

APRIL

NEWSLETTER

PRINCIPAL CONTRACTOR CASES

Principal Contractors are the most prosecuted duty holder by far under The Construction (Design & Management) Regulations 2015, and have a duty to ensure that the sites they are in control of are run successfully. In this newsletter we will see some recent prosecutions of Principal Contractors and what you can do to help keep management of your site as effective as possible.

MEET THE TEAM

Each month there will be a section on a member of the CSS team. You will get to know a little bit about them, and which areas they are likely to be working in with you and your teams.

ELAINE SAHIN

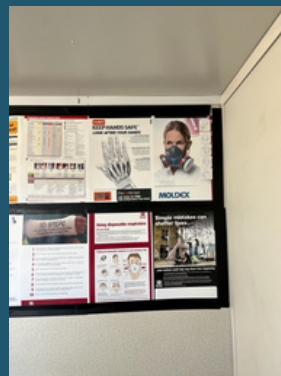
Hi my name is Elaine Sahin and I am the Company Secretary at Construction Safety Solutions. I have been with the company since day one and helped Tony and John set the company up. I'm very proud of how well it has developed over the years and I work in the Bicester office.



I have worked with most of our clients at one point or another over the years and have built up good relationships with both clients and contractors. I am always here to help and have built up good knowledge on the CDM Regulations and how best to implement them from an admin point of view. I like to ensure processes and procedures are put in place to ensure we are able to carry out our role efficiently and effectively and have been heavily involved in this.

Outside of work I am mum to my 8 year old daughter and when I'm taking her to hockey training, hockey matches and swimming lessons we love to spend time with our family. Our favourite place to visit is Blenheim Palace.

Best Practice Examples Signage



Having warning signage on and around a construction site is a requirement that we should all be used to. Warning signage needs to be suitable and sufficient for the hazards associated with the work taking place. They also should highlight other site information such as PPE requirements, access routes and site office location. Hazard or notice boards are good ways of keeping signage in one place such as statutory signage, and other critical information when carrying out site inductions. When carrying out site safety inspections CSS look for the following signage to be present and displayed;

- Health and Safety Law Poster (or pocket card alternatives)
- Employers liability insurance
- F10 (if required)
- Site rules clearly displayed
- Warning notices around the site perimeter
- Site PPE requirements
- Warning signage internally where hazards are identified (excavations)
- Fire plan and directional signage
- Site access plan
- Site manager/First aider details and location
- Any other relevant warning or site information signage that is applicable.

Principal Contractor Cases

There have been three recent prosecutions that highlight the importance of the Principal Contractor's duty to ensure the construction phase of the project is managed. All three of these recent examples sadly resulted in the loss of life. Click on the orange writing to go to the report.

Case 1

NG Bailey Limited has been fined £135,000 following the death of a worker.

This incident occurred when a MEWP was being used in an unfinished hospital corridor and the worker's head struck a metal lintel. An HSE investigation found NG Bailey, the lead contractor for the project, had failed to consider overhead obstructions, especially during the transit of MEWPs on site. The assessments in place did not consider these risks despite HSE and industry guidance highlighting them and the available control measures.

Case 2

Materials Movement Limited has been fined £133,330 after an employee was crushed to death during site preparation work on a new housing development.

An HSE investigation found Materials Movement Limited had failed to plan and manage the work. The company failed to properly supervise the work that Rourke and the excavator driver were undertaking to ensure it was safe. The Baldock firm also failed to ensure the work was planned and managed to eliminate any chance of Rourke working near the excavator.

Case 3

Amberley Homes (Kent) Ltd has been fined after a fatal accident. Mark Tolley, a 51-year-old subcontractor, died following a fall from scaffolding at a building site in Headcorn, Kent.

The Health and Safety Executive (HSE) launched an investigation into the circumstances surrounding Tolley's fall. Their findings revealed significant safety oversights by Amberley Homes (Kent) Ltd, the principal contractor for the Smarden Road project. The investigation highlighted the company's failure to appoint personnel with the necessary qualifications and experience to manage the construction site effectively.

All of the above cases highlight that the supervision provided by the Principal Contractor in each instance was to suitable or sufficient.

What can PC's do?

When appointed as a Principal Contractor for a project the duty cannot be delegated. This means from a health and safety perspective you are responsible for all who come onto the site to carry out work.

Having the right person to manage the site is crucial to site safety. A site manager must be able to demonstrate competency for the environment and type of work taking place. Below are some tips to help manage sites as a PC.



Carry out site management risk assessments to ensure the correct control measures are in place to manage the construction work effectively.



Have a suitably qualified site manager that has the skills, knowledge and experience to safely oversee the work.



Carry out site inductions for workers and visitors, highlighting hazards and expecting safe working standards.



Ensure all those you employ and appoint are competent. This includes retaining competency for client directs also.



Check and approve all sub-contractors RAMs prior to work starting, if they are not sufficient request changes before they start work.



Carry out briefings and tool box talks regarding any topics, report near misses and engage with the workforce.



Check and record site inspections including any items of unsafe behaviour and how you addressed this at the time.

PROSECUTIONS



[Company fined as worker fractures skull](#)

[Company fined as worker suffers serious burns](#)

Click on the case links on page 3 for other prosecutions that have taken place.

WE ARE HERE TO HELP!

CSS strive to ensure that we offer the best possible advice as early as possible. If you have any concerns, or questions in relation to the project you are working on, please call us so that we can advise and offer any assistance that may be needed. We have a very approachable team who are there to help through the whole project process.



CDM TRAINING



CSS offer a range of CDM training sessions which can be carried out at a location that suits you, or online. This includes CDM training for all duty holders.

If you would like training undertaken please do not hesitate to contact our office on 01869 220649 where we will be happy to help.

Alternatively, if you want to discuss safety matters, or the newsletter contact Phil Davies on 07718 096940 or phildavies@constructionss.co.uk