

# Construction company fined after a junior bricklayer is injured in fall from height

Construction company Trumax Building Ltd was sentenced today for safety breaches after an employee under the age of 18 fell 2.62 metres through a stairway opening at a site in West Butterwick, Scunthorpe.

Sheffield Magistrates' Court heard how, on 18 May 2018, the operative was working on the first floor of a house being built at a development property on North Street. He was using a trowel to remove excess mortar from the back of breeze blocks, when he stepped backwards and fell through an unprotected stairway opening onto the concrete ground floor. He suffered two fractured ribs and contusions.

An investigation by the Health and Safety Executive (HSE) found that Trumax Building Ltd had failed to install a proprietary guardrail system or traditional scaffold guardrails around the perimeter of the opening.

Trumax Building Ltd pleaded guilty to contravening Regulation 6 (3) of the Work at Height Regulations 2005. The company has been fined £10,000 and ordered to pay £803 in costs.

After the hearing, HSE inspector Stuart Whitesmith commented: "This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices, particularly to protect inexperienced workers.

"In this case someone suffered serious injuries which could been easily avoided by installing guardrails around the opening, to prevent workers falling from height."

## **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)<sup>[1]</sup>
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/)<sup>[2]</sup>
3. HSE news releases are available at <http://press.hse.gov.uk><sup>[3]</sup>
4. Please see the link to the page on HSE's website that is the best guide to doing it the right way: [www.hse.gov.uk/pubns/indg401.pdf](http://www.hse.gov.uk/pubns/indg401.pdf)

The post [Construction company fined after a junior bricklayer is injured in fall from height](#) appeared first on [HSE Media Centre](#).

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## [West Midlands company fined after worker killed by forklift truck](#)

A Birmingham manufacturer of calcium carbonate products has today been sentenced after a worker suffered fatal injuries when struck by a forklift truck.

Birmingham Magistrates' Court heard how, on 24 July 2017, Christine Workman, an employee of Minteq UK Ltd (trading as Specialty Minerals) was struck by a forklift truck whilst walking in the designated pedestrian area of the site's roadway. She suffered severe crush injuries and tragically died on 8 August 2017.

An investigation by the Health and Safety Executive (HSE) found the measures in place to separate and segregate pedestrians from vehicles were inadequate, with the designated pedestrian walkway running, unprotected, down the centre of the roadway used by vehicles.

Minteq UK Ltd of Lifford Lane, Kings Norton, Birmingham, pleaded guilty to breaching Sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974 and has been fined £200,000 and ordered to pay costs of £23,217.87.

Speaking after the case, HSE inspector Kay Brookes commented:

"Far too many people are killed and seriously injured by vehicles in the workplace every year. Provisional data for 2018-19 shows that of the 147 workers fatally injured, 30 of them were as a result of being struck by a moving vehicle. Many hundreds are left with life-changing injuries.

"The requirement to ensure adequate separation and segregation between pedestrians and vehicles is paramount. This tragic and wholly avoidable incident highlights the need for companies to comply with their legal duty to identify what can kill and seriously hurt people in their workplace and take steps to stop that happening."

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## [Garden shed manufacturer fined after employee injures hand](#)

A garden shed manufacturer has been fined after an accident at its site in Gateshead resulted in an employee losing the tip of his right thumb and damaging tendons in his right hand.

North Tyneside Magistrates' Court heard that on 26 July 2017 the employee of David Bell, who trades as Leam Lane Garden Sheds, was using a rip saw to cut the apex of a shed. The riving knife of the rip saw was missing and during this process the employee's hand came into contact with the blade of the saw resulting in him losing the tip of his right thumb and damaging tendons in his index and middle finger on his right hand.

An investigation by the Health and Safety Executive (HSE) found the employer had not isolated the saw to prevent it from being used until it had been repaired. It also failed to ensure the employee had received suitable and sufficient training in the use of woodworking machinery.

David Bell, trading as Leam Lane Garden Sheds, of Salt Meadows Road, Gateshead pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £15,000 and ordered to pay costs of £925.90.

After the hearing, HSE inspector Victoria Crofton said: "Employers should make sure they properly assess and apply effective control measures to minimise risk from woodworking machinery, and provide the necessary information, instruction and training to their workers. They must also ensure any defective equipment cannot be used.

"Had this been done this worker would not have suffered these serious injuries."

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## [Company and director fined following worker's fatal fall from a tree](#)

A property investment company and its director have been fined after a worker fell from a tree causing fatal injuries.

Nottingham Crown Court heard how on 27 September 2017 untrained workers were tasked with taking down a large, dead sycamore tree on Ebers Road in Nottingham using a chain saw. One worker went up a ladder and used the saw to cut a branch, which when released swung back at the worker knocking him out of the tree. As he was not using ropes to anchor himself into the tree he then fell to the ground. The man was taken to hospital and sadly died two weeks later.

An investigation by the Health and Safety Executive (HSE) revealed that workers should have been trained in chainsaw use and in working with saws in trees. The work should also have been properly planned with competent workers using correct personal protective equipment (PPE) for operating the saws and climbing the tree.

Claudio De Falco of The Spinney, Woodthorpe, Nottingham as Director pleaded guilty to a breach of Regulation 4 (1)(c) of the Work at Height Regulations 2005. He was fined £40,000 and ordered to pay costs of £6,350.

CDF Properties Investment Ltd of Haydn Road, Nottingham pleaded guilty to a breach Regulation 4 (1)(c) of the Work at Height Regulations 2005.

The company was fined £80,000 and ordered to pay costs of £12,700.

Speaking after the hearing HSE inspector Martin Giles said:

“Using chain saws on and in trees is a specialised task and should only be carried out by trained and competent people using the right protective equipment for using the saws and climbing trees.

“Falls from height remain one of the most common causes of work-related fatalities in this country and the risks associated with working at height are well known.”

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## **[Employer sentenced after worker severed three fingers](#)**

Andrew Gibson has been given a suspended jail sentence for safety breaches after a worker suffered life changing injuries.

Sheffield Magistrates’ Court heard how, on 19 October 2016, an employee was using an Elektra Beckum table saw to cut down some large (2.4m x 2.4m) sheets of chipboard at a workshop in Houndhill Park, Rotherham. The worker’s right hand made contact with the unguarded saw blade and three of his fingers were severed. After the incident he was taken to hospital by Mr Gibson. Two of his fingers were reattached at the hospital but the third finger was never found.



An investigation by the Health and Safety Executive (HSE) found that the worker was pushing the sheets through the saw by hand, without using an appropriate pushstick or jig which would have kept his hand and fingers away from the moving blade. At the time of the incident the crown guard and riving knife were also not fixed to the machine. The investigation also found that there was no Employer's Liability (Compulsory Insurance) policy in place.

Andrew Gibson of Lower Dolcliffe Road, Mexborough, South Yorkshire, who at the time was trading as Crosby Kitchens (a kitchen manufacturing company), pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. He was sentenced to 26 weeks in prison, suspended for 18 months, and 200 hours of unpaid work. He was also ordered to pay £17,000 compensation to the injured employee.

After the hearing, HSE inspector Jane Fox commented: "This incident could so easily have been avoided by implementing suitable control measures and safe working practices.

"Dangerous parts of machinery should be appropriately guarded as required by the legislation, in order to protect employees."

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3. <http://www.hse.gov.uk/pubns/wis16.pdf>
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