



# Safety Update

## Working at Height

Summer 2011

**Our feature in this issue of Safety Update is Working at Height—an area of safety that is rife with misunderstanding and which affects every workplace at some time.**

### What's the problem?

More than 4000 people suffer major injuries from falls from height at work each year and they cause more than 20% of workplace injuries. The Health and Safety Executive (HSE) has to stop work at sites on a weekly basis because basic safeguards are being ignored.



### Surely though I only need be concerned about work above 2 metres?

No. The Work at Height Regulations (WAHR) introduced in 2005 apply to all work at height where there is a risk of a fall liable to cause personal injury. That's because analysis of accidents showed that the majority of major injuries occur from falls below 2m. One view of the changed regulation is that much of the construction industry had adequately controlled work at height while it was smaller employers in other sectors who overlooked the hazards. All industries have office staff—how often might they use a chair to reach a high object for example and how often has their

employer considered this risk? It's clear then that the requirements of the regulations are of concern in every workplace.

### OK, so what do I need to do?

Many of the requirements of the WAHR are not new and reflect longstanding good practice in the construction and other industry sectors. The actions required will depend on a risk assessment of the task.

The regulations specify a hierarchy for risk control to be considered during risk assessment. The hierarchy means that you need to

consider matters in this order of priority:

**\* Avoid work at height where possible** (if you don't have to go up there then don't) - this could be as simple as in an office storing all materials within reach from ground level. Long handled tools might provide a solution while in warehouses dropping stock to ground level with a fork truck for stock checking is the preferred approach.

- **If work at height is required, prevent falls** - often work at height can be carried out with no realistic risk of a fall by using work equipment designed for that purpose e.g. tower scaffold, work platform with edge protection etc

**\* Mitigate the consequences of a fall** (that is have measures in place to arrest a fall should one occur) - there are operations where scaffolds or platforms are not feasible to use. In these cases a fall could occur and therefore measures such as airbags or personal fall protection systems should be utilised.

The hierarchy also requires that

at each stage collective protective measures be given priority over personal ones, so that for example in principle equipment such as MEWPs (cherry pickers) or scaffolding should be used in preference to personal fall protection systems.

### What else do I need to do?

Above all—PLAN. Carry out a risk assessment and train your staff to risk assess. Follow the hierarchy and try to avoid working at height. Where work at height is required then select the correct equipment. Again staff training is essential for them to make the correct choice.

Equipment used for working at height must be correctly used and inspected for defects before use. Only staff who have received adequate training will be equipped to approach these requirements with confidence.

### Can I still use ladders?

Yes. However, the HSE believes that ladders should only be used as work equipment for access or as a place to work if a risk assessment has shown that the use of more suitable work equipment is not necessary through low risk, short duration or access difficulties to the work location. If you use ladders, a ladder stabilising device costing around £60 may prove a useful investment.

**NWMS provide work at height training. We specialise in tailored safety solutions for small and medium-sized businesses. Make sure your staff know what to do, give us a call today.**

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**All change at HSE as “low risk” premises to receive far fewer inspections and phone advice line to cease**  
**Policy shifts continue apace at the HSE as a result of the change of Government and the Young Review (see Autumn 2010 issue of *Safety Update*).**

HSE has announced plans to:

\* a reduction of 11,000 inspections per year from a number of “lower risk” industries such as transport, electricity generation and certain areas of manufacturing e.g. light engineering.

Controversially the plan also excludes agriculture, quarries and health and social care from proactive HSE inspections, despite these areas being comparatively high risk sectors because *“proactive inspection is not considered a useful component of future interventions.”*

\* with their council enforcement partners reduce workplace inspections of low risk shops and offices by around one-third or 65,000 with the emphasis on reacting to complaints and incidents rather than proactively turning up  
 \* cease the HSE Infoline from September 2011 with the HSE website being the main source of free advice to employers. HSE have also removed all their office telephone numbers from their website.

**So HSE will be less visible and less accessible in future, but if something goes wrong then their costs will be added to all the others that arise with a safety incident (see opposite).**

## News

### **73% of Employees ignorant of safety procedures new survey purports to show**

**A recent survey claims to show that 73% of employees did not know the safety procedures in their workplace while 49% of employees had not seen any written safety procedure documentation.**



Reportedly, only 18% knew about fire safety procedures and only 24% were aware of the location of a first aid kit.

The survey, conducted by a firm of personal injury lawyers, and quoted widely on the internet during July 2011 was not available for the survey or figures to be scrutinised by NWMS. However, our experience would underline that in many companies staff are worryingly unaware of basic safety procedures.

Often this is a result of failing to keep up-to-date as staff change and turnover. In the event of any incident, evidence that the injured party has received these basic pieces of information would be a basic expectation of enforcement authorities.

**Are your staff safety briefing records up-to-date? Our next issue of *Safety Update* will cover Safety briefing made easy.**

### **Beware of the burn**

Summer's here—sort of—and it's timely to recall that more people die of skin cancer in the UK than in Australia—seven each day. Indeed it is the country's fastest growing cancer.

Recent research carried out by at Manchester University and published by the Society of Occupational Medicine have found that construction workers and builders may be up to nine times more likely to get skin cancer, or melanoma, than other workers from a similar background and social group but other outdoor workers would face similar heightened risk.

Therefore, the new campaign from Constructing Better Health to raise awareness of the need to cover skin outdoors and how to recognise the early signs of skin cancer is especially to be welcomed. For a free workplace poster visit

<http://www.cbhscheme.com/Skin-Cancer-Awareness-Campaign>

### **White asbestos definitely a top-level cancer agent**

Sir John Bedington, the Government's Chief Scientific Adviser has re-affirmed that there is no case to demote white asbestos (Chrysotile) to a less-serious category in terms of its potential to induce cancer.

Sir John was asked to carry out a review by the Government last autumn.

2.7 million tons of chrysotile was used before the substance was banned in 1999. It is estimated that at least 500,000 commercial buildings are likely to still contain asbestos.

There is a duty for ongoing management of asbestos where it is present in premises.

**Contact NWMS for assistance.**



## Legislation Alerts

### Consultation on how HSE will charge you in future

You may see less of the HSE in the future (see news section opposite) but when they do appear, have your chequebook to hand.

**HSE is consulting on how it will recover costs where duty holders are found to be in material breach of health and safety law.**

Costs will be recovered from the start of the intervention where the material breach was identified, up to the point where HSE's intervention in supporting businesses in putting matters right has concluded.

The costs are estimated at £133 per hour and could therefore be significant. The consultation suggests £750 if HSE have to issue a letter, £1500 for an enforcement notice that might arise from an anonymous employee tip-off to potentially many thousands for fuller investigations following a reportable accident.

The consultation is about the detail of how to introduce the changes, possibly as early as April 2012. The principle of cost recovery has already been agreed between Government and the HSE.

### Workplace exposure limits set to change for seventeen substances

The Government is set to harmonise the exposure limits for seventeen workplace chemicals with the relevant values in a European Directive.

In most cases the revised exposure limits are lower than those previously set. The new limits are set to apply from 18 December 2011.

NWMS will advise retained clients and review COSHH assessments accordingly

**NWMS specialise in airborne dust and vapour monitoring.**

### Safety Documents online and to hand

**NWMS have launched an online document library to which all retained clients have password access.**

**This library is being added to constantly and is also available to others who sign up for the basic retained adviser package which starts from £10 per month. Call 01257 464940 for further details.**

## Can you believe it?

At **Safety Update** we believe that a picture paints a thousand words. Don't try this in your workplace. Safe electrical work and work at height is none existent. It's a pity this guy didn't consult NWMS first!



**A laminated A4 version of this photo is available to NWMS clients for their safety notice board. Contact details on the back page.**

In the next issue of Safety Update

**Feature: Safety briefing made easy —communicating key health and safety to staff**

*Another crazy safety photo in the Can you believe it? Series*

*.....plus all the latest safety news, court cases and changes to regulations*

## Round-up from the courts

### Reluctance to halt production leads to factory fireball

**A northwest packaging firm with global connections has been fined £90,000 after two workers suffered life-threatening injuries when they were engulfed by a fireball at a factory in Cumbria.**

Gordon Metcalf, 62 from Maryport, and another worker, who has



asked not to be named, were about to clean debris from a damaged fuse box when a ball of fire shot out, setting their clothes alight.

Innovia Films Ltd was prosecuted by the HSE following the incident at the Wigton plant in 2006.

Carlisle Crown Court heard that doctors thought Mr Metcalf was unlikely to survive due to the extent of his injuries. He is still undergoing treatment for his burns, nearly five years on, and will never be able to return to work. His colleague's injuries were less severe and he has now been able to find employment.

The HSE investigation found that there had been a fire in the fuse box during the previous afternoon but live cables had been routed through it so the cooling equipment at the factory could continue to operate.

This meant the company avoided

having to shut down the plant for 36 hours to reset the machines.

When electrician Gordon Metcalf and his colleague, an apprentice electrician, came into work the following morning they were asked to remove the debris from the fuse box and plate over the front to prevent access.

A suitable risk assessment had not been carried out for the work, and the management at the company had allowed the work to go ahead without the electricity supply being isolated.

Mark Dawson from HSE, said: "Two workers have suffered devastating injuries that will impact on them for the rest of their lives. Mr Metcalf has faced a long painful recovery and still requires treatment.

"It was an astonishing decision to allow work to go

ahead without the live electricity supply being switched off, and even went against the company's own work procedures.

The company which employs 850 people at the site, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 by putting workers' lives at risk. The company was ordered to pay £26,790 towards the cost of the prosecution in addition to the fine of £90,000 on 18 July 2011.

### Lancashire HGV repair goes badly wrong as fitter falls from height

**A Blackburn truck firm has been sentenced after one of its employees was badly injured when he fell from the roof of a lorry cab.**

JDS Trucks Ltd, which sells and repairs heavy goods vehicles, was prosecuted by the HSE following the incident at its Forrest Street garage in December 2009.

The 47-year-old fitter from Darwen fractured his hip and left elbow after

he fell three metres while trying to step onto a ladder from the top of the cab. The worker, who has asked not to be named, needed four months off work to recover.

Accrington Magistrates' Court heard that he had climbed onto the roof to assess whether a wind deflector needed to be fitted. But the ladder had not been secured and no one else was there to help him.

JDS Trucks Ltd pleaded guilty to two breaches of the Work at Height Regulations 2005 and one breach of the Management of Health and Safety at Work Regulations 1999 and was fined £9,900 and ordered to pay £4,613 towards the cost of the prosecution in June 2011.

Speaking after the hearing, HSE Inspector Shellie Bee, said:

"JDS Trucks simply didn't think about the risks the worker might face if he climbed onto the roof of the cab using a ladder, and put his life in danger as a result.

"Since the incident, the company has upgraded its gantry for safe working at height and implemented a safe system of work for fitting wind deflectors."

### Woodworking firm's failure to control wood dust costs £42,000

A woodworking company has been sentenced after failure to control the risks of exposure to wood dust and adhesives at its Southampton plant. Millbrook Furnishing Industries Limited which builds hot tub decking was prosecuted by the HSE for failing to control or assess the substances which are known to cause ill health and severe allergic reactions between August 2006 and April 2008.

The investigation found that local exhaust ventilation was inadequate to control exposure to the harmful wood dust and glue vapours. Protective face masks were provided on the site, however these were not always worn. The company was fined £27,000 with £25,000 costs earlier this summer.

**NWMS can carry out dust and vapour monitoring and advise on local exhaust ventilation.**



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**NWMS specialise in tailored safety solutions to small and medium-sized businesses.**

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