

# The Health and Safety Executive Welcomes Government's Draft Bill to Improve Building and Fire Safety in England

The Health and Safety Executive (HSE) has welcomed the publication of the government's draft Building Safety Bill, which aim to create the biggest change in building safety for a generation.

The publication of the draft bill, on Monday 20 July, follows the announcement made by Housing Secretary Rt Hon Robert Jenrick MP in January that HSE would create a new Building Safety Regulator (BSR), with the aim of implementing reforms that go further and faster to improving building safety following the Grenfell Tower tragedy.

The BSR will oversee the new, more stringent building safety regime for higher-risk buildings, which prioritises blocks of flats more than 18m high or more than six storeys tall in England. It will also have a broader oversight role in the safety and performance of buildings; and in promoting improvements in the competence and organisational capability of all those working in the built environment.

HSE Chief Executive Sarah Albon said: "HSE fully supports the measures set out in the draft bill to move forward and enhance building safety across England.

"HSE is currently working with other parts of government, key regulators and industry to establish how the new legislation can be implemented in a practical way and create a new regime that improves building safety standards and competence across the industry."

HSE will also lead the government's Joint Regulators Group (JRG), which will provide coordinated leadership to local authority and fire & rescue regulators during the transition to the new regulatory regime. It will support the development of close working arrangements between the BSR and local regulators, while continuing to work with early adopters to trial new safety approaches.

The JRG will be chaired by Peter Baker, Director of the Building Safety and Construction Division of HSE said: "The BSR will create a new era for building safety, working with wider government, local regulators, industry and residents we want to ensure that a tragedy like Grenfell Tower never happens again.

"Through appropriate use of its enforcement powers under the new regulatory framework, the BSR will ensure that building safety risks are being properly managed and controlled throughout the lifecycle of a building. It will also hold those with legal duties to account for significant failures."

He added: "In my role as chair of the JRG I will work together with members to ensure that the proposals are both robust and practical."

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## **Paper making company sentenced after employee suffers finger amputations**

Plymouth based West Design Products Ltd, who manufacture and edit craft paper for retail, including printing, punching and cutting, has been sentenced after a worker suffered serious injuries when her hand was caught in machinery.

Plymouth Magistrates' Court heard that on 14 September 2017, 22-year-old employee Charlotte Sargent was working on a paper punching machine at West Design Products Ltd in Plymouth. This is used to punch holes in card or paper so that they can be bound together. Paper is inserted into a slot underneath a Perspex guard and the punch operation is activated by pressing a foot pedal on the floor. Whilst adjusting the settings of the machine, Miss Sargent had placed her fingers between the die plates to tighten them in place, her foot inadvertently hit the unshrouded foot pedal. The die plates moved up, crushing her fingers between the plates and a metal bar. This led to the partial amputation of both her middle and index finger on her left hand.

An investigation by the Health and Safety Executive (HSE) found that the company fell significantly below the expected standard. The defendant failed to conduct its undertaking in such a way as to ensure, so far as is reasonably practicable, that Miss Sargent was not exposed to risks to her health or safety.

Neither Miss Sargent or her supervisor were suitably trained. They had not been shown the operating manual or the safe system of work for the Punch machine before the incident. There was no interlocking switch attached to the guard to prevent the use of the machine when the guard was removed. There was also no shroud supplied for the foot pedal, which can prevent accidental activation.

West Design Products Ltd of Bush Park, Plymouth pleaded guilty to breaching

Section 2(1) of the Health & Safety at Work etc Act 1974, they have been fined £89,600 and ordered to pay costs of £5,584.28 plus a victim surcharge of £170.

Speaking after the hearing HSE inspector Hatti Shipp said: "Miss Sargent's injuries have been life changing. This incident was foreseeable and preventable.

"Employers should make sure they properly assess and apply effective control measures to minimise the risk from dangerous parts of machinery."

The post [Paper making company sentenced after employee suffers finger amputations](#) appeared first on [HSE Media Centre](#).

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## Construction companies fined after workers seriously injured

Two construction companies have been fined after a mobile elevated working platform (MEWP) with two workers inside was struck by a collapsing reinforcement cage during the construction of a road bypass.

Manchester Minshull Street Crown Court heard that in the summer of 2015, to support the construction of the A556 bypass in Cheshire, work had started to build a pier designed to eventually support a bridge. This involved erecting a steel cage. On 3 August, two workers on a MEWP were working on the structure, when it collapsed. The cage crashed into the MEWP, causing it to fall on its side.

The first employee sustained life changing head injuries and the second a leg fracture. A third worker nearby escaped injury by moving away just in time.

An investigation by the Health and Safety Executive (HSE) found there was no temporary support for the reinforcement cage during construction of the central pier. Costain Limited was principal contractor and Brenbuild Limited was appointed by Costain to construct seven bridges and an underpass.

Costain Limited and Brenbuild Limited were both aware the cage was visibly leaning and that workers on site had raised concerns. Neither company recognised the inherent instability of the reinforcement cage or took measures to ensure the work could be carried out safely. Brenbuild Limited failed to stop work to prevent injuries from the risk of collapse and to implement control measures to prevent instability. Costain Limited failed to plan, manage and monitor construction of the central pier.

Brenbuild Limited of Parkway Business Park, Scunthorpe pleaded guilty to breaching sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £80,000 and ordered to pay costs of £1,479.70.

Costain Limited of Vanwall Business Park, Maidenhead, pleaded guilty to breaching sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £1.2million and ordered to pay costs of £1,394.10.

Speaking after the hearing HSE inspector Deborah Walker said: "This incident could have been easily prevented and the risk of collapse should have been identified by both companies.

"If a suitable safe system of work had been in place, this incident would not have occurred, and the two workers would not have suffered these injuries."

The post [Construction companies fined after workers seriously injured](#) appeared first on [HSE Media Centre](#).

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## **HSE is checking Covid compliance in Bradford businesses**

The Health and Safety Executive (HSE) is out conducting spot inspections on businesses in Bradford checking they are working right and are COVID-secure. HSE is checking that businesses are aware of the Safer Workplace guidance and advising where necessary on improvements needed to ensure the workplace is Covid Secure.

HSE works with other public local and national government authorities to support the understanding of any patterns they are finding in workplaces in Bradford and other areas. Inspectors are out and about visiting businesses across the city and surrounding areas, putting employers on the spot and checking that they are complying with the latest guidance.

To be COVID-secure mean businesses need to put in place workplace adjustments, keep up to date with the latest guidance and put measures in place to manage the risk and protect workers and others. There are [practical steps](#) that businesses can take to do that:

- Step 1. carry out a COVID-19 risk assessment
- Step 2. develop increased cleaning, hand washing and hygiene procedures
- Step 3. maintain 2m social distancing where possible
- Step 4. where people cannot be 2m apart, manage transmission risk.

Michael Bone, HSE Head of Operations in Yorkshire said: "Given the number of cases in Bradford, becoming COVID-secure should be the priority for all businesses. We are talking to duty holders and inspecting sites across the city to understand how they are managing risks in line with their specific business activity.

“Employers have a legal duty to protect workers and others from harm and this includes taking reasonable steps to control the risk and protect people from coronavirus. We encourage businesses to engage their employees in the changes they put in place to become COVID-secure to increase confidence with workers and in turn customers and the local community.”

As inspections are ongoing, HSE has been utilising a number of different ways to gather intelligence and reach out to businesses across Yorkshire with a combination of site visits, phone calls and through collection of supporting visual evidence.

Some of the most common issues that HSE and local authority inspectors are finding across the country include: failing to provide arrangements for monitoring, supervising and maintaining social distancing, failing to introduce an adequate cleaning regime – particularly at busy times of the day – and providing access to welfare facilities to allow employees to frequently wash their hands with warm water and soap.

HSE will support businesses by providing advice and guidance; however where some employers are not managing the risk, HSE will take action which can range from the provision of specific advice, issuing enforcement notices, stopping certain work practices until they are made safe and, where businesses fail to comply, this could lead to prosecution.

Michael continued: “Businesses of all sizes and across all sectors are in scope for inspections. We understand that the vast majority of employers are doing everything they can to keep people and their business safe and healthy.

“Becoming COVID-secure not only benefits the health of our communities and the health of local businesses in Bradford, it benefits the health of the UK economy. Through ensuring that businesses in the area are COVID-secure, we can benefit the health of the nation.”

For the latest information and relevant Safer Workplaces guidance, see [www.gov.uk](http://www.gov.uk)

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## [Plumber jailed for illegal gas work](#)

A self-employed plumber has been jailed after carrying out gas work without being Gas Safe registered.

Bolton Crown Court heard how Aaron Davidson of T/A AD Plumbing Solutions had installed boilers at two properties in Bolton and Bury in January and March 2018, whilst falsely claiming to be Gas Safe registered.

Following notification of installation defects by the occupiers of the properties, Gas Safe inspectors visited and found the work to be of a poor standard. In the property at Bury it was classed as 'not to current standards', and at the property in Bolton 'at risk' due to the danger to life from the possible escape of carbon monoxide and risk of electrocution.

An investigation by the Health and Safety Executive (HSE), found that Aaron Davidson had never been Gas Safe registered and was not qualified or competent to undertake gas work.

Aaron Davidson, T/A AD Plumbing Solutions of Chip Hill Road, Bolton, pleaded guilty to breaching section 3(1) of the Health and Safety at Work etc. Act 1974, and Regulations 3(3) and 3(7) of the Gas Safety (Installation and Use) Regulations 1998. He was sentenced to 16 months imprisonment.

After the hearing HSE inspector Jane Carroll said: "Aaron Davidson undertook gas work which he knew he was not registered to do. All gas work must be done by registered Gas Safe engineers to ensure the highest standards are met to prevent injury and loss of life."

The post [Plumber jailed for illegal gas work](#) appeared first on [HSE Media Centre](#).