



September 2017

Newsletter

Sharing > Learning > Improving

Links via icons or arrows

> Hazard Spotting



> Members' Corner



> Main presentation



> Other presentation(s)



> Toolbox



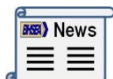
> Poster / Cartoon



> Members questions



> News / Stop Press



> Next event



BHSEA & Social Media Michael Abbott

Contractors & the Control of Risk Geoffrey Brown, HM Principal Inspector

Use of Contractors – Common Pitfalls? Sean Elson, Partner, Pinsent Masons LLP

Contractors – In Practice George Allcock, Chair

BHSEA 2017 Programme Construction / WWT



Guests and New Members

The first meeting of the new season started off very well with a high turnout and it was a pleasure to have several new members and guests, as well as our President Rosi Edwards, in attendance.



New Members

- ▶ John Sterndale of Kiepe Electrics
- ▶ Bob Boyd of Measham Heating
- ▶ John Mowbray of Mines and Rescue Services (MRS)
- ▶ John Puck of Building Safety Group

Guests

- ▶ Matt Gilliver and Sam Bennett of Express Medical – specialists in health and safety surveillance
- ▶ Laura Henson and Bethany Hancock of Kennedys – international law specialists with significant expertise in health and safety , personal injury and disease litigation

We hope to see you all again next time!



What is good or not good?



Continued



Access and working at height



Area and machinery and equipment clean and tidy.

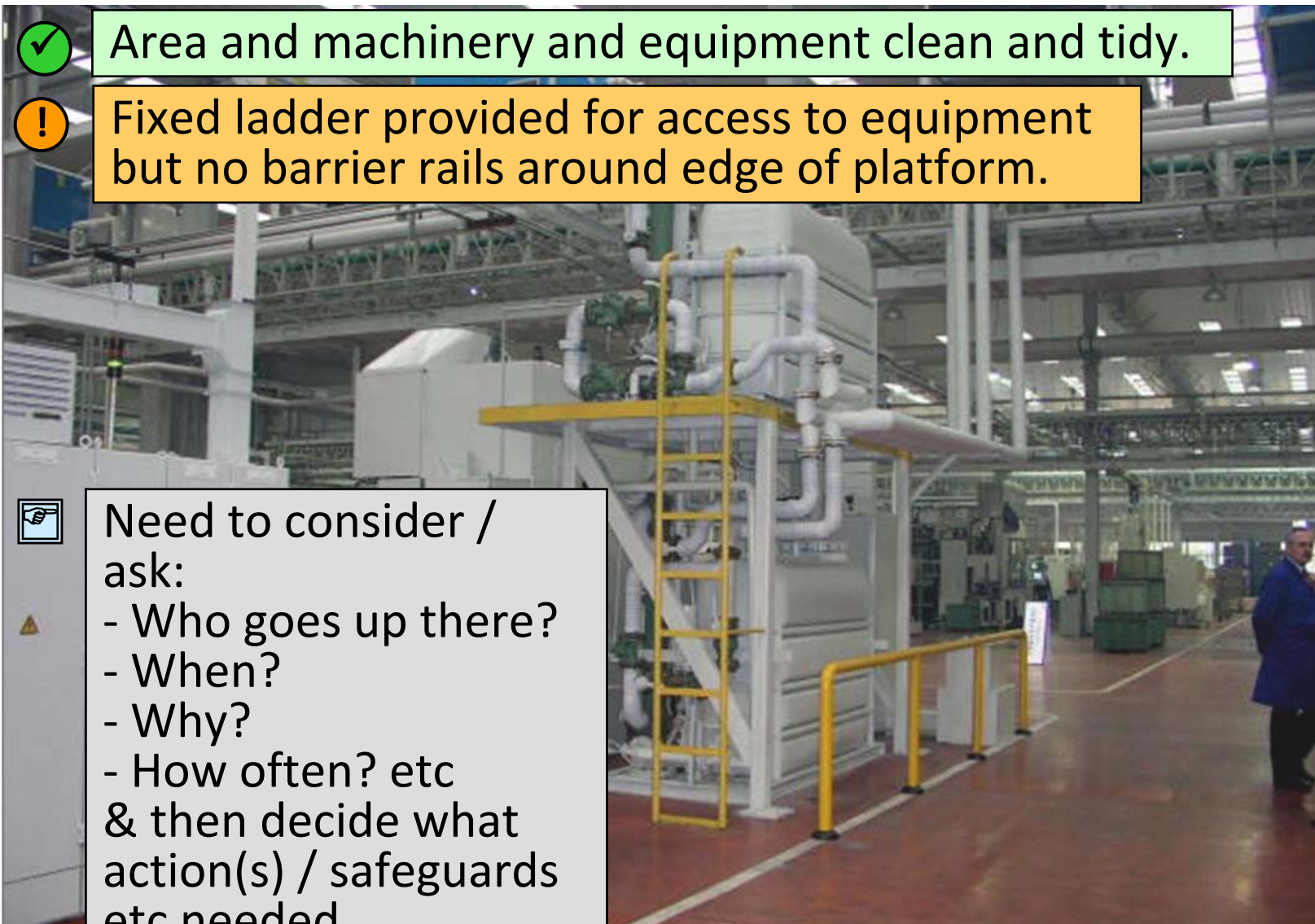


Fixed ladder provided for access to equipment but no barrier rails around edge of platform.



Need to consider / ask:

- Who goes up there?
 - When?
 - Why?
 - How often? etc
- & then decide what action(s) / safeguards etc needed.





BHSEA & Social Media

Michael Abbott, BHSEA Council Member

Key Points:

- ▶ BHSEA is keen to utilise social media platforms in order to promote the Association, and attract more members.
- ▶ Michael established that 'word of mouth' is how many members first became aware of BHSEA, and this is very much welcomed. On LinkedIn, a BHSEA member page has been created to raise its profile. Members are very welcome to join and also invite their contacts too. We would be delighted if members could help to promote BHSEA by including a reference to BHSEA membership in their profile and/or posts. So far, the BHSEA member page on LinkedIn has over 40 members.
- ▶ It was apparent that the BHSEA website is not well known to non-members, and receives few 'hits' in searches. In contrast, members do regularly access the site for information about forthcoming events and to review past newsletters and presentation notes. The website is currently undergoing development which will improve its appearance and functionality.
- ▶ Michael also outlined the virtues of the BHSEA Twitter account as a means of communicating future events, benefits of being a member, and raising its profile in the area. Members and/or their company/organisation are very welcome to follow BHSEA on Twitter.

[Link to presentation slides](#)



Contractors & the Control of Risk

Geoffrey Brown, HM Principal Inspector



Key Points:

- Organisations often believe - erroneously - that employing a contractor absolves them from their health and safety responsibilities. **Health and safety duties imposed by law are not delegable.**
- Employers have responsibilities under Section 3 (1) of the HSWA law: “It shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety.”
- It is not necessary for an employer to closely supervise the activities of a contractor but it is their responsibility to ensure that the correct controls are in place to reduce the risks and hazards.
- Take the time and the effort to select a suitable, ie competent contractor to carry out the work and be clear what needs to be done. Ask questions like have they done this job before. The HSE website has a list of suggested questions.
- Ensure there is no performance versus safety conflict and allocate sufficient time and resource.
- Engage directly with the contractor’s leader and carry out a joint risk assessment.
- As an example of how misunderstandings can arise regarding an employer’s or contractor’s responsibilities, Geoff referred to the outcome of the Associated Octel Limited case in the 1990s. The employer clearly had a responsibility to ensure the safety of the contractor’s employee who was working to clean the inside of their tanks, which was an essential part of their undertaking.
- CDM Regulations 2015 clearly set out the duties of the client and the principal contractor.

[Link to presentation slides](#)



Use of Contractors – Common Issues?

Sean Elson, Partner, Pinsent Masons LLP

Key Points:

- ▶ Sean re-stated Geoff's remarks that the employer/client retains health and safety responsibilities. The client needs to know how the work will be undertaken, understand the risks to his own employees and to the contractor engaged to undertake the specialist work, and also ensure that adequate controls are in place.
- ▶ There is added complexity if the client is a CDM client and the contractor is carrying out construction work.
- ▶ The contractor should assess the risks of the contracted work and then liaise with the client to discuss the risks from each other's work - to the workforce or any others who may be affected.
- ▶ Beware of the generic risk assessment; specific work requires a fact/site specific risk assessment.
- ▶ The Principal Contractor does not have to undertake detailed supervision of contractors (L153 Managing H&S in Construction) but he needs to manage and monitor so far as is reasonably practicable.
- ▶ When selecting a contractor, it is important to establish not only that they are competent to do the job well, to time and on budget, but that they can they do it **safely**.
- ▶ Think about contractor management – what do they need to know to keep them safe whilst on your site and what is the process for informing them. They must all be able to easily access that information and you need to know that they have done so and are fully aware of the risks and precautions.
- ▶ It is vital that any changes to the scope of the work, location, equipment, personnel etc should be communicated to all interested parties. For example, if sub-contractors are brought onto site they must be properly briefed.
- ▶ Communicate with your own staff to ensure they are aware of the contractor's activities going on around them – eg work on fragile roofs, vehicle movements, power isolations.
- ▶ Ensure that controls put in place are realistic and achievable.

[Link to presentation slides](#)



Contractors – In Practice

George Allcock, BHSEA Chair

Key Points:

- George demonstrated a series of useful and proven tools and techniques to assist with the appointment and management of contractors, including questionnaires with a rating system to help establish/compare competency.
- When assessing competency look at the contractor's past experience, accident record and references from previous clients, etc.
- Some attributes of a good contractor are a willing/ 'can do' attitude and unique experience. The benefit to the employer in availing themselves of the contractor's skill and expertise for specialised work is that the job is likely to be completed quicker and more cheaply than using their own workforce.
- However there are some pitfalls, eg the contractor may have an inherent aversion to paperwork and may be under pressure to complete the job in order to move on to the next client.
- Remember:
 - a competent and capable contractor causes fewer problems, delays, accidents and less expense
 - don't tell the contractor how to do the job; you will have taken the responsibility back
 - managing risk is done by people, not paperwork

[Link to presentation slides](#)

Performance Standard – Example (1)



Performance Standard - Example Managing Contractors

Aim

Aim
To ensure that contractors work in an acceptable and safe manner with risks properly managed and controlled. A contractor is someone who is not directly employed by the Company but who carries out work on Company premises or on behalf of the Company.

Key Principles / Processes

- Key Principles / Processes**
1. **Procurement Process** - to ensure contractors have the approach, capability, systems, arrangements and personnel necessary to work in an acceptable and safe manner.
 2. **Risk Management Process** - to ensure hazards / risks are identified and assessed and adequate safeguards and safe working practices established and used. Hazards / risks include those directly associated with the job and the working environment and as a result of things which could fail or go wrong.

Expected features

- Expected Features**
1. Selection criteria including safety considerations & evidence of appropriate third party liability insurance.
 2. Register of approved contractors.
 3. A named Company representative for overseeing each contract.
 4. Contractors job registration / risk assessment²¹ carried out and safe ways of working developed & agreed before work commences.
 5. Written safe system(s) of work / method statement(s) and where necessary permit(s) to work developed, reviewed, understood and used particularly for recognised high risk activities e.g. working at height; HV electrical work; confined space entry; major lifting operations; machinery maintenance etc.
 6. Communication visual, verbal & written as necessary to ensure all persons involved, at risk or inconvenienced are adequately informed.
 7. Contractor identifies all his employees and any sub-contractors who will be involved and instructs, trains and supervises them as appropriate.
 8. Site access control and site information provided for all contractors personnel backed up with instruction on site hazards, facilities, rules and procedures with systems to ensure compliance and enforcement.
 9. All accidents, incidents and near misses reported, recorded and investigated.
 10. Each contract / contractors performance reviewed & improvements / actions identified.

Continued



Performance Standard – Example (2)

Aim

To ensure that contractors work in an acceptable and safe manner with risks properly managed and controlled.

A contractor is someone who is not directly employed by the Company but who carries out work on Company premises or on behalf of the Company.

Key Principles / Processes to Achieve the Aim

1. **Procurement Process** - to ensure contractors have the approach, capability, systems, arrangements and personnel necessary to work in an acceptable and safe manner.
2. **Risk Management Process** - to ensure hazards / risks are identified and assessed and adequate safeguards and safe working practices established and used. *Hazards / risks include those directly associated with the job and the working environment and as a result of things which could fail or go wrong.*



Performance Standard – Example (3)

1. **Selection criteria** including safety considerations & evidence of appropriate **third party liability insurance**.
2. **Register of approved contractors**
3. **A named Company representative** for overseeing each contract
4. **Risk assessment / job safety analysis** carried out and **safe ways of working developed & agreed** before work commences
5. **Written safe system(s) of work / method statement(s)** and where necessary **permit(s) to work** developed, reviewed and understood particularly for recognised high risk activities e.g. working at height; electrical working; confined space entry; lifting operations; machinery maintenance.
6. **Communication** visual, verbal & written as necessary to ensure all persons involved, at risk or inconvenienced are adequately informed.
7. **Contractor identifies all his employees and any sub-contractors** who will be involved and instructs, trains and supervises them as appropriate
8. **Site access control and site information for all personnel** backed up with instruction on site hazards, facilities, rules and procedures with systems to ensure **compliance and enforcement**.
9. All **accidents, incidents and near misses** reported, recorded and investigated.
10. Each **contract / contractors performance** reviewed & improvements/actions identified.



Forgot to think



**REMEMBER THAT TIME
YOU FORGOT TO THINK?**

A search has been carried out but any copyright holder not found. If you are the copyright holder or know who is please contact BHSEA: Tel: 07881 290238 or email: secretary@bhsea.org.uk



2017 Programme – main themes*

9 Jan: AGM; HSE Annual Progress Report & Plans - Jane Lassey, HSE Divisional Director, Wales, Mids & South West

13 Feb: Influencing Others: Developing your Skills -Michael Emery, Securix; Lizz Fields-Pattinson, Tribe Culture Change.

13 Mar: CDM – Is it doing the job? - Tony Mitchell, HSE; **Safety by Design** – Ray Gold, RDG Engineering

10 Apr: Wellbeing: What, why and how - Les Wright, University of Birmingham

27 April: Business Continuity - Annual Seminar Details to be circulated / publicised early in 2017

8 May: Cultural Safety, Engagement & Business Performance - Ryder Marsh

- * In addition events will include:
- Simple, visual and practical elements of HS&E,
 - Members' Corner presentation, and usually
 - Second presentation / topic

Unless otherwise stated: Buffet lunch from 12.45 pm Events start at 1.30 pm



12 Jun: Legal update - Louise Mansfield, Pinsent Masons; **Preparing for an enforcement visit** – Richard Heath

11 Sep: Control of Contractors: the law, case studies and good practice - Geoff Brown, HSE; and others

9 Oct: Health and Wellbeing in Construction - Tony Mitchell, HSE; and others

13 Nov: Ergonomics in practice – making it comfortable / making it safe – Posturite; and others

11 Dec: Risk Assessment Re-visited plus a festive themed learning activity, and seasonal fare



Other Construction / WWT Events

HARNES AWARENESS TRAINING

Dates: 10/17/19 May 2017 - 6 x 2 hour sessions (two per day)

Venues: Coleshill, Merry Hill-Dudley, Central Birmingham.

Providers: Keepmoat, Arco, Mace Group

SCAFFOLDING & WORK AT HEIGHT

Date: 11 July 2017 (Half-Day Event)

Venue: RICOH Arena (c/o Broadstreet Rugby Club) Coventry.

MANAGING HEALTH IN CONSTRUCTION

Date: November 2017 (Half- Day Event)

Venue: Black Country Living Museum

Topics: Manual Handling / RPE / Dust / Stress / HAVs / Noise Etc.

FREE construction events
for small companies and others

April- Fire Safety
May- Harness Awareness
July- Work at Height / Scaffolding
Sept- Plant Safety
Nov- Health in Construction

- › Opening address by the Health and Safety Executive (HSE)
- › Common health and safety issues in construction
- › Practical demonstrations of innovation & good practice
- › A chance to talk to the experts and equipment / solution providers
- › A chance to network and share problems and solutions with others

To find out more go to <http://wwt.uk.com/> and select 'Events'



Next
event

Sharing > *Learning* > *Improving*
9 October 2017 12.45pm for 1.30pm – 3.45pm
National Metalforming Centre - B70 6PY (1 min from M5 j1)

Links via icons or arrows

> Hazard Spotting 

TBC

> Members' Corner 

Health & Wellbeing in Construction

Mark Ashby, HM Inspector of Health & Safety, Health Unit

> Main presentation 

> Other presentation(s) 

Drug and Alcohol Testing in Construction - How it Works

Mathew Gilliver, Express Medicals

> Toolbox 

> Poster / Cartoon 

> Members questions 

> News / Stop Press 

> Next event 

Everyone
welcome

If possible please confirm your attendance by contacting Liz Prophett
Tel: 07881 290238; Email: secretary@bhsea.org.uk

Venue

SatNav: B70 6QE



National Metalforming Centre (NMC)
49 Birmingham Rd, West Bromwich, B70 6PY
Free car park – entrance off Beeches Rd - **1**.
Overspill car parks: Roebuck Street – **2**
& church car park - **3**

