



40 at 40

19 July 2012 is the 40th anniversary of the report behind the Health & Safety at Work Act, a “bold and far-reaching piece of legislation” that has improved and saved the lives of countless UK workers.

Contrary to its portrayal by an ill-informed minority, the HSW Act has enabled companies to carry out their business successfully by building consensus into standards. Working together, industry, workforce and regulatory representatives have adopted intelligent, practical solutions to workplace dangers, underpinned by a common desire to ensure people return home from work as safe and well as when they left; and that customers and passers-by are similarly unharmed.

Celebrating 40 years from the launch of the Robens report, Prospect has compiled 40 stories from the Health and Safety Executive’s front line. ‘40 at 40’ is a collection of contemporary personal insights into some extraordinary and diverse encounters, from people who rarely make their voices public. We thank our HSE Branch members for their support.

You may also have a tale to tell. As part of the anniversary celebrations, we’d like to broaden the invitation. Share how your job or workplace has benefited from health and safety or the help of your regulator (for instance HSE, the Office of Nuclear Regulation or the Environment Agency). You too can be bold and far-reaching: add your voice by emailing your story to: safetyreps@prospect.org.uk

Forty stories

Would I be happy for my children to work here?

Oil depot fire: devastation

Asbestos: exploiting ignorance of the hidden killer

Industry standard: Knowledge saves lives

Sanitation: people are not commodities

Gas safety: rogue landlord endangers elderly tenant

Securing justice: everybody hurts

Fairgrounds: support for child witness

Heavy metal

Hard hats: keep your head

Working at height: access reaches new heights

Buried alive

Chemicals: influencing chemical safety

A day in the life of a construction inspector

Legionnaires disease: dangerous cooling tower

Increased productivity: good housekeeping boosts the bottom line

Caravans: 200 caravans, one dodgy gas fitter

Walking into a death trap

Good employers: good practice is good for business

Mining: cut to the chase

Asbestos: cowboy contractor exposes builders and public

Enforcement: firm but fair

Decent loos: gentle pressure gets movement

Fumes: basic decency for workers

Improvement notices: leaning on the law

Scaffolding: securing justice

Workplace deaths: lest we forget

Pesticides: Dickensian conditions for pest control workers

Roofing: safety nets save lives

Save money: win win win

Dog kennels: barking up the right tree

Gas safety: protecting vulnerable tenants

Risk awareness: inform and educate

Dry cleaners: toxic fumes endanger family

Practical solutions: eyes and ears on site

Garage owner changes direction

Farm holidays: slurry lagoon plants safety seed

Sharing experience: living, learning and sharing knowledge

Dangerous structure: risking life for £25 a day

Myths: safety as an excuse

.1 Would I be happy for my children to work here?

Early in my career I shadowed an investigation into the tragic death of a 19 year-old who was dragged into a boring machine. This accident had a profound impact on me. I wondered how the parents could ever come to terms with the loss of their son. As a parent myself, I add the benchmark "would I be happy for my children to work here" to my skills and experience as an inspector. All too often the answer is "no".

I know conditions are far better than they were when factory inspectors started out – young children in the UK are now protected - but in some workplaces, processes and machines are so poorly managed they have to be stopped; and we still come across non-existent welfare, or facilities unfit for human dignity.

Forty years on from Robens and two centuries after the early law, we still have plenty of work to do.

.2 Devastation

I was involved in investigating the Buncefield oil depot fire which lasted several days and followed a series of explosions, the first being of massive proportions. Over 40 people were injured. Fortunately no one was killed, but for many who worked there or lived nearby, their lives were absolutely devastated.

It was an extremely painstaking forensic investigation of a massively destroyed site. The legal representatives of the companies indicated they would 'put us to proof' about all the findings of our experts, so we had to follow up all sorts of potential causes.

We had two 'Eureka' moments and spent a year dealing with the real causes – the poor monitoring system and people working up to 80 hours a week: not good. The management thought they had a safety system and they thought they were checking it. In fact they were doing neither.

.3 Exploiting ignorance of the hidden killer

HSE received a complaint from an agency worker instructed to soft-strip insulation boards he suspected contained asbestos, without any protection. Unlike his mates, who were mostly 15 to 16 year-olds temping during school holidays, he knew that exposure to asbestos can reduce life expectancy because of diseases like asbestosis, lung cancer and mesothelioma.

I visited the refurbishment of a three-storey former factory with a Health and Safety Laboratory scientist, who confirmed that the insulation board contained asbestos. This meant work could only proceed 'under licence', with special conditions such as an air-locked enclosure, protective clothing and breathing apparatus and a decontamination unit.

The director tried to avoid this by going to a second agency with new workers ignorant of the dangers and safeguards. We revisited, stopped work, collected evidence and took the director to court, where he was fined £240,000, given a suspended prison sentence and disqualified from being a director.

.4 Knowledge saves lives

During another preventive visit, this time a coalface salvage operation, I recognised a method of work being used that had led to a fatal accident two years' before. I stopped the work and a new industry standard was set with no further major injuries having occurred in this operation in the 15 or so years since.

.5 People are not commodities

About 20 years ago I dealt with an anonymous complaint about poor welfare provisions and a lack of sanitary disposal facilities for the workers at a small book-binding business. A British woman owner employed largely Somali women, none of whom would speak or make eye contact with me, suggesting the courage it must have taken to contact HSE.

When I found that the ladies' toilets indeed had no sani-bins I raised this with the owner, who said with such certainty she would resolve the matter that I chose not to enforce. Yet when I returned to check, nothing had been done despite this being a straightforward matter and one fundamental to human dignity.

This time I served an Improvement Notice which finally achieved compliance. As I left the owner's office at the end of my last check visit, a worker furtively touched my arm in passing, caught my eye and almost imperceptibly whispered 'thank you'. I could have cried.

This wasn't life or death and I could provide you with examples of scandalous endangerment of life, or my experiences of securing justice for bereaved families. But this encounter has always stuck in my mind. Because when a worker has little voice, a paltry pay and is treated as a commodity rather than a person, it's the simplest thing that makes the job just about tolerable.

.6 Rogue landlord endangers elderly tenant

A housing officer contacted HSE about an elderly tenant whose gas fire hadn't been inspected by her landlord. Repeated requests to produce a Gas Safety Certificate were ignored, so an Improvement Notice was served, which the landlord also ignored.

When I visited the property, I was concerned at signs of poor combustion because of the risk of carbon monoxide poisoning. One of our qualified gas engineers checked, declared the gas fire "at risk" and we took it out of use, subsequently prosecuting the rogue landlord.

.7 Everybody hurts

When someone is killed at work, it is very stressful and traumatic time for everyone, including the inspector. Investigations take time so it's vital we keep the victim's family informed throughout.

I recently investigated an accident which resulted in the tragic death of a much-loved, well-respected and very competent man. His family, of course, was devastated. My investigation and the legal process was complex. Yet the most gratifying moment in my working life came at the end of it all when one of the closest family members wrote to

say *"I thank you from the bottom of my heart for all the hard work you put into trying to secure justice for my brother's death."*

In my experience this is why the work of an HSE inspector is so important - and has been since 1833!

.8 Support for child witness

A ten year old boy was thrown from a fairground ride and injured, while his best friend managed to stay on. The friend became the key witness, his evidence being vital to prove that the rider operator had failed to maintain the passenger restraint. I arranged to interview the boy at home with his father. Several weeks later, the father thanked me. Prior to the interview, his son had been having nightmares and losing sleep as he re-lived the accident. But he said my handling of the interview had helped his son tell his story and put what he had seen into perspective - he had felt much better since and was sleeping. The ride operator was successfully prosecuted.

.9 Heavy metal

Over many years as a local factory inspector, I noticed how often near misses, amputations and deaths at work resulted from the movement of stored metal. In those days I was often called out after the collapse of a stack containing hundreds of tons of steel coil. It was distressingly common to find some unfortunate smeared underneath the failed stack.

A health and safety manager was equally concerned about the incidents within his own company. So we set up a joint project between the trade association, HSE and the local authority, in which we thrashed out agreements on safe and unacceptable practices. We published new standards to spread industry good practice.

I can't prove that lives have been saved, but the incidence of deaths following collapses of stored materials has significantly reduced. I'm glad to have helped with this.

.10 Keep your head

Many years ago I was a construction inspector investigating a complaint about the demolition of a house's gable end wall to repair subsidence. When I arrived the wall was gone and nothing much was happening. The builder, a traditional sole trader, was alone wearing his flat cap. We had a friendly chat about safety and when I noticed his hard hat nearby on a wall, I reminded him that although the main danger of something falling on him was gone, he should still wear it in case something became loose.

A week later he rang me to thank me for the life-saving advice. He'd hired a mini digger, which his son was operating, to excavate some deeper foundations. Remembering my advice he donned his hard hat – just before the digger bucket gave him a hard blow to the head. I thanked him for contacting me and suggested he replaced his now damaged hard hat and considered the operating competence of his son!

.11 Access reaches new heights

I feel rewarded by my involvement in reducing the traditionally high death toll amongst steel erectors, who used to carry out their work from ladders or by straddling the steel. Through sheer dogged determination we made the case for powered access platforms which were then entering the market. Once companies took up this safer practice, they showed it worked and was affordable, creating a new benchmark we could set others. Not only did the industry become safer, but the icing on the cake was that this method proved faster and more cost effective.

I remember a visit when I complimented a foreman on his use of cherry pickers and he reminded me that the year before we'd had an argument over his use of ladders. Having finally given in, he conceded that cherry pickers shaved three weeks off the job and they were quids in! They hadn't erected steel from ladders since.

.12 Buried alive

I was a trainee when I started working in construction and was the only inspector available one day when the police reported a trench collapse. Collecting my kit, I took a deep breath and set off for the site, where I was met by a coroner's officer. He led me past a large mound of earth to the horrendous sight of an extremely deep and narrow excavation, bordered by towering spoil heaps.

I could see the moving heads of fire-fighters in the trench being watched by their colleagues from the spoil heaps either side. Fearing a further collapse, I alerted the officer in charge who immediately instructed his team's careful withdrawal. Indeed it took 36 hours of gradual soil removal, trench shoring and battering back to safely recover the builder's body. The subsequent commendation from the Chief Fire Officer for my advice was rewarding but no comfort for the avoidable death of this poor builder.

.13 Influencing chemical safety

Most people know that some chemicals can be harmful, but it used to be easy for chemical manufacturers and importers to put products on the market with little or no grasp of their hazards or advice on precautions. That is, until stricter rules known as REACH were introduced a few years ago to make *them* responsible for, amongst other things, communicating vital chemical safety information through the supply chain.

I worked with others behind the scenes in Europe to see this transition take place, ensuring a level playing field for potentially competing businesses, and preventing the import of all sorts of harmful products as diverse as paper lanterns containing asbestos and indoor fireworks made from carcinogens.

It is a comfort to me knowing that we have a far higher level of protection from some of the most dangerous chemicals because of European law I helped implement.

.14 A day in the life of a construction inspector

Responding to public concern that structural alterations to an office block in a busy town centre were jeopardising four flats directly above, I discovered huge cracks in the walls

and no involvement by the contractors of either Building Control or a structural engineer. I stopped the work, evacuated the flats and, with Building Control, forced the company to make safe the building, which took a week! Meanwhile I liaised with the landlord and the housing charity Shelter temporarily to accommodate the residents.

.15 Dangerous cooling tower

I was called to an emergency meeting about a suspected outbreak of Legionnaires' disease that eventually killed two people and left others permanently harmed. From HSE's cooling tower records we were able to spot the prime suspect which we immediately inspected, concluding it a serious danger to employees and the public.

The company was reluctant to take it out of use, but our sensitive and specialist application of the law ensured both safety and the resumption of the cooling tower as quickly as possible. Further investigation excluded other sources of infection and the company eventually accepted full responsibility.

.16 Good housekeeping boosts the bottom line

Several times during visits to small furniture manufacturers I've asked the employer to pause production and tidy their workshop; they're typically very dusty with piles of offcuts surrounding the machines and blocking walkways. Some saw dusts cause asthma and cancers, and explosions in exceptional circumstances. Tripping and falling by a woodworking machine is especially dangerous because of the blades and this is well known, but reminders always help.

Each time I've done this, the owner has thanked me for the 'push' because contrary to their initial fear of a cost or it being a burden, the increased productivity and work quality have always improved their bottom line.

.17 Two hundred caravans, one dodgy gas fitter

In 2008, I and the local fire and housing officers inspected the accommodation provided by a major fruit grower following concerns raised by a foreign embassy about the welfare of migrant workers.

I spotted that the gas installer, who for four years had carried out the gas work and safety checks on the 200 caravans, was not registered and had been falsifying his records.

When HSE's approved gas safety engineers randomly checked five caravans they found numerous defects including gas leaks from pipework and emissions of deadly carbon monoxide. We had to disconnect the LPG supply to every caravan until we were certain they were safe, and alternative cooking and washing facilities were arranged for the 764 vulnerable occupants.

Needless to say we prosecuted the gas installer and thankfully he has since given up gas work. The employers, who had been so misled, learned a lot from the incident and have since improved the heating and cooking facilities to ensure the safe housing of their migrant workers.

.18 Walking into a death trap

I visited a London building site and discovered, almost to my cost, that it was a total death trap. Starting at the roof, the surface I was walking on suddenly gave way, giving me a frightening, fleeting glimpse of a lift shaft 15 floors below as I sprung to safety. Lit by beams of daylight, I suspected that at each level there must be unguarded openings from the landings where builders were working: it wasn't just me who could fall to their death in the cold depths of a basement pit. Checking the level below, my eyes weren't deceiving me so I duly ordered the total evacuation of the site.

There must have been 40 men congregating outside, fearful for their work, their pay, the uncertainty; the mystery was made worse by language, gender and cultural differences that were eased when a courageous volunteer offered to translate.

As they waited for arrangements to make safe the site, I gathered evidence for the inevitable (and subsequently successful) prosecution. The state of the toilets said it all, site management saying they preferred the facilities of a local café. I bet they did! Note to self: start every visit by inspecting 'the welfare', definitely a 'key performance indicator' of management's commitment to its people!

.19 Good practice is good for business

Critics think we only see what's wrong, not what's good about a company. That's nonsense. We welcome good practice because it helps to raise the bar and create better standards. I've met many committed businesses who know they get returns from investing in the health, safety and wellbeing of their staff. It's not always easy though.

I was once asked for help by an employee upset at being forced to move out of the job he loved. Despite stringent and compliant precautions, he'd become sensitised to chemicals in the product he made, and a minuscule exposure could induce anaphylaxis – like someone with a nut allergy. He wanted to take that risk, but his workmates and management understandably objected.

It was hard for him, but the company did care and found him other work within the business, albeit it wasn't exactly what he wanted. A less supportive employer might've found a way to 'let him go'.

.20 Cut to the chase

During a preventive inspection at the surface of a mine, I came across two contractors making bunker repairs. They were carrying out 'hot work' using oxy-gas bottles with 30 metre hoses, many joints of which were leaking.

I was concerned about the danger of flammable gas pooling on the uneven ground and the likelihood of the hoses being used on other sites, even if I prohibited their use, because the workmen told me their boss wouldn't buy them new ones. So I cut both hoses with a knife and was thanked by the men who knew this would prevent an inevitable fire or explosion.

.21 Cowboy contractor exposes builders and public

In 2010 HSE received reports of dangerous construction in a busy town centre. A three-storey building that had been built when asbestos was commonly used was being converted to bars without checks for asbestos.

The neglect was so serious that the workforce and general public were at risk, requiring me not only to stop further work but also to require the contaminated building to be sealed and for an emergency clean-up operation to be arranged.

My investigation revealed that workers had scraped or hacked off asbestos insulation from steel beams, without any precautions and creating so much dust one man said he couldn't see his hands!

They thought they'd removed 20-30 bags of asbestos-coating in this way, brushing it into piles, shovelling it up and throwing it down a chute to an open skip outside – where asbestos was found on a busy public footpath. I spent part of the subsequent year working closely with the Environment Agency, local council and health authority to ensure a coordinated management of wider public health concerns, as well as successfully prosecuting the contractor jointly with the Environment Agency.

.22 Firm but fair

I've never forgotten my mixed emotions at being genuinely thanked by a suspect at the end of a police interview after the fatal accident of one of his workers, who was also his friend. He was accused of gross negligence manslaughter and had just admitted his own ignorance of the safety standards he could have provided. He knew he was in serious trouble but acknowledged HSE's delivery of fair and transparent enforcement, not least my early advice to get a lawyer.

Whatever the outcome in court, here was a man who would share with the victim's family *regret* for the rest of his life but with the added burden of *shame* ("if only..."). Now *that's* a health and safety burden.

.23 Gentle pressure gets movement

I investigated a complaint from a workshop that was new to us: the toilets were in a poor state of repair and had no hot water because the water heater bought some time before had never been fitted. I was told the owner was on holiday until the next day, which was when I spoke to him and arranged to revisit in three days.

By then he'd had the whole toilet block retiled, with a new sink and the water heater fitted. He thanked me for the gentle pressure to do what he'd been putting off. One of the employees also thanked me for getting the matter sorted so quickly.

.24 Basic decency for workers

Back in the early nineties, many of the electroplating works I visited were pretty grim places - lurid orange puddles of chromium solutions on the floor, dangerously corroded electrics, and pervasive fume in the air that eats away at everything. Welfare was

usually very poor, and when we ran a campaign to try and improve the industry, welfare was one of our agreed priorities.

When I saw workers' clothing eaten away by the fumes in one particularly unsavoury works, I wrote out the only Improvement Notice on accommodation for non-work clothing under section 59 of the Factories Act 1961 that I ever served. That, and the Notice to ensure proper drainage of what was euphemistically called 'wet' from the floor, improved things drastically - just the sort of 'basic decency' measures to ensure workers feel a lot happier and more positive about where they work.

.25 Leaning on the law

It's nonsense that everyone's against enforcement. I once had a manager begging me to serve an improvement notice. He'd exhausted 'persuasion and influence' and wanted something to wave at the corporate body for safety to be properly resourced. In his view coercion seemed to be the only language the directors would understand.

.26 Securing justice

One Saturday morning, scaffolders arrived on a housing estate to erect a simple scaffold for other trades to safely access a leaking roof. By lunchtime the scaffold was up, close to the local play area. As soon as the scaffolders left, local children climbed the scaffold, swinging and playing with the pulley rope carelessly left within their reach. Later that afternoon, the scaffold toppled over, instantly killing a child sitting below.

Investigation exposed the inadequate precautions and the company and their foreman in charge that day were prosecuted. I will never forget the mother of the child thanking me and my manager for HSE's work in bringing those responsible to Court to answer for their failures.

.27 Lest we forget

My story is not specific to an incident. I am reflective about the impact that fatal accidents have within a workplace. I have been touched when revisiting a site several months and years after a fatal accident and people still talk about the impact of the incident for them and fellow workers. For example, managers saying to me they "never want that to happen on their watch again" and do not need any reminders why health and safety management is important.

People often realise the importance only when they are personally touched by an incident. Sadly it's too late for the individuals involved and this emphasises why proactive inspection is so important. This job is important; we do make a difference.

.28 Dickensian conditions for pest control workers

The closure of the works laundry was a step too far for local authority pest control workers, forced to take home and wash their own contaminated uniforms. Investigating their complaint I found surprisingly Dickensian conditions: a single sink for pesticide preparation, hand-washing and tea cups; and an inventory of the banned insecticide DDT, which had been reported to management to no avail. It took enforcement for this

employer to fulfil its responsibilities to these beleaguered men. A lovely letter from their wives was touching.

.29 Safety nets save lives

It is always difficult to measure the value of inspection, quantify the lives that we might have saved and the personal tragedies we may have prevented. In the mid-1990s, 30 people died each year during industrial roof work, where there was a dubious reliance on staging boards, running lines and harnesses.

I was amongst a small group of national inspectors who spotted the potential of close-hung industrial safety nets and promoted their use, despite initial industry resistance. However, commitment and persistence overcame opposition to create a new benchmark standard that saves 30 people each year. I'm pleased to have played a part in achieving this.

.30 Win win win

When I visited a food factory specialising in cooking sauces, I found the process involved the strenuous and messy manual lifting and tipping of a 150 litre drum of tomato puree. The dangers were either a serious strain or slip.

The company shared my concerns and said they were exploring the purchase of a robotic lifting arm. This would resolve the lifting risk but not the slips and would cost them thousands of pounds.

I told them about a pumping system commonly available at £600 which avoided any lifting, contained spills and achieved compliance at a fraction of their available funds.

.31 Barking up the right tree

A visit to a police dog kennels provided an opportunity to combine some lateral problem-solving. The kennels were old and no longer suitable for the increased number of dogs this force was using. The police were also dealing with growing problems of exposure to dangerous dogs, which they weren't adequately managing.

By working through the force's risk assessment procedures, I was able to show the responsible sergeant how he could include the health and safety considerations in a bid for investment. The upshot was new kennels that improved conditions for both the dogs and the officers.

.32 Protecting vulnerable tenants

I spent many years working in gas safety, often working with others such as Trading Standards and the police to protect the public from rogue traders and landlords.

I remember dealing with a plumber who placed an ad in the local paper, quoted for work, installed defective gas appliances, went for training as a gas installer and applied for registration as a competent gas fitter.... in that order!

When one of the gas boilers stopped working, the householder called the manufacturer who contacted HSE because the problem wasn't the boiler. The flue was too long, with too many tight bends and joints held together with sticky tape (which would dry out), so that toxic carbon monoxide fumes could leak into the home, potentially killing the occupants. The landlord was taken to court and made to cease trading until he could prove his competence.

Another time I prosecuted a landlord who carried out his own gas work in properties he typically rented to students, leaving a catalogue of defective and poorly maintained appliances. Some of our best work was simply following up complaints and forcing landlords to get appliances serviced by reputable, registered gas engineers.

.33 Inform and educate

The part of my work that has always been important to me is ensuring employees are kept properly informed by their employers and are aware of the very real dangers to which they are exposed in the course of their work, be that noise, radiation, moving machinery, chemicals, working at height for instance.

I want to be certain they know how to protect themselves. A few seconds' informed thought can sometimes mean the difference between safety and harm, something a manager of mine made plain 20 years ago when he said "If you don't check, no one else will!" So at every visit I check that the workforce knows the risks in their workplace and the precautions to take, always speaking with worker and union health and safety reps.

It was gratifying when I received a letter of thanks from one trade union rep for keeping him and his colleagues so well informed during an investigation into a Legionnaires' disease death. It was important reassurance during an inevitably unsettling time.

.34 Toxic fumes endanger family

I was asked to visit a dry cleaner at the request of a local authority. They had been contacted by a family living above the shop who were worried about strong chemical odours reaching their flat.

When I investigated I met a hardworking family firm who, in an effort to keep up with demands, were draping items across their extract ventilation system to dry and therefore compromising it.

The consequences were very serious because the flat above was being polluted with toxic fumes. So toxic in fact that the family's toddler was now staggering not walking and the father had become uncharacteristically aggressive. These are recognised side effects of over-exposure to dry cleaning solvents.

Who knows what might have happened had the root cause of the problem been missed and not remedied? This experience reinforced my strong belief that the service safety inspectors provide is essential to our society.

.35 Eyes and ears on site

Much of my work as an inspector has been meeting 'field' workers such as tree surgeons and electricity engineers whose jobs take them out and about. Sometimes I've found them having to complete generic records for their headquarters that fail to capture the local circumstances they face.

On one occasion I saw that live high-voltage cable work, which was well-managed and being competently carried out, was only a short distance from a bus stop used by local school children. This was not listed as a 'prompt' in the schedule, so it was not being taken into account.

Bringing this to the company's attention enabled them to develop a more customised, pertinent procedure, scale back the paperwork and ensure more practical, relevant, *local* attention to the specific dangers met once at site.

.36 Garage owner changes direction

Responding to a complaint in the late 1990s. I visited an under-arches garage which was a complete mess: oil and diesel were coating every surface, and two-pack asthma-causing paint was being sprayed without precautions. Equipment such as the hoist had not had its statutory tests and there was nothing to suggest any effort to comply with health and safety law or to protect the workforce.

I spoke at length to the owner, following this up with a detailed letter explaining what he had to do and giving him six weeks. As I left, one of the workers secretly approached me to say he and his colleagues feared their hostile boss but were reliant on the work.

When I returned six weeks later I was pleased to find things much better: statutory examinations had been made; the garage had been cleaned, repaired and organised; the electrics had been replaced; spray painting was being done in a purpose-built booth elsewhere - and giving cars a better finish!

The boss admitted realising how bad conditions had become and relished that the improvements had lifted workforce spirits, increasing productivity! This time as I left, the same worker approached me to say he and his colleagues were much happier, had received a pay rise, and asked "What did you do to the boss? He is a changed man." I said I'd simply persuaded him to comply with the law.

.37 Slurry lagoon plants safety seed

In order to remain economically viable, many farms have diversified and now have holiday lets. I visited one and found its slurry lagoon unfenced and accessible. Like cow pats, slurry can develop a crust, which grass can then grow through, camouflaging the lagoon. Unlike many visitors and guests, farmers know there is a danger of falling in and drowning. So yes, I made him install a secure fence and warning signs. He then took the initiative to explain farm dangers as part of his welcome to new holidaymakers.

He has since told me how much they appreciate the information and enjoy a better understanding of the challenges of life on a working farm.

.38 Living, learning and sharing knowledge

After investigating a serious accident at a company of about 300 staff, I was asked by the safety director what the next step would be. I explained that HSE's enforcement guidance governed the outcome and, at her request, helped her apply this to her company's situation.

Despite discovering that the result was prosecution, she thanked me for explaining the process and committed to ensuring the court case would be concluded as quickly and painlessly as possible. She also initiated big improvements in the company's health and safety and, eager to share their new knowledge and experience with others, provided free H&S training to local small and medium businesses to help them grow and benefit.

.39 Risking life for £25 a day

A Building Control Officer called about a pub being refurbished that was so dangerous it threatened to collapse on the workers. I arrived to find the entire basement excavated, undermining the building's foundations and with a fractured main sewer. Three workers were up to their knees in raw sewage, digging with hand shovels. There were no welfare facilities on site. The BCO served a Dangerous Structure Notice and I stopped all work, other than to make the building safe and make certain improvements.

One of the workers from the excavation thanked me for stopping the job, serving notices and explaining my actions. He had been hired for £25 cash-in-hand per day to work, had no training or experience of construction but was desperate for a job.

The building was made safe and when work resumed, welfare facilities and a trained site manager were supplied.

.40 Safety as an excuse

A building contractor requested HSE's help with a problem it alleged was compromising its ability to carry out construction without harm to the public. Converting what had been a hostel to an upmarket hotel, they were dealing with an eccentric resident who'd earned tenancy rights. He was 'the public' they referred to and frankly was a nuisance to them. They'd clearly exhausted alternative efforts to encourage his departure and were resorting to "elf 'n safety" as a means of eviction.

Far be it for HSE to deny a person their rights, the builders knew of his entitlements when they agreed the job. Certainly the situation was extraordinary, but it was their responsibility to liaise with him, work round him and safeguard him.

They had to agree to provide him with a hard hat and safety boots, and coordinate their sequence of work to accommodate him. Perhaps he still lives there!

19 July 2012