



News from



Award Health & Safety Ltd

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RIDDOR changes come into force this April

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR)

Change – 6 April 2012

From **6 April 2012**, subject to Parliamentary approval, RIDDOR's over three day injury reporting requirement will change. From then the trigger point will increase from over three days' to over seven days' incapacitation (not counting the day on which the accident happened).

Incapacitation means that the worker is absent or is unable to do work that they would reasonably be expected to do as part of their normal work.

Employers and others with responsibilities under RIDDOR must still keep a record of all over three day injuries – if the employer has to keep an accident book, then this record will be enough.

The deadline by which the over seven day injury must be reported will increase to 15 days from the day of the accident.



The New Business Award Excellence Award's 2012

Award Health & Safety Ltd are very proud to announce that the company has been short-listed for the 3rd year in row for the **"Small Business of the Year 2012"** in the News Business Excellence Awards. Our MD **Chris Ward** has also been short-listed in the category for the **"Business Personality of the Year Award"** a category that we are sure, if you know Chris or have been trained by him, reflects the good work carried out by Chris in the pursuit of making Health & Safety accessible to all in a manner which is both fun and is based on sound common sense and good advice.

Since the first event in 2003 The News Business Excellence Awards night has grown into the biggest celebration of its kind on the South Coast.

In January 2011 over 479 local business people gathered at Portsmouth Guildhall, generating an electric atmosphere as dozens of trophies were awarded.

The 2012 event takes place at The Guildhall on **10th of February**. The night will give local companies the opportunity to promote their corporate services to new and existing clients, in relaxed and enjoyable surroundings in a venue packed with figures from the business community, dignitaries, reporters and photographers.

Watch this space we will let you know how we get on.

Fast food restaurant fined for 'complete disregard' of fire safety law

A Salford takeaway has paid **£13,000** after pleading guilty to nine offences under the Regulatory Reform (Fire Safety) Order 2005.

Delicious Foods Ltd of Liverpool Road, Eccles pleaded guilty to the offences at Manchester city magistrates court on Friday 6 January. Breaches included failing to carry out a suitable and sufficient fire risk assessment, failing to provide a suitable escape route, and failing to provide a fire alarm or warning system in case of fire.

"On inspecting the building, it was found that the upper part of the premises was being used as a sleeping area and for general accommodation purposes," said Peter O'Reilly, director of prevention and protection at Greater Manchester Fire and Rescue Service.

"The only escape route from the upper floors was a single staircase which led into the commercial kitchen. There was no evidence of any system to raise the alarm in case of fire. Nor was there any emergency lighting present and the fire extinguishers which were there had not been properly maintained.

"Due to the lack of fire resistance to the staircase, and the cooking processes used, any fire would develop rapidly and spread into the staircase - it essentially becoming a chimney filling with very hot, toxic smoke - thus preventing anyone on the upper floors from escaping safely from the premises."

Workman struck by Reversing Vehicle

Jury hears of precautions required to manage vehicles on shop project

The Lancashire Evening Post has [reported](#) that an inquest at Preston Coroner's Court heard HSE investigators reveal that "procedures were not in place to keep vehicles separate from pedestrians" on July 10th 2010.

Deputy Coroner Simon Jones heard how Carl Green, aged 45, was working on a construction project to open a Costa Coffee shop inside the Odeon cinema on Preston dock when he was struck by a Citroen Relay van. A post-mortem examination revealed he had died of 'multiple crush injuries'. The vehicle was being [reversed](#) by Michael Hoyle, who was working on the site as a floor layer. Mr Green said he repeatedly checked his mirrors before pulling out, adding:



"I had to pull forward so I was more in line, so that I could reverse back. I checked for pedestrians as I pulled forward, checking both sides. I was checking the left and right hand mirrors. It was about 100 yards then I heard a bang.

I stopped the van and I heard Mr Harrison (site foreman) shout: 'It was Carl'. I got out the van and I saw Carl trapped underneath. I got under the van and held his head and tried to calm him down."

HSE issued a prohibition notice after the incident banning vehicles from the pedestrianised area.

HSE investigator Steven Parncutt told the jury that on projects where vehicles could come into contact with pedestrians [precautions](#) should be taken. The vehicles should ideally be removed, or if not segregated adding that:

"absolutely minimum is providing a banksman as an operative who will assist moving vehicles at walking pace."

The jury returned a verdict of accidental death.

Liverpool businessman fined £112k over roof fall death

A Liverpool businessman has been fined £112,000 after a labourer died following a fall from the roof of an industrial unit, just months after another worker was injured in a fall at the same site.

John McCleary fell 15 feet while fitting roof panels at a construction site in Toxteth being managed by Taj ul Malook Mann. He lost his balance while on a narrow beam he was using as no scaffolding had been erected. The 51-year-old father-of-two, from , was paralysed

from the waist down and died of pneumonia just over seven months later as a result of his injuries. Mr Mann was prosecuted by the Health and Safety Executive (HSE) following Mr McCleary's death.



Liverpool Crown Court heard Mr Mann had hired Mr McCleary to fit roof panels on an industrial unit he owned in High Park Street, Toxteth. But no scaffolding was supplied and Mr McCleary had to carry out the job while standing on four-inch wide steel beams, leading to him losing his balance and falling.

Taj ul Malook Mann, of Queen's Drive, Liverpool, admitted four breaches of health and safety regulations after failing to take steps to prevent a fall which could have resulted in injury, and failing to ensure that work on his site was being carried out safely. He also did not fulfil his legal duty to report the incident to HSE.

He was fined **£112,000** and ordered to pay **£19,331** in prosecution costs on 13 January 2012.

Speaking after the hearing, the investigating inspector at HSE, Kevin Jones, said:

"Property developers must understand that health and safety rules need to be adhered to at all times, regardless of how small a project may be." As the project manager at the site, Mr Mann was in charge of buying in materials and employing people to carry out work, but he completely failed to take any steps to protect his workforce. John McCleary was balancing on narrow beams with absolutely nothing in place to stop him from falling.

Roofer more concerned about beating the rain than safety

A roofer has admitted putting workers and members of the public at risk, after being spotted working on a roof without any fall protection by a passing HSE inspector.

Burnley Magistrates' Court heard that Ross Singleton, who trades as Ross's Roofing, and two other workers were carrying out roof repairs at a hairdressers in Colne, Lancashire, on 24 May 2011.

HSE inspector Jacqueline Western was passing the salon and noticed that there were no safety measures in place to prevent the workers from falling. Singleton had also failed to take precautions to stop debris from dropping on to the busy pedestrian footpath below.

Inspector Western took pictures of the men working and then ordered the work to stop immediately. She issued a Prohibition Notice to Singleton, which required the work to stop until edge protection was installed.

When she returned to the site later in the day, she found that Singleton had ignored the enforcement notice by continuing with the repairs without properly addressing the unsafe method of work. Singleton appeared in court on 12 January and pleaded guilty to breaching reg.6(3) of the Work at Height Regulations 2005, and s33(1)(g) of the HSWA 1974, for ignoring an enforcement notice. He was fined £350 and ordered to pay £300 in costs. In mitigation Singleton said he hadn't considered the roof to be high enough to need edge protection. He explained that following the issue of the Prohibition Notice he erected a tower scaffold to finish the work, which he accepts did not have edge protection. He told the court that his priority on the day was to finish the work before heavy rain began.

Speaking after the hearing, **inspector Western said:** "Ross Singleton and the two other men were working nearly three metres above the ground – a height that could have resulted in a serious injury if any of them had fallen.

"He should have treated the Prohibition Notice as a formal warning and stopped work until safety measures, such as guard rails, were in place. Instead, he ignored the notice and has found himself in court as a result.



Company didn't call ambulance for worker with broken neck

A logistics firm has been ordered to pay over **£100,000** in fines and costs for failing to adequately train or monitor a forklift driver who suffered a broken neck when a computer cabinet he was moving fell on him.

Stafford Crown Court heard that Barry Hill, 60, has been left permanently disabled following the incident at Palletways (UK) Ltd's distribution centre in Fradley, West Midlands.

On 22 August 2008, Mr Hill was using a forklift to move a number of faulty computer cabinets from a storage area to a trailer, so they could be returned to their manufacturer. He attempted to secure the cabinets to pallets with shrink wrap before transporting them to the trailer. Having placed three of the cabinets on the trailer, he withdrew the forklift but noticed that one of the units was rocking. He rushed out of his vehicle and tried to catch the cabinet as it fell, but it was too heavy and he was knocked to the ground. A trained first-aider assessed Mr Hill but did not recognise the seriousness of his injuries. Nobody called an ambulance and instead the first-aider drove Mr Hill by car to a hospital, where he was diagnosed as having suffered a broken neck and wrist. He spent six weeks in hospital and 14 weeks in halo traction. He has been unable to return to work owing to his injuries and still suffers from discomfort in his neck.

The HSE's investigation found that there was no risk assessment in place for this specific task. There was no formal training programme in place for lifting and securing items, and Mr Hill had been trained by a colleague who himself had not been assessed to ensure he was competent to provide training. HSE inspector Lyn Spooner revealed that the company had also failed to supervise the work and, had it done so, it would have identified that Mr Hill didn't know how to adequately secure the items with shrink wrap. She said: "This was a preventable incident that could easily have resulted in death, or paralysis.

"Any company that carries out lifting operations must assess the risks thoroughly, especially the need for proper training and supervision. There is no excuse for failing to do this, especially as free guidance is available from HSE."

The inspector was similarly critical of the firm's efforts in dealing with the incident. She said: "There was also a string of management failings in dealing with Mr Hill when he reported the incident. It was clear that he had suffered a head injury and Palletways (UK) should have treated this as a very serious incident and called an ambulance immediately."

Palletways (UK) Ltd appeared in court on 9 January and pleaded guilty to breaching s2(1) of the HSWA 1974. It was fined **£60,000** and ordered to pay **£41,339** in costs.