

Company and director sentenced after multiple workers diagnosed with hand arm vibration syndrome

A company providing specialised services in rock drilling, cliff stabilisation and rock anchors, and its director, have been sentenced after a number of workers were diagnosed with hand arm vibration syndrome (HAVS).

Plymouth Magistrates' Court heard how three employees had developed and reported symptoms of HAVS but no action was taken. The employees used tools such as rock drills and jack hammers for cliff stabilisation work which is often carried out by abseiling down a cliff and using the tools horizontally while working from ropes. The affected persons began to experience symptoms such as pins and needles and aching hands, in one case since 2000. An occupational nurse was employed in 2016 and the HAVS problem was identified.

An investigation by the Health and Safety Executive (HSE) found the risk assessment did not identify the actual exposure to vibration and had used out of date vibration data. The investigation also found there was no health surveillance in place until 2016 and employees were not made aware of HAVS and its symptoms. When symptoms were reported, the company had failed to take action.

Celtic Rock Services Limited of Bossell Road, Buckfastleigh, Devon pleaded guilty to breaching Section 2(1) of the Health and Safety at Work Act 1974. The company has been fined £36,667 and ordered to pay costs of £3,560.

Alwyn Griffith Hughes Thomas, director of the company, also of Bossell Road, Buckfastleigh, Devon pleaded guilty to breaching Section 37 of the Health and Safety at Work Act 1974. He has been given a 12 week custodial sentence, suspended for one year, a 12 week curfew and ordered to pay costs of £3,560.

Speaking after the hearing, HSE inspector Caroline Penwill said: "This was a case of the company and its director completely failing to grasp the importance of HAVS risk assessment and health surveillance.

"If they had understood why health surveillance was necessary, it would have ensured that it had the right systems in place to monitor workers health and the employees' conditions would not have been allowed to develop, one of which was to a severe, life altering stage."

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: www.legislation.gov.uk/

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

The post [Company and director sentenced after multiple workers diagnosed with hand arm vibration syndrome](#) appeared first on [HSE Media Centre](#).

Company fined after worker loses fingers clearing baler blockage

A Manchester based company has been fined after an employee seriously injured his hand and lost two fingers whilst operating a baler at their site in Bradford Street, Bolton.

Manchester and Salford Magistrates' Court heard how, on 2 October 2018, the worker, who had been employed at Wrapp Recycling Ltd for just eight weeks, attempted to clear a blockage in the hopper of the machine while it was switched on.

After removing the guard he leaned into the machine and moved the blocked plastic. The ram then activated, crushing his hand. The incident caused extensive damage to his hand, including the amputation of two fingers for which he is still undergoing treatment. He has since been unable to return to work.

An investigation by the Health and Safety Executive (HSE) found the company had installed a removable guard as blockages in the machine occurred frequently. The employees were not informed of the dangers of accessing the hopper while the power was on and HSE found was common practice to clear the machine by hand with the machine still running.

The investigation also found there was no suitable risk assessment in place which would have identified the necessary control measures needed, such as a fixed guard and a safe lock off.

Wrapp Recycling Ltd of Bradford Street, Bolton pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974 and was fined £13,000 and ordered to pay costs of £5,951.90.

Speaking after the hearing, HSE Inspector Catherine Lyon said: "This incident could so easily have been avoided by simply carrying out correct control measures and implementing a safe system of work.

"Companies 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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Two companies fined after employee falls from height

Two firms have been fined after an employee of a construction company fell through a roof onto a concrete floor below.

Lincoln Magistrates' Court heard how on 23 January 2018 an employee of Italian construction company Zamperoni F.lli srl was refurbishing a shed structure at casting company Bifrangi UK, Lincoln.

As the man worked on the roof he stepped backwards from metal sheeting he was standing on onto a fragile roof light. The plastic material broke under his weight and he fell 5.44 metres to the ground. He sustained two broken arms and three broken ribs.

An investigation by the Health and Safety Executive (HSE) revealed both companies failed to risk assess and plan all aspects of the construction work on site, and failed to ensure the risks from the fragile roof lights were adequately controlled. Both companies also failed to ensure there was adequate safe access onto the roof of the shed. There was inadequate supervision and management checks throughout the work. They also failed to act on the previous instances of unsafe work to ensure safety.

Bifrangi UK of Shardlow Works, Grange Mill Lane, Sheffield pleaded guilty to breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc Act and was fined £140,000 and ordered to pay costs of £2,607.

Zamperoni F.lli srl of Via Strada Muson, 17-31011 Asolo (TV) Italy was not present in court, but in its absence was fined £54,000 and ordered to pay costs of £1,240.

Speaking after the hearing HSE inspector Martin Giles said:

"Falls from height remain one of the most common causes of work-related fatalities in this country and the risks associated with working at height are well known.

"In this case the use of simple protective measures to prevent falls from and through the fragile roof light would have prevented the injury to this worker. Contractors working in host employers' premises require adequate supervision and controls to ensure that they are working safely."

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Firm fined after machine worker suffers crush injuries

An engineering firm has been fined after a worker suffered severe crush injuries while working on a mould making machine.

Northampton Magistrates Court heard how an RSM Castings Ltd employee was injured after attempting to light the burners on a moulding machine at their Northampton plant on 11 April 2018. While the employee leant into the machine the pattern plate closed on his head and upper body.

The worker, who has asked not be named, suffered extensive injuries, including a broken neck, back fractures, broken ribs, a fractured shoulder blade, a ruptured spleen, torn liver, a punctured lung, facial fractures and loss of teeth. He remains unable to return to work as a result of his injuries.



A subsequent investigation by the Health and Safety Executive (HSE) found there was inadequate safeguarding to prevent access between the closing pattern parts of the moulding machine.

RSM Castings Limited of Round Spinney Estate North, Portway Close, Round Spinney Northampton, pleaded guilty to breaching Section 11 of the Provision and Use of Work Equipment Regulations 1998 and had been fined £32,000 and ordered to pay costs of £1739.70.

After the hearing HSE Inspector Neil Ward commented: "This case highlights the importance of foundries checking guarding on their machines and not to be complacent about machinery safety. In this case RSM Castings failed to ensure that the machine was guarded to the correct standard and it could have easily resulted in a fatal injury."

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[Company fined after child killed by falling gate](#)

An electric gate company has been fined after a six-year-old boy was fatally

crushed whilst playing on a sliding gate installed by the company.

Leeds Crown Court heard how, on 31 October 2015, the boy was playing with friends on the gate of an underground car park on Leylands Road, Leeds, pushing it open and closed. The gate was pushed beyond the retaining mechanism as no endstop had been fitted to the gate track. The gate fell over, trapping and fatally crushing the child.

An investigation by the Health and Safety Executive (HSE) found the company that had manufactured and installed the electric gate failed to install an end stop. No-one else involved in commissioning or maintaining the gate over the next six years noticed and rectified the deficiency.

Bradfabs Ltd. of Planetrees Road, Laisterdyke, Bradford pleaded guilty to breaching Section 3 (1) of the Health and Safety at Work etc Act 1974 and was fined £30,000 and ordered to pay full costs of £12,411.46.

After the hearing, HSE inspector Julian Franklin commented: "This was a tragic and wholly avoidable incident, which could have been prevented by a thorough commissioning check before handing the gate over to the building occupier."

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

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