

## Philip White – Robens will still matter over the next 50 years

*Lord Alfred Robens was a prominent post-war industrialist. In 1969, three years after the Aberfan disaster, Robens was selected to chair a committee on workplace health and safety. The Robens Report of July 1972 led to the Health & Safety at Work etc. Act 1974, paving the way for the creation of Health and Safety Executive (HSE) the following year. Fifty years ago this week the report was tabled and debated. **Philip White**, HSE's director of regulation, believes Robens has not only stood the test of time, but remains relevant to HSE in a crucial new phase.*



Lord Robens set to work with the aim of finding a way to reduce Britain's work-related deaths, injuries and ill health. At that time there were around 1,000 work related deaths each year, half a million suffered injuries, and 23 million working days were lost annually through industrial injury and disease. Fifty years on, few would argue his report didn't meet this aim.

We should all reflect on this achievement with pride. I believe that Lord Robens' report, and the Health & Safety at Work etc. Act 1974, is a great British achievement. It demonstrates how government can work with the consent and agreement of those in positions of responsibility across society. It's one of very few pieces of post-war legislation that has stood the test of time – and delivered what it set out to achieve.

Moreover, the spirit of Robens has carried through in several key pieces of legislation that HSE helped introduce to keep pace with changing world or work as well as ensuring the principal of those who create risk must take responsibility for controlling it: the Control of Major Accidents Hazards Regulations (1983), the Control of Substances Hazardous to Health (1988), the

Construction Design & Management Regulations (1994) and the Gas Safety Management Regulations (1996).

But we don't just believe in regulating by legislating. Our strategy, *Protecting People and Places* makes clear our commitment to finding new ways to address the most significant risks. As well as an expanding remit that now includes the Building Safety Regulator, which will enable people to feel safe in their homes, and heightened responsibility to the wider environment in our role in chemicals regulations, the economy itself and the way people work is also transforming. The drive to Net Zero will create new challenges, and the revolution in online retail means the model of regulating the retail supply chain may need to be reviewed.

We are under no illusion that some of these challenges are more abstract than those facing the readers of the Robens Report in the 1970s.

Look carefully through the report, and the transcripts of the subsequent parliamentary debates it generated, and you'll find reference to two other issues that needed to be considered – work-related stress and apathy towards health and safety.

Both challenges persist in Britain's workplaces today.

In 2020/21, 822,000 workers reported experiencing work-related stress, depression or anxiety – but it's fair to say that the true figure is greater if you include those suffering in silence.

The Covid-19 pandemic created a renewed focus on health and safety for all of us. While many have positively sought to capitalise and harness this, I am troubled by even casual references creeping back into public conversations that associate health and safety with barriers to fun or innovation, overlooking the true mission of protecting people and places – and getting every worker home safely at the end of their day. If we need to challenge examples of this, we will do so without hesitation, but remembering Robens' principle for controls to be practical and proportionate to the risk.

Robens still matters. And will still matter over the next 50 years.

Philip White, Director of Regulation, HSE

## About HSE

The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise. [www.hse.gov.uk](http://www.hse.gov.uk)

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## DCM vapour killed a construction worker

A brick and stonework restoration company, Brick Restoration Ltd and its two directors, Stewart Bailey and John McCole, have been sentenced following the death of a construction worker.

Alexandru Sorin was overcome by dichloromethane ('DCM') vapour whilst using a DCM-based paint stripper at a property in London on 25 July 2017.

Mr Sorin was working on his own stripping paint from the walls of a lightwell in the basement of Berkeley Gardens, London. DCM vapour is heavier than air and can accumulate in confined spaces with poor ventilation. While carrying out the work Mr Sorin was overcome by the DCM vapour and died from the exposure.

An investigation by the Health and Safety Executive (HSE) found that Brick Restoration Ltd failed to implement any effective measures to control Mr Sorin's exposure to DCM. His death could have been prevented by eliminating the risk associated with DCM by using a different removal method or by substituting the DCM paint remover for a less hazardous product.

At City of London Magistrates' Court, Brick Restoration Ltd of Worboys Road, Worcester, pleaded guilty to breaching Regulation 7(1) of the Control of Substances Hazardous to Health Regulations 2002 and were fined £50,000 and ordered to pay costs of £2,805.64.

Stewart Bailey of Worboys Road, Worcestershire, pleaded guilty to breaching Section 37(1) of the Health and Safety at Work etc Act 1974 and was sentenced to 200 hours of community service and ordered to pay costs of £2,805.64.

John McCole of Savill Gardens, London also pleaded guilty to breaching Section 37(1) of the Health and Safety at Work etc Act 1974 and was sentenced to 200 hours of community service and ordered to pay costs of £2,805.64

Speaking after the hearing HSE inspector, Owen Rowley, said: 'Mr Sorin's death was entirely avoidable. DCM is a volatile solvent and exposure to high concentrations of vapour can cause loss of consciousness and death.

"Anyone intending work with DCM-based products should carry out a suitable and sufficient risk assessment and implement appropriate control measures. Crucially, DCM-based products should only be used in well ventilated areas to prevent the build-up of vapour."

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2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>
4. Further guidance on working safely can be found at: <https://www.hse.gov.uk/pubns/guidance/dcm2.pdf>

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## Retailer and electrical contracting company fined after electrician sustains serious burns in warehouse explosion

A retail company and an electrical contracting company have been fined after an electrician suffered serious burns to 15 per cent of his body when he was caught in an explosion at a warehouse in Liverpool.

On 22 September 2018, an electrician was using a metal spanner to repair an electrical fault at B&M Retail Ltd warehouse, in Speke. The spanner he was using came into contact with a live busbar (metallic strip) linked to the power distribution causing an electrical explosion.

The 35-year-old electrician sustained serious injuries which included burns to his arms, hands, thighs, legs, and face. He was placed in an induced coma for two weeks and had to undergo several skin grafts..As a result of the incident the electrician was unable to work for five months.

The victim said: "I am very conscious of the scars and always think people are staring at me or talking about me behind my back.

"To me, my arms look like Freddy Kruger's from Nightmare on Elm Street.

"I now can't play with my little boys as much as I used to and I'm worried about hurting myself, and they are worried about hurting me. I have paranoia of being touched.

"I do worry about the future as I know the pain will never go away and might get worse, leaving me unable to work and support my family."

A HSE investigation found that the victim, who was employed by Daker Ltd, had been attempting to connect a generator to B&M's Low Voltage supply in order

to allow B&M to operate some of its core site functions whilst high voltage maintenance was being undertaken. This work was complex involving several contractors and required co-ordination of different working parties with specific time limited requirements. There was insufficient planning between parties beforehand including who was in charge of each site, coordination of work and exchange of relevant documentation.

B&M failed to appoint a suitably competent person to plan and carry out the work to connect temporary generators to their distribution board at the premises

Electrical contractors Daker Ltd.'s work methods fell well below the required standards. Electrical work commenced without proper planning. The power supply to the circuit was not stopped prior to the incident and live working was allowed to take place, this meant that the power supply could be switched on or off at any point, putting workers at risk of electric shock.

B&M Retail Ltd of The Vault, Dakota Drive, Estuary Commerce Park, Speke, Liverpool pleaded guilty to breaching Section 2 (1) and Section 3 (1) of the Health and Safety at Work etc. At Liverpool Crown Court, the company was fined £1,000,000 and ordered to pay costs of ££4,978 .

Daker Ltd of Stewart House of Tonge Moor Road, Bolton pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974. The company was fined £100

Speaking after the hearing, HSE inspector Roger Clarke said: "This incident has had life-changing consequences on the victim and his family.

"It could have been avoided if the companies involved had taken the time to appropriately plan and coordinate tasks to ensure the circuit was dead, eliminating the risk of electrocution to workers.

"Working with electricity is a high-risk activity and safety must be a priority."

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2. More about the legislation referred to in this case can be found at:

[The Electricity at Work Regulations 1989. Guidance on Regulations \(hse.gov.uk\)](http://www.hse.gov.uk/electricity/)

[Electricity at work: Safe working practices HSG85 \(hse.gov.uk\)](http://www.hse.gov.uk/electricity/)

HSE news releases are available at <http://press.hse.gov.uk>

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## Kingstanding house gas explosion: Stay safe with a gas safety check

Getting a gas safety check is the best way to protect your property.

That's the message to people in Kingstanding who might be concerned after a gas explosion destroyed a house in the Birmingham neighbourhood last month. A woman died and a man was seriously injured in the incident.

Gas incidents such as the Kingstanding explosion are devastating but extremely rare. HSE's statistics show there were 25 gas related fire and explosion incidents in 2020/2021. This is despite there being over 22 million households using gas across the country.

The authorities recommend some simple steps people can take to keep their homes safe.

Gas appliances should be regularly checked to prevent gas leaks and stop carbon monoxide being released. The Health and Safety Executive (HSE) says homeowners should get an annual gas safety check carried out by a qualified engineer listed on the Gas Safe Register.

Anyone living in rented accommodation should check their landlord has had an annual gas safety record check carried out by a registered Gas Safe engineer.

The Gas Safe Register is the official list of gas businesses which are registered to work safely and legally on boilers, cookers, fires, and all other gas appliances. By law, anyone working with gas in domestic or commercial premises must be listed on the register. Gas Safe registered businesses can be found on their [website](#).

Meanwhile, everyone should find where in their property the gas emergency control valve (also called gas emergency shut off valve) is. This will be found at their gas meter. Householders should check they have access to it. If they ever smell gas, call the gas emergency number on 0800 111 999.

In some circumstances, suppliers can offer free gas safety checks through the Priority Services Register. For further advice and information homeowners can contact their gas supplier (the company they pay their bills to).

John Rowe, HSE policy lead for gas safety, said: "Our thoughts are with those affected by the terrible Kingstanding incident. When something so devastating happens, people understandably worry.

"The truth is gas is an incredibly safe way of fuelling our homes. Serious incidents are extremely rare. We should all be careful and not unduly

concerned about using gas in our home. We're encouraging householders to get a gas safety check, carried out by a registered Gas Safe engineer. Everyone should know where their emergency gas safety value is and that it is accessible. These steps will help keep people safe."

Bob Kerr, Gas Services Director at Gas Safe Register, said: "Regular safety checking and servicing of gas appliances can ensure that they are operating safely and as intended. Having an audible carbon monoxide alarm is also a good second line of defence."

Alex Shapland, Area Commander with West Midlands Fire Service, said: "Our thoughts remain with everyone affected by the devastating incident in Kingstanding; in particular those who grieve and the man who was injured.

"The events of 26 June are a stark reminder of how important it is to get gas appliances regularly tested by a Gas Safe professional.

"We would also urge anyone who's concerned about fire safety at home to contact their local fire and rescue service. Our own 'Safe and Well' visits can be requested via our website, [wmfs.net](http://wmfs.net), and by calling 0800 389 5525."

#### **Further information:**

For more information on gas health and safety visit HSE's [website](#).

You can find out more at [Check Your Gas Appliances – Gas Safe Register](#)

#### **Tips to keep gas safe:**

1. Only use a Gas Safe registered engineer to fit, fix and service your appliances. You can find and check an engineer at [GasSafeRegister.co.uk](http://GasSafeRegister.co.uk) or call 0800 408 5500.
1. Know the six signs of carbon monoxide poisoning – headaches, dizziness, breathlessness, nausea, collapse and loss of consciousness.
1. Check gas appliances for warning signs that they are not working properly - for example lazy yellow flames instead of crisp blue ones, black marks or stains on or around the appliance and condensation in the room.
1. Fit an audible carbon monoxide alarm. This will alert you if there is carbon monoxide in your home.
1. If you smell gas call the gas emergency number on 0800 111 999.
1. Check both sides of your engineer's Gas Safe Register ID card. Make sure they are qualified for the work you need doing. You can find this information on the back of the card.
1. Have all your gas appliances regularly serviced and safety checked every year. If you rent your home, ask for a copy of the landlord's current Gas Safety Record.

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## **HSE investigating fatal incident in Scunthorpe**

The Health and Safety Executive (HSE) is investigating the death of a 27-year-old worker at a steelworks in Scunthorpe.

The incident happened on Saturday 16 July at a business premises on Brigg Road, Scunthorpe.

Emergency services responded to reports of a fall from height. The worker was sadly pronounced dead at the scene.

After initial enquiries were made by HSE and Humberside Police, it was established that HSE will lead the investigation into the circumstances of the incident.

HSE principal inspector Jane Fox said: "Our thoughts are with the family of the person who died.

"We are determined to understand the full facts of what happened on Saturday. Doing so may take time, but we will remain in close contact with the family."

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