



# Health & Safety

for Roofing Repairs and Maintenance

**ENVO  
CARE**

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# Legal Requirements

Health and Safety legislation is a minefield of complexity for employers.

If you manage contractors you need to be familiar with the requirements of the law, as there are a number of specific regulations relating to this area.

**The basics of those most relevant to working with contractors are included here:**

- The basis of British health and safety law is the **Health and Safety at Work etc Act 1974 (the HSW Act)**. The Act sets out the general duties, which employers have towards employees and members of the public, and employees have to themselves and to each other.
- **Management of Health and Safety at Work Regulations 1999 (the Management Regulations)** – requires employers to carry out risk assessments, make arrangements to implement necessary measures, appoint competent people and arrange for appropriate information and training.
- **Construction (Design and Management) Regulations 2007 (CDM)** – covers safe systems of work on construction sites.
- **Control of Substances Hazardous to Health Regulations 2002 (COSHH)** – requires employers to assess the risks from hazardous substances and take appropriate precautions.



# The Health & Safety Executive (HSE)

**In order to provide a framework around the legislation, The Health and Safety Executive's Plan of Work is designed to highlight the priorities it has assigned to enforce the law.**

Although the Plan of Work has been extended by a further year, the key priorities have not changed for the agency.

The Construction Division Plan of Work 2013/14 continues to deliver and where possible accelerate long-term improvements in the industry's health and safety performance.

Whilst many companies take their Health and Safety legal requirements very seriously there are still many that do not give it the proper planning and consideration it needs, taking into account their legal obligations to ensure all work is carried out safely and effectively with limited risk.



The HSE has identified three target areas of relevance to the Roofing Repairs and maintenance sector that it is working to improve:

- **Small sites/projects.**
- **Working at height.**
- **Contractor competence.**

### Client Duty

**An important factor that perhaps some clients don't fully appreciate is their liability and role in any work being carried out on their premises. Client duties apply on all projects, whether major works or minor building projects.**

Some of the most hazardous works takes place on smaller projects such as repair of fragile roofs and fragile roof lights on commercial premises.

The statistics are hard hitting. Around 7-10 workers die each year after falling through such roofs and roof lights. Falls account for more deaths and serious injuries in construction than anything else. Roofers account for 24%, the biggest category of worker by far, of those people who are killed in all falls from height.

### Appointment of a Competent Contractor

**Budgets for roofing maintenance may have been squeezed over recent years, however the cost for not having a planned preventative maintenance plan could be the difference between you saving a life and your business.**

The appointment of a competent contractor is essential. They will be fully aware of all of the law and the HSE requirements and wilfully comply with them.

The production of a method of work for all projects should be carried out ahead of all works, with a detailed risk assessment, supervision of work should take place every time and regular liaison with the client is needed to ensure clear communication and the successful delivery of all projects.

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40 workers were killed and more than 3,400 workers were seriously injured in falls from height during 2011 and 2012.

# Cheaper is **not** always better

**There is a premium to pay for competency  
but this outweighs the cost of being one of  
the cases highlighted in the following pages.**

As the HSE is rigorously working towards improving standards and dramatically reducing the number of deaths and injuries.

Working with a competent and professional contractor may come at a slightly higher premium but reduces the risk of serious injury and the potential for significant financial cost.



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# Building Awareness

**Weekly evidence through the cases of prosecution the HSE makes, show that not everyone is meeting their legal requirements.**

As a result the HSE has launched a campaign to increase awareness with clients and help raise the standards of contractors.

This campaign highlights best practice for selecting competent contractors for work at height, but it also emphasises the obligations of the contractor.



The 'Height Aware' Campaign focuses on four main areas:

- **Selecting Contractors.**
- **Exchanging Information.**
- **Agree the method of work.**
- **Monitor the work.**

A photograph of a blue corrugated metal roof under a blue sky with white clouds. A small white vent pipe is visible on the roof. The text 'HSE Prosecution Case Studies' is overlaid in white.

# HSE Prosecution Case Studies

### HSE Case Study Example

#### Allied Domecq Spirits and Wine Ltd, trading as CG Hibbert Ltd.

**Contractor:** Richard Parker, Ovenden Engineering.

**Works:** Fixing a roof leak and gutter cleaning.

**Date:** 18.06.2013.

A 61 year old worker died after falling six metres through fragile skylights because safety measures were neglected both by his employer and the client.

**The HSE investigation identified failures by both contractor and client and prosecuted both for safety breaches. No safety equipment was in place for people working on the roof, despite this work taking place monthly.**

The owner of the warehouse, Allied Domecq, had responsibility for the site and should have ensured that contractors planned their work and carried it out safely, with proper control measures in place.

### Prosecution:

#### **Richard Parker, Ovenden Engineering.**

Breaching section 2(1) of the Health & Safety at Work etc Act 1974.

**£30,667.**

#### **Allied Domecq Spirits and Wine Ltd.**

Breaching section 3(1) of the Health & Safety at Work etc Act 1974.

**£277,429.**

### HSE Case Study Example

#### Paragon International

**Works:** Gutter cleaning.

**Date:** 01.07.2013.

A 40 year old man suffered minor injuries as he fell through a roof light, whilst cleaning gutters.

**The HSE investigation found the company had failed to ensure he could do the work safely on the roof.**

The employee was told to try and stay away from the roof lights, but no practical steps were taken by the company to ensure this. The worker had to carry bags of debris to the top of the roof, walking on metal sheets between the roof lights so that a forklift truck could collect them.

The HSE said the company should have found alternative ways of doing the work safely, such as hiring a cherry-picker and providing edging around the roof lights.

### Prosecution:

#### **Paragon International.**

Breaches of the Work at Heights Regulations 2005 and the Management of the Health and Safety at Work Regulations 1999.

**£13,567.**

### HSE Case Study Example

#### The Moray Council

**Works:** Removal and replacement of a roof light.

**Date:** 11.07.2013.

A 52 year old man was seriously injured after falling through a garage roof light at a council depot.

**The worker accessed the roof via a ladder and was standing on scaffolding batons placed on cement sheets on either side of the roof light. However, the one under the worker slipped, causing him to lose his balance.**

He fell head first, three metres, onto a concrete floor. He sustained serious injuries including a broken pelvis, collarbone and numerous ribs plus a head injury.

The HSE investigation found that no information or supervision had been provided to the workers so they could carry out the work safely. The roof light was found to be too fragile and unable to support the weight of someone standing or walking on it.

### Prosecution:

#### **The Moray Council.**

Breaching Regulation 4 of the Work at Heights Regulations 2005.

**£4,000.**



**For advice and guidance  
on your building roof contact:**

**Tony Cornwell** – Director.  
tony@envo-care.com

**Call**

+44 (0)844 809 4211

**Fax**

+44 (0)844 809 4212

**Visit**

Envocare Maintenance Limited  
PO Box 3198,  
Romford,  
Essex,  
RM3 3BQ.

[www.envo-care.com](http://www.envo-care.com)