

# Company fined after employee suffers partial amputation of fingers

A food ingredients manufacturer based in Lincolnshire was fined after one of its employees suffered partial amputation of the four fingers on his right hand after it came into contact with the rotating vanes of a rotary valve.

Lincolnshire Magistrates' Court heard that on 18 August 2017 an employee of Kerry Ingredients (UK) Limited was investigating a blockage of flour within a collection hopper at a site on Carr Lane, Gainsborough. During the task, his foot slipped on the ladder he was standing on and, as he reached out to balance himself, his right hand came into contact with the rotating vanes of a rotary valve. He sustained partial amputations to all four fingers on his right hand.

An investigation by the Health and Safety Executive (HSE), found that the company had failed to carry out a risk assessment for the task of clearing blockages from collection hoppers. As a result, suitable measures to either avoid or minimise the risks from contact with dangerous moving parts of machinery and working at height were not implemented, and a safe system of work for the task was not provided to employees. The investigation also found that insufficient information, instruction and training had been provided to employees as to how the task should be carried out safely, and arrangements for supervision and monitoring were ineffective as dangerous working practices had persisted for a number of years unchallenged.

Kerry Ingredients (UK) Ltd of Carr Lane, Gainsborough pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £180,000 and ordered to pay costs of £4,622.64.

Speaking after the hearing, HSE inspector Aaron Rashad said: "Those in control of work have a responsibility to devise safe methods of working and to provide the necessary information, instruction and training to their workers in the safe system of working.

"If a suitable safe system of work had been in place prior to the incident, the life changing injuries sustained by the employee could have been prevented."

## **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>

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## [Roofing Contractor fined after an employee fell from height](#)

A Roofing Contractor has been fined after an employee fell six metres.

Basingstoke Magistrates' Court heard that on 21 June 2017, a man was working on the roof at Lok N Store facility, Basingstoke with two other roofers as part of a 10-week long roof replacement project. The old asbestos cement sheet roof was being removed and replaced with trisomet sheeting. The man and a colleague were working up on the roof and another colleague was working within the building to remove bolts from the underside of the old roof. The man fell 6.7m from the open edge of the roof to the concrete floor below. He sustained multiple fractures.



An investigation by Health and Safety Executive (HSE) found that Lane Roofing Contractors Ltd failed to properly plan and appropriately supervise the work to ensure that the risks created by working at height on a roof was carried out in a safe manner.

Lane Roofing Contractors Ltd of Walsall Road, Birmingham pleaded guilty to breaching Regulation 4 (1) of the Work at Height Regulations 2005. The company has been fined £60,000 and ordered to pay costs of £7,164.80.

After the hearing, HSE inspector Sharron Cripps said: "Falls from height

remain the most common cause of work-related fatalities and serious injuries in the construction industry and the risks associated with working at height are well-known.

“Working at height, with large open edges can be particularly dangerous and it is important that those in control of the work identify the risks posed by replacing roofs and then take appropriate control measures to safeguard workers and others, to ensure that the risks are being managed.”

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## [Company fined after vehicle struck an overhead power cable](#)

Fairhurst Stone Merchants Ltd has been fined for safety breaches after a vehicle made contact with an uninsulated overhead electric power line.

Leeds Magistrates’ Court heard that on 25 July 2018, a wagon delivering materials to the company’s ready-mix plant in Settle was directed to tip its load close to the overhead power lines. During the tipping procedure the vehicle moved forward and made contact with the power lines which were live at 11,000v, nobody was injured in the incident.

An investigation by the Health and Safety Executive (HSE) found that two years previously, a wagon had made contact with the same power lines. No one was injured but the electricity supplier gave advice regarding avoiding a repeat incident. The only action taken by the company was to put up two small warning notices that the driver failed to see. In addition, the first incident was not reported to HSE as required by the RIDDOR regulations.

Fairhurst Stone Merchants Ltd of Langcliffe Mill, Stainforth Road, Langcliffe, Settle pleaded guilty to breaching Regulation 3 of the Electricity at Work Regulations 1989 and Regulation 7 of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013. The company has been fined £50,000 and ordered to pay £621.42 in costs.

After the hearing, HSE inspector Julian Franklin commented: "Had the company reported the first incident to HSE and acted on the guidance from the electricity supplier, effective precautions could have been taken to avoid a repeat incident.

"This incident could have led to the death of the wagon driver. Standard industry-wide precautions should be followed to avoid the risk of contacting high-voltage overhead lines."

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3. HSE news releases are available at <http://press.hse.gov.uk><sup>[3]</sup>
4. Further information can be found at: <http://www.hse.gov.uk/electricity/information/overhead.htm>

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## [Carlisle company fined after customer fatally crushed](#)

A Carlisle auto-salvage company was fined after a customer was trapped and fatally crushed when a lift truck he had purchased was being loaded onto his own recovery vehicle.

Carlisle Crown Court heard that on 15 February 2018, a lift truck purchased from Michael Douglas Autosalvage Ltd was lifted using the company's skip lorry onto a recovery vehicle at Stainton Road, Etterby. The metal ring on the lift truck that the winch wire was attached to failed, causing the lift truck to fall and trap Mr Paul Spence against the skip lorry.



An investigation by the Health and Safety Executive (HSE) found that the company had failed to ensure that this complex lifting process was properly planned by a competent person and that it had failed in its duty not to expose customers to risk. A competent person would have identified that this loading method with this equipment was fundamentally unsafe.

The Company Michael Douglas Autosalvage Ltd of Stainton Rd, Etterby, Carlisle pleaded guilty to a breach of Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £23,000 and ordered to pay costs of £8,000.

Sandra Spence, Mr Spence's widow said:

"Paul was taken too early, in a tragic way, and didn't deserve his life to end this way. There is a big empty hole in my heart, he was a very loving husband and father. Paul always had a smile on his face and lived for his family."

Speaking after the hearing, HSE inspector Matthew Tinsley commented:

"This incident could so easily have been avoided should the lift have been properly planned and appropriate equipment and safe working practices been employed as a result.

"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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## [Plumbing and heating contractor fined for carrying out illegal gas work](#)

An unregistered plumbing and heating contractor has been fined for carrying out illegal gas work that put a number of homes at risk.

Truro Crown Court heard that, from January 2017 to October 2018, Darren Masters, trading as D Masters Plumbing and Heating Limited, carried out gas work at four homes in Newquay, Cornwall, despite not being registered as a Gas Safe engineer.

Registration with Gas Safe Register ensures engineers are qualified for the work they intend to carry out, ensuring that gas work is carried out to an appropriate standard and the public are not put at risk of serious harm.

An investigation by the Health and Safety Executive (HSE) found that Mr Masters falsely asserted he was Gas Safe Registered in the course of dealing with customers, including signing off documentation with false Gas Safe registered engineer numbers. The investigation concluded Mr Masters also misrepresented himself as sufficiently competent to carry out the services.

Darren Masters of Hannaford Close, St Columb Major, pleaded guilty to breaching Regulations 3(1), 3(3), 3(7) and 26(1) of the Gas Safety (Installation and Use) Regulations 1998, and consequently Section 33 (1) (c) of the Health and Safety at Work etc Act 1974.

Masters was sentenced to 22 and a half months in prison, suspended for two years. He was ordered to carry out 200 hours of unpaid work. He was also ordered to pay £11,902.00 in compensation and full costs of £9,068.50.

Speaking after the hearing, HSE inspector Paul Mannell said: "Darren Masters

was in control of gas work despite not being Gas Safe registered. Shockingly, he misled residents about his credentials.

“All gas work must be done by a registered Gas Safe engineer to ensure the highest standards are met to prevent injury and loss of life.”

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3. HSE news releases are available at <http://press.hse.gov.uk>
4. Further information about gas safety can be found at <http://www.hse.gov.uk/gas/>

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