

In brief

LOLER failings

WILLIAM Fry Fabrications Ltd, a London-based company which fabricates structural steel products, has been fined £13,333 after pleading guilty to breaching *Regulation 9(3)(a)* of the *Lifting Operations and Lifting Equipment Regulations 1998* (LOLER).

Westminster magistrates court heard how the firm failed to thoroughly examine two cranes, despite being issued with Improvement and Prohibition Notices by HSE.

HSE said that between 2012 and 2015 the firm's cranes had not been thoroughly examined at least every 12 months despite a legal duty to do so.

Arson awareness

ARSON Awareness Week takes place this month (21-27 March) and fire and rescue services, together with the Arson Prevention Forum, whose members include, the Association of British Insurers, the Chief Fire Officers Association (CFOA) and the Confederation of British Industry, are calling on everyone to play their part in tackling fire crime.

"Arson accounts for almost half of all fires attended by the fire and rescue services and can have devastating effects in terms of its cost and consequences," says Lee Howell, the Forum's chairman.

Insurers estimate that arson costs over £1bn in fire-related claims each year. In 2014/15, 50 people died in fires that were started deliberately.

The Forum has published its 'top ten key messages' to reduce the risk of arson. For businesses, they include: ensure you include the impact of arson in your workplace fire risk assessment. A large percentage of businesses fail to return to trading following a fire; when closing your business adopt a thorough closedown procedure. Ensure external doors are locked, internal doors are closed, no unauthorised persons are left on the premises, no accumulation of waste or rubbish and alarms are switched on; protect your commercial property. Seek advice on security, good lighting and CCTV will often act as a deterrent to the criminal.

www.stoparsonuk.org

Safety rep recognition

THE UK's network of 100,000 trade union health and safety reps not only help reduce injuries and ill health at work, but save the economy many millions of pounds, according to a new TUC report.

The union effect: how unions make a difference on health and safety states that: workplaces which have a union presence have a 24% lower rate of injuries than non-unionised workplaces; workers with a health and safety committee are more than twice as likely to have been given health and safety training in the previous year than workers without one; and says it is estimated that safety reps save society more than £181m by cutting down on the time lost from workplace injuries and save more than 286,000 days that would have been lost to work-related illness.

TUC general secretary Frances O'Grady said: "Union health and safety reps play a huge role in protecting people at work and save the economy millions. Good employers recognise the importance of working with unions to ensure their shops, offices and factories are safe. It's a shame the Government is putting this good work at risk with its ill-conceived trade union bill."

www.tuc.org.uk/sites/default/files/Unioneffect2015.pdf

Rail firm fined £400,000

ENGINEERING company, Babcock Rail Ltd has been fined £400,000 after a rail worker was injured while renewing rail track.

In March 2013, the Babcock Rail employee was struck by a Road-Rail Vehicle (RRV) and trapped against the platform edge of Hope Railway Station in Flintshire, north-east Wales. The rail worker sustained injuries to his legs, abdomen and back.

An investigation by the Office of Rail and Road (ORR) found Babcock Rail was aware that there was a risk of collision between maintenance vehicles and workers, however it failed to

take appropriate steps to prevent its employees coming to harm. The ORR said there was inadequate planning, coordination and communication between managers. A 3mph speed limit for vehicles was not being monitored or enforced, and no attempts were made to set up exclusion zones or positions of safety for those working near moving vehicles.

Babcock Rail Ltd pleaded guilty to breaching *Section 2(1)* of the *Health and Safety at Work etc Act 1974*.

Ian Prosser, Her Majesty's chief inspector of railways, said Babcock Rail's safety management placed workers in unnecessary danger.

Director in court over FLT failings

A SCRAP metal firm and its director have been sentenced after an employee suffered severe injuries to his left arm when it became stuck in a forklift truck in November 2013.

Manchester Crown Court heard the employee of Ultimate Traders Ltd had been standing on the forks on the truck at the time after being instructed to do so as he helped move scrap cars into the back of a shipping container. Company director, Nasir Rashid, was driving the forklift when the employee was injured.

The worker was trapped for over two hours while the emergency services worked to free his arm from the vehicle's mast and suffered severe crush injuries. He was in hospital for nearly two months as a result of his injuries.

The court was told the company failed to report the incident to HSE for nearly three months, despite being told on several occasions that this was a legal requirement.

Mr Rashid was sentenced to six months imprisonment sus-

pending for 18 months and ordered to pay costs of £750 after pleading guilty to a breach of *Section 2(1)* of the *Health and Safety at Work etc Act 1974* (HSWA).

The company also pleaded guilty to a breach of *Section 2(1)* of HSWA as well as admitting breaching *Regulation 4(2)* of the *Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013* it was given a nominal fine of £2 due to the company's finances.

Information on the safe use of forklift trucks is available at www.hse.gov.uk/workplace transport



► An inspector shows the gap in which the man's arm was trapped

Crane firm convicted of corporate manslaughter

A CRANE hire company has been fined £700,000 after being found guilty of corporate manslaughter following the death of its employee in 2011.

Lindsay Easton, who was employed by Baldwins Crane Hire Ltd as a crane operator, was driving a 16 wheel, 130 tonne crane down an access road to a quarry in Lancashire, when it crashed into an earth bank and fell from the road after failing to negotiate a steep bend. Mr Easton was killed in the collision.

Investigations into the crash found it was caused by serious problems with the braking system of the crane, which had not

been properly maintained. The crane was fitted with four separate auxiliary braking systems in addition to the ordinary foot-brake. Three of the auxiliary braking systems had been disconnected altogether and the fourth was damaged. There were also serious faults with the main braking system, with no operable brakes at all on seven wheels and faults or excessive wear to the remaining nine.

Preston Crown Court heard how following Mr Easton's death investigators found faults with the brakes and operating systems on other cranes owned by the firm.

The company was found guilty

of corporate manslaughter, in that, because of the way in which the organisation's activities were managed or organised, it caused the death of Lindsay Easton. Baldwins Crane Hire Ltd was also found guilty of health and safety offences.

A spokesperson for the Crown Prosecution Service said: "Had the company serviced and maintained the vehicles, this accident would never have happened. Mr Easton put his safety in the hands of his employer and they failed him.

"The company had a duty of care to its employees to maintain the crane to ensure it was safe and roadworthy. This hadn't happened. The jury also found that the company had put other road users at risk due to poor maintenance of its vehicles."

Baldwins Crane Hire Ltd issued a statement following its conviction in which it unreservedly



► Crane driver Lindsay Easton died in August 2011

apologised to Mr Easton's family and said the company has worked tirelessly to ensure that a similar accident cannot happen again, including overhauling its inspection, maintenance and repair regime.

Richard J Baldwin, the firm's executive chairman said: "The company is confident that its fleet of cranes is safe and is committed to ensuring that remains the case in order to guarantee the safety of its employees and the public in the future."

Nuclear clean-up guidance consultation

VIEWS are being sought on proposed new guidance on the requirements operators of proposed or existing nuclear sites will have to fulfil in order to release a site from regulatory obligations under radioactive substances regulations (RSR).

The Scottish Environment Protection Agency (SEPA), the Environment Agency (EA) and Natural Resources Wales (NRW), who are responsible for regulating the disposal of radioactive waste on and from nuclear sites in Scotland, England and Wales respectively, have jointly produced the guidance to provide a common standard that can be applied to all nuclear sites throughout Great Britain, to enable them to be released from RSR.

It seeks to provide a clear explanation of what the environment agencies expect a nuclear site operator to do to demonstrate that all necessary work on site involving radioactive waste has been completed and that the public and the environment

will be adequately protected.

The guidance explains the requirements that the environment agencies expect operators to fulfil when developing their plans for the management of radioactive waste and when demonstrating, through a site wide environmental safety case, how those plans will leave their site in a state in which it can then be made available for other uses, and eventually released from RSR for unrestricted use.

The consultation document explains that there are many nuclear sites in Great Britain that are currently undergoing decommissioning and clean-up, and although in some cases it will be many years before all this work is completed, decisions are needed now about the level of clean-up required and whether to leave some radioactive waste in situ.

The consultation on *Guidance on requirements for release of nuclear sites from radioactive substances regulation* closes on 9 May 2016. See <https://consultation.sepa.org.uk/>

Call for more support for workers with long-term conditions

A NEW report is calling on the Government to consider the use of tax rebates and financial incentives for employers who help support people with long-term health conditions to remain in work.

The report, published by Lancaster University's Work Foundation, also calls on employers "to do their bit" by ensuring their workplaces are open and supportive environments so individuals feel comfortable about disclosing their condition and seeking support, and that reasonable adjustments are made to help workers with long-term and fluctuating health conditions stay in work.

Employment rates for people with long-term conditions are

persistently low, despite work being possible and beneficial for many, the report states. Sickness absence costs the UK economy around £22 billion a year with individuals losing out on a collective £4 billion in lost earnings as a result of illness.

Dr Zofia Bajorek, report author, said: "There are solutions to this problem but Government, the NHS and employers need to work together to ensure that people with long-term conditions can get back to work..."

The report, which focuses on six long-term conditions, is online at www.theworkfoundation.com/Reports/397/The-impact-of-long-term-conditions-on-employment-and-the-wider-UK-economy