

# Company fined after 21-year-old worker dies

A company in Peterborough has been fined £67,000 after a young employee lost his life.

George Setchfield was found unconscious over the side of a large container while working for Electrostatic Magic Limited at the firm's site in Peterborough.

George's mum says his passing has affected "every aspect" of her life.

The 21-year-old had entered the company's stripping shed, which housed an Intermediate Bulk Container (IBC) containing alloy wheel stripper.

He was later found by his manager slumped over the side of the IBC, and could not be revived.



Twenty-one-year-old George Setchfield was found dead in work

George had sustained multiple organ failure and chemical pneumonitis and cutaneous burns from exposure to dichloromethane, hydrofluoric acid and methanol.

Health and Safety Executive (HSE) guidance for those [working with dichloromethane](#) is available.

An investigation by HSE found that Electrostatic Magic Limited had failed to control exposure to dichloromethane and hydrofluoric acid. It would have been

reasonably practicable for the company to have installed local exhaust ventilation (LEV), used a hoist or long-handled tools to lower and lift parts in and out of the tank, provide pumped chemical systems to prevent the need to lean into the IBC and finally ensure that any Personal Protective Equipment (PPE) or Respiratory Protective Equipment (RPE) provided was suitable for the environment it was being used in.



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George's Mum, Amanda Foster, told Peterborough Magistrates' Court: "Trying to find some level of justice for George has taken over my entire life. I have spent hours going into detail, reviewing, rereading and making notes about how George died and how it should have been prevented.

"This is something that I struggle to accept, how has this been able to happen to my son? George's death has affected every aspect of my life. It has left me with a constant feeling of emptiness and devastation. It will shadow my future forever and I know that my life will never be as it once was. It has shattered my family's lives and changed everyone's life who knew and loved George."

Electrostatic Magic Limited, of Ivatt Way, Westwood, Peterborough, pleaded guilty to breaching Regulation 7(1) of the Control of Substances Hazardous to Health Regulations 2002 and Article 67 of the REACH regulation. The company was fined £67,000 and ordered to pay £7,231 in costs at Peterborough Magistrates' Court on 19 January 2024.

HSE inspector Tom Pouncey said: "Our thoughts today are with the family of Mr Setchfield, a young man, who should have returned home safely to his family at the end of his working day, but because of the failings of Electrostatic Magic Limited, he did not, and his family are understandably heartbroken."

"Awareness within the alloy wheel stripping industry of the importance of using appropriate control measures and the dangers of this cold stripping process needs to improve.

"Companies need to understand the dangers of working with hazardous chemicals

and ensure employees are not unnecessarily exposed. Deaths can result from working with Dichloromethane-based stripping fluids. HSE will be inspecting businesses carrying out similar work to ensure suitable health and safety arrangements are in place. If they are not then HSE will take appropriate action.”

This prosecution was brought by HSE enforcement lawyer Jon Mack and supported by HSE paralegal officer Rebecca Forman.

#### 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.
2. More information about the [legislation](#) referred to in this case is available.
3. Further details on the latest [HSE news releases](#) is available.

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## [Company director fined after falsifying documents](#)

A company director has been fined £5,000 after he falsified asbestos removal documents while his firm worked on a block of flats in Brighton.

Reliable Insulations and Fibre Control Ltd had been hired to remove asbestos at Abbotts Apartments, on King Street, when the company’s director, James Pett, created a fraudulent document claiming a 4-Stage Clearance had been completed on 26 September 2021.

A 4-Stage Clearance is required by law to ensure asbestos removal work has been completed safely.

With the asbestos removal work at the site running behind schedule, Mr Pett decided against using an independent company to check the work had been carried out safely, that the site had been properly cleaned, and it was safe to reoccupy.

Instead, he decided to falsify the 4-Stage Clearance certificate.

An investigation by the Health and Safety Executive (HSE) found that 72-year-old Mr Pett had used a previous authentic test certificate to create a fraudulent document to deceive other parties into believing that the 4-Stage

Clearance had been completed, allowing further maintenance work to continue in the basement.

HSE has recently updated its webpages on [asbestos safety](#) and in 2023 launched an awareness campaign, [Asbestos and You](#), which provides tradespeople with information about how to deal with asbestos on a job, and the personal risks from asbestos that still exist across the country today. The workplace regulator has also just launched its [Asbestos: Your Duty](#) campaign that aims to improve understanding of what the legal duty to manage asbestos involves.

James Pett, of Avenue Road, Erith, Kent, pleaded guilty to breaching Section 33(1)(m) of the Health and Safety at Work etc. Act 1974. He was fined £5,000 at Bromley Magistrates' Court on 18 January 2024.

HSE inspector Russell Beckett said: "This was a reckless act by the director of a company whose sole job was to safely remove asbestos. Instead, he decided to deceive to try and speed up a job.

"Companies who are licensed to remove asbestos by the HSE are fully aware of risks associated with asbestos and the need to follow all precautions necessary to make sure areas where asbestos has been removed are safe for reoccupation, and this includes a 4-stage clearance test by an independent company.

"Exposure to asbestos is responsible for over 5000 deaths every year in the UK.

"This prosecution shows that HSE will not hesitate to take action against individuals who do not do all that they should to keep people safe."

This prosecution was brought by HSE enforcement lawyer Rebecca Schwartz and supported by HSE paralegal officer Stephen Parkinson.

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## [Manufacturing company fined after worker suffered finger amputation](#)

A West Yorkshire cosmetic manufacturing company has been fined after a worker lost part of a finger while cleaning a machine.

On 8 October 2021, the man was working on a tube filling machine at Orean Personal Care Limited at its base in Cleckheaton, West Yorkshire.

He was supervising five members of staff who were using the machine to fill tubes with a product that needed to stay hot. During the process the machine became contaminated and had to be cleaned. When the employee was cleaning the machine, part of it moved, trapping his finger, and causing the injury. Part of his middle finger was amputated, and he still suffers pain in his finger end and may require additional surgery.

An investigation by the Health and Safety Executive (HSE) found that the interlocked guard had been bypassed to allow the machine to run with the guard door open. The risk was not managed properly and a range of employees from machine operators to cleaning staff were exposed to it.

HSE has detailed guidance on [machine safety](#).

On 16 January at Leeds Magistrates’ Court, Orean Personal Care Limited of Stubbs Beck Lane, Cleckheaton, West Yorkshire pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company was fined £300,000 and ordered to pay £4,511.70 in costs.

After the hearing, HSE inspector Justine Lee said: “Moving machinery can cause serious injury and it is essential that access to it is prevented at all times, including during maintenance and cleaning work. The use of effective guarding is an absolute duty and, when complied with, will prevent this type of injury.”

This prosecution was brought by HSE enforcement lawyer Gemma Zakrzewski.

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## [Metalworking fluids: Most businesses inspected ‘not doing enough’ to protect workers](#)

- New online quiz launched to help plug knowledge gaps

Back in September last year, the Health and Safety Executive (HSE) announced it was [carrying out inspections](#). Since then more than half of those checks have identified failings.

This is a highly technical, specialist field applying precision engineering – but it can also cause harm to the lungs and skin. HSE says more needs to be done to keep workers safe.

In a bid to improve knowledge in this area, HSE has created [an online quiz](#) as part of the ongoing campaign.



The online quiz can test and improve knowledge

The [annual statistics on work-related ill health and workplace injuries](#) for 2022/23 show 12,000 people die each year from lung diseases linked to exposure to hazardous substances at work. In addition, 19,000 new cases of breathing and lung problems are thought to have been caused or made worse by work.

The manufacturing industry has a substantially higher rate than average for occupational asthma.

HSE inspector Fiona McGarry said: "It is clear that not enough is being done to protect workers and keep them safe and healthy.

"Our inspections found that there are still far too many businesses which do not have key control measures or health surveillance in place.

"As a result, enforcement action is being taken against these manufacturers.

"The creation of the quiz is a really easy way for people to test their knowledge about how best they should be protecting workers."

Exposure to metalworking fluids – also referred to as 'white water' – can cause harm to the lungs and unprotected skin. Despite this, many of the firms inspected were not carrying out health checks. Health surveillance is a legal requirement where there is exposure to fluid or mist.

The inspections so far also found poor performance around the control of metalworking fluids in businesses that use computer numerical control (CNC) machines. To protect workers, employers should reduce exposure by putting control measures in place. Local Exhaust Ventilation (LEV) should be fitted on CNC machines to carry away any harmful metalworking fluid mist.





HSE inspector Fiona McGarry

HSE inspector Fiona McGarry, added: “Lung problems and irritated skin don’t have to be associated with working with metalworking fluid if you take the right precautions.

“It is really important that control measures and fluid quality checks are in place to keep workers healthy. Health checks are essential to identify signs of ill-health early.”

More about the ongoing campaign, and tips on how to keep workers safe, can be found here.

[Machinists and metalworking fluid – Work Right to keep Britain safe](#)

HSE will continue to carry out unannounced inspections between now and the end of March 2024.

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2. More about the campaign can be found at: [Machinists and metalworking fluid – Work Right to keep Britain safe](#).
3. HSE’s [annual statistics on work-related ill health and workplace injuries](#) for 2022/23 are available.
4. □Test your knowledge by [taking the metalworking fluids quiz](#).