



Welcome to our Health, Safety & Environmental news bulletin. Please take the time to read through the articles below and circulate to any person or organisation who you feel would benefit from this advice.

Notices issued by the HSE Construction Division Leeds

1st April '10 to 31st December '10 inc

Below is a summary of the Enforcement Action taken by the Health & Safety Executive Construction Division from the Leeds office during the first nine months of their 2010/11 reporting period.

Falls from height account for a very large percentage of deaths in the construction industry despite there being very specific regulations, and a plethora of guidance documents on working at height. Despite this we can see that yet again it is the area where most enforcement action has been taken. Not surprisingly the HSE have been specifically targeting this area for their unannounced inspections during 2010, and more than likely will do this year.

What is interesting to note is that breaches of the Construction (Design & Management) Regulations 2007 have featured heavily in the statistics, with twenty-one notices being served in the West & North Yorkshire region thus far. The message is clear that clients and contractors cannot ignore their statutory duties under the CDM2007 Regulations.

Key: PN = Prohibition Notice, IN = Improvement Notice

Work at Height

23 PNs & 2 IN served for infringements such as:

- Lack of fall prevention on scaffold platforms;
- Suitable and sufficient measures have not been taken to prevent persons falling;
- No edge protection or alternative fall prevention equipment;
- Suitable and sufficient measures have not been taken to prevent persons falling through voids roofs;
- Scaffolding not secured or tied to building nor securely footed;
- Scaffold has been erected by persons not trained in scaffold erection;
- No way to determine what the load capacity of the scaffold where materials were being stored on the scaffold;
- Ladder access was not appropriately secured;
- Inadequate scaffold which abutted the pavement – no toe boards or guard rails;
- Gaps in the platforms large enough for a person to fall through;
- PN's served on each of 3 partners in a business who allowed demolition works to be carried out in an unplanned manner, especially in relation to work at height and falling objects;
- Installing lead flashing by laying on a pitched roof instead therefore not using suitable method of preventing serious personal injury; and
- Tower scaffold not erected correctly and did not have suitable edge protection.

Control of Asbestos

5 PNs & 1 IN– served for infringements such as:

- Suspected asbestos material being stripped out of the basement and piled up in the street;
- Asbestos supervisor could not supervise the works adequately due to a lack of clear vision of the working area;

- Lack of current medical certificate for an operative who was working in an enclosure;
- Not taken suitable precautions to prevent the spread of asbestos dust outside the working area; and
- Work was taking place in hot conditions in a live plant room and there is a risk of heat stress / heat stroke affecting the workers.

Excavations

3 PN & INs served for infringements such as:

- Risk of serious personal injury and risk of being buried or trapped by the unsupported excavation collapsing;
- Excavation approximately 3-4 metres deep was not shored up and no structural engineer's report to show the excavation is stable and will not collapse; and
- Work within 3 metres of the unsupported cutting on the left of the main road without a safe method of work meaning persons could be injured as a result of a collapse of the unsupported earth / ground because all practicable steps have not been taken to prevent this.

CDM

4 PN & 17 INs served for infringements such as:

- Failed to ensure that adequate welfare facilities were provided sufficient to comply with the requirements of Schedule 2;
- Emergency action plan including procedures for evacuation not prepared;
- No written demolition plan for the works as required under Regulation 29;
- Demolition contractor carrying out the works without the supervision of a suitably qualified structural engineer;
- Construction work had begun without appointing a CDM-C and without appointing a Principal Contractor;
- Design work was carried out without taking adequate steps to avoid foreseeable risks to persons carrying out construction work or those who would be involved in maintaining the permanent fixtures;
- Client did not ensure the Principal Contractor had prepared a construction phase plan before starting on site;
- Client was not aware of his duties under the CDM 2007;
- Reasonable steps have not been taken to prevent access by unauthorised persons onto the site.
- Construction Phase Plan not prepared; and
- Not taken suitable and sufficient steps to prevent damage or disturbance to underground services thus leading to a gas pipe strike.

POWER / LOLER

5 PN & 4 IN– served for infringements such as:

- No suitable and sufficient assessment of the risks to the safety of employees had not been made to identify the preventive and protective measures needed to ensure their safety;
- Not providing such information, instruction and training as is necessary to workers operating concrete pumping machinery;
- JCB JS130 360 degree excavator operated with no rear visibility aid;
- Risk of overturning dumpers and other plant working close to an embankment and risk of collapse of the top of the embankment due to weight of plant;
- Person operating a 360 degree excavators without having received adequate training;
- Person operating a hired cherry picker had not received any training; and
- Lifting operation not properly planned by a competent person.

Enforcement action can prove very costly to a project not only in time and money, but just as importantly in loss of reputation and credibility within the industry. Prevention is always the priority, especially where lives are at risk.

Should you require any advice on any of the above topics please do not hesitate to contact one of our health & safety professionals on 0113 3916800. Or e-mail christopher.thomson@aecom.com with any questions.