

# [British Airways PLC fined after employee sustained serious crush injuries in a vehicle collision](#)

British Airways Plc has been fined following a vehicle collision at Terminal 5 of Heathrow Airport.

Southwark Crown Court heard that on 16 March 2018, an employee was struck by a tug pulling a train of dollies (vehicles used to transport baggage around the airport). She was knocked under another passing tug with dollies loaded with luggage, sustaining serious crush injuries.

An investigation by the Health and Safety Executive (HSE) found that the injured worker was using the centre of the roadway between the two lanes as a walking route and this unsafe practice had been commonplace in the baggage hall for at least ten years. The investigation also identified significant failings in the general management of health and safety and workplace transport risks, including issues relating to supervision and monitoring, risk assessment and training.

British Airways PLC of Waterside, Harmondsworth, Greater London pleaded guilty to breaching section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £1.8 million and ordered to pay costs of £35,724.

Speaking after the hearing, HSE inspector Megan Carr said: "The situation in the baggage hall at Heathrow Terminal 5 was an incident waiting to happen.

"British Airways failed to appreciate the serious nature of the risks to which its employees were exposed and as a result failed to take appropriate action to ensure they were properly protected."

## Note 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>
4. For more information about working safely at work with vehicles please visit our website here: <https://www.hse.gov.uk/workplacetransport/>

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## Herbert Parkinson named winner of Risk Reduction Through Design Award

British textile manufacturer Herbert Parkinson has received an award for an innovative tool that helps protect workers from developing musculoskeletal disorders (MSDs).

The Risk Reduction Through Design Award 2020/21, sponsored by The Health and Safety Executive (HSE) and Chartered Institute of Ergonomics and Human Factors (CIEHF), recognises design innovation to reduce the risk of MSDs.

MSDs include injuries and conditions that can affect the back, joints and limbs. The parts of the body most likely to be affected are the lower back, shoulders, forearms, wrists and hands, as well as the neck the hips, legs, knees, ankles and feet.

Winning company, Herbert Parkinson, worked with designer David Atherton to develop a 3D printed handheld tool, which can be used to insert a large number of curtain hooks into curtain headers. Workers in the packaging and inspection team had previously been inserting up to 200 metal pin hooks into curtain headers by hand every day, but the new ergonomically designed tool enables workers to slide the hooks in easier, preventing pain in their fingers and hands.



Head of HSE's Health and Work Branch and chair of this year's judging panel Ali Wellens said: "The Risk Reduction Through Design Award is intended to highlight the important contribution that design changes can make in reducing risks of musculoskeletal disorders.

"We would like to congratulate Herbert Parkinson for their efforts to reduce the risks of MSDs in the workplace and improve the lives of their employees.

"We also want to encourage other businesses, large and small, to consider how they could make design changes to eliminate or reduce the risks of MSDs in their workplaces."

Herbert Parkinson, the John Lewis Textiles Factory, was proud to receive the Risk Reduction Through Design Award in recognition of their work.

Partner and branch safety advisor at John Lewis & Partners Rachael Murray said: “Our partners are what make our business, so it’s critical that we listen and act on what they tell us – particularly where health, safety and wellbeing are concerned.

“Managing the risks of musculoskeletal disorders not only keep our partners safe, but it’s made business sense, reducing absenteeism and improving productivity. Our partners in Herbert Parkinson are thrilled by this award, which helps put risk reduction at the heart of business.”

The award was presented at the CIEHF’s annual (virtual) awards ceremony on the 18 June 2021.

Chief executive of the Chartered Institute of Ergonomics & Human Factors Dr Noorzaman Rashid said: “We are delighted to collaborate with HSE on these awards to recognise innovation that can make a significant contribution to life, wellbeing and performance.

“Congratulations to our winner and thank you to everyone who entered.”

Commendations were also given to Tilda Limited who in collaboration with designer Russell Finex designed a new workstation layout incorporating a vibratory sieve used to break down heavy frozen rice blocks into small rice grains for use in food products; and BOC Crawley who designed height adjustable gas cylinder filling rigs enabling workers to adopt more comfortable postures when filling gas cylinder bottles.

Submissions for the 2021/22 Risk Reduction in Design Award are now open.

#### Notes to Editors:

For more information about the Risk Reduction Through Design Award visit:

<https://bit.ly/35rMEF6>

For more information on musculoskeletal disorders and how to mitigate the risks visit:

<https://bit.ly/3dJRT82>

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

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# COVID spot checks and inspections continue as lifting of restrictions are delayed

The UK Government has delayed the full lifting of COVID restrictions in England by four weeks, at Step 3 of the roadmap. This comes amid rising infection rates as the new Delta COVID variant spreads.

After two weeks, the government will review the data to see if the risks have reduced. It is expected that England will move to Step 4 on 19 July.

The [Scottish](#) and [Welsh](#) Governments are reviewing their planning for the lifting of restrictions, which may also be delayed.

Businesses need to continue to have COVID-secure measures in place that are in line with the latest Government guidance. The latest [GOV.UK guidance](#) includes guidance on going to work. You should continue to work from home if you can. There is also information if you are in an area where a new [COVID-19 variant](#) is spreading

It's vital at this stage that businesses don't become complacent and continue to have measures in place to manage the risk from Coronavirus and ensure workers are following them.

The Health and Safety Executive (HSE) is working with local authorities to carry out spot checks and inspections on businesses. These are taking place in all areas, to check that businesses have COVID-secure measures in place to keep workers, visitors and customers safe.

## **What happens during spot checks and inspections?**

HSE calls and visits businesses to check the COVID-secure measures they have in place and provides guidance and advice if required. Where businesses aren't managing the risk, action will be taken. This can range from the provision of specific advice, issuing enforcement notices and stopping certain work practices until they are made safe. Where businesses fail to comply, this could lead to prosecution.

Angela Storey, Director of Transformation and Operational Services at HSE, said: "The UK government has confirmed a four-week delay to the lifting of restrictions, as the Delta strain of Covid-19 becomes the dominant variant in England, with infection numbers rising across Britain.

"Whilst we recognise that this news will come as a disappointment to a number of businesses, especially those in the hospitality sector, businesses must continue to have measures in place to manage the risks, to help protect the health of local communities as well as to support the local and national UK economy.

“We will also continue to work with local authorities, checking that businesses have COVID-secure measures in place, and providing guidance and advice where needed.

“As we continue to carry out spot checks and inspections our support of cross-government work remains. We are committed to helping employers and employees as they work through the pandemic.

“All workplaces are in scope for spot checks which means businesses of any size, in any sector can receive an unannounced call or visit to check they are COVID-secure.”

Please ensure your workplace is safe by following the guidance on being [COVID-secure](#). Further information on [spot checks and inspections](#) is available on our website.

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2. HSE news releases are available at <https://press.hse.gov.uk>
3. For HSE’s working safely guidance see <https://www.hse.gov.uk/coronavirus/working-safely/index.htm>

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## **[Offshore oil company fined for hydrocarbon release](#)**

Offshore oil company Apache has been sentenced after they failed to provide written safety procedures for the depressurisation of an oil well, which led to the release of more than 1000kg of hydrocarbon gas at their Beryl Alpha production installation in the North Sea.

Aberdeen Sheriff Court heard how, on 2 June 2014, Apache had allocated a production technician to carry out a depressurisation task on one of their oil wells, which he had performed on previous occasions. However, they failed to provide him with any written safety procedures, expecting him to carry out this complex task from memory.

The Beryl Alpha rig has 40 well slots and some of its oil wells are gas-lifted to increase production efficiency. The use of gas lift means that there are large inventories of pressurised hydrocarbon gas, any uncontrolled release of these inventories is a potential major hazard event.

At approximately 19.40, four flammable gas detectors had detected gas in the area and automatically activated the platform water deluge system. The general platform alarm sounded, and all 134 workers went to their muster stations. The gas release continued, and the installation remained at muster station for more than six hours.

An investigation by HSE found that deficiencies in Apache's safety management system (SMS) lead to a release of more than 1000kg of hydrocarbon gas. They had failed to carry out a risk assessment for depressurising gas lift wells, which meant there was a lack of suitable written procedures. The use of a formalised written procedure by Apache would have ensured that this task was carried out correctly in a safe and consistent manner across all staff shifts, preventing the safety critical emergency shutdown system from being disabled during well depressurisation. The prolonged duration and magnitude of the release was a direct consequence of the inadvertent defeating of the emergency shutdown system in this instance.

Apache Beryl Limited of Caledonia House, Prime Four Business Park, Kingswells Causeway, Aberdeen pleaded guilty to breaching regulation nine of the Offshore Installations Prevention of Fire and Explosion, and Emergency Response Regulations 1995 (PFEER). They were fined £400,000.

Speaking after the hearing HSE principal inspector Dave Walker said: "Although the offshore industry has managed to reduce its overall number of hydrocarbon releases, it is still the case that in most years there are several, which are of such a size that if ignited would result in potentially catastrophic consequences.

"At more than 1000kg, Apache's Beryl Alpha's hydrocarbon release was the largest reported to HSE in 2014. It occurred during complex work on a well, which used a large volume of high-pressure gas to improve production rates, the hazardous nature of which had been highlighted in specific HSE guidance.

"The depressurisation of an oil well is a safety critical task, and so should have been formalised in a written procedure to set out a specified sequence of operations to perform the task correctly and prevent potential fatal consequences."

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## [NHS Trust fined following failures to manage environmental risks](#)

Essex Partnership University NHS Foundation Trust (EPUFT) has been fined for failing to manage environmental risks within its mental health inpatient wards. These breaches were committed by North Essex Partnership University NHS Foundation Trust (NEPUFT) before EPUFT came into existence.

Chelmsford Crown Court heard that, between 25 October 2004 and 31 March 2015, NEPUFT failed to effectively manage recognised risks from potential fixed ligature points in its inpatient wards, resulting in mental health patients being exposed to unacceptable and avoidable risk at a time when they were most vulnerable. Tragically eleven inpatients died during this timeframe whose deaths involved access to fixed ligature points.

An investigation by the Health and Safety Executive (HSE) found that NEPUFT failed to adequately identify, or address with sufficient urgency, the significance of the environmental risks within its inpatient wards.

Essex Partnership University NHS Foundation Trust of The Lodge, Lodge Approach, Runwell Wickford, Essex pleaded guilty to breaching Section 3(1) Health and Safety at Work Act 1974. The Trust was fined £1,500,000 and ordered to pay costs of £86222.23.

“I hope this case acts as a reminder to all mental health trusts of the need to continue to review their current arrangements and ensure their service users receive the protection they need at, what is often, their most vulnerable time.”

Det Chief Insp Stephen Jennings, the Senior Investigating Officer who led the Essex Police investigation into the North Essex Partnership University Foundation Trust (NEPUFT) welcomed today's sentencing. He said: "I hope the conclusion of this HSE prosecution against NEPUFT, which we have supported throughout, now gives the families time to continue to grieve in peace.

"Following a full investigation, which began in 2017, into the circumstances of a number of deaths, and following expert legal advice, the evidential threshold was not met to allow us to take the Essex Police investigation any further. However, we ensured all of the evidence we had gathered was given to our HSE colleagues to support their investigation and it has unquestionably helped to secure this result."

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3. HSE news releases are available at <http://press.hse.gov.uk>
4. Until the 1 April 2015, decisions whether or not to investigate patient safety matters in England were made in line with our HSWA Section 3 policy: <http://www.hse.gov.uk/enforce/hswact/priorities.htm>. After this date, the Care Quality Commission (CQC) became the lead inspection and enforcement body under the Health and Social Care Act 2008 for safety and quality of treatment and care matters involving patients and service users in receipt of a health or adult social care service from a provider registered with CQC.
5. HSE has not investigated individual patient deaths. Where a patient death appears to have been possible due to access to a ligature point, HSE reviewed the suitability of the arrangements that were in place at that time to manage this risk in relation to relevant health and safety legislation.
6. The investigation timescales predate the existence of Essex Partnership University NHS Foundation Trust which came into existence when North Essex Partnership University NHS Foundation Trust (NEPUFT) merged with another trust.

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