



News from



Award Health & Safety Ltd

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## Shell lands record £300,000 fine under Fire Safety Order

Oil giant Shell has been fined **£300,000** for breaches of the Fire Safety Order (FSO) after an investigation into two small fires at its London headquarters revealed "extensive breaches". The fine is the largest ever imposed under the FSO.

London Fire Brigade (LFB) officers carried out an inspection of the Shell Centre on York Road in London SE1 on 12 January 2007 after two small fires occurred there in the space of three weeks at the end of December and in early January.

Officers found blocked escape routes, defective fire doors and excessive fire loading (combustible materials such as furniture) due to refurbishment of the upper floors in the Shell Tower. The LFB issued a Prohibition Notice, stating that only people involved in putting right the breaches could enter the Shell Tower and basement levels; no employees or members of the public were allowed access until these areas were deemed safe to occupy. The notice was lifted on 15 January after a further inspection revealed the problems had been resolved. LFB officers also discovered that Shell's fire risk assessment had not been reviewed since March 2003. The 2003 assessment had identified some of the issues uncovered after the fires, but the fire precautions had been allowed to deteriorate for more than three years. LFB assistant commissioner Steve Turek noted that "had it not been for the fires which led to the inspection, it could have been considerably longer" before Shell acted on the findings of the 2003 assessment. The LFB said that a new risk assessment should, on average, be updated every year. Shell International admitted three breaches of the FSO: failure to review the fire risk assessment, contrary to Article 9(3) of the Fire Safety Order; and two counts of failing to maintain premises and equipment efficiently, contrary to Article 17(1) of the Order.

On 2 June 2009 at Inner London Crown Court Shell was fined **£300,000** plus **£45,000** costs.



### Health & safety guidance to be free online

Authoritative guidance about how to protect employees from workplace dangers is to be given away free by the Health & Safety Executive (HSE).

From September 2009 around 250 priced publications that contain health & safety advice and guidance will be made freely available from HSE's website in PDF format to view and print.

The publications cover the full range of HSE's guidance as well as approved codes of practice (ACOPs) and guidance on regulations.

HSE said it was making the information available to help employers better understand their legal duties and what health & safety precautions they need to take, and to help safety representatives in maintaining and improving health & safety in the workplace.

Those that wish to will still have the option to buy professionally produced printed version from HSE books.

Although the publications will be made freely available online, Crown copyright will still apply and organizations wishing to reproduce the information will still need an appropriate licence from the Office of Public Sector Information (OPSI).

### Burning questions.....

As the sun has finally arrived and temperatures rise, are companies ready to protect outdoor workers from the effects of the sun?

The rules of sun safety:

- ◆ Cover up :- workers should wear light-weight clothing
- ◆ Slap on sun cream :- at least SPF30 sun protection on exposed skin
- ◆ Wear a hat
- ◆ Find shade :- create or find shade for your workers and encourage them to use it, especially during breaks
- ◆ Water :- employees should drink water regularly to prevent dehydration



### Welder falls during roof construction

A workman suffered serious injuries after falling 3.5 metres from a roof during the construction of an acoustic booth.

Kevin Cooke, 40, was working as a fabricator welder at a ventilation-installation and steel-fabrication company in Coventry, when the accident took place on 2 December 2008. He was attempting to install a roof on to an acoustic booth, which acts as a housing unit to reduce noise emitted from electric and heating pipe-work at industrial plants.

A forklift was used to lift metal sheeting on to the roof, where Mr Cooke was kneeling in order to drill and bolt the sheets in place. During this process his drill broke, causing him to jolt forwards and lose his balance. He fell to the ground and hit the open door of the booth during the fall. One of his colleagues called for an ambulance and he was taken to hospital for treatment for a fractured left wrist, two broken fingers, and damage to his eye socket. Owing to the severity of his injuries he was unable to return to work for more than four months.

His employer, Thornett Mechanical Services Ltd, appeared at Coventry Magistrates' Court on 13 May and pleaded guilty to breaching reg.4 of the Work at Height Regulations 2005, for failure to plan or supervise the job, and reg.6(3) of the same legislation, for failing to take suitable measures to prevent the accident. The company was fined £2500 and ordered to pay £2151 in costs.

In mitigation, the firm said it had no previous convictions and has subsequently installed guardrails on the roof of the booth, to prevent workers from falling.

HSE inspector, Pam Folsom, said: "Thornett Mechanical Services Ltd failed to carry out a risk assessment, or plan a safe system of work. This could have involved fabricating the roof at floor level and lifting it into position so that the perimeter fixings could then be undertaken from the tower scaffold, or erecting edge protection around the roof's perimeter as the tower scaffold only covered the width of the booth." "The injured man had not been trained to work at height and his supervisor had not been trained to conduct risk assessments. Furthermore, the supervisor had not done any work-at-height training himself."

She continued: "Such failures are unacceptable, especially as HSE has published a wealth of advice and guid-

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### Seven rule breaks cost company £42,000

An imports and exports company has been fined **£42,000** after admitting to seven violations of safety regulations at Dudley Magistrates' Court.

The breaches at the A K International warehouse in Brierley Hill near Dudley in the West Midlands came to light following reports of collapsed racking.

Environmental health officers from Dudley Council visited the site and discovered a catalogue of safety contraventions. The company had ignored a previous Prohibition Notice that banned the use of the badly damaged pallet racking until it was repaired. It had also failed to comply with two Improvement Notices relating to the safe storage, manual handling and transport of products.

During the investigation, council officers also discovered that the firm was not operating a safe system of work and had failed to carry out a risk assessment for the racking.

AK was fined £20,000 for failing to comply with a Prohibition Notice, £20,000 for failing to ensure staff safety, and £2000 for not risk assessing and maintaining the racking. The court also ordered the company to pay £3617 in council prosecution costs.

### Myth of the month

#### Myth: You can't wear flip-flops to work

#### The reality

During the summer, many of us think about wearing sandals or flip-flops to work to help us stay cool. Despite recent reports to the contrary, health and safety law doesn't ban them.

However, slips, trips and falls do account for about 30% of all workplace accidents, and what you wear on your feet can make a difference. So, if you work somewhere where the floor can't be kept dry or clean then wearing shoes that fit well and have a good grip would be a better choice than flip-flops.

