

Health & Safety Briefing – April 2005

Introduction

Welcome to the new PHC Health and Safety Briefing. It is intended to publish this briefing quarterly with the occupational health briefings on the intervening months. The purpose is to provide a summary of health and safety information such as new legislation, court cases of interest and alerts following accidents to enable managers to verify that they are doing everything reasonably practical to avoid similar incidents.

This month we start with the new Work at Height Regulations 2005.

New Legislation

The new “Work at Height Regulations 2005”, Statutory Instrument 2005 No. 735, came into force on 6th April 2005.

Justification for Legislation: Of the 253 fatal injuries from accidents at work in 2003/04, 67 were as a result of falls from height with nearly 4000 major injuries. They remain the single biggest cause of workplace deaths and one of the main causes of major injury.

Under the new regulations the definition of Work at Height is:

“(a) work in any place, including a place at or below ground level;

(b) obtaining access to or egress from such place while at work, except by a staircase in a permanent workplace,

where, if measures required by the Work at Height Regulations are not taken, a person could fall a distance liable to cause personal injury.”

There is now no height limit where guarding or other measures must be taken to avoid injury. The previous limit of 2 metres has been removed and measures will need to be determined during the risk assessment process irrespective of height.

The principals behind the regulations are:

- to avoid working at height whenever possible
- to use work equipment or other measures to prevent falls from height where work at height cannot be avoided
- where the risk of a fall cannot be eliminated to employ such measures as necessary to reduce the distance through which a person can fall and reduce the consequences of such a fall.

The regulations also require that measures are taken to prevent injury from falling objects.

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Therefore in order to fulfil these requirements, a thorough risk assessment of any work at height must be undertaken as required by regulation 3 of the Management of Health and Safety at Work Regulations 1999.

The HSE have published guidance on the above regulations “INDG401: The Work at Height Regulations 2005, A Brief Guide”. Single copies can be obtained for free or priced packs of 10 are available under ISBN 0 7176 2976 7 from HSE Books.

Recent Court Cases

Topic:- Work at Height.

Case 1: Two companies were fined a total £125,000 after an untrained employee broke his back in a fall from a mobile elevated working platform. Risk assessments and method statements clearly identified the need for trained individuals but this was not complied with. As a result the safety cage, which was probably not secured, was dislodged from the lifting arm and fell to the ground with the employee inside. The employee is now paralysed.

Case 2: A scaffolding company was fined £42,000 after one employee was killed and another suffered broken legs when the scaffolding they were dismantling, collapsed. There was no specific method statement prepared for dismantling to ensure the scaffold remained stable during the process.

How Not To Do It



If you would like any further information or assistance with any health and safety related questions please do not hesitate to contact us at Preventative Healthcare talk2us@phcohealth.co.uk. or phcsafety@tiscali.co.uk.

