

Company fined after worker crushed at coal face

Mining company, Three D's Mining Ltd has been fined for safety breaches following a fall of ground on the NW9 coal face at Dan-y-Graig No 4 colliery located near the village of Crynant, South Wales.

Swansea Crown Court heard that, on 15 November 2017, two workers were preparing the roof for the erection of supports with the use of a pneumatic chisel when 0.6 tonne of stone fell from the roof and hit one of the workers on his back. He suffered significant crush injuries, large pelvic haematoma and a three spinal fractures.

An investigation by the Health and Safety Executive (HSE) found that the company had not carried out an assessment of the strength of the timber. The 24mm timber used to support the roof was not strong enough. The timber was not industry standard half rounds or split bars which are 65mm thick.

Three D's Mining Ltd Dan-y-Graig No 4 Colliery, Neath Road, Crynant, Neath were found guilty of breaching Section 2 (1) and Section 3 (1) of the Health & Safety at Work etc Act 1974. Also, Regulation 3 (1) of the Management of Health and Safety Regulations 1999.

The company has been fined £100,000 payable over four years. Costs were not awarded as the company is entering administration.

Speaking after the hearing, HSE Principal inspector Adrian Taylor said: "Small coal operators should follow industry guidance on the use of support material on small coal faces. Any changes should be fully assessed to check suitability.

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



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)^[1]

2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](https://www.legislation.gov.uk/)^[2]

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

[Good ventilation in the workplace can help reduce the spread of coronavirus](#)

As more people return to the workplace, the Health and Safety Executive (HSE) is stressing the importance of good ventilation to support businesses minimise the risk of coronavirus.

Alongside cleaning, hygiene and handwashing, good ventilation is one of the best ways to reduce the spread of coronavirus in the workplace as it reduces the amount of virus in the air helping protect workers and their families.

As coronavirus spreads through the air, the virus can build up in poorly ventilated areas which increases the risk of infection and it is a legal requirement that employers must make sure there's an adequate supply of fresh air (ventilation) in enclosed areas of the workplace.

HSE's updated [guidance](#) looks at how to identify poorly ventilated areas, the use of carbon dioxide (CO2) monitors, how to improve natural and mechanical ventilation, balancing ventilation with keeping warm and ventilation in vehicles.

Maximising the fresh air in a space can be done by:

- [natural ventilation](#) which relies on passive air flow through windows, doors and air vents that can be fully or partially opened
- [mechanical ventilation](#) using fans and ducts to bring in fresh air from outside, or
- a combination of natural and mechanical ventilation

Dr Alexander Tsavalos, HSE's Head of COVID Sector Policy, said: "As more and more people return to their place of work, employers and workers need to continue to work safely to keep coronavirus at bay and this includes having good ventilation systems in place.

"Ventilation helps reduce how much virus is in the air. It helps reduce the risk from aerosol transmission, when someone breathes in small particles

(aerosols) in the air after a person with the virus has been in the same enclosed area.

“You can improve natural ventilation in the workplace by doing simple things like opening windows and doors and can improve mechanical ventilation by understanding how your systems work and by making sure they’re working properly.

“The use of CO2 monitors in the workplace can also help. Although CO2 levels are not a direct measure of possible exposure to COVID-19, checking levels using a monitor can help you identify poorly ventilated areas.

“Updated guidance on ventilation in the workplace is available on our website which will help more and more businesses operate in a safe environment while protecting their workers. Covid-19 isn’t going away and complacency isn’t an option.

“Good ventilation should be considered alongside other control measures needed to reduce risks of transmission as part of working safely, such as updating your risk assessment, keeping your workplace clean and frequent handwashing.”

Managing Covid risks in the workplace is everyone’s responsibility and workplace risk assessments need to include how your premises is ventilated and fresh air is brought into your building, along with other control measures, including cleaning, hygiene and handwashing.

To support businesses in understanding the working safely guidance and how to implement Covid measures, the Health and Safety Executive is continuing to carry out spot checks and inspections by calling, visiting and inspecting all types of businesses.

The spot check programme provides expert advice during the calls and visits, advising businesses on how to manage risk and protect workers, customers and visitors. We are also working closely with local authorities, assisting them in the sectors they regulate such as hospitality and retail.

Please ensure your workplace is [working safely](#) by following the latest guidance. The updated information on [ventilation](#) is available on our website.

/Ends

Media

[Ventilation Video](#)

Notes to editor

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2. HSE news releases are available at <https://press.hse.gov.uk>
3. For HSE's working safely guidance see <https://www.hse.gov.uk/coronavirus/working-safely/index.htm>

[Expansion of the 'grey fleet', gig economy and new technology prompts Health and Safety update on driving and riding for work](#)

The Health and Safety Executive (HSE), working in partnership with the Department for Transport (DfT), has published updated [guidance on work-related road risk](#) (WRRR) for employers and workers today (7 September 2021). The gig economy and the increasing use of personal vehicles for work purposes – the so-called 'grey fleet' – has created some confusion over where responsibility for legal compliance lies, says the regulator.

Driving for work is likely to be the most dangerous activity most workers will ever undertake.

- Every week there are around 200 deaths and serious injuries involving people using the road for work
- It is estimated that 40,000 people working in occupations such as sales, deliveries or taxi-driving are involved in road traffic collisions every year
- Company car drivers in the UK are 49% more likely to be involved in traffic collisions, even after correcting for demographic variables and their relatively high mileages
- Countless other will suffer stress, anxiety and/or minor injuries from unreported incidents.

HM Inspector for HSE's Transport and Public Services Unit, Nicola Jaynes, commented:

"The Health and Safety at Work Act sets out the legal duties of employers and those engaged to work for them, their responsibilities to manage WRRR are nothing new. However, the landscape is changing and we wanted to ensure guidance reflects these changes and also remains relevant for years to come.

"Companies who otherwise have robust health and safety policies sometimes fail to consider their responsibilities adequately when it comes to driving or riding for work. Everyone should come home from work safe and well,

whether they're working behind a desk or behind the wheel."

Prosecutions could lead to significant fines and custodial sentences, as well as driving bans and/or operator licences being revoked. In 2020, a company found guilty of failing to effectively manage fatigue for their employees driving for work, was fined £450,000 and ordered to pay £30,000 costs after two men lost their lives in a motorway collision.

All drivers and riders have an individual responsibility for their driving behaviour under road traffics laws. However, when driving for work, the organisation they work for has legal responsibility for their employees' health and safety. For example, ensuring employees do not drive an excessive number of hours and checking their vehicle is properly maintained, even if it belongs to the employee. The regulations apply to all workers including those using two-wheeled vehicles, such as motorcycles, scooters and ebikes.

The updated guidance is informed by HSE research which included a literature review, survey and interviews with those working in the sector.

Nicola Jaynes added:

"The shocking number of injuries and fatalities associated with driving for work demonstrates that more needs to be done to manage WRRR. This updated guidance will give employers the guidance they need to ensure the safety and wellbeing of their drivers and riders. Organisations with a positive safety culture and clear, well managed policies for driving and riding for work can have a significant influence keeping our roads safe for everybody."

Editor's notes

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. HSE and the Department for Transport have worked with stakeholders to create new '[Driving and riding safely for work](#)' This replaces INDG382 Driving for Work guidance. There is clear, simple guidance:
 - for employers and those who engage drivers and riders on how to make sure the journey, driver and vehicle are safe
 - for workers and those who drive and ride for work on their responsibilities.

In recent years there have been significant developments in vehicle driving and monitoring technologies, employment status and driving practices. The new webpages explain the responsibilities of anyone who engages workers to drive or ride for work, whether in an HGV, van, car or on a two-wheeled vehicle. The guidance covers health and wellbeing as well as safety.

Food manufacturer fined after workers are exposed to sulphur dioxide

A food manufacturing company, based in Holbeach Lincolnshire, has been fined after employees were exposed to sulphur dioxide (SO₂) gas released as a result of poor planning and unsafe systems of work during the commissioning and operation of a new potato processing line.

Lincoln Magistrates' Court heard that AH Worth Ltd (formerly known as QV Foods Ltd) purchased a new potato processing line in 2018. The purchased line dipped the cut potatoes into a substance (Microsoak) to prevent them browning. The purchase, installation and commissioning work was poorly planned. During commissioning, the Microsoak gave off sulphur dioxide gas that affected workers in the packhouse. The company made modifications to the line to attempt to cure the problem, but it caused the nozzles on the line to repeatedly block up and more sulphur dioxide to be given off. A maintenance engineer attempting to unblock the nozzles on the 11 June 2018 was badly exposed to the sulphur dioxide. The factory had to be evacuated and other workers in the vicinity were also affected. The maintenance engineer and another worker were so badly affected that they were not able to return to work due to the effects of the gas on their lungs.

An investigation carried out by the Health and Safety Executive (HSE) found that the work should have been properly planned mindful of the risks involved. There should have been adequate flows of information between QV Foods Ltd and the contractors involved. Commissioning should have been properly planned. When they started to have problems, they should have stopped and properly evaluated the solutions before going ahead and modifying the line. The maintenance workers and those on the line should have been provided with adequate information, instruction and training about the new line and what to do. There should have been a safe system of work in place for unblocking the nozzles and the workers should have been provided with additional PPE.

AH Worth Ltd of Manor Farm Holbeach Hurn, Spalding, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 in that it failed to ensure, so far as was reasonably practicable, the health and safety at work of its employees. The company were fined £300,000 and ordered to pay costs of £9924.90 with a victim surcharge of £170.

Speaking after the hearing HSE inspector Mr Martin Giles said: "This was a tragic and wholly avoidable incident, caused by the failure of the company to plan properly for the introduction of new plant and equipment. It made alterations to the new plant without adequate thought and planning, failed to implement safe systems of work and failed to react adequately when things started to go wrong".

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 2. At the time of the incident in June 2018 the company was known as QV Foods Ltd, but in 2019 I changed its name to AH Worth Ltd
 3. More about the legislation referred to in this case can be found at: legislation.gov.uk/
 4. HSE news releases are available at <http://press.hse.gov.uk>
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[An installer of fire suppression systems and a manufacturer of alcoholic drinks fined after an employee was crushed by machinery](#)

An employee of Fire Protection Group (FPG) was working at Chivas Brothers Limited (CBL) premises when he was crushed and trapped in a Kardex Remstar Shuttle XP500 machine.

Dumbarton Sheriff Court heard that on 22 February 2017, a fire alarm engineer, employed by FPG, was undertaking a visual inspection of fire suppression systems at CBL's bottling plant in Kilmalid, Dumbarton. Side panels that act as fixed guards preventing access to dangerous moving parts inside of the machines were removed so that the FPG employee could gain access inside to carry out the inspections. Only part of the machine was isolated from power sources. The FPG employee was crushed and trapped when the extractor device of the machine was activated. He sustained crushing injuries to his right side.

An investigation by the Health and Safety Executive (HSE) found that both FPG and CBL had duties to ensure that there was an appropriate exchange of important health and safety information in advance of, and during, the work activity. They failed to ensure that all the systems were isolated before removing the covers.

Fire Protection Group of 28 Mill Road Industrial Estate, Linlithgow pleaded guilty to breaching the Health and Safety at Work etc Act 1974, Section 2(1), 2(2)(a) and (c) and was fined £50,000.

Chivas Brothers Limited of Kilmalid, Stirling Road, Dumbarton pleaded guilty

to breaching the Health and Safety at Work etc Act 1974, Section 31 and 33(1)(a) and was fined £50,000.

After the hearing, HSE inspector, Mac Young, said: "This injury was easily preventable. The risk should have been identified. Employers should make sure they properly assess and apply effective control measures, such as permits to work when machinery is safely isolated, to minimise the risk from dangerous parts of machinery."

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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. For more information on working safely with vehicles at work, please visit: <https://www.hse.gov.uk/workplacetransport/>