

# [Steel company fined after driver fatally injured while loading flatbed trailer](#)

A company has been fined after a worker was fatally injured by steelwork, which fell from a telehandler forklift truck during loading.

Chelmsford Magistrates' Court heard how on 4 April 2019, an employee of South East Galvanizers Limited had visited PCR Steel Ltd at their premises in Star Industrial Estate, Essex to collect a load. He was performing an unplanned lifting operation, loading a metal balcony base frame onto a flatbed trailer, when the incident occurred. The load was not secured and the balcony frame weighing approximately 400kg fell and crushed the 47-year-old man, who had been standing on the back of the trailer bed.

An investigation by the Health and Safety Executive (HSE) found the company failed to ensure that the lifting operation was properly planned by a competent person, appropriately supervised, and carried out in a safe manner. There was no lift plan for the manoeuvring of balcony frames that could have considered the load's security, size and weight. There was no plan for how the load would be set down, nor for how to exclude people from the danger zone.

PCR Steel Ltd of Star Industrial Estate, St Johns Road Grays, Essex pleaded guilty to breaching Regulation 8(1) of the Lifting Operations and Lifting Equipment Regulations 1998 and Section 3(1) of the Health and Safety at Work etc Act 1974. The company was fined £50,000 and ordered to pay costs of £9,900.

Speaking after the hearing, HSE inspector Jill Mead said: "This was a tragic and wholly avoidable incident, caused by the failure of the host company to implement safe systems of work. Those in control of work have a responsibility to devise safe methods of working and to provide the necessary information, instruction and training to their workers in the safe system of working."

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

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## [Nursing home fined following breaches of bedrail safety](#)

A nursing home has been fined after a resident's leg was repeatedly trapped in a bed rail.

Merthyr Tydfil Magistrates' Court heard how, in November 2018, a resident at Crosfield House Limited in Rhayader was admitted to hospital when her leg, which had repeatedly been trapped between her mattress and the bed rail, became discoloured and cold to the touch. She had to have her leg amputated.

An investigation by the Health and Safety Executive (HSE) into the incident found that there was a lack of training and guidance on how to complete a bed rail assessment. Employees at the home had not received any training on the safe use of bed rails and were unaware of the risks from bed rail entrapment. It also found that, despite the resident's leg becoming repeatedly trapped between September and November 2018, no review on the use of bed rails was carried out.

Crosfield House Limited of Dark Lane, Rhayader, Wales pleaded guilty to breaching Section 3 (1) of the Health and Safety at work Act 1974 and have been fined £25,000 and ordered to pay costs of £11,747.

Speaking after the case HSE inspector Sarah Baldwin-Jones said: "The incident could so easily have been avoided by simply conducting a detailed bed rail risk assessment.

"Those who manage bedding equipment, should ensure that there are no gaps between the mattress and bed rail, where someone could get trapped.

"Employees involved in the provision and use of bed rails need to be aware of the key risks and know what to do if they suspect someone may be at risk of entrapment. In this case none of the employees recognised the risks and despite repeated entrapments, nothing was done to prevent recurrence.

"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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## [London borough council fined after child sustains fatal injuries at playground](#)

London Borough of Tower Hamlets Council has been sentenced after a five-year-old girl died when playground equipment collapsed on top of her at Mile End Park.

Westminster Magistrates' Court heard that on 17 July 2015, Alexia Walenkaki was swinging on a rope attached at one end to a wooden post, when the play equipment gave way. The post snapped at its base causing the wooden structure to collapse on top of her. She sustained fatal head injuries.

An investigation by the Health and Safety Executive (HSE) found that London Borough of Tower Hamlets Council had failed to ensure that an annual playground safety check was carried out. Investigators also found the post was made from wood that was unsuitable and had decayed.

The local authority had previously implemented a system of inspections to ensure that play equipment was safe to use. However, the play equipment at Mile End Park had not been inspected by a playground inspector since September 2013. If the equipment had been inspected and tested for signs of rot, the risk may have been identified and appropriate action taken to remove and replace the equipment.

London Borough of Tower Hamlets Council pleaded guilty to breaching Section 3(1) of the Health and Safety at Work Etc. Act 1974. They were fined £330,000 and ordered to pay costs of £6,204.

Speaking after the hearing, HSE inspector Stephron Baker Holmes said: "Those who provide play equipment should ensure it is safe for children. The lack of

a suitable playground inspection in the period leading up to this incident has resulted in tragic consequences.”

Further information regarding health and safety guidance for leisure activities can be found here:

<https://www.hse.gov.uk/entertainment/leisure/useful-links.htm>

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## [Company fined after machine operator sustained serious injuries](#)

A supplier of machined components has been fined after an employee sustained a severed finger, lacerations and tendon damage whilst operating a stud assembly machine at a factory in Brownhills, West Midlands.

Dudley Magistrates' Court heard that on 20 February 2018, CNC Speedwell Limited employee Malgorzata Musiol, 23, was seriously injured when her gloved hand became entangled in the exposed rotating parts of a stud assembly machine. Her index finger and the tendon along her arm were severely damaged.

An investigation by the Health and Safety Executive (HSE) found employees had been using an unsafe system of work placing items by hand very close to exposed rotating parts of the machine whilst wearing gloves. Various options were available to prevent this injury had the work been risk assessed, including guarding and two-handed controls. A safe system of work should have been in place and operators should have received suitable training.

CNC Speedwell Limited of Lichfield Road, Brownhills, West Midlands pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £130,000 and ordered to pay costs of £10,909.

Speaking after the hearing, HSE inspector Elizabeth Thomas said: “Horrific, life changing injuries sustained in entanglement incidents can be 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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## [Company director sentenced after worker sustains serious crush injuries](#)

The director of a construction company has been sentenced after a sub-contractor suffered serious injuries when a stack of plasterboards fell on him at a construction site in Thames Ditton, Surrey.

Brighton Magistrates’ Court heard that on 12 April 2019, sub-contractors were moving sheets of plasterboard weighing 32kg each from the ground floor to the second floor of a house undergoing refurbishment. As there was no staircase in place, they were stacking the plasterboard against an unsecured ladder and sliding them up to the floor above. During the process the plasterboards fell on the worker, fracturing his pelvis.

An investigation by the Health and Safety Executive found there was no safe system of work in place and the workers were not being adequately supervised. The stairwell openings were not guarded and they were partially spanned with scaffold boards resting on insecure scaffold poles, creating a significant fall risk.

Siamak Samyani the sole director of SS Reforms Limited of Eastcote Avenue, West Molesey, Surrey pleaded guilty to breaching Section 37 of the Health and Safety at Work Etc Act 1974. He was sentenced to 20 weeks in custody suspended for 12 months, fined £3,400 and ordered to pay costs of £600.

Speaking after the hearing, HSE inspector Andrew Cousins said: “This was a

wholly avoidable incident, caused by the failure of the director to devise and implement a suitable safe system of work.

“Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those who fall below the required standards.”

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