

# 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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