

Car wash company fined for insurance breach

A car wash company has been fined for not having employers' liability insurance.

Birmingham Magistrates' Court heard how the company was unable to produce a certificate of insurance during an inspection which was part of an initiative with West Midlands Police and Birmingham City Council.

An investigation by the Health and Safety Executive (HSE) following the discovery in January 2018, found that the company did not have employers' liability insurance in place so was unable to produce a certificate. Employers' liability insurance ensures employers have at least the minimum level of insurance to cover against claims brought by employees that are injured at work or become ill as a result of their work.

GMG Car Wash Ltd of Exeter Street, Birmingham pleaded guilty to breaching Section 4(2)(b) of the Employers' Liability (Compulsory Insurance) Act 1969 and has been fined £650 and ordered to pay costs of £500.

Speaking after the hearing HSE inspector Christopher Maher said: "Employers carrying out a business in the United Kingdom must have Employers' liability insurance in place. Should an incident have occurred at the premises the failure to have insurance would mean that employees may not get any compensation for any injuries or ill-health attributable to their work."

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>
4. Further information about Employers' Liability Compulsory Insurance can be found at <http://www.hse.gov.uk/pubns/hse40.pdf>

Journalists should approach HSE press office with any queries on regional press releases.

Company fined for insurance breach

A company that carries out maintenance and repair of motor vehicles has been fined for not having employers' liability insurance.

Birmingham Magistrates' Court heard how the company were unable to produce a certificate of insurance during an inspection which was part of an initiative with West Midlands Police and Birmingham City Council.

An investigation by the Health and Safety Executive (HSE) following the discovery in January 2018, found that the company did not have employers' liability insurance in place so were unable to produce a certificate. Employers' liability insurance ensures employers have at least the minimum level of insurance to cover against claims brought by employees that are injured at work or become ill as a result of their work.

A E Motors Birmingham Ltd Florence Street, Birmingham pleaded guilty to breaching Section 4(2)(b) of the Employers' Liability (Compulsory Insurance) Act 1969 and have been fined £726 and ordered to pay costs of £557.

Speaking after the hearing HSE inspector Karen Sweeney said: "Employers carrying out a business in the United Kingdom must have Employers' liability insurance in place. There have been over 7,000 injuries and 33 fatalities during the past five years in motor vehicle repair shops. Should an incident have occurred at the premises the failure to have insurance would mean that employees may not get any compensation for any injuries or ill-health attributable to their work."

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Charity fined after injuries to member of the public

A charity has been fined after a member of the public lost her leg when she became trapped under a lorry carrying a fairground ride.

Peterborough Magistrates Court heard that, on 4 November 2015, a member of the public was struck by a lorry during the set up for the Bonfire Night 2015 Event on Midsummer Common. She suffered extensive injuries including a crush injury of her right leg which resulted in in amputation above the knee, a degloving injury to her lower abdomen and right leg, with open fractures of the right leg, fractured ribs and a collapsed lung.

An investigation by the Health and Safety Executive (HSE) found that Cambridge Live failed to put in place suitable controls to prevent members of the public from being struck by large vehicles.

The company failed to organise safe workplace transport on Midsummer Common whilst setting up for the event, this meant that appropriate controls such as such as temporary barriers were not put in place to segregate vehicles and pedestrians.

Cambridge Live pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974 and Regulation 3 of the Management of Health and Safety at Work Regulations 1999. The charity was fined £30,000 and ordered to pay costs of £6,654.37.

Speaking after the hearing, HSE inspector Graeme Warden said: "This horrific accident could have been prevented had Cambridge Live identified and put in place better controls to ensure that members of the public could safely cross Midsummer Common whilst the Bonfire Night Event was being set up.

"The risks involved with workplace transport are well known and pedestrians being struck by large vehicles often results in death, or life-changing injuries, such as those suffered as a result of this incident.

"The risk assessment carried out by Cambridge Live prior to the event had identified the risks involved with a collision between pedestrians and large vehicles, but failed to set out suitable measures to prevent this from happening. On this occasion segregation between pedestrians and vehicles could have been achieved by using temporary barriers."

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2. More about the legislation referred to in this case can be found at: legislation.gov.uk/
3. HSE news releases are available at <http://press.hse.gov.uk>
4. Further information about workplace transport safety can be found at <http://www.hse.gov.uk/pUbns/priced/hsg136.pdf>

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HSE appoints experts in gig economy and mental health to Workplace Health Expert Committee

The Health and Safety Executive (HSE) has appointed two new experts to its independent Workplace Health Expert Committee (WHEC).

WHEC is a scientific and medical expert committee which provides independent, expert opinion to HSE by identifying and assessing new and emerging issues in workplace health.

Dr Joanna Wilde and Dr Paul Litchfield will join WHEC in September where they will support the publication of accounts of the latest evidence to support of HSE's work on health issues.

Dr Wilde has specialist expertise in the behavioural and social sciences and is a leading expert in the effect of psychosocial factors on workplace health. A Fellow of the British Psychological Society, her current research focuses on the health problems inherent in new structures of working relationships, often described as the 'gig economy'. Joanna also brings personal experience to the role as she has suffered from chronic ill health through her working life.

Dr Litchfield was Chief Medical Officer for BT and has been active in the field of workplace health and safety for more than 35 years. Paul has been involved in UK and European initiatives aimed at promoting good physical and mental health to improve rehabilitation back into work and to reduce the stigma of mental ill health. In 2015 he was appointed Chair of the UK's What Works Centre for Wellbeing, which is dedicated to understanding what can be done to improve wellbeing across society.

Professor Andrew Curran, HSE's chief scientific adviser said:

"I'm very pleased to announce that two experts, Dr Joanna Wilde and Dr Paul Litchfield, are joining WHEC from September 2018. They both bring a wealth of

knowledge and expertise to the committee, and we welcome the unique perspectives they will bring to the committee's work on health issues."

WHEC considers chemical and physical hazards, and human, behavioural and organisational workplace factors which lead to physiological and psychological ill health.

The committee assesses the evidence base and seeks to effectively and appropriately communicate the resultant health risk.

Working under the leadership of an independent Chair, Professor Sir Anthony Newman Taylor, in recent years the committee has prepared reports on health issues including sedentary work, the risk of lung cancer from exposure to respirable crystalline silica, bakers' asthma and work-related stress.

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4. More information about WHEC can be found here: <http://www.hse.gov.uk/aboutus/meetings/committees/whec/index.htm>
5. WHEC does not consider wellbeing, sickness absence management or rehabilitation as these issues are dealt with elsewhere in government. Nor is it able to consider individual cases of ill health

Tata Steel fined after worker fell into open pit

A steel company has today been sentenced for safety breaches after a worker fell into an open pit.

Sheffield Crown Court heard how, on 26 February 2014, Mr Steven Ayres was working at Tata Steels Billet Mill in Stocksbridge when he was tasked with emptying a skip at the bottom of an open pit. With the assistance of an overhead crane, operated by a driver, Mr Ayres removed two floor plates that fully covered the pit; removed the skip out of the hole; emptied it; replaced the skip into the pit; and lastly began replacing the floor plates.

When replacing the first plate onto the top of the pit using the crane, the

plate swung out of position slightly. As the second plate was lifted by the crane, Mr Ayres positioned himself out of the way in case this too swung out of position. As the second plate was being moved, Mr Ayres stepped back and fell approximately 3-4 metres into the pit. Injuries sustained included damage to his kidney and ribs.

An investigation by the Health and Safety Executive (HSE) found a risk assessment had been completed by Tata Steel UK Limited in October 2012, 16 months before the incident, which had identified the need to provide a barrier round the pit when the floor plates had been removed to empty the skip. A barrier was not provided round the pit until after the incident occurred.

Tata Steel UK Ltd of 30 Millbank, London, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974 and was fined £450,000 with £32,099 costs.

After the hearing, HSE inspector Mark Welsh commented: "This incident could so easily have been avoided if Tata Steel UK Limited had actually acted on their own findings and provided a simple but effective control measure in the form of guardrails to prevent a fall and by using safe working practices.

"A fall from this height into a pit containing various metal objects could easily have resulted in a fatality. Companies should act swiftly if and when risks are identified and relevant control measures should be put in place when working at height."

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