

Fleet Health & Safety Consultants

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NEWS

A Staffordshire landscape gardener has been given a suspended prison sentence and 180 hours of unpaid community service, after a worker was killed by a falling gate post. Leeson Lavender of Stoke-on-Trent, was helping Eden Maddocks to install a large oak post at a property in Pepper Street, Keele, when the fatal incident occurred on 20 May 2010.

The two men stood on a trailer that had been used to transport the post and had started to manoeuvre it towards a pre-dug hole. As they lifted it the trailer shifted, causing Mr Lavender and the post to fall out.

Mr Lavender, who was known locally as Spud, hit his head on the ground before the post struck him on his head. He died later in hospital from his injuries.

Stafford Crown Court heard today (11 January) that an investigation by the Health and Safety Executive (HSE) found that Eden Maddocks, trading as Eden Creative Landscapes, had successfully used this method of work on other occasions. However, this time the oak post was larger and heavier than he had been used to.

Mr Maddocks had told Mr Lavender they would try to lift the post once and if it was too heavy they would wait for the more manpower to arrive in the form of the property owner and an electrician who was due at the house.

Eden Shane Maddocks, of Stoke-on-Trent, was given a six month prison sentence suspended for 12 months, and 180 hours unpaid community service work, after pleading guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. After the hearing, HSE inspector Mr Lindsay Hope said: "Mr Maddocks had balanced the trailer with sandbags and provided stone chocks to stabilize it during the lifting process. He had also provided guide nails in the trailer to stop it sliding sideways during transportation, so he had obviously considered the potential stability issues and had taken some precautions in an attempt to reduce the risks of the post overbalancing.

"Sadly he didn't do enough and Leeson Lavender paid with his life - a tragic and unnecessary death that could have avoided with better planning and a safer method of work."

A farmer on Dartmoor failed to properly maintain a quad bike which was later involved in a fatal collision.

Plymouth Crown Court heard that 17-year-old Phillip Nyhan was riding the quad given him to use at Runnage Farm, on Dartmoor when he was in collision with a car on a minor road near Postbridge on 7 June 2007. He died of his injuries later in hospital.

Farmer Philip Coaker pleaded guilty to not maintaining the quad bike in a prosecution brought by the Health and Safety Executive.

The police investigation found that about three weeks before the accident, the rear brakes of the vehicle broke, but Mr Coaker decided the quad was still safe to use with caution. However, the court heard that the defects with the quad bike did not have a direct bearing on Philip's death which was caused by the head on collision between the quad bike and the car.

After the hearing, HSE Inspector, Simon Jones, said: "It is essential that quad bikes are properly maintained. If a quad is not in full working order it should not be used. In this case Mr Coaker should have taken the vehicle out of use until the back brake was fully repaired.

"Sadly, although Phillip Nyhan had access to a helmet that he was told to wear, he was not wearing one when the accident happened. This tragic case also highlights the need for farm workers to always wear a helmet when riding a quad bike."

Philip Coaker, of Runnage Farm, Postbridge pleaded guilty to a breach of Regulation 5 of the Provision and Use of Work Equipment Regulations 1998 and was fined £250 and ordered to pay £2,000 in costs.

HEALTH AND SAFETY NEWSLETTER

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Recent Changes

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) Change – 6 April 2012

As of **6 April 2012**, RIDDOR's over-three-day injury reporting requirement has changed. The trigger point has increased from over three days' to over seven days' incapacitation (not counting the day on which the accident happened).

Incapacitation means that the worker is absent or is unable to do work that they would reasonably be expected to do as part of their normal work.

Employers and others with responsibilities under RIDDOR must still keep a record of all over-three day-injuries – if the employer has to keep an accident book, then this record will be enough.

The deadline by which the over-seven-day injury must be reported has also increased to fifteen days from the day of the accident.

HSE Changes to First Aid Requirements

After April 2013, the HSE will no longer approve and monitor first aid training providers. Employers will still have to ensure that they meet their first aid needs assessment & business will have more flexibility to decide on first aid provision which is appropriate to their individual workplace requirements

Our customers will soon benefit from the upgrade to our website where you will be able to log in and access information not such as risk assessments not available to view by the general public

Fleet Health and Safety

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A Range of PPE soon available to purchase direct from the website. If there is something specific that you would like us to stock – please get in touch and we will do our best to offer the best prices

