

# Confectionery firm fined after worker is injured in fall

A Scottish confectionery and meringue manufacturer has been fined £5,000 after a worker was badly injured in a fall from a forklift truck.

The employee of Lees of Scotland Limited was hurt while helping unload a delivery of equipment from a lorry using a forklift truck in the yard of the company's Coatbridge site on June 4, 2019.

The man had been asked to get on the forklift truck to try to help it stay upright because it couldn't lift the load.

The employee fell from the forklift truck, resulting in a broken arm, cuts to his head and muscle damage to his back. He was off work for more than four weeks, before returning on light duties.

An investigation by the Health and Safety Executive (HSE) found that Lees of Scotland Limited had failed to make a suitable and sufficient assessment of the risks arising from a lifting operation undertaken by employees.

This involved the unloading of a lorry using a forklift truck which was not capable of lifting the weight of the loads.

Lees of Scotland Limited, North Caldeen Road, Coatbridge pleaded guilty to breaching Regulations Section 2(1) and Section 33(1)(a) of the Health and Safety at Work Act etc 1974. It was fined £5,000 at Airdrie Sheriff Court on December 13, 2022.

HSE inspector Ashley Fallis 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."

## **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.
2. More information about the [legislation](#) referred to in this case is available.
3. Further details on the latest [HSE news releases](#) is available

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## Cold weather working: Helping staff stay safe and warm

Employers are being reminded of their responsibilities to keep workers safe as cold weather continues to affect large parts of the country.

Great Britain's workplace regulator, the Health and Safety Executive, is stressing the importance of [protecting workers during the cold weather](#). It comes as the Met Office has issued a level three cold weather alert until Thursday December 15 for large areas of the UK.

John Rowe, Head of Operational Strategy, said: "We're calling on all employers to take a sensible approach during the cold weather we are experiencing. There are lots of jobs that will be more difficult in the current conditions. Most employers will recognise this and make appropriate accommodations for their staff. That is the right thing to do.

"It's also important employers ensure staff are working in a reasonable temperature. People working in uncomfortably cold environments are less likely to perform well and more likely to behave unsafely because their ability to make good decisions deteriorates."

Temperatures in indoor workplaces are covered by the Workplace (Health, Safety and Welfare) Regulations 1992, which place a legal obligation on employers to provide a "reasonable" temperature in the workplace.

All employers are expected to ensure indoor workplaces are kept at a reasonable temperature. [The Approved Code of Practice](#) suggests the minimum temperature should normally be at least 16 degrees Celsius. If the work involves rigorous physical effort, the temperature should be at least 13 degrees Celsius.

John Rowe said: "Complying with the code of practice is the right thing for an employer to do. By maintaining a reasonable temperature, employers are likely to maintain the morale and productivity of their staff as well as improving health and safety."

**Ends**

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## One in two motor trade workers

# suffering with mental health and wellbeing

Motor trade organisations have joined forces with the Health and Safety Executive's (HSE) Working Minds campaign to tackle work-related stress in the motor repair trade ahead of Christmas.

Ben, a charity that supports people who work or have worked in the automotive industry, has revealed one in two workers in the automotive sector have struggled with their mental health and wellbeing in the past 12 months, while 50% of those involved in the industry are likely to have been dealing with stress, worry or anxiety, low mood or depression. Ben has also seen a 190% rise in people using their benefits counselling service and accessing their financial guidance.

HSE, together with Working Minds campaign partners Ben, the National Body Repair Association (NBRA), the commercial Vehicle Body Repair Association (VBRA) and the Independent Garage Association (IGA) are promoting how to prevent work-related stress and support good mental health across the sector.

During the winter months, Ben sees an increase in enquiries and cases as many people tend to spend more time indoors and have less interaction with others, negatively impacting their emotional wellbeing. The charity says enquiries also come from people who are suffering with financial issues as they see an increase in their bills, which can also lead to poor mental health.

Ellen Plumer, Head of Outreach, Health and Wellbeing at Ben, said: "Each year thousands of people come to Ben with mental health issues as their primary concern. From results of latest survey of those in the automotive industry, one in two workers have struggled in the past 12 months. Stress is the most common issue, followed by anxiety and poor sleep.

"Work life balance and high workload are the biggest drivers of workplace stress. If it's not addressed and goes on for a long period of time, it can turn into an issue. We know there is a strong link between money worries and mental health.

"If you're struggling with money, then you're likely to be stressed and anxious. It's really important for employers to understand that all areas of a person's life impacts health and wellbeing. Work is a big part of life so it's important to make people feel like they matter, are heard and feel supported."

The latest figures from HSE show there were an estimated 914,000 cases due to work-related stress, depression, or anxiety for workers in Great Britain in 2021/22. That's an 11% rise from the 822,000 cases in 2020/21. An estimated 17 million working days were also lost to work-related stress, depression or anxiety in 2021/22, which covers more than half of all working days lost due to work-related ill health across the same period.

Research from the regulator has also found that those who work in motor vehicle repairs, the wholesale and retail trade, had a significantly higher workplace injury rate in 2021/22 compared to most industries. HSE's Working Minds campaign was launched last year and is aimed specifically at supporting small businesses by providing employers and workers with easy to implement advice and tools to help them recognise and respond to the signs and causes of stress and support good mental health in the workplace. The law requires all employers to protect workers from stress at work by doing a risk assessment and acting on it.

There is an economic benefit to employers supporting staff's mental health. Figures from a [Deloitte report](#) show employers can see a return of £5.30 on average for every £1 invested in mental health, while the total annual cost of poor mental health to employers has increased now by 25% since 2019, costing UK bosses up to £56 billion a year.

Liz Goodwill, Head of the Work Related Stress and Mental Health Policy Team at HSE, said: "We're calling on employers in the automotive industry to ensure that recognising and responding to the signs of stress becomes as routine, as managing workplace safety. Bosses in the automotive industry should hold regular catch-ups with workers and their teams."

"Working Minds helps employers to follow 5 simple steps based on risk assessment. They are to **Reach out** and have conversations, **Recognise** the signs and causes of stress, **Respond** to any risks you've identified, **Reflect** on actions you've agreed and taken, and make it **Routine**. It needs to become the norm to talk about stress and how people are feeling and coping at work."

Guidance, risk assessment templates and talking toolkits to help employers spot the signs of work-related stress and prevent issues before they become a problem, can be found through HSE's Working Minds campaign: <https://workright.campaign.gov.uk/campaigns/working-minds/>

To find out more information about Ben and to access their services visit: <https://ben.org.uk/> or call their helpline on 08081 311 333.

## 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)
  2. HSE news releases are available at <http://press.hse.gov.uk>
  3. To read more about HSE's Working Minds campaign click here: <https://workright.campaign.gov.uk/campaigns/working-minds/>
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# Fire authority fined after firefighter breaks both legs

A fire authority has been fined after a firefighter was trapped underneath a car in a training exercise, breaking his legs in more than a dozen places.

The firefighter was setting up a simulated road traffic collision with colleagues at Stockton Fire Station, South Road, Stockton on Tees on October 19 2020 when the incident happened.

The crew had attempted to put a car on its side to perform a 'roof flap' procedure in which the roof structure is removed to allow greater access.

Hydraulic spreaders were used to raise the car off the ground. When the spreaders had reached their widest and had tilted the car as far as possible, the crew tried to push the car the remaining way on to its side.

While doing this, the car fell back down towards them, hitting the firefighter and trapping him underneath the car chassis, causing serious injuries to both his legs, including fractures to his left fibula and tibia, an open fracture and dislocation to his left ankle, and 12 fractures to his right leg and foot.

He was in hospital for two weeks.

An investigation by the Health and Safety Executive (HSE) found the authority had not assessed the risks posed by the activity and therefore failed to implement a documented safe system of work.

Cleveland Fire Authority, of Endeavour House, Queens Meadow Business Park, Hartlepool, pleaded guilty to breaching Sections 2 (1) of the Health and Safety at Work etc Act 1974 and was fined £600 with £7,304 costs by Teesside Magistrates' Court on December 7, 2022.

HSE inspector Clare Maltby said: "All organisations have a duty to risk assess their work activities and implement appropriate safe systems of work.

"This is a reminder to all fire authorities that pre-planned drill exercises should be assessed and the hazards identified and the risks controlled."

## **Notes to editors:**

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. It aims to reduce work-related death, injury and ill health. It does so through research, information and advice, promoting training; new or revised regulations and codes of practice, and working with local authority partners by inspection, investigation and enforcement. [www.hse.gov.uk](http://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: <https://www.hse.gov.uk/simple-health-safety/risk/index.htm>

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

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## [Company fined after worker contracts blood infection](#)

A company has been fined after an employee became seriously ill when he contracted a blood infection while working at a lake contaminated with sewage.

He was working for Adler and Allan Ltd, a supplier of environmental risk services, during a clean-up operation at a lake near Churchbridge, Cannock, Staffordshire, in June 2019.

Dead fish had to be cleaned out of the lake after it was contaminated with sewage when a nearby pipe burst.

The employee worked at the lake for two weeks before contracting Leptospirosis (Weil's Disease) and became seriously ill.

The infection led to the man having a rash across his whole body meaning he had to limit contact with his family. His kidney and liver also had to be monitored. He was given antibiotics and did not make a full recovery for around four months.

An investigation by the Health and Safety Executive (HSE) found there was a serious risk of ill health to employees at the site as there were inadequate hygiene provisions in place to suitably guard against bacteriological and pathogen infection.

During around the first two weeks of the job, there were [no on-site toilets or welfare units available to the company's employees](#). This led to workers using a local supermarket to wash and go to the toilet.

There was also a lack of supervision at the site, with the company also failing to conduct a suitable risk assessment and implement an appropriate system of work.

Adler and Allan Limited of Station Parade, Harrogate, Yorkshire, pleaded guilty to breaching Section 2(1) of the Health and Safety Act 1974 and Regulation 20(1) of the Workplace (Health, Safety and Welfare) Regulations 1992. The company were fined £126,100 and ordered to pay costs of £43,494 at Cannock Magistrates' Court on 29 November 2022

HSE inspector Lyn Mizen said: "This serious ill health matter could have been avoided if the clearly foreseeable risks and dangers had been appropriately controlled and managed, right from the outset.

“Portable welfare units can be easily sourced and are clearly needed for heavily contaminated work situations such as this.

“HSE will not hesitate to hold duty holders to account if they fall short of appropriate welfare standards.”

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2. HSE guidance about the provision of welfare facilities in workplaces can be accessed here – [Welfare at work – Guidance for employers on welfare provisions \(hse.gov.uk\)](http://hse.gov.uk/welfare)
3. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/)
4. HSE news releases are available at <http://press.hse.gov.uk>