

# Employee sentenced after apprentice injured in fall from unstable box

An employee has been fined after an apprentice sustained serious injuries when he fell from a potato box lifted by a forklift truck.

Peterborough Magistrates' Court heard how, on 30 July 2018, Mr Francis Yardy used a forklift truck with an attached potato box to lift an apprentice electrician to a height of four metres to carry out electrical repairs at a potato storage warehouse near Ely. This was inherently unstable and the apprentice fell to the floor. The apprentice was admitted to hospital and sustained a punctured lung and broken ribs.

An investigation by the Health and Safety Executive (HSE) found the apprentice's employer had carried out a risk assessment and purchased suitable equipment for work at height, but that this was not used by the employee in charge of work at the site.



Type of potato crate used

Mr Francis Yardy of Regent Avenue, March, Cambridgeshire pleaded guilty to breaching Section 7 of the Health and Safety at Work etc Act 1974 and has been fined £2,000 and ordered to pay costs of £560.40.

Speaking after the hearing, HSE inspector Graeme Warden said:  
“Unfortunately, forklift trucks are frequently used with potato boxes or pallets attached to lift people to work at height. This incident serves as a reminder of the potentially disastrous consequences.”

Further information about working safely at height can be found at:  
<http://www.hse.gov.uk/work-at-height/index.htm>

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

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## **[Company and director fined following dangerous construction work around a domestic boiler](#)**

A building company and its director have been fined for unsafe construction work around a domestic gas boiler which resulted in a gas escape.

Birmingham Magistrates’ Court heard how MD Building Contractors Ltd was contracted to undertake construction work at Brooklyn Avenue, Aston, Birmingham, between 26 July and 28 August 2017. The work was an extension to the kitchen.



An investigation by the Health and Safety Executive (HSE) found that prior to the work commencing, a pre-existing gas boiler had been located in the kitchen with its flue going out of the rear wall. During the work the original flue outlet was removed, and an external wall was built around it. This had the effect of completely enclosing the flue inside the wall with no direct external exit point for the boiler to safely vent outside.



As a result the family of six living in the house were exposed to the risk of inhaling the products of the boiler burning, including Carbon Monoxide (CO), a poisonous gas that has no smell or taste.

Manjit Singh Dhaliwal (Director) of Manor Road, Halesowen pleaded guilty to breaching Section 37 of the Health and Safety at Work etc Act 1974. He has been sentenced to a fine of £2,000 and ordered to pay costs of £431.50.

MD Building Contractors of Oak Road, Oldbury pleaded guilty to breaching Gas Safety (Installation and Use) Regulation 8(3). The company has been sentenced to a fine of £16,000 and ordered to pay costs of £513.10.

Speaking after the hearing HSE principal inspector Tony Mitchell said:

“Every year, around seven people die from CO poisoning caused by gas appliances and flues that have not been properly installed, maintained or that are poorly ventilated.

“Manjit Singh Dhaliwal was negligent in his duties as sole director to ensure that during refurbishment of the property that existing gas fittings were not adversely affected.

“All gas work must be done by registered Gas Safe engineers to ensure the highest standards are met to prevent injury and loss of life.”

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## **Company fined following multiple safety failings on construction site**

A construction company has today been fined after failing to ensure the safety and welfare of workers on site during the renovation of a property.

Preston Magistrates' Court heard how, between 12 December 2015 and 14 June 2018, Navkaar Limited put its workers at serious risk of personal injury or death at a construction site in Blackpool. The company failed to prevent risks from falls from height, exposure to asbestos and dangerous electrical systems. There were no suitable welfare facilities and no measures to prevent fire on site.





An investigation by the Health and Safety Executive (HSE) found that workers on site had carried out work in an unsafe manner without the appropriate measures in place to ensure their health, safety and welfare. The employees and contractors on site did not have the appropriate skills, knowledge and experience to complete the work. Navkaar Limited failed to comply with their duty as principal contractor to plan, manage and monitor the work being carried out on site.

Navkaar Limited of Station Approach, Northwood pleaded guilty to breaching Regulation 13(1) of the Construction (Design and Management) Regulations 2015. The company was fined £35,000 and ordered to pay costs of £3,860.

Speaking after the hearing, HSE inspector Jacqueline Western, said: "These risks could so easily have been 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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## [Solar panel company fined after worker falls through skylight](#)

A solar panel company has been fined after a worker fell through a skylight during the installation of solar panels on a farm workshop in East Sussex.

Brighton Magistrates Court heard how, on the 23 July 2018, an employee of SolarUK Limited was carrying out installation work on the fragile roof in Ninfield. As he stood to move, he stepped on the unprotected skylight and fell approximately four metres to the workshop floor below sustaining multiple and long-term injuries to his wrist.



An investigation by the Health and Safety Executive (HSE) found that, although the company knew the risks from fragile surfaces and unprotected edges, they failed to plan or supervise the work to ensure that access to

hazardous areas was prevented. As such the workers were at risk from falls throughout the job.

SolarUK Limited of Vantage Point, Battle, pleaded guilty to breaching Regulation 4(1) of The Work at Height Regulations 2005 and was fined £40,000 and ordered pay costs of £2,000 in addition to a victim surcharge of £170.

Speaking after the hearing, HSE inspector Nicola Wellard said: "The risks associated with fragile roofs are widely known throughout this industry. Failing to protect workers from this risk is inexcusable. Simple safety measures could have prevented this incident and the long-term injuries to the worker."

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## **Events company fined after worker injury**

An event management company has been fined for failing to ensure the safety of employees during the lifting and moving of a 14-foot-wide park home chassis.

Coventry Magistrates' Court heard how employees at Woodcorner Farm, Coventry were transferring the 14-foot-wide park home chassis through a 13-foot-wide opening on 5 July 2018.

As the opening was too narrow employees were required to push down on the sides of the chassis to angle it through the door whilst it was being manoeuvred by two forklift trucks, one at each end. The chassis slipped off the forks, rebounded off the floor and struck one of the employees on the shoulder. The force of this lifted him off his feet and flung him backwards two metres into the wall of the building. He was knocked unconscious and suffered a broken collar bone.



An investigation by the Health and Safety Executive (HSE) found the lift was not properly planned, organised or carried out safely. Employees were left to devise their own method of moving the chassis, as the company had failed to properly assess the risks and take simple measures to ensure the task was carried out safely.

Sovereign Exhibitions & Events of Units 1-3 Arley Industrial Park, Colliers Way, Arley, Coventry, West Midlands plead guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 and have been fined £161,000 and ordered to pay costs of £1,345.

Speaking after the hearing, HSE inspector Christopher Maher 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 in the safe system of working.

Since the incident the company have widened the opening to allow for safe movement of the park home chassis. Had they done this before the incident these injuries could have been avoided."

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