



WHY ALL PARTIES MUST TAKE CDM RESPONSIBILITIES SERIOUSLY

A recent case at Chelmsford Crown Court highlights the need to act in accordance with CDM 2015 legislation. Following the death of a man who fell whilst repairing a warehouse roof in Essex, three company directors received prison sentences. One was the sole director of the contractor, Koesoglu Metalwork and, interestingly, two were directors of the client company, Ozdil Investments Ltd – owners of the warehouse.

Nikolai Valkov, 63, who was untrained in roofing work, stepped onto a discoloured skylight and tragically fell to his death. Both the Health & Safety Executive and Harlow District Council issued warnings to the company about the dangers involved in the repair work and specifically the need for safety measures to be put in place. Despite this the work was carried out by a company with no experience in roofing work, no risk assessment was carried out at site and no netting or other safety measures were used.

Koseoglu Metalworks Ltd admitted an offence of corporate manslaughter and sole director Kadir Kose admitted an offence under the Health and Safety at Work Act (HSWA) and was jailed for eight months.

The warehouse, called Ozdil House, was owned by Ozdil Investments Ltd., who denied corporate manslaughter and a HSWA offence but the case was proven. Directors Firat Ozdil and Ozgur Ozdil, were also convicted of an HSWA offence and sentenced to serve one year and 10 months respectively.

This case further highlights the need to be very aware of the company you choose to employ for any specialist projects. It is vital to check they are experienced and proficient in the type work to be carried out and regulated to ensure competency and compliance with all current H&S legislation including CDM and that operatives are well-trained and supported.

More details on the case are at: <http://www.theconstructionindex.co.uk/news/view/three-jailed-for-roof-fall>

This case involved roofing but the lessons can be learned across construction and if you have a project which involves Structural or Sub Structure work use an ASUC specialist contractor. All ASUC contractors are regularly audited and only they can offer the ASUC insurance backed guarantee. To find out more visit www.asuc.org.uk or call 01420 471613.

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The Trade Association for Underpinning and Subsidence Repair Techniques, Engineered Foundation Solutions and Retro Fit Basements

ASUC is the only association representing specialist contractors in domestic: underpinning and subsidence repair techniques, engineered foundations and retrofit basements. The latent defects insurance can cover all the works carried out under contract at a property - not just the subsidence repair. Members of ASUC offer an extended range of foundation solutions, including new build, basements and other forms of subsidence repairs.

Members of ASUC are subject to annual health and safety reviews, are audited for technical expertise by an independent assessor, are monitored for financial probity and all share the common goals of setting the benchmark for standards within the industry, to lead in providing innovative solutions and maintain skills levels through education and training.

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