

# Companies fined for failing to comply with work at height regulations

A large homebuilder and an electrical contractor have been sentenced for failing to comply with work at height regulations, resulting in serious injury of an electrician and placing other workers at risk of injury.

Southampton Magistrates' Court heard that on 10 May 2018, workers were carrying out work to lay cabling and ducting in loft spaces at newly built residential properties in Swanmore, Southampton without suitable or sufficient protection from falls at height. A 49-year-old electrician fell through the plasterboard loft flooring sustaining multiple fractures to his ribs, shoulders and vertebrae. He also suffered a punctured lung.

An investigation by the Health and Safety Executive (HSE) found that BDW Trading Ltd the registered name of Barratt Homes and David Wilson Homes; and Quayside Electrical Ltd had failed to prevent a fall from height. BWD Trading Ltd had created the loft space by installing the ceiling of the room below using plasterboard, known as top tacking, before the electricians had completed the installation of cables and ducting. This meant that work in the loft was above fragile plasterboard and sufficient precautions were not taken by either company to prevent the electrician from falling through the plasterboard.

BDW Trading Ltd of Barratt House, Cartwright Way, Forest Business Park, Bardon Hill, Coalville, Leicestershire pleaded guilty to breaching Regulation 6(3) of The Work at Height Regulations 2005. The company was fined £140,000, ordered to pay costs of £3,689.15 and a victim surcharge of £170.

Quayside Electrical Ltd of Unit 22, Mount Pleasant Industrial Estate, Southampton, Hampshire pleaded guilty to breaching Regulation 6(3) of The Work at Height Regulations 2005. They were fined £20,000 ordered to pay costs of £3,521.15 and a victim surcharge of £170.

Speaking after the hearing, HSE inspector Fiona Woods said: "Falls from height remain the most common cause of work-related fatalities and serious injuries in the construction industry. The risks associated with working at height are well known. It is important that those in control of working at height take appropriate control measures to safeguard workers and others."

**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.
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>
4. Further information on working safely at height can be found at: <https://www.hse.gov.uk/work-at-height/key-messages.htm>

The post [Companies fined for failing to comply with work at height regulations](#) appeared first on [HSE Media Centre](#).

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## **[Groundworks company fined after employee suffers multiple leg fractures in workplace incident](#)**

A groundworks company has been fined after an employee was injured when he was struck by a metal bow shackle whilst laying a sewer pipe.

Luton Magistrates' Court heard that on 19 July 2018, the employee – a machine cab operator was laying a High-Density Polyethylene (HDPE) foul sewer pipe weighing 20 tonnes with three other plant operators who were positioned along a 240m trench to lift and drag the pipe. One of the slings being used to pull the pipe failed catastrophically causing a bow shackle linkage to be catapulted back towards the machine cab operator. The employee was hit in the leg by the solid metal shackle, which weighed 7.5kg causing multiple fractures that needed extensive surgery.

An investigation by the Health and Safety Executive (HSE) found that the company had failed to ensure that the operation was safely planned and carried out, with appropriate supervision in place.

Smith Construction Group Limited of Maidstone Road, Kingston, Milton Keynes

pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc Act 1974. The company was fined £55,440 and ordered to pay costs of £971.80.

Speaking after the hearing, HSE inspector Rauf Ahmed said: "This incident could have been avoided if the dutyholders had assessed the risks of the load handling operation and put appropriate safety measures in place.

"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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2. More about the legislation referred to in this case can be found at <https://www.hse.gov.uk/construction/safetytopics/admin.htm>
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## [Yoghurt and dessert manufacturer prosecuted after agency worker's fingers amputated](#)

A food company specialising in dairy products has been prosecuted after an agency worker suffered severe injuries when their fingers were caught in machinery.

Walsall Magistrates' Court heard that following the incident on 12 July 2016, an agency worker had to have their middle finger amputated below the second knuckle, lost half their index finger and had their third finger amputated to the first knuckle. The agency employee was working as a box maker on a machine known as a tray erector, at the company's Minsterley site in Shropshire, when the incident occurred.

An investigation by the Health and Safety Executive (HSE) found that the in-running nip on the tray erector was not properly guarded. The company had failed to guard dangerous parts of the machine to prevent access for more than seven years.

Müller UK & Ireland Group of Minsterley, Shrewsbury pleaded guilty to breaching Regulation 11(1) of the Provision of Use of Work Equipment Regulations 1998. The company was fined £66,000 and ordered to pay costs of £5,024.20.

Speaking after the hearing, HSE inspector Andrew Johnson said: “This preventable incident could have easily been avoided had the company properly assessed and applied effective control measures to minimise the risks from dangerous parts of the machinery.

“The dangers associated with in-running nips are well known, and a wealth of advice and guidance is freely available from HSE and other organisations.”

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## [Theme park fined after child seriously injured on a ride](#)

Lightwater Valley Attractions Ltd has been fined following an incident where a child was thrown from its Twister ride.

York Magistrates' Court heard that on 30 May 2019, a child was ejected from the Twister ride at Lightwater Valley Theme Park in Ripon, North Yorkshire resulting in serious head injuries.

An investigation by the Health and Safety Executive (HSE) found that although the theme park's procedures for the Twister ride stated that those between 1.2m and 1.5m tall must wear seat belts, several children under 1.5m in height were not wearing seat belts on this ride. This was seen in CCTV footage over several days and mentioned in statements by members of the public. On examination of the restraining systems, many belts were not functioning correctly. On several occasions, the final position of the lap bar restraint allowed significant gaps to remain in the containment and did not fully contain smaller passengers.

Lightwater Valley Attractions Ltd, registered in Acreman Street, Sherborne, Dorset pleaded guilty of breaching Section 3(1) of the Health and Safety at Work etc. Act 1974 and was fined £333, 344 and ordered to pay costs of £16,183.

Speaking after the hearing, HSE inspector Andrea Jones said: "A child suffered life-changing head injuries at Lightwater Valley theme park.

"Our investigation found that the theme park did not implement suitable operating procedures and monitoring of ride operators in relation to the ride restraints.

"This was an entirely avoidable incident. Several children were put at risk and Lightwater Valley has now been held to account for their failings."

The child's mother spoke of how 'the little boy I took to Lightwater Valley that day is not the same boy that woke up after the surgery. I still grieve for my little boy.'





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## [Company fined after worker suffers crush injury](#)

Chemical company, Reckitt Benckiser Healthcare (UK) Ltd (Reckitt Benckiser Ltd), was fined for safety breaches after a worker had his left arm crushed in a bottle filling machine.

Grimsby Magistrates Court heard how on 9 September 2017, the 25-year-old

worker suffered an open crush injury to his left forearm at the company's site in Dansom Lane South, Kingston upon Hull. He also sustained tendon damage to the forearm, wrist and hand.

An investigation by the Health and Safety Executive (HSE) found that the filling machine had not been electronically isolated and locked off by the injured person, or other persons, which would have ensured that the recalibration task could be carried out in a safe manner.

Reckitt Benckiser Ltd of Dansom Lane, Hull pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £200,000 and ordered to pay £8,261.28 in costs.

Speaking after the hearing, HSE inspector David Stewart said: "Non-routine maintenance tasks must be carried out by trained personnel working to standard safe operating procedures.

"Reckitt Benckiser should have developed a standard operating procedure for the adjustment process, which if implemented correctly along with their lock off procedure, could have prevented the incident."

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3. HSE news releases are available at <http://press.hse.gov.uk>
4. For more information on the use of work equipment please go to: <https://www.hse.gov.uk/work-equipment-machinery/puwer.htm>

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