

Contractor prosecuted after spot check reveals multiple breaches

A construction contractor has been fined after multiple health and safety issues were identified during a proactive Covid spot check at a site in Manchester.

Manchester Magistrates' Court heard that on 9 July 2020, a HSE inspector performed a proactive Covid-19 spot check at a construction site in the city.

During the inspection, a host of safety issues were identified including working at height, welfare, Covid-19, site security, and electricity. The principal contractor was served with a Prohibition Notice and two Improvement Notices.

A return inspection was made on the 17 August 2020, after very little communication from the principal contractor. Little or no improvements had been made regarding the issues and additional enforcement action was required, including a further Prohibition Notice regarding an unsupported excavation.

It was subsequently established that the contractor had failed to comply with any of the Improvement Notices HSE had served.

Principal contractor Umar Akram Khatab, now resident in Hollingwood Lane, Bradford, pleaded guilty to breaches of Section 21 of the Health & Safety at Work etc. Act 1974 and Regulation 13(1) of the Construction (Design and Management) Regulations 2015. He was sentenced to a 12-month community order. He was also ordered to pay £3,000 towards costs and a victim surcharge of £95.

Speaking after the hearing, HSE inspector Rebecca Vaudrey said: "HSE prides itself on being a proportionate and evidence-based regulator. Since the beginning of the pandemic HSE has carried out more than 316,000 Covid spot checks, with the priority to urgently make workplaces safe from transmission risks, rather than heavy-handed enforcement.

"These checks have demonstrated that the majority of employers want to do the right thing to ensure their workers go home safe and well.

"This is the first prosecution to arise from the Spot Check programme. We've repeatedly stressed that prosecution is a last resort, but this case clearly illustrates that where there is consistent disregard to Covid or other risks to employees' health and safety, HSE will use its powers to take action."

Notes to Editors:

1. 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. hse.gov.uk

2. More about the legislation referred to in this case can be found at: [Construction – Health and safety for the construction industry \(hse.gov.uk\)](http://hse.gov.uk/construction-health-safety)
3. HSE news releases are available at <http://press.hse.gov.uk>