

## [Plumber jailed for illegal gas work](#)

A self-employed plumber has been jailed after carrying out gas work without being Gas Safe registered.

Bolton Crown Court heard how Aaron Davidson of T/A AD Plumbing Solutions had installed boilers at two properties in Bolton and Bury in January and March 2018, whilst falsely claiming to be Gas Safe registered.

Following notification of installation defects by the occupiers of the properties, Gas Safe inspectors visited and found the work to be of a poor standard. In the property at Bury it was classed as 'not to current standards', and at the property in Bolton 'at risk' due to the danger to life from the possible escape of carbon monoxide and risk of electrocution.

An investigation by the Health and Safety Executive (HSE), found that Aaron Davidson had never been Gas Safe registered and was not qualified or competent to undertake gas work.

Aaron Davidson, T/A AD Plumbing Solutions of Chip Hill Road, Bolton, pleaded guilty to breaching section 3(1) of the Health and Safety at Work etc. Act 1974, and Regulations 3(3) and 3(7) of the Gas Safety (Installation and Use) Regulations 1998. He was sentenced to 16 months imprisonment.

After the hearing HSE inspector Jane Carroll said: "Aaron Davidson undertook gas work which he knew he was not registered to do. All gas work must be done by registered Gas Safe engineers to ensure the highest standards are met to prevent injury and loss of life."

The post [Plumber jailed for illegal gas work](#) appeared first on [HSE Media Centre](#).

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## [Company and occupational health provider fined.](#)

Motor sales company, Perrys Motor Sales Ltd (PMS) and Occupational Health & Safety Consultants, S & Ash Ltd (previously known as Sound Advice Safety and Health Ltd.), were both sentenced for safety breaches after a worker developed Hand Arm Vibration Syndrome (HAVS).

Sheffield Crown Court heard that in 2013 an employee working as a small to medium area repair technology (SMART) repairer at the PMS site in Doncaster, who regularly used handheld power tools to undertake small scale vehicle body

work repairs, was diagnosed with HAVS.

An investigation by the Health and Safety Executive (HSE) found that PMS had failed to adequately assess and control the foreseeable risk to SMART repairers. Following the diagnosis, PMS took no action to protect the employee from further damage to his health and his condition was not reported to the authorities in line with legal requirements.

S & Ash Ltd (previously known as Sound Advice Safety and Health Ltd.) was engaged by PMS to provide HAVS health surveillance for employees. The investigation also found that following the health surveillance, S & Ash Ltd failed to provide suitable and accurate advice to the employer (PMS) or to inform the employee of the results of his health surveillance, even when specifically requested to do so by him.

Perrys Motor Sales Ltd of Pavilion Drive, Northampton Business Park, Brackmills Northampton pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974 and Regulation 8 of The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013. The company has been fined £14,000 and ordered to pay £7,658.67 in costs.

S & Ash Ltd of Charles House, Albert Street, Eccles, Manchester pleaded guilty to breaching Section 3 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £4,000 and was ordered to pay £8,716.17 in costs.

After the hearing HSE inspector, Heather Cunnington, commented: "Vibration can cause long-term painful damage to [hands and fingers](#)."

"The motor vehicle repair trade must understand the importance of suitable risk assessments and having a robust occupational health and safety management system. Employers should ensure that the results of health surveillance are acted upon and employees are protected from the risks from HAV when working with handheld power tools.

"Occupational health providers are in a unique position in safeguarding the health of employees and must provide accurate reports to employers following HAV health surveillance. Employers must act on these reports."

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## [HSE urges businesses to become COVID-secure](#)

The Health and Safety Executive (HSE) is calling for businesses in Great

Britain to make sure they're COVID-secure as more sectors open their doors this weekend.

Inspectors are out and about, putting employers on the spot and checking that they are complying with health and safety law. Being COVID-secure means being adaptable to the current guidance and putting measures in place to control the risk of coronavirus to protect workers and others.

There are [five practical steps](#) that businesses can take to do that:

- Step 1. carry out a COVID-19 risk assessment in line with HSE guidance
- Step 2. develop increased cleaning, hand washing and hygiene procedures
- Step 3. take all reasonable steps to help people work from home
- Step 4. maintain 2m social distancing where possible
- Step 5. where people cannot be 2m apart, manage transmission risk.

Philip White, Director of Regulation at HSE said: "Becoming COVID-secure should be the priority for all businesses. By law, employers have a duty to protect workers and others from harm and this includes taking reasonable steps to control the risk and protect people from coronavirus. It's important that workers are aware of the measures that will be put in place to help them work safely.

"Ensuring workplaces are COVID-secure will not only reassure and increase confidence with workers, but also customers, partners and the local community. Nobody wants lockdown measures to be reversed and the Government has made clear that it will not hesitate to do so if the virus is not properly controlled."

As inspections are ongoing, HSE has been utilising a number of different ways to gather intelligence and reach out to businesses with a combination of site visits, phone calls and through collection of supporting visual evidence such as photos and video footage.

Some of the most common issues that HSE and local authority inspectors are finding include: failing to provide arrangements for monitoring, supervising and maintaining social distancing, failing to introduce an adequate cleaning regime – particularly at busy times of the day – and providing access to welfare facilities to allow employees to frequently wash their hands with warm water and soap.

HSE will support businesses by providing advice and guidance; however where some employers are not managing the risk, HSE will take action which can range from the provision of specific advice, issuing enforcement notices, stopping certain work practices until they are made safe and, where businesses fail to comply, this could lead to prosecution.

Philip continued: "All sectors and business of all sizes are in scope for inspections and we will ask questions of duty holders to understand how they are managing risks. We understand that the vast majority of employers want to make their workplaces secure and are doing everything they can to keep people and their business safe and healthy.

“Ultimately, becoming COVID-secure benefits the health of our nation; the health of our communities, of businesses and the health of the UK economy. As a nation, we can’t afford not to become COVID-secure.”

For the latest information and relevant safer workplaces guidance, see [www.gov.uk](http://www.gov.uk)

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## [HSE releases annual workplace fatality figures for 2019/20](#)

The Health and Safety Executive (HSE) has today released its annual figures for the number of [work-related fatalities in 2019/20](#), as well as the number of people known to have died from the asbestos-related cancer, mesothelioma, in 2018.

The provisional annual data for work-related fatal accidents revealed that 111 workers were fatally injured at work between April 2019 and March 2020 (a rate of 0.34 deaths per 100,000 workers), the lowest year on record. This represents a fall of 38 deaths from the previous year, though it is likely that this fall was accentuated by the impact of coronavirus (COVID-19) on the economy in the final two months of the year.

In line with previous years’ fatal injury statistics, these figures do not include deaths from occupational disease. Covid-19 infection is therefore not part of these figures and will not feature in fatal injury statistics in subsequent years\*.

While there has been a long-term reduction in the number of annual fatalities (the number has almost halved in the last 20 years), aside from the current fall, the number has remained broadly level in recent years.

Following the release, HSE’s chief executive, Sarah Albon, said:

“No one should be hurt or killed by the work they do. In these extraordinary times, we have seen many workers risking their lives to help others during the coronavirus outbreak. Although these statistics are not a reflection on Covid-19 related loss of life, it is a pertinent time to reflect.

“Every workplace fatality is a tragedy and while we are encouraged by this improvement, today’s statistics is a reminder that we cannot become complacent as we look to continue to work together to make Great Britain an even safer place to live and work.”

The new figures show the spread of fatal injuries across industrial sectors:

- 40 fatal injuries to construction workers were recorded, accounting for the largest share. However, over the last five years the number has fluctuated. The annual average for the past five years is 37. The annual average rate over the last five years in construction is around 4 times as high as the all industry rate.
- 20 fatal injuries to agricultural, forestry and fishing workers were recorded, the lowest level on record. Despite this fall, this sector continues to account for a large share of the annual fatality count. It has the highest rate of fatal injury of all the main industry sectors, around 18 times as high as the all industry rate.
- 5 fatal injuries to waste and recycling workers were recorded. Despite being a relatively small sector in terms of employment, the annual average fatal injury rate over the last five years is around 18 times as high as the all industry rate.

Sarah Albon continued:

“These statistics remind us that in certain sectors of the economy, fatal injury in the workplace remains worryingly high. Agriculture, forestry and fishing accounts for a small fraction of the workforce of Great Britain, yet accounted for around 20 per cent of worker fatalities in the last year. This is unacceptable and more must be done to prevent such fatalities taking place.

“Work-related deaths fracture families, they shatter communities, and so many of them can be avoided. The work that HSE does is about more than numbers, we are continually working with duty holders to ensure that they assess and appropriately manage risk to their employees. These efforts are a vital part of keeping essential services going, particularly as duty holders adapt to the current circumstances.”

The three most common causes of fatal injuries continue to be; workers falling from height (29), being struck by a moving vehicle (20) and being struck by a moving object (18), accounting for 60 per cent of fatal injuries in 2019/20.

The new figures continue to highlight the risks to older workers; 27 per cent of fatal injuries in 2019/20 were to workers aged 60 or over, even though such workers make up only around 10 per cent of the workforce.

In addition, members of the public continue to be killed in connection with work-connected accidents. In 2019/20 51 members of the public were killed as a result of a work-connected accident in HSE enforced workplaces and a further 41 occurred on railways (enforced by the Office for Road and Rail). Typically, in recent years the number of such deaths has ranged between 12 and 16 deaths annually.

Mesothelioma, which is contracted through past exposure to asbestos and is one of the few work-related diseases where deaths can be counted directly, killed 2446 in Great Britain in 2018. This is slightly lower than the average

2550 over the previous five years.

The current figures are largely a consequence of occupational asbestos exposures that occurred before 1980. Annual mesothelioma deaths are expected to fall below current levels for years beyond 2020.

A fuller assessment of work-related ill-health and injuries, drawing on HSE's full range of data sources, will be provided as part of the annual Health and Safety Statistics release on 4 November 2020.

#### **Notes to Editors:**

1. \*Separate data about deaths associated with COVID-19 will be available at a later date.
2. 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.
3. Further information on the annual statistic release can be found here: <https://www.hse.gov.uk/statistics/fatals.htm>
4. Work-related fatal injuries: <https://www.hse.gov.uk/statistics/pdf/fatalinjuries-20.pdf>
5. Mesothelioma: <https://www.hse.gov.uk/statistics/causdis/mesothelioma/mesothelioma-20.pdf>
6. Latest HSE press releases: [https://press.hse.gov.uk/?\\_ga=2.136239282.203039393.1593594147-1658317791.1529965200](https://press.hse.gov.uk/?_ga=2.136239282.203039393.1593594147-1658317791.1529965200)

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## **[Consultant fined for providing incompetent health and safety advice](#)**

A self-employed consultant was fined for breach of legislation for providing health and safety advice on technical and complex matters while not being qualified to advise his clients.

Luton Crown Court heard how a self-employed health and safety consultant provided inadequate and flawed advice to small and medium sized enterprises on the management and control of risk in relation to hand arm vibration, work place noise and the control of substances hazardous to health.

A HSE investigation found that Clive Weal incorrectly identified risk from exposure to hand arm vibration as 'low' and advised to use 'anti vibration gloves' as an appropriate control measure. He also failed to identify that paints containing isocyanates can cause asthma. The poor and incompetent advice resulted in a lack of remedial action being implemented to prevent employees being exposed to levels of noise, hand arm vibration and chemical substances that may have a damaging impact on their health.

Clive Weal of Torksey, Lincolnshire, was found to be incompetent at advising his clients in the assessment and control of risks from workplace noise, hand arm vibration and substances hazardous to health. He pleaded guilty to breaching Section 3(2) of Health and Safety at Work Act 1974 and was fined £1,400.

After the hearing, HSE specialist inspector, Parmjit Gahir said: "Employers are more likely to use external consultants to provide assistance in complex situations where a higher level of competence is required.

"How consultants achieve competence is up to them, however they will have to be able to satisfy employers that they have a sufficient level of competence for the job in hand.

"Being a member of a relevant professional body, which sets competence standards for its members and operates continuing professional development schemes is one way of helping; as is presenting evidence of relevant experience such as references from previous clients; or obtaining qualifications."

Where health and safety consultants are found to be in breach of legislation, HSE will hold persons to account for their failings.

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

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