

# Wilkins Safety Group



## *Weekly Update Newsletter*

Welcome to this issue – Monday 31<sup>st</sup> March 2014 - of our Update Newsletter.

Please feel free to forward this newsletter to colleagues and friends.

**This week we thought we would give you a few recent HSE cases to consider:**

- Prison for gas fitter after work put family in danger,
- Roofing firm caught on camera risking lives,
- Firm Fined £250,000 after a worker was killed when he fell through a warehouse roof
- From the Chair of the HSE, Judith Hackitt

<<< >>>

### **Prison for gas fitter after work put family in danger**

**A Derbyshire plumber has been sent to prison after putting his customers' lives at risk.**

Steven Colson, previously known as Steven Barkway and trading as SBC Bathrooms, was employed by Neil and Nazia Tingay to refurbish the bathroom at their home in Ashover, Chesterfield, in July 2010.



Part of the work involved decommissioning, moving and recommissioning the boiler but although Mr Colson told the couple he could do the job he was not qualified to do so and was not registered with Gas Safe.

The Health and Safety Executive (HSE), which brought today's prosecution, told Derby Crown Court that he initially moved the boiler to the wrong place so had to move it for a second time.

Mr and Mrs Tingay became suspicious of Mr Colson's work and asked British Gas to give the boiler its annual service. The engineer found six defects – three of which were classed as immediately dangerous and three of which were classed as at risk or not to current standards. Mr Colson then admitted he was not qualified to carry out the work.

The court heard that Mr Colson had connected the boiler to the wrong type of flue and had failed to fit an inner flue, which is needed to disperse fumes. He had also terminated the flue at a louvered self-closing vent extractor, making it impossible for flue products to exit and combustion air to enter simultaneously, which could have led to a build-up of potentially lethal carbon monoxide fumes.

British Gas condemned the boiler immediately and notified HSE, which issued a Prohibition Notice preventing Mr Colson from carrying out any more gas fitting work until he was qualified to do so.

Steven Colson, 46, of New Street, Bolsover, pleaded guilty to breaching Regulations 3(1), 3(3), 26(1), 27(1) of the Gas Safety (Installation and Use) Regulations 1998. He was sentenced to two months in prison and ordered to pay costs of £1,000.

After the hearing HSE inspector Edward Walker said:

*“Mr Colson put his customers’ lives at risk. If it wasn’t for the fact their boiler was due to be serviced, these life-threatening errors may not have been detected until it was too late.*

*“These defects demonstrated a complete lack of knowledge of gas safety. Working with gas appliances is difficult, specialised and potentially very dangerous. Only qualified and registered engineers should attempt it. HSE will not hesitate to prosecute those who break the law in this way.”*

Also speaking after the hearing, Neil Tingay said:

*“We had a very lucky escape in terms of our health but not so lucky in terms of our finances as the work cost us more than £10,000 to put right. My advice to anyone employing someone to do work involving gas is to check they are qualified to do the work and that they know what they are doing.*

*“Get their Gas Safe registration number and then look them up on the Gas Safe Register website. We didn’t do that and it cost us a lot of money. It could even have cost us our lives.”*

<<< >>>

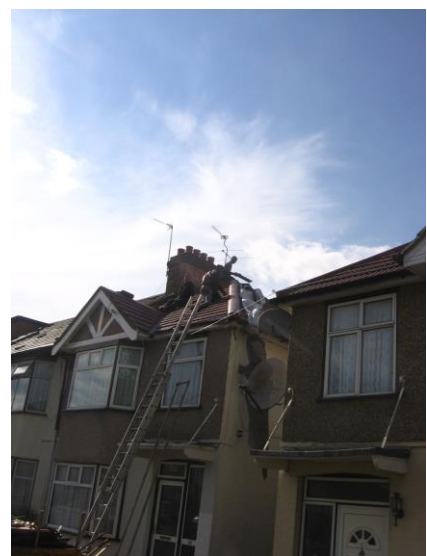
## Roofing firm caught on camera risking lives

**A passing HSE inspector saw the three workers on the roof.**

A West London roofing company and its director have been prosecuted after workers were photographed on a house roof without any safety measures to stop them falling to the ground below.

The offences came to light when a Health and Safety Executive (HSE) inspector witnessed the potential dangers to workers on the roof of a property in Kingsbury, Brent, after receiving a complaint.

Westminster Magistrates heard yesterday (26 March) that the work was being carried out by Ranjit Roofing Company Ltd, of Ealing, under the control of director Ranjit Singh, from Hounslow.



HSE said the inspector had seen three workers on the roof of the property, on 10 July 2012, but without adequate measures, such as scaffolding or harnesses, to safeguard them from falls. There was also nothing to prevent other building materials or objects from falling, also exposing any workers on the ground to a serious risk of injury.

The court was told that the company was served with an immediate prohibition notice preventing any further work at height at the property until sufficient safety measures had been put in place.

Ranjit Roofing Co Ltd, of Speart Lane, Hounslow, was fined £5,000 with £4,137 costs after admitting breaching the Work at Height Regulations.

Ranjit Singh, of Ruislip Road, Greenford, Middlesex, was given a two year conditional discharge and ordered to pay full costs of £1,957 for a breach of the Health and Safety at Work etc Act 1974 in his capacity as director of the company.

After the hearing, HSE Inspector Jack Wilby said:

*“The consequences of a fall from height are likely to be life-changing. That is why HSE will not hesitate to take action against companies that fall so lamentably below standards when it comes to protecting their staff.*

*“This is the second prosecution of a roofing company from this part of London for similar safety failings in just a few months. The fact that there was no incident in this case is immaterial – the danger was there and someone could have been injured, or even killed, at any time.”*

A simple guide for contractors who work on roofs is available *Free Of Charge* from **The Wilkins Safety Group** Please request one from [info@wilkinssafety.co.uk](mailto:info@wilkinssafety.co.uk)

<<< >>>

## **Firm Fined £250,000 after a worker was killed when he fell through a warehouse roof**

**Michael Sweet, 48, from Stockport, was cleaning out the guttering at Aramex (UK) Ltd on the Ringway Trading Estate near Manchester Airport on 12 December 2011 when he stepped on a fragile panel and fell to the concrete floor below.**



Aramex and Mr Sweet's employer, roofing contractor Gary Edwards, were both prosecuted by HSE after an investigation found no safety measures had been put in place.

The HSE investigation found Aramex had also ignored its own health and safety guidelines. The company failed to supervise the work or assess how it would be carried out, despite knowing the roof was fragile.

**Aramex was fined £250,000** and ordered to pay prosecution costs of £20,000. **Gary Edwards received a four-month prison sentence suspended for one year**, which means he will be sent to prison if he commits another offence in the next year.

Michael Sweet's death is not the only fatality at work investigated by HSE. Every year several workers are killed or seriously injured by falling through building roofs made of fragile material. These are preventable accidents.

#### **Building owners and occupiers – action required:**

- control access to their roofs
- provide signs warning of fragility at suitable access points
- check the competence of anyone they employ to work on roofs and
- check the contractors or workers take precautions to prevent someone falling through or off the roof

#### **Contractors and workers – action required:**

- Contractors and workers should treat any roof as a fragile surface unless they have sound information to prove otherwise
- only take on work for which they are competent
- only work on the roof if there is no other reasonable way of tackling the job
- take suitable precautions to prevent falls through or off the roof
- train and supervise workers properly

<<< >>>

#### **From the Chair of the HSE, Judith Hackitt**



I've said many times that I don't entirely blame the press for publicising ridiculous health and safety stories.

Most often, they are merely reporting when a convenient excuse has been trotted out by someone to avoid having to answer for an unpopular decision, or when someone has decided on a ridiculous interpretation of perfectly reasonable rules. The press coverage plays an important role in helping us to get these jobsworths and other would-be petty minded people to change their behaviour.

However, there are occasions where the press can play the 'elf n safety' card unnecessarily. **One case in point was a story I saw reported last week in which a lady who went to hospital for tests was advised not to bring young children to the hospital with her.**

**The hospital has very good reasons for this advice** – namely that the tests to be carried out required a long period of fasting beforehand - and in the hospital's considerable experience this can lead to people fainting while the tests are being done as it concerns the withdrawal of blood.

The tests also require the patient to sit still for two hours – extremely difficult to do if a small child is demanding attention. Most of us would recognise that the advice given by the hospital is sound. Seeing mum faint would be distressing for small children to witness, and even worse being in the arms of someone who faints, so it is surely much better - common sense in fact - to leave the kids at home with someone else.

**One of the tabloids conspired to turn this into a story where the lady in question was banned from breastfeeding on the grounds of 'elf n safety'.**

In this case, never was the saying 'why let the facts get in the way of a good story' more appropriate.

Myth Busters is doing an outstanding job in exposing jobsworths who claim there are health and safety restrictions where there are none, and we really appreciate the role the media play in helping us to root out those silly cases. But let's not inflate the problem by turning perfectly sensible practical advice into a mythical health and safety story.

<<< >>>

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)



Your Business is  
Safer in Our Hands