

# [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."

## 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](http://www.hse.gov.uk)
  2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
  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/pubns/wis27.pdf>
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# Company fined after employee's hand injured in machinery

Harbro Limited has been fined after an employee's hand became entangled in a 'Superbruiser' mixing machine.

Banff Sheriff Court heard that on 2 November 2018, at Harbro's Rosehall Depot, Turriff, Aberdeenshire, an employee put his right arm through the inspection hatch of the Superbruiser to feel along the edge of the rotating roller for embedded metal. The glove came off his hand which was caught between two rollers. The employee sustained crush injuries to his second, third and fourth fingers. Consequently, his middle finger was partially amputated and he was unable to work for approximately two and a half months.

An investigation by the Health and Safety Executive (HSE) found that Harbro Limited had failed to provide fixed or moveable guarding on the inspection hatch of the Superbruiser. This would have significantly reduced the risk of a machine operator reaching into the machine while the rollers were rotating.

Harbro Limited of 1 Markethill Road, Turriff AB53 4PA, pleaded guilty to breaching The Provision and Use of Work Equipment Regulations 1998, Regulations 11(1) and (2) and the Health and Safety at Work etc. Act 1974, Section 33(1)(c) and was fined a total of £12,000.

After the hearing, HSE inspector, Simon Dunford said: "This injury was easily preventable and the risk should have been identified.

"Employers should make sure they properly assess and apply effective control measures to minimise the risk from dangerous parts of machinery. The risks of undertaking such work are well known in the industry and it is disappointing that a safe system of work was not followed in this case."

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# Care provider fined for failing to manage risk of service user

The Action Group, who provides support to children and adults, has been fined £20,000 after HSE investigated how risks to staff were assessed, in the wake of an attack on an employee by one of its service users.

Edinburgh Sheriff Court heard that a female employee of the Action Group was abducted, assaulted, sexually assaulted and raped in 2018 while visiting the home of a male service user to provide support and care.

An investigation by the Health and Safety Executive (HSE), prompted by the police's investigation into the attack, found that the Action Group failed to carry out a suitable and sufficient assessment of the risks to the safety of their female employees posed by this service user. This was despite evidence indicating that concerns had been raised by support staff about their safety with this service user from as early as 1994.

The Action Group of North Park Centre, Albion Road, Edinburgh pleaded guilty to breaching Sections 2(1) and 33(1)(c) of The Health and Safety at Work etc Act 1974 and Regulation 3(1)(a) of The Management of Health and Safety at Work Regulations 1999. The group was fined £20,000.

Speaking after the hearing, HSE inspector Kerry Cringan said: "This was a harrowing case for all involved and could have been avoided by carrying out a suitable assessment of the risks, particularly those posed to female members of staff. If this had been done, appropriate control measures and safe working practices could have been put in place that would have protected their staff and prevented this incident."

A separate prosecution against the individual led by Police Scotland and The Crown Office and Procurator Fiscal Service (COPFS) was completed in 2019.

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# UPVC manufacturer fined after worker suffered life changing injuries

UPVC manufacturer Solarframe Limited was sentenced for safety breaches after a machine operative was crushed under falling materials.

Sheffield Magistrates' Court heard that on 19 July 2017, an agency worker was assisting the driver of a forklift truck (FLT) in cataloguing and sorting UPVC materials that were stored on long metal frames called 'stillages', which in turn were stacked on top of one another on top of a wheeled dolly. The FLT was being used to pull out the dollies and stacks and lift each individual stillage down so the contents could be inspected and tidied at the yard in Fields End Industrial Park, Rotherham.

The FLT driver began to restack the completed stillages onto a pile on the dolly, when the tips of the FLT forks protruded beyond the dolly and caught underneath the stillages stacked behind it. The stillages became unbalanced and fell on to a 56-year-old worker who was in the yard looking for materials.

He sustained a double broken pelvis, a broken and dislocated left arm, broken ribs left and right side, punctured lung, broken scapula, double broken clavicle, double fractured jaw, fractured cheekbone which involved the eye socket, and two trapped vertebrae in the back of his neck. He was kept in an induced coma for three weeks following the incident.

A HSE investigation found that the company had failed to carry out a suitable and sufficient risk assessment, which identified the risk of lifting equipment making contact with other items located nearby. The FLT in use was too large for the planned activity and the height of the stillages was too great, which presented a danger of them becoming unbalanced. Measures should also have been taken to segregate pedestrians from moving vehicles at the site.

Solarframe Limited of Davey Road, Fields End Industrial Park, Thurnscoe, Rotherham, South Yorkshire pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company was fined £30,000 and ordered to pay costs of £5,346.

Speaking after the hearing, HSE inspector Jane Fox said: “The worker’s injuries were life changing and he could have easily been killed. This serious incident could so easily have been avoided if basic safeguards had been put in place.

“Assessing the risks involved in work activities allows businesses to foresee what might occur. It is then straightforward to implement simple control measures and safe working practices.”

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