



# HEALTH AND SAFETY MATTERS

## Excavator Driver and Employer Both Prosecuted

Serious injuries, caused to a worker when he was struck by a falling excavator bucket, resulted in court appearances for a Plant Hire company and an excavator driver.



The excavator driver was working on a demolition site and attaching a four tonne bucket to the boom of his machine, when it fell off and slid down a pile of rubble, striking the worker, who lost one eye and part of his scalp. He also suffered fractures to his eye socket, cheekbone, jaw, nose, collarbone, several ribs and his left leg.

An HSE investigation revealed the lack of a safe system of work and also that the injured person had not received sufficient information, instruction, training and supervision. The excavator driver failed to set up an exclusion zone when attaching the bucket and did not use a retaining pin to secure the bucket in place.

The excavator driver pleaded guilty to breaching Section 7(a) of the Health & Safety at Work etc. Act 1974. He was sentenced to carry out 250 hours of unpaid work and ordered to pay a contribution towards court costs. His employers pleaded guilty to breaching S:2 of the same Act and their case has been committed to Crown Court for sentencing.

All work with heavy plant can be dangerous, especially when inexperienced, ill-informed or careless persons are present. A generic risk assessment dealing with the changing of excavator attachments is available from us and can be used as a template for your own, site specific, assessment.

### Avoid repetition when pre-qualifying

Did you know that it may not be necessary for you to make multiple full applications to organisations such as Chas, Safecontractor, Altius, SMAS and other assessment bodies?

These and other, similar, organisations all subscribe to theSSIP scheme and, because of their "Deemed to Satisfy" agreement, you should be able



to obtain full accreditation from as many of the organisations as you wish, after making a full application to just one of them.

We will be happy to advise on the best way to get your accreditation and can even prepare the paperwork on your behalf.

If you would like any further information about these schemes and how we can assist, then please contact Jeff Gibbs at our offices for an initial chat. We strongly advise that you speak with us before beginning any application - even a renewal !

### HSE's "Fee for Intervention" Scheme Has Started!

HSE has now commenced their Fee for Intervention (FFI) cost recovery scheme, which came into effect on 1 October 2012.

Under The Health and Safety (Fees) Regulations 2012, those who break health and safety laws are liable for recovery of HSE's related costs, including inspection, investigation and taking enforcement action.



The Fee for Intervention hourly rate for 2012/13 is £124. The many businesses that comply with their legal obligations will continue to pay nothing.

HSE have published guidance about the scheme, which can be found at <http://www.hse.gov.uk/pubns/hse48.pdf>

**BUILDER JAILED FOR TWO YEARS AFTER FATAL WALL COLLAPSE**

A north Wales builder has been jailed for two years after a three year old girl died when she was crushed by a collapsing wall.

Meg Burgess was walking home with her mother when the wall collapsed onto her. George



Collier had denied manslaughter by gross negligence but was found guilty by a jury.

The prosecution claimed Collier should have realised that the wall would not be strong enough to hold back the infill placed behind it. He also failed to take advice from a structural engineer or other suitably qualified person.

**LADDER EXCHANGE INITIATIVE**

The Ladder Association is once more running its successful Ladder Exchange Scheme, whereby damaged ladders can be taken to participating members and exchanged for brand new (and safe) equipment at discounted prices.



To obtain more details, visit <http://ladderexchange.org.uk/>, but get a move on, because the 2012 scheme ends on 30th November.

**SWSC TRAINING DATES**

We will soon be publishing our training dates for 2013.

Clients who book early for Construction Skills courses can save 10%. Details will appear on our website as soon as they are finalised.

Further savings can be made for multiple bookings and we can also arrange additional courses at dates and venues to suit, according to the number of delegates you wish to enrol.

**MANAGING TEMPORARY WORKS**

The correct design and execution of temporary works is an essential element of risk prevention and mitigation in construction. However, this is an element of the construction process that is easy to overlook or give insufficient attention to.

Temporary works are works that allow or enable construction and which might or might not remain in place at the completion of the works. Examples, include earthwork support, non standard scaffolds, hoarding, falsework, tower crane bases, propping, etc. It is essential that competent persons are involved in all stages of the design and management of temporary works.

If you require further information or guidance on this topic, please let us know. You can also visit here to see a HSE presentation on the subject. <http://www.hse.gov.uk/scotland/temporary-works-management.pdf>



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[www.swstraining.co.uk](http://www.swstraining.co.uk)

**SOME OF OUR AVAILABLE H&S TRAINING COURSES**

Face-fit testing for RPE

Principles of Fire Risk Assessment for Construction Sites

ACMs - Category B (Planned Work with Asbestos Containing Materials)

ACMs - Category A (Asbestos Awareness)

Directors Responsibilities in Health & Safety

ConstructionSkills Site Safety Plus Site Management Safety Training Scheme (SMSTS)



ConstructionSkills Site Safety Plus Site Management Safety Training Scheme (SMSTS) - Refresher

Site Supervisors Safety Training Scheme (SSSTS)

Basic Health & Safety Awareness

Basic Work in Confined Spaces  
Work at Height

Work at Height & Use of Harnesses

Manual Handling

Basic Awareness of HAV

Basic Health & Safety Awareness for Office Staff Employees