

Company fined £20,000 after worker fell through station canopy

A Tyne and Wear engineering company has been fined £20,000 after a worker fractured his pelvis and suffered internal injuries after falling through a petrol station forecourt canopy.

The employee of G Nicholson (Engineers) Limited was replacing guttering at the top of the canopy on the company's petrol station in Blue House Lane, Washington, Tyne and Wear, on 5 December 2019.

As he was removing corrugated metal sheets to access sections of the guttering below, he was knocked off balance when a gust of wind caught the sheet, causing him to fall approximately 4 metres through a fragile section of the canopy on to concrete below.

An investigation by the Health and Safety Executive (HSE) found that a risk assessment should have been carried out and had a method statement been produced, this would have identified the need for effective control measures to prevent employees falling from the edge of the canopy or through the exposed fragile roof surface.

G Nicholson (Engineers) Limited, of Blue House Lane, Washington Tyne and Wear pleaded guilty to breaching Section 4(1) of the Work at Height Regulations 2005 at Gateshead Magistrates' Court on 12 October 2022 and was fined £20,000, with £7,825 costs and a victim surcharge of £190.

Speaking after the hearing, HSE Inspector Scott Wynne said: "A worker suffered serious injuries which could have easily been avoided if the company had adopted appropriate control measures when carrying out this task.

"This incident highlights the importance of conducting a suitable and sufficient risk assessment, and using the findings of that assessment to ensure the work is properly planned, appropriately supervised and, ultimately, carried out in a safe manner."

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](https://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](https://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>

Half-term call to keep children safe near farms

Families who live on farms are being urged to keep their children safe this half-term.

Schools across England and Wales break up this week for the October holidays meaning farming children who would usually be in the classroom will now be at home during the day.

This can pose childcare issues for farming families especially at a busy time in agriculture. The Health and Safety Executive (HSE), Great Britain's workplace regulator, says for some farmers the family home and the working farm are often side by side, though they should be regarded as separate.

Agriculture has one of the highest fatal injury rates of any industry in Great Britain but is the only high-risk industry that also sees children often present.

Children and young people up to the age of 18 are regularly killed and injured on farms. Eight children were killed on farms in the five years up to March.

HSE is reminding all adults working on farms that children and young people must be kept safe.

HSE's Acting Principal Inspector (Agriculture Sector) Wayne Owen said: "The best way to ensure the safety of children is simply to keep them away from the working farm. Working farms are no place for children.

"But if children are visiting the farm workplace, they must be kept away from higher risk areas such as operating machinery, slurry pits and bale stacks, and most importantly they should be with an adult who understands the risks on the farm and is not engaged in any work activity. Their sole focus should be on supervising the child.

"If older children are starting to help out on the farm, anything but the very simplest of tasks is likely to expose them to risk of injury or death and is unacceptable. In addition, all children should be under full supervision by an adult not engaged in any work activity.

"Children under 13 should not under any circumstances operate or ride on agricultural machinery – it is illegal – and children under 16 should not operate adult sized ATVs in the farm workplace.

"Where children over 13 are allowed to operate some machinery, this should only be allowed after careful risk assessment, while under close supervision,

and crucially after the child has received appropriate and structured training.”

The ways in which children and adults are killed on farms varies little from year to year. The most common causes of death and major injury in the last decade include being killed by moving vehicles, coming into contact with machinery while it is operating, falling from height, being killed by animals, and being struck by falling objects.

- For simple and practical guidance on assessing the risks on your farm and what you need to do to control them visit: [Agriculture: Risk assessment \(hse.gov.uk\)](https://www.hse.gov.uk/assess/risk/)
- This is also some good guidance on child safety on farms – [Agriculture: Children and public safety \(hse.gov.uk\)](https://www.hse.gov.uk/children/)
- Information on preventing accidents to children on farms can be found here: [Preventing accidents to children on farms INDG472\(rev4\) \(hse.gov.uk\)](https://www.hse.gov.uk/indg472/)
- [Fatal injuries in agriculture, forestry and fishing in Great Britain 2021/2022 \(hse.gov.uk\)](https://www.hse.gov.uk/fatal/)

[Nestle fined after worker suffers injuries at chocolate factory](#)

Nestle has been fined after an employee suffered life-changing injuries at its factory in Newcastle-upon-Tyne.

The incident happened on 30 November 2020 when the man was drawn into a roller mechanism on a conveyor machine.

South Tyneside Magistrates’ Court heard how the maintenance technician was investigating a problem on the conveyor belt of a machine used to make chocolate sweets. While checking the machine, his sleeve was caught in a roller, which dragged his left arm into the machine, trapping it between the roller and a conveyor belt.

A Health and Safety Executive (HSE) investigation into the incident at Nestle’s factory on Rowan Drive, Fawdon, Newcastle-upon-Tyne found that the company had not properly assessed the risk created by the rollers under the conveyor belt and failed to guard the roller, which was a dangerous part.

It was foreseeable that employees would require access to this area and there was a clear risk of injury to employees coming into contact with this roller. Nestle had previously been prosecuted following a similar incident at its Halifax factory.

Nestle UK Ltd of City Place, Gatwick, West Sussex, pleaded guilty to

breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998 and was fined £800,000, ordered to pay costs of £7776.50 and a victim surcharge of £190 at South Tyneside Magistrates' Court on October 19.

After the hearing, HSE inspector William Gilroy said: "This incident could easily have been avoided had Nestle properly reviewed the safety measures on their plant and equipment to ensure that access to dangerous parts was prevented.

"Nestle were aware of this risk following a similar incident at their Halifax plant but failed to take appropriate action."

Notes to Editors:

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. It aims to reduce work-related death, injury and ill health. It does so through research, information and advice, promoting training; new or revised regulations and codes of practice, and working with local authority partners by inspection, investigation and enforcement. hse.gov.uk
2. More about the legislation referred to in this case can be found at: <https://www.hse.gov.uk/simple-health-safety/risk/index.htm>
3. HSE news releases are available at <http://press.hse.gov.uk>

[Worker died after falling into a hot water tank at an industrial cleaning company](#)

A catering equipment cleaning company has been fined £200,000 after a worker died after falling into a tank of hot water.

The man fell through the lid of a tank of hot water heated to 76° centigrade and died a week later in hospital.

It happened on 8 January 2018 when the worker was standing on the lid of a covered tank at Pan Glo (UK) Ltd, in Skelmersdale, Lancashire when it gave way.

He was pulled from the hot water by a colleague and taken to hospital but had sustained 37% burns from which he didn't recover.

An investigation by the Health and Safety Executive (HSE) found that the company Pan Glo (UK) Ltd, previously known as Cleanbake Ltd, had failed to

carry out risk assessments or develop written systems of work for any maintenance to the tank line. There was no instruction about what should or shouldn't be done when access to the restricted rear area was necessary, including whether it was acceptable to walk across the tops and lids of the tanks. This resulted in employees routinely accessing the area in this way, placing themselves at significant risk and which subsequently led to this death.

At Preston Magistrates' Court on October 18, Pan Glo (UK) Ltd of Seddon Place, Skelmersdale, Lancashire pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £200,000 and ordered to pay costs of £14,597.17.

Speaking after the hearing, HSE principal inspector Helen Jones said: "This was a tragic incident, and our thoughts remain with the family involved.

"The death of this man could easily have been prevented had the company acted to identify and manage the risks involved, and to put a safe system of work in place."

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2. More about the legislation referred to in this case can be found at: legislation.gov.uk/
3. More information about working safely at height can be found at <http://www.hse.gov.uk/toolbox/height.htm>
4. HSE news releases are available at <http://press.hse.gov.uk>

[Building Safety Regulator calls on residents to have their say](#)

- The Building Safety Regulator has been established in the Health and Safety Executive, as part of the building safety reforms, following recommendations in the Hackitt review after the Grenfell Tower tragedy.

The Building Safety Act 2022 introduces a more stringent, regulatory regime for England to make sure that residents living in high-rise buildings are safe and feel safe in their homes.

- HSE is putting residents at the heart of building safety as it launches the recruitment of their first ever Statutory Residents' Panel (SRP).

Residents of high-rise buildings in England can now apply to be a part of a Residents' Panel, ensuring their voice is heard during the development and implementation of the new building safety regime.

The Building Safety Act 2022 requires the Building Safety Regulator (BSR) to set up a panel to help the regulator with its work and to help shape policy and guidance. Members will have an important role in helping to decide how the building safety regime will work in the future.

The regulator is looking for twenty people to form the panel. It will be made up of a broad representation of residents from different locations, housing types and demographics.



HSE's Chief Inspector of Buildings, Peter Baker, said: "Residents will be at the heart of the new building safety regime. Setting up the Residents' Panel is an important milestone in the BSR's development. This group of individuals will make sure that residents will have a say on how building safety will be managed in the future, building on the valuable early work undertaken by our Interim Residents' Panel."

The panel will meet up to six times in the first year to give BSR advice on different aspects of its design, policies, and procedures, based on members' real-life experience of living in high-rise properties. There are certain areas where the panel must be consulted by law. The group will also be able to set up smaller working groups to explore relevant, emerging issues.

Peter continued: "Good communication with all high-rise residents is so critical to the success of the BSR and the new regime. We want to make sure residents understand what the reforms mean for them, what their rights are, and what part they will play in the building safety regime in the future. This panel will act as the voice of their community. If you live in a high-

rise building and would like to take part, we want to hear from you.”

Applications close on Friday 18 November 2022. [More information can be found here.](#)