

The Cost of Work-Related Injury and Ill Health – £14.9 Billion and Rising

In 2017, we saw a decline in reported non-fatal and fatal injuries and working days lost due to work-related ill health. So, why has the work-related injury and ill health cost to Britain risen 5.6% – to £14.9 billion?

The cost to Britain's increase is calculated by the rate of working days lost, cost of work-related injuries and illness, and the annual fines sanctioned to businesses for negligence and unlawful practice. In short, businesses that do not have integrated safety procedures in Britain are accumulating this cost. I suggest that businesses should make the outbound cost and invest in implementing safety practices, which will save money, protect business reputation and worker wellbeing in the future, avoiding heavy fines and disgruntled workers.

Sentencing Guidelines and Prosecutions

Employers have a legal obligation to ensure their staff are safe whilst at work, including providing assessments and management of possible risks, supplying information, training and PPE as well as ensuring adequate measures are available if an employee is injured or taken ill at work. In the last two years, new sentencing guidelines have made it tougher and more costly for managers, directors and UK companies to ignore their health and safety obligations.

In 2015/16 prosecutions increased by 6%, with the Health and Safety Executive (HSE), Crown Office and the Procurator Fiscal Service (COPFS) prosecuting 696 cases. In a similar vein, the largest fine in 2016 was two-and-a-half times the size of the largest fine in 2015 and almost ten times more than the largest fine in 2014.

The new guidelines are designed to give courts a more consistent means of passing sentences by taking a step by step approach, first determining the offence category by culpability and harm. The courts must decide level of the defendant's culpability, using a scale of "very high" to "low". They must then establish a harm rating of between 1 and 4 (with 1 being the highest rating) depending on the scale and severity of potential harm. Following the measurement of harm and culpability, the fines awarded to offending businesses is then consequently determined by its annual turnover.

For micro-organisations with a turnover of less than £2 million, recommended fines range from between £50 to £450,000. For large organisations with a turnover of £50 million and above, fines can be between £3,000 and £10 million, depending on the offence.

So, what does this mean for businesses?

With tighter regulations and sentencing guidelines, businesses must be more responsible or face high costs. As an industry we are stomping down on employer irresponsibility, highlighting that health and safety is a business critical issue and must be managed as such. Businesses should look to review their health and safety policies, in order to highlight any concerns and ensure compliance. Integrated safety procedures can save business money, time and unhappiness – a definite worthwhile *and critical* investment.

Competency training is available for those who want to do better – in business and for their workers. Experienced, safety and health practitioners can work with companies to understand what safety looks like for their organisation, which can include looking at brand, reputation, insurance, business continuity and financial wellbeing. For those looking for support, Arco offers bespoke consultancy which can help businesses create a safer work place and be confident that they are getting the best advice. Arco can provide a wide range of accredited health and safety competence training courses which will ensure that all members of the organisation fully understand their health and safety responsibilities.

To conclude, this 5.6% increase highlights a shift in the health and safety industry – and is a huge wake up call for negligent businesses.

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Companies Fined after Scaffolder Struck by Dumper Truck and Killed

Redrow Homes Limited and WPI Civil Engineering Limited have been fined after the death of scaffolder Henry Jones in 2013.

Liverpool Crown Court heard how, on 8 August 2013, 67-year-old Henry Jones was walking across the Redrow Homes construction site in Knotty Ash when he was struck by a reversing dumper truck.

Mr Jones was crushed under the rear wheels of the vehicle and confirmed deceased at the scene. The incident was witnessed by Mr Jones' son who was also working at the construction site.

An investigation by the Health and Safety Executive (HSE) found that Redrow Homes had made no provision to maintain separation of vehicles and pedestrians in the plot where Mr Jones died. It was heard that the traffic management across the entire site was poorly managed and was an underlying cause of the accident.

The investigation also found that sub-contractor WPI Civil Engineering Limited failed to provide a banksman (a person trained to direct vehicle movement), or have any employees on site trained as banksmen, and that the vehicle involved was not fit to be used on site.

Redrow Homes Limited of Ewlowe, Flintshire, pleaded guilty to Section 3(1) and Section 33(1)(c) of The Health and Safety at Work etc. Act 1974 and was fined £500,000 and ordered to pay costs of £101,000.

WPI Civil Engineering Limited of King Street Trading Estate, Middlewich, Cheshire pleaded guilty to breaching Section 3(1) and Section 33(1)(c) of The Health and Safety at Work etc. Act 1974 and was fined £300,000 and ordered to pay costs of £17,000.

Speaking after the hearing, HSE inspector Jacqueline Western said: "This tragic incident was wholly avoidable. Having safety measures to protect pedestrian workers is a basic and well recognised principle of good construction management.

"Mr Jones' death could easily have been prevented if both the principal contractor and the sub-contractor had implemented safe systems of work and ensured that health and safety documentation was communicated and followed."

"Tragically, on this occasion both Redrow Homes and WPI Civil Engineering failed to do this."

IOSH: Employers Have 'Fundamental Duty' to Ensure Health and Safety

Responding to the government's Good Work plan, the Institution of Occupational Safety and Health (IOSH) said there was "a fundamental duty on employers to protect the health and safety of all workers".

The comments followed the announcement about the possible improvements outlined by the government in the plans – including the right to sick pay.

According to IOSH, improved wellbeing, and a reduced risk of stress, are potential benefits from new rights to be introduced in the UK.

Less Presenteeism

The plan also could lead to less 'presenteeism', which is the idea that employees attend work despite being too ill or tired to undertake tasks safely and effectively, IOSH claimed.

In the plan, the government has also pledged to protect worker rights, ensure fair payment and increase transparency in the business environment. It includes enforcing vulnerable workers' holiday and sick pay, a new right to a payslip for all workers, and a right for them to request a more stable contract.

Taylor Review

The official government response has been eagerly awaited since the independent review of modern work practices was published by Matthew Taylor last year. This review made 53 recommendations to balance flexibility and worker protection with the aim to achieve 'good work for all'.

IOSH has previously highlighted issues around modern work practices through its own survey, which showed fewer protections were being offered to non-permanent workers. As a result, many worked when sick, performed unpaid overtime, and did not have a paid holiday.

The institution also called for a 'day-one agreement' – alongside Taylor – which sets out the level of safety, health and wellbeing provision a worker can expect when they begin work in a new business. No discrimination

Shelley Frost (pictured), director of strategic development at IOSH, said: "The UK Government's Good Work plan acknowledges the issues raised in the Taylor Review and recognises that all working people should have the same employment rights.

"There is a fundamental duty on employers to protect the health and safety of all workers.

"Therefore, there should be no discrimination on the grounds of contractual conditions. For example, while zero hours contracts are said to support more modern, agile ways of working, they should not be at the expense of the working conditions of the employees involved.

"There is clear evidence that if businesses do employ consistent standards across the board, they reap the rewards, including better productivity and improved reputation, which helps to attract talent."

Birmingham Contractor Fined £500,000

A principal contractor has been fined after a worker was struck by a tipper truck. North Staffordshire Justice Centre heard how on, 15 October 2015, a ground worker was working on the development site of over 370 houses at Burntwood Business Park.

At the time of incident there were a number of tipper trucks delivering material to the site and various ground workers were directing the drivers to different areas. The injured worker was walking along a haul road in an attempt to attract the attention of a vehicle in another area of the site when he was struck and run over by a tipper truck.

The worker suffered serious injuries including several broken bones in both legs and feet and severe damage to the blood vessels in his legs. His injuries resulted in him having his right leg amputated to the knee over 12 months after the incident.

An investigation by the Health and Safety Executive (HSE) found that there were insufficient protected walkways across the site and that there was no control over access to the site. The investigation also found that there was an accepted practice of walking on haul roads and that there was a lack of an up to date traffic management plan.

MV Kelly Ltd of Tyseley, Birmingham pleaded guilty to breaching Regulation 27(1) of the Construction (Design and Management) Regulations 2015. The company was fined £500,000 and ordered to pay costs of £30,000 with a victim surcharge of £120.

Speaking after the hearing, HSE inspector Katherine Blunt said: "Incidents like this should never be allowed to take place. Construction sites should be organised in a way which prevents pedestrians and vehicles coming into contact with each other.

"This incident resulted in a worker sustaining life-changing injuries and should serve as a reminder to principal contractors of the need to properly organise construction sites to keep workers and members of the public safe."

£160k Fine - Passer-by Hit by Scaffold Clip

A pedestrian was hit on the head by a scaffold clip while he was walking along a London street. The firm involved has been fined after it was found to have ignored its own risk assessments.

Westminster Magistrates Court was told that, on 20 March 2017, the injured person was walking along Upper Street in Islington, London when he was hit on the head by the clip, which fell approximately 20m (60 ft.). He sustained numerous cuts to his head and face, a broken nose and a severely bruised skull.

Alandale Plant & Scaffolding Ltd of Beckenham, Kent pleaded guilty to breaching Section 3(1) of the [Health and Safety at Work etc Act 1974](#). The company was fined £160,000 and ordered to pay costs of £7,059.08 and a victim surcharge of £170.

Speaking after the hearing, HSE inspector Sarah Robinson commented: "This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices. "On this occasion the company did not follow their own risk assessments or method statements."

£90k Fine After Worker Fell From Racking

A meat production company has been fined for safety breaches following an incident in which a worker was injured adjusting storage racking.

York House (Meat Products) Limited employee was instructed to adjust the height of shelves on storage racking with the assistance of co-workers. To enable them to reposition the top shelves of the racking the workers climbed up onto one of the lower crossbars which gave way underneath them.

One of the workers fell, hitting his head on the racking before landing on the floor. The dislodged crossbar fell from a height of 3.2m, hitting the employee on the back of the head and shoulders. The injured individual suffered soft tissue damage to his right shoulder and required physiotherapy for several months. He was also unable to work for two months.

The HSE investigation into the incident, which occurred on 12 April 2016, found the company had failed to adequately manage the risks associated with working at height. Employees were not aware of the dangers associated with climbing storage racking and no safe system of work was in place.

York House (Meat Products) Limited of Shannon Place, Pottton, Bedford, pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005. The company was fined £90,000 and ordered to pay costs of £20,567.88.