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Contractor hit with GBP 150,000 penalty for work-at-height deficiencies

03 February 2005

A London-based construction company has been fined £150,000 after an employee fell to his death.

Appearing at Southwark Crown Court on 18 January, McDermott Bros Contractors Ltd (MBCL), was fined for a breach of s2(1) of the HSWA for failing to ensure the safety of those in its employment. It was ordered to pay £15,175 in costs.

The court heard how, on 4 December 2000, Vincent Dooley, a 54-year-old carpenter, was working at a building site at the 280 Bishopsgate development, just outside the City of London. Working on the 14th floor of the building, he was striking out timber and plywood shuttering around a hole that had been cast in the floor. Dooley fell through the hole, some four metres to the floor, suffering severe head injuries. He died later that day.

The court found that, at the time of the incident, no measures were in place to prevent Dooley's fall, although a general method statement had been prepared, which indicated that a safety harness should be worn.

Speaking after the case, HSE investigating inspector Neil Stephens explained that those who are responsible for planning work should carefully assess the work and decide what safety measures are appropriate. Harnesses come at the bottom of the hierarchy of control measures for working at height and the use of fall arrest equipment, he pointed out, and properly constructed working platforms and/or guardrails are nearly always preferable.

Highlighting other lessons to be learnt from the case, Stephens said: "

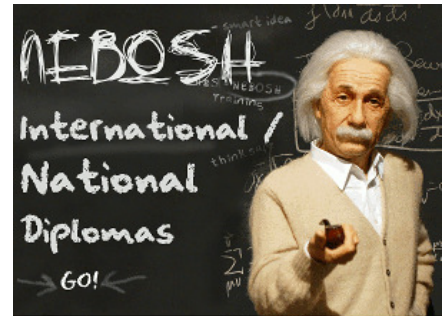
[P]rincipal contractors should always look critically at any method statement which specifies the use of harnesses to check whether this is the safest option. Where, ultimately, harnesses are chosen then there should be a detailed method statement and a high degree of supervision to make sure it is followed.

"Lastly, all those who use a harness should have proper training, which should include how to inspect and wear it, what constitutes a suitable anchorage, and the limitations of harness use."

When contacted by SHP MBCL said it was not prepared to comment on the case. The company pleaded guilty to the charge at the City of London Magistrates' Court on 29 October 2004.

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