

Registered charity fined after resident of care home fell down a set of stairs and was fatally injured

Nazareth Care Charitable Trust, a registered charity, was today fined after an elderly resident of one of its care homes was fatally injured when she fell down a set of stairs.

Edinburgh Sheriff Court heard that on 16 May 2017, Sheila Whitehead, an 87-year-old resident at Nazareth House, Hill Head, Bonnyrigg, Midlothian, a care home operated by Nazareth Care Charitable Trust, fell down a stairwell. She suffered a fractured skull and subdural haemorrhage, which ultimately resulted in her death.



An investigation by the Health and Safety Executive (HSE) found that Nazareth Care Charitable Trust failed to identify and implement adequate measures required to control the risk of care home residents falling down the stairs. The stairwell involved in the incident consisted of a flight of six steps, which descended from the main corridor on the ground floor down to the entrance of the boiler room. It was found to lack an effective physical barrier that prevented access to the stairwell, in an environment where many residents, due to their conditions and ailments, were at an increased risk of suffering a fall.

Nazareth Care Charitable Trust of East End Road, East Finchley, London pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974 and was fined £40,000.

Speaking after the hearing, Nikki Jack of HSE said: "This incident could so easily have been avoided by simply carrying out correct control measures.

"Organisations 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
2. More about the legislation referred to in this case can be found at: www.legislation.gov.uk/
3. HSE news releases are available at <http://press.hse.gov.uk>

The post [Registered charity fined after resident of care home fell down a set of stairs and was fatally injured](#) appeared first on [HSE Media Centre](#).

Self-employed gas fitter jailed for illegal gas work

A fitter has been jailed after carrying out illegal gas work which was deemed by Gas Safe Register as immediately dangerous to life and property.

York Magistrates' Court heard that between 14 and 15 November 2015 and in the summer of 2017, Paul Golding undertook illegal gas work at an address in Scarborough.

An investigation by the Health and Safety Executive (HSE) found that Mr Golding was not Gas Safe registered, nor did he hold the relevant competencies to undertake the work. Mr Golding was aware that he should not have been undertaking gas work but did so in contravention of an HSE Prohibition Notice served on him in 2015.

Paul Golding of Queen Margaret's Road, Scarborough was found guilty of breaching:

- Section 3 (2) of the Health & Safety at Work etc Act 1974
- Section 33 (1) (g) of the Health & Safety at Work etc Act 1974
- Regulation 3 (1) of the Gas Safety (Installation and Use) Regulations 1998
- Regulation 3 (3) of the Gas Safety (Installation and Use) Regulations 1998.

He was sentenced to 18 months custody.

After the hearing, HSE inspector Darian Dundas commented: “Paul Golding undertook gas work which he knew he was not registered to do. HSE will not hesitate to take appropriate action against rogue gas fitters who disregard the law and place lives at risk.

“Working with domestic gas appliances is difficult, specialised and potentially very dangerous, so it is vital that this is only undertaken by trained and competent engineers who are registered with Gas safe.”

Notes to Editors:

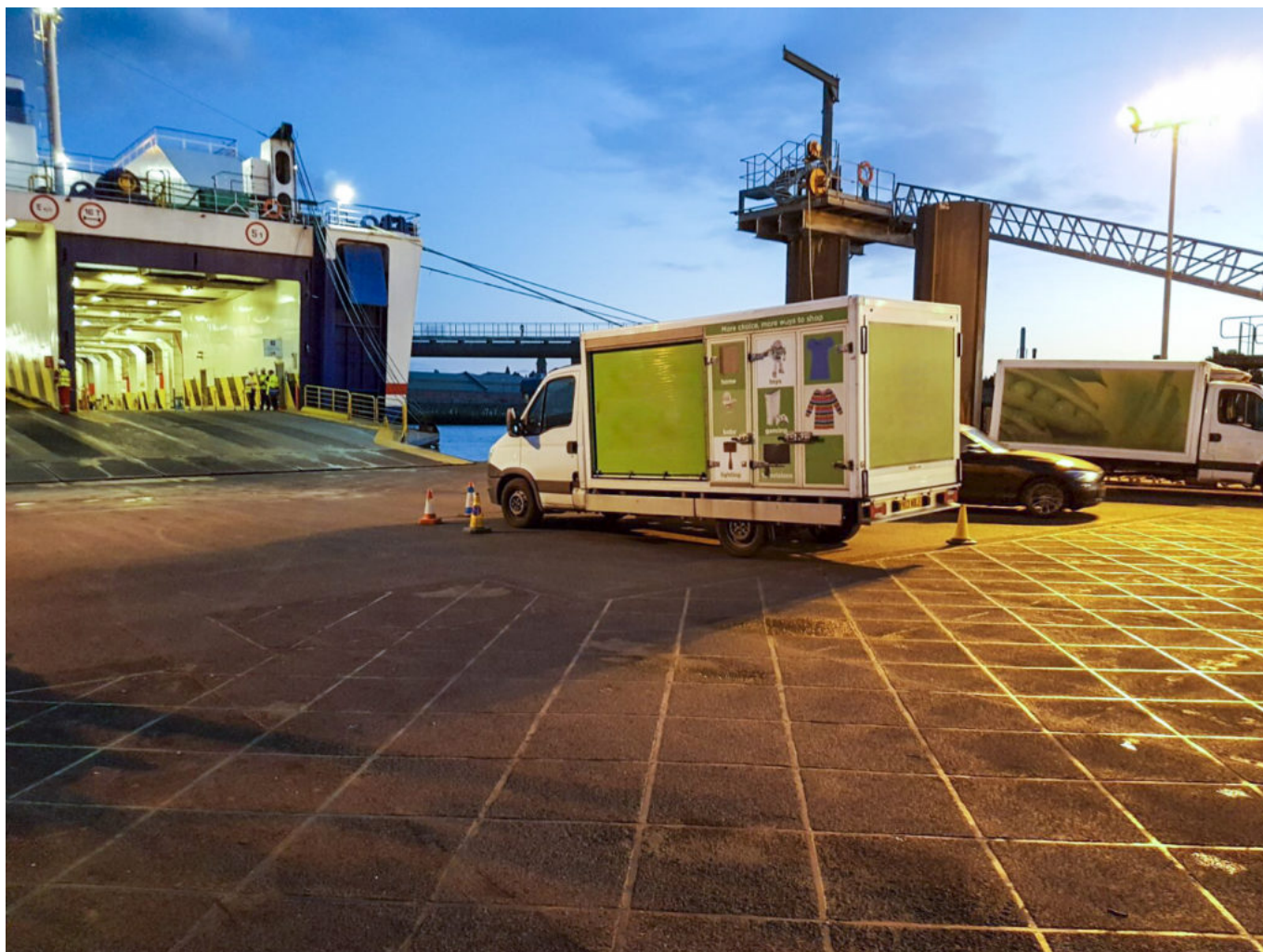
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[Ferry operator prosecuted after worker injured by moving vehicle](#)

A ferry operator has been prosecuted after an employee sustained serious injuries when he was struck by a van being reversed out of a docked vessel.

Liverpool Magistrates’ Court heard that on 17 September 2017 George Ball, a pontoon traffic marshall working for Stena Line Limited, was struck by a 3.5 tonne delivery van at the company’s port terminal in Birkenhead, Wirral. The van was being reversed off the Stena Lagan vessel onto the pontoon area by a port service operative.



The vehicle reversed over Mr Ball's head and body after the initial collision had knocked him down. Mr Ball suffered multiple injuries that included numerous fractures to his skull, ribs and other bones, loss of sight in one eye. He has been left with double vision in the other eye and ongoing mental health problems.

An investigation by the Health and Safety Executive (HSE) found there was no consideration of physical segregation of pedestrian operatives from moving vehicles when vessels were being unloaded. Stena Line Limited had failed to adequately assess the risks to pedestrians from moving vehicles and consequently put in place effective control measures leading to a safe system of work.

Stena Line Limited of Station Road, Ashford, Kent, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £400,000 and ordered to pay costs of £6576.15.

HSE inspector Rohan Lye said after the hearing, "The injuries sustained by Mr Ball, which affect him to this day, were easily preventable. The risks to pedestrians from moving vehicles is an obvious one which should have been identified and controlled.

"Had Stena Line Limited employed suitable control measures the life changing physical and emotional injuries which continue to impact Mr Ball and his family would have been avoided."

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2. More about the legislation referred to in this case can be found at: www.legislation.gov.uk/
3. More information about workplace transport safety can be found at
4. <http://www.hse.gov.uk/workplacetransport/index.htm>
5. HSE news releases are available at <http://press.hse.gov.uk>

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[Construction company fined after carpenter injured in fall from height](#)

A Hitchin-based construction company has been sentenced after a carpenter sustained nerve and tissue damage to his lower back after a fall from height.

Luton Magistrates' Court heard on 2 May 2017, the employee was working for and under the control of MP Building Limited. He climbed up to remove a nail from a brace holding trusses, one of which started to fall causing the employee to fall with it. Raised safety decking used as fall mitigation within the building did not cover the whole area and left significant gaps.

The 36-year-old carpenter sustained nerve and tissue damage to his lower back, whiplash to neck and his little finger was ripped open.

An investigation by Health and Safety Executive (HSE) found that the risk assessments of MP Building Limited were generic. They identified falls from height, but control measures focused on scaffolding and did not mention internal falls and decking. It was also found that operatives on the site were not trained to install the safety decking.

MP Building Limited of Bilton Road, Hitchin pleaded guilty to contravening Regulation 6(3) of the Work at Height Regulations 2005 and Regulation 13(1) of Construction (Design and Management) Regulations 2015. The company has been fined £65,000 and ordered to pay £6,298.82 in costs.

After the hearing, HSE inspector Jenny Morris said: 'This incident could so

easily have been avoided by planning work at height to ensure that suitable and sufficient measures were in place to prevent falls.'

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

Further guidance to doing it the right way can be found at:

<http://www.hse.gov.uk/work-at-height/key-messages.htm>

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[Drayton Manor to be prosecuted following death of schoolgirl](#)

A Health and Safety Executive prosecution is being brought following the death of an 11-year-old girl at Drayton Manor theme park.

On 9 May 2017, Evha Jannath died after falling from the park's Splash Canyon water ride.

Drayton Manor Parks Ltd of Drayton Manor Drive, Tamworth, Staffordshire will face a charge under Section 3 of the Health and Safety at Work etc. Act.

The criminal proceedings have not yet commenced, because an inquest into Evha's death, due to be heard in November, needs to take place first.

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