

WW2 BOMB EXPLODES ON CONSTRUCTION SITE

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Specialist teams have been sent to inspect properties damaged by the detonation of a Second World War bomb, found on an Exeter construction site.

The 1,000 kg bomb was initially unearthed by contractor Urbn Construction on Friday, prompting a call out of a Royal Navy bomb disposal team to make the site safe. Teams from Exeter City Council, Devon County Council and the police have begun assessing structural damage to a number of properties following the controlled explosion of the device on Saturday. Up to 400 tonnes of sand was placed at the site of the device to mitigate the explosion.

Debris is understood to have been thrown up to 250 metres from the blast site after the 1,000 kg 'Hermann' bomb was detonated at 6.10pm on Saturday. Police had evacuated 2,600 homes and 1,400 students were told to leave their halls of residence as a safety precaution after an initial 100-metre safety cordon was extended to 400 metres.

However, despite the measures, windows were blown out and cracks reported in a number of buildings following the detonation on Glenthorne Road close to an Exeter University campus.

Devon County Council leader John Hart said: "We realise this is a very distressing experience for local residents and the city as a whole. The safety of residents is our absolute priority, and we are moving as quickly as we can to clear debris from the area, assess structural damage to properties and facilities, and make the area safe for the return of residents as quickly as possible.



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TOUGHER PENALTIES “DEMONSTRATE SOCIETY’S DISAPPROVAL” OF UNSAFE WORK PRACTICES

Tougher penalties for health and safety failings “demonstrate society’s disapproval” of actions – or inaction – which put workers at risk of accidents, injuries and ill health.



Five years on from the implementation of new court guidelines for sentencing such offences, they appear to have had a positive impact, persuading businesses to invest more in protecting workers, but more still needs to be done.

Following the implementation of *The Sentencing Council's Health and Safety Offences, Corporate Manslaughter and Food Safety & Hygiene Offences Definitive Guideline*, on 1 February 2016, the average fine handed out by courts increased from just over £54,000 in 2015-16, the year before the guidelines were introduced, to over £150,000 in 2018-19.

Many fines since the guidelines were introduced have topped £1 million and involved some high-profile organisations. In the same period, the number of enforcement notices issued by the Health and Safety Executive to remedy breaches without court action, has fallen. Provisional figures for 2019-20 showed there were 7,075 notices, the lowest since 07-08.

HSE BULLETIN

Issued: 4 February 2021

[HSE has published updated guidance on disinfecting premises during the coronavirus pandemic.](#)

Disinfecting using fog, mist and other systems during the pandemic

HSE guidance on disinfecting premises during the coronavirus pandemic has been updated to include joint advice on risks to health that can be created by using walk-through spraying or misting systems.

HSE and public health bodies in England, Wales and Scotland have agreed joint advice on the risks to health from walk-through disinfecting systems for duty holders considering using them to reduce transmission of coronavirus.



Spraying people with disinfectants is not recommended under any circumstances (including in a tunnel, cabinet, or chamber). The World Health Organisation has also confirmed that it could be harmful and does not reduce the spread of the virus. This is because transmission is usually through droplets or contact, so the effectiveness of these systems is likely to be minimal.

There is more information from the government’s Scientific Advisory Group for Emergencies (SAGE) on potential health risks from whole-body walk-through systems.

The updated page on HSE’s site also has helpful advice on:

- cleaning premises using fog, mist or UV treatment
- the law on disinfectants
- only using HSE-authorized products in the UK
- supply and manufacture of disinfectants

WORKPLACE PRANKS ARE NO JOKE

Rough, boisterous play or pranks in the workplace can have serious consequences. We look at key cases involving practical jokes at work and offer tips on how to prevent horseplay.

WHAT IS HORSEPLAY?

Playing around, racing, grabbing, foolish vehicle operation, social pressure, harassment, and unauthorised contests are activities often encouraged by 'practical jokers' who pressure other colleagues to get involved. Playing jokes and having fun with colleagues can break up the day, provide stress-relief and make work more interesting, however horseplay can take this too far and put workers at risk.

IS IT A HEALTH AND SAFETY ISSUE?

Cases involving horseplay are common in industrial workplaces such as construction sites, and often where forklift trucks are used. But other cases have included pharmacies, hospitals and offices where pranks such as pulling out a chair has resulted in injury.

Regardless of the sector, it is management's responsibility to ensure all employees have access to a safe, respectful and harassment-free place to work.

The Health and Safety at Work Act does not specifically discuss horseplay but does make requirements for employees regarding health and safety.

Section 7 of the Act requires employees to 'take reasonable care for the health and safety of himself and of other persons who may be affected by his acts or omissions at work'.

Section 8 requires that no person shall intentionally interfere or misuse anything provided in the interests of health, safety and welfare. These duties extend to avoiding silly or reckless behaviour, and those who fail to comply with these duties may make themselves liable to be prosecuted.

In the Health and Safety Executive's operational guidance on prosecuting individuals (OC 130/8), some acts of horseplay and violence against people will come within the scope of section 7 if they arise out of, or in connection with, work and put people's health and safety at risk. Examples of this include horseplay with air-lines, staple guns, highly flammable liquids and "initiation ceremonies".

WHOSE RESPONSIBILITY?

It is a common misconception among employees that health and safety is the sole responsibility of the employer and if an accident or incident were to occur due to horseplay, that resulted in the injury of another person, it would be the employer that would have full responsibility. However, pranks at work that injure or threaten to injure another person may be the subject for individual prosecution against the person responsible.

KEY TIPS TO PREVENT HORSEPLAY

Employees should:

- not engage or participate in any type of unsafe behaviour or horseplay, initiate it, or get pressured into participating in it
- follow all regulations and work rules to ensure the safety of individuals or other employees
- ensure protective equipment is used properly and operating machinery is in good repair and does not present a hazard
- report those behaving in an unprofessional or unsafe way to a supervisor or manager.

Managers should:

- provide a safe and healthy work environment for all employees
- take all precautions necessary to protect the safety and health of employees
- outline policies against workplace horseplay in your employee manual
- educate and train employees on workplace safety
- be an example of professionalism and not engage in any inappropriate behaviour or horseplay.



RESEARCH ON PRINCIPAL DESIGNER

The HSE have launched research to broaden their understanding of how the Principal Designer role under CDM 2015 is working in practice.

As the main set of regulations for managing health, safety and welfare in construction, the Construction (Design and Management) Regulations 2015 (CDM 2015) apply to all building and construction work and create five dutyholder roles – one of which is the Principal Designer (PD).

Last Month HSE launched important new research aimed at broadening their understanding of how the PD role is working in practice (both the benefits and challenges).

They asked for as many views as possible from all CDM duty holders - Clients, Designers, Principal Contractors and Contractors as well as PDs.

HSE has appointed independent construction safety consultant MPW R&R Ltd to undertake the research. The results of which should be forthcoming this year. Watch this space....



HSE OUTSOURCES COVID SPOT CHECKS

The UK Health and Safety Executive's decision to use two private sector firms to carry out workplace 'COVID security' assessments is being scrutinised by employers and their legal advisers, amid concern that staff at the two debt collection firms involved might not be best qualified for the role.



The two firms, Marston Holdings and CDER, were appointed in December to provide staff as 'spot check support officers' visiting businesses' premises to assess compliance with **COVID guidance**, including masks, sanitation, two-metre segregation and bubble arrangements.

The firms typically hold contracts with local authorities, the High Court, landlords, utility services and others, to enforce payment of a variety of civil debts, from court fines and parking tickets to unpaid bills.

The £7 million price tag for the two contracts is drawn from the **HSE's ring-fenced emergency injection of £14 million for COVID-related enforcement** announced by the Department for Work and Pensions last May.

An HSE spokesperson confirmed that 127,878 spot checks had been carried out in total since the beginning of the pandemic (including telephone checks, visits by the outsourced spot-check support officers and visits by HSE inspectors and visiting officers). They added that the companies were selected on the basis of 'their skills, infrastructure, staff and expertise', as well as having extensive field forces in England, Scotland and Wales, and prior experience in providing similar services for the public sector.

The HSE defended the move, saying: 'The introduction of proactive spot check calls and visits during the pandemic has allowed us to significantly scale up our proactive work to check, support and advise businesses on the implementation of the Public Health Safer Workplace guidance whilst supporting local authorities and the sectors they regulate, and responding rapidly to local outbreaks. A key benefit of this approach is that it allows our highly experienced inspectors to focus on more complex COVID-19 work, in addition to investigating reported concerns and investigating incidents.'

However, union representatives have also voiced concern at the move. Mike Clancy, general secretary of the HSE inspectors' union Prospect, told *Construction News* that the private contractors' 'tick-box checks' were a poor substitute for experienced inspectors. 'Lower-quality "spot checks" delivered by the private sector further highlights the structural lack of capacity in HSE, thanks to a decade of underfunding,' he said.

RECORDING NEAR MISSES AT WORK

Understanding near misses can help you reduce the risk of accidents.

HSE's newly published 'Near-miss Book' helps employers and employees record details of workplace near misses, providing valuable insight into when and how things go wrong.

A pattern of near misses provides an early warning that something needs attention.

The Near-miss Book is [available to purchase now from HSE Books](#).



ROOFING COMPANY FINED AFTER WORKER SUFFERS FATAL FALL



A roofing company has been fined after an employee fell through an industrial roof light, sustaining fatal injuries.

Basildon Crown Court heard how on 25 February 2018, Jonathan Moore an employee of R4 Industrial Roofing Cladding Systems Ltd was undertaking repairs on a large warehouse roof in the Port of Tilbury when he stepped on a fragile rooflight, which gave way. He fell more than 10 metres to the concrete floor below sustaining fatal injuries.

An investigation by the Health and Safety Executive (HSE) found that the repair work was carried out without appropriate safety precautions in place. The planning and supervision of the work was completely inadequate, which also put a self-employed worker assisting with the repairs at risk.

R4 Industrial Roofing Cladding Systems Ltd of Friern Gardens, Wickford, Essex pleaded guilty to breaching Sections 2(1) and 3(1) of the Health and Safety at Work Act 1974. They were fined £165,000 and ordered to pay costs of £20,957.

Speaking after the hearing, HSE inspector Glyn Davies 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 should be aware that unsafe work at height without suitable and sufficient controls in place is not acceptable and HSE will not hesitate to take appropriate enforcement action against those that fall below the required standard."

SAFETY INNOVATION - OPERATIVE E-LEARNING

Bowmer and Kirkland has created an e-learning hub positioned on site which enables workers to take the Considerate Constructors Scheme's e-learning courses and increase their knowledge of best practice.

The contractor acknowledges that some of the workforce have a limited knowledge of the scheme so by implementing this Hub they can broaden their understanding of what the Considerate Constructors Scheme aims to achieve within the industry.

Operatives who complete more than five online e-learning courses receive a CPD certificate along with a retail voucher as a thank you.



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 £20+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)



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.

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