



# Wilkins Safety Group

**Monday, 16<sup>th</sup> February 2015**

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## *Welcome to our latest Update E-Newsletter*

As ever, please feel free to share this with friends and colleagues. You will also find PDF versions of all our other newsletters on our website: [www.wilkinssafety.co.uk](http://www.wilkinssafety.co.uk) with lots more useful information and a wealth of leaflets covering Health and Safety topics.



## **Constant effort is making life safer.**

**Even though there are still many serious accidents the number of deaths and injuries at work is coming down. But we mustn't get complacent.**

In a recent interview with the Sunday Independent, Judith Hackitt, the chairman of the Health and Safety Executive (HSE) stressed this. She also looked at the constant battle with the "Elf and Safety" Myths and the need for businesses to keep striving for fewer accidents year on year.

So this week I thought we would look at her interview and suggest ways that you can support her by improving your company's health and safety record.

We also have our regular pick of this week's HSE cases

### **This week's 2 recent HSE cases look at accidents where sadly things went wrong.**

- **The 53-year-old, from Oldham, who has asked not to be named, suffered brain damage and spinal injuries in the fall, and will require care for the rest of his life.**
- **EDM Ltd was fined £6,000 and ordered to pay £2,332 in prosecution costs after pleading guilty to a breach of the Health and Safety at Work etc Act 1974 by failing to ensure the safety of employees.**

As ever, if you have a subject that you would like us to cover one week, please contact us by phone [01458 253682](tel:01458253682)  
Email [info@wilkinssafety.co.uk](mailto:info@wilkinssafety.co.uk) or via our [Facebook page](#) or by [Twitter](#)

## *Constant effort is making life safer.*

WE have all heard the “Elf and Safety” gone mad stories such as “Conkers banned in school playground” or “Council bans Hanging Baskets for health and safety reasons”.



Ok, so it is easy to mock the excesses of “elf ‘n’ safety” in a mocking tone and to laugh or tut about it with friends. But it is much harder to find out whether these stories are the product of an overzealous official, a fear of being sued or are misunderstandings, excuses made up by small businesses – or even sensible and well-founded precautions.

Headlines such as those make great stories for some of the newspapers and sadly, as a result, many people get fed up with the mention of health and safety and feel that that it only slows them down or reduces their ability to get on and get the job done.

The fact is that fewer people are being killed and injured in workplace accidents than at any time in our history. Indeed, the numbers killed in accidents of all kinds are lower than ever. This trend is as a result of constant effort by employers and employees to make their life safer. This trend is led by the HSE and their chairman Judith Hackitt.

In her interview with the Sunday Independent she comes over as a model of good sense. She balances a defence of her record in reducing workplace accidents and a debunking of myths about health and safety with a refreshing concern that many children today are “overprotected”.

She says that children “should be able to play, fall over and hurt themselves”, which is not the sort of thing you might expect someone in her position to say. It is all the more important that she say it, therefore. I support her in this as I used to take my children when they were young, to places like Webber’s Post on Exmoor to climb trees. And when my youngest was learning to ride ponies, if she fell off I just told her to get back on again! Other parents, I am sure, thought I was cruel because I didn’t run to her aid as they did. But later when she was 17 she worked at a racing stable and had to ride highly strung and “nutty” racehorses out on the roads. But these horses knew she was in charge!

Under Judith Hackitt’s leadership the HSE has pushed back against the myths that surround its work, setting up a unit devoted to rebutting misconceptions about health and safety cases at the rate of two a week for the past two years. One academic study found that half of all the myths related to shops, cafés and leisure centres – which the HSE believes is the result of managers covering up poor business practice.

### *The Compensation Culture*

Ms Hackitt also has some sharp things to say about the tendency, often lumped in with complaints about health and safety excesses, to a compensation culture. **“What people sometimes hide behind when they misuse the health and safety term is the fear of being sued, and no one wants to take responsibility for their actions,”** she says

How often do you see on the television or in newspapers, adverts stating “Have you had an accident? Come and see us for a “No win – No fee” claim.

Whilst we accept that, if your accident was as a result of a failing by somebody else you should be able to claim benefit. It can breed misconceptions that could undermine people’s confidence in the need for “genuine” safety precautions. Or the need for everybody to take care of themselves and anyone else who could be affected by their actions.

## ***So what can you do to improve safety at work?***

You need to work as a team, employer and employees together.

The law requires employers to provide:

- a safe place to work;
- Safe equipment to work with;
- Safe systems of work;
- Risk assessments regarding the work process and substances used
- Training to staff to ensure that they know what they must do to stay safe; and of course
- Suitable welfare facilities, fire precautions and first aid.

The employees must take reasonable care for the health and safety of themselves and of other persons who may be affected by their acts or omissions at work. They must also keep their eyes and ears open and tell their employer if they know of any hazard or risk that the employer may not be aware of.

### ***Let us be proud***

We ought to be proud as a nation, rather than making silly jokes about elf 'n' safety, that – for example – **we are the first country to build an Olympic park and stadium without a single fatality.**

In the last year for which statistics are available, 2013-14, there were 133 workplace fatalities in Great Britain. Every accident is one too many, of course, but the number is much lower than the five-year average (164), at a time when the economy – including the manufacturing sector – is growing.



Indeed, the figure is so low that it invites us to reassess our priorities as a nation. Risk and probability are subjects on which it is notoriously hard to make public policy, but this figure of 133 deaths a year is striking when compared with the 2,000 a year killed in road accidents and the 5,000 a year killed in accidents in the home.

Despite the worrying recent upturn, the death toll on our roads is another unsung success story, down from 8,000 a year in the mid-1960s.

### ***The elf 'n' safety nanny state***

So there are far more accidents in the home than on the roads or at work. So perhaps the HSE should be given the job of making people more aware of dangers in the home. But in reality they would have to overcome people's resistance to a safety campaign that would inevitably – and wrongly – be seen as a further intrusion of the elf 'n' safety nanny state.

If you would like any further help or support, please please contact us by phone [01458 253682](tel:01458253682)  
Email [info@wilkinssafety.co.uk](mailto:info@wilkinssafety.co.uk) or via our [Facebook page](#) or by [Twitter](#)

**Now to the latest HSE cases:**

# ***Building firm sentenced after worker's friend suffers devastating injuries***



**An Oldham building firm has been fined after a friend of a worker sustained life-changing injuries when he fell from the second floor of a partially built house.**

**The 53-year-old, from Oldham, who has asked not to be named, suffered brain damage and spinal injuries in the fall, and will require care for the rest of his life.**

Global Constructions (Northwest) Ltd was prosecuted by the Health and Safety Executive (HSE) following an investigation into the incident on Frederick Street in Oldham on 16 September 2013.

Manchester Crown Court heard the company had been building twelve large houses when a friend of one of the workers came onto the site. He could not find anyone in the site cabin and so went over to a detached house where two workers were laying floorboards on the second floor.

The workers heard him call up to say he would climb up the two ladders inside the building to come and see them. When he reached the top, he stood on a sheet of plywood covering the stairwell that gave way, sending him crashing to the concrete floor below.

He was taken to Salford Royal Hospital with significant head and spinal injuries. As part of the initial treatment he was put into an induced coma, and is unlikely to ever fully recover from his injuries.

The HSE investigation found there was no security guard or company employee to monitor who came onto the site. The building site itself was also found to be unsafe.

The plywood that was used to cover the staircase void was less than 18cm wider than the void, meaning there was a high risk of it slipping when someone stood on it. There was also no handrail around the stairwell, and scaffolding on the outside of the building had numerous defects and missing parts.

**Global Construction (Northwest) Ltd, of Alexandra Road, Oldham, was fined £50,000 and ordered to pay £8,595 in prosecution costs** after pleading guilty to two breaches of the Health and Safety at Work etc Act 1974.

Speaking after the hearing, HSE Inspector Grayam Barnes said:

*“A site visitor has suffered devastating injuries that will affect him for the rest of his life because Global Construction’s working practices were fundamentally unsafe.*

*“Building sites have the potential to be highly dangerous places so it’s essential that only workers are allowed onto sites, and access is prevented for other individuals. It simply should not have been possible for a friend of one of the workers to climb up two ladders through the stairwell of a partially constructed house.*

*“He suffered severe injuries in the fall, but it could just as easily have been one of the workers who found themselves in hospital as there was a high risk of the plywood resting over the void slipping when someone stood on it.”*

For advice about health and safety in the construction industry contact Jon Wilkins of [The Wilkins Safety Group](http://www.wilkinssafety.co.uk) on 01458 253682 or [jon@wilkinssafety.co.uk](mailto:jon@wilkinssafety.co.uk)



## ***Flight simulator firm in court over unsafe machines***

***A Manchester firm which manufactures flight simulator equipment for the aviation industry has been fined for using unsafe machinery.***

EDM Ltd was prosecuted by the Health and Safety Executive (HSE) after an inspector found guards were missing on equipment during two separate visits to its factory, putting workers' safety at risk.

Trafford Magistrates' Court heard that the HSE inspector first visited the site on Thorpe Road in Newton Heath in September 2013 after receiving an anonymous complaint. Two Improvement Notices were issued requiring guards to be fitted on two metalworking lathes.



The same inspector returned to the site in June 2014 and noticed that guards were missing on two other machines. This time Prohibition Notices were served to prevent them from being used until guards were fitted.

The HSE investigation found the company did not have a system in place to make sure machines were fitted with guards. Staff had also not received training on how to use guards, and supervision at the factory was poor.

Magistrates heard the firm had identified several missing machine guards in a health and safety document it produced, but failed to take any action.

**EDM Ltd** of Thorpe Road, Newton Heath **was fined £6,000 and ordered to pay £2,332 in prosecution costs** after pleading guilty to a breach of the Health and Safety at Work etc Act 1974 by failing to ensure the safety of employees.

Speaking after the hearing, HSE Inspector Emily Osborne said:

*“EDM Ltd manufactures equipment used to keep the aviation industry safe but it failed to ensure the safety of its own employees.*

*“The Improvement Notices HSE issued in September 2013 should have acted as a wake-up call to improve machine guards but I found guards were still missing when I revisited the factory nine months later.*

*“There was simply no point in the company identifying missing guards in a health and safety document if it wasn't going to act on its findings.”*

## Remember

Unlike other organisations who send out newsletters giving you a little 'titbit' of information, then stating that if you want to follow the full link or read the full story or get more information you must pay to subscribe to their service.

- Our newsletter service is FREE,
- the links we supply are FREE,
- the helpline advice is FREE.

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Also contact us if you have a particular health and safety subject or question you would like covered



If you have any queries on any health and safety matter, please contact Jon Wilkins on [01458 253682](tel:01458253682) or by email on [jon@wilkinssafety.co.uk](mailto:jon@wilkinssafety.co.uk)



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