

# Powder Coating company fined after worker suffers serious back injury

A powder coating company has been fined after a worker in a factory in Poole, Dorset suffered shattered lumbar vertebrae and had to be kept in a lying down position on his back for two weeks in hospital.

Southampton Magistrates' Court heard how on 27 July 2017, the worker was checking the straps on a wheeled A-frame trolley containing ten 6m long twin wall polycarbonate sheets weighing 34kg each, when the load unexpectedly toppled onto him pushing him to the ground. Colleagues had to lift the sheets off the worker and call for an ambulance.

An investigation by the Health and Safety Executive (HSE) found that C & R Powder Coating and Welding Fabrication Ltd had failed to ensure the safety of workers, engaged in the transfer and storage of plastic sheeting on a trolley. The investigation found that the trolley was not suitable for the storage and transport of the plastic sheets because it was not sufficiently long enough and had no means for ensuring the straps being used would stay in place.

C & R Powder Coating and Welding Fabrication Ltd of 4 – 6 The Wharf Centre, Wharf Street, Warwick, Warwickshire, CV34 5LB pleaded guilty to breaching Regulation 4 of The Provision and Use of Work Equipment Regulations 1998 (PUWER). The company has been fined £20,000 and ordered to pay costs of £10,338.20.

Speaking after the hearing, HSE Inspector Berenice Ray, said: "This incident could so easily have been avoided by simply carrying out safe working practices and ensuring work equipment is suitable for the purpose for which it is to be used.

"Accidents like this can happen with plastic sheets but equally with wood board, steel plate or stone slabs. Any flat profile material should be secured against falling or slipping out as the consequences can be a serious injury or even a fatality.

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

## **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:

[www.legislation.gov.uk/](http://www.legislation.gov.uk/)

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

The post [Powder Coating company fined after worker suffers serious back injury](#) appeared first on [HSE Media Centre](#).

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## [Company fined after causing a high-pressure gas leak near to the M73 and M8 motorway](#)

John Murphy and Sons Ltd was sentenced for safety breaches after damaging a 10-inch gas pipeline whilst undertaking work to allow the widening of the M8 motorway.

Hamilton Sheriff Court heard that on 16 January 2014, during the course of the excavation works for the gas pipeline diversion, John Murphy and Sons Ltd hit the high pressure pipeline which was operating at 39 barg. This resulted in 271 tonnes of gas being released into the atmosphere in the vicinity of employees near the M73 junction.

An investigation by the Health and Safety Executive (HSE) found that the high pressure pipeline had been hit by an excavator during works for the gas pipeline diversion. J. Murphy and Sons Ltd, of Highgate Road, London, pleaded guilty to breaching Regulation 15 of The Pipelines Safety Regulations 1996 and Section 33(1) (c) of the Health and Safety at Work etc. Act 1974. The company was fined £150,000.

After the hearing Hywel Williams, a HSE inspector specialising in pipelines, said: "This incident was totally avoidable and put workers at risk. The contractor failed to follow procedures and chose to conduct excavations in the vicinity of a high pressure pipeline by mechanical excavator instead of excavating by hand."

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## [Maritime freight and logistics company fined after employee fractures foot](#)

A maritime freight and logistics company has been fined after a worker suffered multiple bone fractures to his foot when a forklift truck was driven over it.

Newport Magistrates Court heard how a worker was injured when a 15 tonne forklift truck drove over his foot during unloading and stacking of steel coils in a shed at premises in Corporation Road, Newport.

An investigation by the Health and Safety Executive (HSE) into the incident, which occurred on the 5 January 2018, found that there was inadequate control of workplace transport risks. The company had also failed to conduct a suitable and sufficient assessment of controls for workplace transport.

Simec Ports (UK) Limited, formerly known as Cargo Services (UK) Ltd, was found guilty of breaching Section 2(1) of the Health and Safety at Work etc Act 1974. The company has been fined £200,000 and ordered to pay costs of £8,732.04.

Speaking after the case, HSE inspector, Sian Donne said: “Failure to ensure that workplace transport is managed safely is a serious breach of fundamental health and safety duties.”

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3. HSE news releases are available at <http://press.hse.gov.uk>
4. At the time of the incident, the injured worker was an employee of Cargo Services (UK) Ltd. The site was subsequently sold to SIMEC Ports (UK) Limited.

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# Company fined after an employee died and another worker was seriously injured

Concrete manufacturer Treanor Pujol Ltd was sentenced for safety breaches following two separate incidents including the death of an employee and series injuries to a second worker.

Health and Safety Executive (HSE) investigators also identified several electrical safety failings.

Leeds Crown Court heard how on 5 June 2014 Treanor employee Mathew Fulleylove, 30, was operating a mobile saw unit on Line 12 at the factory in Stourton, Leeds, while another employee was operating a mobile bed cleaner on Line 11. Mr Fulleylove was standing on the footwell of the saw unit as the other machine passed on the adjacent production line. As the bed cleaner came past, Matthew's head was crushed between the frames of the two machines and he was killed instantly.

An investigation by HSE found that it was the nature of production for machines to routinely pass each other on adjacent lines. On lines 11 and 12 the gap between the passing bed cleaner and saw machines was very small – between 65 and 93mm at different parts of the frames. It was identified that Treanor Pujol Ltd failed to identify the risk of crushing posed by the passing machines; failed to devise a safe system of work to control this risk and failed to provide adequate training in such a procedure to employees.

On 12 April 2018, in a second incident, a 47-year-old employee was operating a hooks machine, which embeds hooks into precast concrete when a fault developed during the operation. While attempting to reset the machine his elbow leant on a concrete dispenser box and a metal shutter designed to close off the flow of concrete. The metal shutter closed, trapping his hand resulting in a fracture and partial de-gloving of his left hand.

An investigation by HSE found that the machine was not fitted with working interlocks, meaning several of the machine doors could be opened to gain access to dangerous moving parts whilst the machine was operating.

In the early stages of the investigation into the incident involving Mr Fulleylove, HSE inspectors also noticed several electrical safety concerns with the equipment in the manufacturing shed. Inspectors carried out numerous visits between 2014 and 2018 and discovered further failings, one of which related to electrical equipment not being suitably constructed or protected from the environment. It was left in wet, dirty, dusty and corrosive conditions, which resulted in rapid deterioration and safety features becoming inoperable over time. This exposed employees to a risk of serious

personal injury or death.

Treanor Pujol Ltd of former Bison Works site, Pontefract Road Leeds pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974, breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998, and breaching Regulation 3(1)(a) of the Electricity at Work Regulations 1989 by failing to comply with Regulation 6(c). The company has been fined £285,000 and ordered to pay costs of £56,324.97.

After the hearing, HSE inspector Kate Dixon said: "Treanor Pujol Ltd should have identified the risk of crushing between passing machines on the production lines. The company should have taken steps to reduce and control the residual risk, organising production to minimise the likelihood of machines passing each other on adjacent lines, as well as devising and implementing a safe system of work.

"This should have included a designated place of safety where operators were required to stand as a machine passed. The operator's manual for the bed cleaning machine stated an exclusion zone around the machine at 655mm should be implemented. If this had been in place, it would have addressed the significant crushing hazard and prevented the death of Mr Fulleylove."

Ms Dixon added: "In regard to the second incident, the company should have ensured that the dangerous parts of the Hooks Machine could not be accessed by anyone whilst they were moving by way of suitable guarding arrangements.

"Duty holders should ensure they carry out site specific risk assessments to identify any issues relevant to a particular location, task or piece of equipment. It is important to ensure where safe systems of work are required, employees are properly trained and monitored to ensure the correct way of working is followed."

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## **[HSE urges Blackburn businesses to take five steps to become COVID-secure](#)**

The Health and Safety Executive (HSE) is out and about talking to businesses in Blackburn and the surrounding areas to ensure they are COVID-secure to help tackle the coronavirus (COVID-19) outbreak.

To support the understanding of any patterns in the confirmed coronavirus cases in the area, HSE is working alongside Blackburn with Darwen Borough Council in the regulation of workplace health and safety and alongside local

public health authorities. Inspectors are out visiting businesses across Blackburn and surrounding areas, putting employers on the spot and checking that they are complying with the latest guidance.

To be COVID-secure means businesses need to put in place workplace adjustments, keep up to date with the latest guidance and put measures in place to manage the risk and protect workers and others. There are [five practical steps](#) that businesses can take to do that:

- Step 1. carry out a COVID-19 risk assessment
- Step 2. develop increased cleaning, hand washing and hygiene procedures
- Step 3. take all reasonable steps to help people work from home
- Step 4. maintain 2m social distancing where possible
- Step 5. where people cannot be 2m apart, manage transmission risk

Francine Cheney, HSE construction head of operations said: “The number of confirmed cases of the disease are currently high in the area. We are talking to local businesses and inspecting sites in and around Blackburn to understand how they are managing risks in line with their specific business activity.

“Becoming COVID-secure needs to be the priority for all businesses to tackle the rise in the number of cases in the area. It is a legal duty for employers to protect their workers and others from harm and this includes taking reasonable steps to control the risk and protect people from coronavirus. This means making workplace adjustments to become COVID-secure. We advise employers to work with their employees when implementing changes, to help increase confidence with workers, customers and the local community.”

As inspections across the country are ongoing, HSE has been utilising a number of different ways to gather intelligence and reach out to businesses across Blackburn with a combination of site visits, phone calls and through the collection of supporting visual evidence such as photos and video footage.

HSE and local authority inspectors are finding some common issues across a range of sectors that include: failing to provide arrangements for monitoring, supervising and maintaining social distancing, failing to introduce an adequate cleaning regime – particularly at busy times of the day – and providing access to welfare facilities to allow employees to frequently wash their hands with warm water and soap.

To support businesses, HSE are providing advice and guidance to manage risk and protect workers. Where some employers are not managing the risk, HSE will take action which can range from the provision of specific advice, issuing enforcement notices, stopping certain work practices until they are made safe and, where businesses fail to comply, this could lead to prosecution.

Sally Nicholson, HSE head of operations in Lancashire said: “All businesses are in scope for inspections, that means any size business in any sector can receive an unannounced inspection to ensure they are COVID-secure. By making sure that businesses have measures in place to manage the risks, we can

benefit the health of the local community as well as support the UK economy.”

For the latest information and relevant Safer Workplaces guidance, see [www.gov.uk](http://www.gov.uk)

**Ends**

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2. HSE news releases are available at <http://press.hse.gov.uk>
3. For HSE’s working safely guidance see <https://www.hse.gov.uk/coronavirus/working-safely/index.htm>

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