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Protect children during the school holidays

As school holidays approach, the HSE is calling on the construction industry to prevent children from accessing construction sites during the school holiday period, to stop children being injured or worse in pursuit of innocent fun and curiosity.
HSE is reminding those in control of sites that they have a duty to do everything they can to keep children out of the site and away from danger, with the following specific steps particularly relevant to child safety:

- Ensure suitable perimeter fencing or hoarding is erected and maintained.
- Barrier off or cover over excavations and pits.
- Isolate and immobilise vehicles and plant and if possible, lock them in a compound.
- Store building materials (such as pipes, manhole rings, and cement bags) so that they cannot topple or roll over.
- Remove access ladders from excavations and scaffolds.
- Lock away hazardous substances.

The school holiday period serves as a timely reminder that site security is not only a legal responsibility but a vital part of protecting local communities, especially when schools are closed and children have more free time to be outside.

Vehicle falls into excavation

A joint venture working on the HS2 rail project has been fined after the driver of a 20-tonne tipper truck was injured when his vehicle fell off the edge of an excavation ramp.
The tipper truck fell approximately two metres and landed on the driver's side. The man behind the wheel suffered a broken nose, cut hand, and a shoulder injury.

Inspectors from the HSE visited the site after the incident and found that there were no signs on the haulage routes being used. They also identified that there was no edge protection in place to prevent vehicles going over the edge of the ramp, and that excavations adjacent to some of the vehicle routes had unsupported, vertical faces which were at risk of collapse.
SCS Railways pleaded guilty to contravening section 3(1) of the Health and Safety at Work etc Act 1974. It was fined £400,000 and ordered to pay costs of £8,974.

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Your alliance for compliance

Man drowns in excavation

A construction company has been fined after a man drowned when he fell into an exposed excavation hole described as a ‘death trap’, at a building site in Hertfordshire.
The man had been working as a labourer on a project building several flats. The 35-year-old had been living in a property adjoining the site when he attempted to make his way home from a night out. However, as he tried to access his own home he fell into one of the exposed excavation holes that was filled with rainwater. His body wasn’t found until around 2pm the following day.
An investigation by the HSE found that the employer had been acting as a contractor to build the flats as part of a family-run property development business. New excavation foundations had been dug for the building footings. However, they were crisscrossing the construction site without any designated safe walkways.
The investigation also found the company had failed to take appropriate precautions to ensure the safety of those moving around and working at the site. At best, large boards and planks were used as bridges over excavations. The boards and planks were slippery and bowed when walked across. The site was also open to the weather, making it highly likely it would be slippery after rain, increasing the risk to those at site. There was also no dedicated lighting to the site and the boards and planks didn’t have handrails and weren’t secured.
The company only made the site safe after HSE inspectors visited the site following the death and took enforcement action. This included them installing dedicated walkways bridging over exposed excavations using scaffolding framework to prevent falls.
HSE guidance clearly states that no work should take place until all excavations are made safe. This includes protecting the edges of excavations with substantial barriers where people are liable to fall into them. The guidance on excavation is available at hse.gov.uk.
The employer was sentenced in absence for breaching Regulation 22(2) of the Construction (Design and Management) Regulations 2015. The company was fined £20,000 and ordered to pay £5,000 costs. Since the incident, the company is now in liquidation.

Excavation collapse

The sole director of a London-based construction company has been sentenced after a 50-year-old worker was left with life-changing injuries.
The Director failed to report the incident to Britain’s workplace regulator, as required under RIDDOR.
The 50-year-old man had been levelling the ground in a three-metre deep excavation area. It had been raining and the excavated soil and other material was piled up by the side of the excavation. As he went about the job, the side of the excavation fell towards him, leaving him pinned against the wall.
Rather than wait for paramedics to arrive, the Director and another person, moved the operative to a works van and took him to hospital. The injured workers solicitor reported the incident to HSE two months later.
Inspectors from the HSE then made several visits to the construction site and found that the work being undertaken at the time of the incident and since failed to be suitably planned, managed and monitored. Specifically, regarding stability of structures, excavations, work at height and management/supervision arrangements, resulting in multiple enforcement notices being issued.
The Director pleaded guilty to breaching Section 37(1) of the Health and Safety at Work etc. Act 1974 by virtue of regulation 15(2) of the Construction (Design and Management) Regulations 2015. He was sentenced to 6 months, suspended for 2 years and was ordered to pay £4608.32 costs and a £154 surcharge.