

Asbestos removal company fined for failing to protect workers from risk

An asbestos management company has been fined and two of its employees have been jailed for failing to protect workers from asbestos exposure during a major refurbishment project in Plymouth

Chelmsford Crown Court heard that in February 2017, concerns were raised by workers at Ensure Asbestos Management Limited who believed they were being put in danger whilst carrying out refurbishment work at the former department store.

An investigation by the Health and Safety Executive (HSE) found irregularities in the asbestos surveys and clearance certificates, with some of them found to be fraudulent.

Ensure Asbestos Management Limited had been contracted to carry out an asbestos survey, remove all identified asbestos-containing materials (ACMs) from the building and then carry out the initial strip-out of the building before it was refurbished. However, the company was found to have deliberately cut corners in managing the danger of asbestos exposure putting workers at risk.

Ensure Asbestos Management Limited of Station Road, Sawbridgeworth, Hertfordshire pleaded guilty to breaching Section 2(1) and 3(1) of the Health and Safety at Work etc Act 1974 was fined £100,000.

Director of Ensure Asbestos Management Billy Hopwood of Swanstead, Basildon, Essex pleaded guilty to breaching Sections 2(1) and 3(1) of the Health and Safety at Work etc Act 1974. He has been sentenced to 10 months in prison and has been disqualified from being a director for five years.

Contracts Manager at Ensure Asbestos Management Phillip Hopwood of Churchgate Street, Harlow, Essex pleaded guilty to breaching Sections 2(1), 3(1) and 33(1)(m) of the Health and Safety at Work etc Act 1974. He has sentenced to 15 months in prison and disqualified from being a director for 10 years.

Speaking after the hearing HSE inspector Georgina Symons said: "Ensure Asbestos Management Limited – a previously licensed asbestos removal contractor – failed to work within the law despite having a wealth of knowledge on the risks associated with exposure to asbestos and the necessary training to have done so safely. They deliberately falsified documents and cut corners.

"Workers should be supported by their employers when they raise health or safety concern. This case sends a clear message that those responsible will be held to account for their failings.

"The dangers associated with asbestos are well known and a wealth of advice and guidance is freely available from HSE and other organisations."

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/ ^[2]

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

[Gas fitter and builder sentenced for unregistered gas work](#)

A gas fitter and building company have been sentenced following unsafe and unregistered gas work.

Southwark Crown Court heard that Valentin Pauliuc, trading as VP Plumbing & Heating, was hired in February 2019 by HSM Builders Limited, the principal contractor for a domestic renovation in South London, to carry out plumbing and gas work including the installation of a new gas boiler and gas cooker.

However, some of the gas work was later found by a Gas Safe Register inspector to be 'Immediately Dangerous', meaning it would be an immediate danger to life or property if connected to a live gas supply, as it was in this case.

A Health and Safety Executive (HSE) investigation found that Mr Pauliuc was not registered with Gas Safe Register, which is a requirement under the Gas Safety (Installation and Use) Regulations 1998 for people who undertake gas work, and that HSM Builders did not check that he was registered to do the work.

Valentin Pauliuc, of Downing Close, Harrow, pleaded guilty to a breach of Regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998. He was sentenced to 10 months in custody, suspended for 12 months, and was placed under a curfew and was also ordered to pay £1,644 in compensation to the owners of the property, and £4,747.68 in costs.

HSM Builders Limited, of Cedar Avenue, Enfield, pleaded guilty to a breach of Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £50,000 and ordered to pay £4,859 in costs.

Speaking after the hearing, HSE inspector Gordon Carson, said: "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.

“HSE will not hesitate to take enforcement action against people who break the gas safety rules, which are in place to protect the public. We would encourage anyone who is asking for gas work to be done to make sure they check the engineer has the right skills and is registered with Gas Safe Register. Homeowners can ask to see the engineer’s Gas Safe Register identification card, which contains key information.

“By law, businesses should make reasonable efforts to obtain evidence that any person they intend to perform gas installation work, either under contract or on their own behalf, is a member, or employed by a member, of Gas Safe Register.”

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3. More information about safe use of work equipment can be found at <http://www.hse.gov.uk/pubns/books/l22.htm>
4. HSE news releases are available at <http://press.hse.gov.uk>

[Engineering firm sentenced after fatal incident](#)

An engineering company specialising in the manufacture of containers and drums for the nuclear, aerospace and medical industries has been sentenced after a worker was fatally injured.

Preston Crown Court heard that on 21 May 2018, Whilst working at Graham Engineering’s site in Whitehalls Industrial Estate, Colin Willoughby was lying on his back, underneath the raised middle section of a Hugh Smith 1000 tonne capacity press, using a hand-held electric grinder to remove a weld from the base of a large metal piston. When the weld was removed, the internal ram fell through to the ground, crushing Mr Willoughby resulting in

instant death.

An investigation by the Health and Safety Executive (HSE) found Graham Engineering Ltd failed to carry out a risk assessment and ensure a safe system of work on the Hugh Smith 1000 tonne capacity press. The 20-tonne middle section of the press was raised using fork lift trucks which exceeded their safe working load, in order to access the underside of the press.

Following a trial in front of a jury Graham Engineering Ltd of Whitehalls Industrial Estate, Nelson was found guilty of breaching Section 2(1) of the Health and Safety at Work etc. Act 1974.

The Company was fined £500,000 and ordered to pay costs of £145,487

Graham Engineering Ltd's Manufacturing Director was acquitted of an associated charge under Section 37 of the Health and Safety at Work etc Act 1974.

Speaking after the hearing HSE principal inspector Steven Boyd said:

"An unsafe system of work was adopted by Graham Engineering Ltd whilst undertaking hazardous work and the ensuing sequence of events led to the untimely death of Mr Willoughby. This tragic incident could have been avoided if the task had been adequately risk assessed and supervised to ensure safe procedures were followed".

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Skip hire company fined after employee's arm was crushed in a conveyor belt

A Bristol based skip hire company has been fined after an employee sustained crush injuries to his arm.

Bristol Magistrates' Court heard that on 30 May 2018, an employee of Bateman Skips Ltd was asked to repair a conveyor belt feeding the picking station. He was injured when his arm was drawn into the mechanism whilst realigning the belt. The employee was rescued by the Fire & Rescue Service.

An investigation by the Health and Safety Executive (HSE) found that Bateman Skips Ltd failed to ensure that the workforce was provided with adequate training and suitable safeguards for dealing with blockages and adjusting the equipment.

Bateman Skips Ltd of Broadmead Lane, Keynsham, Bristol pleaded guilty to breaching Section 2(1) of the Health & Safety at Work Act 1974. The company was fined £50,000 and ordered to pay costs of £10,205.80.

Speaking after the hearing, HSE inspector Berenice Ray, said: "Those in control of work have a duty to assess the risks and devise safe methods of working to provide the necessary information, instruction and training to their workforce.

"Employers must ensure that the power source of machinery such as this is isolated and physically locked off whenever the guards are removed."

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The Burnt Chef Project joins HSE's Working Minds campaign

The Burnt Chef Project has joined forces with the Health and Safety Executive's (HSE) Working Minds campaign to tackle work-related stress in the hospitality industry.

The Working Minds campaign aims to help businesses recognise the signs of work-related stress and make tackling issues routine. The Burnt Chef Project will use Working Minds in its efforts to help hospitality professionals, who face long antisocial hours, tough environmental conditions and pressures to perform are just some of the issues on a daily basis.

Work-related stress and poor mental health risk becoming a health and safety crisis for Great Britain's workplaces, the regulator has warned. Statistics published by HSE show in 2020/21 of the 1.7 million workers suffering from a work-related illness, 822,000 were due to stress, depression or anxiety.

The Burnt Chef Project conducted a survey of 1,273 hospitality professionals, which showed that eight out of 10 (84%) of respondents had experienced difficulties with their mental health within their career and 46% would not feel comfortable talking about their health concerns with their colleagues.

Kris Hall, Founder of The Burnt Chef Project, said: "The wellbeing of hospitality teams has been neglected for far too long, the hospitality sector is the third largest recruiter within the UK employing just over 3.2 million people. Often the hours are long, demanding, often antisocial and workplace environments are hot and noisy, add to this a skill gap shortage from low retention rates and resource crisis we find ourselves facing, it's unsurprising that the workers within the industry are facing high levels of stress.

"We need to address the root causes of work-related stress, that's why we're pleased to be working with HSE on the Working Minds Campaign. Here at The Burnt Chef Project we're committed to providing the right level of supportive structures and training so that we're able to douse the flames associated with work related stress that ultimately lead to higher rates of ill mental health.

"We're working towards a happier, healthier and more sustainable profession, where we can thrive not just survive."

Alison Wellens, interim head of Health and Work Branch at HSE, said: "We are calling for a culture change across Britain's workplaces where managing stress and talking about how people are coping is as routine as managing workplace safety. A recent Deloitte report estimates the total annual cost of poor mental health to employers has increased by 25% since in 2019. Adding up to around £53-56 billion between 2020-21.

“We’re delighted to have our new campaign partners on board to champion Working Minds in hospitality. They will play an important role in sharing key information as well as provide essential insight into the unique stressors experienced by people working in the industry as we continue to evolve our campaign.”

Working Minds is aimed specifically at supporting small businesses by providing employers and workers with easy to implement advice, including simple steps based on risk assessment to Reach out, Recognise, Respond, Reflect, and make it Routine.

Employers and workers wanting to know more about the Working Minds campaign, including the legal obligations, advice, and tools available, should visit: workright.campaign.gov.uk/campaigns/workingminds

The Burnt Chef Academy training app has modules specifically designed to tackle work-related stress and is free to access. In addition, The Burnt Chef Support Service is available to anyone who may be experiencing difficulties with high levels of stress. Simply text BURNTCHEF to 85258 to be connected to a trained volunteer 24/7 and in complete confidence.

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3. The Burnt Chef Project is a non-profit social enterprise fully committed to making the hospitality profession healthier and more sustainable. They provide free training and resources to the hospitality community to aid better mental health and wellbeing. They sell merchandise and additional training courses to raise funds to provide this free support to the hospitality industry. They also build the capability of owners, line managers and employees through training to enhance the awareness of mental health and open conversations. <https://www.theburntchefproject.com/>

For the Deloitte report ‘Mental health and employers: The case for investment – pandemic and beyond’ see <https://www2.deloitte.com/uk/en/pages/consulting/articles/mental-health-and-employers-the-case-for-investment.html>