



**Callsafe**  
Services Ltd

CONSTRUCTION HEALTH & SAFETY CONSULTANTS & TRAINERS

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# callsafetoday



**4** CDM 2015 (NI) comes into force



**10** Vaping at work  
**SPECIAL REPORT**




**12** Latest Projects

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# **1/2 DAY ASBESTOS AWARENESS COURSE**

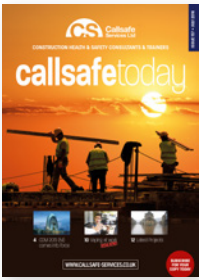


**TYPICALLY, WORKERS WHO ARE LIKELY TO COME  
INTO CONTACT WITH ASBESTOS INCLUDE PAINTERS  
& DECORATORS, ROOFERS, CONSTRUCTION &  
DEMOLITION WORKERS, PLUMBERS & ELECTRICIANS,  
HEATING ENGINEERS, SURVEYORS, PLASTERERS,  
CARPENTERS AND ALARM INSTALLERS**

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*"THE CONTENT OF CALLSAFE TODAY IS AN ENHANCED VERSION OF THE CONSTRUCTION HEALTH AND SAFETY NEWS, CONTAINING SIMILAR, BUT ENHANCED, INFORMATION."*

# editorswelcome

**Dave Carr** Managing Director, Callsafe Services

We have had a few responses from our readers expressing their pleasure in the new format presented by CALLSAFE TODAY, with no adverse comments, so we are hoping that we have got this right!

We will continuously seek feedback from you, our readers, on the content and format of the magazine, so if you have any suggestions for improvements please let us know by sending your

comments via **enquiries@callsafe-services.co.uk**.

Also, if you have any particular subject, related to health and safety please, that you would like further information and/or our opinions on, these requests can also be sent to us through the above address.

Given that summer appears to have arrived, at last, don't forget the arrangements for preventing sunburn, skin cancer and heat induced illnesses due to working on sunny and hot construction sites.



## thisissue



**4** CDM 2015 (NI) comes into force



**7** New minister for Health & safety



**10** Vaping at work



**12** Latest Projects



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## ANNUAL WORKPLACE FATALITY STATISTICS PUBLISHED

**PROVISIONAL** annual data for work-related fatal accidents in Great Britain's workplaces has been released by the Health and Safety Executive (HSE) on 6 July 2016.

The long term trend has seen the rate of fatalities more than halve over the last 20 years. However, provisional figures indicate that 144 people were killed while at work in 2015/2016; up from 142 in 2014/5.

The HSE has called on all sectors to learn lessons to ensure workers return home safe from work.

Martin Temple, HSE Chair said: "One death at work or life needlessly shortened, is one too many and behind every statistic lies a real story of loss and heartbreak and families left to grieve.

"Britain has one of the best health and safety systems in the world, but we should always be looking to improve and to prevent incidents that cost lives.

"This year HSE travelled the country asking industry representatives, employers, unions, workers and others what they could do to help GB work well. The response was hugely encouraging and I would like to ask people to deliver on the commitments made, that will help keep Britain's workers alive."

The new figures show the rate of fatal injuries in key industrial sectors:

- Forty-three workers died in construction, the same as the average for the previous five years.

- In agriculture there were 27 deaths (compared to the five-year average of 32).
- In manufacturing there were 27 deaths (compared to five-year average 22), but this figure includes three incidents that resulted in a total of eight deaths.
- There were six fatal injuries to workers in waste and recycling, compared to the five-year average of seven, but subject to considerable yearly fluctuation.

There were also 103 members of the public fatally injured in accidents connected to work in 2015/16, of which 36 (35 percent) related to incidents occurring on railways.

The statistics again confirm the UK to be one of the safest places to work in Europe, having one of the lowest rates of fatal injuries to workers in leading industrial nations.

HSE has also released the latest available figures on deaths from asbestos-related cancer. Mesothelioma, one of the few work related diseases where deaths can be counted directly, contracted through past exposure to asbestos killed 2,515 in Great Britain in 2014 compared to 2,556 in 2013.

A more detailed assessment of the data will be provided as part of the annual Health and Safety Statistics release in early November. As this draws on HSE's full range of sources, including changes in non-fatal injuries and health trends, and will provide a richer picture on trends.

Further information on these statistics can be found [HERE](#)

## CDM2016 (NI) COMES INTO FORCE

**AS** previously reported in the Callsafe Newsletter Issue 153, March 2016, the Department of Enterprise, Trade and Investment has, on 11th March 2016, made a Statutory Rule entitled 'Construction (Design and Management) Regulations (Northern Ireland) 2016' (S.R. 2016 No. 146) ('CDM 2016').

CDM 2016 will come into operation on 1st August 2016 and will replace CDM 2007.

The new Regulations maintain the framework for management of health and safety risks established by the earlier Regulations but are shorter and substantially simpler in structure.

Whereas the GB version of the regulations, CDM 2015, has changed all of the instances of 'shall' in the regulations to 'must', CDM (NI) 2016 has not done this, having retained the word 'shall'.

The main difference between the 2016 and 2007 Regulations is that the previous CDM Co-ordinator role is replaced by a Principal Designer who will have a more central role in the project.

Schedule 5 of the new Regulations provides transitional provisions so that, where an existing project has a CDM Co-ordinator, a Principal Designer must be appointed within 12 months of 1 August 2016, unless the project ends before that date. During the transitional period the CDM Co-ordinator must fulfil the duties set out in Schedule 5. A briefing note has been provided for the transitional arrangements, which can be found [HERE](#)

A simple guide to CDM (NI) 2016 is also available [HERE](#)

The HSENI website refers to the HSE(GB) CDM2015 guidance document L153, Managing health and safety in construction, which can be found [HERE](#)

Also referred to are the following HSE(GB) documents:

- CIS80, Construction Phase Plan (CDM 2015) What you need to know as a busy builder, available [HERE](#)
- HSG150, Health and safety in construction, available [HERE](#)
- INDG411, Need building work done? A short guide for clients on the Construction (Design and Management) Regulations 2015, available [HERE](#)





**Callsafe  
Services Ltd**

# CDM 2015 & BIM

THE BENEFITS OF INCORPORATING

HEALTH AND SAFETY INTO BIM

IDENTIFY AND REDUCE RISKS  
EARLIER IN THE DESIGN PROCESS

ISSUES/CLASHES IDENTIFIED  
BEFORE WE GET ONTO SITE

EFFECTIVE CONTROL OF  
DESIGN INTERFACES

CLARITY OF DESIGN, RISKS AND  
BUILD REQUIREMENTS

PROVIDE PRE-CONSTRUCTION & DESIGN  
INFORMATION MORE EFFICIENTLY

VISUALISATION OF PHYSICAL LAYOUTS  
AND SPACES FOR USE & MAINTENANCE

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RISK AND  
HAZARD  
IN DESIGN**

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COURSES  
AVAILABLE  
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**a** Yardley House, 11 Horsefair,  
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**t** 01889 577 701

**e** [enquiries@callsafe-services.co.uk](mailto:enquiries@callsafe-services.co.uk)

[www.callsafe-services.co.uk](http://www.callsafe-services.co.uk)

## NEW MINISTER FOR HEALTH AND SAFETY

**PENNY** Mordaunt MP has been appointed as Minister of State for Disabled People, Health and Work with responsibility for oversight of HSE, at the Department for Work and Pensions.

This new title reflects the broader portfolio she is taking on, which will include all areas related to supporting disabled people and those with long-term health conditions.

The appointment follows the announcement of the Rt Hon Damian Green MP being appointed Secretary of State for Work and Pensions.

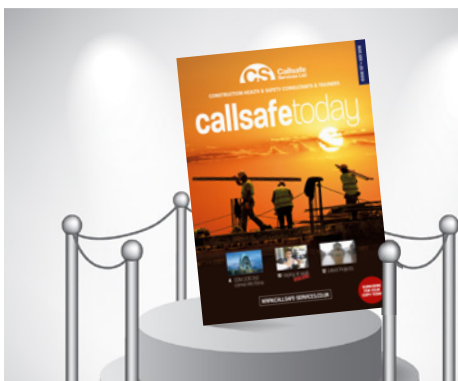
Penny forms part of a DWP ministerial team which also includes Damien Hinds MP as Minister of State for Employment. Part of his remit includes EU and international affairs and support to the Secretary of State on devolution.

Penny worked for Conservative Central Office, becoming Head of Broadcasting under William Hague. In 2000 she served as Head of Foreign Press for George W. Bush's presidential election campaign.



Credit: [www.gov.uk](http://www.gov.uk)

In Parliament, Penny served on the European Scrutiny Committee, Defence Select Committee, and as chairman of the APPGs for Life Science and for Ageing and Older People. In autumn 2013 she was appointed Parliamentary Private Secretary to the Secretary of State for Defence, Rt Hon. Philip Hammond MP. She served as Minister of State for the Armed Forces from May 2015 until July 2016.



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## **APS CDM2015 AWARENESS**

16 August 2016	Staffordshire	<b>CDMA160816</b>	£300.00
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## **ASBESTOS AWARENESS**

18 August 2016	Staffordshire	<b>ASBA160818</b>	£90.00
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## **CDM2015 FOR FACILITIES MANAGERS**

23 August 2016	Staffordshire	<b>CDMF160823</b>	£290.00
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## **APS DESIGN RISK MANAGEMENT AND CDM2015 FOR DESIGNERS**

21 & 22 September 2016	London	<b>ADRM160921</b>	£630.00
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## **APS CDM2015 AWARENESS**

29 September 2016	London	<b>CDMA160929</b>	£310.00
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## **APS MANAGEMENT OF PRE-CONSTRUCTION HEALTH AND SAFETY**

04 - 06 October 2016	London	<b>MPHS161004</b>	£840.00
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## **CDM2015 FOR FACILITIES MANAGERS**

11 October 2016	London	<b>CDMF161011</b>	£300.00
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## **APS DESIGN RISK MANAGEMENT AND CDM2015 FOR DESIGNERS**

11 & 12 October 2016	Staffordshire	<b>ADRM161011</b>	£620.00
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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.

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

### ASBESTOS AWARENESS 1/2 DAY COURSE

This non-accredited course satisfies the requirements for training of those who may come into contact with asbestos containing materials as part of their jobs, such as electricians, plumbers, decorators, etc; but does not qualify persons to work on asbestos containing materials. This satisfies the requirements for asbestos awareness training; as stated in the HSE document, L143 Managing and working with asbestos - ACoP & Guidance (Second edition).

## 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](http://www.callsafe-services.co.uk), most of which can be customised to a particular customer's needs.

**SPECIAL REPORT**

# VAPING AT WORK

**SMOKING** cigarettes, pipes, cigars or herbal cigarettes in indoor workplaces has been banned since 1 July 2007, under the Health Act 2006. E-cigarettes, also known as ENDS (Electronic Nicotine Delivery Systems) do not burn tobacco; instead, they heat and vaporise a liquid containing nicotine and other chemicals, so that the nicotine can be inhaled. The law treats ENDS in relation to use in public places in the same way that it treats nicotine patches, gums, lozenges or nasal sprays. Even though it is not illegal, employers can still ban e-cigarettes in the workplace, just as they can ban alcohol, hot drinks or eating as part of a workplace policy, subject to consultation with the employees and their representatives.

## **WHAT ARE THE HEALTH RISKS FOR THE USER?**

### **The 'experts' are divided.**

In the summer of 2015, Cancer Research UK opposed a ban on the use of e-cigarettes indoors that had been proposed by the Welsh Assembly, arguing that "E-cigarettes, although not risk free, are almost certainly far safer than smoking tobacco cigarettes." It continued: "There isn't enough evidence to justify a ban on the use of e-cigarettes indoors." Cancer Research has also been clear that it considers e-cigarettes to be a positive move away from smoking, and that banning their use indoors "could create more barriers for smokers trying to quit tobacco".

In April 2016 the Royal College of Physicians (RCP) published a report and position statement, arguing that e-cigarettes should be promoted "as widely as possible as a substitute for smoking in the UK".

In July 2016, Public Health England cited Cancer Research UK and the RCP in its reports, and published, 'Use of E-Cigarettes in Public Places and Workplaces', which states that employers can endorse the practice if policies adopt five key principles. [\*\*CLICK HERE TO READ ONLINE\*\*](#)

On the other side of the argument are the World Health Organisation (WHO) and the British Medical Association (BMA), the professional institute for doctors. The WHO proposes greater restrictions on the use, sale and promotion of e-cigarettes. It claimed in a 2014 report, 'Electronic nicotine delivery systems', that: "The evidence is sufficient to caution children and adolescents, pregnant women and women of reproductive age about ENDS use, because of the potential for fetal and adolescent nicotine exposure to have long-term consequences for brain development."

The BMA supports a ban on e-cigarettes in all public places where smoking is already banned, complaining of a lack of peer-reviewed evidence on the safety or effectiveness of e-cigarettes. In a 2012 briefing paper, it states that doctors believe the ban is necessary "to protect others from being exposed to their vapours, and to ensure their use does not undermine smoke-free restrictions or reinforce the normalcy of smoking behaviour".

## **PASSIVE VAPING**

For the bystander, if the comparison is between inhaling second hand tobacco smoke or second hand vapour, there is general agreement that vapour is significantly less harmful. ENDS-exhaled aerosol contains lower levels of toxicants than the emissions from cigarettes and other tobacco products, but the verdict is out on whether toxins from e-cigarettes pose a significant harm to either the user or bystanders.

Workplaces now enjoy a legislation-backed smoke-free environment. The choice for employers is not smoking versus vaping, but zero tolerance versus e-cigarettes. Tobacco smoke on the premises is confined to smoking areas outside the building. Do you therefore want to allow e-cigarette vapour, whatever your view on the level of toxins, into the office, warehouse or site?

## FIRE RISKS

Many employers and landlords have also raised concerns regarding the fire risk associated with e-cigarette chargers. Even if you ban the use of e-cigarettes in your building, without a policy that clearly states the rules, employees might plug in their e-cigarette chargers at work, ready for the next break.

In 2014, the BBC obtained information from 43 UK fire services, which showed that the number of fires identified as having been started by e-cigarettes rose from eight in 2012 to over 60 in 2014. However, Public Health England and ASH argue that the risk of an electrical fire is no worse than for any other household appliance.

Although the number of fires is small compared with fires for electrical appliance failures generally, it makes sense for a workplace to communicate clear rules to staff about what is, and isn't, allowed for e-cigarette chargers, and any other electric devices brought in from home.

## WHAT THE HEALTH AND SAFETY EXECUTIVE (HSE) SAY

The following guidance is available on the HSE website, downloaded 18th July 2016.

HSE does not enforce legislation or standards for e-cigarettes.

E-cigarettes are not regulated like tobacco products and there is currently no bespoke regulatory system for e-cigarettes in the UK, but they are captured by general product safety regulatory requirements.

HSE's advice is that an employer needs to consider e-cigarettes in the wider context of risk in the workplace. We are aware that some organisations have banned their use but this is not something HSE has advised on. Employers may want to ask for

advice on this from Public Health England: [cleartobaccoteam@phe.gov.uk](mailto:cleartobaccoteam@phe.gov.uk).

Some organisations may find the 'Will you permit or prohibit electronic cigarette use on your premises?' document useful. It sets out five questions to ask yourself before deciding whether to permit or prohibit e-cigarette use on your premises.

If an employer decides to 'prohibit' the use of e-cigarettes in the workplace but allow for 'vaping' breaks or provide areas where employees can use e-cigarettes, the employer needs to ensure that those who use e-cigarettes are not put at risk of harm from second-hand tobacco smoke.

'Will you permit or prohibit electronic cigarette use on your premises?', provided by ASH, can be downloaded [HERE](#). The five questions referred to are:

- 1 What are the issues you trying to deal with?
- 2 What do you think you need to control?
- 3 Do you have concerns about the possibility of harm from electronic cigarettes?
- 4 Will restricting or prohibiting use of electronic cigarettes support compliance with smoke-free policies?
- 5 Do you want your policy to help to improve people's health?

## CONSTRUCTION SITES

In addition to the standard issues regarding the use of e-cigarettes, on construction sites the working environment should also be considered as part of the rules, policies and arrangements contained in the Construction Phase Plan.

This will include the possibility of flammable and explosive atmospheres on site, any toxic gases potentially released within the site areas and/or any potential contamination of the e-cigarette due to site contaminants, the site environment, any hazardous substances



incorporated into the structures or utilised by the work tasks.

## CONCLUSION

In deciding how to manage e-cigarettes in the workplace, employers need to weigh up the health and safety arguments:

- e-cigarettes might re-normalise smoking;
- e-cigarettes may promote experimentation among young people who otherwise may not have tried smoking;
- people using nicotine e-cigarettes are still addicted to nicotine and inhaling some toxic fumes, particularly with some of the 'flavoured' fluids; and
- the consensus is that e-cigarettes are "almost certainly far safer" than traditional cigarettes.

If your organisation decides to ban ENDS, be careful how you word the policy. Some companies have unintentionally banned the use of nicotine patches or gum by careless wording.

If you ban vaping outside the areas designated as 'smoking areas' you are subjecting the people vaping (non-smokers) to passive-smoking, so causing an additional health risk.

If you decide on a separate area for vaping, this can be fully or substantially enclosed, unlike a smoking area, however, adequate ventilation and heat detection would be sensible precautions. If you employ younger workers, consider whether they need extra protection.

This is also an opportunity to revisit your electrical safety policy to make sure the rules for staff bringing in any electrical items, including e-cigarette chargers, are clear and enforced, probably similar to mobile phone and tablet chargers.

It is likely that the same restrictions within the construction site would be applied for e-cigarettes as for they are for smoking.



**SPECIAL REPORT**

## ENVIRONMENT AGENCY ASSET RECOVERY IN THE NORTH OF ENGLAND

At the end of 2015 the North of England experienced almost unprecedented flooding which hit many communities in Yorkshire, Lancashire and Cumbria. Parts of North West England had 200% of the average rainfall in November and December and was the second wettest on record according to the Met Office. On Christmas Eve 2015 Storm Eva hit the UK followed by storms on Christmas Day and Boxing Day.

The damage to homes and businesses was severe, but it was not only structures in riverside towns which were affected. Due to the almost unprecedented volumes of flood water travelling down the rivers, many of the structures which are designed to prevent flooding were overwhelmed and damaged too.

The Environment Agency is responsible for managing the risk of flooding in England and Wales. As well as mobilising almost their entire Field Services workforce over the festive period to try and minimise damage, their thoughts immediately turned to identifying and rectifying the damage caused to flood walls, weirs, culverts and embankments (otherwise known as 'assets'). Flooding causes damage to these assets because the water brings with it fallen trees and rocks. The force of the water can scour soft material from underneath flood walls and bridges causing them to collapse, and where earth embankments are overtopped, the initial trickle erodes the embankment itself, causing a larger breach which in turn causes more erosion.

In January and February, over 8,500 assets

were inspected and many were identified as being in need of some repair. In response, over £200m was allocated for the repair of these assets. Three Asset Recovery Programmes (ARPs) were set up to carry out the works – one each for Cumbria and Lancashire, Yorkshire and Northumbria.

A major constraint on the works was that the then Secretary of State for Environment, Food and Rural Affairs, Elizabeth Truss, stated that all the damaged assets would be 'winter ready' by the end of September 2016. This gave the project team a definite deadline which could not be extended. Normally such works would take longer to plan and build, so a radical solution was needed to procure, manage and deliver the works within the timescale allowed. As the works involved construction activities, a major challenge was to decide how best to apply the Construction (Design and Management) Regulations 2015, which apply to all construction projects in Great Britain.

Callsafe Services Limited, as part of our service provision to the Environment Agency, were requested to provide experienced Health & Safety Consultants to carry out the duties of Principal Designer under the Construction (Design and Management) Regulation 2015 (CDM 2015), and provide project health and safety advice, on these ARPs. Christopher Penny of Callsafe Services Limited has been the lead for these duties and services.

Each ARP contained approximately 90 individual assets which needed to be repaired. Rather than treating each location



as a separate project, the ARP itself was designated a 'CDM Project' with multiple site locations. The Client appointed a single supplier for all construction services – a joint venture organisation called VBA, formed by Volker Stevin Limited and Atkins. This reduced bureaucracy and made effective communication much easier than if separate organisations had been appointed.

The Health and Safety Executive (HSE) was notified of the ARPs with one notification per ARP. The notification informed the HSE of the overall scheme and invited the HSE to contact the Principal Designer for more information should they wish to visit any of the ongoing sites.

Normally each location would have a separate Pre-Construction Information pack prepared

in accordance with the requirements in the CDM Regulations and Environment Agency internal procedures. In the case of the ARPs this would have taken more time than was available, so a decision was taken to combine ALL pre construction information (project, contractual, environmental and safety) information into what was known as a 'Site Memo'. This document contained all the information needed to comply with CDM 2015, and provided a very convenient vehicle which enabled all parties to understand and control the information for each location.

An initial phase of the work was the re-inspection of all assets by the designer, contractor and client – at the same time. This meant that all three parties could agree on what the actual defect was, and propose solutions for the repair work (it

# latest projects

was not unusual to arrive on site to find a completely different problem to the one initially identified earlier in the year, either because of misidentification of the location or because further deterioration had occurred). The Principal Designer also attended these inspections. Following this visit, an 'initial' site memo was prepared which summarised the situation, and proposed an outline solution. This was then discussed by the Client, designer, Principal Contractor and Principal Designer. This discussion then led to the identification of further appropriate tasks or investigations. For example, if a solution called for the removal of a damaged flood wall, buried services drawings would need to be obtained, road closures applied for and environmental permits initiated. Although the timescales were extremely tight, all the appropriate procedures had to be followed.

The Principal Designer has attended weekly Site Memo meetings where designers presented their proposals and representatives from the Client, end user and Contractor all worked together to arrive at a safe, buildable and effective solution.

When it came to carrying out the construction work, a single overarching Construction Phase Plan was prepared by the Principal Contractor. This document was quite general and not site specific: it contained general information about how health and safety would be managed during the construction works. The site specific aspects for each location were all dealt with in the site specific risk assessments, method statements, location plans and traffic management plans. These documents were submitted to the Principal Designer for review, and either accepted or returned with comments.



### ***Example of a Summary Report, allowing all parties to track the status of documents***

As work in specific locations came to an end, the Principal Designer met with the Principal Contractor's site managers and obtained all the appropriate information needed for the Health and Safety File for that location. This was then submitted to the Client on an ongoing basis, rather than being left to the end of the project.

The project teams are on target to get all their identified assets 'winter ready' by the end of September 2016. With good communication and a robust but flexible approach, the Principal Designer was able to ensure full compliance with CDM 2015 while at the same time demonstrating that the highest safety standards actually help save time and money in high pressure projects, by promoting good planning, organisation and communication as well as proper resourcing of work and appropriate documentation.



## Asset Recovery Programme - Risk Assessment and Method Statement Review: Summary Report

21 July 2016

Reviews by Principal Designer - Christopher Penny - 07909 256 321

Project	Location Name	URN	VBA Mgr	Scope Rcvd?	Date RAMS first Received	First Review Date	Accepted at first review?	Date returned to Originator	Revision Accepted?	Date of Final Acceptance
Cumbria and Lancashire ARP	OPP - SMP Issue 0	1					Yes			27/05/2016
	Braithwaite Flood Defence Repairs	7	Eddy Robinson	Yes						
	Bosherley Bridge Repair	11	Eddy Robinson	No	17/06/2016	24/06/2016	Yes		N/A	24/06/2016
	Calden Millings	15		Yes						
	Kendal Stock Beck - Inspection	27								
	Kendal - K-Village	29	Phil Keeley	Yes	21/07/2016	21/07/2016	Yes		No	21/07/2016
	River Kent Kendal Channel Side Repairs - not trial pits	29	Tony Pointer	Yes						
	River Kent Kendal Channel Side Repairs - Trial Pits	29	Nick Wood	No	15/07/2016	15/07/2016	No	15/07/2016		
	River Kent Kendal Channel Side Repairs Vegetation Removal	29	Phil Keeley	Yes	19/07/2016	19/07/2016	No	19/07/2016	Yes	19/07/2016
	Ripwick Asset Repairs	35	Eddy Robinson	Yes	01/07/2016	01/07/2016	Yes		N/A	01/07/2016
	River Gowain Stavely	53	Tony Pointer	No	06/07/2016	06/07/2016	Yes		N/A	06/07/2016
	Scully Repairs at River Gowain	55	Tony	No	19/07/2016	19/07/2016	Yes		N/A	19/07/2016

### Example of a Risk Assessment and Method Statement Review

The Principal Designer tracked this process with a Microsoft Access Database, and circulated a summary report twice a week so that all concerned could keep track of which documents had been accepted.

### Asset Recovery Programme Document Review Record

21 July 2016

Review by Christopher Penny - 07909 256 321
19:26:22

#### Cumbria and Lancashire ARP

Location Name:  Manager:

Date RAMS Rcvd:  URN:  Site Memo Rcvd?:  Site Memo Version:

Works to be Done:

Docs Received:

First Review Date:

Description of Works ok?  Risk Assessment ok?  Method Statement ok?  TM ok?

Access ok?  Welfare ok?  Emergency plan ok?  Buried Services ok?

Comments:

Accepted at first review?

Date returned to Originator:  Revision Accepted?  Date of Final Acceptance:

## **COACH COMPANY FINED UNDER LOLER**

A coach company in Wrexham has been fined £250,000 after it repeatedly failed to comply with legal notices to get its lifting equipment examined.

Wrexham Magistrates' Court heard that, between 4 April 2014 and 28 August 2015, GHA Coaches Limited failed to have its lifting equipment thoroughly examined within the required timescales to ensure that health and safety conditions were maintained and that any deterioration could be detected and remedied in good time.

In 2015, an inspection revealed overdue Lifting Operations and Lifting Equipment Regulations (LOLER) examinations on at least 14 items. An improvement notice was served, and extended twice, and still resulted in a failure to comply.

An investigation by the Health and Safety Executive (HSE) found that a previous improvement notice was served in 2011.

GHA Coaches Limited pleaded guilty to breaching Regulation 9(3)(a)(ii) of the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER), and failing to comply with an Improvement Notice, and was fined a total of £250,000 and ordered to pay costs of £3,068.

## **FIRM FINED AFTER THREE EMPLOYEES OVERCOME BY FUMES**

A food waste disposal and recycling firm has been fined £250,000 after three employees were overcome by toxic gases, including hydrogen sulphide, and a reduced oxygen atmosphere in an animal waste facility in Stoke-on-Trent.

Prosecuting, the HSE told Stafford Crown Court that, on 23 April 2014, an employee of John Pointon and Sons Limited accessed a compartment within an animal waste trailer to free animal waste and was overcome by the gases.

Subsequently, two further employees entered the waste compartment and were also overcome by the gases.

The court heard that this preventable incident could have resulted in fatalities and that the company had been prosecuted twice before for two fatal incidents which involved confined space entry within a processing plant.

John Pointon and Sons Limited was fined £250,000 with costs of £37,362 after pleading guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974, Regulation 3(1)(a) of the Management of Health and Safety at Work Regulations 1999 and Regulation 5(1) of the Confined Spaces Regulations 1997.

## **CARGO HANDLING COMPANY FINED FOR TRAFFIC MANAGEMENT FAILINGS**

A cargo handling company based in Aberdeen has been fined after a worker suffered serious injury.

Aberdeen Sheriff Court heard that North East Stevedoring Company Limited (NESC), a cargo handling company, was working at Clipper Quay, Aberdeen Harbour.

On the morning of 13 June 2013, stows (containers) holding loose pipes were being transported by a forklift truck (operated by an NESC employee) from Clipper Quay to within reach of a crane on the quayside.

Christopher Smith, who was employed by

Euroline Shipping Company Limited as a ships agent to oversee loading operations, was making his way to the vessel the pipes were to be loaded onto when he was struck on the lower back by the cargo being transported.

He suffered a fracture of the left elbow and fractures of several vertebrae. He has not returned to work since the incident.

The investigation by the HSE into the incident found that NESC failed to ensure sufficient separation between vehicles and pedestrians. They did not exclude pedestrians from the work area or provide pedestrian routes. There was no safe system of work in place at Clipper Quay.

The court was told NESC was ultimately responsible for the arrangement of their work site and the safety of those using it.

North East Stevedoring Company Limited pleaded guilty to breaching Section 17(1) of the Workplace (Health, Safety and Welfare) Regulations 1992 and was fined £12,000.

After the hearing, HSE inspector Sarah Liversidge said: "The law states duty holders must ensure the workplace is organised in such a way that pedestrians and vehicles can circulate in a safe manner.

"NESC failed in that undertaking, there was insufficient separation between vehicles and pedestrians within the loading area at the Quay that resulted in Mr Smith sustaining serious injury that has prevented him from returning to work."

**Editor Comment:** Construction sites also must have effective traffic management arrangement to prevent vehicles and plant striking or running over pedestrians, as required by the Construction (Design and

Management) Regulations 2015, Regulations 27 and 28.

## **CONSTRUCTION WORKER CRUSHED BY EXCAVATOR ON SCHOOL DEMOLITION SITE**

A construction company was sentenced on 8 July 2016, after a worker suffered crush injuries when he was hit and then run over by an excavator.

Complete Demolition Ltd had been contracted to demolish a school on the site at Stanney Lane, Ellesmere Port to make way for a new leisure centre when the incident occurred.

The firm was prosecuted by the HSE after an investigation found arrangements ensuring pedestrians and vehicles were separated were inadequate. There was insufficient control of workers on the site.

The incident occurred on the 27 November 2013, while the site was being cleared. The driver of a Complete Demolition Ltd skip wagon was attempting to reverse the skip into an area that was already occupied by a 40 tonne excavator but was manoeuvring out of the way. A worker was standing in the same area as the skip wagon and excavator and as the excavator moved it hit the worker knocking him to the ground where its tracks ran over his left foot.

Liverpool Crown Court heard the 45-year-old, father of four, has been severely affected by his injuries. He has undergone several operations to rebuild his foot. He is still in constant pain and is unable to work.

Complete Demolition Ltd pleaded guilty to breaches of Section 2 (1) of the Health and Safety at Work etc. Act 1974 and Regulation 13(2) of the Construction (Design and

Management) Regulations 2007, and was fined £40,000 with £7,246.95 costs.

## **WORKER KILLED AFTER FALL THROUGH ROOF**

Two companies based in Northamptonshire have been fined after a worker died following a fall through a roof.

Northampton Crown Court heard how an employee of A-Lift Crane Hire Limited, who had been hired by Premier Roofing Systems Limited to provide them with a crane to lift roofing sheets onto a factory roof at Virani Foods Limited in Wellingborough. Whilst the sheets were being lifted onto the roof, the employee fell through an unprotected skylight and died as a result of his injuries.

An investigation by the HSE into the incident, which occurred on 9 August 2013, found that preventative measures to allow operatives to work safely on the roof were not put in place.

Premier Roofing Systems Limited pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974, and was fined £140,250 and ordered to pay costs of £41,428.

A-Lift Crane Hire Limited pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974, and was fined £83,300 and ordered to pay costs of £21,500.

## **NORTH DEVON ENGINEER UNDERTOOK FALSE GAS SAFETY CHECKS**

A gas engineer undertook gas work despite his registration with Gas Safe Register (GSR) lapsing and produced false documents claiming the work had been completed by a member of Gas Safe Register.

Peter Strudwick appeared at Barnstaple Magistrates' Court after undertaking servicing of commercial catering gas appliances at a mobile catering van in February 2015 despite his membership with GSR lapsing some seven months before. He used his former GSR number and logo on paperwork he issued after that servicing.

Later, in May 2015, Strudwick undertook gas safety inspections on the same commercial catering gas equipment, but this time he used a false name and a false GSR number on paperwork that he issued.

A few days later the operator of the catering van noticed Strudwick had used another name and a false GSR number and became suspicious. She arranged for another gas engineer to check the catering equipment. Subsequently Peter Strudwick's activities were investigated by the HSE, who prosecuted him.

Peter Strudwick pleaded guilty to two charges of breaching Regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998 and was found guilty of 1 charge of breaching Section 33(1)(1) of the Health and Safety at Work etc Act 1974 and was fined a total of £1,500 and ordered to pay £2,000 in costs.

HSE Inspector Simon Jones, speaking after the hearing, said: "Peter Strudwick's undertook gas work which he should have known he was not registered to do.

"All commercial catering gas work must be done by registered GSR engineers to ensure the highest standards are met to prevent injury and loss of life. Mr Strudwick knew that he should not have undertaken the gas work but carried on anyway and deliberately tried to deceive the catering van operator by giving her false documentation"

## **SUSPENDED SENTENCE FOR CHESTERFIELD PLUMBER**

A plumber from Chesterfield has received a ten month suspended sentence for health and safety failings.

Northern Derbyshire Magistrates' Court heard how a 45-year-old plumber, Jamie Simpson, undertook work on gas appliances at a domestic property when he was not Gas Safe Registered.

An investigation by the HSE into the incident, which occurred in January 2015, found that the homeowner's gas safety inspection checks were either not properly carried out or not carried out at all.

Jamie Simpson pleaded guilty to breaching Section 3(2) of the Health and Safety at Work etc. Act 1974, and Regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998, and received a ten-month suspended sentence for 18 months and was ordered to carry out 200 hours of unpaid work. He was also ordered to pay £5,146 in costs.

## **WORKER INJURED FALLING DOWN A SERVICE RISER SHAFT**

A construction company in Gateshead has been fined after a worker suffered injury when he fell down a service riser shaft.

Newcastle upon Tyne Magistrates' Court heard how Meldrum Construction Services Limited (MCS) was the principal contractor for refurbishment work at premises in Percy Street, Newcastle Upon Tyne.

MCS failed to plan for the requirement for temporary platforms to be installed in the service riser to provide a safe work area. Subsequently, temporary floors were installed

to specifications they had not been designed for. A worker stepped onto the temporary wooden floor on the first floor riser which collapsed and he fell 4.5 metres to the floor below, spraining both ankles.

The investigation by the HSE into the incident, which occurred on 6 July 2015, found that MCS failed to plan and manage the construction phase of the project in that they failed to plan and manage the temporary works within the service riser.

Meldrum Construction Services Limited pleaded guilty to breaching Regulations 13(1) of the Construction (Design and Management) Regulations 2015, and was fined £120,000 and ordered to pay costs of £1969.

## **LONDON BOROUGH COUNCIL FINED FOR UNSAFE USE OF A STHIL SAW**

A London borough council has been fined after a road worker suffered serious injury whilst cutting trees.

Southwark Crown Court heard how an employee of London Borough of Havering sustained a serious cut injury just above his left knee after a Sthil cut-off saw he was using was fitted with an inappropriate blade and used to cut tree roots and branches with.

The blade became stuck and on pulling it free the blade ran across the top of his left knee.

He suffered a deep cut above the left knee damaging ligaments and cartilage requiring sixty stitches.

The HSE investigation into the incident, which occurred on 2 March 2015, found that the wrong equipment was being used for the task. No risk assessment was conducted for the

use of the saw and blade.

A safe system of work should have been in place that identified suitable and compatible machinery for certain tasks.

London Borough of Havering pleaded guilty to breaching Regulations 4(2) and 4(3) of the Provision and Use of Work Equipment Regulations 1998, and was fined £500,000 and ordered to pay costs of £8,240.

## **ESSEX SCHOOL FINED AFTER REFURBISHMENT DISTURBS ASBESTOS**

An Essex school has been fined after poorly-planned and managed refurbishment and maintenance activities exposed school staff and others to asbestos.

Chelmsford Crown Court heard that managers at The Boswells School, Chelmsford, decided to convert an old boiler room at the school into a cleaning store. During the course of this work, asbestos residue on the walls was disturbed and caretakers swept contaminated debris from floors. Their exposure to risk only came to light after a later asbestos survey was completed in the area.

The HSE investigated this incident and learned that asbestos containing materials (ACM's) were also present in other areas. School caretaking staff and contractors disturbed the fabric of school buildings over many years without being alerted to the presence of ACM's. Persons who entered potentially contaminated areas were placed at risk of developing serious ill health conditions arising from exposure to airborne respirable asbestos fibres. The school also failed to ensure that spread of asbestos was prevented or reduced.

The Boswells Academy Trust pleaded guilty to breaching the Health and Safety at Work etc. Act 1974 – Sections 2(1) & 3(1). The trust was fined £26,000 and ordered to pay costs of £20,000.

HSE Inspector, Glyn Davies, said after the hearing: "The Boswells Academy Trust should have controlled this potentially lethal risk by identifying the type, location and condition of any asbestos-containing-materials within the fabric of the school, and by implementing suitable precautions to prevent its disturbance. It should then have ensured that such information was shared with anyone liable to disturb this fabric. It may also have arranged for a licensed asbestos contractor to remove any dangerous asbestos safely before commencement of any work.

"This prosecution should act as a reminder, not just to schools but to all persons in control of the repair and maintenance of non-domestic premises, of the need to ensure that a suitable and sufficient assessment of risk from asbestos is carried out, and that correct control measures are put in place to ensure that exposure to asbestos is prevented, so far as is reasonably practicable."

## **HOSPICE SENTENCED AFTER LEGIONELLA DEATH**

A hospice based in Sydenham has been sentenced after a patient died of Legionnaires' disease and a worker suffered life changing effects as a result of contracting legionnaires disease.

Southwark Crown Court heard how a man was admitted to St Christopher's Hospice (SCH) on 9 July 2012. He was taken to a nearby Hospital on the 12 August 2012 where he died on 17 August 2012. He was subsequently found to have died of


Legionnaires' disease which he contracted during his time at the Hospice.

In December 2012, an orderly worker contracted Legionnaires' disease while carrying out her duties at the Hospice and spent 18 days in a coma before making a recovery.

After the hearing HSE inspector, Matt Raine, said: "The risks of legionella are well known in the healthcare industry. St Christopher's Hospice had implemented some measures in an attempt to control legionella. However, they failed to appoint a competent person to manage the risk of legionella in the Hospice's hot and cold water system.

"The failures in the management of legionella led to conditions in hot and cold water system that favoured the proliferation of legionellae. It was entirely foreseeable that there would be risk of contracting legionnaires disease for patients and employees working at this hospice."

St Christopher's Hospice pleaded guilty to breaching Sections 3(1) and 2(1) of the Health and Safety at Work etc Act 1974, and was sentenced to a two year conditional discharge, and ordered to pay costs of £25,000.



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