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Last Friday was the hottest day of the year in parts of the UK and with summer now underway, make sure you have the right advice and guidance to work safely.

In offices or similar environments, the temperature in workplaces must be reasonable. There's no law for maximum working temperature, or [when it's too hot to work](#).

Find out more by checking the HSE [guidance on temperature](#).

What can you do to feel more comfortable?

The HSE has some guidance on [what you can do to feel more comfortable](#).

It is important to remember the risks of overheating when working in hot conditions.

HSE has plenty of guidance on [workplace temperature](#), including:

- [Is it too hot to work?](#)
- [What the law says](#)
- [Outdoor working guidance](#)
- [Heat stress](#)

BUILDING SAFETY ACT: WHAT WERE THE KEY AMENDMENTS?

The Building Safety Act received Royal Assent on 28 April 2022, following a three-year public consultation and legislative process. The final text of the act was published on 13 May 2022.



The act implements most (but not all) of Dame Judith Hackitt's recommendations in her 2018 report, *Building a Safer Future*.

Over the last few months, public discussion about the act has been overshadowed by last-minute Government and House of Lords amendments. Many of these amendments were not subject to public consultation, and many industry players are still catching up with the implications of the changes.

What is happening to the building safety manager role?

The role of the building safety manager, which was to have been a central role within the new regulatory regime, never made it into legislation. The cost-benefit analysis adopted by the House of Lords resulted in its removal amid concerns about the costs of the role on leaseholders. Earlier drafts of the Building Safety Bill had introduced a statutory duty on the accountable person to appoint a building safety manager for each higher-risk building. This new statutory role was to support the accountable person in adhering to safety standards and complying with the legislation. This was a critical operational role for the day-to-day management of higher-risk buildings. Work underway to prepare for the role included a new competency framework and many organisations had already appointed building safety managers. While the duty to appoint a building safety manager has gone, the accountable person's legal responsibilities for higher-risk buildings have not. It will be up to them to ensure they have the necessary arrangements in place to meet their obligations under the act. We may see the role of building safety manager retained in some form across many organisations.

Does the Building Safety Act impose any new obligations on developers?

Developers will now be required (under section 144 of the act) to provide purchasers of new build homes with a new build home warranty, agreeing to remedy defects in the home within such period as is specified in that warranty. Developers must also provide for and give the purchaser the benefit of an insurance policy with a minimum coverage of 15 years. Section 145 gives the Secretary of State the power to make further regulations which impose civil financial penalties on developers who fail to give the new build home the warranty required. Sections 126 and 127 provide greater detail about the building industry scheme that the Secretary of State has the power to establish. Membership of the scheme may include conditions such as requirements to remedy defects or make financial contributions towards the costs of remediation works. Under section 128, the Secretary of State can make further regulations to prohibit certain prescribed persons from carrying out development of land in England, even where planning permission has been granted.

What happens next?

Certain parts of the act have come into force immediately, such as the Building Safety Regulator assuming its responsibilities. Certain parts of the act will take effect in two months' time, including the provisions dealing with remediation of certain defects, construction products, and those which amend the [Architects Act 1997](#) (establishing the appeals committee and regarding discipline and continuing professional conduct). Other provisions must wait for the Secretary of State to introduce further regulations over the next year. The main bulk of the legislation will not take effect for 18 months (developer levy, mandatory registration of high-rise buildings, commencement of mandatory occurrence reporting).

CONSTRUCTION DUST SITE INSPECTIONS CONTINUING

Construction sites across Great Britain are being targeted as part of a month-long HSE respiratory health inspection initiative and the Dust Kills campaign.

Site inspections focusing on dust control commenced on 6th June 2022.

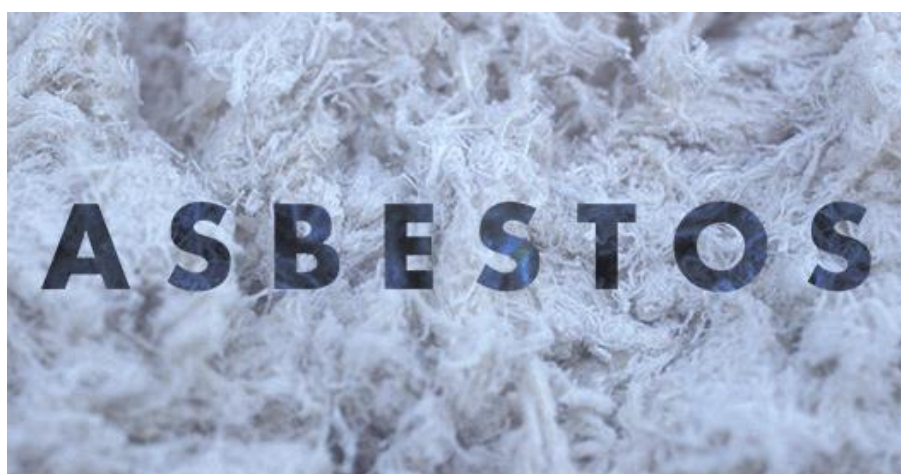
The inspections are checking employers and workers know the risks, plan their work and are using the right controls to protect workers from inhaling construction dust including respirable crystalline silica (RCS) and wood dust.



The HSE have advice for employers, workers and small builders on their [Dust Kills campaign website](#).

RECENT HSE PROSECUTIONS

[Former construction company directors sentenced for failing to prevent exposure to asbestos](#)



Two former company directors have been sentenced and fined after a refurbishment project at a former department store was found to have disturbed asbestos containing materials (ACMs) while demolition work was still taking place.

Newcastle Crown Court heard that during October 2017, the former Joplings Department Store in Sunderland was undergoing refurbishment when workers disturbed large quantities of asbestos.

Following a reported concern regarding unsafe construction work at the site, an investigation by the Health and Safety Executive (HSE) found that demolition and stripping work had been carried out inside the property. The age of the building and previous refurbishment work meant that there were vast quantities of ACMs inside the building.

During several months of demolition and refurbishment work the ACMs had been broken up using sledgehammers and brute force. Asbestos fibres were spread across five floors of the building as well as outside of the city centre property. At the time of HSE's intervention, 1,315 square metres of contaminated waste was found across the shop floors and in the stairwell.

Former director of Keebar Construction, Alan Barraclough, of Hutton Lane, Guisborough was found guilty of breaching two counts of Section 37 of the Health and Safety at Work Act 1974 etc. He received a 14-month sentence, suspended for 2 years, and ordered to carry out 120 hours of unpaid community work within 12 months. He was suspended as a director for 10 years and ordered to pay costs of £44,774.21.

Former director of Keebar Construction, James Keegan, of Larkspur Road, Middlesbrough was also found guilty of breaching two counts of Section 37 of the Health and Safety at Work Act 1974 etc. He also received a 14-month sentence, suspended for 2 years, and ordered to carry out 120 hours of unpaid community work within 12 months. He was suspended as a director for 10 years and ordered to pay costs of £44,774.21.

Speaking after the hearing, HSE inspector Phil Chester, said: “Asbestos is responsible for the premature deaths of over 5,000 people each year. Younger people, if routinely exposed to asbestos fibres are, over time, at greater risk of developing asbestos-related disease than older workers. This is due to the time it takes for the body to develop symptoms after exposure to asbestos. Exposure to asbestos can cause four main diseases – Mesothelioma (a cancer of the lining of the lungs), asbestos-related lung cancer, Asbestosis (a scarring of the lungs); and Diffuse pleural thickening (a thickening of the membrane surrounding the lungs, which can restrict lung expansion leading to breathlessness). It can take anywhere between 15-60 years for any symptoms to develop after exposure. Companies need to recognise the dangers of removing asbestos without appropriate safety measures, to their employees and members of the public.”

Company sentenced after worker fall from height

Abbots Mead Limited, a building maintenance company based in Cheshire has been fined £20,000 for poorly managing work at height while carrying out repairs to a roof and cleaning the gutters of a commercial unit in Wolverhampton.

Dudley Magistrates Court heard that on 29 January 2021 while carrying out repairs works to a fragile roof of a commercial unit, an apprentice employee fell through a skylight. The employee fell approximately six metres to the concrete floor of the warehouse below contacting the racking on the fall. His injuries included fractures to the hip and wrist.



An investigation by the Health and Safety Executive (HSE) found that employees had not been informed they were working on a fragile roof and no measures had been implemented for working on a fragile surface. The company failed to properly risk assess the task and to provide the appropriate control measures to prevent a fall.

Abbots Mead Limited, of Knutsford Way, Sealand Industrial Estate, Chester, pleaded guilty to a breach of Regulation 4(1) of the Work at Height Regulations 2005 and received a £20,000 fine. Abbots Mead Ltd were also ordered to pay costs of £3,873 and a victim surcharge.

Speaking after the hearing, HSE Inspector Aaron Fisher said: “Falls from height remain one of the most common causes of work-related fatalities in this country and the risks associated with working at height are well known.

“Companies and individuals in control should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standard.”

ROBERTSON’S STRESS CAMPAIGN



Robertson Construction were finding one of the issues on site is stress, especially during the pandemic and the effect that this has had on their workforce. The contractor has set up a partnership with the Newcastle United Foundation to become ambassadors for the ‘be a game changer’ campaign, they have carried out a workshop and are following this up site wide across their regions. The workshop consisted of a presentation and a sleep and stress workshop.

Activity 1: Be A Game Changer Presentation

This asked the question of ‘Do you want to learn how to improve your wellbeing?’ The presentation is aimed to increase mental health awareness and understand the impact of mental illness. They will also discuss further opportunities offered by the Health and Wellbeing team at Newcastle United Foundation.

Activity 2: Sleep and Stress Workshop

This asked the question of ‘Do you or a loved one struggle with your sleep or stress levels?’ This interactive presentation on stress, the impacts it can have on our lifestyle and how we can combat these issues. Here, they also discuss the relationship stress can have on sleep and suggests techniques on improving sleep hygiene.

Following on from this the contractor has committed to be a champion to support this worthwhile course, this gives their employees access to campaign toolkits, digital resources including posters and social media templates, support to create mental health policies and procedures, online or face to face health and wellbeing workshops and mental health first aid courses.

HSE - SAFETY NOTICE - EAR LOOP MASKS DO NOT PROVIDE ENOUGH PROTECTION

NEW HSE RESEARCH HAS REVEALED THAT RESPIRATORS/MASKS WHICH RELY ON EAR LOOPS (INCLUDING THOSE PROVIDED WITH CLIPS, 'SNUGGERS' OR OTHER MEANS OF TIGHTENING THE FIT OF THE MASK) TO HOLD THE RESPIRATOR/MASK IN PLACE, DO NOT PROTECT PEOPLE ADEQUATELY WHEN USED AS TIGHT FITTING RESPIRATORY PROTECTIVE EQUIPMENT (RPE).

HSE has seen an increase in the variety of ear loop respirators/masks, which indicate they offer the protection provided by FFP2 (filtering facepiece respirators or disposable half mask respirators). These products rely on having a good seal with the wearer's face. For the majority of workers who are required to wear tight fitting RPE in the workplace, this seal cannot be achieved with a respirator/mask relying on ear loops to hold it in place.



HSE does not recommend using respirators/masks secured using ear loops as tight fitting RPE

If the respirator/mask uses ear loops, in most cases, it is highly unlikely to provide the wearer with the right protection. This includes any respirators/masks which use clips, 'snuggers' or other means of tightening ear loops, even if they have CE or UKCA marks. Following publication of the previous Safety Alert '[Use of Face Masks designated KN95](#)', in June 2020, the NHS took early action to exclude ear loop respirators/masks from their supply chain due to concerns over their protection. As a result, respirators with a head harness will have been supplied and fit test completed with this style of respirator.

Surgical masks and other face coverings are not affected. Do not confuse FFP2 masks/respirators with masks or fluid resistance surgical masks (FRSM), shown below, as FRSM's are used for a different purpose and are not required to be tight fitting.

To provide adequate protection for individual wearers, all tight-fitting RPE should be fit tested by a competent assessor as part of the selection process. HSE research shows that in the majority of cases a face fit test was not passed for CE or UKCA marked ear loop mask/respirators and only in a very few cases was a face fit test passed. Because of this, HSE recommends that ear loop mask/respirators are not used as RPE in the workplace.

Dutyholders are asked to revisit their Control of Substances Hazardous to Health Regulations 2002 (as amended) risk assessment and consider their RPE provision to ensure it is adequate, suitable for the user and the activity to be undertaken. If you have identified that tight fitting RPE is required, you should note HSE does not recommend using a mask/respirator which relies on ear loops to hold it in place.

BEYOND THE LINE OF SIGHT DRONE TRIAL

Skanska is the first in the UK to use drone flight to be controlled from beyond the line of visual sight (BLOVS) and is intended to pave the way for them to be stored on or flown to site to carry out visual inspections without operators needing to travel to site.

The drone pilot is located in a central control room fifty miles away from the development. Pilots working in a central control room without the need to physically see the drones drive down costs and allow long distance surveys. During the flight, the drone captured video and imagery of structural details on the site.

The benefit of this technology is that it will enable faster, safer and more detailed surveys to be carried out on projects. It will also mean contractors can be more responsive – getting a drone up to inspect an issue at a moment's notice, instead of taking days or weeks to arrange.

TOUGH' PI INSURANCE LANDSCAPE SEES QUARTER OF BUILT FIRMS LOSE WORK

Almost a quarter of construction firms have lost jobs due to inadequate professional indemnity insurance (PII), with high premiums “disproportionally” affecting SMEs, a survey finds.

The Construction Leadership Council’s (CLC) second annual PI insurance survey found that 24 per cent of respondents had lost work, primarily due to restrictions on the level of their cover relating to cladding or fire safety.

Nearly a quarter (22 per cent) of respondents said they were still unable to buy the cover they want or need for jobs, according to the survey, which showed 40 per cent of firms had a worse experience of buying insurance this year than in 2021.

For those able to buy insurance, almost one in five (17 per cent) people said they were paying more than 5 per cent of their turnover for their annual premium – with one in 20 paying more than 10 per cent.

CLC PII Group lead Samantha Peat warned that the environment “remains extremely tough” for construction firms, particularly SMEs, to secure PII cover in light of rising energy prices and material inflation.

The survey, completed by 652 respondents, found that more than a third of respondents had been declined insurance by three insurers or more, which, although significant, represented an improvement on last year’s total (44 per cent).

Close to seven out of 10 respondents (68 per cent) had restrictions on cover for fire safety, the same as in 2021, while 34 per cent said their cover included a “total exclusion” for cladding.

Commenting on the findings of the CLC’s second PII survey, Peat – who is also managing director of Wren Managers – said: “The market conditions for PII cover remain extremely tough for construction firms, particularly SMEs, and in light of energy price rises and materials inflation, these are worrying times. The CLC PII Group will continue to work with government and insurers to try and ease the situation.”

PI insurance has been on the rise since the 2017 [Grenfell Tower fire](#), as underwriters began to view all types of envelope work as high risk, whether the jobs involved combustible cladding or not.

At the same time, demand for remediation work has risen greatly, leaving a shrinking pool of firms to do a greater number of jobs, slowing the process of fixing buildings and leaving many residents trapped in unsafe buildings.



AGA OFFER FACE FITTING

AGA have 6 fully qualified Face Fit Testers ready to come to your sites

Where respiratory protective equipment (RPE) is used as a control measure under Health and Safety Legislation, it is vital that the selected RPE is adequate and suitable. RPE must reduce exposure to as low as reasonably practicable, and in any case to an acceptable level (e.g., below any applicable Workplace Exposure Limits or Control Limits).



To ensure that the selected RPE has the potential to provide adequate protection for individual wearers, the ACoPs supporting COSHH, CAR and CLAW stipulate that tight-fitting RPE must be fit tested as part of the selection process. This will help to ensure that inadequately fitting facepieces are not selected for use. Ill-fitting facepieces can create inward leakages of airborne contaminants.

AGA can advise you on:

- The different types of RPE available
- The different grades of RPE and how to understand what the right RPE for the task is
- The different exposure hazards and ill health from working with wood, silica and construction dust
- The law and requirements for RPE use
- How to correctly fit RPE

We can then test the face fit of RPE on your operatives using our testing kit and provide certification for each operative.

Prices start from £40 per person. AGA will come out to your location to carry out the face fitting and provide you with full certification for each individual.

Please do give us a call if this is of interest to you, on 03300 886585.

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


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)




Risk Assessments - What is a Hazard and What is Risk?




A risk assessment involves identifying the hazards present in any working environment or arising out of commercial activities and work activities.



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.



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