

# Soft furnishings company fined after employee injured by unguarded machinery

A North West company that manufactures soft furnishings has been fined after an employee sustained serious hand injuries whilst working on an automatic duvet rolling machine.

Manchester Magistrates' Court heard that on 13 November 2018, two employees of Azura Soft Furnishings (UK) Limited had been instructed to sew and pack duvets by the company's managing director, Mr Tariq Majid. The machine was being trialled by the company.

One of the employees using the machine was not authorised to operate it or trained in its use. Whilst the employee was using the machine to pack the duvets, he was able to reach into the machine through a gap in the door guard, in order to adjust the duvet being rolled. As he did so he made contact with moving parts inside, sustaining injuries to his right hand, including severing part of his middle finger.

An investigation by the Health and Safety Executive (HSE), found that foil had been placed over the sensors on the sliding perspex door guard, allowing it to be opened during operation, providing operators with a clearer view of the duvet in the machine.

Mr Majid failed to take action when he observed unauthorised use of the machine by the untrained employee and was unaware that the sensors had been overridden despite being present in a supervisory role at the company's premises. The company and its director failed to provide a safe system of work and to recognise the way in which their employees were working. In addition, sufficient training had not been provided to employees.

Azura Soft Furnishings Limited, of Highfield Industrial Estate, West End Street, Oldham, pleaded guilty to breaching section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £13,600 and ordered to pay costs of £17,260

Company director, Tariq Majid, of Oldham, accepted a formal caution with regard to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974.

After the hearing HSE inspector Peter Lennon said: "This injury was entirely preventable and could have been avoided by ensuring checks were carried out on the machine prior to its use. It was important to ensure the sensors were in good working order and that the machine was being operated safely, with a suitable guard in place.

"Adequate supervision should also have been in place to ensure the machine

was not being used by untrained or unauthorised operatives. Directors also have a responsibility to ensure that they recognise the way in which their employees are working and deal with any unsafe working practices.”

#### **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](http://hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/)
3. More information about safe use of work equipment can be found at <http://www.hse.gov.uk/pubns/books/l22.htm>
4. HSE news releases are available at <http://press.hse.gov.uk>

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## **Food manufacturing company fined after worker falls from ladder**

A jam and preserve manufacturer has been prosecuted after a worker sustained multiple fractures after falling from a ladder.

Llandudno Magistrates’ court heard how on the 6 April 2020, a worker was installing a security camera on the outside of The Clarendon Food Company Limited production building in Pwllheli, using an unsecured ladder. The ladder slipped and the worker fell approximately 15ft sustaining multiple fractures to his right arm, left leg, cheekbone and a dislocation of his backbone

An investigation by the Health and Safety Executive (HSE) found the work at height had not been properly planned, and alternative access equipment to allow safe working at height had not been considered. No training had been provided to either the injured party or others in relation to work at height. There was also a failure to ensure effective monitoring of work at height practices to identify any shortcomings in the company’s procedures which had persisted for some time.

The Clarendon Food Company Limited of Bryn, Y Ffor, Pwllheli, Gwynedd pleaded guilty to breaching section 2 of the Health and Safety at Work etc Act 1974. They were fined £40,000 and ordered to pay costs of £5,344.30

Speaking after the hearing, HSE inspector Matthew Pendle said: “Those in control of work at height have a responsibility to properly plan and supervise the work to ensure suitable equipment is selected. They also should

provide the necessary information, instruction and training to workers.

“This incident could have been avoided if it had of been risk assessed, planned and suitable equipment selected, which employees were trained to use safely.”

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## [HSE to prosecute Priory Healthcare Limited](#)

Priory Healthcare Ltd appeared before Westminster Magistrates’ Court today, Wednesday 20 April, and pleaded guilty to failing to discharge a duty under Section 3(1) Health and Safety at Work etc. Act 1974. It’s conviction follows the death of 21-year-old Francesca Whyatt after she was discovered unconscious at The Priory Hospital, Roehampton on 25 September 2013.

An HSE spokesperson said: “We acknowledge this case has been referred to Southwark Crown Court for sentencing and will comment further after this hearing, the date for which is yet to be confirmed.”

Ends

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2. HSE news releases are available at <http://press.hse.gov.uk><sup>[3]</sup>
3. Please see the link below to the page on HSE’s website that is the best guide to doing it the right way

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# North West construction company fined after building collapse

A Manchester construction company was fined after much of a three-bedroom domestic property in Stretford collapsed during a loft conversion and ground floor extension work.

Manchester Magistrates' Court heard that on 4 May 2020, Mughal Construction Limited had been carrying out a loft conversion when it collapsed, causing workers to flee from the site. The building had insufficient temporary supports and workers did not have sufficient skills, knowledge and experience, to carry out the work safely.

An investigation by the Health and Safety Executive (HSE) found that the company had failed to properly plan, manage, and monitor the work. It had failed to provide adequate health and safety measures to prevent the risk of collapse at the property including sufficient measures to ensure it remained safe and stable.

Mughal Construction Limited of Levenshulme Trading Estate, Printworks Lane, Manchester pleaded guilty of breaching Regulations 13(1) and 19(1) of the Construction (Design and Management) Regulations 2015. The company was fined £30,000 and ordered to pay costs of £3,000.

HSE inspector, Phil Redman, said after the hearing: "This was a very serious incident, and it is fortunate nobody was injured as a result of the collapse. Where contractors fail to take suitable and sufficient precautions whilst carrying out structural alterations HSE will take appropriate action including prosecution."

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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/)
  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>
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# Construction company fined after child struck by wall collapse

Gurmit Properties Limited were fined today for safety breaches after a substantial part of a wall at a construction site at Barnsley Road, South Elmsall collapsed, seriously injuring a child.

Leeds Magistrates' Court heard that, Gurmit Properties Limited (GPL) were the owners of the site at Barnsley Road, South Elmsall. The company had previously received a large delivery of aggregate, which was deposited on land next to the construction site. Officials from the local council attended the site and ordered the materials to be removed. GPL then brought the materials back on to their site storing them behind the wall.

On 7th February 2018 an eight-year old child was walking with her mother along Harrow Street, adjacent to GPL's construction site, when she was hit by the collapsing wall. She sustained serious injuries, including crush injuries to her foot which resulted in the amputation of a big toe.

An investigation by the Health and Safety Executive (HSE) found that GPL had not assessed the structural integrity of the wall to ensure it was safe to be used as either a secure boundary for the site or as a retaining wall for storing materials. When the materials were stored against the wall it failed and this led directly to the collapse and the injuries to the child.

GPL were a client and a contractor within the meaning of Construction (Design and Management) Regulations 2015 and failed in their duty to ensure that the wall was either safe for use as a secure site boundary or as a retaining wall for storing materials.

Gurmit Properties Ltd of Albion Street Castleford West Yorkshire pleaded guilty to breaching Section 3 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £22,500 and ordered to pay £11,998.80 in costs.

After the hearing, HSE inspector Chris Tilley commented: " The company should have appointed a competent person to carry out an assessment of the wall at the start of the project to establish whether it was safe to use as a boundary wall and then carried out a similar assessment when the wall was then used as a retaining wall for storing materials.

"This incident could have been avoided by simply carrying out correct control measures and adopting safe working practices.

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

Ends

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4. Please see the link below to the page on HSE's website that is the best guide to doing it the right way:

<https://www.hse.gov.uk/pubns/books/hsg151.htm>