



THE BURNING ISSUE...

The Regulatory Reform (Fire Safety) Order 2005 came into force in England and Wales on 1st October 2006, affecting all non-domestic properties. The Fire Safety Order is the biggest overhaul of fire safety legislation in decades and has consolidated much of the previous legislation including the Fire Precautions Act 1971 and the Fire Prevention Act 1997. The emphasis is now very much on proactive prevention measures, and requires all non-domestic properties to have suitable and sufficient Fire Risk Assessments completed by a competent person.

HSE 'BETTER BACKS' CAMPAIGN LAUNCHED

The HSE, in partnership with Local Authorities, is running a national campaign to tackle back pain in the workplace. 'Better Backs' will build upon the success of last years' campaign and extend its scope.

Workplace inspections will be undertaken with HSE Inspectors focusing on manual handling tasks that mainly form part of the Supply Chain Initiative, these are: kerbs, building blocks, panel products (e.g. plasterboard), bagged aggregate and the use of lifting aids.

Events will be organised to educate individuals with an aim to reducing the incidence of back pain caused, or made worse, by work. 'Better Backs' will promote sensible workplace precautions that reduce the risk of back pain and emphasise the positive benefits of staying active with back pain. At the same time, it will encourage employers and employees to work together to help people return to normal activities including work.

CONSTRUCTION DEATHS DOWN TO A RECORD LOW

Statistics recently released by the Health and Safety Executive (HSE) show the total number of fatal injuries to workers in the construction industry during 2005/06 was 59, ten less than the total figure for the previous year. This is the lowest figure on record and represents a 14% reduction.

Stephen Williams, HSE Chief Inspector of Construction said: "These figures are very good and I am pleased with the progress so far..... However, we should be cautious. One year's figures should not be viewed in isolation and it is too early to say whether the reduction in fatal injuries represents the significant behaviour change the industry has been promising. Let us not be complacent – one death is still one too many."

Falls from height remains the most common cause of fatal injury accounting for 22% of injuries in 2005/06.

The Statistics of Fatal Injuries 2005/06 can be found on the HSE website at www.hse.gov.uk/statistics/overpic.htm.

GANGMASTER LAW COULD EXTEND TO CONSTRUCTION

Governing chiefs of the new gangmaster law have dropped a heavy hint that legislation could be extended to construction. From Sunday 1st October, all gangmaster businesses in agriculture and food processing will need to be licensed.

Gangmasters who continue to trade without a licence will be acting illegally and face potential penalties of up to 10 years imprisonment and an unlimited fine.

The legislation follows the death of 21 cockle pickers off Morecambe Bay on 5 February 2004.

NPORS MEMBERS QUIT PLANT SCHEME

The National Plant Operators Registration Scheme (NPORS) has pulled out of its affiliation with CPCS, after it was told that it could no longer issue its own cards alongside the CPCS card.

NPORS' standard card training is shorter and cheaper than CPCS, but it is not endorsed by the Major Contractors Group, which endorses the CPCS. Industry experts have warned that this is creating a lot of confusion in the market.

HSE STOPS WORK DUE TO SAFETY FAILINGS

The HSE has recently stopped work on three construction sites in Chester for failing to implement adequate health and safety standards.

The HSE issued 12 enforcement notices overall - ordering health and safety improvements on sites in the area during a week-long targeted inspection. The enforcement notices covered poor risk management on site, unsafe scaffolds, risks of falls from height and unsatisfactory welfare facilities.

HSE construction inspector Rod Hodginson said: "We were disappointed with the general standards we encountered and will be looking to make return visits in the future."

TWO DIE IN CRANE COLLAPSE

Two men were killed and two others injured when a 50m crane collapsed on a block of flats in south London.

The crane driver and a member of the public died when a crane boom became dislodged and fell onto the homes and a parked car.

Investigations are currently underway by the house building company and the HSE.

FORTHCOMING CDM REGULATIONS - UPDATE

The revised Construction (Design & Management) Regulations are due to come into force on 6th April 2007, with the Approved Code of Practice published in January 2007 enabling industry three months to plan/prepare for compliance.

The revised Regulations will consolidate the current CDM Regulations 1994 and the Construction (Health, Safety & Welfare) Regulations 1996 into a single package, with the aims being to simplify requirements, improve clarity, encourage better communication and simplify competency issues.

There are also changes likely to be made regarding demolition projects. Under the proposals, demolition projects will not automatically be notifiable and may therefore not require formal appointments of a written safety plan.

The information given above is based on the latest consultation paper, and may be changed before the final Regulations are approved and implemented. Please note that the current CDM Regulations 1994 will remain in force, and enforceable, until the implementation of CDM 2007.

FURTHER INFORMATION WILL BE ISSUED BY CQMS LTD ONCE THE APPROVED CODE OF PRACTICE HAS BEEN PUBLISHED AND REVIEWED.

RECENT PROSECUTIONS:

YOUNG WORKER KILLED

A young factory worker, David Bail, was crushed to death after safety equipment on a stone cutting machine was switched off.

Mr. Bail suffered massive head injuries when he was crushed by the stone cutting machine in 2003. The automated machine had light sensors around it which would stop the machine if the continuous beam was broken. It had hinged guards that, if lowered when the machine was working, would break a circuit and stop the machine. An inquest heard that both of these safety devices were bypassed because stopping the machine and re-starting the programme would take time and cost money.

The company boss, Michael Shaw, was found guilty of manslaughter but escaped with a two-year suspended sentence.

COMPANIES FINED AFTER WORKERS LEG CRUSHED

Aggregate Industries UK Ltd (Bardon Contracting division) and Tripod Crest Planing Ltd were each fined £25,000 after pleading guilty to breaches of the Health and Safety at Work etc Act 1974.

The incident occurred in early 2003. A Bardon Contracting employee, Mr. Bood, was marking a driveline on the road surface for the Tripod Planing machine to follow. With his back turned, he did not see a lorry reversing towards him. The lorry ran over Mr. Bood's leg causing severe crushing injuries.

HSE Inspector Alec Ferguson said: "Despite both Bardon and Tripod having recognised the risk of injury from reversing vehicles, and taking account of this in their method statements, the visiting lorry driver received no site induction about safe reversing from either company on site."

FIRMS FINED FOR LIFT SHAFT FALL

Lifting firm BDC (Morley) and Yorkshire Newspapers have each been fined £10,000 plus £2,210 costs after an employee of BDC was injured after falling down a lift shaft last October.

The injured man was dismantling a lift shaft at the Yorkshire Newspapers office when the metal plate he was using at the top of the shaft as a working platform gave way. He fell 5.5 metres to the ground floor which resulted in broken ribs, a broken leg and severe bruising.

HSE Inspector Andrea Lowe said: "This accident was entirely foreseeable and preventable. A suitable risk assessment should have identified a safe means of working at height. Dismantling any structure whilst working at height is a particularly hazardous activity. As a result it is fully covered by specific regulations requiring detailed assessment and planning."

SOURCES: HSE/HSC WEBSITE, ROSPA PUBLICATION (SAFETY EXPRESS), CRONER HEALTH AND SAFETY MANAGER BRIEFING, TRADE PUBLICATIONS. ALL INFORMATION DETAILED IS TO PROVIDE GUIDANCE ONLY.