



Health and Safety Newsletter Update September 2004

Welcome to the September Newsletter Update. In this month's edition, we discuss:

Health and safety news

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Contact us

If you would like further information or advice on any health and safety issue then please contact us.

Philip Jones 07973 735161 / Gordon Allan 07973 736967 Or email: info@vehs.co.uk

Also, if you have any comments with regards to the content/layout of our Newsletter Update – please let us know.

Health and safety news

HSE warns of the dangers of asbestos during building refurbishment work

The Health and Safety Executive (HSE) has issued a warning to building and maintenance workers and their employers that they must take proper precautions when working in buildings where asbestos may be present.

The warning follows the prosecution of a company near Blackpool who appeared before Fylde Coast Magistrates' Court in Fleetwood on Tuesday 24 August 2004. The company was fined £3,000 and ordered to pay full costs of £1,396 following a guilty plea for breaching Section 3(1) of the Health and Safety at Work etc. Act 1974.

The HSE investigation followed an incident that occurred during the period 24 - 26 June 2002, when ceiling tiles containing asbestos were removed during refurbishment work contracted out by the company at their factory in Lancashire. The court heard that a contractor, employed by a ceiling contractor to carry out the work and another cleaning contractor, as well as five other workers were exposed to asbestos during the three day period.

As the work progressed, company managers suspected that the ceiling tiles might contain asbestos but still allowed work to continue in the contaminated area. An asbestos analyst subsequently confirmed the presence of brown and white asbestos in the ceiling tiles. The ceiling contractor did not have an asbestos licence required to remove the tiles and their employees involved in the work were not trained in asbestos work.

Latest occupational ill health statistics

The HSE recently published new statistics on work-related ill health in Great Britain. The figures, highlighted in Occupational Health Statistics Bulletin 2003/04, draw on the latest data from specialist doctors and other sources. Key statistics include:

- Surveillance by specialist doctors in The Health and Occupation Reporting (THOR) network shows the most common types of work-related illness were musculoskeletal disorders – in particular those affecting the back and upper limbs – and mental ill health (mainly stress, depression and anxiety). Each of these accounted for around a third of the total incidence.
- The jobs carrying the highest risks of musculoskeletal disorders, according to reports from rheumatologists in 2001-03, were: metal plate workers, shipwrights and riveters, with an annual average incidence rate approximately 40 times the average for all occupations, typists (18 times the average) and road construction operatives (16 times).
- Consultant psychiatrists reported NCOs and other ranks in the UK armed forces as the occupation with the highest incidence rate of work-related mental ill health in 2001-03, at around 15 times the overall average, followed by medical practitioners (12 times).
- Other types of ill health with significant numbers of cases reported by doctors or compensated by the Government were lung diseases such as asthma and pneumoconiosis; contact dermatitis and other skin diseases; diarrhoeal and other infections; and disorders related to vibration or noise.
- Vehicle spray painters had the highest estimated incidence rate for occupational asthma in 2001-03, at roughly 80 times the average for all occupations, according to reports from disease specialists. Floral arrangers/florists had the highest rate for contact dermatitis (14 times the average) and care assistants/home carers for occupational infections (25 times the average).
- Each year an estimated 6,000 people (uncertainty range 3,000 to 12,000) die from cancer due to past exposures at work. In 2002 over 1,800 people died from mesothelioma, a cancer caused mainly by occupational exposure to asbestos, and at least as many again from asbestos-related lung cancer. Around 100 died from asbestosis and nearly 300 from other types of pneumoconiosis, mostly associated with coal dust and silica.
- In 2001-2003 an estimated 23,000 new cases per year were seen by specialist doctors in the THOR network, while nearly 8,000 per year were assessed for compensation under the Department for Work and Pensions' Industrial Injuries Scheme. Overall, at the last count in 2001/2, an estimated 2.3 million people were suffering from an illness which they believed was caused or made worse by their current or past work (based on the 2001/02 Self-reported Work-related Illness survey).

Keeping you up to date

HSE challenges motor vehicle repair industry to reduce its fatality record

Recently published figures from the Health and Safety Commission (HSC) on fatal injuries in HSE and local authority enforced sectors for 2003/04 show increases in the number of fatal incidents involving motor vehicle repair (MVR) activities.

The figures show that eight workers died as a result of accidents while involved in MVR activities, with a further six deaths occurring so far in the current reporting year.

The eight fatalities in the 2003/04 were:

- three fatal incidents caused by workers being struck by a moving vehicle because the handbrake had been left off;
- a mechanic who died when another vehicle travelling along the motorway struck the vehicle he was working on;
- three employees who were crushed to death while working under vehicles, in one case at the roadside and in another when the vehicle fell off a raised two-post vehicle lift; and
- one fatal fire resulting from the mishandling of petrol where an apprentice mechanic died after being engulfed in flames, and several vehicles on the garage forecourt were also destroyed.

Health and safety guidance

Updated guidance on safe maintenance of portable electrical equipment

The HSE has recently updated its popular guide aimed at employers, employees and the self-employed who use, or have control over, portable or transportable electrical equipment.

"Maintaining portable and transportable electrical equipment" gives practical advice on how to maintain equipment in a safe condition and prevent accidents. It covers equipment that may be connected to either fixed mains or a locally generated supply, and that could result in an electric shock, burn or fire due to damage, wear or misuse. First published in 1994, this second edition contains updated advice, with new sections on cables and the repair and replacement of equipment.

The guidance applies to a wide variety of equipment, used in all environments, from electric drills and extension leads, to floor cleaners, pressure water cleaners and electric kettles. It includes advice on what the legal requirements for maintenance of electrical equipment can mean in practice and guidance on how to carry out a risk assessment in this area.

The maintenance strategy recommended by the guide is based on a straightforward, inexpensive system of visual inspections that can be undertaken by an appointed employee. In addition, a person with appropriate skill and technical knowledge should test equipment periodically.

Second edition, HSE Books, 2004. (HSG107)

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Health and safety court round up

Construction firms fined following road death

Two construction firms were fined a total of £40,000 at Isleworth Crown Court, London, following an investigation by the HSE into the death of an employee, aged 21, on 26 February 1999 during the muck away operation at a site in Middlesex.

Two companies pleaded guilty to breaching Sections 3(1) of the Health and Safety at Work Act 1974, in that they failed to ensure persons not in their employment were not exposed to risks to their safety. The person who died

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was driving along a nearby road when his car skidded on mud from the site and crashed into an oncoming delivery van.

The company in question had been hired by the principle contractor to remove 40,000 cubic feet of material from the Lakeshore development at Bedfont Lakes, Middlesex. Whilst leaving the site, the trucks used to remove the material were leaving deposits of clay on the road, which the road cleaner contractor used was unable to clean away.

Both companies were each fined £20,000 and both were ordered to pay costs of £30,000.

£245,000 fines after asbestos case

A Nuneaton company and its officers were fined a total of £245,000 at Birmingham Crown Court on Tuesday 3 August in relation to the removal of asbestos, following an investigation by the Health and Safety Executive (HSE).

The company was contracted to carry out clearing and stripping works on the premises in Birmingham, before they could be converted by a development company. The company hired a team of temporary workers to work on the site, without warning them of the asbestos risk. Five people were hired, aged between 16 and 26, to do the work, as well as a foreman. The youngest worker had just finished his GCSE examinations. After almost five weeks the team walked off site. A second team was then hired, comprising four men and the same foreman. This team was on site for two days before an HSE inspector, who was contacted by one of the original team, inspected the site and ordered the work to stop.

Poor housekeeping let combustible dust gather

An oven operator suffered serious burns to his arms, neck and back after an oven exploded at a factory belonging to Lancashire-based textiles company. The company pleaded guilty at Burnley Magistrates Court on 22 July to breaching s2(1) of HSWA 1974 by not ensuring the safety of its employees. The court was told that the company had been covering flame-retardant coating on upholstery with a flock-like material at its main factory. The coated material was then put into a stenter oven to bake it on to the fabric. The excess flock fell off as the material was being fed into the oven.

On 21 January 2002, when the oven's extractor fan started up, the loose flock dust in the oven was pushed into the air and ignited in the ignition burners, causing the oven to explode. Pablo Magee, who had been sweeping up at the time of the explosion, was hit by the fireball, which caused him serious burns and trauma. He has not since been able to return to work.

In mitigation, the company said it had not known that the dust was combustible, as this had not been pointed out by the suppliers' safety data sheet. It said it had worked hard since the explosion to develop a fire-retardant flock, had improved its extraction and cleaning routines, and had considerably reduced the amount of dust in the factory. The company was fined £9000 and ordered to pay £11,110 in full costs to the HSE.

Safer alternatives to ladder may have prevented fall from height

An Andover-based office furniture manufacturer has been fined for not ensuring its employees were trained in the use of available safe equipment for work at height. The town's magistrates heard on 20 July that in August 2003, a delivery driver had been working overtime dismantling steel warehouse racking.

He had been standing near the top of a four-metre ladder, freeing a horizontal cross beam. As he freed one end of the beam and took the weight of it, the ladder twisted and slid away from the racking, causing him to fall a distance of three to four metres with the ladder. He landed on his left knee on the concrete floor, shattering the knee-cap,

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and will be left with a permanent disability. He has not worked since the incident. The company pleaded guilty to a charge under s2(1) of HSWA 1974 of not ensuring the safety of its employees and was fined £20,000 and ordered to pay full costs of £2260.

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