nearly 18 months, but what a great experience. Callsafe seems to be the company that clients call, when things are not going too well. This can be said about the first phase of the Olympics. We were commissioned to complete an audit on the project, with three days to carry out the audit and two days to compile a report. Upon completion, I was asked to give a presentation of my findings to senior managers, only to their horror, I advised that the project should be shut down until certain actions were

carried out. Needless to say this did not happen and my one week's work turned into 10 months'. This was the most challenging project that I was engaged in whilst working for Callsafe, due to the politics involved, and on occasions, the attitude of the PC.

I have said that Callsafe gets the call when things have not gone well. This was the case at Good Hope Hospital in Sutton Coldfield, who were in a spot of bother with the HSE when an estate worker fell from a step ladder, resulting in a serious arm injury. What was intended to be a two months' help for the estates department, lasted nearly 8 years.

A large amount of my time over the duration has been spent on delivering H&S training. I have never stated this before, but I think I must have done a good job as clients have invited me back time and time again, and most delegates gave me good feedback marks and comments

The training has taken me to the length and breadth of the UK and to some very exotic places such as, Qatar, Dubai, Cyprus, Scottish Isles, Bala in Wales, Belfast and the most exotic of all, Plucks

Gutter! Where is Plucks Gutter, I hear you ask? A lovely little village just outside Margate, with a beautiful pub where I undertook training for the Environment Agency (EA).

One of the most difficult places to find my way home south from, was when working in Leeds. I always managed to take the wrong turning off the ring road. I complained so much to the girls in the office, that they presented to me a road map of Leeds in the form of a jigsaw puzzle. All the pieces looked the same and it took some time to complete.

When undertaking a three day training course for the EA in North Wales, the Area Manager advised that the delegates were refusing to speak English and that I would have to use him as an interpreter. I continued until the first break and then told the AM that I was not prepared to carry on like this for the duration of the course. Once back in the classroom, I told the delegates what I thought of the Welsh Rugby team, and that drew a great reaction, in English! From that point on, with the exception of one delegate, all was OK, and the Area Manager went back to his day job.

The girls in the office thought I had a bit of a jinx when flying in 2010. In May of that year I was delivering a two day Temporary Works Course in Belfast, only to learn on the morning of the second day, that there were no further flights due to volcanic dust from the eruption in Iceland. It took me two days to get home; ferry to Liverpool, train to Rugeley, stay the night with Dave Carr, catch the train to London, (which never went above 20 miles an hour due to engineering works), arriving at a deserted Heathrow to catch the bus from Terminal 2 to the business car park, to finally pick up my car. Not a happy bunny.

In December 2010 I was working in Cyprus for three days, only to find yet again that I could not fly home, this time due to heavy snow closing Heathrow airport. I should have flown out of Larnaca on 17th December, but eventually left the island on 23rd December. This delay I was OK with though, as the sun was shining, the sea was warm and the expenses not bad either! When I finally got to the business car park at Heathrow, there were two cars parked together, mine and one other. It took ages to clear the snow away to get into the car, as it

had frozen solid.

There are so many stories I have in my locker about training days; but I will save them for another time.

I would like to thank all the staff, both past and present, at Callsafe Services for making my time so enjoyable.

A big thanks to Dave Carr, who has guided me through my years with Callsafe, and I thank all the Callsafe clients, both multinational and small businesses, who have made me most welcome other the last 18 years. To the delegates who remember me, I hope that I helped you understand the basics of H&S legislation. Remember pieces of paper do not make people safe.

I leave you with one acronym, which I was taught on my first Trade Union H&S course; NAFOF, Never Assume Find Out First.

Chris Myles
Retired
Callsafe H&S
Consultant



OLDHAM BUILDING CONTRACTOR IN COURT OVER FALL FROM HEIGHT RISK

An Oldham based building firm has been fined for exposing its workers to dangerous work at height.

An Inspector from the Health and Safety Executive (HSE) issued an immediate Prohibition Notice ordering Select Quality Homes Ltd to stop work at a site at Newmarket Road, Ashton under Lyne until workers had protection against falling from height.

Manchester City Magistrates Court heard that an unannounced inspection took place in April 2015. During the visit the Inspector found that edge protection on the scaffolding was absent or inadequate in several places and as a result a prohibition notice was issued. Upon a return visit from HSE to the site the scaffolding was still inadequate.

The court also heard if Select Quality Homes Ltd had carried out their duty to plan, manage, and monitor the site properly, and subsequently followed the advice outlined by HSE's Inspector, the defects in the scaffolding would have been resolved without the need for any formal enforcement action.

Select Quality Homes Ltd pleaded guilty to breaches of Regulation 6(3) of the Work at Height Regulations 2005 and Section 22 of the Health and Safety at Work etc. Act 1974, and was fined £6,600 and ordered to pay costs of £646.70.

Balfour Beatty fined for safety failings
A construction company has been fined after flooring at a house-building development gave way, injuring a worker.

Newcastle Crown Court heard how a worker was on the first floor of a new build domestic

property when the floor gave way at one side. The worker and approximately 70 building blocks slid 2.4 metres, vertically, to the ground. He suffered fractures to bones in his foot.

Balfour Beatty Regional Construction Limited (Balfour Beatty) was running the site at Richmond Park, Croft, Sheffield, where the incident occurred. The injured person was one of a three-man brick laying team instructed to work on the first floor of an incomplete property.

An investigation by the HSE into the incident, which occurred on 2nd March 2015, found that the supporting joists of the first floor had not been fully installed as per the house designer's instructions, leaving it unstable.

Balfour Beatty Regional Construction Limited pleaded guilty to breaching Regulation 28(1) of the Construction (Design and Management) Regulations 2007 and was fined £230,000 and ordered to pay costs of £11,915.

CONTRACTOR FINED FOR POOR ASBESTOS ASSESSMENT

A Bedfordshire based contractor has been fined after failing to carry out suitable assessment of asbestos removal work.

Luton Magistrates Court heard how Anthony West was contracted to complete demolition work at a building in Biggleswade. West then had a pre-demolition asbestos survey carried out for the building.

The HSE had the demolition work reported to 16th April 2015 by a member of the public which prompted an investigation into the work.

The investigation found that West did not adequately check the pre-demolition asbestos survey before carrying out the work,

and did not follow advice to use a licensed asbestos removal contractor.

West has pleaded guilty to breaching sections 5,7,8 and 16 of the Control of Asbestos Regulations 2012 and has been fined £2970 and ordered to pay costs of £5419.

SOLE TRADER RECEIVES SUSPENDED SENTENCED AFTER SCAFFOLD COLLAPSE

A Wigan scaffolder has been sentenced after scaffolding collapsed at a retail site in Loggerheads.

North Staffordshire Justice Centre heard Mr Kinsley had been subcontracted to erect a scaffold, with debris netting attached along its full length, for roofing work on a Co-Op retail store.

Mr Kinsley erected the scaffold with two of his employees, on 19th November 2015 but did not design the scaffold correctly or ensure it was tied to the building in any way.

On 5th December 2015 the scaffold collapsed into a car park at the side of the store.

A HSE investigation found Mr Kinsley failed to properly design or erect the scaffold in a safe and appropriate manner and as a result put members of the public and workers at risk.

Mark Kinsley pleaded guilty to breaching Section 3(1) of the Health and Safety at Work Act 1974. He was fined £1400 and sentenced to 16 weeks in custody, suspended for 12 months. He was ordered to pay costs of £1648.

Speaking after the hearing HSE inspector Katherine Blunt said: "This was a very serious incident and it is fortunate nobody was injured

as a result of it.

"The case highlights the importance of following industry guidance and in order to design and erect scaffolding in a safe manner, which does not raise risk to members of the public and workers using the scaffold."

COMPANY AND SELF EMPLOYED CONTRACTOR SENTENCED FOR LIFT SHAFT DEATH

A company and a self-employed contractor have been fined for safety failings after one man died and another was left seriously injured falling six storeys through a lift shaft.

Southwark Crown Court heard on 17th January 2011 that work was being carried out to decommission a lift shaft in a building that was being converted into luxury apartments in the Victoria area, when the chain supporting the lift car broke while two men were working on top of it, causing it to fall to the bottom of the shaft.

One of the men was wearing a harness attached to the top of the lift car. Because he fell in the space between the car and shaft, he survived with serious injuries. The other man was not wearing a harness and died instantly.

The HSE carried out an investigation and found that the planning and management of the project was inadequate in relation to work at height and the lift decommissioning work.

T E Scudder Ltd acted as the principle contractor and employer on site. The company pleaded guilty to breaching Section 2(1) and Section 3(1) of the Health and Safety at Work Act 1974, was fined £600,000 and ordered to pay £27,408 in costs.

Patrick Pearson, the director of Intervale Ltd, was the contract manager responsible for planning the decommissioning of lift shafts on site. He pleaded guilty to breaching Section 3(2) of the Health and Safety at Work Act 1974. He has been ordered to complete 120 hours community service and pay costs of £3000.

CONSTRUCTION COMPANY FINED AFTER WORKER FELL FROM HEIGHT

Construction firm Structural Metal Decks Limited (SMDL) has been fined after a worker was left paralysed following an accident at a building site in Kilsyth.

The worker suffered injuries to his spinal cord and is now paralysed from the neck down following the incident.

Airdrie Sheriff Court heard how Structural Metal Decks Ltd had been sub-contracted to lay metal deck flooring by John Graham Construction Ltd who were building a new health centre in Kilsyth. On 22nd April 2015, a scaffolder was moving scaffolding components when he stood on a section of decking which had been put in place by SMDL. The decking sheet gave way and the man fell more than four metres to the ground.

An investigation by the HSE found the metal deck sheets on the first level of the building had not been secured properly and the access to the first level of the decking was not adequately controlled allowing non-decking workers onto the deck.

Structural Metal Decks Limited pleaded guilty to breaching Sections 3(1) and 33(1) of the Health and Safety at Work Act 1974 and were fined £105,000.

£600,000 FINE FOR COUNCIL CONTRACTOR AFTER MAJOR BURNS TO EMPLOYER

Gloucester Crown Court heard the 61-year-old man was working at the site on Eastgate Street on 29th May 2015. While trying to replace the traffic light pole he came into contact with a live underground cable which immediately gave him the electric shock and set him on fire. The man, who was an employee of another company asked by Amey to carry out the work, received burns to his hands, arms, stomach, face, legs and chest.

An investigation by the HSE found that although this was the first time this particular group of individuals worked on an Amey project, Amey did not provide adequate information on the location of underground services in the area. The inquiry also found that Amey's supervision of the work was not adequate, and it had not properly managed the risks from the underground services.

Amey LG Limited pleaded guilty to breaching Regulation 25(4) of the Construction (Design and Management) Regulations 2015. The company was fined £600,000 and ordered to pay costs of £15,498.

After the hearing HSE Principal Inspector Helena Tinton said: "This man suffered life changing injuries as a result of this incident. He's not been able to return to work, he still can't use his hands properly and has been left both physically and mentally scarred by what happened. Had Amey given adequate information to the team working on site, and had Amey ensured the work was properly planned and supervised, this incident could have been avoided.

"This case should act as a reminder to local

authorities and their contractors of the risks of working underground and the danger of severe electric shocks.”

Keir fined after worker fell from height
Construction company Kier Construction Limited has been fined £400,000 after a worker fell from height.

Westminster Magistrates’ Court heard how Jair Morales was installing plywood boards covering holes on the third floor of a building at a construction site in Uxbridge, Middlesex when he fell a distance of 3.95m to the floor below.

The court heard no steps had been taken to prevent him falling through the opening as he installed the plywood boards. Mr Morales suffered fractures in his pelvis and his arm following the fall and has been unable to work since the accident.

An investigation by the HSE found that Kier failed to ensure the work was properly planned and carried out in a safe manner.

Kier Construction Limited pleaded guilty to breaching section 4(1) of the Work at Height Regulations 2005, has been fined £400,000 and ordered to pay costs of £1,534.

CONSTRUCTION WORKER SERIOUSLY INJURED IN WALL COLLAPSE

A Manchester building contractor and a company owner have appeared in court after a worker was seriously injured on a refurbishment site.

The 53-year-old father of two from Salford was employed as a labourer at the site of a refurbishment project at Manchester One, Portland Street Manchester when the incident occurred on 29th August 2014.

The incident was investigated by the HSE and on 9th March 2017 Workspace Design and Build Ltd, the principal contractor for the project, and Paul Harrison former director of Access Flooring Specialist Ltd were prosecuted for serious safety failings.

Manchester Magistrates’ Court heard how two operatives working for Access Flooring Specialist Ltd had started the demolition of a freestanding concrete block wall on the site using a demolition hammer.

One of the men had started to cut into the wall just above the half way point, when the second man took over and continued from the top using step ladders for access. As he did so, the top half of the wall collapsed knocking him from the ladder and landing on top of him.

The injured person suffered fractures to his neck and back and spent three months in hospital following the incident. He has been unable to return to work since.

The HSE investigation found there was no suitable risk assessment in place for the work that was being carried out and the workers had not been provided with suitable work instructions for carrying out this task safely.

In addition to this no checks had been made regarding the injured workers training or experience, he was not provided with a site induction or adequate PPE for the task and the work on site was not being supervised.

Workspace Design and Build Ltd pleaded guilty to breach of Regulation 22(1)(a) of the Construction (Design and Management) Regulations 2007 and was fined £14,000 and ordered to pay costs of £2972.

Paul Harrison pleaded guilty to a breach of Section 37(1) of the Health and Safety at Work

etc. Act 1974 relating to his companies' breach of Regulation 13(2) of the Construction (Design and Management) Regulations 2007 and was fined £1300 and ordered to pay costs of £2851

PRINCIPAL CONTRACTOR FINED FOR SAFETY FAILINGS

A London based construction company has been fined for safety failings after complaints from the public.

Basildon Magistrates' Court heard how Malik Contractors and Engineers Ltd were working at a site on St John's Way in Corringham, Essex in 2016 when concerned members of the public contacted the HSE.

Malik Contractors and Engineers Ltd are the principal contractors for the development of a public house and 24 flats.

Acting on the public concerns, the HSE carried out three inspections of the site. On each visit the inspectors and visiting officers found numerous breaches of health and safety legislation, including dangerous electrical systems, unsafe work at height across the site, and no fire detection alarm. There was no fire-fighting equipment, despite workers sleeping on site.

As a result, the HSE issued four Prohibition Notices (PNs) and three Improvement Notices (INs) on the firm.

Malik Contractors and Engineers Ltd was fined a total of £52,000, and ordered to pay £4,415 in costs after pleading guilty to an offence under Regulation 13(1) of The Construction Design and Management Regulations 2015.

Speaking after the hearing HSE inspector David King said: "This case highlights the importance complying with enforcement

action. Duty holders have the responsibility to provide their workers with appropriate training and equipment so they can work safely. In this case Malik Contractors failed to do so.

"It is essential those responsible for construction work understand they are also responsible for the health and safety of those on and around the construction site, and ensure suitable and sufficient arrangements are in place to plan."

ROOFING COMPANIES FINED AFTER WORKER FELL THROUGH SKYLIGHT

Two roofing companies have been fined after a worker fell nine metres through a skylight onto concrete flooring below.

The man suffered life changing injuries and required surgery to install metal rods into his back.

Coventry Magistrates Court heard how ACG Roofing Limited had been subcontracted by JDB Industrial Roofing Limited to complete re-cladding work on the fragile roof. At the time of the fall, on 15th December 2015, no nets or guardrails were being used. The Mobile Elevating Working Platform which had been provided as an anchor point for the fall arrest equipment did not have enough capacity. When he fell the injured person did not have his harness attached to anything.

A HSE investigation found that JDB, the principal contractors of the work, failed to have effective management systems in place to control the risk associated with working at height and on fragile roofing.

JDB Industrial Roofing Limited pleaded guilty of breaching Section 13(1) of the Construction (Design and Management) Regulations 2015, has been fined £112,000 and ordered to pay

costs of £2216.68.

ACG Roofing Limited have pleaded guilty of breaching Section 4(1) of the Work at Height Regulations 2005 and have been fined £35,000 and ordered to pay costs of £1721.78.

LAING O'ROURKE FINED £800,000 AFTER WORKER FATALLY CRUSHED AT HEATHROW AIRPORT

A construction firm has been sentenced following the death of Philip Griffiths at Heathrow Airport in October 2014.

Southwark Crown Court heard that Philip's brother Paul accidentally reversed into his 38-year-old sibling when the pair were trying to move a broken-down scissor lift on a service road, while working for Laing O'Rourke.

Paul Griffiths tried to tow the scissor lift away using a dumper truck under the direction of managers. During the attempt his foot got

stuck between the brake and the accelerator and the truck reversed. Philip, who was standing between the two vehicles, suffered crush injuries. He was pronounced dead at the scene.



A HSE investigation found that neither worker was authorised with the appropriate certificate to use the dumper truck, and that the operation was not properly overseen or managed.

Following the incident on 2nd October 2014, Laing O'Rourke Construction Limited pleaded guilty to breaching Regulation 22(1)(a) of the Construction (Design and Management) Regulations 2007, was fined £800,000 and ordered to pay costs of £10,000.

A promotional graphic for 'callsafetoday' magazine. The magazine cover features the title 'callsafetoday' in a large, white, sans-serif font against a background of a sunset over a construction site. Below the title, there are three small images: a construction worker, a person in a hard hat, and a construction site. The text on the cover includes '4 CDM 2005 (NI) corner: P60-60', '10 NEWS & RESEARCH', and '12 Listed Projects'. The website 'WWW.CALLSAFE-SERVICES.CO.UK' is printed at the bottom. The magazine is displayed on a three-tiered white pedestal, flanked by two silver stanchions with a rope barrier. The background is a light blue gradient with a subtle grid pattern.

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