

# 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".

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

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## [Soft furnishings company fined after employee injured by unguarded machinery](#)

A North West company that manufactures soft furnishings has been fined after an employee sustained serious hand injuries whilst working on an automatic duvet rolling machine.

Manchester Magistrates' Court heard that on 13 November 2018, two employees of Azura Soft Furnishings (UK) Limited had been instructed to sew and pack duvets by the company's managing director, Mr Tariq Majid. The machine was being trialled by the company.

One of the employees using the machine was not authorised to operate it or trained in its use. Whilst the employee was using the machine to pack the duvets, he was able to reach into the machine through a gap in the door guard, in order to adjust the duvet being rolled. As he did so he made contact with moving parts inside, sustaining injuries to his right hand, including severing part of his middle finger.

An investigation by the Health and Safety Executive (HSE), found that foil had been placed over the sensors on the sliding perspex door guard, allowing it to be opened during operation, providing operators with a clearer view of the duvet in the machine.

Mr Majid failed to take action when he observed unauthorised use of the machine by the untrained employee and was unaware that the sensors had been overridden despite being present in a supervisory role at the company's premises. The company and its director failed to provide a safe system of work and to recognise the way in which their employees were working. In addition, sufficient training had not been provided to employees.

Azura Soft Furnishings Limited, of Highfield Industrial Estate, West End Street, Oldham, pleaded guilty to breaching section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £13,600 and ordered to pay costs of £17,260

Company director, Tariq Majid, of Oldham, accepted a formal caution with regard to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974.

After the hearing HSE inspector Peter Lennon said: "This injury was entirely preventable and could have been avoided by ensuring checks were carried out on the machine prior to its use. It was important to ensure the sensors were in good working order and that the machine was being operated safely, with a suitable guard in place.

"Adequate supervision should also have been in place to ensure the machine was not being used by untrained or unauthorised operatives. Directors also have a responsibility to ensure that they recognise the way in which their employees are working and deal with any unsafe working practices."

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## **Food manufacturing company fined after worker falls from ladder**

A jam and preserve manufacturer has been prosecuted after a worker sustained multiple fractures after falling from a ladder.

Llandudno Magistrates' court heard how on the 6 April 2020, a worker was installing a security camera on the outside of The Clarendon Food Company Limited production building in Pwllheli, using an unsecured ladder. The ladder slipped and the worker fell approximately 15ft sustaining multiple fractures to his right arm, left leg, cheekbone and a dislocation of his backbone

An investigation by the Health and Safety Executive (HSE) found the work at height had not been properly planned, and alternative access equipment to allow safe working at height had not been considered. No training had been provided to either the injured party or others in relation to work at height.

There was also a failure to ensure effective monitoring of work at height practices to identify any shortcomings in the company's procedures which had persisted for some time.

The Clarendon Food Company Limited of Bryn, Y Ffor, Pwllheli, Gwynedd pleaded guilty to breaching section 2 of the Health and Safety at Work etc Act 1974. They were fined £40,000 and ordered to pay costs of £5,344.30

Speaking after the hearing, HSE inspector Matthew Pendle said: "Those in control of work at height have a responsibility to properly plan and supervise the work to ensure suitable equipment is selected. They also should provide the necessary information, instruction and training to workers.

"This incident could have been avoided if it had of been risk assessed, planned and suitable equipment selected, which employees were trained to use safely."

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