

Company and director sentenced after employer crushed to death

A company and its director have been sentenced following the death of an employee.

Robert Czachracz was crushed by two granite slabs while working for West Midlands firm Graniteland Limited on 30 November 2020.

The 46-year-old, who was from Poland, had been unpacking and moving the slabs onto storage racks, using an overhead crane, at the company's Lyde Green site in Halesowen.

Two of the slabs, each weighing 250kg, fell and crushed Mr Czachracz against a forklift truck while he was operating the crane's handheld pendant control.



Mr Czachracz was fatally crushed by two granite slabs

He died at the scene despite desperate attempts from bystanders at nearby businesses and the emergency services to save him.

A Health and Safety Executive (HSE) investigation found Graniteland Limited

and its director, Mr Shu Lai Li, failed to implement staff training or develop safe systems of work for the unloading, loading and handling of concrete slabs. There was no evidence that employees had received training in the safe operation of machinery, including the overhead crane. The overhead crane and forklift truck had also not been thoroughly examined, as required by law, and that webbing slings, that could have been used during the unpacking process, were damaged.

HSE guidance states employers must manage and control the risks to avoid any injury or damage during lifting operations. More on this 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/)

Graniteland Limited, of Lyde Green, Halesowen, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £18,000 and ordered to pay £4,196.03 in costs at Dudley Magistrates' Court on 6 March 2024.

Mr Shu Lai Li, of Lyde Green, Halesowen, pleaded guilty to breaching Section 37(1) of the Health and Safety at Work etc. Act 1974. He was ordered to complete 120 hours of unpaid work and pay £4,043.42 in costs at Dudley Magistrates' Court on 6 March 2024.

HSE inspector Mahesh Mahey said: "This was an entirely preventable accident. The risks of lifting and moving granite slabs were obvious, yet could have been controlled by relatively simple and inexpensive measures. The company and director failed to adequately control lifting operations which resulted in an employee needlessly and tragically losing his life."

This prosecution was brought by HSE enforcement lawyer Andy Siddall and supported by HSE paralegal officer Rebecca Forman.

Notes to editors:

1. [The Health and Safety Executive](https://www.hse.gov.uk/) (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.

[Manufacturing company fined after](#)

worker fatally crushed

A manufacturing company has been fined £120,000 after a worker was killed after becoming trapped between two heavy steel beams.

In May 2019, Steve Rooke, 55, was working in the workshop at Mifflin Construction Ltd in Leominster, Herefordshire. The company manufacture and install steel components for the construction industry.

Steve, who had worked at the company for more than 27 years was using an overhead travelling crane to lift the middle of three beams to position it better on a trolley or 'bogey' which ran on rails in the workshop. The beam he was lifting was 18m long and weighed 1,800Kg. As it was lifted, it rotated in a sling, toppling sideways and trapping him against another beam causing fatal injuries.

Karen Rooke, Steve's wife said: "Steve's death has left a big hole in our lives. How can you move on when something like this has happened?"

"It's changed everything, every plan we had has gone and our future is cancelled.

"He was good at his job, hard-working and conscientious and I still struggle to understand how and why this happened.

"I've lost a husband and the girls have lost a loving dad and he'll have missed out on so many things to look forward to like becoming a grandparent."

An investigation by the Health and Safety Executive (HSE) found that the company had failed to ensure a suitable and sufficient risk assessment was conducted by a competent person to identify well known industry standard control measures. Suitable and sufficient information, instruction, and training was not provided to employees about lifting operations at the site. The company did not properly plan lifts and did not have a system for ensuring that there were adequately qualified supervisors present during lifting operations.

Businesses or organisations that undertake lifting operations or are involved in providing lifting equipment for others to use, must manage and control the risks to avoid any injury or damage. HSE has guidance on [lifting operations](#).

At Kidderminster Magistrates' Court on 4 March, Mifflin Construction Limited of Worcester Road, Leominster, Herefordshire pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. They were fined £120,000 and ordered to pay costs of £50,000.

Speaking after the hearing, HSE inspector Steve Richardson 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.”

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[HSE builds construction support to protect workers’ mental health](#)

The construction industry has stepped-up its efforts to combat work-related stress and promote good mental health by joining Great Britain’s workplace regulator campaign.

The Working Minds campaign, set up by the Health and Safety Executive (HSE), welcomes six new partners in the construction industry to help reach trades and offer free support.

March sees the Contract Flooring Association (CFA) and the Chartered Institute of Plumbing and Heating Engineering (CIPHE), Asbestos Removal Contractors Association (ARCA), the National Federation of Demolition Contractors (NFDC), the Electrical Contractors’ Association (ECA) and the National Federation of Roofing Contractors (NFRC) commit to the campaign.

Working Minds helps employers prevent stress and support good mental health, providing free online learning to show how to make it part of routine working life and culture. The new bitesize tool typically takes no more than an hour to complete and covers what the law requires of employers and what’s needed to do to be compliant.

Users will walk through Working Minds’ five 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 on site.

Liz Goodwill, head of work-related stress and mental health policy at HSE,

said: “We know that running a business in construction can be stressful with long hours, juggling intense workloads.

“We are delighted the Working Minds campaign is welcoming even more partners and they will no doubt help us in our efforts to raise awareness of ways employers across Britain’s construction trades can help prevent and reduce work-related stress.

“The law requires all employers – whether you’re a demolition firm or scaffolding business – to carry out a stress risk assessment and act upon the findings. The online learning shares all the tools you need to get started in one place, and you can come back as many times as you like.”

According to Deloitte , the total annual cost of poor mental health has increased by 25% since 2019, costing UK employers up to £56 billion a year.

Help is available

If you or someone you know needs help or support, reach out and ask how they are feeling and coping. The Working Minds campaign sign-posts employers to a wide range of tools and sources of support that can help on its [construction sector webpage](#).

Employers wishing to know more and complete the Working Minds online learning should register and get started today.

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2. Working Minds campaign partners include; Mates in Mind, Lighthouse Construction charity, Contract Flooring Association (CFA) and the Chartered Institute of Plumbing and Heating Engineering (CIPHE), Asbestos Removal Contractors Association (ARCA), the National Federation of Demolition Contractors (NFDC), the Electrical Contractors’ Association (ECA) and the National Federation of Roofing Contractors (NFRC).
3. Steve Sadley, chief executive of the Asbestos Removal Contractors Association (ARCA), said: “We are pleased to support the HSE Working Minds campaign to address work-related stress, depression and anxiety. This is an important issue that employers in the asbestos removal industry should prioritise. There are compelling reasons for asbestos removal companies to prevent work-stress and promote mental health. This includes meeting legal responsibilities, enhancing business operations, and caring for employees.”The nature of asbestos removal work can be demanding, so it’s critical to provide resources that equip teams to handle stress. The Working Minds campaign offers helpful tools and resources to help asbestos removal companies establish effective

wellbeing strategies tailored to industry-specific needs. We encourage companies in this vital field to utilise these materials to foster positive mental health practices. By working together proactively, we can create healthier and more supportive environments for asbestos removal professionals as they safely deliver this essential service.”

4. Paul Williams, HS&E Services Manager at Electrical Contractors' Association, said: “ECA is a proud supporter of Working Minds. Our work on mental health includes providing Mental Health First Aider courses, and awareness courses across our membership family. We strive to make conversations about mental health normal and destigmatise attitudes towards poor mental health.”
5. Jo Lear, executive assistant to technical and training at the National Federation of Demolition Contractors (NFRC), said: “NFRC is proud to continue to support the HSE Working Mind campaign. It's an excellent resource that provides practical and useful tools to support our members mental health. NFRC is fully committed to supporting the wellbeing of our members and understand the importance of championing such great initiatives. The HSE Working Minds Campaign is positive step on a long road to improving the wellbeing and mental health of our roofing workforce.”
6. Richard Catt, CEO at the Contract Flooring Association (CFA), said: “As the CEO of the Contract Flooring Association (CFA), I am proud to support the Health and Safety Executive's (HSE) Working Minds campaign. Work-related stress, depression, and anxiety account for half of all work-related ill health cases, highlighting the urgent need for action. Employers should recognise three compelling reasons to prioritise mental health in the workplace: it's a legal requirement, it's beneficial for business and productivity, and the moral imperative.“By fostering a culture of openness, understanding, and support, we can create healthier, more productive work environments for all. Together, let's embrace the principles of the Working Minds campaign and champion mental well-being in the workplace. It's not just about compliance; it's about creating environments where everyone can thrive.”
7. Kevin Wellman, CEO of CIPHE, said: “As CEO of CIPHE, I proudly endorse the Working Minds campaign. It's crucial for employers to prioritise mental health in the workplace, and this initiative provides valuable resources and support to prevent stress and promote well-being. Let's join forces to create healthier, more supportive work environments for all.”
8. To read more about HSE's Working Minds campaign click [here](#)
9. For press and media enquiries please contact media.enquiries@hse.gov.uk

[Company fined after delivery driver](#)

suffers brain injury

A company has been fined £380,000 after a delivery driver fell and suffered a traumatic brain injury while working at its site in Walsall.

Timothy Bates was delivering fuel for a temporary diesel generator at Haldane Fisher Limited's timber processing site on Long Street when he fell from a trailer on 28 July 2022.

Mr Bates, who is from Stafford, had been stowing equipment in a trailer attached to his truck when the vehicle was struck by a forklift truck reversing out of a nearby mill. This led to the trailer shunting into Mr Bates, with the 57-year-old then falling over and hitting his head onto the tarmac floor below.

He spent five weeks in hospital after sustaining a traumatic brain injury before spending 13 weeks in a care facility where he undertook CBT. He suffers from memory loss and dizziness as a result of his brain injury.



Mr Bates fell off the trailer (pictured) at Haldane Fisher Limited's site in Walsall

A Health and Safety Executive (HSE) investigation found Haldane Fisher Limited, trading as GE Robinson, failed to identify safe systems of work for the delivery of fuel to the temporary generators at its site. There was inadequate segregation of vehicles and pedestrians in the yard. There were no measures in place to prevent forklift trucks from entering the areas in which delivery drivers were working whilst refuelling generators.

The company understood the risks associated with workplace transport, as control measures had been identified for separating pedestrians and vehicles, but these had not been implemented. Site rules had been identified but were

not routinely implemented or monitored by the company.

Every workplace must be safe for the people and vehicles using it and traffic routes must be suitable for the people and vehicles using them. HSE has guidance on [workplace transport](#) with advice on keeping traffic routes safe and separating people from vehicles.

Haldane Fisher Limited, of Shepherds Way, Carnbane Industrial Estate, Newry, Northern Ireland, pleaded guilty to breaching Sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £380,000 and ordered to pay £5,934.50 in costs at Birmingham Magistrates' Court on 1 March 2024.

HSE inspector Heather Campbell said: "This case highlights the dangers arising from inadequate management of workplace transport. It also highlights the requirements to ensure the safety of non-employees including contractors at employer's sites."

This prosecution was brought by HSE enforcement lawyer Samantha Wells and supported by HSE paralegal officer Gabrielle O'Sullivan.

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[Recycling firm fined after dad killed by shovel loader](#)

A recycling company in Wales has been fined £300,000 after a father-of-two was killed by a shovel loader.

Anthony Bilton, from Barry, Vale of Glamorgan, lost his life on 4 September 2019 when he was run over from behind by a Volvo shovel loader at Atlantic Recycling Limited's Atlantic Ecopark site in Cardiff.

The 59-year-old had been on his way to undertake routine maintenance tasks when the tragic incident happened, while walking across the wood processing yard.

Health and Safety Executive (HSE) inspector Rhys Hughes said Atlantic Recycling failed to ensure pedestrians and vehicles were separated at its site.

The HSE investigation also found that although a risk assessment had been produced prior to the work commencing, it was not suitable nor sufficient and did not include work taking place in the wood yard. Additionally, the risk assessment should have identified there was a risk to pedestrians where there were moving vehicles.

Every workplace must be safe for the people and vehicles using it and traffic routes must be suitable for the people and vehicles using them. HSE has guidance on [workplace transport](#) with advice on keeping traffic routes safe and separating people from vehicles.

Anthony's son, Jason, says his life was "torn to shreds" following the passing of his dad.

He said: "It took over three hours for me to be notified that my dad had been killed in a work accident. I started to become concerned when he weren't home from work at his usual time and failed to answer the phone. I remember thinking about popping by his workplace to see him whilst on my journey home from Telford, where I'd been for the past few days, but decided against it as I was exhausted from traveling.

"Had I gone to see him, I would've arrived at Atlantic Recycling between 3:30-4pm, he was killed around 4:10pm. Every day I deal with thoughts that: 'If only I'd stopped to see him, he could still be alive today.'



Jason and Anthony Bilton

“There will never be real closure for my dad’s death as it should never have happened, not the way it did. My life was torn to shreds within a few hours and to this day I’m still dealing with the consequences and emotional impact.”

Atlantic Recycling Limited, of Newton Road, Rumney, Cardiff, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £300,000 and ordered to pay £29,917.47 in costs at Merthyr Tydfil Magistrates’ Court on 28 February 2024.

HSE inspector Rhys Hughes said: “This tragic incident led to the death of a father of two and could have been prevented. Atlantic Recycling Ltd should have identified, and controlled the risks involved with using large plant and vehicles in line with HSE guidance.

“A safe system of work should have been in place, ensuring that pedestrians and vehicles were segregated. This is sadly a common cause of fatal incidents in this sector. The most effective way of protecting pedestrians in any workplace is to make transport routes entirely separate.”

This prosecution was brought by HSE enforcement lawyer Matthew Reynolds and supported by HSE paralegal officer Helen Jacob.

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