

Firms Must Still Improve Safety as Workplace Deaths Reach A Record-Low

Britain must still do better, despite deaths in the workplace reaching a new record-low, according to the Institution of Occupational Safety and Health (IOSH).

Provisional data released by the Health and Safety Executive (HSE) has revealed that 133 workers were fatally injured between April 2013 and March 2014, compared with 150 people in 2012/13.

It is the lowest annual figure on record, and means the overall rate of fatal injury has dropped to 0.44 per 100,000 workers, compared to 0.51 in 2012/13. Richard Jones, head of policy and public affairs at IOSH, said: "Though the reductions in fatal injuries are very welcome indeed, Britain can and should do better.

"It needs to become completely socially unacceptable for anyone to be killed by work. We particularly need vigilance as the economy recovers and we get more inexperienced workers in the workplace and more industrial activity.

"We must act to ensure that a surge in economic growth isn't accompanied by a surge in injuries and ill health."

The HSE says the provisional figures – which will be finalised in July 2015 – build on Britain's record of consistently having had one of the lowest worker death rates among Europe's leading industrial nations over the last eight years.

In addition to the 133 workers, 70 members of the public were killed in accidents connected to work – excluding railway-related incidents – in 2013/14. Sadly, the statistics also indicate an increase in the number of deaths due to mesothelioma, an asbestos-related cancer, Mr Jones said.

The latest HSE statistics showed the number of mesothelioma deaths increased from 2,291 in 2011 to 2,535 in 2012, with around four-fifths of the deaths involving men.

Mr Jones said: "The 244 increase to the already high mesothelioma death toll is a stark warning of the terrible human cost of failure to prevent asbestos exposure in the past.

"We need concerted and joint action from employers, regulators, professionals and workers to drive down the estimated 13,000 deaths a year from occupational diseases. "We owe it to future generations to avoid the mistakes of the past."

Unions Fear "Privatisation of HSE", The Independent Reports

The Health and Safety Executive is set to bring in bosses from the commercial sector in a move that unions believe could lead to the privatisation of the regulator, The Independent has reported.

Martin Temple's review of HSE this year was critical of the body's fee for intervention (FFI) regime and urged the government to look for ways to make a profit out of other parts of its work.

Some of the recommendations included developing an improved commercial model for the Health and Safety Laboratory, which provides technical support to HSE investigations.

The Independent has quoted an 'insider' from HSE as saying: "The Government is exploring options for the growth of the services provided by HSE and the Laboratory to the outside world.

Some of the work in the coming months will include looking at using external partners overseas and employing people [abroad] on different terms and conditions rather than using a civil servant."

In the Government's response to Temple's review, Mike Penning, minister of state for disabled people, said they intended to "go further" with the recommendations to allow HSE to become "more commercial".

As well as bringing in directors with commercial expertise, this could also include partnering with organisations overseas to help HSE sell health and safety advice to international governments.

Unison's head of health and safety, Tracey Harding, has said that such moves could result in "taking expertise from HSE in order to make money".

HSE has been asked to report in the autumn over the feasibility of charging businesses that want additional visits from inspectors to ensure their safety practices are good enough.

Costain Sentenced for Parkway Telehandler Death

Global engineering specialist Costain Limited has been ordered to pay more than £615,000 in fines and costs after a worker was killed when a telehandler overturned during the construction of the Parkway development in Newbury.

Mark Williams, 41, from Nuneham Courtenay, was using the vehicle to lift a pallet of tiles to a fourth story roof when the incident happened on 20 July 2011.

He tried to flee the telehandler as it began to topple, but he was unable to move away in time and it landed on top of him, causing fatal crush injuries. His death was investigated by the Health and Safety Executive (HSE), which found the safety of the vehicle was compromised by limited space and other obstructions in the area where he was required to work.

Costain Limited, the principal contractor for the Parkway development, was prosecuted for failing to provide a safer system of work.

Reading Court heard during a five week trial earlier this year (from 3 March 2014) that Mr Williams, a married father-of-two, was part of a team responsible for tiling a number of roofs.

He was operating the telehandler with the boom fully raised but not extended. Raising the boom reduced the overall length of the vehicle, however it ultimately caused it to overbalance as it was being turned and manoeuvred.



(Generic Telehandler Photo)

HSE inspectors established that Mr Williams had no option but to operate the vehicle in this way. The space between the buildings where he worked was almost the same length of the telehandler with the boom lowered, and meant he would have had no turning circle.

The court was told the vehicle was not suited for use in this area, and that had the space constraints been properly assessed and a better system of work put in place then Mr Williams death could have been avoided.

Costain Limited, of Costain House, Vanwall Business Park, Maidenhead, was fined a total of £525,000 and ordered to pay a further £90,577 in costs after being found guilty of breaching Sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974, and two breaches of Regulation 3 of the Management of Health and Safety at Work Regulations 1999.

After sentencing HSE principal inspector Steve Hull commented: "This was a tragic and entirely preventable death. Mark Williams was required to use a telehandler that was wholly unsuited to the confined area he worked in.

"He had no option but to raise the boom so he could turn the vehicle, and in doing so he critically undermined the stability, resulting in the inevitable overturn.

"He should have been provided with alternative, more appropriate equipment and a better system of work. Costain had clear responsibilities to ensure that happened, but they failed to properly assess the risks and ultimately failed Mr Williams."

Shenda Long, Mark's mother, added: "I have always felt that I have lived a very privileged and happy life, but all that changed on 20 July 2011 when police officers knocked on our door and informed me that our beloved son had been killed.

"Mark was a loving son, brother, partner, friend and an amazing dad to his two daughters who brought sunshine, happiness, joy, laughter and love into our family.

"Little did we know that fateful day that it would be the last morning we would feel peaceful, happy and complete. How could we know that the simple act of Mark going to work, as he done every day for years, would result in him being killed, and my family's world ending. "Mark was totally let down by the people he worked for and trusted."

Mr Williams' employer, Attley's Roofing Limited, was earlier cleared of identical health and safety breaches at the end of the initial trial on 3 April. The company, of Spital Farm, Thorpe Mead, Banbury, was acquitted after being jointly prosecuted by HSE alongside Costain.

Developer Goes to Prison after Repeatedly Flouting Safety Laws

A developer has been sent to prison for 30 months after repeatedly breaching prohibition notices which were put in place to ensure the safety of workers while redeveloping a former office block in Parkeston, Essex.

The Health and Safety Executive (HSE) visited the site on 28 February 2013 following complaints from local residents worried about debris falling from upper storeys and of the danger to workers being left without any protection from falling while working at height.

Eze Kinsley, the developer who was found to be in control of workers at the site, verbally abused the HSE Inspector who visited. The inspector had to return with Essex police officers later to serve prohibition notices requiring an immediate stop to unsafe work at the site. Mr Kinsley reacted strongly to this, physically assaulting the inspector.

After further reports that work had not stopped, HSE issued a further prohibition notice on 3 April 2013, which was breached within just one hour of being served.



(Generic Construction Photo)

Eze Kinsley, of Edgware, Middlesex, was today (18 July) prosecuted by the HSE at Chelmsford Crown Court for serious breaches of the Health and Safety at Work etc. Act 1974.

HSE's investigation found that there were no safety measures in place to prevent injury to workers from debris falling from height and that there was also a real risk of injury to members of the public using the road and pavement next to the Parkeston House site.

Eze Kinsley, of Burnt Oak Broadway, Edgware, Middlesex, was given a 30 months prison sentence after being found guilty of two breaches of section 3(2) of the Health and Safety at Work etc. Act 1974, to be served concurrently with three 12-month prison sentences after being found guilty of three counts of contravening a Prohibition Notice contrary to section 33(1)(g) of the same Act. He was also ordered to pay costs of £5,000.

Mr Kinsley was found guilty of assaulting an inspector from HSE at a separate court appearance. After the case, HSE Inspector Jonathan Elven, said: "Although no one was injured as a result of the woefully inadequate working practices this is nevertheless a serious case.

"The working conditions on this site were truly appalling with absolutely no provision for workers' safety. In addition, the repeated breaching of prohibition notices – without any attempts to put right the reasons why work had been stopped – put workers and the general public at serious risk.

"Mr Kinsley refused to accept that he had a responsibility to make sure people who worked for him, and any member of the public living or working near his site, were not subjected to unnecessary risks – and vigorously and violently resisted all attempts to make him take actions to protect them.

"Putting safe working practices in place is often simple and inexpensive and, where this doesn't happen, the costs, both financial and personal, can be immense."

HSE Accused of Inadequate Safeguards Against Silica Dust

The HSE has been accused of putting workers at risk of contracting lung cancer and other respiratory diseases because of inadequate safeguards against crystalline silica.



Academics at Stirling University in Scotland have criticised the watchdog over its recommended safe level of exposure to the toxic workplace dust, a powder created when working with bricks, concrete and plaster.

Silica is second only to asbestos as a cause of occupational cancer deaths and exposure can cause a range of other illnesses including silicosis, tuberculosis, kidney disease, chronic obstructive pulmonary disease and arthritis.

HSE has said that technological limitations mean it is impractical to monitor for its presence below the exposure standard, while some industry bodies have argued that the cost of implementing these new controls would be prohibitive.

Professor Rory O'Neill, Stirling University's occupational and environmental health and safety research group and author of a new report on the substance, said: "The HSE says monitoring technology isn't good enough yet to measure low levels of silica dust, so we must stick with the same deadly, higher but measurable standard. It is wrong on both counts.

"Modern science can obtain and analyse dust on Mars. If HSE's science can't obtain and analyse adequately one of the most commonly encountered and deadly workplace dust exposure on Earth, you have to ask who on Earth is the watchdog protecting?"

Professor O'Neill called on HSE to follow the lead of the American Occupational Safety and Health Administration (OSHA), and implement a rule change that would cut the recommended safety level in half. Research professor Andrew Watterson, said: "OSHA says a tighter standard is perfectly possible, can be monitored in the workplace and would save hundreds of lives and billions each year.

"The current lax legal occupational exposure standard in the UK guarantees another generation will be blighted by entirely preventable, deadly and disabling conditions. Yet the HSE is actively promoting an industry-supported but unsustainable argument that the current standard must stay."

A spokesperson for the HSE said: "Health and safety law requires employers to assess the risk of exposure to silica dust in their workplace and prevent it, when prevention is not possible, exposure must be controlled.



"There is a UK workplace exposure limit for silica of 0.1 mg m⁻³, and employers must reduce exposure to below this level. With the required exposure controls in place, silica dust is usually reduced to significantly below 0.1 mg m⁻³. "The advice HSE has received indicates that it is not practical or achievable to consistently and reliably measure real workplace samples of respirable crystalline silica to significantly lower levels.

"This is because the technical samplers currently used suffer from interference and poor precision at these low measurement masses. Measurements below the current WEL would require complex sampling and analysis processes which have not been validated."

Construction Inspections Find Sites Failing to Prevent Health Risks

A national targeted inspection focussing on health risks for construction workers saw enforcement action taken at one in six of hundreds of sites visited.

During a concentrated two-week period of proactive inspections, the Health and Safety Executive (HSE) demanded improvements, and in some cases put an immediate stop to work activities, where they fell short of expected standards.

Inspectors focussed on significant health risk issues, such as respiratory risks from dusts containing silica materials, exposure to other hazardous substances such as cement and lead paint, manual handling, noise and vibration.

Final figures have yet to be confirmed, but conditions were so poor in some situations that the work had to be stopped on at least 13 occasions.

A total of 560 sites were visited and enforcement notices were served at 85 of them. Thirteen Prohibition Notices were served (where certain work or practices must be stopped until improvements are made), and 107 Improvement Notices. A total of 239 health-related Notices of Contravention were served at 201 of the sites.

HSE's Chief Inspector, Heather Bryant, said: "We recognise the construction sector's progress in reducing the number of people killed and injured by its activities. But it is clear from these figures that there is an unacceptable toll of ill-health and fatal disease in the industry.

"So, to encourage the industry to treat health issues in the same way as safety, HSE's inspectors will consolidate the efforts of this initiative throughout the rest of the year by looking at the prevention and control of health risks in construction, alongside their continued assessment of the management of safety risk issues. "We will make sure the construction industry 'Thinks health' as well as safety."