



# Wilkins Safety Group

**Monday, 14<sup>th</sup> April 2014**

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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.

## ***Proposed changes to the CDM Regs and how we can help***

As many of you will know, the HSE are looking at proposals to update the **CDM regs** to bring them in line with the requirements of [Directive 92/57/EEC on the implementation of minimum safety and health requirements at temporary or mobile construction sites.](#)

The changes will require better risk assessment at design stage and then stricter controls on health and safety during the construction phase. This will include for auditing of contractors' risk assessments and method statements and monitoring that these controls are in place on the site. It will also now apply to domestic builds, such as house extensions which are not covered by today's regs.

The major change the **HSE** are considering is to remove the present **CDM co-ordinator** role and place those duties onto the **principal designer**. Although this may just be another change of name, CDMCs were first called "Planning Supervisors" although they had nothing to do with planning. So we could be being called "Principal Designers" even though we don't design. But, as is generally thought, these duties look like they will be added to the lead designer's duties even though that lead designer has not been fully trained and/or qualified in health and safety!

So in effect, this means that it will be down to you, as the principal designer, to evaluate and approve the principal contractor's RAMS and **ensure that they are carried out on site**. You will also be responsible for ensuring the O&M Manuals and Health and Safety File and put together and passed to the client. **How many of you are happy to take on that extra responsibility or pay the extra insurance costs?**

## So how can we help?

[The Wilkins Safety Group](#) will work with you to provide uncomplicated CDM Support to help address your statutory duties as 'Principal Designer' under the **CDM Regulations 201X** within your practice, to ensure both you and your clients' interests are protected and enhance your professional image.

**The Wilkins Safety Group** offer a CDM Support service designed for Architects and Construction professionals who take on the role of Principal Designer under their own practice. We will provide you with the required "Know how" when you don't have the necessary expertise in house but need a regular CDM Consultant's input that adds reassurance for your team.

We can offer our CDM Support services either based on the construction value of the project or on a Practice retainer basis. **The Wilkins Safety Group** like to keep it simple and offer our CDM Support Service on whichever basis you prefer, that way you get the best value from using **The Wilkins Safety Group**.

## CDM Regulations simplified for Principal Designers...

Because protecting your Architectural, Surveying or Engineering practice, role of Principal Contractor and the interests of your clients is important to us, we've made it easy for you to get the CDM Support you need for your business. We will;

- *Notify the local area HSE Office on your behalf*
- *Gather the Pre Construction information ready for tender issue.*
- *Attend design team meetings*
- *Carry out a detailed CDM Design review from a Health and Safety Point of view.*
- *Identify initial Design Risk Management issues and provide solutions, not options*
- *Thoroughly review and comment on the Construction Phase Plan*
- *Ensure effective communication and coordination between team members*
- *Undertake Health and Safety Site Safety Inspections and Audits.*
- *Appraise and Vet Contractors against industry standards.*
- *Help the Principal Contractor prepare the O&M Manuals and Health and Safety File*
- *Be available as and when required to answer any CDM queries.*

It is important that your clients are convinced that they have a safe pair of hands working with them on their projects and our aim is to inspire that confidence by providing you as Principal Designer with an affordable, first class CDM Support service covering each and every project for one affordable cost.

## What are the costs for CDM Support for a Principal Designer?

CDM Support fees for Architects / Principal designers can be **either**

*Based on the construction value of the project and be paid in accordance with our present system which is broadly in line with RIBA stages or*

*On a Practice retainer basis invoiced monthly through agreement with an agreed number of hours or days per month, based on a number of projects, their scope, required attendance at design team meetings and undertaking CDM site visits.*

## Are you interested in CDM Support? your next step.

So, when you're ready to appoint **The Wilkins Safety Group** as your CDM Support Services provider, or indeed, if you need immediate cover – get the ball rolling & call **01458 253682** or contact us by Email, Facebook or Twitter

## ***Company in court after apprentice loses finger.....***

A Northumberland company has been fined after a worker's left hand was crushed in machinery leading to the amputation of one of his fingers.

The Bedlington man, who was 18 at the time, was a third year apprentice with Miller UK Ltd when the incident occurred at its Cramlington premises on 12 March 2013.

Bedlington Magistrates' Court heard today (3 April) that he was working on a large guillotine cutting a piece of metal, which was held in place between the blade and cutting table by mechanical clamps.

As the apprentice loaded a piece of metal into the machine, his left hand came into contact with the clamps in front of the blade trapping it. He suffered crush injuries to his hand leading to the amputation of his index finger below the second joint. His second finger was also broken.

He was in hospital for three days and remained off work for six months. He suffered post-traumatic stress syndrome and continues to suffer discomfort and fatigue in his hand. An investigation by the Health and Safety Executive (HSE) found the safety guard fitted on the machine was ineffective in its design and had been poorly maintained so was not working correctly.

Miller UK Ltd had also failed to carry out a sufficient assessment of the risks associated with the work and the fault had not been reported.

Miller UK Ltd, of Bassington Industrial Estate, Bassington Lane, Cramlington, was fined £8,000 and ordered to pay £894.95 costs after pleading guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974.

After the case, HSE Inspector Laura Catterall said:

***"This young man is now living with a permanent impairment but his injuries could have easily been avoided had Miller UK Ltd adequately assessed the risks, which would have spotted that the guard was not effective.***

***"This failing was compounded by poor maintenance and a breakdown in the fault reporting system – which together led to one of its workers suffering severe injuries.***

***"Guards and safety systems are there for a reason and companies have a legal duty of care to ensure they are properly fitted and working effectively at all times."***

Information and guidance on work equipment and machinery can be found on the **Wilkins Safety Group** website at [http://www.wilkinssafety.co.uk/advice/our\\_leaflets.html](http://www.wilkinssafety.co.uk/advice/our_leaflets.html)

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## ***Contractor in court after shopper felled by falling hoardings***

A building contractor has been fined after a woman suffered life-changing head injuries when she was hit by a section of fencing that collapsed in a gust of wind.

Thomas Vale Construction plc of Stourport, Worcestershire, was refurbishing part of the Birmingham Metropolitan College in Kidderminster, known as The Piano Building, when the incident happened on 15 May 2012.

The 56-year-old woman from Kidderminster, who does not wish to be named, was walking past the site when two sections of the hoarding blew over and collapsed on her, knocking her down and leaving her unconscious.

The woman suffered substantial head injuries, including severe concussion, a gash on the head and fluid and bruising on the brain. The injuries also affected her balance and senses of hearing, smell and taste. She spent 16 days in hospital and was unable to work for seven months.

The Health and Safety Executive (HSE) investigated and prosecuted Thomas Vale Construction after identifying a series of safety failings.

Kidderminster Magistrates' Court heard today (31 March) that the woman's injuries were sustained two weeks after another part of the perimeter fence had blown over in the wind. No one had been hurt on that occasion.

Magistrates were told Thomas Vale had put up solid fencing around the site to stop dust and debris from escaping. The firm discounted using concrete foundations for the fence as they said too many underground services would be disrupted and the fence needed to be moved at intervals for deliveries.

After the first incident which blew a section of fence out, Thomas Vale Construction didn't seek expert advice on fixing the problem and left the securing and re-building of the fence to inexperienced workers without the correct training.

HSE found the company failed to recognise the potential vulnerability of the whole perimeter fence and only strengthened and stabilised the section that collapsed.

HSE said the project, given it was in a busy pedestrianised town centre, should have been subject to a thorough risk assessment, and a competent design to ensure it did not collapse as the results could have been 'foreseeably catastrophic'.

Thomas Vale Construction plc of Worcester Road, Stourport, pleaded guilty to a breach of Regulation 28(1) of the Construction (Design and Management) Regulations 2007 and was fined £20,000 and ordered to pay costs of £10,250.

Speaking after the hearing, HSE inspector Jo Anderson said:

**"Thomas Vale Construction had a duty to its workforce and to members of the public to ensure the hoarding around the site was safe.**

**"This fencing was constructed using guesswork. The company failed to seek expert advice in order to ensure the hoarding was designed correctly and did not consider the substantial force which strong wind can impart on solid hoardings.**

**"This woman, who had parked and was on her way to the shops, suffered life-changing head injuries in what was a preventable incident. Without doubt, though, we could easily have been dealing with a fatal incident."**

For further information about safety in the construction industry, please go to <http://www.wilkinssafety.co.uk>



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