



# STACS of News

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## HSE Dustbuster Campaign

HSE inspectors will be visiting construction sites across Great Britain to see if businesses have measures in place to protect their workers' lungs from the likes of asbestos, silica and wood dust. They will specifically be looking for evidence of construction workers knowing the risk, planning their work and using the right controls. Is your site ready for a health inspection?

## Construction company fined after fatal fall

A London-based construction company was sentenced for safety breaches after a worker was killed. The court heard how a construction company employee was using a concrete breaker to make an opening for a stairwell when he fell 7.5 metres, sustaining fatal head injuries. An investigation by the HSE into the incident found the work was not properly planned, adequately supervised or carried out in a safe manner when the incident occurred. The construction company pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc. Act 1974 and has been fined £300,000 and ordered to pay £17,528 in costs. Speaking after the hearing, HSE inspector Kevin Smith said: "This was a tragic and wholly avoidable incident, caused by the failure of the company to implement suitable and sufficient measures to prevent falls. "The risks associated with work at height are well known throughout the construction industry. While, on paper, the construction company had identified control measures which could have prevented this incident from occurring; in practise, these safeguards were virtually absent. "Ultimately, the company failed to control the risk on site and as a result one of its workers fell to his death."

## Roof trusses fell onto worker

Darlington Borough Council has today been sentenced after a self-employed labourer was injured when a pack of roof trusses fell on him.

The court heard how a self-employed labourer was working for two self-employed bricklayers sub-contracted to Darlington Borough Council. He was walking past the front of the building plot when a pack of roof trusses fell on him, trapping him by the head and arm.

An investigation by the HSE found there was an overall failure to adequately monitor work activities at the site. Contributing factors to the incident included inadequate arrangements for the storage of roof trusses, failure to manage the amount of materials on site, failure to plan for parking of vehicles on site and poor housekeeping on site.

Darlington Borough Council pleaded guilty to breaching Regulation 13(1) of the Construction (Design & Management) Regulations 2015 and has been fined £28,000 with £1,648.45 in costs.

Speaking after the hearing, HSE inspector Andrea Robbins said: "It is vital that work activities on construction sites are properly planned, managed and monitored to prevent issues like this developing on site – the failures found here ultimately led to the roof trusses falling onto the labourer, causing serious injuries. This could have been prevented."

## Director sentenced for sales of illegal chemicals

A company director has been sentenced to 10 months in prison for the online sale of products containing prohibited substances.

The court heard that a complaint was raised in that Abel (UK) Ltd was selling a plant protection product containing Sodium Chlorate, a prohibited substance.

An investigation by the HSE also found the company was selling paint stripper containing dichloromethane (DCM), which is restricted under Registration, Evaluation, Authorisation and restriction of Chemicals (REACH).

The company also failed to check at the point of sale the paint stripper containing DCM was either being sold for use in industrial installations or to appropriately certificated professionals, which is a condition of sale.

HSE worked with online platforms to have the advertisements for these products taken down and served enforcement notices to prohibit further supply. However, the enforcement notices were ignored by Abel (UK) Ltd.

Abel (UK) Ltd's director pleaded guilty to breaching Regulations 9 and 18 of The Plant Protection Products Regulations 2011 and Regulation 11(2) of The REACH Enforcement Regulations 2008, and was given a 10-month custodial sentence.

Speaking after the hearing, HSE inspector Sarah Dutton said: "Chemicals are carefully regulated to protect human health and the environment. Sodium Chlorate is not approved for use in weed killers, as a safe level of use was not established for operators. Dichloromethane (DCM) has been restricted in paint strippers due to concerns for human health during its use – it has caused fatalities when not used properly.

"Companies should be aware that HSE will take robust action against those who unnecessarily put the lives of workers and the public at risk, and against those who endanger the environment, through the inappropriate supply and use of chemicals."

## Cladding company fined after worker falls from height

A cladding company was sentenced for safety breaches after a worker shattered his elbow in a fall from height.

The court heard how the worker was using a ladder to access a flat roof to fit the capping on a security office gatehouse.

An investigation by the HSE found that a ladder was being used as access to stand on the roof of the security gatehouse. The ladder was resting against wet metal wall cladding and was not tied or being footed. The worker climbed the ladder to fix some capping. As he neared the top of the ladder the ladder slipped, and he fell approximately three metres to the ground below.

The cladding company pleaded guilty to breaching Regulation 4 (1) of the Work at Height Regulations 2005 and was fined £10,000 with £1,238 costs.

After the hearing, the HSE inspector commented: "This case highlights the importance of proper planning and supervision of work at height.

"This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices."

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