

# Company director sentenced for safety failings

The former director of a construction company has received a suspended prison sentence after failing to comply with Prohibition Notices and for carrying out unsafe work at height during roofing work on a new build house.

Manchester Crown Court heard that between July and December 2018, Imtiaz Hussain, former director of Bradford Builders (UK) Ltd, was the person in control of the work at a construction site of two semi-detached houses in Hollins Road, Oldham. Site inspections in July and August 2018 by the Health and Safety Executive (HSE) resulted in Prohibition and Improvement Notices being issued for multiple health and safety failings, including unsafe work at height.

On 6 December 2018, a HSE site visit took place following a report of unsafe roof work the previous week. Roof work was being carried out from a scaffold at the rear of the building. Two further Prohibition Notices were served on the two separate scaffolds at the site due to missing guardrails and scaffold boards and the resulting risk of falls from the scaffold.

An investigation by HSE found that Imtiaz Hussain failed to comply with Prohibition Notices issued after the HSE inspector's visits and to take suitable and sufficient measures to prevent falls from height during the roof work.

Imtiaz Hussain, of Richardson Avenue, Bradford, pleaded guilty to breaching Regulation 6(3) of the Work at Height Regulations 2005 and two counts of Section 22 of the Health and Safety at Work etc. Act 1974. He was sentenced to eight months imprisonment suspended for two years, 200 hours unpaid work in the community and ordered to pay costs of £5,000.

HSE inspector David Norton said after the hearing: "These risks could so easily have been avoided by simply having suitable scaffolding in place put up by a competent scaffolding contractor. Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards and that failure to comply with Prohibition or Improvement Notices is likely to result in prosecution."

## **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>

The post [Company director sentenced for safety failings](#) appeared first on [HSE Media Centre](#).

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## [Company fined after workers injured by fork lift trucks](#)

A postal service company has been fined after two employees were injured by fork lift trucks in two separate incidents.

Luton Magistrates' Court heard of two incidents at UK Mail on 20 October 2016 and 20<sup>th</sup> March 2017. An operations administrator was struck by forklift truck whilst sorting the returned parcels and sustained a fractured skull and bleed between the skull and brain. In a separate incident, a warehouse operative was inspecting a parcel and a fork lift truck hit the left side of her body. She suffered nerve damage to her left arm and superficial leg and hip injuries.

An investigation by the Health and Safety Executive (HSE) found the company failed to ensure that there was effective segregation of pedestrians and vehicles. There were no pedestrian walkways for employees to navigate across the warehouse safely.

UK Mail of Buckingham Avenue, Slough pleaded guilty, to breaching section 2, of Health and Safety at Work Act 1974. The company has been fined £400,000 and ordered to pay costs of £9,356.04

Speaking after the case, HSE inspector Roxanne Barker said:

"The company failed to properly manage workplace transport in the warehouse area. The systems of work in place were not safe. Adequate control measures were not identified or implemented, and effective segregation was not in place, nor, even adequate workways. "The incident heightens awareness of the need to properly assess and control the risks to employees from workplace traffic movements and a reminder that these types of failures can lead to life-changing injuries."

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4. Refer to HSE website to doing it the right way: <http://www.hse.gov.uk/pUbns/priced/hsg136.pdf>

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## [HSE reacts to sentencing of man for threatening inspector](#)

A senior inspector at Britain's workplace regulator has stressed that the organisation will not tolerate violence, aggression or abuse of its staff after a man was sentenced for a public order offence.

A Health and Safety Executive (HSE) inspector was conducting an inspection of a waste and recycling site belonging to Jacob Alexander Thompson in August 2019.

Attending the Teesside premises on 23 August 2019, the inspector became aware of an individual pointing at him across the yard. The individual, Thompson, then crossed the yard towards the inspector, shouting obscenities.

When arriving on site, the inspector was subjected to repeated verbal abuse and offensive language and was physically threatened when Thompson stepped towards him and raised his fist as he aggressively told him to leave.

Jacob Alexander Thompson, 38, was sentenced on Monday 17 February 2020, at Teesside Magistrates' Court following an investigation by Cleveland Police.

Principal inspector Victoria Wise said: "Thompson's aggression, threats and abuse are wholly unacceptable. HSE will not tolerate any

form of violence, aggression or abuse.

“Our inspectors are warranted to attend premises to carry out their job to ensure the safety and health of those working there. Any aggressive or violent words or actions taken against HSE staff in the course of their duties will be reported to the police.

“I would like to thank Cleveland Police for their help and support in dealing with this serious matter.”

Thompson of Mulberry Wynd, Stockton-on-Tees, pleaded guilty to an offence under Section 4 of the Public Order Act 1986. He was ordered to pay £100 compensation and costs of £85. He also received a conditional discharge of six months.

The post [HSE reacts to sentencing of man for threatening inspector](#) appeared first on [HSE Media Centre](#).

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

A construction company has been fined after a worker was injured when a water pump set weighing over 700kg fell on him at a construction site.

Southwark Crown Court heard that, on 15 January 2016, a pipe fitter working for Fascal Group Limited was working on the transfer of a pump set from its pallet to a raised platform in Goodman’s Fields, East London. The pump set fell on him. As a result, the worker was pinned beneath the unit, and he sustained serious injuries including multiple fractures and dislocations.



An investigation by the Health and Safety Executive (HSE) found that Fascal Group Limited had been contracted to do mechanical and engineering works on

the project that included the installation of the pump set. The company had failed to ensure that a safe system of work for the moving and positioning of the pump set was communicated to the operatives undertaking the work.

Fascel Group Limited of Sundon Park, Luton pleaded guilty to breaching Regulation 15(2) of the Construction (Design and Management) Regulations 2015 and were today fined £36,000 with £34,235.45 costs.

Speaking after the hearing, HSE inspector Gabriella Dimitrov said: "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.

"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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## **[Engineering company fined for exposing workers to the risk of dermatitis](#)**

An engineering company has been fined for failing to control the risk of its employees developing dermatitis following exposure to metalworking fluid.

West Hampshire Magistrates' Court heard that, between October 2017 and January 2019, employees of Lymington Precision Engineers Co Limited were exposed to metalworking fluid while working on conventional machines such as lathes and milling machines on the company site in Limington, New Forest. Metalworking fluid is used on the machines to lubricate and cool work pieces and is classed as a substance hazardous to health. Exposure to metalworking fluid can lead to the development of dermatitis and asthma and can have serious, life-changing health effects.

An investigation by the Health and Safety Executive (HSE) found the company had failed to ensure adequate measures were in place for the control of exposure to metalworking fluids, exposing their employees to the risk of contracting dermatitis.

Lymington Precision Engineers Co. Limited of High Street, Rickmansworth have pleaded guilty to breaching Regulation 7(1) of The Control of Substances Hazardous to Health Regulations 2002 and have been fined £20,000 and ordered to pay costs of £4,447.46.

Speaking after the hearing, HSE inspector Nicola Pinckney said: "This case could so easily have been avoided by simply implementing correct control measures and appropriate working practices. Appropriate controls could include provision and use of well-fitting overalls, use of gloves in contact with contaminated work pieces, avoidance of the use of airlines for cleaning activities, and the provision of an effective skin care regime.

"Control of exposure to hazardous substances is a legal requirement on employers and HSE provides guidance on how control can be achieved."

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3. HSE news releases are available at: <http://press.hse.gov.uk>
4. HSE guidance and information about Dermatitis can be found at: <http://www.hse.gov.uk/skin/employ/dermatitis.htm>

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