



# Health & Safety News

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## News

### Essar Oil UK Limited fined after explosion at Ellesmere Port refinery

An oil company has been fined £1.65m following an explosion at its Stanlow refinery in Ellesmere Port.

Liverpool Crown Court heard that while there were no injuries, the blast from the early hours of 14 November 2013 caused internal structures to collapse; damage totalling more than £20m.

Problems started at the site during the start-up of its main distillation unit, when extremely flammable hydrocarbons were allowed to enter an unignited furnace. The heat from another furnace nearby triggered the explosion which destroyed the furnace, starting a number of fires which the Fire Service had to safely bring under control.

The incident was reported to the EU as a major accident under schedule 7 of the Control of Major Accident Hazards (COMAH) Regulations 1999.

A Health and Safety Executive (HSE) investigation found that Essar Oil UK Ltd failed to take all measures necessary to prevent or mitigate a major accident. There were three key failings in this case;

- A safety critical valve was ordered and installed incorrectly and Essar failed to correctly validate its operation
- Essar failed to adequately assess the installation of a new safety critical trip as they failed to recognise the system had a by-pass line which defeated the trip's operation
- Essar's policy was to isolate main fuel lines to the furnace however, the hydrocarbons entered the furnace via a secondary fuel line which had not been isolated when shut down

Essar Oil (UK) Ltd of the Stanlow Manufacturing Complex, Ellesmere Port, pleaded guilty to breaching Regulation 4 of the Control of Major Hazards Regulations 1999 and was fined £1,650,000 with costs of £57,644.80.

Speaking after sentence, HSE Principal Inspector Joanne Eccles said: "The industry should take notice of this case, there were no injuries but mistakes were made and could have been prevented".

## Laing O'Rourke fined £800,000 after worker fatally crushed at Heathrow Airport

A construction firm has been sentenced following the death of Philip Griffiths at Heathrow Airport in October 2014.

Southwark Crown Court heard that Philip's brother Paul accidentally reversed into his 38-year-old sibling when the pair were trying to move a broken down scissor lift on a service road, while working for Laing O'Rourke.

Paul Griffiths tried to tow the scissor lift away using a dumper truck under the direction of managers. During the attempt his foot got stuck between the brake and the accelerator and the truck reversed. Philip, who was standing between the two vehicles, suffered crush injuries. He was pronounced dead at the scene.



*The same type of vehicles involved in the incident*

A Health and Safety Executive (HSE) investigation found that neither worker was authorised with the appropriate certificate to use the dumper truck, and that the operation was not properly overseen or managed.

Following the incident on 2 October 2014, Laing O'Rourke Construction Limited of Crossways in Dartford pleaded guilty to breaching Regulation 22(1)(a) of the Construction (Design and Management) Regulations 2007, was fined £800,000 and ordered to pay costs of £10,000.

Speaking after sentence, HSE Inspector Jack Wilby said: "This incident was a tragedy for all concerned and, as revealed by our investigation, entirely avoidable.

*"Laing O'Rourke failed to address the trend of these workers carrying out tasks they weren't trained or authorised for. These dedicated staff needed more appropriate supervision."*

"Had there been appropriate supervision, then better segregation between Philip and these two vehicles could have been established and maintained. This case should act as a reminder of the dangers of using workplace transport without proper planning, management or monitoring of the risks involved."



## Electricity supplier fined after workers death

Electricity North West Ltd has been fined £900,000 after a worker died from falling six metres while carrying out routine maintenance of power lines.

On the 22 November 2013, the 63 year old employee, Mr John Flowers, who was an experienced linesman, climbed a ladder resting against a wood pole in order to trim ivy away from the power lines. It is believed that Mr Flowers somehow cut through his work positioning strap and fell to his death.

Preston Crown Court heard that the work of trimming the ivy off the pole was not identified as short duration work and was not suitable to be undertaken working from a ladder. The company failed to properly plan the work; no provision was made for the use of a mobile elevated work platform to undertake the task.

The Health and Safety Executive (HSE) investigation found the work had not been properly planned. The ivy growing onto the electricity conductors was first identified some five years before the accident and then again in June 2013. A survey of the vegetation clearance work which was required was undertaken six weeks prior to the incident. However none of this information was given to any of the linesman, and they were not provided with information on how the work was to be carried out.

Electricity North West Limited of 304 Bridgewater Place, Birchwood Park, Warrington was found guilty of breaching Regulation 4(1) of the Work at Height Regulations 2005, was fined £900,000 with costs to be agreed at a later date.

Speaking after the hearing HSE inspector Rose Leese-Weller said after the hearing: "Electricity North West failed to ensure that working at height was properly planned, appropriately supervised and carried out in a manner that was safe. Had these steps been taken we may not have had this tragic outcome."



## Fine for two companies following asbestos investigation in Surrey

Two companies have been fined after unsafe asbestos work was carried out on a property in Leatherhead, Surrey.

Staines Magistrates' Court heard how Kingsley Asbestos Services Limited (KAS), although a licensed asbestos removal contractor, was sub contracted by Bourne Valley Construction Services Limited (BVCS) to carry out the work.

KAS removed some asbestos containing materials and agreed to carry out repair works on other water damaged materials within the properties. During works to cut away damaged wall coverings in the kitchen, one of the workers cut into a pale coloured board which after subsequent testing proved it to be Asbestos Insulation Board.

A Health and Safety Executive (HSE) investigation found BVCS failed to plan the work and pass on information to KAS. It was the responsibility of both BVCS and KAS to arrange for a refurbishment and demolition survey. As a consequence work was carried out without establishing the location, presence and extent of asbestos containing materials on site.

HSE Inspector Rebekah Dunn said: "Asbestos still kills around 5000 workers each year and around 20 tradesmen die each week as a result of past exposure.

"BVCS were in control of the works and should have provided information identified in such a survey or assessment regarding the presence of asbestos to KAS as their sub-contractor."

Bourne Valley Construction Services Ltd of Salisbury, Wiltshire, pleaded guilty to breaching Regulation 13 (2) of the Construction (Design & Management) Regulations 2007, was fined £8000 and ordered to pay full costs.

Kingsley Asbestos Services Ltd of Ferring in Worthing pleaded guilty to breaching Regulation 5 (1) (a) of the Control of Asbestos Regulations 2012, was fined £6000 and ordered to pay full costs.



## Haulage company fined after worker crushed

Bryan Alexander Ltd has been fined after one its workers was crushed by a hydraulic extension on one of its vehicles on the roadside in Plymouth.

The worker suffered life changing internal injuries as a result of this incident.

Plymouth Magistrates Court heard how on 7 January 2015 the worker was unloading one the trailers. As the man moved out of the way of another approaching vehicle, he came into the path of the hydraulic extension that he did not know was moving. An investigation by the Health and Safety Executive (HSE) found the company failed to implement a safe system of work for this work activity.

Bryan Alexander Ltd of Village Farm Industrial Estate, Pyle, Bridgend pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work Act 1974, has been fined £46,667 and ordered to pay costs of £6,228.04.

Speaking after the hearing HSE Inspector Melissa Lai-Hung said: "This case highlights that duty holders have the responsibility to implement safe systems of work to avoid serious incidents like this."

## Electrician fined after apprentice left with life changing injuries

A Birmingham electrician has been ordered to carry out unpaid work in the community after his trainee fell three and a half metres through a plasterboard ceiling.

Birmingham Magistrates' Court heard that the apprentice electrician, Soheil Afrapour, spent 23 days in hospital after suffering head injuries. He was installing wiring above the false ceiling for Mr Soheil Alipour.

A Health and Safety Executive (HSE) investigation found there was no proper planning for work at height and Alipour did not fulfil his duty of care.

Soheil Alipour of Selly Oak, Birmingham, pleaded guilty to breaching Work at Height Regulations 9(2) 2005, was given 120 hours unpaid Community work and ordered to pay full costs of £1152.24.

HSE Inspector Gareth Langston said: "It's important that employers put the safety of their workers, especially young inexperienced apprentices, at the forefront of their plans and consider precautions when working at height. This incident could have been prevented if there was proper planning in place using boards above or scaffolding below."



## Guidance

### Main causes of injury / occupational ill health

Manual handling / musculoskeletal injuries

#### **Injury statistics**

Musculoskeletal disorders (MSDs) are the largest cause of injury in both the leather and footwear industries.

#### **How do you know if you have a problem?**

- Injury and health problems show up in different ways, such as:
- cases of injury to backs and limbs
- aches and pains
- poor product quality
- high material waste
- low output
- frequent worker complaints and rest stops
- do-it-yourself improvements to work stations and tools (eg seat padding)
- workers wearing bandages, splints, rub-ons, copper bracelets or magnets.

If you have a problem it will be costing money from sickness absence, high staff turnover, retraining, loss of production etc. Compensation cases are increasing, and problems may affect your insurance premiums.

#### **Managing the risk**

- Identify which tasks present a serious risk of acute injury (eg from lifting) or chronic injury (eg from repetitive upper body work).
- Assess these tasks in detail to decide what factors lead to the risk
- Introduce mechanisation where this is reasonably practicable, eg powered trucks, conveyors, vacuum lifters, bulk handling or automation
- Where mechanisation is not possible, introduce measures to prevent injury, eg reduce weights of sacks/boxes to 25kg or below, improve ergonomic design of work stations and work areas, job rotation, training, medical surveillance, job transfer
- Consult fully with trade union safety representatives or other employee representatives and workers to ensure effective and workable solutions to problems