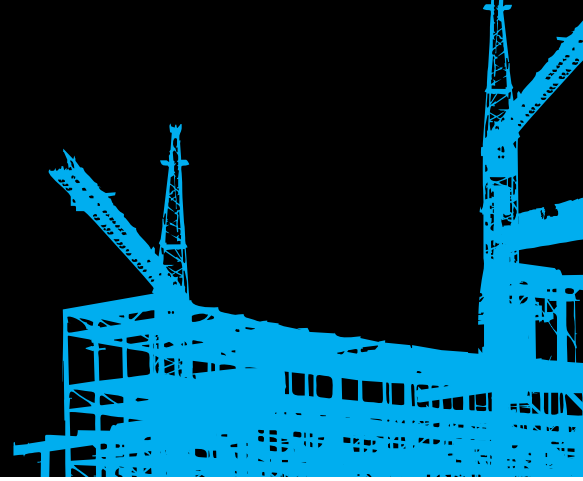




# Construction update

October 2009 Newsletter



**Welcome to the latest 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.**

Recent adverse publicity has hit the construction industry when the Office of Fair Trading fined 103 construction companies a total of £129.5 million, after they were found to have colluded on building contracts.

There is a considerable sum, particularly as this represents an average fine per company of £1.26 million – or 1.14 per cent of their annual turnover.

Whilst this financial impact will be felt in the boardroom, health and safety professionals will need no reminding that the true costs of accidents and ill health to the construction sector are considerably more than these fines with studies showing accidents and ill health can account for typically 5 -10% of a company's profit.

In this edition, we provide an update to the DWP's construction fatality inquiry with highlights on HSE scissor lift alert, supervisor training standards, TG20:08 guidance and pertinent cases in court.

## Construction Fatality Inquiry

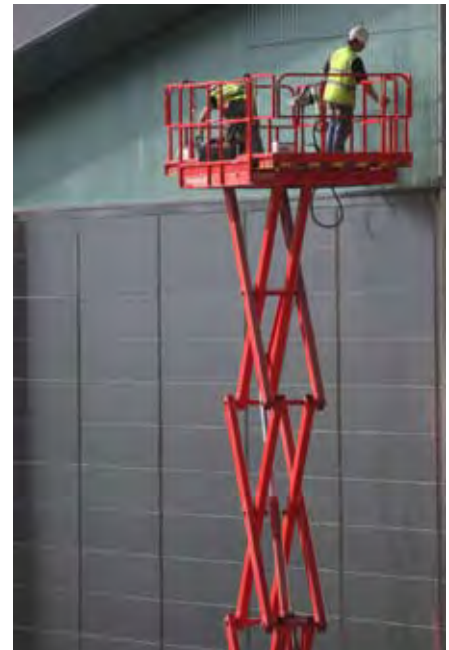
Yvette Cooper, Secretary of State for Work and Pensions, has stated further consultations will be made before recommendations in the Donaghy report are implemented.

In December 2008, the former Secretary of State for Work and Pensions, James Purnell, announced an inquiry into the underlying causes of fatal construction accidents.

A three phase inquiry chaired by Rita Donaghy, covered:

1. A comprehensive review to consolidate current understanding
2. An analysis of the underlying causes of construction fatalities
3. Review and reporting stage

The report with 28 key recommendations can be accessed at: [www.dwp.gov.uk/publications/policy-publications/fatal-accidents-inquiry.shtml](http://www.dwp.gov.uk/publications/policy-publications/fatal-accidents-inquiry.shtml)



## Scissor Lift Failures

A number of failures of Liftlux Scissor lifts, Models SL260-25 and SL245-25, have been reported and are being investigated by the HSE.

Cracks across the entire width of the lift's chassis have led to collapses. Initial investigations have revealed that the size of cracks is proportional to the number of registered hours service.

Users of these lifts should satisfy themselves of their integrity for use.

[www.hse.gov.uk/construction/liftlux-scissor-lifts.htm?ebul=hsegen/28-sep-2009&cr=2](http://www.hse.gov.uk/construction/liftlux-scissor-lifts.htm?ebul=hsegen/28-sep-2009&cr=2)



## New supervisor training standard

With effect from 1 January 2010, UK Contractors Group (UKCG) member companies will require ALL supervisors working on their sites to have the necessary knowledge and skills to supervise their workers effectively.

Whilst there is no intention to define specific courses the extent of expected supervisory knowledge and expertise is summarised at: [www.ukcg.org.uk/fileadmin/documents/UKCG/Health\\_\\_Safety\\_News/Supervisor\\_Training\\_Standards\\_-SR\\_version\\_Sept09.pdf](http://www.ukcg.org.uk/fileadmin/documents/UKCG/Health__Safety_News/Supervisor_Training_Standards_-SR_version_Sept09.pdf)

## TG20:08 Scaffolding Guidance

Following the launch of TG20:08, A Guide to Good Practice for Scaffolding with Tubes and Fittings, earlier this year the National Association of Scaffolding Contractors has produced supporting Tool Box talk material and a downloadable PowerPoint presentation which is accessible at: [www.nasc.org.uk/TG20\\_Launch#Pocket%20Guide](http://www.nasc.org.uk/TG20_Launch#Pocket%20Guide)

## In Court:

### Asbestos

Vale Inco Europe Ltd, has been fined £12,000 plus £28,000 costs after it exposed building contractors to asbestos fibres. Whilst the company had surveyed its buildings for asbestos it had not surveyed the interior of its plant or associated equipment. The case serves as a reminder to contractors to ensure suitable risk assessments and information is provided to its employees and not rely upon information provided by third parties.

### Gas Safety

Peter Tongue has been jailed for 3 years following the death of 2 persons who inhaled toxic fumes from the boiler he had previously serviced. Whilst Tongue was correctly registered with CORGI (now Gas Safe Register), his accreditation to work on warm-air central-heating systems had elapsed. This unfortunate case highlights the need to check cards of all engineers to verify the appliances they are permitted to work upon.

## Corporate Manslaughter

Cotswold Geotechnical Holdings, the first company to be charged under the Corporate Manslaughter Act 2007 has had its trial date penciled in for 23 February 2010.

## 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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