



News from



Award Health & Safety Ltd

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Accident rates and absence down again

Major and fatal injury rates for UK workers fell again in 2008-09, giving the HSE more confidence it will meet its government target of a 10% reduction over 1990 levels by next year.

New figures released by the executive show the rate of major injuries was 105.1 per 100,000 employees, down from 106.7 for 2007-08. There were 7000 fewer major injuries reported than in the previous 12 months and the number of fatalities fell from 239 to 180. The number of days lost to injury and ill health reported by workers in the government's quarterly Labour Force Survey (LFS) also declined steeply last year, from 34 million to 29.4 million, reversing a sharp increase a couple of years ago. The HSE is now confident of meeting its target of a 30% cut in the total by 2010.

The third improvement target in the 10-year-old Revitalising Health and Safety strategy is self-reported ill-health, for which the goal is a 20% reduction. A marginal reduction in the last year means the HSE believes it will probably miss the 2010 target.

"Our current assessment is that we are going to be close to the 20% target for ill health but not quite meet it," said HSE senior statistician Kate Sweeney, "but we think it will be very close."

The HSE's new strategy, finalised earlier this year does not set any targets similar to those in the Revitalising document.

The HSE's latest statistics also show a slight rise in formal enforcement activity last year. It prosecuted 600 cases against dutyholders for health and safety breaches (gaining convictions in 91% of them), up from 565 in the previous 12 months. Inspectors served 8054 enforcement notices on employers, compared with 7758 in 2007-08. This is still well below the annual average of more than 1000 notices in the first half of the decade. **More detail is at www.hse.gov.uk/statistics.**



Company owner cut safety corners to save money

The owner of a demolition firm ignored the advice of an HSE inspector and continued to use an unsafe method for working at height, which resulted in a labourer falling through a roof.

Norwich Magistrates' Court heard that Tim Philpott, trading as Philpott Demolition and Recycling, had been contracted to demolish an aircraft hanger at the former RAF Watton site in Norfolk. A HSE inspector visited the site on 21 March 2007 and found workers removing tiles from the roof of the hanger by cutting holes in the roof and dropping the tiles into a bucket, which was sitting on the platform of a telehandler.

The inspector told Philpott that this was an unsuitable method for working at height, and advised him to provide a tower platform, or a cherry-picker for the workers to stand on to continue the job. Following the visit Philpott amended the method statement, but work continued without incorporating the inspector's recommendations. On 20 April, one of his employees, Gediminas Vasiliauskas, was using a saw to remove the tiles when he fell through a hole in the roof, landing on a concrete floor, three metres below. He suffered a broken spine and had surgery to insert a metal disk into his back. He has also lost his sense of taste and smell, and was unable to return to work for more than a year. HSE inspector Nicola Surrey told SHP:

"Mr Vasiliauskas was lucky to survive this incident, which could have been avoided if his employer had taken the recommended precautions to ensure his employees' safety.

Philpott attended court on 22 October and pleaded guilty to breaching s2(1) of the HSWA 1974. He was **fined £7500** and no costs were awarded.

Restaurant manager convicted of 10 fire offences

The former manager of a Chinese restaurant must pay £7052 after he admitted 10 offences under the Fire Safety Order (FSO).

Wei Chen was running Kan's Chinese and Thai Cuisine in Islington in London when London Fire Brigade (LFB) inspectors visited the premises on 11 June 2007 and discovered it did not meet fire safety requirements. No one had done a risk assessment, there was no fire warning system or fire exit signage, and staff were not adequately trained.

Inspectors issued Chen, as the responsible person under the FSO, with an enforcement notice requiring him to remedy the problems by 11 April 2008. But when they returned to check compliance on 29 April, they found exactly the same breaches.

On 26 October 2009, Highbury Corner magistrates fined Chen **£1300** with costs of **£5752**. The FSO charges included failing to provide an appropriate fire alarm system, as required by article 13(1); not having a suitable and sufficient risk assessment, contrary to article 9(1); and not ensuring people could evacuate the premises as quickly and as safely as possible, as required under article 14(2)(b). He also admitted failing to comply with an enforcement notice.

"Knowing about fire safety is not an option if you are the responsible person, it is a necessity," warned LFB assistant commissioner for fire safety regulation Steve Turek.

Under the FSO, the responsible person in a premises - who might be the employer, someone in control of the premises (as occupier or otherwise) or the owner - has a range of duties. These include assessing the risks from fire, acting to minimise the risk, and implementing precautions to protect people.



Seven-year-old died in roof fall

A seven-year-old child's fatal three-storey fall at a refurbishment site has resulted in the HSE successfully prosecuting builder Lovell Partnerships. The company has been fined £75,000.

The child fell around 8 metres off the flat roof of a block of flats Lovell was refurbishing in Washington in Tyne and Wear. He had gained access to the roof via scaffolding that the builder had left up on the flats for too long.

The scaffolding was an appropriate method for working at height but the job could have been completed in a shorter time and the scaffolding removed. Instead, Lovell left the structure in place and effectively unattended for up to 12 days when it need not have been there.

Though the firm had removed the lower ladder to prevent access, **people could still jump onto the structure from balconies either side or by climbing up the first section of scaffold.** Local children took advantage of this to get onto the roof of the building three floors up, where they made a den. On 23 April 2006, a seven-year-old boy fell to his death from the roof. London-based Lovell Partnerships admitted failing to protect the safety of the public, contrary to Section 3(1) of the Health and Safety at Work Act. At Newcastle Crown Court on 10 November, Judge Esmond Faulks fined it £75,000 and ordered it to pay £46,109 costs.

After the case, HSE principal inspector Rob Hirst reminded contractors that building sites have always attracted children of all ages, who often see them as exciting places to play. In 2006-07, one child died and 30 children aged 15 and under were seriously injured in the construction sector. Last year, 28 children suffered serious injuries.

Award's New website coming soon!

Towards the end of Dec 2009 Award Health and Safety Ltd will be launching a new and improved web presence to help our existing and future clients.

Our website has been professionally redesigned and lots of new content added to provide more comprehensive information.

As well as more details about our products and services, there is specific information on things such as the sectors we service, our quality standards and our health & safety courses. We hope you find the website easy to use and its content helpful and we value your feedback on the new design. **Watch this space for an exciting competition based around our new website.**

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Uneven floor costs Poundland equivalent of 14,000 items

Discount retail chain Poundland has been fined £14,000 after a pensioner fractured her wrist when she fell over damaged tiles at its Middlesbrough store.

The 65-year-old was about to leave the shop when she tripped on an uneven area of broken floor tiles, breaking and dislocating her wrist.

A Middlesbrough Council investigation found that the company had failed to maintain the shop properly. **"They had been aware of the damaged and missing tiles for a period of 10 months prior to the accident"** said the council's principal environmental health officer Philip Slack.

At Teeside Magistrates' Court, Poundland admitted two breaches of the Health and Safety at Work Act, and was fined £14,000 with £2505 costs.

A Poundland spokesperson said this is the first time the company has been prosecuted for health and safety offences and, as a result of the accident, the store has reviewed all of its health and safety procedures.

Myth of the month

Myth: Health and safety rules stop classroom experiments

The reality

Hands-on lessons are an essential part of learning. They bring science to life and also teach kids how to handle dangerous substances

safely.

Classroom demos can be spectacular -

just ask HSE Chair Judith

Hackitt. Earlier this year

she 'set her hands alight' -

safely - to show science

and sensible risk management in action!

There's no reason why health and safety should stop schools carrying out science experiments.

They can help children learn how to manage risk - and all that's required in most cases are a

few sensible precautions.

