

# Scaffolding company fined after worker injured in fall through skylight

A Cornish scaffolding company has been fined £24,000 after a worker was injured when he fell through a fibreglass skylight.

The 37-year-old scaffolder was working for Worden Scaffolding, part of GK Worden & Son Limited, on a commercial project at an industrial unit in Liskeard on 22 July 2019.

The company had been tasked with installing edge protection on the unit's asbestos cement pitched roof, which had fibreglass rooflights running along it.

The scaffolder was walking up the apex of the gable end of the roof when he stepped on and fell through a rooflight, landing on a concrete mezzanine floor about 3m below.

He suffered a complex fracture to the wrist and hand, a broken rib and a bruised kidney.

An investigation by the Health and Safety Executive (HSE) found that another scaffolder from Worden Scaffolding had also been exposed to similar risks of working near fragile rooflights at the same site in the months before.

In both instances, HSE found the work was not properly planned, appropriately supervised or carried out in a safe manner when the incident occurred. The workers were on the roof without edge protection, crawling boards, harnesses, lanyards or nets. The company had a duty to control how the work was carried out, including staff instruction.

GK Worden & Son Ltd of St Ann's Chapel, Gunnislake, Cornwall, pleaded guilty to breaching Section 4(1) of the Work at Height Regs 2005, and was fined £24,000 and ordered to pay costs of £14,000 at Plymouth Magistrates' Court on 1 November 2022.

Speaking after the hearing, HSE inspector Peter Buscombe said: "This worker's injuries were serious. This incident could have been avoided if basic safeguards had been put in place.

"Falls from height remain one of the most common causes of work-related fatalities and injuries in this country and the risks associated with working on or near fragile surfaces are well-known."

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](http://hse.gov.uk)

2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>

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## [Two weeks to go until HSE's Health and Work Conference 2022](#)

The Health and Safety Executive (HSE) is reminding interested parties to sign up for this year's Health and Work Conference with the free, interactive, event taking place on 15 November 2022. To [register](#) for the virtual all-day event, click here: <https://healthandworkconference.co.uk/home#register>

Building on the success of last year's conference, which saw huge demand, HSE has increased the capacity five-fold to provide 5,000 spaces for delegates.

The conference is part of HSE's approach to inspire and promote better prevention, management and control of the common risks and causes of work-related ill-health across Great Britain.

At the conference HSE will unveil how it is supporting the government's response to the Health is Everyone's Business (HiEB) consultation, as well as discussions on topics including work related stress and mental health, occupational health, musculoskeletal disorders, and occupational lung disease.

Delegates at the event will see how health and work is evolving not just in response to the pandemic, but also around the actions we need to take collectively as employers, employees, regulators and others to prevent harm caused by work-related ill-health.

Ali Wellens, HSE's head of health and work branch, said: "Health in the workplace needs to be a priority for everyone.

"This conference is a unique opportunity to engage with HSE's regulatory inspectors, scientists and health topic specialists.

"There will also be the chance to connect with peers and delve deeper into the topics that are of interest to you via a selection of elective workshops on priority areas of health and work.

"The day will include discussions around work related stress and mental health, occupational health, musculoskeletal disorders, occupational lung disease and COSHH and much more."

Spaces are limited, so please register for the Health and Work Conference 2022 today.

For more information on HSE and its health and work priorities visit [www.hse.gov.uk](http://www.hse.gov.uk)

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1. HSE news releases are available at <http://press.hse.gov.uk>
1. To view the full conference agenda click [here](#)

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## **[Blackburn building firm fined for multiple safety failings](#)**

A Blackburn building firm has been fined £116,666 after a long history of health and safety failings.

An investigation by the Health and Safety Executive (HSE) found Mullberry Homes Limited failed to plan, manage, and monitor health and safety work on construction sites across England.

Mullberry Homes Limited was given a series of Notification of Contravention (NoC) letters, official correspondence that outline how firms need to improve and provide advice on doing so. They also received a significant number of formal Improvement and Prohibition Notices due to unsafe work, yet the firm repeatedly failed to ensure the work being done on their sites, including in Aintree, Liverpool; Middleton, Rochdale and Thorncliffe Road, Barrow-in-Furness was carried out safely and without risks to health. The company failed to reach the required basic legal standards.

The HSE investigation also found that Alistair Wilcock, in his role as managing director at Mullberry Homes Limited, should have ensured measures were taken to comply with each concern when it was raised by HSE and these measures were maintained.

Mullberry Homes Limited of Old Hall Lane, Blackburn pleaded guilty to breaching regulation 13 of the Construction (Design and Management) Regulations 2015. The company was fined £116,666 and ordered to pay costs of £8294.40 at Manchester Crown Court on 31 October 2022.

Alistair Wilcock of Deer Park, Accrington, was served with a formal caution after accepting he was guilty of breaching section 37 of the Health and Safety at Work etc Act 1974, in relation to the company's failing of regulation 13 of the Construction (Design and Management) Regulations 2015 on the basis of neglect. It is accepted by HSE that responsibility for compliance with the relevant legislation was not limited to Mr Wilcock.

HSE inspector Matt Greenly said: "Companies have a duty of care to those they employ and HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards. Mullberry Homes and their director, Mr Wilcock had every opportunity to improve standards and maintain these improvements but they sadly failed to do so and continued to put workers and contractors at risk.

"Mullberry Homes Limited, and its previous company name of Paddle Limited, has a long history of formal enforcement and prosecutions from HSE and it is hoped that this case will serve as a wake-up call for them to ensure that their management is robust enough to maintain any and all health and safety improvements they make in the future."

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2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>
4. More guidance can be found at: [Construction – Health and safety for the construction industry \(hse.gov.uk\)](http://www.hse.gov.uk/construction/)

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## **[Construction company and two workers sentenced after worker suffers electric shock](#)**

A construction company and two workers have been sentenced after a worker suffered an electric shock whilst working on a farm.

On 30 September 2019 an employee of Connop and Son Limited was working on Worton Grounds Farm, Deddington, Banbury, Oxon and pouring concrete when the floating arm of a mobile concrete pump came into contact with an overhead

powerline.

As a result, the employee received an 11,000-volt shock which caused him to lose consciousness. His colleagues had to perform CPR to resuscitate him at the scene. The man was later taken to Oxford Hospital where he was in a coma for six days and hospitalised for 10 days.

A Health and Safety Executive (HSE) investigation found that Connop & Son Limited fell far below the expected standard and failed to implement its own control measures documented within its risk assessment. Therefore, the company did not meet the requirements of regulation 14 of the Electricity at Work Regulations 1989.

The HSE investigation also found that Alexander Maddan, a sole trader, failed to plan, manage and monitor the construction phase and failed to ensure reasonably practicable control measures were in place. Additionally, Shaun Walker, a concrete pump operator, failed to take reasonable care for the health and safety of himself and others who were affected by his acts or omissions.

Connop and Son Limited, of Folly Farm, Eardisland, Leominster pleaded guilty to breaching regulation 14 of the Electricity at Work Regulations 1989. The company was fined £50,000 and ordered to pay costs of £5425 plus a victim surcharge of £181 at Oxford Magistrates' Court on 28 October 2022.

Alexander Maddan, of Deddington, Banbury, Oxon pleaded guilty to breaching regulation 13 (1) of Construction Design and Management Regulations 2015. Mr Maddan was fined £3,000 and ordered to pay costs of £525 plus a victim surcharge of £181 at Oxford Magistrates' Court on 28 October 2022.

Shaun Walker, of Swinford Leys, Wombourne, Wolverhampton pleaded guilty to breaching section 7 of the Health and Safety at Work Act. Mr Walker was handed a 12-month community order with a requirement to carry out 60 hours of unpaid work and ordered to pay costs of £2,000 plus a victim surcharge of £90 at Oxford Magistrates' Court on 28 October 2022.

Following the hearing, HSE inspector Steve Hull commented: "Connop and Son Limited, Alexander Maddan and Shaun Walker could have ensured that the mobile concrete pump lorry was positioned outside an exclusion zone to prevent contact with the overhead powerline.

"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. 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. [hse.gov.uk](https://www.hse.gov.uk)<sup>[1]</sup>

2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk](http://www.legislation.gov.uk)<sup>[2]</sup>
  3. HSE news releases are available at <http://press.hse.gov.uk>
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## [Lucky to be alive: NHS worker urging everyone to get a safe gas check](#)

An NHS worker who had a lucky escape after an engineer carried out unsafe work on his house is urging everyone to get a proper gas safety check in time for winter.

Anaesthetic practitioner Tony Deyn unwittingly used an unregistered gas engineer to carry out work on his Cheshire home. The work was so bad it could have caused an explosion.



Tony Deyn

Now Tony is urging others to make sure they use a registered engineer to carry out an annual gas check. This is especially important ahead of winter when households will be using more gas.

Tony Deyn, 58, who works at Crewe's Leighton Hospital, had a boiler replaced at his house in Winsford. But the work was carried out by an engineer not on the official Gas Safe Register.

After weeks of leaks from his boiler in his family home in Winsford, Tony called out a registered engineer who found a series of faults – some of which could have led to a serious gas leak and explosion.

Tony said: "I believed the engineer who replaced our boiler was qualified. Unfortunately, that was not the case. We had a series of problems so got a

registered engineer out to the house who was shocked at what he found.

“It seems we were fortunate there wasn’t a serious leak. Me, my family, even my neighbours, are lucky to be alive.

“I know the cost of living is going through the roof right now, but this is one area you can’t afford to cut corners on. It’s really important to get a gas check and make sure it is done by a registered engineer.”

The contractor who carried out the original work at Tony’s house has since been prosecuted by the Health and Safety Executive (HSE). He was given a 40-week suspended sentence, 200 hours community service and ordered to pay costs of £5,263.

On the inspection of the work carried out, five separate serious defects were found. Any of these defects could have resulted in fatal consequences, from gas explosion, carbon monoxide exposure or scalding.

HSE recommends homeowners get gas appliances boilers, cookers, fires, flues, and pipework serviced every year by a qualified engineer listed on the Gas Safe Register.

The Gas Safe Register is the official list of gas businesses registered to work on gas appliances. By law, anyone working with gas must be listed on the register.

A registered engineer will check appliances are safe but also that they’re running efficiently – saving householders money.

Tony Deyn added: “What happened to us shows how things can go wrong. The work we had carried out put our lives at risk.”

Tony’s warning comes as the clocks go back this weekend (October 30) when people often start using more gas in their homes.

There have been several gas incidents involving households this year. HSE says people need to be careful but not concerned. Gas incidents can be devastating but remain extremely rare. There were 25 gas related fire and explosion incidents reported in 2020/2021, despite there being over 22 million households using gas across the country. □

□John Rowe, HSE policy lead for gas safety, said: “Gas is an incredibly safe way of fuelling your house and by carrying out simple checks we can all keep Great Britain gas safe.

“Carbon monoxide poisoning affects over a thousand people each year and can be fatal so we’re encouraging householders to get a gas check. Doing so could save them money in the long run but will also keep them safe.”

Help is available for those struggling to pay for checks. In some circumstances, suppliers can offer free gas safety checks through the Priority Services Register. For further advice and information homeowners can contact their gas supplier (the company they pay their bills to).

Find out more about the [Gas Safe Register](#) and for more information on gas health and safety visit HSE's [website](#).

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#### **Tips to keep gas safe:**

1. Only use a Gas Safe registered engineer to fit, fix and service your appliances. You can find and check an engineer at [GasSafeRegister.co.uk](http://GasSafeRegister.co.uk) or call 0800 408 5500.
2. Know the six signs of carbon monoxide poisoning – headaches, dizziness, breathlessness, nausea, collapse and loss of consciousness.
3. Check gas appliances for warning signs that they are not working properly - lazy yellow flames instead of crisp blue ones, black marks or stains on or around the appliance and condensation in the room.
4. Fit an audible carbon monoxide alarm. This will alert you if there is carbon monoxide in your home.
5. Check both sides of your engineer's Gas Safe Register ID card. Make sure they are qualified for the work you need doing. You can find this information on the back of the card.
6. Have all your gas appliances regularly serviced and safety checked every year. If you rent your home, ask for a copy of the landlord's current Gas Safety Record.
7. If you smell gas call 0800 111 999. More information on what to do if you smell gas can be found at: [What To Do in a Gas Emergency – Gas Safe Register](#)