

Suspended sentence for South East scaffolder following unsafe work

A Kent-based scaffolder has been sentenced after unsafe working practices were observed during the erection of scaffolding.

Medway Magistrates' Court heard how, on 19 August 2016, Mr Steven David Connolly was working at a site in Chartham, Kent when an inspector observed him employing unsafe working practices when erecting scaffolding.

An investigation by the Health and Safety Executive (HSE) found Mr Connolly was working unsafely and putting himself at serious risk of falling from the scaffold under construction. He ignored interjections of a HSE inspector, refusing to work safely and instead subjecting her to a torrent of abuse. Mr Connolly then left the scaffold in an unsafe and incomplete condition with no warning for subsequent users.

Mr Steven David Connolly of Greenacres, Lower Kingswood, Surrey pleaded guilty to breaching Regulations 6(3) and 8(a) of The Work at Height Regulations 2005. He was sentenced to 24 weeks imprisonment, suspended for 18 months. He has also been subject to the condition of a curfew between 9am and 5pm at his home address for which he will be tagged and ordered to pay costs of £2,000.

After the hearing HSE inspector, Andrew Cousins said: "An already worrying situation was compounded by the defendant's unwarranted abuse of a public official and then leaving the scaffold in a perilous condition. He effectively obstructed the inspector in the exercise of her duty by his attitude, language and behaviour as well as his refusal to provide his identity or who he was working for.

"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. 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."

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
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>

Company fined after worker fell down a lift shaft

A care home was sentenced after an employee suffered significant injuries after falling around 1.5 metres down a lift shaft.

Northampton Magistrates' Court heard how on 25 September 2016 the employee was using the platform lift to transport the residents' breakfasts from the kitchen to the dining room on a different floor. An interlock system which meant that the lift door could only be opened when the platform was at the right floor was broken. The employee fell down the shaft because the platform was at a lower level.

An investigation by the Health and Safety Executive (HSE) found that the door locking mechanism had been broken for about a month prior to this incident and management failed to deal with the known issue of employees overriding the door safety locking mechanism with a screwdriver. The lift had also not been thoroughly examined.

Sutton in the Elms Care Limited of Sutton Lane, Leicester pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 and Regulation 9(3)(a)(i) of the Lifting Operations and Lifting Equipment Regulations and has been fined £14,000.00 and ordered to pay costs of £2535.90

Speaking after the hearing HSE inspector Michelle Morrison said "This incident could so easily have been avoided, had the management at the care home ensured that employees were not manually over-riding safety features on this platform lift. Safety features on all work equipment are designed to keep people safe and prevent accidents, such as this one.

"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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Sole trader fined after worker injured

An East Lothian-based sole trader was today fined after a self-employed furniture maker was injured on their premises.

Edinburgh Sheriff Court heard how, on 25 February 2016, a self-employed furniture maker was working on the premises owned by Peter Anselm Fraser, trading as A and A Fraser Property. Whilst the furniture maker was moving wood over the planer blade, the machine skidded on the table causing her left hand to slip off the top edge and come into contact with the exposed part of the blade. As a result, the furniture maker suffered hand injuries.

An investigation by the Health and Safety Executive (HSE) found the planer machine was fitted with a fence guard but lacked a bridge guard at the area she was working. The absence of a bridge guard on the planer created an increased risk where the operator might inadvertently come into contact with the exposed portion of the blade.

Peter Anselm Fraser trading as A and A Fraser Property of Gifford, East Lothian, pleaded guilty to breaching of Regulation 11(1) and (2) of the Provision and use of Work Equipment Regulations 1998 and was fined £6,700.

Speaking after the hearing, HSE inspector Kim Munro said: "This injury was easily preventable and the risk should have been identified.

"Employers/sole traders should make sure they properly assess and apply effective control measures to minimise the risk from dangerous parts of machinery."

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West Midlands timber yard fined after two workers struck by vehicle

A timber yard has been fined after two workers were seriously injured when they were struck by a side loader lift truck.

Wolverhampton Crown Court heard how, on 23 February 2015, two employees of Palmer Timber Ltd were walking across the yard at the site in Cradley Heath when they were hit by a side loader lift truck. One worker suffered a fractured ankle while his co-worker suffered multiple serious injuries including a fractured eye socket and collar bone, a severed thumb, damage to his tongue, broken bones in his forearm, a broken rib and further injuries which required skin grafts.

An investigation by the Health and Safety Executive (HSE) into the incident found that the company did not have effective precautions in place for vehicles and pedestrians to move around safely.

Palmer Timber Ltd of Station Road, Cradley Heath pleaded guilty to breaching Regulation 4, by virtue of Regulation 17 of the Workplace (Health, Safety and Welfare) Regulations 1992. The company was fined £730,000 and ordered to pay costs of £13,844.87 and a victim surcharge of £120.

After the hearing, HSE inspector Richard Littlefair commented: "This incident could have been much worse with the potential for fatal injuries. "There were reasonably practicable measures which should have been in place in order to allow vehicles and pedestrians to circulate in a safe manner."

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Company fined after worker injured

An electrical contracting firm has been fined following one of its employees sustaining severe lacerations after his hand made contact with the moving blade of a mitre saw due to a faulty guard.

Nottingham Magistrates' Court heard the injured employee cut his hand while using a mitre or 'chop saw' with a faulty guard. The guard failed to return to position and cover the blade when the saw was in the upright position, meaning that when the employee reached across it he severely cut his wrist.

A Health and Safety Executive (HSE) investigation found that a lack of suitable maintenance meant the guard did not operate as intended and did not come down to cover the dangerous blade and protect the user.

AllRound Electrical Services Limited of High Street, Coleshill, Birmingham pleaded guilty of breaching Regulation 11 (3) of the Provision and Use of Workplace Equipment Regulations 1998. The company was fined £4,000 and ordered to pay costs of £1,060.50.

HSE inspector Philip Gratton said: "This case highlights the importance of regular proactive maintenance of work equipment, including mitre saws, to ensure equipment does not deteriorate to the extent that it puts people at risk. In this case AllRound Electrical Services Ltd failed to effectively maintain equipment which resulted in life-changing injuries to its employee."

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