

Demolition firm and director prosecuted after 20-year-old labourer crushed

A demolition firm has been fined and one of its directors ordered to do 250 hours of unpaid work after a 20-year-old worker was crushed.

Ace Demolition Services Ltd had been contracted by Southend Borough Council to demolish Futures Community College, in Southchurch Boulevard, Southend-on-Sea.

Shannon Brasier, who was 20 years old at the time, was working with a colleague to load a fuel hose into the rear compartment of a 21-tonne excavator, when the excavator moved round and crushed her between the excavator and a mobile fuel tank.

Ms Brasier, from Dagenham, suffered life-changing injuries, including to her neck, skull and face, which she was fortunate to survive.

An investigation by the Health and Safety Executive (HSE) found that Ace Demolition Services Ltd failed to implement suitable controls to segregate pedestrians and construction plant, allowed two pairs of keys to be used during the refuelling process and allowed operatives to act as signallers/banksman for the excavator without having received adequate training.

A director, John Gilligan, was responsible for supervising the refuelling and drove the excavator before the refuelling was complete.

The incident happened on 28 July 2020.

Ace Demolition Services Ltd and John Gilligan, of Fox Burrows Lane, Writtle, Chelmsford pleaded guilty to breaching Section 2(1) and 37(1) of the Health & Safety at Work Act 1974.

Ace Demolition Services Ltd was fined £20,000 and ordered to pay costs of £9,731 at Chelmsford Magistrates' Court on 24 November 2022. John Gilligan was given a 12-month community order with a requirement to undertake 250 hours of unpaid work.

HSE inspector David Tonge said: "This incident could have so easily been avoided. While there were a number of shortfalls, this incident ultimately occurred due a failure to keep the workers away from the excavator.

"Duty holders must ensure that individuals are segregated from vehicles and construction machinery."

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. hse.gov.uk
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/ The safe use of vehicles on construction sites HSG144 \(hse.gov.uk\)](http://legislation.gov.uk/The-safe-use-of-vehicles-on-construction-sites-HSG144) <https://www.hse.gov.uk/pubns/priced/hsg150.pdf>
3. HSE news releases are available at <http://press.hse.gov.uk>

[Health board fined £160,000 after employees diagnosed with Hand Arm Vibration Syndrome](#)

A Welsh health board has been fined after three employees were diagnosed with Hand Arm Vibration Syndrome (HAVS).

Powys Teaching Health Board required its employees to routinely operate handheld power tools such as lawn mowers, strimmers and hedge cutters without carrying out an assessment of the risks from exposure to vibration.

There was no monitoring, or any estimate of exposure to vibration, even though employees, particularly during the summer months, operated handheld power tools for several hours a day.

An investigation by the Health and Safety Executive (HSE) found the health board had failed to properly assess the levels of exposure to its employees and that information, instruction and training given to staff was limited.

It also found that the health board had ignored requests from its own occupational health department to conduct a risk assessment.

The lack of monitoring, assessment, training and health surveillance has allowed employees to operate handheld power tools for a significant period, in some cases several decades, without having the necessary measures in place to reduce the risk. This led to three employees being diagnosed with Hand Arm Vibration Syndrome.

Powys Teaching Health Board of Glasbury House, Bronllys Hospital, Bronllys, Powys, Wales, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. They were fined £160,000 and ordered to pay costs of £5,599 at Wrexham Magistrates' Court on 22 November 2022.

Speaking after the hearing, HSE inspector Joe Boast said: “This was a case of the health board completely failing to grasp the importance of managing its staff’s exposure to vibration while using handheld power tools.

“Employers should conduct a full assessment of the vibration magnitude and exposure duration, before reviewing whether employees are at risk. There is a simple online calculator to help employers complete this process.

“If the health board had followed the free guidance, they would not have exposed employees to risk and possibly have prevented the ill health that has been suffered.”

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2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](https://www.legislation.gov.uk/)
3. HSE’s hand-arm vibration exposure calculator can be found here: [Hand arm vibration – Exposure Calculator \(hse.gov.uk\)](https://www.hse.gov.uk/handarmvibrationcalculator/)
4. HSE news releases are available at <http://press.hse.gov.uk>

[HSE publishes annual work-related ill-health and injury statistics for 2021/22](#)

The estimated number of workers in Great Britain suffering a work-related illness is 1.8 million with stress, depression, and anxiety making up around half of cases, new figures show.

The Health and Safety Executive (HSE) has today (Wednesday November 23) published its annual statistics on work-related ill health and workplace injuries.

The figures from Great Britain’s workplace regulator show there were an estimated 914,000 cases of work-related stress, depression, or anxiety in 2021/22.

An estimated 17 million working days were lost due to work-related stress,

depression, or anxiety in 2021/22. This is over half of all working days lost due to work-related ill health.

HSE has been warning of a growing crisis in stress and poor mental health related to work. The workplace regulator launched a major campaign last year to remind employers of their responsibilities to their employees' mental health.

HSE's Chief Executive, Sarah Albon, said: "Stress and poor mental health is the number one cause of work-related ill health. The effects of stress, depression, and anxiety can have a significant impact on an employee's life and on their ability to perform their best at work.

"Britain is one of the safest places in the world to work but we need all employers to do more and take seriously their responsibilities to support good mental health at work. That's why improving mental health in the workplace is a key priority in our 10-year strategy 'Protecting People and Places', and why we're developing new partnerships across industry to help employers support their employees."

HSE's annual statistics release shows the impact work-related ill health is having on Great Britain's economic performance:

- 8 million working days were lost due to work-related ill health and non-fatal workplace injuries in 2021/22.
- The annual economic cost of work-related injury and new cases of ill health (excluding long latency illnesses such as cancer) was £18.8 billion in 2019/20.

The figures also show that 123 workers were killed in work-related accidents in 2021/22 and a further 565,000 workers sustained a non-fatal injury.

The COVID-19 pandemic continues to impact on the workplace. Of the 1.8 million suffering a work-related illness, an estimated 585,000 reported it was caused or made worse by the effects of the coronavirus pandemic. Around a quarter of these workers were in human health and social work. In addition, 123,000 workers suffering with COVID-19 believed they were exposed to the virus at work.

To see the full annual statistics report, click [here](#).

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2. Details on HSE's work-related mental health campaign, Working Minds, can be found here [Working Minds – Work Right to keep Britain safe](#)

3. Details on HSE's new 10-year strategy can be found here [HSE strategy 2022 to 2032 – About us – HSE](#)
 4. Further information on annual fatal injury statistics released in July can be found: [Statistics – Work-related fatal injuries in Great Britain \(hse.gov.uk\)](#)
 5. The updated year's data (mostly 2021/22) has again been impacted by the coronavirus (COVID-19) pandemic and the government's response, though to a lesser extent than was seen last year.
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[Wellbeing expert appears on HSE podcast](#)

One of the world's leading experts in wellbeing has endorsed the Health and Safety Executive (HSE) Working Minds campaign, highlighting the importance of targeting smaller businesses.

Professor Sir Cary Cooper joined HSE Chair Sarah Newton on HSE's latest podcast to mark the first anniversary of Working Minds, where they discussed the value of good mental health, the impact work-related stress can have on staff and how employers can spot the signs of stress.

A frequent contributor to national newspapers, TV and radio, Professor Cooper has written more than 450 scholarly articles for academic journals and is the author/editor of over 170 books. Professor Cooper teaches organisational psychology and health at the University of Manchester and received a knighthood from the Queen in 2014 for his contribution to social sciences.

HSE's Working Minds campaign encourages employers to start to tackle work-related stress and to talk to their staff and take steps to support employees with their mental health in the workplace. Its main aim is to raise awareness of stress and the impact it has on mental health of workers and businesses.

Professor Cooper said: "A lot of the bigger companies since the financial crisis of 2008-2015, have really treated stress at work and wellbeing much more seriously, much more strategically. There are now directors of health and wellbeing in many of the big companies and public sector bodies. Indeed, the NHS have.

"Every hospital in the NHS has a non-executive director on its board who's responsible for employee health and wellbeing. The real issue, and I think why this campaign is a really important one is for the SME sector, small and medium sized enterprises, because they don't have big HR departments, chief medical officers, and so on."

HSE's research highlighted that many employers are unaware of their legal duties or how to spot the signs of stress. In response, Working Minds looked

to develop networks to promote the legal duties by encouraging employers and workers across all sectors of the economy to sign up as campaign champions. The campaign also has a series of partners who work with HSE to highlight issues around work-place stress and its impact on mental health.

HSE Chair Sarah Newton said: “Most employers will understand that it’s their responsibility to think about the physical risks, the physical health concerns that people can have at work, But what they don’t often realise is they have an equal responsibility to the psychological wellbeing of their staff. So part of our campaign is to remind employers of those legal responsibilities. They do have a duty to do risk assessments of their employees for both physical and psychological risks to ill health, and then to provide them with the toolkits to enable them to assess the risk and then manage and mitigate the risk.”

Working Minds encourages employers to promote good mental health in the workplace through collective behaviours and forming habits using the 5 Rs: **Reach out, Recognise, Respond, Reflect and make it Routine.**

To listen to the full podcast with Professor Sir Cary Cooper click here: [One year of Working Minds: podcast with Prof Cary Cooper – Work Right to keep Britain safe](#)

To become a Working Minds champion click here: [Working Minds – Champions – Work Right to keep Britain safe](#)

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3. To read more about HSE’s Working Minds campaign click here: <https://workright.campaign.gov.uk/campaigns/working-minds/>

Fatal skylight fall – company and director sentenced

A Wakefield roofing company has been fined and its sole director given a suspended prison sentence after a dad-of-two was killed when he fell 12 metres through a skylight.

Jonathan May, 39, from Horbury, Wakefield, who was a subcontractor for Davis

Industrial Roofing Limited, was working on a storm-damaged warehouse roof at F&G Commercials Limited, Carlton Industrial Estate in Barnsley with two others on 18 December 2016, when he fell.

The work involved the replacement of more than 300 skylights on a fragile asbestos cement roof. The skylights had been damaged in a hailstorm.

An investigation by the Health & Safety Executive (HSE) found Davis Industrial Roofing Limited had failed to provide an appropriate risk assessment, method statement, and suitable and sufficient fall protection measures for the roof work to be carried out safely.

The investigation found even though reasonably practicable precautions were available, poor planning had resulted in a risk assessment and method statement that was not suitable and sufficient. The work was poorly supervised and carried out unsafely.

Melvyn Davis, the sole director of the company, who had drawn up the risk assessment and method statement and had regularly visited the site to monitor progress, had failed to provide suitable and sufficient fall protection measures and consented to the use of an unsafe system of work. This constituted a personal neglect for safety during the roof work.

Melvyn Davis, of Field Place, Wakefield, pleaded guilty to breaching Section 37(1) of the Health and Safety at Work etc. Act 1974 and was sentenced to eight weeks imprisonment suspended for 12 months and ordered to do 15 days of rehabilitation activity at Sheffield Magistrates' Court on 16 November 2022.

Davis Industrial Roofing Limited, of Field Place, Wakefield, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974 and was fined £20,000 and ordered to pay costs of £12,557.

Speaking after the hearing, HSE Inspector Chris Gallagher said: "This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices.

"Companies and directors should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

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