



Callsafe
Services Ltd

CONSTRUCTION HEALTH & SAFETY CONSULTANTS & TRAINERS

callsafetoday

ISSUE 215 • MAY 2021



WWW.CALLSAFE-SERVICES.CO.UK

**SUBSCRIBE
FOR YOUR
COPY TODAY**

NEW

The Construction Health & Safety Manual

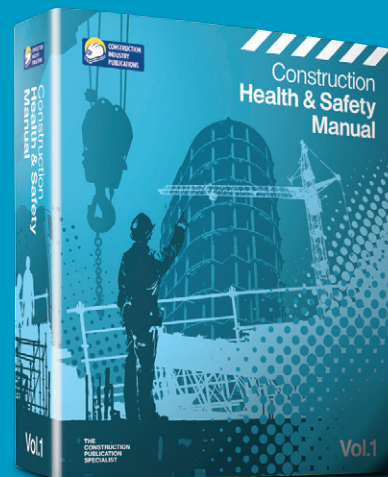
Helping you to comply with current legislation

Get your copy now by visiting
www.cip-books.com

RECEIVE 20% OFF

Use promotional code CALLSAFE

Or call: **0870 078 4400**



- ✓ Up-to-date Register of Legislation
- ✓ Updated guidance on Training, CDM 2015, Lifting Equipment, Asbestos, Fire and the Environment
- ✓ Available in Hardcopy, CDROM and online at www.cip-bluebook.com

**SUBSCRIBE
FOR YOUR
COPY TODAY**

editorswelcome

Welcome to the May 2021 edition of Callsafe Today.

Summer has at last turned up. Watch out for the sunburn!

Articles & News

Included within this edition are the following articles and other news provided by the government, the construction industry and health and safety publications, and selected by the editor, during May.

- Employee unfair dismissal case where an employee would not return to work due to COVID19 concerns
- Grenfell fire risk assessor had “misleading” qualifications and “copied” other building reports into assessments
- Fire Safety Bill & Other BSC Updates
- HSE Construction eBulletin – Asbestos

- IOSH takes on OSHCR
- BS 99001 Quality management systems - Specific requirements for the built environment sector

Training

Callsafe are still not providing of face-to-face training due to our risk assessment still not considering this to be reasonably practicable. We are still offering our e-learning courses, which are listed on page 18 & 19, and are available on our website at: www.callsafe-services.co.uk/e-learning.

We have now developed our platform for providing Live Online Training, with or first offering as a public course being the APS accredited CDM2015 Awareness Course, as advertised on pages 16 and 17. The first of the live on-line training courses have been provided as an in-house course to

one of clients, with favourable responses. All of our face-to-face courses are also available in the Live Online Training format for organisations wishing to book courses for their staff as an “in-house” course, but with delegates participating from various locations (home).

Are You Prepared?

Callsafe are ready to assist organisations with the arrangements for opening up again post-Covid. See page 13.

Best wishes

Dave Carr

Editor | Callsafe Services

A Yardley House, 11 Horsefair, Rugeley, Staffordshire WS15 2EJ
T 01889 577 701 E enquiries@callsafe-services.co.uk W www.callsafe-services.co.uk



callsafeservicesltd



@callsafesvcsltd



callsafe-services-limited



Employee unfair dismissal case where an employee would not return to work due to COVID19 concerns

Published in the IOSH magazine of 1st June 2021 was the following article written by Kelly Atkinson, regarding a recent case where an employee claimed unfair dismissal after he refused to return to work over his concerns of his workplace and COVID-19.

The judge concluded that statutory protection against unfair dismissal did not apply to an employee's COVID-19 concerns preventing him from returning to the workplace. In *Mr Rodgers v Leeds Laser Cutting*, the claimant brought a claim of automatically unfair dismissal due to him refusing to go into work over safety concerns of his workplace and COVID-19.

The claimant did not have two years' continuous service at the point of termination so relied on a provision of the Employment Rights Act 1996, which states it would be classed as unfairly dismissed if in the circumstances of danger, which the employee reasonably believed to be serious and imminent, he could have reasonably been expected to avoid or take steps to protect himself.

The workspace at Leeds Laser Cutting was a large, warehouse-type space with typically five people working on the shop floor. On 16 March 2020 a colleague of the claimant displayed symptoms of COVID-19 and was sent home and told to self-isolate. They remained off work until after the claimant's employment ended and received statutory sick pay and was later furloughed.

Following the announcement of the first national 'lockdown' on 23 March 2020, Leeds Laser Cutting published an employee communication on 24 March 2020, confirming the business would stay open and asked staff to work as normally as possible and that measures were being put in place to allow them to continue working.

'I DO NOT CONSIDER THAT ANY BELIEF THAT THERE WERE CIRCUMSTANCES OF SERIOUS AND IMMINENT DANGER WERE OBJECTIVELY REASONABLE'

An external risk assessment was carried out in mid-March 2020 which identified the level of risk of various scenarios with recommendations to

reduce risk including social distancing, wiping down surfaces and staggering start, finish and lunch break times. Staff already staggered times and had been told not to congregate at lunch and break times. They were also advised on hand-washing and social distancing.

The claimant confirmed it was possible to socially distance at the company but there were unavoidable times where staff had to work together, such as carrying things and cleaning steel, but this was not raised to Leeds Laser Cutting. The claimant also did not ask for a mask, and was not refused one.

The claimant had a slight cough from 25 March 2020 but blamed that on the temperature and dust within the workplace, and left work as normal on Friday 27 March 2020 without stating his plans to not return. He sent a text to Leeds Laser Cutting on 29 March 2020 to say due to his children being at high risk he would be staying off work until lockdown eased, to which they responded to say 'ok mate, look after yourselves'.

The claimant obtained a self-isolation



note from NHS 111 for the period 28 March 2020 to 3 April 2020 but transported another colleague to the hospital by car on 30 March 2020. The claimant made no further effort to contact Leeds Laser Cutting regarding furlough or sick pay and the company made no effort to contact the claimant to clarify his position or discuss alternatives, as they believed the onus was on him to contact them. The next contact was on 24 April 2020 when the claimant sent another text to say he had been informed he had been 'sacked' and requested this in writing, with an explanation and his P45.

The judge found the claimant's case confusing as he confirmed that all the measures put in place would make the business as safe as possible from infection, potentially safer than the community altogether, but not safer than his own home. He stated that he was not sure any measures would make him feel safe enough to return to work. He also gave contradictory

statements of not leaving the house, but dropping his friend at the hospital and working in a pub.

The judge concluded that the claimant's decision to stay off work entirely was not directly linked to his working conditions but that his concerns about the virus were general ones, which were not directly attributable to the workplace. The large size of the workspace and the small number of employees, the ease of being able to socially distance and measures in place were all relevant factors.

'I do not consider that any belief that there were circumstances of serious and imminent danger were objectively reasonable', the judge said.

The claim for unfair dismissal was dismissed.

KEY LEARNINGS

- Despite the claim failing in the case of *Mr Rodgers v Leeds Laser*

Cutting, the statutory provision of protection in cases of serious and imminent danger may apply in a situation where the employee raises concerns relating to COVID-19 risks.

- The risk of danger can include the behaviour of work colleagues and could include other colleagues not complying with social distancing rules or safety restrictions in place, leading to the individual to reasonably believe they are at risk of infection.
- This will however be on a case-to-case basis as to whether the employee is staying off because of the working conditions or whether they have decided to stay home as a precautionary measure.
- This will have to be carefully assessed, taking into account what has been communicated regarding risks in the workplace, and what precautions and restrictions have been put in place to address those risks.



Grenfell fire risk assessor had “misleading” qualifications and “copied” other building reports into assessments

As reported in IFSEC Global Fire Briefing of 27th May 2021, further revelations from the Grenfell Tower enquiry surfaced.

On Tuesday 25 May the Grenfell Tower Inquiry, currently in Module three of its second phase, heard that the fire risk assessor hired to check the safety of Grenfell Tower between 2009 and 2016 had “misleading” qualifications in his title and “cut and pasted assessments” from reports on other buildings he checked into Grenfell assessments.

Carl Stokes, a former firefighter turned fire risk assessor was recruited by the Grenfell landlord, the Kensington and Chelsea Tenant Management Organisations (TMO), for six fire safety checks between 2009 and 2016. According to The Guardian, Mr Stokes claimed he was ‘fire eng (FPA)’, despite no such qualification existing, as well as an ‘IFE assessor/auditor’, even though he was not a member of the Institute of Fire Engineers. Also included were ‘NEBOSH’, ‘FIA BS5839 system designer’ and ‘competent engineer BS 5266’ – but agreed when

responding to the Inquiry that such post-nominals aren’t recognised by any professional body, but were simply courses he had attended.

Colin Todd, a Fire Engineer and Expert Witness – who spoke last year during FIREX Digital Week – commented that Mr Stokes use of such letters after his name would “significantly mislead clients and potential clients as to his qualifications, regardless of his level of competence”. Stokes replied he did not understand the use of post-nominals.

As part of the fire risk assessment his job involved checking vital fire safety measures in communal areas, such as door closures, firefighting equipment and evacuation routes, though was not tasked with checking the external cladding system or inside individual flats. Several of these areas were, however, found to be not working or ineffective at the time of the fire.

The Inquiry also heard that Mr Stokes “cut-and-pasted assessments about the fire safety of the tower from reports on other buildings he had carried

out”, such as reporting the Tower had balconies and pigeon netting, which was incorrect, while his claimed “three years of experience” turned out to be 15 months.

Two of the assessments he conducted were carried out in April and June 2016, following major refurbishment work where the cladding that was identified as a major cause of the spread of the fire was installed.

On the second day of giving evidence, it was found that only two residents were identified as vulnerable by Mr Stokes who would require extra assistance in an evacuation, despite the Inquiry finding evidence in March that 41% of the vulnerable residents of the tower died. The Inquiry was told that he had relied on KCTMO to provide him with information about vulnerable residents that would require Personal Emergency Evacuation Plans (PEEPs).

Mr Stokes is no longer working as a fire risk assessor.

**BOOK YOUR
PLACE ON ONE
OF OUR LIVE
WEBINARS**

Are you compliant with PAS 1192-6?

COLLABORATIVE SHARING AND THE USE OF STRUCTURED HEALTH AND SAFETY INFORMATION USING BIM

Along with a whole host of additional features, BIMsafe is fully compliant with the NEW PAS 1192-6

BIMsafe provides a best-practice solution to incorporate health and safety information into the BIM process and 3D models, as required by PAS 1192-6, with compliance methods for CDM 2015 and BS 5795.

Additional benefits include:

- > 30+ years Construction Health & Safety and CAD experience at your fingertips.
- > Information attached to 3D symbols from secure cloud-based databases
- > Not reliant on external software and compatible with industry utilised design/drawing software
- > QR codes also generated for each 3D symbol to access the associated information
- > Bespoke Design Risk Register, Temporary Works Register and RAMS databases
- > Guidance on risks provided by linking to the HSE website, CIP Knowledge and Callsafe Hazard Videos
- > Access to Health and Safety, CAD and BIM advice and training
- > A 'single source of truth' for health and safety information



Fire Safety Bill & Other BSC



Because
Experience
Counts

British Safety Council Policy Newsletter May 2021

The following article was included in the British Safety Council's (BSC's) Policy Newsletter 2021 - UK Update.

FIRE SAFETY

The Government's Fire Safety Bill, aimed at making homes safer, was passed on 29th April without further amendment or more financial protections for leaseholders. It means leaseholders in high rise buildings over 18 metres (six storeys or more) will not have to pay for removal of the cladding, while leaseholders/ tenants in high rise buildings of 11-18 metres (four to six storeys) will have to pay up to £50/month towards a loan scheme for the cost of removal. This

means that leaseholders are trapped in homes they cannot sell, because lenders will not offer mortgages until the cladding is removed.

The British Safety Council continues to believe that making leaseholders pay for the cost of removal of unsafe cladding is a grave injustice and that the Government should meet all the costs upfront and then recoup them from property developers. We issued a press release, shown below, calling on the Government to revisit its proposals and develop a scheme that more accurately matches the scale of the issue.

British Safety Council responds to passing of Fire Safety Act
Four years on from the Grenfell Tower tragedy, there are many thousands of people still living in high rise residential buildings clad in flammable material (ACM). The British Safety Council has been campaigning for leaseholders to be protected from all remediation costs that have arisen through no fault of their own.

The Government's Fire Safety Bill, aimed at making homes safer, was passed on 29 April without further amendment or more financial protections for leaseholders. It means

C Updates

leaseholders in high rise buildings over 18 metres (six storeys or more) will not have to pay for removal of the cladding, while leaseholders/ tenants in high rise buildings of 11-18 metres (four to six storeys) will have to pay up to £50/month towards a loan scheme for the cost of removal. This means that leaseholders are trapped in homes they cannot sell, because lenders will not offer mortgages until the cladding is removed.

The British Safety Council continues to believe that making leaseholders pay for the cost of removal of unsafe cladding is a grave injustice and that the Government should meet all the costs upfront and then recoup them from property developers. We are therefore calling on the Government to revisit its proposals and develop a scheme that more accurately matches the scale of the

issue. While the Government has so far committed £5bn towards the cost of the removal of unsafe cladding, the Housing, Communities and Local Government Committee believe the true cost is closer to £15bn.

Mike Robinson, Chief Executive at the British Safety Council, commented: "It is indefensible that the Government has not protected all leaseholders of properties with unsafe cladding from paying the cost of its removal when the fire safety problem was not of their making. Leaseholders and tenants are already paying unaffordable sums for 24/7 fire wardens, to patrol their buildings and ensure they are safe."

"The passing of this bill will not relieve the mental health issues many leaseholders and tenants are already suffering, now further exacerbated by

the threat of bankruptcy now hanging over them due to the high cost of the remedial work."

"The issue of the cost of who pays for the work to remove unsafe cladding has now overshadowed the primary purpose of the legislation to ensure effective fire safety regulation in the built environment.

Nigel Glen, CEO of the Association of Residential Managing Agents (ARMA) said:

"We believe leaseholders should be protected from cladding remediation costs which is why we fully support the recent report from the Commons Select Committee with its sensible demand for the establishment of a Comprehensive Building Safety Fund. This will cover full remediation and associated works of affected buildings regardless of tenure and will be risk based rather than determined by height, thereby shielding leaseholders from life changing bills. We need to get people safe now, the Government can decide who will pay for it later."

The full Policy Newsletter 2021 – UK Update, containing other articles and opinions, can be viewed at: <https://www.britsafe.org/campaigns-policy/policy-newsletter-2021-uk-update>.



HSE Construction eBulletin - Asbestos

The Health and Safety Executive (HSE) published the HSE Construction eBulletin: May 2021 on 27th May 2021, containing the following items on asbestos.

Control of Asbestos Regulations 2012: Post implementation review – Stakeholder survey now live
Last month we highlighted work about to start on the second post implementation review (PIR) of the **Control of Asbestos at Work Regulations 2012 (CAR12)**. The review has now started in earnest with the launch of a survey on 21 May.

This is your chance to make a valuable and positive contribution to the ongoing regulation of asbestos. As such your input is vital and will be invaluable to HSE, so if asbestos is relevant to you or your business, please take part if you can.

Information from the survey is being collected for internal HSE use only and will not be provided to third parties. It will be stored securely and deleted upon publication of the final CAR12 PIR report.

All individual responses to the survey will be aggregated together and treated anonymously. None of the information you provide will be used for regulatory inspection purposes.

In most cases the survey will take just 10 to 15 minutes to complete via [this link](#).

Please note: It will run for three weeks, closing on Friday 11 June.

ASBESTOS: THE ANALYSTS' GUIDE (HSG248) – REVISION PUBLISHED

HSE has published a revised version of **HSG248 Asbestos: The Analysts' Guide (second edition - May 2021)**.

As guidance for analysts involved in asbestos work, this latest edition has been updated to take account of findings from HSE interventions and developments in analytical procedures and methodology.



It provides clarification on technical and personal safety issues, especially in relation to sampling and 4-stage clearances. New information on sampling soils for asbestos is also included.

The guidance is designed to assist analysts in complying with their legal obligations and should also be useful to asbestos consultants, occupational hygienists, health and safety professionals, asbestos removal contractors, building owners and facilities managers.

Find out more about asbestos health and safety.



Are You Prepared?

With further Covid-19 restrictions lifting, you might be preparing your office for re-opening. There are a number of points to consider to ensure that employees can enter premises safely as well as how Covid-safe measures can be maintained.

- Social distancing measures
- Walkways and traffic routes
- Kitchen and bathroom facilities
 - Sanitisation stations
 - Cleaning regime
 - PPE requirements
- Important maintenance inspections
- Employers' policies for symptomatic staff & vaccinations
 - Procedure for visitors to site
 - Staff training
- Updated written procedures

It is so important that we all do everything we can to help drive those Covid-19 numbers down whilst getting back to some level of normality. Callsafe Services can help. We have been working with our Clients throughout the pandemic to ensure safety at work.

If you would like to chat about your health and safety requirements, please contact our Consultancy Workstream Manager, Tam Bream, on 07471 228208 or email: enquiries@callsafe-services.co.uk

IOSH takes on OSHCR



The Institution of Occupational Safety and Health (IOSH) reported in the IOSH magazine of 1st June 2021 that IOSH has been asked to take on the Occupational Safety and Health Consultants Register Ltd (OSHCR) as one of its companies and help make it a more widely recognised source of competent, independent and proportionate OSH advice.

OSHCR was first established in 2011 in response to the Government's 'Common Sense, Common Safety' report which recommended that all OSH consultants be accredited to professional bodies and that a web-based directory be established.

Following analysis from the Health and Safety Executive (HSE), which confirmed the value of a robust register of OSH consultants that allows the business community (particularly SMEs) to find trusted and proportionate advice, those organisations that formed OSHCR reviewed its purpose, governance and operation.

The outcome of that review is that all parties involved have agreed that OSHCR Ltd will come under IOSH with immediate effect and so enable it to benefit from the IOSH infrastructure. The planned transition means that there will be no impact on existing customers of OSHCR.

'THE KEY STRENGTH OF OSHCR WILL CONTINUE TO BE THE BREADTH AND DEPTH OF EXPERTISE AVAILABLE TO IT THROUGH THE WAY IT'S GOVERNED AND ADVISED BY THE SECTOR'

The register will maintain its independence through the creation of a new advisory committee, which will represent all those organisations referring their members to OSHCR as potential users of the service, plus representatives of HSE. OSHCR remains an independent platform that assures the quality of health and safety consultants and their services and is the only source of assured OSH advice to be backed by the HSE.

The new OSHCR structure is focused on setting new standards of health and safety advice, robustly guaranteeing the quality of service given by all consultants on the register. Each registered consultant is required by their own professional body to maintain particular ethical and professional standards, while the register gives assurance that consultants are certified professionals who hold chartered-level (or equivalent) membership within their professional body and are committed to on-going professional development. Service improvements to support consultants that are customers of OSHCR are planned for introduction over the coming 12 months.

Richard Orton, IOSH director of strategy and business development and a director of OSHCR, said: 'The key strength of OSHCR will continue to be the breadth and depth of expertise available to it through the way it's governed and advised by the sector.'



'IOSH was delighted to be invited to help reinforce the register's position as the only resource backed by the UK regulator and that features assured, independent consultancy OSH advice.'

An HSE spokesperson added: 'We welcome the reassurance robust new governance arrangements should provide. If a small or medium-sized business seeks help from a health and safety consultant, it needs to be sure it will get competent and proportionate advice – and so does [the] HSE.'

'We look forward to working with other like-minded organisations and professional bodies such as IOSH, to strengthen and cement OSHCR as the universal source of assured advice.'

Users can search OSHCR – www.oshcr.org – for a consultant by location, industry or topic, helping to ensure they find the right consultant for their business needs.

BS 99001 Quality management systems - Specific requirements for the built environment sector

For any of you with a "quality" portfolio, you may be interested in the "draft for public comment" of BS 99001: <https://standardsdevelopment.bsigroup.com/projects/2021-00298#/section>.

The closing date for the submission of comments is 24th July 2021. You are encouraged to submit comments directly.

This British Standard provides additional Quality Management System requirements and guidance to those specified in BS EN ISO 9001, specifically for organizations operating in the built environment sector.

NOTE This document does not modify or replace the requirements of BS EN ISO 9001. This British Standard is applicable to organizations operating in the built environment sector.

The draft standard has the following Table of contents

- Foreword
- Introduction
- 1 Scope
- 2 Normative references
- 3 Terms and definitions
- 4 Context of the organization
- 5 Leadership
- 6 Planning
- 7 Support
- 8 Operation
- 9 Performance evaluation
- 10 Improvement

Live Online. The Future of Studying

With live online training courses, you get all the benefits of face-to-face learning with the convenience of online study wherever you are.

Benefits

- No travel or accommodation costs.
- No hours spent on long journeys to and from the course.
- Converse with the tutor in real time.
- Interactive group break-out sessions.
- All the course materials sent electronically prior to start.

How it Works

Our courses are delivered by the tutor in the same way as face-to-face training. Delegates download the software in advance and receive the course handouts before joining, then they can join the course remotely through their own device.

The platform allows delegates to interact with the tutor in real time and they will also take part in group break-out sessions with other delegates to work through exercises just as they would in a classroom.

All exams are done virtually at the end of the course and results can be viewed immediately.

What our delegates have said

"Course was good and well delivered." **"I found the introduction, legislation and relationships between the duty holders at the beginning very valuable."** "Clear, engaging and well time-managed course."

Our next APS CDM2015 Awareness Course will be available Live Online with limited spaces available:

15th June 1.30-4.30pm Part 1	16th June 1.30-4.30pm Part 2	Book Here
5th July 9.30am-12.30pm – Part 1	6th July 9.30am-12.30pm – Part 2	Book Here
16th Aug 9.30am-12.30pm – Part 1	17th Aug 9.30am-12.30pm – Part 2	Book Here
8th Sept 9.30am-12.30pm – Part 1	9th Sept 9.30am-12.30pm – Part 2	Book Here

£199.00 + VAT per delegate

Cost includes:

- 2 x half days professional virtual training, includes presentation, group & individual exercises, and course examination
- APS fee
- APS-accredited electronic certificate on passing the course
- Electronic main and additional handouts

If you would like to book Live Online training for a group, please get in touch!

enquiries@callsafe-services.co.uk

01889 577701



This 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. This course is accredited by the Association for Project Safety (APS).

Session 1 Introduction and Setting Course Objectives**Session 2 Legislation**

History, application and definitions of CDM. CDM2015 transitional provisions. Domestic clients. Accident statistics and causations.

Session 3 Relationships between the Client, Principal Designer, Designers, Principal Contractor and Contractors

An outline of the interfaces between the parties involved in the construction process from concept to maintenance. Relationships between design, PCI, CPP & HSF.

Session 4 Client

Who is the client? Duties of the client. Evaluating competence and resources. Information to be provided by the Client. Notification to HSE.

Session 5 Principal Designer

The appointment and duties of the principal designer. Pre-Construction Information. Assessment of the design and the use of BIM. Health and Safety File. Optional assistance to the client.

Session 6 Designers

Who is the designer? The designers' duties. An illustration of the requirements to eliminate and reduce risks by design. Information transfer and co-operation with the principal designer and other designers, etc.

Session 7 Principal Contractor

The duties of the principal contractor. Development and implementing the construction phase plan and the requirements for the health and safety file.

Session 8 Contractors

The duties of the contractors. Management, co-operation, co-ordination, communication, information and training. Summary of CDM2015, Part 4, General Requirements for all Construction Sites.

Session 9 Examination

Closed book, multi-choice examination.

Session 10 Course Review and Conclusion**Course Objectives**

Upon completion of the course, delegates should:

- ☐ understand the need and application of the CDM regulations;
- ☐ appreciate the framework of the regulations and the interfaces between the key parties; and
- ☐ understand the duties and responsibilities of the client, principal designer, designers, principal contractor and contractors.

Maximum number of delegates: 8

onlinetrainingcourses

DUE TO THE CORONAVIRUS PANDEMIC CALLSAFE SERVICES LIMITED HAVE SUSPENDED ALL OF OUR FACE-TO-FACE TRAINING, BUT WE STILL HAVE OUR E-LEARNING COURSES AVAILABLE, THAT CAN BE ACCESSED THROUGH OUR WEBSITE AT: WWW.CALLSAFE-SERVICES.CO.UK, AS FOLLOWS:

ONLINE UKATA ASBESTOS AWARENESS TRAINING	£25.00	ONLINE ENVIRONMENTAL SAFETY	£35.00 +VAT
+VAT			
ONLINE CPD ASBESTOS AWARENESS TRAINING	£20.00	IN-SERVICE INSPECTION AND TESTING OF ELECTRICAL EQUIPMENT PAT TESTING (REFRESHER) AWARENESS	£15.00 +VAT
+VAT			
ONLINE CDM REGULATIONS 2015 - OVERVIEW	£25.00 +VAT	ONLINE CONTROL OF SUBSTANCES HAZARDOUS TO HEALTH COSHH	£15.00 +VAT
ONLINE CDM REGULATIONS 2015 - THE CLIENT	£25.00 +VAT	ONLINE CONTROL OF SUBSTANCES HAZARDOUS TO HEALTH COSHH REFRESHER	£10.00 +VAT
ONLINE CDM REGULATIONS 2015 - THE PRINCIPAL DESIGNER / DESIGNER	£25.00 +VAT	ONLINE DISPLAY SCREEN EQUIPMENT TRAINING	£15.00
ONLINE GDPR COURSE	£15.00 +VAT		



e-Learning with Callsafe Services Ltd



+VAT

**ONLINE DISPLAY SCREEN
EQUIPMENT TRAINING
REFRESHER**

£10.00 +VAT

ONLINE FIRE SAFETY TRAINING

£15.00 +VAT

**ONLINE FIRE SAFETY TRAINING
REFRESHER**

£10.00 +VAT

**ONLINE ABRASIVE WHEEL
TRAINING**

£15.00 +VAT

**ONLINE ABRASIVE WHEEL
TRAINING REFRESHER**

£10.00

+VAT

**ONLINE HEALTH AND SAFETY
LEVEL 2**

£25.00 +VAT

ONLINE LOCAL EXHAUST

VENTILATION TRAINING

£15.00

+VAT

**ONLINE LOCAL EXHAUST
VENTILATION TRAINING
REFRESHER**

£10.00 +VAT

LEGIONELLA AWARENESS

£15.00 +VAT

**LEGIONELLA AWARENESS
REFRESHER**

£10.00 +VAT

ONLINE OFFICE SAFETY

£25.00

+VAT

FIRE WARDEN TRAINING

£30.00

+VAT

**FIRE WARDEN TRAINING
REFRESHER**

£18.00 +VAT

**ONLINE FALLS PREVENTION-
WORKING AT HEIGHTS**

£15.00

+VAT

**ONLINE FALLS PREVENTION-
WORKING AT HEIGHTS
REFRESHER**

£10.00 +VAT

ONLINE FOOD SAFETY TRAINING

£15.00 +VAT

**ONLINE FOOD SAFETY TRAINING
REFRESHER**

£10.00 +VAT

**ONLINE SLIPS AND TRIPS
TRAINING**

£15.00 +VAT

**ONLINE SLIPS AND TRIPS
TRAINING REFRESHER**

£10.00

+VAT

**ONLINE BASIC FIRST AID
TRAINING**

£15.00 +VAT

**ONLINE RISK ASSESSMENTS
TRAINING**



latest prosecutions

CONSTRUCTION FIRM FINED AFTER WORKERS EXPOSED TO ASBESTOS

On the 28th of April 2021 a construction company was fined after workers were exposed to asbestos whilst refurbishing a flat in St John's Wood, Westminster.

Westminster Magistrates' Court heard that between 14th May and 31st August 2018, ASAI Construction Ltd, the Principal Contractor for the project, failed to obtain a Refurbishment and Demolition asbestos survey prior to commencing work on site. During the project ASAI Construction Ltd was made aware by a subcontractor that there was asbestos containing material (ACM) within the flat, however the company allowed work to continue and failed to ensure that the ACMs were removed safely. As a result, several people were exposed to asbestos fibres over a prolonged period.

An investigation by the Health and Safety Executive (HSE) found that ASAI Construction Ltd failed to take reasonably practicable steps to prevent the people working on site being exposed to asbestos.

ASAI Construction Ltd of Harrowdene Road, Wembley pleaded guilty to breaching Section 3(1) of the Health

and Safety at Work etc Act 1974. The company was fined £30,000 and ordered to pay costs of £2,837.

Speaking after the hearing, HSE inspector Owen Rowley said: "There are currently more than 5,000 asbestos-related deaths each year in the UK. Any asbestos on site should be identified before refurbishment or demolition work takes place and suitable steps must be taken to control the risk of exposure.

"In this case ASAI Construction Ltd's failure to manage the risk of exposure to asbestos was compounded by their lack of response when concerns were raised regarding its presence on site. "Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

CONSTRUCTION COMPANY FINED FOR FAILING TO COMPLY WITH WORK AT HEIGHT REGULATIONS

On the 28th of April 2021 a construction company was fined after putting employees at significant risk of a fall from height while working on a roof.

Blackpool Magistrates' Court heard how on two occasions, 10th and 11th July 2019, two employees of Ron

Richardson Construction Ltd were observed waterproofing a flat roof at fifth floor level in Harrow Place, Blackpool close to an unprotected edge without the means to prevent a fall. The workers were not being monitored and had accessed the roof to do the work as they were unable to carry out the task from below with the equipment, which had been provided for them.

Enforcement Notices had previously been served against the company for work at height failures at the same site. The HSE investigation found that the company had not followed its own procedures and was not sufficiently supervising the work. Suitable edge protection to prevent a fall from height was not provided and the workers had not been given sufficient training in working safely on roofs.

Ron Richardson Construction Limited pleaded guilty to breaching Regulation 4(1) of The Work at Height Regulations 2005. They were fined £18,000 and ordered to pay costs of £3,342.

CHEMICAL PLANT FINED AFTER MAJOR GAS LEAK

On the 4th May 2021 Ineos Chemicals Grangemouth Limited was fined after ethylene, a flammable gas, was released from a cracked pipe at the KF Ethylene Plant.



latest prosecutions

Falkirk Sheriff Court heard that on 2 May 2017 approximately 17 tonnes of ethylene was released from the pipe. This leak precipitated the formation of a flammable gas cloud of around 65,000m³. The gas cloud was seen to move through a congested area of the plant reaching ground level.

The HSE investigation identified that the immediate cause of an unplanned shutdown on the compressor was due to a 'non-routine' maintenance activity related to the changeover of a redundant electronic control card in the compressor anti-surge system. The line should have been designed for all potential operating conditions and should not have failed as a result of the rapid opening of the valve and the sudden inrush of hot gas.

Ineos Chemicals Grangemouth Limited, of Chapel Lane, Lyndhurst, Hampshire pleaded guilty to breaching Regulation 5(1) of the Control of Major Accident Hazards Regulations 2015 and section 33(1) of the Health and Safety at Work etc. Act 1974. They were fined £400,000.

Speaking after the hearing HSE inspector Mac Young said: "While there were no injuries as a result of this incident and it was brought under control relatively quickly, the level

of fine reflects the seriousness of what happened. It is important that operators of high hazard sites remain vigilant and control the risks that arise as a result of their processes to prevent major incidents."

Head of the Health and Safety Investigation Unit of COPFS, Alistair Duncan, said: "Hopefully this prosecution and the sentence will remind other duty holders that failure to fulfil their obligations can have serious consequences and that they will be held to account for their failings."

BUILDER RECEIVES CUSTODIAL SENTENCE FOR FAILING TO REPORT AN INCIDENT WHERE A WORKER WAS SERIOUSLY INJURED

On the 6th of May 2021, a builder was imprisoned for 24 weeks after he failed to report a serious incident at a construction site he was in charge of. Westminster Magistrates' Court heard that on 8 January 2019, worker Simon Lewis had been clearing a site on Clarence Avenue, New Malden with an excavator so a new house could be built. The excavator tipped while digging and it trapped Mr Lewis' leg, resulting in an amputation.

An investigation by the HSE found that Mr Lewis had no formal training for operating excavators and had

requested a 3-ton model was provided for the work. However, only a smaller 1.7-ton excavator was provided, and Mr Lewis was put under pressure to use this. The incident was not reported to the HSE within ten days as required and the defendant, Paul Adams had not investigated the incident. HSE was only able to start an investigation more than eight months later when the victim complained. By this time crucial evidence relating to the cause of the incident was unobtainable and the work was almost completed.

There was no health and safety related documentation and there was no employer's insurance cover for Mr Lewis to claim against. Mr Adams had not obtained any health and safety related training during his 50 years in the construction industry.

Paul Adams, trading as Surrey Conversions pleaded guilty to a breach of Regulation 3(1) of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013. He received a 24-week custodial sentence and was ordered to pay costs of £2,033.

Speaking after the hearing, HSE inspector Andrew Verrall-Withers said: "This case re-enforces how important it is that incidents are reported so they can be investigated, and improvements



latest prosecutions

made to prevent serious incidents in future.

“The judge noted Mr Adams had not reported the incident even when prompted to by a solicitor, and that despite his construction experience he had failed to take any interest in understanding his legal duties nor invest in health and safety.

“Mr Adams claimed in court that he had stopped working for months due to the impact of the incident. However, the evidence showed he had continued with the work.

“The judge commented on how distressing it must have been for Mr Lewis on top of his life changing injury, to know the incident was not being investigated.”

He added: “We went to great efforts to ensure Mr Adams made improvements. However, in court it was confirmed that although he had told the probation officer, he had stopped work, he was still carrying out construction work at an unidentified site despite failing a health and safety test.”

COMPANY DIRECTOR FINED AFTER RESIDENTS EXPOSED TO CARBON MONOXIDE

On the 10th of May 2021, a construction company director was fined for leaving a gas boiler at a domestic property in a dangerous condition as he worked to build an extension.

During the building work, the residents of the property in Newcastle were placed at a serious risk of ill health, including carbon monoxide poisoning.

Newcastle-upon-Tyne Magistrates’ Court heard that commencing in April 2018, construction work was carried out at a domestic property on Lichfield Avenue, which affected the safe working condition of the gas boiler and flue at the property. The family of three, a mother and her two children, remained living in the house while the extension was built.

The HSE investigation found that David Coulson, director of Coulson Constructions North East Ltd, did not make the gas system in the house safe before or during the construction work, allowing the fumes and poisonous gases from the boiler to flow into the extended house. He was not Gas Safe registered.

David Coulson pleaded guilty to breaching Sections 37 and 20(2)(j) of the Health and Safety at Work etc. Act 1974. He was sentenced to 12 months imprisonment suspended for 24 months, given 250 hours of unpaid work and ordered to pay costs of £5,200

Speaking after the hearing, HSE inspector Paul Wilson, said: “Construction work can and must be planned properly to ensure the health and safety of those potentially affected throughout the building project. “Any work on a gas system, including the boiler in our houses, must always be carried out by competent gas engineers, namely those accredited with Gas Safe Registration. Not to do so is both illegal and potentially very dangerous.

“To check if a person is Gas Safe Registered visit the Gas Safe Registered website.”

PLASTICS MANUFACTURER FINED AFTER A WORKER BECAME ENTANGLED IN UNGUARDED MACHINERY

On the 10th of May 2021, printed plastics manufacturer Alfaplas Limited, was fined after a worker became unconscious as a result of asphyxiation when his tabard was entangled in the rotating spindle of a print machine.



latest prosecutions

Kidderminster Magistrates' Court heard how on 29th January 2019, an employee who was a supervisor at Alfaplas Limited in Hereford, attempted to realign a reel of product on a print machine whilst it was running at half speed. The employee's high visibility tabard became entangled in an unguarded rotating spindle, drawing in his clothing. He became unconscious as a result of asphyxiation from the entangled clothing. An operator on an adjacent machine intervened to stop the print machine.

The HSE investigation found the company failed to prevent access to the dangerous parts of machinery or stop dangerous parts before access was gained. They later fitted electro sensitive protection devices, which stopped the machine when the roller was active in the operator zone and the light beam was broken.

Alfaplas Limited pleaded guilty to breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998. They were fined £150,000 and ordered to pay costs of £14,379.

WORKER SUSTAINED SERIOUS INJURES FALLING THROUGH AN ASBESTOS ROOF

On the 10th May 2021 a specialist roofing and cladding company was sentenced after an employee suffered serious injuries when he fell through an asbestos roof whilst undertaking gutter cleaning and roof repairs.

North Staffordshire Magistrates' Court heard that on 1st March 2017, DPM Industrial Roofing (UK) Limited (DPM), was engaged by PD Edenhall, to undertake work on the fragile pitched roof on units at its premises in Burslem, Stoke-on-Trent. The work involved cleaning valley gutters and over-sheeting six damaged asbestos roof sheets with corrugated metal sheets. Two DPM employees accessed the roof via a cherry picker and proceeded to clean the first valley gutter which was 35m long and two feet wide.

During the work one of the men stepped off the crawling board and onto the fragile asbestos cement roof, which gave way causing him to fall 7.5 metres to the concrete floor below. He fractured his spine in two places and also fractured his pelvis, shoulder and rib.

An investigation by the Health and Safety Executive (HSE) found the method of work was unsafe. There was

no fall protection on either side of the valley gutter to prevent the workers falling through the pitched fragile roof and no fall protection at the end of the valley gutter to prevent them falling off the roof. This unsafe method of work was repeated when the men cleaned the second valley gutter. The risk assessment was not suitable and sufficient.

Although it identified working on a fragile roof as 'high risk' it failed to identify falls from a leading edge and did not include adequate control measures to prevent falls through or from the roof.

DPM Industrial Roofing (UK) Limited pleaded guilty to breaching Section 2 of the Health and Safety at Work etc Act 1974 and was fined £10,000 and ordered to pay costs of £6,454.

SMALL HAULAGE BUSINESS FINED AFTER WORKMAN SUSTAINS FATAL INJURIES

On 12th of May 2021 AR Haulage Limited, a small haulage business, was fined after an employee sustained fatal injuries when he was struck on the head by the bucket of an excavator. Lanark Sheriff Court heard that on 11th April 2018, three employees were working to clear a yard of scrap and to reposition a number of large and small



latest prosecutions

concrete blocks within the yard using an excavator. One of the employees was acting as 'slinger', attaching and removing chains for moving the concrete blocks. The operator of the excavator believed the employee was not in the immediate vicinity and moved the boom of the excavator with the bucket of the excavator fatally striking the worker on the head. The exact cause of this is not clear but may have been due to the excavator operator inadvertently knocking one of the controls in the cab of the excavator.

An investigation by the HSE found that there was no safe system of work in place for the task of clearing and tidying the yard. There was also no suitable and sufficient risk assessment. Adequate information, instruction, training and supervision had not been provided. AR Haulage Limited pleaded guilty to breaching Sections 2(1) and 2(2)(c) of the Health and Safety at Work etc. Act 1974 and was fined £26,250.

Speaking after the hearing, HSE inspector Allison Aitken said: "This was a tragic and wholly avoidable incident, which could so easily have been avoided had safe working practices been in place to manage the risks to those working in the vicinity of the excavator.

"Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards".

METAL MANUFACTURER FINED AFTER TRUCK FOUND IN POOR CONDITION

On the 12th May 2021 A metal manufacturer was fined following an incident involving a side loader fork truck.

Mansfield Magistrates' court heard how, on 20th November 2017, the truck was involved in an incident where an employee was trapped between the truck and a rack containing metal pipes at Fabrikat (Nottingham) Limited in Hamilton Road, Nottingham. The company had failed to maintain the side loader fork truck by ensuring that it was in efficient working order and in good repair.

The HSE investigation found that the company did not maintain the side loader as per the manufacturer's specifications. This left the company's employees exposed to risk.

Fabrikat (Nottingham) Limited pleaded guilty to breaching Section 5(1) of the Provision & Use of Work Equipment Regulations. They were fined £80,000 and ordered to pay costs of £6,478.

CONTRACTOR FINED AFTER WORKER INJURED DURING DEMOLITION

On the 12th May 2021 a contractor has been fined after an employee was hit by falling debris from a wall that was being demolished in an unsafe manner.

Blackpool Magistrates' Court heard that on 10th January 2020, Barrowbridge Construction Limited had been contracted to demolish a garage in Clitheroe, Lancashire. Three operatives pushed over the remaining part of the external wall of the garage. One of the workers was struck at shoulder height by falling debris and fell to the ground, with the material falling on top of him. He sustained injuries to his shoulder and a fractured heel and ankle.

The HSE investigation found that the demolition was not planned or carried out in a manner to prevent danger.

The risk assessments and method statement prepared by the company required the use of hand tools, including sledgehammers, to demolish the walls of the garage. No measures were identified or implemented which would maintain the stability of the wall throughout the demolition, resulting in a risk that the structure would become unstable and potentially collapse.



latest prosecutions

On their second day on site, the operatives decided that it would be safer to simply push the remaining wall over. This change to the method of work was made without consultation with the project manager and resulted in the operatives working in an unsafe area, putting themselves at risk of being struck by falling materials. The wall collapsed in two directions when pushed.

Barrowbridge Construction Limited pleaded guilty to breaching Regulation 20(1) of the Construction (Design and Management) Regulations 2015 and was fined £600 with costs of £1,947.00.

HSE inspector, Jacqueline Western, said after the hearing: "This incident could so easily have been avoided if the company had properly planned, managed and monitored the demolition. The sequence of demolition should have been planned to maintain the stability of the structure throughout the process.

"Companies and contractors should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

COMPANY FINED AFTER FATAL COLLISION AT FORMER TELEVISION CENTRE

On the 13th of May 2021 Grundon Waste Management Limited (Grundon), was fined after a traffic marshal was struck and killed by one of its vehicles on a construction site.

A jury at Southwark Crown Court heard that on 22nd February 2016, a waste lorry had been reversing down a ramp at the former BBC Television Centre in London to collect waste from a customer's loading bay. In the process, it struck and fatally injured traffic marshal, Kiril Karadzhev.

An investigation by the HSE found that Grundon failed to identify reversing as a hazard that needed to be eliminated or controlled and that suitable actions had not been taken to control the risk of reversing. This exposed pedestrians to risks to their safety. If reversing had been identified as a risk then the risk could have been eliminated or reduced, such as by developing a clear and safe system of work to access the loading bay on their customer's sites.

Grundon Waste Management Limited was found guilty of breaching Section 3(1) of the Health and Safety at Work Act 1974 and was fined £550,000 and instructed to pay £96,874.15 in costs.

Speaking after the sentencing hearing, HSE inspector Sharon Boyd, said: "If the hazard of reversing vehicles had been properly identified and appropriate discussions had taken place with those responsible for traffic management, a consistent system of work which properly controlled the risks associated with the hazard could have been developed and Mr Karadzhev's death could have been avoided.

"The dangers associated with reversing vehicles are well known and a wealth of advice and guidance is freely available from HSE and other organisations"

SOLE TRADER SENTENCED AFTER WORKER SUSTAINS SERIOUS INJURIES IN FALL FROM HEIGHT

On the 13th of May 2021 sole trader, Ian Pitman, was prosecuted after a sub-contractor fell five metres through a sky light onto a concrete floor.

Bristol Magistrates' Court heard how on 20th July 2017 a man working for Ian Pitman was renewing the guttering between two buildings in Chipping Sodbury in Bristol. While fitting a roof panel back into place he fell backwards through a sky light, hitting the rail of a lift truck below and landing on the concrete floor. He suffered multiple injuries including a fractured skull and broken ribs.



latest prosecutions

The HSE investigation found that Mr Pitman failed to ensure that work at height was properly planned, appropriately supervised and safe in such a way as to ensure that persons not in their employment were not exposed to risks to their health and safety.

Ian Pitman pleaded guilty to contravening Regulation 4(1) of the Work at Height Regulations 2005. He received a four-month custodial sentence, suspended for 18 months and given 180 hours of unpaid community work. He was ordered to pay costs of £13,500 and a victim surcharge of £115.

TWO CONSTRUCTION COMPANIES FINED AFTER WORKER INJURED DURING LIFTING OPERATION

On the 14th of May 2021 two construction companies were fined after a worker was seriously injured when a part of an air conditioning plant fell on him while it was being lowered from a roof.

Southwark Crown Court heard that on 10th November 2017 three roofers had been working on Bromley High Street in London, finishing off a large roof refurbishment project. The workers were instructed to dismantle a decommissioned air conditioning plant

and remove it from the roof in high winds. As part of the plant was being lowered, it became detached from the rope and hook. It fell and struck one of the workers on the pavement below, fracturing his left femur.

An investigation by the HSE found that only a basic manual gin wheel was provided to lower the parts, no one was assigned to supervise and none of the workers had any formal training on carrying out lifting operations or slinging loads. There were also other failings at the site relating to working at height, control of asbestos, emergency arrangements, manual handling and a total lack of any welfare facilities for the workers.

NMC Surfacing Limited (NMC), who operate nationally, had subcontracted the roof refurbishment work to a smaller local business, Fraden Contracts Limited. The client was unaware NMC had subcontracted the construction work. The Court heard NMC provided them with modified versions of Fraden's risk assessment records with all references to Fraden erased.

NMC Surfacing Limited who had been the Principal Contractor for the project, was found guilty after a trial of a breach of Regulation 13(1) of the Construction

(Design and Management) Regulations 2015. The company was fined £350,000 and ordered to pay £45,122.36 in costs.

Fraden Contracts Limited who had been contracted by NMC Surfacing Limited to carry out the work, had already pleaded guilty to a breach of 15(2) of the Construction (Design and Management) Regulations 2015. This company was fined £14,000 and ordered to pay £6,015.26 in costs.

HSE inspector, Andrew Verrall-Withers, commented after the hearing: "Little thought was given to planning the lifting operation by the companies and it was the workers who identified passing members of the public were at risk and borrowed some barriers to try and protect them.

"It is vital construction companies do not assume that because workers have been in an industry for years, that they automatically know everything about how to safely use equipment.

"A worker suffered an injury which means he can no longer work as a roofer despite three decades of previous experience. He, or a passing member of the public, could have been killed."



latest prosecutions

COMPANY AND DIRECTOR SENTENCED AFTER TWO WORKERS INJURED IN FALLS FROM HEIGHT

On the 17th of May 2021, a facilities and construction management company, along with the director, were fined after unsuitable scaffolding partially collapsed, injuring two workers.

Newport Magistrates' Court heard that on 8th March 2018, workers on a six-metre high scaffolding tower were carrying out demolition activities at the Citizens Advice Bureau in Church Place, Bargoed when the platform of the tower partially collapsed. One man suffered broken ribs, tendon damage and since the incident depression and short-term memory loss. The other man suffered three broken vertebrae and has since been diagnosed with post-traumatic stress disorder (PTSD).

The HSE investigation found that the tower scaffolding was not suitable for the type of work being undertaken. It was not erected by a person trained and competent to do so, had been erected to a height above recommendation and was loaded with a weight greater than the safe working load stated by the manufacturer.

Invictus Facilities and Construction

Management Limited pleaded guilty to breaching Section 3(1) of The Health and Safety at Work etc. Act 1974. They were fined £106,000 and ordered to pay costs of £8,501.

Director of the company Simon Paul Wright pleaded guilty to Section 33(1) (a) by virtue of Section 37(1) of The Health and Safety at Work etc. Act 1974 and was ordered to undertake 150 hours of unpaid work.

Speaking after the hearing, HSE inspector Gemma Pavey said: "Failure to select suitable and sufficient scaffolding towers and the failure to have them erected and dismantled by a competent person creates risk to workers who could be injured by a fall or collapse.

"Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

BUILDING CONTRACTOR FINED AFTER WORKER SERIOUSLY INJURES LEG

On the 20th of May 2021 a building contractor was fined after a worker's leg was seriously injured and later amputated above the knee following the collapse of a masonry wall. Westminster Magistrates' Court heard

that on 26th June 2019, Sukhjot Singh was working at a domestic property refurbishment for Balwinder Singh Dhillon, trading as Dhillon Builders. Mr Singh, sustained serious injuries when an internal brick wall at first floor level collapsed and fell on him as he worked on the ground floor of the house.

An investigation by the HSE found that Mr Dhillon failed to properly plan the demolition of supporting walls within the property. He did not take all practicable steps to ensure a safe system of work and make sure the wall was adequately supported after it was made weak by the construction work. Balwinder Singh Dhillon pleaded guilty to breaching Regulations 16(2) and 19(1) of the Construction (Design and Management) Regulation 2015 and has been sentenced to 16 weeks imprisonment suspended for 18 months. He was fined £1,500 and ordered to pay costs of £6,818.20.

Speaking after the hearing, HSE inspector Fu Lee, said: "The injuries suffered are life changing and the incident could easily have been fatal. This serious incident and devastation could have been avoided if Mr Dhillon had planned a safe system of work and installed appropriate supports to prevent the building he was working on from collapse."



latest prosecutions

AUTOMOTIVE ENGINEERING COMPANY SENTENCED AFTER EMPLOYEE HAS ALLERGIC REACTION AT WORK

On the 20th of May 2021, an automotive company was sentenced after an employee developed an allergic form of dermatitis after coming into contact with metalworking fluids.

Reading Magistrates' court heard how, on 24th April 2019, an employee at Xtrac Ltd was splashed on the face and upper body with metalworking fluid whilst cleaning out a grinding machine at a manufacturing site in Thatcham. As a result of the contact the employee had an allergic reaction, consisting of a very painful burning sensation, inflamed, broken and oozing skin, and was diagnosed with allergic contact dermatitis. This is a permanent allergy, which means that even small quantities of this substance can result in a further serious reaction. The employee received medical advice that they could no longer continue in their job as it was a risk to their health.

The HSE investigation found that Xtrac Ltd had failed to carry out a suitable and sufficient risk assessment to identify the potential for exposure to the hazardous chemicals. The company had not implemented necessary controls to prevent skin contact. This

was particularly important in this case as the company was already aware the employee had a history of dermatitis.

Xtrac Ltd pleaded guilty to breaching section 2(1) of the Health and Safety at Work Act 1974. They were fined £100,000 and ordered to pay costs of £639.59

Speaking after the hearing, HSE inspector Ashley Hall said: "Dermal risks from metalworking fluids are well known within industry and there are simple and effective controls available to prevent contact with the skin.

"This serious health condition could have been prevented if the company had carried out the required risk assessment and implemented the necessary control measures, including suitable personal protective equipment, particularly gloves.

"All of these risks and controls are described in HSE and industry guidance, which is widely available."

COMPANY FINED AFTER WORKER SUFFERS LOSS OF THUMB AND FINGERS

On the 21st of May 2021 food manufacturer, Young's Seafood Limited, was fined after a worker was trapped by a mixing machine.

Grimsby Crown Court heard that, on 16th October 2017, the 59-year-old worker was creating the mix for fish cakes at the company's Humberstone Road factory in Grimsby.

At the end of a mix run he went to clear the mix from the machine, lifting an interlocked guard that should have stopped the machine from running. He put his hand into the machine without realising it was still running and the augur caught his hand and drew his arm in up to the elbow. The worker managed to free himself from the augur but in removing his arm, his thumb and two of his fingers were severed and he suffered serious tendon damage. Following the incident doctors were unable to reattach his fingers and he has not yet been able to return to work.

An investigation by the HSE found that the machine continued to run when the safety guard was lifted and failed to respond when the emergency stop was pressed. The interlocking system was inadequate, and the company had failed to ensure that the machine was effectively maintained. These matters were exacerbated by poor communication between the shop floor and maintenance and an inadequate fault reporting system.

Young's Seafood Ltd pleaded guilty to



latest prosecutions

breaching Section 2(1) of the Health & Safety at Work etc Act 1974. The company has been fined £787,500 and ordered to pay £33,443.68 in costs.

After the hearing, HSE inspector Carol Downes commented: "The life changing injuries sustained by the employee could have been prevented and the risk should have been identified.

"Being pro-active with preventative maintenance and good communication of faults can reduce the chance of harm."

FARMING COMPANY FINED AFTER YOUNG WORKER INJURED DURING LIFTING OPERATION

On the 24th of May 2021 T Cook & Son (Farmers) Ltd was sentenced for safety breaches after a 17-year-old worker suffered crush injuries to his foot.

Bridlington Magistrates' Court heard that on 20th December 2017 a concrete panel was dropped during a lifting operation involving a telehandler vehicle on a farm in Owstwick, Yorkshire.

An investigation by the HSE found that the panel was being installed to repair a pig shed. A telehandler was used to lower the panel, weighing

over a tonne, into place and the load fell after the tines of the telehandler were withdrawn. The panel fell onto the young worker resulting in mid foot fractures and crush injuries.

T Cook & Son (Farmers) Ltd pleaded guilty to breaching Regulation 8(1) of the Lifting Operations and Lifting Equipment Regulations 1998. The company has been fined £4,690.00 and ordered to pay £7,045.96 in costs.

After the hearing, HSE inspector Sarah Taylor, commented: "All lifting activities should be properly planned by a competent person, appropriately supervised and carried out in a safe manner.

"This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices. HSE will not hesitate to take appropriate enforcement action against those responsible for lifting operations especially when young persons are put at risk."

CONSTRUCTION COMPANY FINED AFTER EXCAVATION COLLAPSE

On the 24th May 2021 Harlands Builders Limited was fined for safety breaches after a ground worker was trapped having entered a two-metre-deep excavation.

Bridlington Magistrates' Court heard that on 26th June 2019, the company was undertaking groundworks at West Farm Stone, Creek Sunk Island, East Riding. The worker had entered an excavation in order to measure the depth when part of it collapsed on him.

The HSE investigation found that the excavation had three sheer unsupported sides and was not battered back. The worker was trapped by the collapse and sustained a broken tibia and fibula on his left leg. Other workers were also put at risk as they went into the excavation to free the trapped man.

Harlands Builders Limited pleaded guilty to breaching Regulation 22 (1) of the Construction Design Management Regulations 2015. The company has been fined £12,000 and ordered to pay costs of £1,139.

Speaking after the hearing, HSE inspector Sarah Robinson, said: "The excavation should have been supported or battered back, and no individuals should have been asked to go into the excavation whilst it was unsafe.

"This incident could have led to the death of the worker. The case highlights the importance of identifying and following any risk assessment that was set in place."



latest prosecutions

COMPANY FINED AFTER WORKER SUFFERED LIFE CHANGING INJURIES IN TRANSPORT INCIDENT

On the 26th May 2021 Kepak Group Limited (formally 2 Sisters Red Meat Limited), was fined after a worker was seriously injured following a workplace transport incident.

Merthyr Tydfil Magistrates' Court heard how, on 17th February 2017, an employee of a contractor that had a permanent presence on the Kepak's Merthyr Tydfil site, was struck by a forklift truck (FLT) when he was walking along the internal roadway at the back yard end of the site. He was struck from behind by the FLT and trapped beneath the metal container it was carrying. He was dragged along the ground and received multiple serious and life changing injuries, including the loss of a leg.

An investigation by the HSE found that the company's workplace transport risk assessment did not ensure that suitable and sufficient traffic management arrangements, including pedestrian and vehicle segregation, were in place. The premises were operated by 2 Sisters Red Meat Limited at the time that the incident occurred. This company name was changed to Kepak Group Limited in July 2018.

Kepak Group Limited pleaded

guilty to breaching Regulation 4 of the Workplace (Health, Safety and Welfare) Regulations 1992 and has been fined £600,000 and ordered to pay costs of ££38,183.

Speaking after the hearing, HSE inspector Rhys Hughes said: "This was a tragic and wholly avoidable incident, caused by the failure of the host company to undertake and implement an adequate risk assessment and ensure a safe system of work was in place".

"This risk was further amplified by the company's failure to implement a number of simple safety measures including separation and segregation of vehicles and pedestrians."

"There is ample published guidance and advice available that is in the public domain; both on the HSE website and from other reliable sources to assist dutyholders in deciding what measures they should put in place."

DIRECTOR FINED AFTER YOUNG WORKER INJURED IN FALL FROM HEIGHT

On the 27th May 2021 Wayne McKnight (trading as RJE Construction) was fined for safety breaches after a 17-year-old worker fell from a mezzanine floor to the ground below. Sheffield Magistrates' Court heard that,

on 28th February 2019, the worker and two others were building the mezzanine floor at a site in Neepsend Lane, Sheffield. The injured person stepped on a loose board and fell 2.8 metres to the ground below, sustaining cuts and bruises.

An investigation by the HSE found that safety nets had not been put in place before boarding commenced. No other fall from height protection was present to prevent or mitigate falls through the mezzanine floor.

Wayne McKnight (trading as RJE Construction) pleaded guilty to breaching Regulation 6(3) of the Work at Height Regulations 2015. Mr McKnight has been fined £500 and ordered to pay costs of £1,300.

After the hearing, HSE inspector Sarah Robinson commented: "Falls from height often result in life-changing or fatal injuries, which thankfully did not eventuate here. In most cases, these incidents are needless and could be prevented by properly planning the work to ensure that effective preventative and protective measures are in place.

"This incident could have easily been prevented if the company had installed safety nets prior to work starting on the mezzanine."

**ALL THE LATEST
INDUSTRY
NEWS, REPORTS,
PROJECTS AND
PROSECUTIONS
STRAIGHT TO
YOUR INBOX**





A Yardley House, 11 Horsefair, Rugeley, Staffordshire WS15 2EJ
T 01889 577 701 E enquiries@callsafe-services.co.uk W www.callsafe-services.co.uk



[callsafeservicesltd](https://www.facebook.com/callsafeservicesltd)



[@callsafesvcsltd](https://twitter.com/callsafesvcsltd)



[callsafe-services-limited](https://www.linkedin.com/company/callsafe-services-limited)