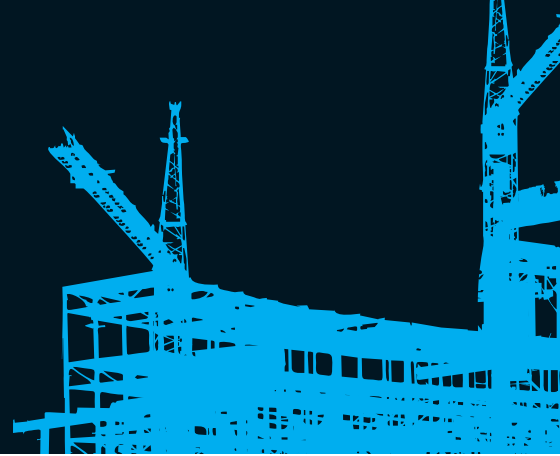




Construction update

June 2009 Newsletter



Welcome to the second edition of QBE's Construction update. This quarterly publication aims to provide you with up to date developments pertaining to health, safety and legal liability issues within the construction industry

As at May 2009, the Purchasing Managers Index for Construction has shown that whilst the industry has now contracted for 15 consecutive months the rate of contraction is now at its slowest. This offers some hope that at least the recession is now easing.

In this edition, we report on the first prosecution under the Corporate Manslaughter Act and highlight that Health and Safety Executive (HSE) inspection activity remains high. There are plans for a statutory tower crane register and we draw your attention to research in to behavioural safety techniques and the importance of rescue plans for persons suspended by a harness. The construction industry's Working Well Together campaign can celebrate 10 years in operation.

First corporate manslaughter prosecution

Cotswold Geotechnical Holdings is to be prosecuted under the Corporate Manslaughter Act (CMA). A 27 year old junior geologist died whilst taking samples from a site when the pit he was working in collapsed.

Whilst this is the first prosecution of its kind it is unlikely to set a precedent in the application of the CMA. The firm in question had a turnover of just £333,000 and the Director, Peter Eaton, is facing individual charges for gross negligence manslaughter. It had been widely anticipated that the CMA would be used to prosecute larger organisations where previously it had been difficult to identify a "controlling mind" allowing prosecution of individuals.

1 in 5 construction sites operate at below the acceptable safety standard

Inspection of 1759 construction sites by the HSE in March led to 20% of contractors being issued enforcement notices primarily linked to working at height, slip/ trip and asbestos issues.

Contractors should be particularly aware of the focus of HSE inspectors, which is summarised at: www.hse.gov.uk/construction/tripsandfalls/goodorder.htm#inspectors



New Tower Crane Register

Following a series of high profile crane collapses, in which 11 people have died in the last 7 years, the government has announced a statutory register for all tower cranes is to be in place by April 2010.

A period of consultation is planned for this summer and a voluntary scheme is anticipated later this year.

Early dialogue between the HSE's business unit and the regulator's board suggests the register may, initially, only apply to "assisted-erected" tower cranes in order to meet the April 2010 deadline. Self erecting tower cranes could then be added at a later date. An annual MOT for cranes over 10 years old is likely to be part of consultation.

<http://www.dwp.gov.uk/mediacentre/pressreleases/2009/apr/hse120-030409.asp>



Behaviour change and worker engagement strategies within the construction industry

QBE Risk Managers often find their clients' general adherence to CDM regulations leads to well documented health and safety management systems, which in theory if followed should reduce/eliminate accidents.

In practice, it is often these systems and procedures that do not engage the workforce effectively and many contractors are considering introduction of behavioural safety techniques.

Recent HSE research is now available for any contractor wishing to introduce such techniques.

www.hse.gov.uk/research/rrpdf/rr660.pdf

If the fall doesn't kill you, the fall arrest might

QBE recommends all clients have and practice rapid rescue procedures for any person that becomes suspended in a harness. Waiting for emergency services to retrieve a suspended person is not likely to be an adequate response.

"Harness Hang Syndrome" (HHS) or suspension trauma has an onset time within 10 minutes for many persons, and at most, 60 minutes for very fit persons. Onset time can be significantly increased by moving the legs against resistance during suspension. HHS symptoms lead to difficulty in breathing, an increasing heart rate, and progressively worsening cardiac arrhythmias. Finally there is an abrupt increase in blood pressure followed by unconsciousness. Death would likely follow in minutes if the person was not released quickly. Cause may be linked to lack of blood return to the heart, without which there is nothing to circulate to the brain. Blood becomes trapped in the legs.

A suspended person may be unconscious before being discovered and therefore unable to self rescue. An effective rescue plan will need to be instigated immediately after a fall.

Current guidance on rescue plans is available at: www.hse.gov.uk/falls/downloads/rescue.pdf

Further guidance is due to be published as noted at: www.hse.gov.uk/falls/harness.htm

Detailed research is within: www.hse.gov.uk/research/crr_pdf/2002/crr02451.pdf

Working Well Together – 10 Years on

Established by CONIAC 10 years ago, the Working Well Together campaign is still going strong. Involving larger contractors

but aimed at promoting best practice to smaller contractors a number of free regional events and meetings continue to be scheduled.

For more detail: www.wwt.uk.com

QBE Risk Management

This bulletin is produced by the Risk Management team within QBE's UK & Ireland Casualty department. We are a team of dedicated professionals who work closely with our clients to actively assist with accident prevention, employee rehabilitation and claims mitigation.

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