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RECENT ACCIDENTS

CQMS Ltd have noticed a recent increase in the number of reportable accidents occurring across a range of industries which is causing us concern. The nature of the accidents is varied and cannot be attributed to a single common failing, however investigations into the accidents and underlying causes indicate that a lack of supervision was a contributory factor.

We urge all Clients to undertake a review of their work activities and ensure that adequate, competent supervision is provided.

It would also be prudent to refresh employees' knowledge of health and safety requirements through the provision of tool box talks on key topics, or more formal refresher health and safety awareness training if necessary.

HSE CONSTRUCTION INSPECTORS TO INCREASE BY A THIRD

The Health and Safety Executive (HSE)'s new Chief Inspector for Construction, Philip White, has confirmed that the number of construction inspectors will increase by a third to increase its supervision of health and safety on construction sites.

As many as 50 additional inspectors could be working in the HSE's construction division by the summer, taking the number of frontline inspectors from its current all-time low of about 125 up to 175.

The decision is a U-turn from the firm public stance of the departed Chief Stephen Williams, who regularly said that there were no plans to increase inspector levels, and follows criticism by contractors, trade bodies, unions and the Work and Pensions Select Committee which warned that fatalities in construction would continue to rise without more frontline inspectors.

The boost will include about 20 trainees, who will start at the HSE in April, with an additional 30 inspectors being recruited over the next few months.

The HSE is also setting up a new working group to evaluate the Construction (Design and Management) Regulations 2007 and "shed any light" on areas where the laws could be improved.

CRANE COLLAPSE KILLS MAN

A crane collapsed on 06 March, killing a man on a site near Hampstead Heath in North London. The HSE are investigating.

Police have confirmed that the man, believed to have been a worker at the site, was dead before the ambulance arrived.

The tragic news comes after announcements that the HSE propose to keep an official tower crane register, which will initially be on a voluntary basis but may become mandatory at a later date.

Details of each tower crane, including the make and model, location, managing contractor and the name of the owner are likely to be held at the HSE's laboratory.

GAS SAFE REGISTER TAKES OVER FROM CORGI

As of 01 April 2009, all engineers who fit and repair gas appliances must be registered with the Gas Safe Register scheme to legally operate.

CORGI registration will no longer count after this time, and Capita's "Gas Safe Register" scheme will be the only scheme approved by the HSE under the Gas Safety (Installation and Use) Regulations 1998.

There will be no period of dual running and no grace period.

The 120,000 engineers currently verified under the CORGI scheme must be registered with Gas Safe Register so they can continue to work legally from April.

For further information and a list of registered engineers, visit <https://www.gassaferegister.co.uk/>



LEGISLATION/GUIDANCE UPDATE

England

The Hazardous Waste (England and Wales) Regulations 2005 will be updated on 06 April 2009, which will principally widen the scope of exemption from hazardous waste producer registration. All types of premises that produce hazardous waste will be exempt from registration if no more than 500kg of hazardous waste is produced in a year.

At present, these changes only affect England. The Welsh Assembly Government is consulting on the changes to the Hazardous Waste Regulations in Wales.

Further information is available on the DEFRA website, at <http://www.defra.gov.uk/>

Eire

The Electro-Technical council of Ireland (ETCI) launched its new publication ET215:2008 'Guide to the Maintenance, Inspection and Testing of Portable Equipment (Electrical Appliances and Tools) in the Workplace'.

This guide is intended to help employers meet their statutory duties in this regard, and is currently available as a free download from [http://www.etcie.ie/docs/ET215\(2008\).pdf](http://www.etcie.ie/docs/ET215(2008).pdf)

NEW HEALTH AND SAFETY LAW POSTER

As from 6 April 2009, HSE is publishing new versions of its approved health and safety poster and leaflet.

The new versions are modern, eye-catching and easy to read. They set out in simple terms, using numbered lists of basic points, what employers and workers must do, and tell you what to do if there is a problem.

Employers can, if they wish, continue to use their existing versions of poster and leaflet until 5 April 2014, as long as they are readable and the addresses of the enforcing authority and the Employment Medical Advisory Service up to date. This information can be obtained from HSE's Infoline on 0845 345 0055.

What is the law poster?

Employers have a legal duty under the Health and Safety Information for Employees Regulations (HSIER) to display the poster in a prominent position in each workplace or provide each worker with a copy of the equivalent leaflet outlining British health and safety laws.

Why is it changing?

Recent research showed that the poster and leaflet approved in 1999 are visually unappealing and rarely read. Both workers and employers can expect to benefit from the increased awareness and clearer understanding of key health and safety messages that the new versions will bring. The new poster and pocket card also reduce the administrative cost for employers, who no longer have to add further information and keep this up to date.

HSE has managed to keep the price of the new poster and packs of the pocket cards the same. The poster is being printed using a new fully bio-degradable form of plastic. At current VAT rates the standard version costs £7.34. The semi-rigid version costs £11.75. Packs of the pocket card cost £5.00. New Posters can be ordered direct from HSE Books (tel: 01787 881165) or via CQMS if preferred.

LEV ROADSHOW

CQMS Ltd recently attended an informative roadshow focusing on local exhaust ventilation (LEV) and current guidance for those designing, purchasing, using and examining LEV systems.

The key messages from the day were:

Design

- > Consider where, when and how the system will be used and by whom.
- > Ensure it is easy to use, maintain, examine and fit for purpose.
- > Match the LEV hoods to control the processes and sources.
- > Ensure air-flow indicators (or equivalent) are provided.

Use

- > Ensure the system is thoroughly commissioned before use, with a commissioning report available.
- > Train employees to use the LEV properly.
- > Ensure the system is thoroughly examined and tested (annually) and records held.

It is also of paramount importance that the design is not altered in any way – the performance of the LEV system will be detrimentally affected and will therefore not adequately function.

PROPERTY DEVELOPERS ARE CDM 'CLIENTS'

A campaign has been launched by the HSE to increase health and safety awareness amongst those involved in property developing as part of their business, after it discovered that many developers do not know about the legal responsibilities Clients have under the CDM Regulations 2007.

Robert Parkes, of HSE's Construction Division, said:

"Tragically, last year, 38 people died on these types of projects and many more were injured or suffered ill-health because of poor health and safety practices."

The CDM Regulations 2007 are quite explicit in their definition of a Client, that being "an organisation or individual for whom a construction project is carried out". Clients have duties to ensure anyone they appoint is competent and adequately resourced, and ensure that there are suitable management arrangements for the project including welfare facilities. Sufficient time should be allowed for all stages, and pre-construction information provided to designers and contractors.

In addition, where the work is expected to last more than 30 working days or involve more than 500 person days, the project becomes notifiable to the HSE meaning that a CDM Coordinator and Principal Contractor should be appointed.

For further information on Client duties under the CDM Regulations 2007, please contact CQMS Ltd.

PRAISE FOR SITES IN NORFOLK AND SUFFOLK

Health and safety standards on construction sites in Norfolk, Suffolk and Essex have been praised following a series of visits by the HSE.

Inspectors targeted sites in the area where refurbishment, repair and maintenance projects were taking place as part of the Shattered Lives and Hidden Killer campaigns. The results showed a big improvement since the last round of visits in 2008 in the key areas of working at height, good site order and the risks associated with the removal of asbestos.

Inspectors issued three Prohibition Notices during the week. The first two notices were issued to one site in Dereham for unsafe practices whilst working at height, the third notice was served at a site near Lowestoft for failure to prevent employees falling through a fragile roof or from the edge of the roof.

Nicola Surrey, HSE Principal Inspector for Construction in Norfolk, Suffolk and Essex, said:

"It is very encouraging to see health and safety standards rising in Norfolk, Suffolk and Essex. There were big improvements and in most cases health and safety was being properly addressed.

But we must not become complacent. Construction sites are dangerous places to work and it is important health and safety is properly addressed at all times. There were two sites with serious health and safety issues and any serious risk to the workforce is unacceptable."

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SOURCES: HSE WEBSITE, CONSTRUCTION NEWS WEBSITE, ROSPA PUBLICATION (SAFETY EXPRESS), VARIOUS TRADE PUBLICATIONS.
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DATES FOR YOUR DIARY

CQMS are pleased to announce the following forthcoming training dates:

BRITISH SAFETY COUNCIL LEVEL 1 CERTIFICATE (1 DAY)

When?

Wednesday 13 May 2009, 10:00 – 17:00

Thursday 16 July 2009, 10:00 – 17:00

Where?

CQMS Ltd offices, Grantham.

Who should attend?

The course is open to all levels of employee and does not require any prior knowledge.

What is the cost?

Only £40.00 +VAT per person.

Feedback received from the 2008 courses was very positive with all attendees advising they would recommend the course to colleagues.

To **book your place** on any of the above training courses, please contact CQMS' offices by either

> telephoning 01476 566665 or

> emailing training-events@cqms-ltd.com

Hurry, book early to avoid disappointment!

CQMS Ltd can provide a range of training courses, and should you require any other training please contact our offices for a specific quotation.

HSE MYTH OF THE MONTH

MYTH: Health and Safety rules take the adventure out of playgrounds



THE REALITY:

We're all for playgrounds being exciting and challenging places. Children should have fun in them, get fit, develop social skills and learn how to handle risks.

What's important is to strike the right balance – protecting children from harm while allowing them the freedom to develop independence and risk awareness. Exciting and challenging playgrounds do this, poorly maintained or badly designed ones don't.

Health and Safety laws don't stop children having fun but ill-considered and overprotective actions do.

WHAT COULD GO WRONG?

The following articles have been taken from the press and are provided as an example of recent prosecutions made under failings in health and safety legislation.

COMPANY AND DIRECTOR FOUND GUILTY OF MANSLAUGHTER

A company, IC Roofing Ltd, and its owner and director, Colin Cooper, have been prosecuted following the death of employee Darren Hoofe.

Mr. Hoofe was working at the Bellbrook Industrial Estate in Uckfield when he fell through a skylight onto the factory floor whilst carrying out roofing repairs. He was not wearing a safety harness and had not received full safety training. He died the following day in hospital from his injuries.

Sussex Police and the HSE launched an investigation which resulted in Colin Cooper being charged with manslaughter and offences under the Health and Safety at Work etc Act 1974.

Amanda Huff, HSE Inspector, said:

"If fatal accidents are to be prevented then work must be adequately planned and appropriate measures taken before work starts..."

Detective Inspector Colin Dowle, from Sussex Police, said:

"This is a particularly tragic event which was entirely preventable. Colin Cooper ignored the obvious risks in favour of economic gain, sadly at the cost of Darren's life. This was compounded by the fact that Mr Cooper had received previous warnings in relation to his working practices from HSE Inspectors."

HSE WARN THAT SLIPS, TRIPS AND FALLS CAN BE COSTLY

Sunlight Services Group Ltd have been prosecuted by the HSE after a driver slipped whilst preparing to refuel his truck, resulting in surgeons inserting a plate and two pins to repair the broken and dislocated ankle.

The man had parked his vehicle next to the locked pump to fill up with fuel and slipped on the wooden decking in front of the diesel pump. He took just two steps before slipping and being injured, after falling he was alone for 20 minutes until managing to contact his wife by mobile phone and she called an ambulance. When the paramedics arrived, they too found the surface too slippery and had to remove some of the decking before they could move the injured person to an ambulance.

Sunlight Services Group Ltd was fined £2400 after pleading guilty to Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 which require floors and surfaces to be suitable for the purpose for which it is used. The company was also fined £3200 for breaching of Regulation 3(1) of the Management of Health and Safety at Work Regulations 1999, which require employers to make a suitable and sufficient assessment of risks.

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UNLICENSED ASBESTOS REMOVAL RESULTS IN £15000 FINE

Principal Contractor, Waite Construction Ltd, have been fined £15,000 with costs of £26,488 after HSE Inspectors visited a site in Hackney following a complaint about workers removing asbestos from a boiler house with no protection for themselves or others in the area.

The Inspectors found that pipes clad with asbestos had been removed and cut, even after local authority officers had advised that work be stopped. The HSE investigation found that no survey had been conducted to check for asbestos, even though it was foreseeable that a building of this age would contain asbestos materials.

A Prohibition Notice was served for work to stop immediately and a further notice was issued to leave a skip undisturbed in an adjacent public car park. The second notice, called a 'Notice to Leave Undisturbed' was served because it was believed that the skip contained asbestos lagging. Only then did Waite Construction Ltd arrange for a licenced asbestos removal contractor to clean the public areas and seal the premises, pending safe removal of the asbestos.

Waite Construction Ltd pleaded guilty to Regulation 8(1) of the Control of Asbestos Regulations 2006 which states that "an employer shall not undertake any work with asbestos unless he holds a licence..." and Section 2(1) of the Health and Safety at Work etc Act 1974 for failing to ensure, so far as reasonably practicable, the health, safety and welfare at work of employees.

HSE WARNS DIRECTORS TO PROTECT THEIR STAFF AFTER APPRENTICE DEATH

The HSE has warned company Directors of their personal duty to protect their employees following the death of a 17 year old apprentice.

On 6 November 2006, Simon Murphy was working as an apprentice at Chris Pridmore Joinery Ltd's workshop in Sutton-in-Ashfield when a stack of MDF boards fell on him. He suffered serious head injuries and died later in Kings Mill Hospital.

HSE Inspector Maureen Kingman said:

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

"Mr. Pridmore neglected to provide safe arrangements for the storage of sheets of MDF boards. The bracket, which had been produced to Mr. Pridmore's design, posed inherent risk and its use as part of the storage system was ill-conceived."

A fine of £7500 and costs of £2500 were imposed for the breach of Regulation 4(1) of the Provision and Use of Work Equipment Regulations 1998 which require employers to ensure that work equipment is constructed or adapted as to be suitable for the purpose for which it is intended.

FINE AFTER INACCURATE SURVEY LEADS TO ASBESTOS EXPOSURE

The HSE is reminding companies of the importance of the accuracy of asbestos surveys after two workers were unwittingly exposed to asbestos, whilst carrying out refurbishment work.

Bestoff Services Ltd carried out an asbestos survey on a site in Abingdon and reported that the site contained no asbestos. Two members of staff began work the following month and part of their job involved removing panels of fibrous board. Several days later the Site Manager became suspicious about the pieces of fibrous panels that had been removed and they were analysed. The results showed they did in fact contain asbestos.

An additional survey was carried out which identified asbestos containing materials in several areas throughout the building, including the areas where the two men had been working.

HSE Inspector, Karen Morris, said:

"This incident shows the importance of carrying out asbestos surveys before refurbishment work starts. In this case, the main contractor did the right thing by engaging a specialise asbestos surveying company, but was let down by them. It is vital that asbestos surveys are accurate and can be relied upon, in order to prevent this kind of inadvertent exposure."

Bestoff Services Ltd pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974, and were subsequently fined £3000 and ordered to pay costs of £2091.70 and a victim surcharge of £15.

CQMS Ltd have been providing Health and Safety Support Services nationally to a wide range of industries since 1994.



CQMS Ltd are currently Corporate Members of the Association of Project Safety, the British Safety Council and ROSPA.



CQMS Ltd have also recently been awarded the international ISO 9001 Certificate signifying Quality Products and Services and also OHSAS 18001 an international occupational health and safety management system specification.

If you have any questions regarding the content of this newsletter or require any additional information please contact us by telephone on 01476 566665 or via email enquiries@cqms-ltd.com.

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