

Construction company fined £600K after death of seven-year-old



A civil engineering firm has been fined £600K for safety breaches after a seven-year-old child became trapped and suffocated on a construction site.

Seven-year-old Conley Thompson went missing from home on the morning of 26 July 2015 and was found the next morning by workers at the construction site at Bank End Road, Worsborough, in South Yorkshire.

An investigation by the Health and Safety Executive (HSE) found that Conley had become trapped in a drainage pipe, which had been fixed into the ground in preparation for the installation of fencing posts. Tragically, he had suffocated before being found the next morning when work restarted on site.

Howard Civil Engineering Ltd of Howard House Limewood Approach Leeds pleaded guilty to breaching regulation 13(4)(b) of the Construction (Design and Management) Regulations 2015 and to breaching Section 3 (1) of the Health & Safety at Work etc Act 1974. The company was fined £600K and ordered to pay £42,952.88 in costs at Sheffield Crown Court today.

The construction site was a new-build housing development next to an existing housing estate and adjacent to busy pedestrian footpaths and roads. HSE found that there was insufficient fencing in place to prevent unauthorised persons from accessing the construction site due to a combination of poor planning, management and monitoring of the site and its perimeter.

Speaking after the hearing, HSE inspector Paul Yeadon said: "Conley should never have been able to be on that site. He should have been kept out.

"The construction industry should be aware of the dangers of construction

sites to members of the public and any other unauthorised persons.

“The dangers to children gaining access to construction sites and treating them like a playground is an ongoing problem which must be addressed at all types of sites no matter what their complexity or size.

“The industry must do all it can to ensure children can’t access construction sites and be exposed to the inherent risks they present to prevent further tragedies like this from occurring.”

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^[1]
2. More about the legislation referred to in this case can be found at: www.legislation.gov.uk/^[2]
3. HSE news releases are available at <http://press.hse.gov.uk>^[3]
4. Please see the link to the page on HSE’s website that is the best guide to doing it the right way:
<https://www.hse.gov.uk/construction/safetytopics/publicprotection.htm>

[Mining company fined after electricians sustain burns](#)

A mining company has been fined after two electricians suffered severe burns in separate incidents.

The owners of Boulby Mine in Saltburn-by-the-Sea were fined £3.6 million and ordered to pay costs of £185,000 after an investigation by the Health and Safety Executive (HSE).

Cleveland Potash Limited (CPL) own the mine, which extracts organic fertiliser known as Polyhalite. Teesside Crown Court heard that on the 3 August 2016 a contract electrician received serious burns from an 11,000-volt electrical system. He unknowingly had placed a vacuum cleaner nozzle into a live electrical chamber. He had to be air lifted to Newcastle hospital specialist burns unit, where he was placed in an induced coma for 10 days.

On the 12 February 2019, another electrical contractor made contact with a

live conductor on a 415-volt electrical system during electrical testing works, and received serious burns. He was hospitalised for six days.

The HSE found deficiencies from the owner of the mine in risk assessment, planning of works, and shortfalls in providing warnings about which parts of the electrical systems the two electricians were working on remained live.

Cleveland Potash Limited (CPL) of Boulby Mine, Loftus, Saltburn-by-the-Sea, Cleveland pleaded guilty to breaching Section 2 (1) and two counts of Section 3(1) of the Health and Safety at Work Act 1974.

HSE specialist regulatory principal inspector Paul Bradley said: “These serious electrical incidents were easily preventable. CPL should have had a heightened awareness of electrical risks following the first incident in 2016, however failures to apply learnings and to adequately control risks resulted in the 2019 incident”.

“Employers should make sure they properly assess and apply effective control measures to minimise risks when working on electrical systems. Both these incidents were preventable if long established electrical safety practices been applied.”

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
2. More about the legislation referred to in this case can be found at: <http://www.legislation.gov.uk/>
3. HSE news releases are available at <http://press.hse.gov.uk>
4. Guidance on the issues raised in this case can be found here:

[Electrical safety in mines \(hse.gov.uk\)](http://www.hse.gov.uk)

[Electricity at work: Safe working practices \(hse.gov.uk\)](http://www.hse.gov.uk)

[The Electricity at Work Regulations 1989 – HSR25 \(hse.gov.uk\)](http://www.hse.gov.uk)

[Dyson fined £1.2m after worker injured](#)

by machine

Technology firm Dyson has been fined £1.2m after an employee sustained head and chest injuries when he was struck by a 1.5 tonne milling machine.



The worker at Dyson's Wiltshire factory was hit while moving the machine, which fell on top of him.

He only escaped being crushed under the weight of the machine because it landed on two toolboxes and the handle of another machine. The incident happened on August 27, 2019.

An investigation by the Health and Safety Executive (HSE) found Dyson Technology Limited failed to provide suitable and sufficient information, instruction, and training to those undertaking the task. They also failed to adequately assess the task and devise a safe system of work to ensure the machine was moved safely.

Two employees were moving a large CNC milling machine within the engineering department of Dyson's site at Tetbury Hill, Malmesbury. The employees lifted the machine using a five-tonne jack and were in the process of replacing two fixed roller skates with several wooden blocks when it fell.

One of the employees was struck by the machine and sustained a wound to his head and injuries to his chest.

At Swindon Magistrates' Court Dyson Technology Limited of Tetbury Hill, Malmesbury, Wiltshire pleaded guilty to breaching Section 2(1) of the Health & Safety at Work Act 1974. The company was fined £1.2m and ordered to pay



costs of £11,511.

HSE inspector James Hole, said: “This incident could have been fatal. Those in control of work have a duty to assess the risks, devise safe methods of working and to provide the necessary information, instruction, and training to their workforce.

“Had a suitable safe system of work been in place this incident and the related injuries could have been prevented.”

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

Construction company fined after worker fall

Two construction business partners have been fined after a sub-contractor suffered multiple fractures when he fell from an unsafe scaffold.

On 20 December 2018, sub-contractors were installing a roof light on a boot room extension as part of the refurbishment of a house on St James Road, Tunbridge Wells, Kent. They were not provided with a safe route to the work area from the scaffolding, as there was a board spanning a large gap and step up from the first lift of a scaffold on to the boot room roof. The board was not secured in place.

An investigation by the Health and Safety Executive (HSE) found the scaffold had not been inspected by a competent person every seven days and there was insufficient edge protection around the work area to prevent people falling a distance liable to cause serious injury.

Two of the partners of Orchard Construction, of Queen Street, Sandhurst, Cranbrook, Kent pleaded guilty to breaching Section 3(2) of the Health and Safety at Work Etc Act 1974.

At Maidstone Magistrates' Court, Martin Hayes was fined £2,066 and ordered to pay costs of £7,500. Timothy Hayes was fined £2,800 and similarly ordered to pay costs of £7,500.

After the hearing, HSE inspector Nicola Wellard commented: "This incident could have been so easily avoided by simply ensuring that the scaffold was inspected by a competent person every seven days and any noted deficiencies rectified.

"Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those who 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. www.hse.gov.uk

2. More about the legislation referred to in this case can be found at: www.legislation.gov.uk/

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

[Engineering firm fined after worker is pulled into manual metal working lathe](#)

Kent Auto Developments Limited, a classic Mini part manufacturing and engineering firm based in Romney Marsh, was sentenced today after a worker suffered injuries after becoming entangled in a metal working lathe.

On 10 August 2020, Joshua Halls was completing the process of polishing brake drums for a Mini, rotating on a manual metalworking lathe. Joshua was

applying emery cloth by hand, a practice condoned by the company, when he was drawn into the machine which resulted in lacerations to his forearm and injuries to his neck and face. Similar occurrences in Great Britain have resulted in other serious injuries to workers such as severed limbs..

The incident was not reported to HSE, as is required under The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013, until three months after the incident.

An investigation by the Health and Safety Executive (HSE) found that the business had failed to implement a safe system of work in that employees had routinely polished brake drums with emery cloth by hand on the lathe, a task known to be dangerous due to the potential risk of entanglement of the cloth in the rotating parts of the lathe, which can result in serious personal injury. If the requirement to use emery cloth on a lathe is unavoidable, then tool posts and holding devices should be used.

Kent Auto Developments Ltd pleaded guilty to breaching Section 2(1) of The Health and Safety at Work etc Act. 1974 and Regulation 4(2) of The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013. At Folkestone Magistrates' Court the company was fined £12,000 was ordered to pay £6,349.24 costs

After the hearing, HSE inspector Sam Brown commented: "We still see incidents like this, where unsafe work practices with machinery lead to injury, despite the existence of specific guidance published by HSE.

"Workers coming into contact with machinery is the fourth biggest cause of workplace fatalities in Great Britain, with 14 people killed in the year 2020/21. Over 50,000 non-fatal injuries were reported by employers in the same year.

"Employers should ensure that measures are taken to prevent workers from sustaining injury, where it is evident that persons are at risk of becoming entangled in machinery. It's important that, when people do get hurt, the relevant authorities are notified so that action can be taken to prevent recurrence."

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
2. More about the legislation referred to in this case can be found at: legislation.gov.uk/ukpga/1974/37/contents and www.legislation.gov.uk/ukxi/2013/1471/contents/made
3. HSE news releases are available at <http://press.hse.gov.uk>

For more information on safe practices, specifically in relation to the use of emery clothes metalworking lathes visit:
<https://www.hse.gov.uk/pubns/eis2.pdf> and
www.hse.gov.uk/engineering/lathes.htm