

# Polymer distribution company in court after worker's fingers severed

A polymer distribution company has been fined after an employee's hand was trapped in machinery whilst attempting to remove a blockage.

Manchester Magistrates' Court heard how, on the 12 October 2018, an employee of Albis (UK) Ltd was filling an autoloader machine when a blockage occurred in the chute, preventing the product from dropping into the mixer. The employee opened the mixer in order to insert their hand into the chute to remove the blockage, at which point, the butterfly valve was released. This caused the index finger of their right hand to be trapped resulting in the loss of the tip of the index finger below the first joint and the tip of his middle finger above the first joint.

An investigation by the Health and Safety Executive (HSE), found that the company had made alterations to the roof area of the premises sometime before the incident. Due to these, the length of the chute had had to be decreased making access to dangerous parts of the machine possible. A risk assessment had not been carried out subsequent to the shortening of the chute, neither had operatives been fully instructed on how to unblock the autoloader. The machine had also been reconfigured unbeknown to the safety manager, allowing the valve to continue moving when the interlock had been broken. The machine should have cut out when the mixer lid was opened, but it failed to do so, resulting in the incident.

Albis (UK) Ltd of Montgomery Way, Parkgate Industrial Estate, Knutsford, pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974. The company was fined £33,000 and ordered to pay costs of £3,684.

Speaking after the hearing, HSE inspector Martin Heywood said: "This incident could so easily have been avoided. Employers should ensure they carry out an assessment of the risks and put in safe system of works for the operation of all machinery. Employers should also ensure that adequate information, instruction and training is provided to all who use it."

## **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](http://www.hse.gov.uk)**
- 2. More about the legislation referred to in this case can be found at: [Why is machinery safety important?](#)**
- 3. HSE news releases are available at <http://press.hse.gov.uk>**

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# Construction company fined after injured worker loses sight

A Bradford-based construction company has been fined after an employee was injured at work leading to significant sight loss in his right eye.

Manchester Magistrates' Court heard how Pearl Services UK Ltd had been contracted to carry out refurbishment of a retail store in Cheetham Hill, Manchester. On the 23 February 2020 employees were erecting PVC hoarding within the store to separate the refurbishment work area from members of the public. An apprentice decorator who was helping joiners set up the hoarding, struck one of the PVC panels using a mallet causing it to splinter. A fragment penetrated their right eye, causing serious injury and loss of sight. The incident has resulted in a life-changing injury to the person who will not regain full sight in his right eye, despite a number of post-accident operations

An investigation by the Health and Safety Executive (HSE) found that Pearl Services UK Ltd had failed to suitably plan, manage and monitor the project. Risk assessments and method statements had not fully identified the need to wear safety eyewear during the erection of the hoarding. In addition to this, the supervisor had failed to ensure that the documentation available on-site was communicated to the operatives before commencing work. Although safety eyewear was available on site, the wearing of it had not been made mandatory, neither were checks carried out to ensure it was worn.

Pearl Services UK Limited of Pearl House Commondale Way, Euroway Trading Estate, Bradford pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974 and was fined £16,500 and ordered to pay costs of £5,778.40

After the hearing, HSE inspector Phil Redman commented: "This incident could so easily have been avoided by providing suitable information, instruction, supervision and training to site personnel in respect of the fitting of the PVC site hoarding.

"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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2. More about the legislation referred to in this case can be found at: <http://www.legislation.gov.uk/>
  3. HSE news releases are available at <http://press.hse.gov.uk>
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## [Construction employee sustains multiple fractures after fall from height](#)

Trevor Cook Construction Ltd has been fined after a roof worker fell six metres through a fragile roof sheet whilst working on a barn at a farm in Amesbury, Wiltshire.

Swindon Magistrates' Court heard how, on 22 May 2019, the employee was replacing broken roof sheets using a mobile elevating working platform (MEWP) to gain access to the roof of the barn and crawling boards to traverse the roof. The employee's foot slipped from one of the crawling boards and he subsequently fell through the fragile roof material, sustaining serious injuries including neck fractures, a collapsed lung, and a bleed on the brain.

An investigation by the Health and Safety Executive (HSE) found that Trevor Cook Construction Limited failed to plan the work appropriately. The company was aware of the risks and often used netting when undertaking large re-roofing projects, but made a conscious decision not to install nets for smaller jobs, which involved the replacement of individual roof sheets. The chances of falling whilst working on fragile roofs are very high and the company should have had the appropriate safeguards in place.

Trevor Cook Construction Limited of Garlands, Cadley Road, Collingbourne Ducis, Marlborough, Wiltshire pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005. The company was fined £63,278 and ordered to pay costs of £6,721.

Speaking after the hearing, HSE inspector Stephan Axt-Simmonds 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.

"Falls through fragile roof materials are not inevitable. They can be prevented by careful planning, using trained and experienced workers with suitable equipment, and employing a high level of supervision.

"This incident could so easily have been avoided by using established control measures and safe working practices."

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2. More information about working with fragile roofs and preventing falls can be found here: [Fragile roofs: Safe working practices GEIS5 \(hse.gov.uk\)](#)  
[Agriculture: Preventing falls \(hse.gov.uk\)](#)
3. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
4. HSE news releases are available at <http://press.hse.gov.uk>

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## [Landlord fined and sentenced to a community order for gas safety breaches](#)

A landlord has been fined and sentenced to a 12-month community order for failing to maintain gas appliances at a rental property.

Colchester Magistrates' Court heard how landlord Hannah Leek failed in her duty to have the gas appliances at her rental property in Tendring, Essex, regularly inspected and maintained and failed to provide a Landlord Gas Safety Record, all of which are legal requirements. Ms Leek also failed to comply with an Improvement Notice issued by an HSE inspector which required her to take action to deal with these issues.

Hannah Leek of Wicklow Close, Shepshed, Loughborough, pleaded guilty to breaching the Gas Safety Installation and Use Regulations 1998, Regulation 36(3)(a), Health and Safety at Work Act 1974, Section 21 and Section 20(2)(j) and was sentenced to a 12-month community order and 100 hours of unpaid work and ordered to pay costs of £3,292.05 and a victim surcharge of £85.

After the hearing HSE inspector Carla Barron said: "Landlords must ensure gas appliances at their tenanted properties are maintained in a safe condition and are checked by a Gas Safe Register engineer at least every 12 months.

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

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  2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/); [www.hse.gov.uk/gas/domestic/faqlandlord.htm](http://www.hse.gov.uk/gas/domestic/faqlandlord.htm)
  3. HSE news releases are available at <http://press.hse.gov.uk>
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## [Galvanizing company prosecuted after employee fatally injured](#)

Hereford Galvanizers Limited, a company that undertakes hot dip galvanizing for the corrosion protection of steelwork, has been fined after an employee was fatally injured.

Kidderminster Magistrates' Court heard that on 2 February 2019, an employee was operating an overhead crane adjacent to the molten zinc bath, when a tubular steel brace exploded during galvanizing, causing it to 'rocket' across the workshop floor, fatally striking the employee who was standing in its path. The steel brace failed due to the absence of vent holes to prevent the build-up of pressure inside the hollow steel brace during the galvanizing process.

A quantity of liquid entered the brace during earlier stages of the galvanizing process; when immersed into the 450°C zinc bath, the trapped liquid turned rapidly into steam generating very high internal pressures sufficient to cause failure of the brace. This resulted in a violent explosion which propelled the steel brace across the workshop floor.

An investigation by the Health and Safety Executive (HSE) found that the company, based at Westfields Trading Estate, Hereford, had failed to adequately assess the risk and devise and implement suitable safe systems and methods of work for venting checks. In addition, employees were not adequately trained or supervised when completing venting checks.

Hereford Galvanizers Limited, which operates under the trading umbrella name 'Hereford and Shropshire Galvanizers', pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 and have been fined £266,000 and ordered to pay costs of £14,635.29 plus a victim surcharge £170.

Speaking after the hearing HSE inspector Sian Donne said: "This tragic incident led to the avoidable death of a young man. His death could easily have been prevented if his employer had acted to identify and manage the

risks involved, put a safe system of work in place and ensured that employees were appropriately trained and supervised.”

Notes to Editors:

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2. More about the [legislation referred to in this case](#)<sup>[2]</sup>
3. [Latest HSE press releases](#)<sup>[3]</sup>
4. See more information about [the safe use of work equipment](#)