

# HSE SITE INSPECTIONS FOCUS ON MOVING AND HANDLING MATERIALS

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Construction sites are being targeted as part of a health inspection initiative supported by the 'Work Right Construction: Your health. Your future' campaign.

The campaign is raising awareness of health issues in relation to moving and handling materials to improve the long-term health of those working in construction.

Starting on Monday 3 October 2022, site inspections focusing on moving and handling construction materials will be checking employers and workers know the risks, plan their work and are using sensible control measures to protect workers from injuries and aches, pain and discomfort in joints, muscles and bones known as musculoskeletal disorders (MSDs).

An estimated 40,000 construction workers suffered work-related MSDs last year. These injuries can have a serious impact on workers' ability to perform tasks; their quality of life; and in some cases, their ability to stay in work and earn a living. Many can and do suffer from long-term pain and discomfort.

### Act now to protect workers' health

Employers have a legal responsibility to protect workers from ill health and should involve them in managing the risks to their health just as they would with safety.

Workers should not have to accept these injuries and potential long-term suffering as an inevitable part of construction work. They should talk to their employer about the risks and the measures in place to protect their health.

We have [advice for employers, workers and small builders](#).



# HSE PUBLISHES REVISED CONSTRUCTION FIRE SAFETY GUIDANCE



The GB Health and Safety Executive has recently published a revised version of its fire safety in construction (HSG168) document.

Several years in the making, the latest edition contains guidance explaining the need to eliminate and/or mitigate fire risks during the design phase.

The guidance, aimed at all those working on construction projects who procure, design, develop and manage construction sites, including clients and designers, is intended to enable construction professionals to achieve good fire safety management and compliance with CDM 2015.

It also suggests how to prevent site fires from starting and ensuring people's safety if they do.

Construction fire safety needs to be managed from the earliest stages of design and procurement and needs to address the risks both to site workers and to persons living or working in neighbouring buildings. This may mean reviewing particular construction methods, materials, or a specific site location to achieve effective fire risk reduction at the planning stage.

Where design risk reduction is not practicable specific mitigation measures must be identified by the designers and principal designer. It is essential to consider fire safety measures throughout all stages of the design and procurement process and to implement them effectively during the construction phase.

The risk assessment and fire safety measures must identify high-risk activities or construction methods where fires can spread quickly, and situations where evacuation plans are complex. All risk assessments and control measures must be reviewed during the construction phase to ensure they remain suitable and sufficient during the ever-changing environment and conditions.

The publication doesn't reference the findings of the Grenfell Tower fire in 2017 because the fire did not occur while the building was being renovated or constructed.

The new guide is available to download for free [here](#).

## BSR ONLINE: RESOURCES AND FEEDBACK

For further information and resources available to help you prepare for the introduction of the Building Safety Regulator and the new building safety regime in England, [visit our building safety webpages](#).

We've produced some shareable email banners, social graphics and factsheets for you and your organisations to use at events and to encourage your networks to sign-up to this ebulletin.

[Access the resources](#)

If you have any questions or comments, ideas or suggestions, please share and email us at [BSR-Communications@hse.gov.uk](mailto:BSR-Communications@hse.gov.uk)



# PLANNING GATEWAY ONE - A YEAR ON

Peter Baker, Chief Inspector of Buildings, looks back at the first year of Planning Gateway One for high-rise buildings:



It's been just over a year since HSE became a statutory consultee for planning applications for high-rise residential buildings.

Planning Gateway One (PGO) was the first step in transforming the regulatory framework for building safety in England following the Grenfell Tower tragedy. PGO aims to ensure that applicants consider fire safety issues at the earliest possible stage in the development process, and that thinking on fire safety is fully integrated into development schemes.

In the first year of PGO, HSE received just over 1,300 consultation requests from local planning authorities on planning applications for developments that include a relevant building. As well as new planning applications involving high-rise residential buildings, around 30% of these cases included resubmissions following HSE's advice to planning authorities. A further 30%

were considered to be out of scope of the new regime, or the case related to an application that pre-dated the start of PGO.

The number of cases referred to PGO is encouraging and provides some confidence that HSE is being consulted on planning applications for relevant buildings, and that the new, more stringent regime for higher risk buildings is having an impact at the planning stage of developments.

HSE raised fire safety concerns related to land use planning in over half of the cases, ranging from issues that could be easily rectified with straightforward modifications to building layout and access, to the need for significant changes, including additional firefighting shafts, the location of fire mains, fire appliance accessibility, escape route protection, and preventing fire spread to other buildings.

I'm delighted to see that there are early signs that PGO is driving a change in the behaviour of developers and designers, and that HSE has been able to have a positive influence on the fire safety of higher-risk buildings early in the design process.

There is more to do to raise industry's awareness of PGO and the content of fire statements, and we will be sharing the learning from the first year of PGO with developers and local planning authorities to improve fire safety outcomes.

In the meantime, I would encourage clients, developers and design teams to use our [free fire safety and planning pre-application service](#) before you submit your planning application, for further advice on fire safety design relevant to land use planning.

Take-up of our free advice service is increasing and already making a difference to applicants' plans and the fire safety of high-rise buildings in England.

## IN CASE YOU MISSED IT...

The British Standards Institution (BSI) has published three new standards setting out competence requirements for safety management within the built environment.

These include competence frameworks for the newly regulated roles of Principal Designer and Principal Contractor.

[Find out more about the new competence standards on BSI's website](#), where you can register your details to download free copies.



# HAVE YOUR SAY TO HELP SHAPE THE NEW BUILDING SAFETY REGIME

HSE wants to make sure that everyone affected by the building safety reforms has an opportunity to comment on, and contribute to, the new regulatory framework that will improve the safety and standard of buildings in England.

Last month we shared details about a series of consultations HSE and the Department for Levelling Up Housing and Communities (DLUHC) were launching. These consultations are important to enable residents, industry and others to feedback on proposed regulations which will add important detail to the law set out in the Building Safety Act 2022.

This week, HSE published a consultation on operational standards rules (OSRs) which apply to all building control functions delivered by local authorities and registered building control approvers in England. This includes monitoring arrangements, reportable data and the strategic context for building control oversight.

The OSRs will set out the practices, procedures and standards that building control bodies must adopt when carrying out their building control functions. Earlier this month, we also launched a consultation which will inform proposals for the fees and charges regulations and an underpinning charging scheme.

These consultations are a good opportunity for you to help inform our preparations for our role as the regulator and help us achieve our objectives and regulatory principles under the Building Safety Act 2022.

[Take part in the consultations](#)

We would also highlight the consultation on proposals for making sure residents have a say in the management of safety in their buildings. If you live in a high-rise building, you can read the Residents' Voice proposals and share your views on how you would like to get involved and be kept informed about the building you live in.



## PROTECTING YOUNG PEOPLE AT WORK

Young people are likely to be new to the workplace and so are at more risk of injury in the first six months of a job, as they may be less aware of risks.

When you employ young people under the age of 18, you have the same responsibilities for their health, safety and welfare as you do for other workers. This applies whether they are:

- a worker
- on work experience
- an apprentice



Find out more about [protecting young people at work](#).

HSE's website also has advice and guidance on how to protect other [vulnerable workers](#) such as:

- older workers
- lone workers
- new and expectant mothers



# PRISON SENTENCES AND FINES AFTER 18-YEAR-OLD WORKER'S DEATH ON SITE

Two companies and two people have been sentenced after an 18-year-old construction worker was fatally injured while working on a house-build construction site.

Two companies and two people have been sentenced after an 18-year-old construction worker was fatally injured while working on a house-build construction site in Boston, Lincolnshire.

P & R Plant Hire (Lincolnshire) Limited, D. Brown (Building Contractors) Limited, Brent Woods and Darrell Tripp were all fined following the death of Josh Disdel.

In July 2018 Mr Disdel, and another worker, both employed by P & R Plant Hire (Lincolnshire) Limited, had been tasked with clearing debris from manholes at a house-build construction site at White Bridges, Boston.

While work was taking place, Mr Disdel's colleague was asked if he could move the works van to allow another vehicle to pass. However, he was not aware that Mr Disdel was lying on the road with his head and torso in a manhole, directly in front of the van.

As the vehicle moved forwards one of the wheels entered the top of the manhole contacting Mr Disdel. Mr Disdel was then taken to hospital but later died as a result of serious crush injuries.

An investigation by the Health and Safety Executive (HSE) found that neither the Principal Contractor, D. Brown (Building Contractors) Limited, nor the groundworks sub-contractor, P & R Plant Hire (Lincolnshire) Limited, had ensured that the work was planned in such a way to ensure that workers were not exposed to risks to their health and safety.

Brent Woods, a manager within P & R Plant Hire (Lincolnshire) Limited for approximately 10 years, sent employees to carry out the task without a risk assessment or method statement in place despite having previously produced such information in the past.

In addition, workers had not been trained to work in a road, had not been provided with any equipment to ensure the work was carried out safely and had not been provided with any instruction on any safety measures to be used at site.



Today (September 6) at Lincoln Crown Court, Darrell Tripp, a site manager for D. Brown (Building Contractors) Limited for approximately four years, having worked in the construction industry for about 40 years, did not carry out a site induction of Josh Disdel and failed to carry out suitable checks to ensure the workers had the relevant training. Mr Tripp also failed to ensure there was a safe system of work in place of whether there were adequate control measures.

D. Brown (Building Contractors) Limited of Seas End Road, Spalding, were found guilty of contravening Section 3(1) of the Health and Safety at Work etc Act 1974. They were fined £300,000 and ordered to pay costs of £15,765.92

P & R Plant Hire (Lincolnshire) Limited of Station Road, Cambridgeshire, pleaded guilty to contravening Section 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £24,000 and ordered to pay costs of £2,264.87.

Brent Woods of North Parade, Holbeach, Spalding was found guilty of contravening Section 7(a) of the Health and Safety at Work etc Act 1974. He was sentenced to 18 weeks imprisonment suspended for two years and ordered to complete 200 hours of community service and pay costs of £1200.

Darrell Tripp of Broadgate Lane, Deeping St James, Peterborough was found guilty of contravening Section 7(a) of the Health and Safety at Work etc Act. He was sentenced to eight weeks imprisonment suspended for two years and ordered to pay costs of £1200.

Speaking after the hearing, HSE inspector Mark Welsh said: "This was a completely avoidable incident, caused by a multitude of failures by both companies and both of the individuals who appeared in court.

"All of the defendants failed to adequately plan the work to identify the risks, failed to ensure that the individuals carrying out the work were trained and competent to do so, and failed to ensure a safe system of work was in place and followed. The result was the tragic loss of life of a young man who was looking forward to a bright future."

# REPORTING ACCIDENTS & ILLNESS AT WORK



Make sure you submit a RIDDOR report for a workplace accident where necessary...

[RIDDOR](#) puts duties on employers, the self-employed and people in control of work premises to report certain serious workplace accidents, occupational diseases and specified dangerous occurrences.

Visit our website to find out [when you need to report](#) an incident, as well as [how to do so](#).

Our publication [Reporting accidents and incidents at work](#) explains what is required from employers and provides information about RIDDOR.

HSE's [Accident Book](#) can be used to record details of all work-related accidents including injuries that employers must report under RIDDOR.

# LUNG CANCER AWARENESS MONTH COMING IN NOVEMBER

Lung cancer is the most common cause of death from cancer for both men and women and early detection of lung cancer makes it more treatable.

Lung Cancer Awareness month takes place every November in the UK.

The aim of the campaign is to encourage individuals displaying the common symptoms of lung cancer, such as a persistent cough, breathlessness or unexplained weight-loss, to visit their GP. Encouraging people to recognise these symptoms and see their doctor sooner could save lives.

Workers need to be aware that certain work activities, such as exposure to dust, mild steel welding fume and heavy and prolonged exposure to silica, can cause lung cancer and other serious respiratory diseases.

Under health and safety law employers are responsible for managing health and safety risks in their businesses, employees and the self-employed have important responsibilities too.

If you, or someone you know, work in a trade or industry where the health of your lungs may be affected, spread the word, share this information, and look after your lungs.

Get more information on the HSE website about:

- [Preventing work-related lung disease](#)
- [Occupational cancer](#)
- [Employer's responsibilities](#)



# FACE FIT TESTING LEGAL REQUIREMENT

As an employer, you're required by law to protect your employees, and others, from harm.



To meet this requirement, you will need to complete a [risk assessment](#) to assess the risks posed by your work practices and implement identified control measures.

Where your risk assessment identified the need for tight-fitting RPE to protect against the inhalation of hazardous substances in workplace air, it is your responsibility to ensure that the RPE will protect the wearer.

The Approved Code of Practice for the [Control of substances hazardous to health regulations 2002](#) requires that tight fitting RPE should be face fit tested by a competent individual as part of the selection process and to ensure there is an adequate seal between the selected RPE and the wearer's face.

Face fit testing is important because if the RPE doesn't fit correctly, the protection provided to the wearer will be greatly reduced and may lead to ill health or even put the RPE wearer's life in danger.

When conducting a face fit test, and where tight-fitting RPE is used, to achieve a good seal between the tight-fitting respirator and the wearer's face, the wearer will need to be clean shaven. Face fit tests should not be conducted if there is any hair growth between the wearers skin and facepiece sealing surface, this includes, stubble beard growth, beard, moustache, sideburns, or a low hairline. If the respirator has an exhalation valve, hair within the sealed mask area should not impinge upon or contact the valve.

Being clean-shaven when wearing tight-fitting RPE prevents inward leakage of contaminated air from around the edges of the face seal being breathed into the lungs. It is also very important that the RPE is put on correctly and checked for a good fit every time it is put on.

You should note that under health and safety law, employers cannot require workers to be clean shaven; this is because alternative RPE to tight fitting respirators are available and can be used instead.

[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.

# 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](mailto: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?



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	93kg	125kg	Domestic	

The value of the safe working loads 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](http://www.aga-ltd.co.uk/e-learning-courses).





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