

# Company fined for failing to recognise hand arm vibration risk

British Airways Avionic Engineering Limited has been fined for failing to assess the risk to workers from hand arm vibration.

Cardiff Crown Court heard how people working at the company were exposed to vibration from use of a wet blasting cabinet and vibrating hand tools. It was not until late in 2013 that action was taken by the company to assess and reduce vibration risk, despite the Control of Vibration at Work Regulations having been in force since July 2005 and were preceded by similar risk assessment requirements.

An investigation by the Health and Safety Executive (HSE) found that the company failed in their duty to recognise and properly assess the risk from hand arm vibration at their facility in Talbot Green, South Wales.

British Airways Avionic Engineering Limited of Waterside, Harmondsworth, pleaded guilty to breaching Regulation 5 of the Control of Vibration at Work Regulations 2005, and has been fined £80,000 and ordered to pay costs of £25,297.57.

Speaking after the hearing, HSE inspector Helen Turner said, "This was a case of the company failing to identify the risk from hand arm vibration, which is a recognised health risk with potentially disabling consequences.

"Unless vibration is identified and properly assessed, an employer won't know the level of risk, and whether action is needed to protect workers. It is very important that people exposed to hand arm vibration at work are informed of the symptoms of early exposure and given opportunities to discuss their health so that they can be protected from serious Hand Arm Vibration Syndrome or Carpal Tunnel Syndrome."

## **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. [www.hse.gov.uk](http://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>

Journalists should approach HSE press office with any queries on regional press releases.

---

## Companies plead guilty following 2011 refinery explosion

Before Haverfordwest Magistrates' Court, Valero Energy UK Limited and B & A Contracts Limited today pleaded guilty to charges under Sections 2 (1) and 3 (1) of the Health and Safety at Work Etc Act 1974.

The charges relate to the deaths of Dennis Riley, Robert Broome, Andrew Jenkins and Julie Jones and major injuries to Andrew Phillips who were all working on the Amine Recovery Unit when an explosion and subsequent fire took place on 2 June 2011.

This prosecution has been brought by the Health and Safety Executive (HSE).

The case is next due to be heard at Swansea Crown Court on 2 November 2018.

A HSE spokesperson said: "HSE acknowledges the defendants' guilty plea but will not make a further comment until after sentencing."

### **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. [www.hse.gov.uk](http://www.hse.gov.uk)

2.More about the legislation referred to in this case can be found at: [www.legislation.gov.uk](http://www.legislation.gov.uk)

3.HSE news releases are available at <http://press.hse.gov.uk>

Journalists should approach HSE press office with any queries on regional press releases.

---

## Energy company fined after worker injured

Siemens Gamesa Renewable Energy has been sentenced after a contractor was

injured by a falling steel wire coil.

Peterborough Magistrates' Court heard how, on 23 April 2017, a contractor was working at the Galloper Offshore Wind Farm pre-assembly site in Great Yarmouth when a steel wire coil, weighing 50kg, dropped onto their left forearm and wrist. The worker suffered a fractured wrist as a result of the incident.

An investigation by the Health and Safety Executive (HSE) found Siemens Gamesa Renewable Energy Ltd failed to ensure a suitable and sufficient risk assessment and adequate control measures were in place to prevent the injury.

Siemens Gamesa Renewable Energy Ltd of Farady House, Sir Williams Siemens Square, Frimely, was found guilty of breaching Section 3(1) of the Health and Safety at Work Act 1974 and was fined £66,000. and ordered to pay £10,106.38 in costs.

Speaking after the hearing, HSE inspector Steve Lewis commented: "This could have been easily prevented if the defendant had put in place simple measures to reduce the risk of injury from dropped objects.

"Undertaking suitable and sufficient risk assessment and developing safe system of work which follow the hierarchy of control are an important element of risk control and reduction. "

**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. [www.hse.gov.uk](http://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>

Journalists should approach HSE press office with any queries on regional press releases.

---

## **[Building company and director sentenced after carrying out unsafe and unnecessary work](#)**

A building company and its director have been sentenced today after carrying

out unsafe and unnecessary building work.

BBS Improvements Limited and sole director Barrie John Henry Birch were sentenced after a joint investigation by Worcestershire Trading Standards Service and the Health and Safety Executive (HSE) uncovered a string of health and safety and fraud offences.

Worcester Crown Court heard how Mr Birch, operating under BBS Improvements Ltd, was employed to carry out building work on a domestic property in Redditch in May 2017. A complaint was made to Trading Standards who instructed an expert to examine the roof. The expert confirmed that the work was wholly unnecessary and that the work done had no value whatsoever. During the course of their investigations Trading Standards also uncovered potential health and safety issues.

HSE inspectors found that the company was carrying out work at height without scaffolding and that there were no measures in place to prevent employees from falling.

People were walking on the roof of the house with no safety measures in place to prevent them from falling and Mr Birch was present and fully aware of the people working unsafely on the roof.

At the time the complaint was received Mr Birch was also before the court for similar offences committed while trading as a sole trader under the name BBS Improvements.

The Court heard how Mr Birch was employed to carry out minor roofing repair work on a domestic property in Bromsgrove in June 2016. After inspecting the roof Mr Birch advised the homeowner that the whole roof required replacing. A Trading Standards investigation, involving an expert examination of the roof found that the work to replace the roof was totally unnecessary.

Mr Birch admitted an offence under the Fraud Act 2006 and an offence under the Consumer Protection from unfair Trading Regulations 2008 in relation to unnecessary work carried out at a property in Bromsgrove during June 2016. He also pleaded guilty to breaching Section 37 of the Health and Safety at Work etc. Act 1974.

Mr Birch also asked for 5 other, similar matters to be taken into consideration including two offences of failing to provide the 10 Year Insurance Backed Guarantee.

For the Trading Standards offences and the HSE offences Mr Birch was sentenced to 12 months imprisonment, suspended for 2 years, ordered to do 250 hours of unpaid work and was disqualified from being a Company Director for 5 years. He was ordered to pay compensation to the victims and to make a contribution to the prosecution costs. BBS Improvements Limited pleaded guilty to breaching Regulation 6 (3) of the Work at Height Regulations 2005 and the company was fined £200. Speaking after the hearing HSE inspector Matthew Whitaker said: "This prosecution demonstrates how the HSE works in partnership with other enforcers like Trading Standards, to tackle serious

crime and dangerous working practices which put people at risk of death and serious injury. "Falls from height remain one of the most common causes of work related fatalities in this country and the risks associated with working at height are well known. "In this case, suitable measures such as scaffolding should have been provided to ensure the health and safety of people working at height on the roof". Cllr Lucy Hodgson said: "The work done by our small team of Trading Standards Officers to protect Worcestershire consumers cannot go unrecognised.

"In this case Barrie Birch was instructed to carry out relatively minor work but then advised the homeowners that major work was needed when it was not."

"This type of fraudulent activity will not be tolerated in Worcestershire. Our Trading Standards Officers actively investigate criminal complaints of rogue builders such as this, and will continue to do so to protect the public.

"The sentence handed down in this case clearly shows that the Courts view this type of offending very seriously."

#### **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. [www.hse.gov.uk](http://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>

Journalists should approach HSE press office with any queries on regional press releases.

---

## **[Brick manufacturer fined after worker seriously injured in machinery incident](#)**

Forterra Building Products Limited has been fined after a worker had his left arm amputated and was left paralysed from the chest down after being drawn into machinery.

Burnley Magistrates' Court heard how on 8 July 2017, Eddie Ely, a chargehand

with Forterra Building Products Ltd was working with a group of colleagues to remove a blockage and spillage on a conveyor when he was drawn into the conveyor system. Guards had been removed from the machine but the power had not been isolated.

An investigation by the Health and Safety Executive (HSE) found that Forterra Building Products Ltd had failed to properly ensure that machines were always isolated from power, to be made safe, before guarding was removed from machinery.

Forterra Building Products Ltd pleaded guilty to breaching Sections 2(1) of the Health and Safety at Work etc act 1974. Total fines of £200000 were imposed with costs of £7529.11.

Speaking after the hearing, HSE inspector Steven Boyd said: "This case shows the devastating consequences of coming into contact with dangerous machinery. It is crucial that companies have a clear procedure for isolating machinery and they have appropriate supervision and monitoring to ensure it is adhered to."

### **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. [www.hse.gov.uk](http://www.hse.gov.uk)

2.More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/) [1]

3.HSE news releases are available at <http://press.hse.gov.uk>

Journalists should approach HSE press office with any queries on regional press releases.