

## CONSTRUCTION INFONET - ISSUE 08.06

An e-bulletin for clients, designers, contractors and health and safety specialists

### CDM 2007 UPDATE

The Construction Industry Advisory Committee (CONIAC) considered a paper at its meeting on 20 July, reporting on developments in the revision of the Construction (Design and Management) Regulations 1994 and Construction (Health, Safety and Welfare) Regulations 1996 (CDM/CHSWR). [Further details](#) on the paper, together with a draft of the regulations, Approved Code of Practice and Regulatory Impact Assessment are on the HSE website.

### CORPORATE MANSLAUGHTER BILL

New legislation to prosecute companies whose gross negligence leads to the death of employees or members of the public was published on 21 July 2006 in the Corporate Manslaughter and Corporate Homicide Bill. Under current law a company can only be convicted of corporate manslaughter if there is enough evidence to find a single senior person guilty. To date, seven small organisations have been convicted. The proposed new criminal offence would enable the courts to consider the overall picture of how an organisation's activities were managed by its senior managers, rather than focusing on the actions of one individual. A Home Office press release provides [further details](#), access to the full Bill and explanatory notes.

### MAJOR CONTRACTORS GROUP REPORT IMPROVEMENTS IN PERFORMANCE

The Major Contractors Group (MCG) has reported that the accident incidence rate on MCG sites has fallen by more than a third over the past five years. There were no fatalities reported on any project where an MCG company was working during the 12 months leading to March 2006.

In addition, MCG members have agreed that from 1 October 2006, everyone with a construction trade working on MCG sites must either have an appropriate skills card or be taking firm steps to obtain one through registration with Skills Direct. With effect from 1 January 2007, and subject to Skills Direct being able to cope with the consequent extra demand for CSCS cards, everybody working on an MCG site must have an appropriate skills card. See the MCG website for [further details](#).

### THREE FATAL INJURIES INVOLVING MOBILE PLANT DURING JULY 2006

During July 2006 there were three fatal injuries involving mobile construction plant. Two of the deaths occurred during use of excavators and the third involved a telehandler. The press release issued by HSE in October 2005 contains useful guidance on the risks when using mobile construction plant and how to check whether you might have a problem. See press release for [further details](#).

### RECENT COURT CASES

Case 1 - a contractor has been ordered to pay £47,860 in fines and court costs after mortar tubs fell from a crane and landed on a worker below thereby fracturing his vertebra in three places. See press release for [further details](#).

Case 2 - a roof worker has been fined a total of £3,750 plus £2,000 costs following an HSE inspection of extensive roof work on a semi-detached property when two persons were observed working on the roof without the provision or use of adequate edge protection. See press release for [further details](#).

### RISK MANAGEMENT

An underlying cause of much of the injury and ill-health arising during construction work is a poor understanding or implementation of risk management. There is now a page on the HSE website dedicated to the explaining risk management in a clear and common sense way. See the website for [further details](#).

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### STANDARDS ON SMALLER BUILDING SITES

Further evidence has been reported on the dangers present on smaller building sites. HSE has completed the first phase of an intensive campaign of unannounced inspections which has revealed significant risks to workers and others and resulted in work being stopped at over a third of the sites visited.

HSE worked with officers of the City of Bradford Building Control Department to identify small sites where there was concern about safety standards. A total of 61 sites were visited. Four prohibition notices were issued and 18 sites stopped work voluntarily whilst they rectified the problems found. Almost all problems were created by poor standards of scaffolding. See press release for [further details](#) and pictures

### FREE HEALTH AND SAFETY ASSISTANCE FOR SMALLER BUSINESSES

The Workplace Health Connect service provides free, practical advice on workplace health, safety and return to work issues, to smaller businesses (with 5 to 250 workers) in England and Wales. It includes an Adviceline (0845 609 6006) and supporting website giving tailored practical advice to managers and workers.

The service aims to transfer knowledge and skills direct to managers and workers, enabling them to tackle and solve any future issues themselves. It is service that is testing free, problem solving, workplace visits in 5 separate areas across England and Wales. See website for [further details](#).

### BETTER BACKS CAMPAIGN 2006 EVENT FUNDING

If you plan to run an event that supports the aims of the Better Backs Campaign 2006 there may be financial support available to help you get the most out of your initiative. Funding is available to reimburse the costs incurred by holding the event. The aims of the Better Backs campaign are to:

- Reduce the incidence and impact of bad backs caused or made worse by work
- Reduce the number of working days lost due to back pain

[Further details](#) of the funding criteria can be found on the HSE Better Backs webpages.

### WORKER ENGAGEMENT

HSE has identified a growing body of evidence indicating that effective worker involvement and consultation on health and safety has a positive impact on both individual workers and organisations as a whole. A one-day free event to be held at the HSE London office in conjunction with Glasgow Caledonian University and the Centre for the Built Environment. See construction diary of events for [further details](#).

I hope you find this information helpful.

**Philip Poynter**  
**Construction Infonet Editor**  
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