

# Hampshire hygiene consultancy firm fined after admitting failures

A Hampshire-based hygiene consultancy firm has been fined £2,000 after its failures put workers at risk of exposure to hazardous substances.

Envirochem Analytical Laboratories Limited provided an occupational hygiene consultancy service to customers across the South of England. The reports provided by Envirochem are used by their customers to make decisions regarding necessary controls to protect their workforce from risks to their health from substances including hazardous chemicals and dusts. However, they provided one customer with a deficient occupational hygiene exposure monitoring report.

An investigation by the Health and Safety Executive (HSE) found the report to be inadequate and did not provide the information necessary regarding the extent of exposure to hazardous substances, including isocyanates from paint spraying, a potent respiratory sensitiser. The report used inappropriate occupational hygiene monitoring and analysis methods and consequently under-reported the actual exposures at the customers premises.

Portsmouth Magistrates Court heard the services the company provided included the provision of reports, following testing carried out by their consultants at customer premises.

Envirochem Analytical Laboratories Limited, of The Gardens, Broadcut, Fareham, Hampshire, pleaded guilty to breaching Section 3(1) of The Health and Safety at Work etc. Act 1974. The company was fined £2,000 and ordered to pay £6,583 in costs at Portsmouth Magistrates' Court on 23 May 2023.

HSE inspector Nicola Pinckney said: "This was a case of the company failing to provide the specialist services which its customer expected.

"Consultancies providing specialist services have a responsibility to ensure they are competent to undertake this type of work, undertake the work to the correct standards and provide accurate reports. They need to provide the necessary information, instruction, training and supervision to their employees undertaking this work to enable them to provide this specialist service.

"I would urge those wanting to appoint occupational hygiene specialists to check with the relevant professional body (i.e. the British Occupational Hygiene Society) as to whether those offering consultancy services are competent to do so."

## **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.

2. More information about the [legislation](#) referred to in this case is available.
3. Further details on the latest [HSE news releases](#) is available.

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## [Samantha Peace appointed HSE Director of Energy Division](#)

The regulator that oversees significant parts of the energy industry has announced a new Director.

The Health and Safety Executive (HSE) has appointed Samantha Peace to lead its Energy Division.

Current Director Chris Flint has chosen to retire. Chris will leave HSE in April next year. Before then, he will lead several projects for HSE and work with Samantha to ensure a smooth transfer.



Chris Flint (left) and Samantha Peace (right)

Samantha, who has worked at HSE for 28 years, has a background in regulation. She joined HSE in 1995 as a factory inspector before moving to senior leadership positions in HSE's Field Operations Division.

Alongside her role with HSE, Samantha is a member of the executive committee of the International Association of Labour Inspection (IALI) where she works with regulators across the world.

Samantha said: "It is a great privilege to be named as HSE's Director of Energy Division. It is well-regarded for its work in areas including regulating offshore energy and has been expertly led by Chris for the last few years. I look forward to beginning my new position and will continue to build on the great work Chris has done during his time as Director."

Chris, who was appointed as Director in 2017, said: "I have thoroughly enjoyed my time as Director of Energy Division at HSE and am pleased that someone as experienced and accomplished as Samantha is taking over. There have been some wonderful projects in the offshore and energy field that I am very grateful to have worked on and now look forward to tackling new challenges in the Director of Regulation office."

Jane Lassey, Acting Director of Regulation at HSE, said: "Alongside everyone at HSE, I congratulate Samantha on her new position. Samantha has excelled in every position she has held with HSE and I am certain she will continue to do the same as Director of our Energy Division."

"I also wish Chris all the best in his new role before retiring next year. Chris oversaw numerous challenges and key projects whilst leading our Energy Division and proved himself as an excellent Director as well as demonstrating his commitment to HSE."

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

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## **[Serco fined £2.25m after death of custody officer](#)**

Security firm, Serco, has been fined £2.25 million for health and safety failings following the death of custody officer Lorraine Barwell.



Lorraine Barwell

Ms Barwell, a 54-year-old grandmother was kicked twice, once in the body and once in the head, at Blackfriars Crown Court in 2015 during the restraint of a prisoner in custody. She died from brain injuries caused by the second blow.

Ms Barwell had worked for Hampshire-based security firm Serco for 10 years when the attack took place.

The incident led to an investigation by the Health and Safety Executive (HSE) that found that Serco Limited had failed to properly analyse risk intelligence on prisoners and communicate risks and safety precautions to staff. There was also a failure to have sufficient procedures in place and follow them, to provide readily accessible protective equipment and to ensure further training was provided where identified as required.

In addition, there was a continued failure to adequately staff court activities, manage working hours, assess risks of violence and aggression, communicate safety critical information, have suitable procedures in place and to work in accordance with those procedures covering a period of over three years. Time pressures, staffing levels and business priorities had led to routine violations of procedures by staff in order to get the job done which had gone unchallenged. This is despite such failings being brought to their attentions by HM Prisons Inspectorate, Ministry of Justice, HSE Inspectors and Serco's own staff.

In a separate incident in 2016, another member of staff was rammed against a wall and strangled in the Woolwich Court annex which could have had very serious consequences. The alarm button was pressed, but there were no staff manning the annex to respond and so it took time to call and gain assistance from the main building. There should have been 32 of Serco Limited's officers at court that day, but there were only 22.

On 25 April 2022 at Southwark Crown Court, Serco Ltd, of Serco House, Bartley Wood Business Park, Hook, Hampshire pleaded guilty to charges under section

2(1) of the Health and Safety at Work etc. Act 1974 contrary to Section 33(1) (a) of the Health and Safety at Work etc. Act 1974. On 26 May 2023 at the Central Criminal Court (Old Bailey) they were fined £2.25m and ordered to pay £433,596.07 in costs.

In a victim impact statement, Lorraine's daughter Louise Grennan, said: "Our mum was a wonderful loving supportive mother to myself, my brother and her two granddaughters whom she adored and loved, and they adored her.

"She too was a friend to many and loved by many. To lose her has left a huge void in everyone's hearts.

"Mum was my best friend and she helped me care for my daughter. We spoke about plans to move abroad to live in the sun once mum had retired from work. That has all gone now."

Speaking after the hearing, HSE inspector Helen Donnelly said: "Serco drastically failed in their duties to protect both Lorraine Barwell and other staff over a sustained period. It is not common to have a case covering such an extended period, but it appeared that Serco Limited were not learning from their mistakes. □

"Lorraine Barwell and her colleagues were just doing their job and should have been protected from harm. Had Serco carried out their legal duties, these incidents could have been prevented.

"While this investigation has been long and complex, we hope Lorraine's friends and family will find some comfort in today's sentence and see that justice has now been served.

"No matter what work environment you are in, health and safety regulation is designed to protect people at work. We will not hesitate to act against those who fail to protect their workers."

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# Registration of buildings with Building Safety Regulator now underway

Hundreds of high-rise buildings are being registered with the new building safety regulator as the stricter regime to protect residents begins.

Around 750 applications have been opened with the new Building Safety Regulator (BSR) since its registration process for high-rise buildings opened last month.

All high-rise residential buildings must be registered with BSR by law. Those responsible for the safety of buildings have until the end of September to register or face prosecution.

BSR is pleased with the early response from the building industry but is urging all owners and managers to act now. Up to 12,500 buildings in England are covered by the new regulator, set up in response to the Grenfell Fire tragedy and officially launched earlier this year.



High rise residential building in England

BSR is an independent body set-up by the Building Safety Act 2022 and part of the Health and Safety Executive (HSE). Its launch is the biggest change in building safety for a generation.

HSE's Director of Building Safety, Philip White, said: "We're pleased with the early response from industry but I urge owners and managers to act now and register their buildings if they haven't already done so. This is a legal requirement they will have to meet by the end of September.

"Registration is a crucial part of the new regime and our efforts to ensure residents of high-rise buildings feel protected and safe in their homes."

High-rise residential buildings that are at least 18 metres in height or have seven or more floors containing at least two residential units must be registered with BSR.

Information on how to register and what details are required can be found

[here](#). Building owners or managers must provide the number of floors at or above ground level, height in metres, the number of residential units, and the year of construction.

Guidance on the key building information (KBI) that will also need to be recorded under the new building safety laws has now been published [here](#). This KBI registration element will then be added to the HRB online registration portal later this summer, allowing sufficient time for owners and managers of buildings to submit their KBI by the end of September.

Helpful information links with guidance on registering your high-rise building:

- [Register a high-rise residential building](#)
- You can watch our short [walk-through video of the process](#)
- [Get further guidance](#) to help you prepare for your registration application
- Visit our 'Making buildings safer' campaign site [campaign.gov.uk](#)

#### Notes to editors:

**About BSR:** The Building Safety Regulator (BSR) is an independent body established by the Building Safety Act, 2022, and is part of the Health and Safety Executive (HSE). We will raise building safety and performance standards and oversee a new stringent regime for high-rise residential buildings, as well as overseeing the wider system for regulating safety and performance of all buildings, and, increasing the competence of relevant regulators and industry professionals.

**About HSE:** 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.

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## [Company fined £200,000 after worker fractures arm](#)

A manufacturing company has been fined after an employee was drawn in to a machine and suffered multiple fractures to his left arm.

The man, who is from Newcastle, had recently started working as a manufacturing operative for Gates Engineering & Services UK Limited at its site on Bassington Drive in Cramlington, and was undergoing training when he was assisting another worker on the company's 60-metre lathe on 12 November

2021. The new employee, who was 22 at the time of the incident, was working at the rear of the lathe when the rubber material he had just applied fell from the steel mandrel.

He instinctively reached to grab the material, and at the same time the lathe started, pulling him into the machine. This resulted in his arm being broken in two places.

<https://press.hse.gov.uk/wp-content/uploads/2023/05/Accident-web-under-2mb.mp4>

The machine was used to wrap rubber and other materials around a steel mandrel to form hose bodies for industrial hoses. The system of work at Gates Engineering involved one employee working at the front of the machine operating the controls, with a second employee assisting from the rear, helping to manually position the rubber materials being applied.

However, the manufacturer's manual for the machine stated that the lathe should be enclosed with a fixed perimeter guard, and that access to the work area by persons other than the machine operator prevented.

An investigation by the Health and Safety Executive (HSE) found the company had failed to take effective measures to prevent access to the dangerous parts of the lathe, and that its system of work required employees to stand in an area that was meant to be enclosed by guards. For HSE guidance visit: [Introduction to machinery safety – HSE](#)

Gates Engineering & Services UK Limited, of Bassington Industrial Estate, Bassington Drive, Cramlington, Northumberland, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £200,000 and ordered to pay £3,653.70 in costs at Newcastle Magistrates' Court on 4 May 2023.

HSE inspector Stephen Garner said: "After this accident, the company was able to install perimeter guards to prevent access to the rear of its 60-metre lathe, and altered its system of work so that operation of the lathe could be carried out from the safe area at the front of the machine – as intended by its manufacturer. This accident could have been prevented if action had been taken earlier.

"A third-party safety audit commissioned by Gates Engineering, dated 16 January 2018, identified that there was access to moving parts at the rear of the machine due to inadequate guarding. Although this report failed to recommend any remedial measures, taken in combination with the information in the machine's manual, this represented a missed opportunity to properly safeguard the machine before an accident occurred. Ultimately this accident was both foreseeable and preventable."

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