

# Employer sentenced after worker struck by excavator

A sole trader who operated a construction and demolition waste recycling business has been fined after a worker sustained serious crush injuries when he was struck from behind by a 13.5 tonne excavator.

Manchester Magistrates' Court heard how on 11 February 2019, the 50-year-old employee was manually sorting demolition waste in the yard of the waste recycling premises of William Leeson t/a W Leeson and Son, in Walkden, Greater Manchester. He was struck by the a 360 tracked excavator, which reversed over the lower part of his left leg as he bent down to pick up some waste from the ground, resulting in life changing injuries.

These injuries have prevented his return to work and left him struggling to cope independently with daily activities; he is currently awaiting a below the knee amputation of his left leg.

An investigation by the Health and Safety Executive (HSE) found that William Leeson t/a W Leeson and Son had no safe system of work in place to effectively segregate pedestrians and vehicles, thereby ensuring the pedestrian pickers were always a safe distance from the moving vehicles.

William Leeson t/a W Leeson and Son of Sale, Greater Manchester, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. Mr Leeson was sentenced to 17 weeks in prison suspended for 12 months and ordered to pay costs of £9,000.

Speaking after the hearing, HSE inspector Jackie Worrall said: "This injury could have easily been prevented had Mr Leeson ensured that effective segregation of pedestrians and vehicles was in place. This case is a reminder to all employers to properly assess the risks arising from workplace transport and to put in place effective control measures to minimise these risks. Most importantly, where vehicles and pedestrians operate within the same workspace it is essential that there is effective segregation at all times."

## **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](http://www.hse.gov.uk)

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

3. More information about safe use of work place vehicles can be found at: <https://www.hse.gov.uk/waste/transport.htm> <https://www.hse.gov.uk/pubns/books/hsg136.htm>

<https://www.wishforum.org.uk/wp-content/uploads/2019/06/WASTE-18-.pdf>

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

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## [Company fined after worker has crushed arm amputated](#)

Littleborough based company Ken Mills Engineering Ltd has been fined for safety breaches after a 48-year-old worker suffered a life-threatening injury.

Leeds Crown Court heard that on 9 February 9 2017, the 48-year-old worker was repairing a Trojan Haylage Baler at New Hall Farm, Grange Moor, Wakefield when his left arm was trapped and crushed by a hydraulic ram. The arm was partially severed at the scene; required several operations and following medical complications was amputated from above the elbow.

An investigation by the Health and Safety Executive (HSE) found that several engineers had been involved over a number of days to repair the baler. This work had not been subject to a risk assessment and engineers were not provided with effective information, instruction and training for this activity. They were left to devise their own system of work, which consequently was not safe.

Engineers relied on techniques they were familiar with from the factory which were not suitable for the site circumstances. As a result, the vertical compaction ram was inadvertently initiated trapping the worker's arm.

Ken Mills Engineering Ltd of Greenvale Business Park, Littleborough were found guilty of breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £18,000.00 and ordered to pay £50,494.18 in costs.

After the hearing, HSE inspector Louise Redgrove commented:

“It was reasonably practicable for Ken Mills Engineering Ltd to have done more to ensure engineers were working safely.

“This incident could have easily been prevented if the company had assessed the repair activity; identified site specific hazards and typical custom and practice, provided a safe working procedure and then effective information, instruction and training for that procedure and the repair work that day”.

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# Company fined after scaffolding collapsed

A scaffolding company has been fined after scaffolding collapsed across the entrance to the car park of Coventry Skydome.

Coventry Magistrates' Court heard how, on 3 March 2020, scaffolding, which was approximately 13 metres in length and four metres high and had been erected to protect the public from falling debris, had blown down in high winds.

A Health and Safety Executive (HSE) investigation found that the scaffolding was not adequately fixed into the structure and was not designed and installed to withstand foreseeable wind loads. The management of the scaffolding operation was well below the expected standard because it did not identify the need for a bespoke design, required to ensure the strength and stability of the proposed scaffolding structure.

Climar Scaffolding Limited of Widney Avenue, Birmingham, pleaded guilty to breaching Regulation 19(2) of the Construction (Design and Management) Regulations 2015. The company has been fined £15,000 and ordered to pay costs of £2,532.

Speaking after the hearing, HSE inspector Edward Fryer said: "Scaffolds need to be adequately tied, in line with the recognised health and safety requirements or a bespoke design should be created based on established engineering principals. In this case the scaffolding was not properly designed or adequately tied into the permanent structure.

"It's only a matter of fortune that nobody was seriously injured, the collapse presented a significant risk to the safety of the public."

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

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## [High school governing body fined after worker falls from roof](#)

The governing body of Christ the King Catholic High School and Sixth Form Centre in Southport has been fined after an employee fell from height whilst performing routine maintenance duties.

Liverpool Magistrates' Court heard how on Thursday 4 October 2018, an assistant site manager was removing footballs from the sixth form centre roof when he lost his footing, falling more than three metres to the ground. He sustained multiple fractures.

An investigation by the Health and Safety Executive (HSE) found that, despite it being a regular practice to go on to the roof to remove balls, the governing body had no protective measures in place to prevent a fall from the edges of the roof. No barriers, any type of edge protection or fall restraint system was in place.

The governing body of Christ the King Catholic High School and Sixth Form Centre, Stamford Road, Southport, pleaded guilty to breaching Regulation 2 of the Health and Safety at Work Act 1974 etc. They were fined £10,000 and ordered to pay costs of £5,851.50.

Speaking after the hearing, HSE inspector Roger Clarke said: "Falls from height remain one of the most common causes of work-related fatalities in this country and the risks associated with working at height are well known.

"Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standard."

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# Maintenance company fined after worker falls from height

A commercial maintenance company has been fined after a friend of the director suffered injuries to his torso when he fell through the roof of a warehouse.

Cheltenham Magistrates' Court heard how on 8 May 2017, Stephen Bowkett was completing unpaid work with his friend Terry Adams, the Director of Atec Maintenance Ltd, to install netting on the roof of Weird Fish Limited in Cheltenham. After removing his harness to go for a break Stephen stepped backwards and fell more than six metres through the roof to the warehouse floor.

He suffered impact injuries to his abdomen and continues to be prescribed medication for severe pain. He is regularly admitted to hospital and struggles to complete everyday tasks.

An investigation by the Health and Safety Executive (HSE) found that Atec Maintenance Ltd failed to ensure that work at height was properly planned, appropriately supervised and carried out in a safe manner.

Atec Maintenance Ltd of Tretawn Gardens, Tewkesbury, Gloucestershire pleaded guilty to breaching Regulation 4 (1) of the Work at Height Regulations 2005. The company was fined £30,000 and ordered to pay costs of £8,000.

Speaking after the hearing HSE inspector Stacey Gamwell said: "Falls through fragile roofs are a common cause of serious and fatal injuries, this incident was wholly avoidable. The precautions are well established.

"Workers should avoid standing on roofs where possible by using an elevated work platform. However, if standing on the roof is unavoidable, suitable controls should be put in place such as close-fitting safety nets, guard rails and roof coverings."

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

4. Further information about safe techniques for working at height can be found at:  
<http://www.hse.gov.uk/pubns/books/hsg33.htm>

The post [Maintenance company fined after worker falls from height](#) appeared first on [HSE Media Centre](#).