

# Construction company prosecuted after self-employed joiner was seriously injured

A construction company has been fined after a self-employed joiner received serious eye injuries when he was struck in the face by an object while stepping onto a scaffold platform.

Nottingham Magistrates' Court heard that, on 2 November 2017, the injured worker was installing cladding to a newly built house on Southwell Road in Kirklington. He stepped on a platform from a tower scaffold left on the working platform which was overhanging the edge. As he stepped onto the platform, it flicked up and struck him in the face, causing him to fall from the scaffold and causing serious injuries to his eye.



An investigation by the Health and Safety Executive (HSE) found Pearson Property Developments Ltd had failed to sufficiently plan the work at height and had inadequate site induction procedures in place, meaning the competency of workers on site was not properly checked.

Consequently, the company did not know whether workers were sufficiently competent to erect scaffolding and tower scaffolds, and additionally failed to ensure the pieces of work equipment were properly signed off as safe to use by competent persons. Furthermore, the investigation found insufficient supervision and monitoring of the site, which led to ad-hoc working methods that were neither observed nor challenged, meaning that the improper use of work equipment was not seen and rectified.

Pearson Property Developments Ltd of Mountsorrel, Loughborough, pleaded guilty to breaching the Work at Height Regulations 2005 section 4(1) and the Work at Height Regulations 2005 section 5. The

company was fined £10,000 and ordered to pay costs of £2,896.80.

Speaking after the hearing, HSE inspector Phil Gratton said: “This incident could so easily have been avoided by properly planning the work and 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.”

#### **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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## **Construction company and director sentenced after non-compliance with HSE notices**

A company and its director have been fined after failing to comply with health and safety regulations and an enforcement notice.

Westminster Magistrates’ Court heard that, between May 2018 and February 2019, the Health and Safety Executive (HSE) carried out a series of inspections at a construction site at Chelmsford Road, South Woodford, London following health and safety concerns raised at the site. During the inspections, the site manager and company director Mr Tahir Ahmed was served with two Prohibition Notices and his company, All Type Electrical and Building Limited, were served with two Prohibition Notices and two Improvement Notices. All Type Electrical and Building Limited’s Improvement Notice for competent advice was not complied with.



All Type Electrical and Building Limited pleaded guilty to breaching Regulation 15(2) of the Construction (Design and Management) Regulations 2015; and Section 21 of The Health and Safety at Work etc Act 1974. The company was ordered to pay a fine of £60,000 plus a surcharge of £170 and full costs of £5216.46

Mr Ahmed of Suttlej Road, London, pleaded guilty to breaching Section 21 of The Health and Safety at Work etc Act 1974. He was sentenced to 18 weeks' imprisonment suspended for 12 months, 180 hours of unpaid work, and was ordered to pay a surcharge of £115, and full costs of £5060.69.

After the hearing, HSE inspector David King commented: "This case highlights the need for suitable and sufficient planning, managing and monitoring, using the appropriate work at height equipment and having a competent site manager.

"Dutyholders should be aware that HSE will hold to account those who do not comply with health and safety legislation, or who do not comply with enforcement notices served on them."

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The post [Construction company and director sentenced after non-compliance](#)

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## [Molten metal company fined after employee suffered burns in explosion](#)

A molten metal company in Somerset has been fined for failing after an explosion which injured a worker.

Taunton Magistrates' Court heard that on 5 March 2018 an employee of Cronite Castings Ltd was manually loading a 500kg capacity foundry furnace with metal charge. Solid pieces were added to molten metal and some pieces were wet. An explosion occurred resulting in ejection of a quantity of molten metal from the furnace. The employee suffered molten metal burns to their torso and hand.

An investigation by the Health and Safety Executive (HSE) found that procedures for keeping charge dry and checking for wetness before furnace loading were inadequate. The investigation found that a roof leak over the stored charge material had been identified but effective action was not taken. The injured person was not wearing the correct personal protective equipment; this had become custom and practice on the night shift and supervision arrangements had not been effective in ensuring proper use of molten-metal PPE.

Cronite Castings Ltd of Crewkerne, Somerset, pleaded guilty to breaching Section 2(1) of the Health & Safety at Work Act. The company has been fined £50,000 and ordered to pay costs of £8544.90, plus court surcharge of £170.00.

Speaking after the hearing HSE inspector Dawn Lawrence said, "This injury could have easily been prevented and the risk should have been controlled."

"Employers should make sure they properly assess and apply effective control measures to minimise the risk of explosion."

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## [Swimming pool equipment supplier fined after employee suffered degloving injury](#)

A manufacturer of swimming pool covers has been fined after a worker suffered a degloving injury when his hand got caught between two power driven rollers of an extruder machine.

Brighton Magistrates' Court heard how on the 21 February 2018, an employee at Plastipack Limited was injured, at the company site in St Leonards-on-Sea, when his hand got caught between two power driven rollers of an extruder machine while performing a manual intervention on the machine.

An investigation by the Health and Safety Executive (HSE) found that the company had, between 1 July 2012 and 21 February 2018, failed to ensure that the in-running nip point between the rollers of the machine was adequately guarded to prevent access.

Plastipack Limited of Wainwright House, Wainwright Close, St Leonards-on-Sea pleaded guilty to breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998 and was fined £30,000.00 and ordered to pay costs of £5842.30.

*Speaking after the case HSE inspector Susie Beckett said " This injury was easily preventable, and the risk should have been identified. Employers should make sure they properly assess and apply effective control measures to minimise the risk from dangerous parts of machinery."*

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## [Fedex UK Ltd fined after worker seriously injured by reversing fork lift truck](#)

A parcel carrier has been fined after an employee was seriously injured when he was struck by a fork lift truck.

Cannock Magistrates' Court heard that in the early morning of 2 November 2017, an employee was walking across the depot at Burntwood Business Park, near Cannock, Staffordshire when he was struck by a reversing fork lift truck. The worker was trapped on the ground by the fork lift truck and had to be freed by colleagues using a pallet truck. He suffered serious fractures to his arm and soft tissue injuries to his legs. He was off work for several months.

An investigation by the Health and Safety Executive (HSE) found there was inadequate segregation of fork lift trucks and pedestrians within the workplace. A risk assessment had been carried out but had not identified the importance of achieving robust segregation in an area where frequent fork lift truck movements took place.

Fedex UK Ltd of Express House, Holly Lane, Atherstone pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work Act 1974 and has been fined £533,000 and ordered to pay costs of £10033.39.

After the hearing, HSE inspector Wendy Campbell said: “Those in control of work have a responsibility to provide safe methods of working and a safe working environment. Collisions between vehicles and pedestrians can be avoided if the workplace layout is properly planned, effectively segregated and suitable systems of work are introduced. If physical barriers and a suitable system of work had been in place the injuries sustained by this employee could have been prevented.”

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