

Construction company fined after worker suffered multiple fractures

Britcon (UK) Ltd have been sentenced for safety breaches after a worker was struck by a falling load from a mechanical excavator.

Leeds Magistrates' Court heard that Britcon (UK) Ltd were appointed as a contractor to construct a surge pit as part of a renewal and refurbishment project at the McCain's Foods (GB) Limited site at Havers Hill in Scarborough. Part of the process involved removing sheet piles from the ground.

An investigation by the Health and Safety Executive (HSE) found that on 21 March 2018, 66-year-old Stephen Gouldthorpe was assisting with cleaning sheet piles as they were removed from the surge pit by a Doosan DX 225 LC3, 360-degree excavator. The excavator had an attachment known as an EMV 300 pile attachment fitted to remove the sheet piles from the ground. The mechanical excavator was removing a seven-metre sheet pile weighing approximately 190 kg to a lay down area when a safety chain slipped causing the pile to fall and strike Mr Gouldthorpe.

He suffered a fractured left tibia and fibula and ankle, a fractured right clavicle, seven fractured ribs, pulmonary contusion and fractured vertebrae.

Britcon (UK) Ltd of Midland Road, Scunthorpe, North Lincolnshire, DN16 1DQ pleaded guilty to breaching Section 3 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £570,000 and ordered to pay £40,054.68 in costs.

After the hearing, HSE inspector Paul Thompson commented: "There was insufficient supervision and communication during the lifting operations. There was no specific exclusion zone in place and workers had to approach the sheet pile to clean it.

"This incident could so easily have been avoided by simply carrying out the correct control measures and safe 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
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>

4. Please see the link below to the page on HSE's website that is the best guide to doing it the right way: [Lifting Operations and Lifting Equipment Regulations 1998 \(LOLER\) – Work equipment and machinery \(hse.gov.uk\)](https://www.hse.gov.uk/lifting/)
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[Contractor fined after employee falls from scaffolding](#)

A shopfitting company has been fined after an employee suffered multiple fractures after falling fifteen feet from scaffolding.

Manchester Magistrates Court heard how on the 24 October 2019, an employee of TA Knox Shopfitters Ltd was working from a tower scaffold at the front of the Footasylum Store in the Trafford Centre, Manchester, when the scaffold moved throwing him off balance. He fell backwards against the safety rail of the scaffold, which gave way and he fell fifteen feet to the ground. The employee suffered ten fractured ribs, a fractured shoulder and a collapsed lung.

An investigation by the Health and Safety Executive (HSE) found that the safety rail had not been fixed in place correctly, causing it to give way when the employee fell against it. It also found that the tower scaffold had not been erected by somebody with the appropriate skills, knowledge and training. If the edge protection been suitable and sufficient and the tower constructed by somebody competent to erect tower scaffolds, the incident could have been prevented.

TA Knox Shopfitters Ltd of Hollingworth Road, Bredbury, Stockport pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £18,000 and ordered to pay costs of £4,623.

Speaking after the hearing, HSE inspector Seve Gomez-Aspron said: "Falls from height remain one of the most common causes of work-related fatalities and severe injuries in this country. The risks associated with work at height are well known. This incident could so easily have been avoided by ensuring that suitable and sufficient edge protection had been used and qualified people had been on site to erect a tower scaffold."

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2. More about the legislation referred to in this case can be found at: [Construction – Scaffold tower – Scaffolding industry health & safety \(hse.gov.uk\)](https://www.hse.gov.uk/construction-scaffold-tower/)

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

[Doncaster engineering company fined after worker diagnosed with occupational asthma](#)

Lantern Engineering Ltd was sentenced for health breaches after workers were exposed to metal working fluid (MWF). MWF is hazardous to health, and exposure can cause health conditions including irritation of the skin/dermatitis, occupational asthma, bronchitis and irritation of the upper respiratory tract.

Sheffield Magistrates' Court heard that, in February 2016 a visit was conducted by the Health and Safety Executive (HSE) and enforcement taken requiring the company to provide health surveillance and manage MWF. In September 2016 an employee was diagnosed with occupational asthma. Further enforcement was taken in December 2016 with an Improvement Notice issued to develop a system for managing MWF.

An investigation by HSE found that a water mix MWF was in use in the majority of machines including saws, machine centres and milling machines. None of these machines had local exhaust ventilation (LEV) and some door seals were observed to be in poor condition. The MWF sumps to some machines were in visibly poor condition, with fines, swarf and/or tramp oil being present.

Lantern Engineering Ltd of Globe Court, Denby, Doncaster South Yorkshire pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £15,000 and ordered to pay £7,500 in costs.

After the hearing, HSE inspector Laura Hunter commented: "The company's failure to manage MWF exposed employees to risk.

"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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- by globally recognised scientific expertise. hse.gov.uk^[1]
2. More about the legislation referred to in this case can be found at: legislation.gov.uk/^[2]
 3. HSE news releases are available at <http://press.hse.gov.uk>^[3]
 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/metalworking/about.htm>

[Self-builder receives suspended prison sentence after worker suffers fatal injuries](#)

A man building a detached property for himself and his family has been fined after a roofer fell whilst working on the roof, sustaining serious injuries from which he later died.

Manchester Magistrates Court heard how Tony Geldart, a 63-year-old father of two, was employed by Roy Staunton to carry out roof work on his self-build detached domestic property in Hale, Greater Manchester. On 18 July 2017, Mr Geldart fell 2.6 metres from the roof which had no fall protection measures in place. He sustained serious neck & head injuries from which he died three days later in hospital.

An investigation by the Health & Safety Executive (HSE) found that Roy Staunton was responsible for removing some of the scaffolding himself despite not being competent to do so. He did not replace any means of fall protection and failed to ensure that working from height was carried out in a safe manner.

Mr Roy Staunton of Egerton Drive, Hale, Greater Manchester pleaded guilty to breaching of Regulation 4 (1) of the Working at Height Regulations 2005 and was sentenced to eight months imprisonment suspended for two years and ordered to pay costs of £16,529.46

After the hearing HSE inspector Phil Redman said: "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. This tragic incident was preventable by having suitable fall protection in place"

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[Kitchen manufacturing company fined after worker injured by machinery](#)

Kitchen manufacturing company Omega PLC were sentenced for safety breaches after a worker severely injured their finger in unguarded machinery.

Sheffield Magistrates' Court heard that on 8 May 2018, the worker was processing wood panels on an edge-banding machine at a kitchen unit manufacturing factory in Doncaster. A panel became stuck in the process. When the worker accessed the inner part of the machine to clear the blockage, his hand entered the milling block area, which caused a severe laceration to the middle finger on the left hand resulting in amputation.

An investigation by the Health and Safety Executive (HSE) found that the machine was inadequately guarded at the front. It found that employees would climb onto the machine bed from the unguarded front and were able to access the area of danger when carrying out activities such as routine maintenance and to clear blockages.

Omega PLC of Omega Boulevard, Capitol Park, Thorne, Doncaster pleaded guilty to breaching Regulation 11 (1) of the Provision and Use of Work Equipment Regulations 1998. The company were fined £50,000 and ordered to pay £6,000 in costs.

Speaking after the hearing, HSE inspector Anuja Mistry-Raval said: "Employers should make sure they properly assess and apply effective control measures to minimise the risk from dangerous parts of machinery.

"This incident could so easily have been avoided by implementing correct control measures and ensuring that safe working practices were followed."

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<https://www.hse.gov.uk/pubns/wis27.pdf>