

ARTICLES: -COMET STORE DEATH

Electrical retail giant Comet has been fined £75,000 after a contractor fell through a roof light at its Wrexham store. Comet Group Plc contracted Steven Smith, who was director of Wrexham Roof Services Ltd, to clear guttering and replace leaking roof lights at its store in Mount Street. Smith had sub-contracted Paul Alker, 33, to help carry out the repairs

On 7 June 2007, Mr Alker was walking across the roof when he stepped on a roof light and fell 25 feet on to the store floor. He sustained fractured ribs, a broken collarbone, and soft-tissue damage. He died in hospital five days later owing to his injuries. The HSE issued an Improvement Notice against Comet in August 2007, which required the company to improve its contractor management systems. HSE inspector revealed that Mr Alker hadn't been provided with any equipment to prevent falls, and no attempts had been made to cover the fragile roof lights.

She said: "Comet failed to ensure that its contractor had taken steps to prevent falls through the roof lights, ultimately leading to the death of a worker. "The law is clear that companies must ensure contractors are competent to do the work they are hired to do, and they need to understand their responsibilities. A safe system of work must be agreed and the company should monitor contractors to make sure they undertake work safely, as agreed."

Comet appeared at Mold Crown Court on 5 July and was ordered to pay full costs of £24,446. It has subsequently reviewed its procedures for selecting and monitoring contractors. It now has a process in place to assess the competency of contractors and it also ensures that their on-site movements are monitored closely.

In November 2007, Steven Smith was jailed for two and a half years in relation to the incident. He pleaded guilty to manslaughter, s37(1) of the HSWA 1974, and a further charge of attempting to pervert the course of justice – for hiring safety equipment immediately after the accident and planting it at the scene.

The inspector concluded: "This incident could have been avoided if the roof lights at the Wrexham store had been protected and Mr Alker had been provided with appropriate safety equipment."

UNAUTHORISED ACCESS TO SITE LEADS TO DEATH OF A MEMBER OF PUBLIC

A construction company and two of its directors must pay more than £90,000 in penalties following the death of a member of the public at a building site in West Sussex. Lewes Crown Court heard that PIB (UK) Ltd had been contracted to carry out renovations on a large detached house in Brighton. The property was being developed to create five self-contained flats.

On 29 June 2008, Edward Dean, 24, had been out socialising when, in the early hours of the following day, he wandered into the rear garden of the property. He then tripped over an unprotected edge and fell 2.4 metres into a basement courtyard. He was knocked unconscious and died as a result of asphyxiation. His body was found when workers arrived on site a few hours later.

After notification of the incident, the HSE visited the site later that day and issued a Prohibition Notice to the company. The notice required edge protection to be put in place and a gate to be installed to prevent access to the rear of the property.

HSE inspector, Denis Bodger, said: "Unmanned construction sites should be properly secured such that people, and especially children, cannot unknowingly wander into places of danger. Edward Dean should never have been able to enter the site where there were unprotected edges. "Falls are the largest single cause of fatal accidents and serious injuries on construction sites. Sites can be easily and cheaply secured by providing suitable fencing or hoarding, using lockable gates, and providing clear signage. Had PIB and its directors taken these simple precautions Edward Dean's tragic death could have been avoided."

The company appeared in court on 30 June and was fined £30,000 and £6500 in costs. Two of the company's directors, John Blankson, 55, and Steven Moore, 44, also faced legal action at the same hearing. Blankson, who was also the owner of the

property where the work was being carried out, pleaded guilty to breaching the Construction Design and Management (CDM) Regulations 2007. He was fined £15,000 and ordered to pay costs of £3465. Moore, who was the site manager, was fined £30,000 and ordered to pay £6500 in costs. He was also disqualified as a director for five years.

Following the incident, edge protection was fixed around the ledge, and gating was installed down the side of the property. The company has not taken on any new business following the completion of this job. Inspector Bodger added: "It was both illegal and irresponsible for PIB (UK) Ltd and the company directors to disregard the importance of security on this site – leaving obvious hazards that, in this tragic case, resulted in the unnecessary loss of a young life."

OPERATIVE'S ENTRAPPED OVERALL CAUSES SERIOUS INJURY

A worker was seriously injured when he became trapped in rotating machinery at a factory in Ashton-under-Lyne. The 53-year-old man was working for ADA Machining Services Ltd, which produces heavy engineering components, when the incident took place on 2 January 2008. He was operating a 14-foot-high metal-shaping machine, when he moved too close to a rotating shaft and his overalls became entangled in the blades.

He was pulled into the machine, and severed a finger on his right hand. He also suffered 12 broken ribs, a cracked breast bone, and friction burns to the left side of his body. His colleagues switched off the machine but were unable to free him until the emergency services arrived. He has been unable to return to work owing to his injuries.

Following its investigation, the HSE issued an improvement notice, which required the company to install guarding around the rotating shaft. HSE inspector said: "It's vital that companies take action to protect employees who are required to operate potentially dangerous machinery. Otherwise, workers will continue to be injured in the future. "The company knew that rotating parts in the machinery were potentially dangerous. If it had installed a guard on the machine, as the law requires, it would have prevented someone being seriously injured."

ADA Machining Services was fined £25,000 and £6220 in costs and later installed guards on the machine, and also on several similar machines at the site.

CHECK YOUR ARRANGEMENTS FOR:-CONTROL OF SUBSTANCES HAZARDOUS TO HEALTH (COSHH)

The Control of Substances Hazardous to Health Regulations 2002, requires employers to prevent employees being exposed to substances hazardous to health or, if prevention is not reasonably practicable, to adequately control the exposure. If work is likely to expose employees to any substance hazardous to health, the employer must carry out a risk assessment (also known as a COSHH assessment).

CONTROL MEASURES

Any equipment provided to control exposure to substances hazardous to health, eg local exhaust ventilation (LEV) must be inspected with a thorough examination every 14 months, and personal protective equipment, must be maintained in good working order and in good repair. Any systems of work and supervision and any similar control measures must be reviewed at suitable intervals and revised if necessary.

MONITORING EXPOSURE

In certain circumstances, the exposure of employees to substances hazardous to health should be monitored. This can be done via exposure, airborne and biological monitoring via a specialist. All records and results of monitoring should be kept and be accessible for at least forty years. Employees who may be exposed to substances hazardous to health must be provided with appropriate information, instruction and training.

If an accident, incident or emergency is likely to cause exposure of employees to levels of substances hazardous to health well above the normal level, the employer must ensure plans and procedures are in place. A arrangements must be in place to plan for accidents and emergencies.

HEALTH SURVEILLANCE

In situations where it is appropriate for the protection of employees, the employer must provide suitable health surveillance. There are specific extra requirements for work involving carcinogens and biological agents and separate regulations exist which cover lead, asbestos, radioactive substances and substances classified as explosive, flammable or oxidants.

Health surveillance programmes should include keeping a health record for each individual, which should be kept for 40 years.

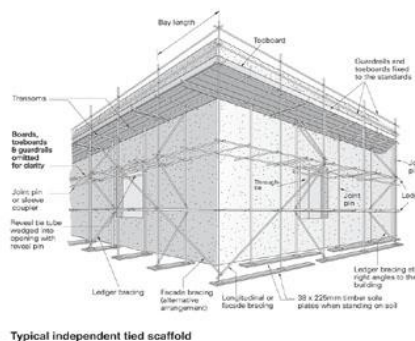
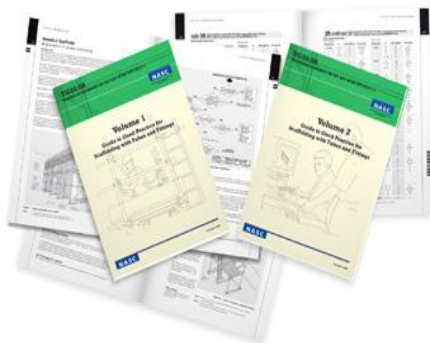
STORAGE, USE AND DISPOSAL

All COSHH substances should be stored in the appropriate manner to prevent exposure and spillages. Appropriate storage, safe use and disposal techniques for substances can be found within the relevant safety data sheets for that substance. Such information needs to be kept up to date by the supplier and/or manufacturer and such information needs to be provided as part of the COSHH assessment.

WE OFFER: - APPROPRIATE ARRANGEMENTS FOR MANAGING COSHH AT WORK

Northants Risk Management Solutions provide arrangements for your company to ensure compliance with the Control of Substances Hazardous to Health Regulations (amended) 2004. We can assess the requirements of COSHH in your workplace and complete these site specific COSHH assessments for you. This is available as a separate service or can be incorporated into your Risk Management Package as part of your policy review.

UP DATE: - SCAFFOLD DEADLINE APPROACHING



From 1 January 2011 the HSE will no longer acknowledge the British Standard BS5973:1993 as a recognised standard for the design of tube-and-fitting scaffolding structures. The withdrawal of the document will mean that, from next year, all scaffolds will need to be built in accordance with the European standard BS EN12811-1:2003. According to the National Access & Scaffolding Confederation (NASC), the British Standards Institution (BSI) decided to withdraw BS5973:1993 as it contains conflicting information with the 2003 European standard.

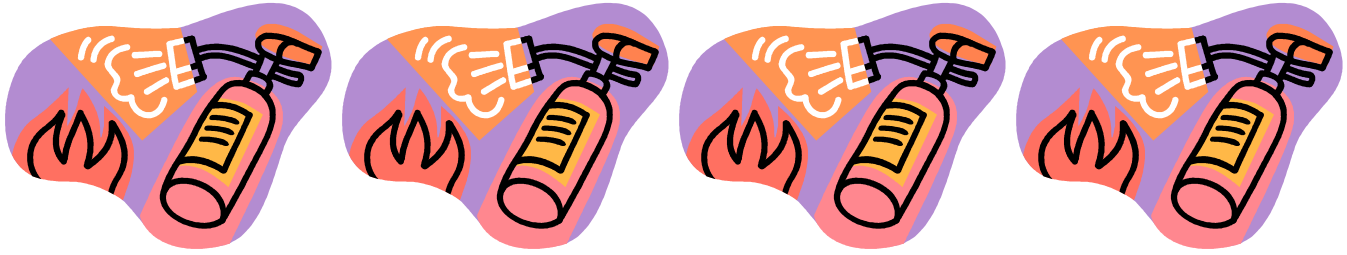
Among the differences between the standards, the Confederation says that BS EN12811-1:

- is broader in scope than BS5973;
- covers the whole of the UK (BS5973 is not valid in Scotland); and
- includes scaffold designs that comply with European standard and the Work at Height Regulations 2005.

The NASC describes the 2003 standard as a performance document, which doesn't give any detailed advice on safe systems of work for erecting, altering, or dismantling scaffolds when erected using tubes and fittings.

The organisation has, however, attempted to fill this gap by publishing a good-practice guide for scaffolding with tubes and fittings, called TG20:08. For more information on scaffolding guidance, including TG20:08, visit www.nasc.org.uk

TOOL BOX TALK OF THE MONTH: – FIRE EXTINGUISHERS



Have you inspected your fire extinguishers lately? Are they fully charged, strategically located, accessible and ready for use? Or, are they laden with dust, obscurely hidden in some corner, affording a false sense of security?

So often, fire extinguishers are purchased with enthusiasm, a vital need; and then, suddenly, because they are not regularly used, they are relegated to a secondary position in our operation.

The fact that fire extinguishers are our first line of defence in the event of fire should warrant a periodic and thorough inspection of them. Fire extinguishers must be kept clean to attract attention, they must be kept accessible to eliminate lost time when needed, and the rubber hose, horn or other dispensing component must be checked to guard against blockage.

The following is a brief resume of the classification of fires, and the recommended extinguisher to be used on each:

CLASS "A" FIRES: - Ordinary combustible (organic materials) such as rubbish, paper, rags, scrap wood. These are fires that require a cooling agent for extinguishment. Recommended extinguishers are—water (RED) through use of hose, pump type water cans, pressurized extinguishers.

CLASS "B" FIRES: - Flammable liquids, oils and grease. Fires that require a smothering effect for extinguishment. Recommended extinguishers—Carbon Dioxide (BLACK), Dry Powder (BLUE) and Foam (CREAM).

CLASS "C" FIRES: - Electrical equipment. Fires that require a non-conducting, extinguishing, agent. Recommended extinguishers—Carbon Dioxide (BLACK) and Dry Powder (BLUE).

CLASS "D" FIRES: - Metals. Recommended extinguisher – Special Dry Powder (BLUE).

CLASS "F" FIRES: - Cooking oils and fats – recommended extinguisher – Wet Chemical (CANARY YELLOW)

Only use a fire extinguisher if it is safe to do so or if the fire is between yourself and the evacuation route. It is also an offence under the Health and Safety at Work etc Act 1974 to tamper with any safety provisions which are provided for your and others safety.

Date:

Company Name:

Site:

Completed by:

The undersigned have attended:

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MYTH OF THE MONTH:-

HEALTH AND SAFETY BRINGS CANDYFLOSS TO A STICKY END



THE REALITY

Come the summer sun and what tops off a great day out better than good, old fashioned candy floss? But if you believe some newspaper headlines this beloved sweet treat is under threat – because of the dangers posed by the stick it is spun around.

The truth is that there are no health and safety laws banning candy floss on a stick. Is the traditional form of this sweet disappearing because it is easier to mass produce and store it in plastic bags? Who knows, but it certainly isn't health and safety leaving anyone with a bad taste in their mouth.

AND REMEMBER.....“DON`T LEARN SAFETY BY ACCIDENT”

Suite 5 Green Lodge Barn
Nobottle
Northants
NN7 4HD
T: 01604 651091
E: enquiries@northants-rms.com
W: northants-rms.com