

# Manufacturing company fined as worker suffers six bone fractures

A manufacturing company has been fined after an employee broke his arm while operating machinery at its site in Warwickshire.

Andrew Elson, from Rugby, suffered multiple fractures to the ulna and radius bones in his right arm while working at Screening Consultancy and Supplies Ltd on 25 November 2022.



1. The radial arm drill that caused Andrew Elson's injuries

The 54-year-old had been clearing debris off the bed of a radial arm drill at the firm's site on Somers Road in Rugby, when his right hand became entangled in the machine.

This led to Mr Elson sustaining six different bone fractures in his right hand and arm, that required surgery.



2. An X-ray of Andrew Elson's hand showing his hand and arm fractures

He said: "I totally lost my independence for around two months and my wife had to do everything.

"I don't know what the future holds. I work a manual job with my hands, I don't know how long I can continue to do this for.

"I still have trouble using my hands and fingers, and sometimes I wake up and they are stiff, numb, and achy."

An investigation by the Health and Safety Executive (HSE) found Screening Consultancy and Supplies Ltd had failed to undertake a suitable and sufficient assessment of the risk associated with this work activity, and subsequently failed to implement a safe system of work.



3. Andrew Elson sustained six different bone fractures to his right hand and arm

HSE guidance can be found at: [Health and safety in engineering workshops – HSG129 \(hse.gov.uk\)](https://www.hse.gov.uk/hsg129/).

Screening Consultancy and Supplies Ltd, of Somers Road, Rugby, Warwickshire, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £28,000 and ordered to pay costs of £3,616 at Birmingham Magistrates' Court on 19 September 2024.

HSE inspector Charlie Rowe said: "This prosecution highlights how employers should adequately assess the risks and then ensure they have a safe system of work in place for the operation of all machinery."

This prosecution was brought by HSE enforcement lawyer Chloe Ward and Neenu Bains, and supported by paralegal officer Melissa Wardle.

**Notes to editors:**

1. [The Health and Safety Executive](#) (HSE) is Britain's national regulator for workplace health and safety. We are dedicated to protecting people and places, and helping everyone lead safer and healthier lives.
  2. More information about the [legislation](#) referred to in this case is available.
  3. Further details on the latest [HSE news releases](#) is available.
  4. HSE does not pass sentences, set guidelines or collect any fines imposed. Relevant sentencing guidelines must be followed unless the court is satisfied that it would be contrary to the interests of justice to do so. The sentencing guidelines for health and safety offences can be found [here](#).
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## **Company fined after 'loving' grandad dies from fall**

A grandfather died after falling through a hole in his own bathroom that had been left by workers.

Kenneth Armitage landed on the kitchen floor below, in an incident his daughter Suzy said "should never have happened."

The bathroom in Mr Armitage's house on Whitestone Drive in Huntington, York had been getting converted into a wet room by the construction company Cooper and Westgate.

The company had removed the room's floorboards as it accessed pipework, but left an unguarded hole in the floor on 8 February 2019.



Cooper and Westgate had removed the room's floorboards, but left an unguarded hole in the floor

The 81-year-old later fell through the hole and was found dead by his son-in-law the following evening on 9 February.

A Health and Safety Executive (HSE) investigation found Cooper and Westgate failed to adequately secure the hole as its employees were not properly trained. The company had also failed to undertake a suitable and sufficient risk assessment, nor a method statement for the work involved.



Kenneth Armitage

HSE guidance can be found at: [Working at height: A brief guide \(hse.gov.uk\)](https://www.hse.gov.uk/working-at-height/)

Kenneth's daughter, Suzy, said: "Our dad, who was sadly taken away from us, was everything to us. He was the kindest person you could ever meet.

"He was a fantastic dad to me, my brother and a loving grandad to all our children.

"I can't believe he has gone, I keep thinking it's a horrible nightmare and I will wake up and he'll be there. Our hearts were broken that day and may never heal. It should have never happened.

"We are all still struggling to come to terms with losing him."

Cooper and Westgate Co. Ltd, of Navigation Court, Calder Park, Wakefield, West Yorkshire was found guilty of breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £150,000 and ordered to pay £50,000 in costs at Leeds Magistrates' Court on 17 September 2024.

HM inspector of health and safety Yolande Burns-Sleightholme, of HSE, said: "Employers need to fully assess and control the risks from work at height, caused by creating holes in domestic properties and recognise the importance of securing them effectively. They should then pass this knowledge on to their employees through suitable training and guidance.

“This incident could so easily have been avoided had Cooper & Westgate properly assessed the risks, put in place safe working practices and provided the correct training to its employees.”

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## [Construction firm fined as worker loses life and another injured](#)

A company has been sentenced after a 62-year-old worker fell 10 metres to the ground and died during the construction of a new university facility.

The Health and Safety Executive (HSE) investigated the fall and subsequently prosecuted Balfour Beatty, with the firm fined £285,000 on Monday 16 September.

Igor Malka and a second contractor, Edmund Vispulskis, had been in a scissor lift while installing cladding during the construction of a new engineering hall at the University of Birmingham on 7 January 2020.

The pair, from Lithuania, fell approximately 10 metres when their scissor lift was pushed over by a nearby crane.

This led to Mr Malka losing his life while Mr Vispulskis sustained injuries to his spine and broken ribs, before spending seven weeks in a neck brace. Mr Vispulskis also required pins to be inserted in his pelvis and thigh.

Balfour Beatty had been the principal contractor while the National Buried Infrastructure Facility was being built at the university.



The incident occurred during the construction of a new facility at the University of Birmingham

The crane was being used to move hydraulic equipment that had been delivered by a lorry. The equipment was set to be installed at the facility.

The HSE investigation found the incident could have been prevented had Balfour Beatty implemented better controls and put in place better communication between contractors. There were contractors at the site that were moving the hydraulic units into place with the overhead travelling gantry crane, and another team who were installing internal cladding. Balfour Beatty, as principal contractor on site, had a duty to ensure communication and co-operation between these contractors. There was also no lift supervisor present at the time of the incident.



The incident occurred during the construction of a new facility at the University of Birmingham

The University of Birmingham was not prosecuted by HSE.

HSE guidance can be found at [Lifting Operations and Lifting Equipment Regulations \(LOLER\) \(hse.gov.uk\)](https://www.hse.gov.uk/lifting-operations-and-lifting-equipment-regulations-loler/)

Balfour Beatty, of Churchill Place, Canary Wharf, London, pleaded guilty to breaching Regulation 8(1) of the Lifting Operations and Lifting Equipment Regulations 1998. The company was fined £285,000 and ordered to pay £21,768.88 in costs at Birmingham Crown Court on 16 September 2024.

HSE inspector Gareth Langston said: “This was a tragic incident that led to the death of a worker with another being seriously injured and still experiencing difficulties today as a result.

“Lifting operations must be properly controlled – they must be planned, with plans adhered to.”

This HSE prosecution was brought by HSE enforcement lawyer Andy Siddall and supported by HSE paralegal officer Helen Jacob.

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## **HSE to prosecute Snowdome Limited**

Twelve-year-old Louis Watkiss died after an accident at the Snowdome at Tamworth on 24 September 2021.

After an initial joint investigation with Staffordshire Police, HSE can now confirm Snowdome Limited has been charged with breaching section 3 of Health and Safety at Work etc. Act 1974.

The case is listed for a first hearing at Telford Magistrates Court on 9 October 2024.

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