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10 Years of CAR 2012



In the midst of a pandemic, a polluted planet, increasing diseases like cancer, asthma, heart disease, on World Health Day 2022, WHO focused global attention on urgent actions needed to **keep humans and the planet healthy** and foster a movement to **create societies focused on well-being**.

WHO estimates that more than 13 million deaths around the world each year are due to avoidable environmental causes. This includes the climate crisis which is the single biggest health threat facing humanity. The climate crisis is also a health crisis.

Our political, social and commercial decisions are driving the climate and health crisis. Over 90% of people breathe unhealthy air resulting from burning of fossil fuels. A heating world is seeing mosquitos spread diseases farther and faster than ever before. Extreme weather events, land degradation and water scarcity are displacing people and affecting their health. Pollution and plastics are found at the bottom of our deepest oceans, the highest mountains, and have made their way into our food chain. Systems that produce highly processed, unhealthy foods and beverages are driving a wave of obesity, increasing cancer and heart disease while generating a third of global greenhouse gas emissions.

While the COVID-19 pandemic showed us the healing power of science, it also highlighted the inequities in our world. The pandemic has revealed weaknesses in all areas of society and underlined the urgency of creating sustainable **well-being societies** committed to achieving equitable health now and for future generations without breaching ecological limits. The present design of the economy leads to inequitable distribution of income, wealth and power, with too many people still living in poverty and instability. A well-being economy has human well-being, equity and ecological sustainability as its goals. These goals are translated into long-term investments, well-being budgets, social protection and legal and fiscal strategies. Breaking these cycles of destruction for the planet and human health requires legislative action, corporate reform and individuals to be supported and incentivized to make healthy choices.

Download the campaign toolkit here - <https://www.who.int/campaigns/world-health-day/2022/campaign-toolkit>

HOW TO SAFEGUARD CONSTRUCTION WORKER'S MENTAL HEALTH

CARING FOR OUR MENTAL HEALTH IS JUST AS IMPORTANT AS LOOKING AFTER OUR PHYSICAL HEALTH, BUT IT CAN OFTEN GO BY THE WAYSIDE WHEN BUSY AT WORK.

According to research found in 2021, 91% of tradespeople experienced work-related stress at least once per month, and 58% of tradespeople have experienced poor mental health. The coronavirus pandemic has likely to have had an impact on construction worker's mental health, as well as research that found that the average UK tradesperson is owed at least £1,000 in withheld payments.

How can you ensure better mental health amongst construction workers?



1) IDENTIFY MITIGATING FACTORS

The first important thing to consider is which factors may be impacting your workers' mental health. Think about the types of contracts your business takes on, and what kind of hours, pay, and support these contracts contain. Ask your employees if there are any particular things causing them stress at work. This might be things like the toilet facilities available on-site, unsociable working hours always falling on the same teams, or a workload that has swiftly increased.

By identifying these contributing factors, you will be able to form effective strategies for keeping up the morale of your workers long-term. Many mental health issues are still not well understood, and many people find it difficult to open up to others about these problems, particularly at work.

So, to understand how to identify mental health obstacles, it's advisable that you and your management level staff complete training in this area so that you are clued up and confident in asking whether members of staff are in need of support. Mental health training courses, particularly those specialised in work environments, are a great way to understand these issues.

What factors might impact mental health?

High workloads

In research conducted recently, 39% of male construction workers said high workloads are the main reason for their mental health struggles. This figure was 15% for women.

Finances

39% of women respondents said finances were their main worry.

Work culture

Work culture could also contribute to poor mental health, with 20% (one in five) of construction workers between 55 and 64 saying they experienced being on the receiving end of insults.

2) PROVIDING TRAINING AND SUPPORT

Many people are not comfortable talking about their mental health, and the research backs this up in the construction sector too, with 66% of surveyors saying they don't feel comfortable talking about it, along with 56% of plasterers, 38% of landscapers, 36% of plumbers, and 31% of carpenters.

So, encouraging your employees to access support should be an important part of your company culture. As well as management-level staff receiving training on mental health, it's useful to provide workshops for all staff, so that no one feels unable to talk about these problems. You should also have appointed members of staff (usually a Human Resources professional) who workers can speak to regarding any mental health difficulties and necessary leave of absence from work.

3) ESTABLISHING A SUSTAINABLE WORK-LIFE BALANCE

The construction industry can be a very busy one, with many staff members having to work unsociable shifts in order to make the most of the day. This can make work-life balance difficult to achieve, which in turn can take a toll on people's mental health. Furthermore, the Construction Skills Network forecast indicates that the output in the field will grow by 4.4% across 2022, meaning that the sector will need to recruit an additional 43,000 workers.

Many will experience having more projects on their plate than ever, so it's important to care for the mental wellbeing of staff. You can do this by ensuring that people take regular breaks throughout shifts, or are able to start earlier in the morning to complete their hours in time for the school run. If your workload increases, you should also consider hiring more staff so that people are not overworked.

4) CREATING A POSITIVE AND SAFE COMPANY CULTURE

Having a positive company culture is one of the best ways to support construction worker's mental health, and there are a variety of things you can do to achieve this. As well as providing mental health workshops, you can also conduct regular team-building exercises so that people feel comfortable with their colleagues and can work more productively when on-site.

Other ways to build a good company culture include social events, industry networking, and courses for those who want to progress up the ladder. This encourages staff to spend time together and offers them a range of ways to move their career forward within the company. This will result in more motivated and better-skilled staff, all adding to the positive atmosphere in your business.

It can be tricky as an employer to know how to safeguard the mental health of your staff. But these tips will get you started on ensuring that your business has the methodology in place to build a caring company culture.

WORKING MINDS - MANAGE WORK-RELATED STRESS IN CONSTRUCTION

HSE's [Working Minds campaign](#) is bringing together a range of tools and support to help businesses and workers understand the best ways to prevent work related stress and encourage good mental health.

One such tool is HSE's [stress indicator tool](#).

This is an online survey that can be used as part of your [stress risk assessment](#) to gather anonymous data and information from employees to help identify areas to improve to prevent and manage work-related stress.

To help support smaller businesses the tool is freely available for businesses with up to 50 employees.

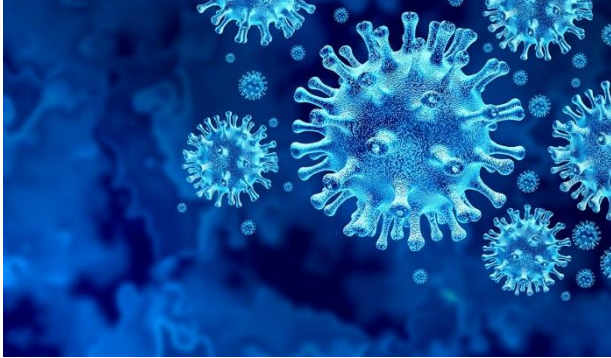
To find out more about the stress indicator tool and how to use it:

- Sign up to a live webinar demonstrating the stress indicator tool on [Thursday 14 April](#) (3.30pm)
- [Register for an account](#) to use the free version of the tool



ENDING OF LEGAL COVID RESTRICTIONS IN ENGLAND

FROM 24 FEBRUARY, THE UK GOVERNMENT ENDED ANY REMAINING LEGAL CORONAVIRUS RESTRICTIONS IN ENGLAND. THIS INCLUDES REMOVAL OF THE REQUIREMENT TO SELF-ISOLATE.



Please see [GOV.UK guidance](https://www.gov.uk/guidance) for further information.

There are different timescales for the removal of restrictions in [Scotland](#) and [Wales](#).

You can keep up to date with the latest information on [continuing to reduce coronavirus transmission in workplaces](#). This includes advice from public health bodies and other government departments.

You should continue to reduce the risk of COVID-19 transmission in line with your risk assessment. The following [workplace controls](#) remain:

- adequate ventilation
- sufficient cleaning
- good hand hygiene

COMPANY FINED AFTER FALL

A North-East civil engineering company has been sentenced after a worker suffered life threatening injuries after falling 15 metres when a platform he was working on unexpectedly collapsed.

Teesside Magistrates Court heard how that on 31 July 2019, the worker was involved in the dismantling of the Brent Bravo, a former North Sea oil and gas platform.

Able UK Limited was contracted to dismantle four platforms from the Brent North Sea oil and gas field. The incident occurred during the removal of a module located on the north west corner of the Brent Bravo Platform. In planning for the removal of the module, it was noted that there were three platforms on the cellar deck of the structure that would need to be moved to allow the module to fall safely. It was not recognised by the planning team that one of the platforms did not form part of the main structure and was attached to the platform using bolts that had corroded over time. This affected the structural integrity of the platform and the methodology required to remove it safely. During the cutting of bracing beams, the platform unexpectedly collapsed causing one of the employees to fall 15 metres.



An investigation by the Health and Safety Executive (HSE) into the incident found that Able UK Limited failed to carry out a full structural appraisal of the platform prior to demolition. This would have informed the risk assessment and method statement being used by the cutting crew at the time of the incident to ensure that the work could have been carried out safely.

Able UK Limited of Able House, Billingham Reach Industrial Est, Haverton Hill Road, Cleveland, pleaded guilty to breaching Regulation 2(1) of The Health and Safety at Work act 1974 and was fined £200,000 with £20,991.24 costs by Teesside Magistrates Court. After the hearing, HSE inspector Richard Littlefair said: "When undertaking demolition work where structures are being left in a pre-weakened state, it is essential for those in control of the work to take appropriate measures to ensure the safety of all those involved with the work. This includes ensuring that consideration is given to the stability of structures before and during demolition work, as well as ensuring that control measures are in place to mitigate other associated health and safety risks such as work at height."

UPDATED WOODWORKING GUIDANCE

EVERY YEAR IN THE UK, AROUND 12,000 PEOPLE DIE FROM LUNG DISEASES LINKED TO PAST EXPOSURE TO HAZARDOUS SUBSTANCES AT WORK ACROSS ALL INDUSTRIES, INCLUDING CONSTRUCTION.

This includes inhalation of wood-dust that can cause occupational asthma and, in the case of hardwoods, sinonasal cancer.

Employers have a legal duty to ensure they comply with the Control of Substances Hazardous to Health Regulations 2002 (COSHH), as amended, to control exposure to wood dusts and protect workers health.

View our [updated COSHH essentials woodworking guidance](#) to ensure your workers are safe.

Further guidance on effective control of [construction dust from cutting and sanding wood](#) can be found on our website.



COMPANY SENTENCED AFTER FATAL FALL THROUGH FRAGILE ASBESTOS ROOF

A COMPANY HAS BEEN SENTENCED AFTER AN EMPLOYEE OF A POWYS CONSTRUCTION COMPANY WAS FATALLY INJURED IN LIVERPOOL WHEN HE FELL SIX METRES THROUGH A ROOF WHILST WORKING ON A REPLACEMENT ROOF PROJECT.

Liverpool Crown Court heard that on 22 May 2017, roofer Marius Andrus was completing snagging work on a replacement roof. The worker had accessed a part of the old roof made of fragile asbestos cement sheets, which gave way. He fell through the sheets to the ground below sustaining fatal injuries.

An investigation by the Health and Safety Executive (HSE) found that the area accessed did not have safety nets fitted and that the employer failed to take reasonably practicable measures to reduce the risk to those working on the roof.

AJM Services (Midlands) Ltd of Llanfihangel, Llanfyllin, Powys pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005. The company was fined £51,000 and ordered to pay costs of £5,000.

Speaking after the hearing, HSE inspector Andy McGrory said: "This was a tragic incident, which resulted in a needless loss of life and could have easily been avoided by properly planning the work and ensuring appropriate safeguards were in place.

"Those in control of work at height have a responsibility to devise safe methods of working, which should include providing clear and comprehensive information for their workers and ensuring that they are adequately supervised."

Owners of the building Pearsons Glass of Maddrell Street, Liverpool pleaded guilty to breaching the Health and Safety at Work etc. Act 1974, section 3, at an earlier hearing and were sentenced at Liverpool Crown Court in February 2021. The company was fined £80,000 and ordered to pay costs of £6,656.

HEALTH AND SAFETY LAW POSTER – WHAT YOU NEED TO KNOW

The poster explains British health and safety laws and lists what workers and their employers should do.

If you employ anyone, you must either:

- display the health and safety law poster where your workers can easily read it
- provide each worker with the equivalent health and safety law leaflet

There are various versions of [the poster](#), so you can select the most appropriate for your business. You can:

- [download the equivalent leaflet](#)
- [purchase hard copies](#)

HSE also provides health and safety [law pocket cards](#). These are also a legal alternative to the law poster and are easy to distribute for your employees to carry with them.



NUMBER OF ELECTRICITY CABLE STRIKES DURING CONSTRUCTION WORK RISES



Builders have been warned to prioritise electrical safety after data has shown the scale of cable-damage incidents linked with building work.

The data from electricity distributor UK Power Networks, which covers London, the South East and East of England, highlights that 23 per cent of cable-damage incidents in 2021 involved building work, which was the highest incidence rate among the trades.

UK Power Networks' coverage spans more than 8 million businesses and homes in the region. It warned that construction workers could be at risk of serious harm when carrying out cable-related building activities, or when using equipment such

as lifting equipment, ladders, pneumatic drills and other hand tools.

UK Power Networks safety adviser Ros Forbes said: “Working as a builder near our networks, whether they be underground cables, overhead lines or electricity substations, can place employers and employees at risk of serious injury if the risks are not properly considered.”

Federation of Master Builders chief executive Brian Berry said that building sites are “dangerous environments”, especially where live cables are present. He urged builders to keep up to date with the latest safety guidelines on working around live wires. UK Power Networks reiterated that it was essential for builders to plan ahead for cable safety on site. Other recommendations included marking cables clearly, using cable detectors on walls and roofs, disconnecting wires before demolition work, and communication with fellow workers about the location of cables.

According to the Health and Safety Executive, which regulates workplace safety in the UK, [three construction workers died](#) from the handling of electricity between April and December 2021. It was the second major cause of death, after falls from height.

10 YEARS ON: THE ROLE OF THE DUTY HOLDER/CLIENT

WITH THE 10-YEAR ANNIVERSARY OF THE CONTROL OF ASBESTOS REGULATIONS (CAR) 2012 JUST AROUND THE CORNER, IT IS INTERESTING TO SEE HOW THE UK ASBESTOS INDUSTRY HAS DEVELOPED OVER THE LAST DECADE. IN THIS EDITION OF ASBESTOS UNCOVERED, THE EXPERTS AT SOCOTEC, EXPLORE THE ROLE OF THE DUTY HOLDER AND THE CLIENT WHEN IT COMES TO MANAGING THE RISKS OF ASBESTOS EXPOSURE, AS WELL AS REFLECTING ON HOW THESE LEVELS OF RESPONSIBILITY HAVE DEVELOPED OVER THE YEARS IN LINE WITH ADDITIONAL AREAS OF LEGISLATION.



Who is responsible for the management of asbestos?

Regulation 4 of CAR 2012 stipulates that those who own, manage or have responsibilities for non-domestic premises must protect those who occupy or work in them against the risks posed by asbestos. This is known as the 'duty to manage', which translates as the legal duty to manage the risk or cooperate with whoever manages that risk.

The definition of 'non-domestic premises' includes industrial, commercial or public buildings such as factories, warehouses, offices, shops, hospitals and schools, and also includes common areas of domestic premises such as

purpose-built flats. This generally comprises landlords, building owners and agents, all of whom are required to manage the level of risk.

Who is the duty holder?

According to CAR 2012, the duty holder is defined as the owner of non-domestic premises or an individual/organisation that has clear responsibility for the maintenance or repair of non-domestic premises. The extent of the duty holder's duty to manage depends on the nature of the agreement for the building (such as a contract or tenancy agreement), with the identity of the duty holder dependent on the responsibility allocated to them.

The definition of a duty holder can include the leaseholder, owner or tenants and, in some cases, the employer or local authority. It can also include the client, designer, principal contractor and contractor. Furthermore, organisations or individuals can carry out the role of more than one duty holder, provided they have the skills, knowledge, experience and capability necessary to carry out those roles in a way that secures health and safety.

What is the level of responsibility required for the duty holder?

The duty holder will:

- Take reasonable steps to ascertain whether there are materials containing asbestos in non-domestic premises
- If present, determine the amount of asbestos, where it is and what condition it is in and ensure this is regularly updated
- Presume that materials contain asbestos unless there is strong evidence that they do not
- Assess the risk of individuals being exposed to asbestos on the premises
- Develop an asbestos management plan and take the necessary steps to implement accordingly
- Periodically review and monitor the plan and the arrangements to act on it when the plan remains up to date as premises change
- Provide information on the location and condition of the materials to anyone who is liable to work on/disturb them, such as employers or building contractors.

While the duty holder is predominantly responsible for the management of asbestos, any individual who has information on the whereabouts of asbestos on the premises is required to make this known to the duty holder. Those who are not duty holders but control access to the premises must cooperate with you when it comes to asbestos management.

What responsibilities do clients have when it comes to the management of asbestos?

When asbestos is removed from a property, the duty holder/client that has agreed to the works being carried out has the ultimate say on how the project is overseen/how the works are delivered. They are legally required to make appropriate arrangements to ensure that the project is managed safely, while also ensuring that the procedures enforced are maintained and reviewed throughout.

For example, under Sections 2 and 3 of the [Health and Safety at Work Act 1974](#), clients must ensure the health, safety and welfare of their employees and any individuals who visit or may be affected by the works carried out on the premises. There are also legal requirements placed upon clients by the [Construction \(Design and Management\) Regulations 2015](#), which set out what people involved in construction work need to do to protect themselves and anyone the work affects from harm.

As part of the CDM regulations, clients are required to appoint suitably competent individuals to carry out asbestos management or removal works, while also providing contractors with sufficient information, time and resources to carry out the job. They must ensure the following:

- That adequate welfare facilities are in place
- That adequate time and space is allowed for asbestos surveys to take place
- That an adequate plan is implemented for the works (e.g. a written plan)
- That good communication and coordination is maintained throughout

10 years on – what has changed?

According to the latest figures published in July 2021 by the [HSE](#) (asbestos-related disease statistics, Great Britain 2021), asbestos still poses a high risk in the UK:

It is thought that asbestos-containing materials can still be found in around 1.5 million UK buildings. It is still present in a range of different forms, including lagging on pipes and boilers, sprayed asbestos to beams and overspray in voids, asbestos cement in the form of roofing, wall cladding, guttering, pipes, water tanks and corrugated sheets, insulating boards and ceiling tiles, textured wall coatings, asbestos ropes and cloth. Often, it is either hidden or has not been identified as asbestos, which means that people are still being accidentally exposed to asbestos.

The Control of Asbestos Regulations 2012 are still the current legislation that duty holders must adhere to. The regulations set out your legal duties, while the ACOP and guidance notes give practical advice on how to comply with those requirements. They also provide the minimum standards for protecting employees from the risks associated with exposure to asbestos.

The regulations came into force on 6 April 2012, updating and replacing the previous 2006 law. They contain requirements for work with asbestos, as well as information on the notification of work, designating areas where you are working on asbestos, medical surveillance, record keeping and ongoing awareness training.

The Control of Asbestos Regulations 2012, the Approved Code of Practice (ACOP) L143 and guidance documents for employers informs duty holders about the requirements for safely managing work which disturbs, or is likely to disturb, asbestos. The regulations set out legal duties, while the ACOP and guidance give practical advice on how to comply with those requirements. The regulations give minimum standards for protecting employees from the risks associated with exposure to asbestos.

HSG248 Second Edition

HSG248 is a series of guidance for analysts involved in asbestos work, deemed as the authoritative source of asbestos analytical and clearance procedures. The guidance has been updated and republished in July 2021 to take account of findings from HSE interventions and developments in analytical procedures and methodology. It provides clarification on technical and personal safety issues, especially in relation to sampling and 4-stage clearances. New information on sampling soils for asbestos is included.

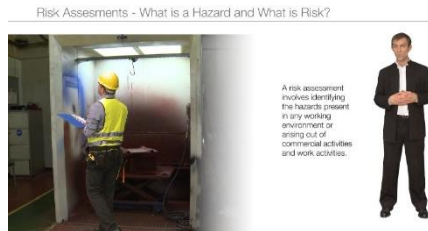
In summary, since the issue of the CAR 2012, though information and training for the duty holder have improved, asbestos still poses a high risk. The role of the duty holder is as important today as it has ever been, and we still need to proactively manage asbestos in our buildings through identification, accurate record keeping, providing the correct information to the people entering and working in our buildings and continued education, all of which reduce the risk of accidental exposure to asbestos.

AGA E-LEARNING COURSES




Whether you are looking to improve your own knowledge or provide training to employees, our E-Learning courses will guide you through the regulations, your legal duties, identifying hazards in your workplace and suitable control measures. Each course is followed by a short test to clarify your understanding regarding that topic, upon which after completion, you will be issued a certificate.

Each course costs £15+vat unless otherwise stated. The courses we currently offer training in are:


- Asbestos Awareness *Course cost is £25+vat*
- Abrasive Wheels
- Basic First Aid
- COSHH
- Display Screen Equipment (DSE)
- Falls Prevention – Working at height
- Fire Safety
- Fire Warden *Course cost is £20+vat*
- Health and Safety Level 2 *Course cost is £20+vat*
- Legionella Awareness
- Local Exhaust Ventilation (LEV)
- Lone and Remote Workers (Personal Security)
- Manual Handling
- Office Safety
- Risk Assessment
- Slips and Trips
- The Construction (Design and Management) Regulations (Overview)



Basic Ladder Awareness - Directive Key Requirements.

Classification	Duty Rating	Maximum Static Vertical Load	Application	Symbol
Class I	130kg	175kg	Industrial	
Class EN131	115kg	150kg	Commercial	
Class III	95kg	125kg	Domestic	

The value of the safe working load is intended to cover the weight of a single person and their equipment and is also referred to as the 'Maximum Static Vertical Load'.



For more information or to book our courses visit www.aga-ltd.co.uk/e-learning-courses.

FREE CDM ADVICE

Continued Professional Development for all



Do you need help understanding the CDM Regulations 2015? Not sure if you are complying with your duties correctly?

We offer a free CPD consultation to keep you up to date. One of our experienced CDM Consultants will host a virtual session and provide up to the minute, competent advice. We cover everything from Duty Holders to Design Risk Management and welcome any questions or scenarios you need help with.

Please get in touch if this would be of interest to you info@aga-ltd.co.uk



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