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## GOSHA NEWS

### Guidance on Running Events Safely

In good time for our summer events season and following on from the excellent GOSHA talk given by Roy Featherstone of IOSH, a new website has been created to give event organisers easy to follow guidance.

It can be viewed at [www.hse.gov.uk/event-safety/index.htm](http://www.hse.gov.uk/event-safety/index.htm)

### Electrical Safety

Bill Bates of the UK HSE gave an excellent talk to our March meeting. Some shocking examples of careless use and lack of maintenance of electrical equipment were highlighted by Bill.

Portable appliance testing was covered in one of the questions given to Bill. There is now website guidance for this often misunderstood practice : [www.hse.gov.uk/electricity/faq-portable-appliance-testing.htm](http://www.hse.gov.uk/electricity/faq-portable-appliance-testing.htm)

## From the GOSHA Chairman's Pen...

In this edition, we have included an article written by Judith Hackitt who Chairs the UK HSE entitled Myth Busting. It emphasises the stupidity of many reports which laugh at health & safety and detract from the vital work needed to ensure that people are properly but sensibly protected from workplace risks.

GOSHA has advocated Judith's views since our formation. We also want to share good practices and knowledge and help businesses, charities and other organisations to be properly informed.

Our asbestos awareness and management courses ran again in March and April. Jonathan Webb has done a great job for GOSHA giving a useful opportunity to members and non-members alike to receive information which will ultimately, if acted upon, save lives. I'd again like to thank HSSD for making training rooms available so that the courses could take place.

Risk assessment was one of the free breakfast briefings delivered during Health and Safety Week in January by Mhairi Macgregor of Normandie Group (sponsored and made possible by Barbican Insurance). It is such an important and often simple task to do and I would encourage anyone feeling that guidance is needed to use the easy to follow guidance on the HSE's website, speak to a member of our committee or contact one of the training providers listed on our website.

Health and safety is rarely the true reason for cancelling or avoiding worthwhile activities but it continues to be the scapegoat for people who want to avoid their duties and responsibilities or simply can't be bothered.

We want to change attitudes to health and safety to transform it from a negative must do to an essential want to do.

Andrew



## Myth busting – written by the Chair of the UK HSE, Judith Hackitt

It always amazes me what people think health and safety is. Since I have been HSE's Chair, I have come across some frankly quite strange views about what it exists for and what it should get involved in.

At my daughter's graduation ceremony, I wanted an official photo to mark the proud occasion. As we were queuing I was bemused to see in big red and white letters this warning:

ONLY PEOPLE BEING PHOTOGRAPHED are



allowed beyond this point due to Health and Safety.

Clearly it was nonsense - a ruse to keep the new graduates corralled out of the frame of their mates' photos. I have no doubt that the assumption was that people dare not challenge 'health and safety' rulings, that it forces them into submission.

Well, we've just launched the Myth Busters Challenge Panel to give the public the support and confidence they need to take on the jobsworths and cynics.

When people hear about children being ordered to wear goggles to play conkers or the dangers of candy floss on a stick it

undermines public confidence in our true task, which is to manage serious risks to life and limb in Britain's workplaces.

There is of course a big difference between somebody saying something is health and safety, and that actually being the case.

We often see this in newspaper stories. I have no problem with the media taking to task organisations and individuals who make stupid decisions in the name of health and safety - being publicly chastised does tend to focus minds on whether a ban or bizarre restriction is in fact necessary.

But we do need reporting to be accurate, based on hard facts rather than easy allegations. Just because somebody reels off a quote saying it's elf and safety gone mad, doesn't make it true.

HSE is careful to check its facts before offering comment. Lots of readers will have seen a recent story about a seagull tangled in a plastic bag on a pond in Carshalton in London. Firefighters were called out by an animal charity, but chose not to wade into the water to free the bird - it was a simple operational decision, not directed by safety regulations.

I have no doubt that when it comes improving people's understanding and opinion of health and safety the Myth Busters Challenge Panel has vital work ahead.

## GOSHA News

### Building Works - Evaluation of the Construction (Design and Management) Regulations 2007

The UK's CDM regulations are followed in a number of Guernsey building contracts to promote better site safety.

An evaluation of the benefits of adopting the provisions specified in the regulations has been undertaken and the results have been published. Here is some background:

In September 2003, the UK's Health and Safety Commission took the decision to revise the existing Construction (Design and Management) Regulations (CDM 1994) with the objective of improving the management of risk. Consequently, CDM 2007 came into force on 6 April 2007.

It was agreed to evaluate CDM 2007, following a period of operation, in order to answer two key questions:

- To what extent has CDM 2007 met the stated objectives for these Regulations?
- What are the cost implications for the construction industry of CDM 2007?
- Quantitative and qualitative data was obtained using a variety of techniques from a number of sources across the construction industry.

The results of the evaluation show that:

- CDM 2007 has gone a long way to meeting its objectives, but some concerns remain within the industry;
- construction design, management and site practices have improved between 2006 and 2010;
- a cost impact was associated with CDM 2007, but respondents rated the benefits obtained higher than costs; and
- industry practice was found to have a significant influence on how CDM 2007 is implemented.

The report can be found at [www.hse.gov.uk/research/rrhtm/rr920.htm](http://www.hse.gov.uk/research/rrhtm/rr920.htm)



# Lessons learned – accidents and injuries

## Cherry-picker accident

A construction worker defied death after falling four metres from the cage of a 20-tonnes cherry-picker into the path of a moving bus, which then pushed him another 15 metres along the Euston Road in London.

The 14.2m long cherry picker some time after the incident.

National construction firm Galliford Try Construction Limited was prosecuted for serious safety failings which led to Camden worker Leszek Soltysiak suffering severe injuries. The employee was part of a two-man team brought in by Galliford Try to fix snagging issues at the iconic St Pancras Renaissance Hotel and Chambers, which had just undergone a £103m restoration by the company.

The Court heard the firm arranged for two workers from the logistics team to remove tape from the outside of an apartment window on the third floor of the residential block in the early hours of 4 March 2011.

As scaffolding had been removed from the site, the men had to move a cherrypicker from a compound in Euston Road to another in Midland Road to enable them to carry out the job.

Mr Soltysiak began to reverse the machine out of the exit onto Euston Road, raising his

operator platform to clear the fencing. Deciding it was clear, he continued backing out unaware that a double-decker bus had just turned into the road.

The second worker waved at the bus to try to get it to stop but it was dark and the bus driver saw nothing. The top of the bus hit the operator platform overhanging the road forcing the jib to slew across and hit a brick gate post. The collision catapulted the driver from the platform and he fell to the ground in front of the still moving bus. The bus driver braked, thinking he had hit a tree and stopped about 15 metres further along. Mr Soltysiak was found partially underneath the front nearside. He suffered serious head, arm, pelvis and leg injuries and was only able to return to work earlier this year.

The investigation found the incident could have been avoided if Galliford Try had fulfilled their duty to properly plan and supervise the work.

HSE Inspector Paul Hems said: "This worker narrowly escaped death after a series of events which almost seem unbelievable but in fact could have proved fatal. A 14-metres long slow-moving machine, not suitable for use on a public highway, was moved against the flow of traffic on to a three-lane road. Both workers were without high visibility clothing and there were no visible warning lights on the cherry-picker despite it being early morning and still dark which made it, and the men, effectively invisible to the bus driver. The dangers involved using cherry-pickers are well known and yet the company failed to ensure safe movement of the vehicle between different compounds at the

site. The company also failed to provide adequate and relevant information and instruction to their employees.

Galliford Try Construction Limited, of Cowley Business Park, Uxbridge, Middlesex, was fined a total of £12,000 and ordered to pay full costs of £16,459.70.

If you work in the construction industry, you will find the e-bulletins helpful:

[www.hse.gov.uk/construction/ebulletins/index.htm](http://www.hse.gov.uk/construction/ebulletins/index.htm)

## Employee Crushed to Death

Lift manufacturer Schindler Ltd has been fined £300,000 for safety failings after an employee was crushed to death while installing a passenger lift at Heathrow Airport.

Lift engineer Kevin Dawson, 45, was helping with the construction of Terminal 5A at London Heathrow when the incident occurred on 27 October 2007.

The Court heard that Mr Dawson was working from a ladder within the pit of a lift shaft, into which he and other Schindler employees were installing three new lift cars. As a colleague used one of the cars to fetch equipment from a higher level, a counterweight descended, crushing Mr Dawson and causing fatal injuries.



## Lessons learned – accidents and injuries

Investigation revealed the unfinished passenger lift was used to carry workers, tools and materials despite missing key safety-critical components. It also found the company's radio and telephone arrangements were ineffective, and workers routinely communicated by shouting up and down the lift shaft. This was potentially confusing while others were working in adjacent shafts.

And there was no evidence that Schindler had identified the risk of impact or crushing from moving lift parts, and therefore failed to plan, organise or supervise activity to control and prevent this risk. Schindler Ltd ultimately failed its duty of care in allowing unsafe working practices to continue.



*The ladder from which Kevin Dawson was working when he was struck and killed by the heavy counterweight.*

In addition to the £300,000 fine for the

three breaches, Schindler Ltd was also ordered to pay £169,970 in costs.

HSE Principal Inspector Norman Macritchie said:

"Kevin Dawson's death is a wake-up call for all involved in the installation and maintenance of lifts. His death was entirely preventable, and we need to ensure that nobody else suffers the same fate. It is hard to overstate the potential for death or serious injury arising from moving machinery, electricity and working at height - all of which are everyday risks in this industry. Lift shafts by their very nature are confined and often poorly-lit places, where heavy components can move suddenly, silently and without warning.

### Employee lost arm

A worker employed to clear out an industrial chicken shed lost his arm after it became trapped in unguarded machinery.

Mike Aubry, 27, of Bradninch, near Exeter, was working at Millard Poultry Ltd at Little Acre, Lower Godney, Wells, when the incident happened on 4 December, 2010.

The Court heard that Mr Aubrey was employed by a contractor to wash out the building using a pressure washer powered by the driveshaft of a tractor. The driveshaft

was not fully guarded and as he moved he was caught by the unguarded part of the machine. His arm had to be amputated at the scene.

HSE Inspector Tony Makin, said:

"This was terrible and entirely preventable incident which caused a young man a great deal of pain and has completely changed his life. Any machinery used at work should be properly guarded to stop these kinds of incidents happening again.

## GOSHA NEWS

Our next evening talk takes place at La Villette Hotel commencing at 6.30pm. The subject is human factors in health & safety and will be delivered by an expert from the UK HSE, Victoria Brindley. Details including an invitation will be issued soon.

We will advertise a summer site visit and a breakfast talk at the beginning of July on managing contractors over the coming weeks.

As ever, views, ideas and involvement of members are very welcome.



## About GOSHA

GOSHA is a voluntary, non-profit making organisation, set up in November 2004 to support businesses and other organisations in Guernsey by:

- Encouraging best practice in occupational safety and health
- Helping members develop professional standards within their sphere of work.
- Providing a forum for discussion and sharing information
- Developing a network for those with responsibilities for occupational health and safety
- Organising presentations by experts in relevant subjects or topics of interest
- Providing workshops on topical issues
- working closely with the Health and Safety Inspectorate, professional consultancies and other occupational safety and health associations.

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## Top 10 worst health and safety myths

There is no shortage of daft decisions being blamed on health and safety. Over the years, the Health and Safety Executive has tackled some quite incredible myths about what health and safety bans or orders people to do.

It's hard to tell where some of these ridiculous and baffling myths originate, but they all have one crucial thing in common - they are not required by health and safety law.

To mark the launch of the new Myth Busters Challenge Panel, HSE has published its top ten worst myths. We want people to work with us to challenge these myths - the time has come to end the madness!

1. Children being banned from playing conkers unless they are wearing goggles
2. Office workers being banned from putting up Christmas decorations
3. Trapeze artists being ordered to wear hard hats
4. Pin the tail on the donkey games being deemed a health and safety risk
5. Candy floss on a stick being banned in case people trip and impale themselves
6. Hanging baskets being banned in case people bump their heads on them
7. Schoolchildren being ordered to wear clip on ties in case they are choked by traditional neckwear
8. Park benches must be replaced because they are three inches too low
9. Flip flops being banned from the workplace

10. Graduates ordered not to throw their mortar boards in the air

### Risk Assessments – must be undertaken by an expert – wrong!

But they should be undertaken by someone competent to do them (most people are competent, they just need an idea of how to go about undertaking and recording their assessment – they are based on common sense and need not be complex)

### The reality of risk assessment

On its own, paperwork never saved anyone. It is a means to an end, not an end in itself - action is what protects people. So risk assessments should be fit for purpose and acted upon.



OK, if you're running an oil refinery you're going to need a fair amount of paperwork. But for most, bullet points work very well indeed.

Check out [www.hse.gov.uk/risk/principles.htm](http://www.hse.gov.uk/risk/principles.htm).

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