

Lancashire County Council fined over Hand Arm Vibration issues

Lancashire County Council has been fined after several employees carrying out work in the highways department developed a debilitating nerve condition as a result of failure to control exposure to vibration.

Manchester Magistrates' Court heard that, in February 2019, HSE received a RIDDOR report from Lancashire County Council, relating to the diagnosis of a case of Hand-Arm Vibration Syndrome (HAVs). An improvement notice was served to the council in July 2019 requiring the council to improve their control of HAVs. However, subsequent to this, a further ten cases of vibration-related ill-health, unrelated to the RIDDOR report, were uncovered and reported late. Four more reports were also filed, but these were on time.

Regular use of vibrating tools causes the painful and disabling disorder which, in this case, has left the employees with nerve damage to the hands and arms, making everyday tasks and leisure activities difficult or impossible.

An investigation by the Health and Safety Executive (HSE) found that there had been insufficient supervision and monitoring by the council to ensure that operatives accurately recorded their levels of exposure to vibration.

Furthermore, health surveillance records had not been acted upon promptly to reduce or stop exposure levels when symptoms were reported. In addition to this, risk assessments were not adequate for controlling the amount of exposure of operatives, and practices had not been implemented to prevent overexposure. Had these measures been in place the total of fifteen reported HAVs incidences of ill-health could have been prevented. It was also found that the council had failed to send reports of the various diagnoses to HSE without delay as required under the RIDDOR regulations.

Lancashire County Council of County Hall, Fishergate, Preston pleaded guilty to breaches of Section 2 (1) and 3(1) of the Health and Safety at Work etc. Act 1974 and Regulation 8 of the RIDDOR Regulations 2013. The Council was fined £50,000 and ordered to pay costs of £10,366,78.

Speaking after the hearing, HSE inspector Jennifer French, said: "HAVs can be a serious and sometimes disabling condition that is irreversible.

"All employers have a duty to provide effective measures to ensure the health of their staff are not seriously or permanently harmed by the work they are asked to do. HSE is committed to thoroughly investigating companies who do not comply with their duties and will prosecute if necessary."

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
2. More about the legislation referred to in this case can be found at: <https://www.hse.gov.uk/vIBRAtion/hav/index.htm>
3. More about RIDDOR reporting can be found at:

<https://www.hse.gov.uk/riddor/>

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