

Tree surgeon fined after 16-year-old employee sustains life-changing injuries

A self-employed tree surgeon has been fined after a 16-year-old employee suffered serious injuries following a chainsaw incident.

Glasgow Sheriff Court heard how on 19 March 2018, at a domestic property in Glasgow, self-employed Dominic Di Pasquale, trading as Treetops Tree Surgeons, was using a chainsaw to fell trees and then remove the branches, while his employee collected the sections. As Mr Di Pasquale began to remove one of the branches, the young worker attempted to pick it up, unaware that it was still attached to the felled tree, the chainsaw jammed, pulling the employee's right arm into the blade. The 16-year-old sustained a partial amputation of his index finger and deep lacerations to his dominant hand, requiring multiple operations over a three-year period. These life changing injuries have left him permanently disfigured.

An investigation by the Health and Safety Executive (HSE) found that Mr Di Pasquale failed to provide a safe system of work which ensured chainsaw operators maintained safe working distances from other employees, to prevent them coming into contact with the blade. In addition, employees were not adequately trained or supervised when carrying out work with chainsaws.

Dominic Di Pasquale of Motherwell pleaded guilty to breaching Section 2(1) of Health and Safety at Work etc Act 1974 and has been fined £10,000.

Speaking after the hearing, HSE inspector Kim Ross said: "This incident was entirely preventable; the risks from working with chainsaws are well known. Employers have a responsibility to devise safe methods of working and to provide their employees with the appropriate information, instruction and training.

"This case particularly highlights the importance of protecting young workers who may be less familiar with risks in the workplace. HSE will not hesitate to take appropriate enforcement action, especially when young people are put at risk."

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

2. More about the legislation referred to in this case can be found at:

www.legislation.gov.uk/

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

4. For more information on working safely with vehicles at work, please visit:
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[Employees sustain serious burns in explosion at vehicle servicing centre](#)

A commercial vehicle servicing and repair company has been fined after two workers suffered serious burns when flammable brake cleaning fluid ignited causing a fire.

Birmingham Magistrates’ Court heard how on 27 March 2020 two employees used brake cleaning fluid to clean the grease from the walls of a vehicle inspection pit in the workshop. Shortly after they had finished cleaning the walls there was a loud bang and the entire wall of the pit where the brake cleaner had been applied became engulfed in flames. One employee managed to get out of the pit and ran to help his colleague whose clothing had caught fire, pulling him out of the pit and extinguishing the flames. Both employees received burns to their hands and legs. One sustained 60 per cent burns and had to undergo an emergency surgical procedure to relieve the pressure from the swelling which involved cutting either side of his shins on both legs and his left knuckle going down to his wrist. He subsequently underwent five skin graft operations on his left hand and both legs and spent six weeks in hospital.

An investigation by the Health and Safety Executive (HSE) into the incident, which occurred at STA Vehicle Centres Ltd in Starley Way, Birmingham, found

that the company failed to carry out a risk assessment to consider whether it was possible to eliminate or reduce the risk. They had not considered replacing the dangerous substance with another non-flammable substance or using a different work process. Jet-washing, a safe alternative, was already in use at the company's other site.

The employees were not aware of the increased risks associated with using flammable fluid in a poorly ventilated area nor the need for appropriate personal protective equipment (PPE) to be worn.

STA Vehicle Centres Limited of Halesfield 22, Telford pleaded guilty to breaching Section 6 (1) of the Dangerous Substances and Explosive Atmospheres Regulations 2002. They were fined £28,000 and ordered to pay costs of £926.17.

Speaking after the hearing, HSE inspector Charlotte Cunniffe said "Employers should ensure flammable materials are used appropriately and provide training for employees in their correct use. This incident could have easily been prevented."

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3. HSE news releases are available at <http://press.hse.gov.uk>
4. Further information about health and safety in motor vehicle repair and working with dangerous substances can be found at: https://www.hse.gov.uk/foi/internalops/ocs/800-899/803_71/803_71id.htm

Food manufacturing company fined after worker severs finger

A company based in Newthorpe, Nottinghamshire, which manufactures meat, pasta, alcohol, oil and meatless foods, has been fined after an employee sustained a serious injury to his fingers.

Nottinghamshire Magistrate's Court heard how, on 29 September 2020, a worker's left middle, ring and little fingers were severed from his hand while he was feeding pasta into a pasta cutting machine.

The New Product Development Department of Giorgio's Continental Limited, (GCL) were trialling the production of a new shape of pasta. The trial involved the pasta being prepared to shape using a DL pasta cutting machine, followed by employees hand-rolling it into the finished product.

It was identified that the company's pasta machine was not compatible with the new shape of pasta because the existing die from the pasta machine would have partitioned the pasta – a process which was not required on the trial product.

Prior to the incident, the die was removed from the machine which then exposed the cutting blades. It was suggested that the company continued with the trial using a temporary guard, which was a sheet of metal taped to the machine.

When the trial began the employee who was subsequently injured, was seen working at the machine with the cutting blades exposed.

He was also observed feeding the pasta into the machine and at one point his fingers made contact with the exposed cutting blades causing the injury.

An investigation by the Health and Safety Executive (HSE) found that GCL failed to ensure that effective measures were taken to prevent access to dangerous parts of machinery as the guard was removed and the interlocking protection device was defeated. A product trail was initiated, but there was no assessment or planning at a management level on how the trial could be completed safely. Ensuring the proper guard remained in place would have prevented this accident.

Giorgio's Continental Limited of Dunsil Road, Moorgreen Business Park, Newthorpe, Nottingham pleaded guilty to breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998 in that it failed to ensure that measures were taken which were effective to prevent access to a dangerous part of machinery. The company was fined £33,000 and ordered to pay costs of £1938.40.

Speaking after the hearing, HSE inspector Leigh Stanley said: "This incident could so easily have been avoided by simply carrying out correct control measures and 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."

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