

Fatal skylight fall – company and director sentenced

A Wakefield roofing company has been fined and its sole director given a suspended prison sentence after a dad-of-two was killed when he fell 12 metres through a skylight.

Jonathan May, 39, from Horbury, Wakefield, who was a subcontractor for Davis Industrial Roofing Limited, was working on a storm-damaged warehouse roof at F&G Commercials Limited, Carlton Industrial Estate in Barnsley with two others on 18 December 2016, when he fell.

The work involved the replacement of more than 300 skylights on a fragile asbestos cement roof. The skylights had been damaged in a hailstorm.

An investigation by the Health & Safety Executive (HSE) found Davis Industrial Roofing Limited had failed to provide an appropriate risk assessment, method statement, and suitable and sufficient fall protection measures for the roof work to be carried out safely.

The investigation found even though reasonably practicable precautions were available, poor planning had resulted in a risk assessment and method statement that was not suitable and sufficient. The work was poorly supervised and carried out unsafely.

Melvyn Davis, the sole director of the company, who had drawn up the risk assessment and method statement and had regularly visited the site to monitor progress, had failed to provide suitable and sufficient fall protection measures and consented to the use of an unsafe system of work. This constituted a personal neglect for safety during the roof work.

Melvyn Davis, of Field Place, Wakefield, pleaded guilty to breaching Section 37(1) of the Health and Safety at Work etc. Act 1974 and was sentenced to eight weeks imprisonment suspended for 12 months and ordered to do 15 days of rehabilitation activity at Sheffield Magistrates' Court on 16 November 2022.

Davis Industrial Roofing Limited, of Field Place, Wakefield, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974 and was fined £20,000 and ordered to pay costs of £12,557.

Speaking after the hearing, HSE Inspector Chris Gallagher said: "This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices.

"Companies and directors should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

Notes to Editors:

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise. hse.gov.uk
2. More about the legislation referred to in this case can be found at: legislation.gov.uk/
3. HSE news releases are available at <http://press.hse.gov.uk>

[Stress campaign signs new partner on first anniversary](#)

A leading health and safety organisation has joined a campaign tackling work-related stress.

The Institution of Occupational Safety and Health (IOSH) has become the latest partner on the Working Minds campaign launched a year ago today by the Health and Safety Executive (HSE).

The workplace regulator's figures show of the 1.7 million workers suffering from a work-related illness almost half (822,000) were suffering from stress, depression or anxiety.

HSE's Working Minds campaign encourages employers to start to tackle work-related stress and to talk to their staff and take steps to support employees with their mental health in the workplace.

The campaign has a series of partners who work with HSE to highlight issues around work-place stress and its impact on mental health. With IOSH now signed up it means the number of partners has more than doubled to 19 since [Working Minds was launched last year](#).

HSE's research highlighted that many employers are unaware of their legal duties or how to spot the signs of stress. In response, Working Minds looked to develop networks to promote the legal duties by encouraging employers and workers across all sectors of the economy to sign up as campaign champions. Its main aim is to raise awareness of stress and the impact it has on mental health of workers and businesses. The campaign is also recognising the significant milestone of one thousand Working Minds champions as it celebrates its one-year anniversary.

Liz Goodwill, Head of the Work Related Stress and Mental Health Policy Team at HSE, said: “When we launched Working Minds a year ago, we were under no illusion that stress, anxiety and depression were on the rise in the UK. Our aim was to ensure psychosocial risks are treated the same as physical ones, that employers recognise their legal duty to prevent work-related stress to support good mental health in the workplace, and that they have the tools they need to achieve this.

“Now, at a time when we have major challenges facing the country – leading to stressors both inside and outside of the workplace – welcoming new partners extends our reach and helps get our messages to businesses. That is why IOSH joining Working Minds is so important – these challenges can only be tackled successfully by working together – as organisations, as businesses, as teams.”

Ruth Wilkinson CMIOSH, Head of Health and Safety (Policy and Operations) at IOSH, said: “We’re really pleased to be collaborating with the HSE and other UK partners on the Working Minds campaign. Good mental health is just as important as good physical health.

“Our work can impact our mental health, both positively or negatively, so decent work and good working environments are important. Employers can therefore play a key role in prevention, through good risk management, raising awareness, training people to spot the signs and symptoms of stress and by providing interventions to support colleagues.

“But a [2019 IOSH report](#) revealed 80% of workers wouldn’t discuss their mental health with their line manager because they feared being stigmatised or judged incapable.”

The total annual cost of poor mental health to employers has increased by 25% since 2019, costing UK employers up to £56 billion a year – according to a [report by Deloitte](#). Figures show employers can see a return of £5.30 on average for every £1 invested in mental health.

Working Minds encourages employers to promote good mental health in the workplace through collective behaviours and forming habits using the 5 Rs: **Reach out, Recognise, Respond, Reflect** and **make it Routine**. Going forward, employers should hold regular catch-ups with workers and their teams.

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2. HSE news releases are available at <http://press.hse.gov.uk>
3. To read more about HSE’s Working Minds campaign click here: <https://workright.campaign.gov.uk/campaigns/working-minds/>
4. The Institution of Occupational Safety and Health (**IOSH**) is the Chartered

body and largest global membership organisation for health and safety professionals. Its vision is a safe and healthy world of work: iosh.com

[HSE to prosecute Newcastle City Council](#)

A Health and Safety Executive (HSE) prosecution is being brought against Newcastle City Council following the death of six-year-old Ella Henderson.

Ella was hit by a falling tree at Gosforth Park First School on Friday, 25 September 2020. She died at the Royal Victoria Infirmary, Newcastle the following morning.

Newcastle City Council will face a charge under section 3(1) of the Health and Safety at Work etc. Act 1974.

The charge follows an investigation by HSE, initially led by Northumbria Police.

The first hearing is due to take place at South Tyneside Magistrates' Court on 10 January 2023.

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[Guidelines launched to help staff](#)

succeed at work and get businesses growing

- **New guidance will help employers support disabled people and those with long-term health conditions thrive at work**
- **Firms will be given advice on retaining staff as many businesses face recruitment difficulties**

Disabled people and those with long-term health conditions will get more support from employers to help them succeed in the workplace thanks to new guidance.

The Health and Safety Executive (HSE), Great Britain's workplace regulator, has issued guidelines that state what employers can do to support staff.

The UK has record rates of employment, but disabled people are less likely to be employed than non-disabled people and are twice as likely to fall out of work.

The [new guidance](#) stresses the importance of making sure workplaces are accessible, that staff communication is clear and inclusive, and appropriate occupational health support is available.

Helping people succeed at work is critical to growing the country's economy, especially as firms are finding it more difficult to fill vacancies.

The new guidance was launched today (November 15) on the eve of Disability History Month.

Sarah Albon, Chief Executive of HSE, said: "The aim of this guidance is to provide clarity to employers about what they should be doing to support their staff. This can be a sensitive, complex area so we want to give employers confidence to act.

"We have to make the workplace better for disabled people and those with long-term health conditions. Not only is that the right thing to do but doing so will also bring big economic benefits at a time when we have high employment and firms are struggling to find staff."

Mims Davies MP, Minister for Social Mobility, Youth and Progression, said: "We want to grow our economy and that means we need more of us to be productive and economically active. We cannot afford to have people who have skills, experience and talent feeling left behind, and even worse shut out of the workplace because they have a disability or health condition.

"This key guidance from HSE and other work across government is part of our plan to support employment, cut ill-health related job loss and make sure employers have the teams they need to grow, and their employees are able to progress in work and truly thrive."

HSE worked with disability charities, unions, and business representatives to develop the new guidance.

Kamran Mallick, Chief Executive at Disability Rights UK, said: “We welcome this new guidance to support businesses to do things differently and remove the barriers that stop disabled people from flourishing in work. Keeping disabled talent in your business is good business.

“The lived experience of disabled people is an asset, and by making small changes everyone benefits through inclusive cultures.”

The guidance will help employers retain talent at a time when many businesses are struggling to fill vacancies. For workers, the guidance will help them thrive and perform at their best in the workplace. And we know staying in work can help individuals on many levels, such as giving them financial independence and providing a sense of purpose and wellbeing.”

An estimated 149.3 million working days were lost because of sickness or injury in the UK in 2021, equivalent to 4.6 days per worker. Cutting this number will help grow productivity in the UK.

The guidance is aimed at small-to-medium sized businesses who employ 61% of all UK employees. The Federation of Small Businesses found 51% of small businesses have employed a disabled person or someone with a health condition in the last three years.

The guidance helps workers understand what they might expect from, and should discuss with, their employers while makes it clear how employers can help their staff. Among the recommendations is making sure managers and workers feel confident talking about health and disability, and that any requests for changes to working patterns or modifications in the workplace are dealt with quickly.

The guidance focuses on early and supportive action that employers should take, outlines employers’ responsibilities, and preventative steps they can take to help people stay in work and be a productive team member.

The central part of the guidance outlines seven steps employers should take to support disabled workers and those with long-term health conditions:

[Create a supportive and enabling workplace](#)

[Take an inclusive approach to workplace health](#)

[Understand the work barriers that impact on workers](#)

[Make suitable workplace adjustments or modifications](#)

[Develop skills, knowledge and understanding](#)

[Use effective and accessible communication](#)

[Support sickness absence and return to work](#)

Notes to editors:

The Department for Work and Pensions has also issued guidance for employers and managers offering support with employee health and disability. To find out more: [Support with employee health and disability – GOV.UK \(dwp.gov.uk\)](https://www.gov.uk/guidance/support-with-employee-health-and-disability)

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[Company fined after skylight fall puts worker in a six-week coma](#)

A Hertfordshire construction company has been fined after a worker fell through a skylight while working on a six-storey house. The man fell over three metres and received serious head injuries that led to him being in a coma for six weeks.

MH Costa Construction Limited had been completely renovating the property at Moore Park Road, Fulham, London, which included building a basement and an extension.

On 30 November 2018, the worker, along with others, was working on the extension's flat roof when he fell through an opening created for the installation of a skylight. The opening was covered with loose planks and work was in progress immediately by the opening.

An investigation by the Health and Safety Executive (HSE) found it would have only taken a small movement to dislodge the planks. The worker either fell or stepped onto a plank, which then tipped, causing him to fall to the basement below.

The company's risk assessment records did not consider how to prevent falls through the opening. Additionally, there was no scaffolding or other measures to prevent falls off the sides of the flat roof.

HSE also found other areas where workers could fall, as well as issues relating to manual handling, trip hazards, hazardous wood dust and the storage of flammable materials. There was also no evidence the injured worker had been provided with any formal health and safety related training.

MH Costa Construction Limited of Beauchamp Court, Victors Way, Barnet, Hertfordshire, pleaded guilty to a breach of Regulation 13 (1) of the Construction (Design and Management) Regulations 2015. They were fined £96,000 and ordered to pay £18,965.66 in costs at Southwark Crown Court on 14 November 2022.

HSE inspector Andrew Verrall-Withers said: "It is well known in the construction industry that working on roofs is a high-risk activity. Roofers account for 24% of all workers who are killed in falls from height while at work. It is essential it is carefully planned.

"The worker suffered serious injuries and may never be able to work again. It is just good fortune he was not killed, but it must have been terrible for his family waiting for those six weeks when he was in a coma.

"The company ignored good opportunities to review and improve their arrangements before this tragic incident. HSE had served Notification of Contraventions on the company at two other sites during the previous six months, including highlighting unsafe working at height. At one site in Fulham a visiting health and safety advisor provided the company with audit reports which raised edge protection issues as needing immediate attention."

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