

# Companies given six-figure fines after HGV driver seriously injured

Three companies have been given six-figure fines after a driver was crushed between a reversing HGV and a forklift truck in a warehouse beside Heathrow Airport.

An employee of Davies Turner Air Cargo Limited was collecting a consignment from Airworld Airlines Ltd's site at the X2 Hatton Cross Centre, which is alongside the airport, in August 2017.

A vehicle, operated by Saints Transport Limited, which was collecting a consignment from Unilode Aviation Solutions UK Limited, also based at the X2 Hatton Cross Centre, reversed causing the employee to become crushed between the rear of the vehicle and the forklift truck, resulting in serious injuries.

The X2 Hatton Cross Centre is owned by Brixton (Hatton Cross) 1 Limited and is managed by Segro Administration Limited.

HSE visited the X2 Hatton Cross Centre and an investigation found the site layout did not segregate those working or visiting the site, so far as reasonably practicable, from being struck by moving vehicles.

None of the defendants had taken responsibility for managing traffic. Neither did they communicate, co-operate or co-ordinate with one another.

Segro Administration Limited, of New Burlington Place, London pleaded guilty to breaching the Health and Safety at Work etc. Act 1974 Section 3(1). Airworld Airlines Ltd, of High Street, Sunninghill, Ascot, and Unilode Aviation Solutions UK Limited, of Hatton Cross Centre, Heathrow, Middlesex, both pleaded guilty to breaches of the Health and Safety at Work etc. Act 1974 Sections 2(1) and 3(1).

Segro Administration Limited was fined £320,000 and ordered to pay costs of £17,584, Airworld Airlines Ltd was fined £120,000 and ordered to pay costs of £17,605, and Unilode Aviation Solutions UK Limited was fined £110,000 and ordered to pay costs of £10,878 at Southwark Crown Court on 1 November 2022.

Following the guilty pleas, the prosecution reconsidered the charges laid against Brixton (Hatton Cross) 1 Limited, Saints Transport Limited and Davies Turner Air Cargo Limited, and determined that it was no longer in the public interest to continue with their cases. The prosecution offered no evidence, and these defendants were found not guilty.

Speaking after the case, HM Acting Principal Inspector Sarah Pearce said: "This incident was entirely avoidable. Workplace transport incidents fatally injure 50 workers in Great Britain a year, with 5,000 other incidents resulting in serious personal injury.

“Where reasonably practicable, reversing manoeuvres should be avoided and pedestrians and moving vehicles segregated.

“Where businesses share a workplace, as in this case, they should ensure that there are systems in place for sufficient communication, co-operation and co-ordination so that others are aware of the risks arising from their undertaking.”

### Notes to editors

1. The Health and Safety Executive (HSE) is Britain’s national regulator for workplace health and safety. It aims to reduce work-related death, injury and ill health. It does so through research, information and advice; promoting training; new or revised regulations and codes of practice; and working with local authority partners by inspection, investigation and enforcement. [gov.uk](http://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>
4. Further information about workplace transport arrangements can be found here: [Vehicle and transport safety at work \(hse.gov.uk\)](http://hse.gov.uk/vehicle-transport-safety)
5. Further information on shared workplace duties can be found here: [Multi-occupancy workplaces \(hse.gov.uk\)](http://hse.gov.uk/multi-occupancy-workplaces)

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## [ISMA UK joins HSE’s Working Minds campaign](#)

The Health and Safety Executive (HSE) has added the International Stress Management Association (ISMA<sup>UK</sup>) as its latest partner on the Working Minds campaign.

Working Minds was launched by HSE last year and is aimed specifically at supporting small businesses by providing employers and workers with easy to implement advice and tools to help them recognise and respond to the signs and causes of stress and support better mental health in the workplace.

Stress, anxiety and depression are the number one reasons for work-related illness in the UK. [Statistics published by HSE](#), covering the 2020/21 period, show that, of the 1.7 million workers suffering from a work-related illness, almost half (822,000) was due to stress, depression or anxiety.

Whether you’re a small business or a large corporation, the law requires all employers to carry out a stress risk assessment and act upon the findings to prevent work related stress and support good mental health in the workplace.

Together with partners such as ISMA<sup>UK</sup>, HSE invites business and organisations across the nation to support its campaign and become Working Minds Champions to help raise awareness and drive change.

Elizabeth Goodwill from Stress and Mental Health Policy at HSE, said: “We’re calling for a culture change across Britain’s workplaces so that recognising and responding to signs of stress become as routine as managing workplace safety and we can’t do it alone. We’re delighted to be working with ISMA<sup>UK</sup> to help prevent stress and support good mental health.

“Working Minds helps employers to follow 5 simple steps based on risk assessment. They are to **Reach out** and have conversations, **Recognise** the signs and causes of stress, **Respond** to any risks you’ve identified, **Reflect** on actions you’ve agreed and taken, and **make it Routine**. It needs to become the norm to talk about stress and how people are feeling and coping at work.

Carole Spiers, Chair of ISMA<sup>UK</sup>, said: “We are very pleased to partner with the HSE on their Working Minds campaign. This resonates strongly with ISMA<sup>UK</sup> as the lead professional body for workplace and personal stress management, wellbeing and performance.

“The pandemic unleashed unprecedented change, bringing increased stress levels and consequent mental health issues with it. Employee wellbeing and mental health support are just as important as profit and productivity – because each is entirely dependent upon the other.

A report by [Deloitte](#) estimates that the total annual cost of poor mental health to employers has increased by 25% since 2019, costing UK employers up to £56 billion a year.

She continued: “With remote and hybrid working on the increase, businesses are being judged more than ever on how they treat their employees and on what specific support they are making available to them. It is essential, therefore, that we understand the importance of wellbeing in the workplace – whether that be at the office, either full-time or on a hybrid basis, or working remotely.

“Effective, unrestricted communication at all levels is crucial to achieve optimum working and productivity, reinforcing an atmosphere in which there is job security and trust, both of which are essential for employee wellbeing at every level within an organisation.”

Find out more <https://workright.campaign.gov.uk/campaigns/working-minds/>

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## 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](https://www.hse.gov.uk)

2. HSE news releases are available at <http://press.hse.gov.uk>
3. To read more about HSE's Working Minds campaign click here: <https://workright.campaign.gov.uk/campaigns/working-minds/>
4. ISMA<sup>UK</sup> is a leading professional body for workplace and personal stress management, wellbeing and performance, promoting sound knowledge and best practice in stress management, resilience, wellbeing and mental health for over 30 years. ISMA<sup>UK</sup> endorses and uses the HSE guidelines for managing stress in the workplace. To find out more about ISMA<sup>UK</sup>, visit [isma.org.uk](https://www.isma.org.uk).
5. For press and media enquiries please contact Carole Spiers, Chair of ISMAUK, on +44 (0) 77 688 78910 or at [chair@isma.org.uk](mailto:chair@isma.org.uk) or Jennie Atkins, HSE Senior Communications Manager, at [Atkins@hse.gov.uk](mailto:Atkins@hse.gov.uk) or on 07880 425244.

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## [Family-run company fined after member of public is crushed](#)

A family-run plant hire company has been fined after a member of the public was crushed at its Cambridgeshire site.

On 30 January 2020, a FDS (Cambridge) Ltd employee was moving and processing a stockpile of concrete and brick rubble using an excavator at the company's site on Ely Road, Little Thetford, Ely, Cambridgeshire.

A member of the public then came onto the site in a vehicle and was removing building waste from their trailer when they became trapped against the trailer by the reversing excavator, sustaining multiple fractures to both of their legs.

The Health and Safety Executive (HSE) found that members of the public should not have been able to get onto the site unchallenged. Additionally, they should not have been permitted to park near an operating machine which the company should have either barriered off or put suitable arrangements in place to ensure that it had ceased operating whilst people were in the vicinity.

FDS (Cambridge) Ltd of Ely Road, Little Thetford, Ely, Cambridgeshire pleaded guilty to contravening Regulation 3 (1) of the Health and Safety at Work Act 1974. The company were fined £18,000 and ordered to pay £9,354.58 in costs at Peterborough Magistrates' Court on 4 November 2022.

After the hearing, HSE inspector Roxanne Barker said: “This was a tragic and wholly avoidable incident, caused by the failure of the host company to implement safe systems of work, considering the breadth of their operations, including, and especially, those which involved visitors to their site.

“This risk was further amplified by the company’s failure to undertake a number of simple safety measures including the segregation of vehicles and pedestrians.”

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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>
4. Guidance on workplace transport safety can be found at: [Workplace transport safety – A guide to workplace transport safety \(hse.gov.uk\)](http://www.hse.gov.uk/workplace-transport-safety/)

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## **[Scaffolding company fined after worker injured in fall through skylight](#)**

A Cornish scaffolding company has been fined £24,000 after a worker was injured when he fell through a fibreglass skylight.

The 37-year-old scaffolder was working for Worden Scaffolding, part of GK Worden & Son Limited, on a commercial project at an industrial unit in Liskeard on 22 July 2019.

The company had been tasked with installing edge protection on the unit’s asbestos cement pitched roof, which had fibreglass rooflights running along it.

The scaffolder was walking up the apex of the gable end of the roof when he stepped on and fell through a rooflight, landing on a concrete mezzanine floor about 3m below.

He suffered a complex fracture to the wrist and hand, a broken rib and a bruised kidney.

An investigation by the Health and Safety Executive (HSE) found that another scaffolder from Worden Scaffolding had also been exposed to similar risks of

working near fragile rooflights at the same site in the months before.

In both instances, HSE found the work was not properly planned, appropriately supervised or carried out in a safe manner when the incident occurred. The workers were on the roof without edge protection, crawling boards, harnesses, lanyards or nets. The company had a duty to control how the work was carried out, including staff instruction.

GK Worden & Son Ltd of St Ann's Chapel, Gunnislake, Cornwall, pleaded guilty to breaching Section 4(1) of the Work at Height Regs 2005, and was fined £24,000 and ordered to pay costs of £14,000 at Plymouth Magistrates' Court on 1 November 2022.

Speaking after the hearing, HSE inspector Peter Buscombe said: "This worker's injuries were serious. This incident could have been avoided if basic safeguards had been put in place.

"Falls from height remain one of the most common causes of work-related fatalities and injuries in this country and the risks associated with working on or near fragile surfaces are well-known."

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## [Two weeks to go until HSE's Health and Work Conference 2022](#)

The Health and Safety Executive (HSE) is reminding interested parties to sign up for this year's Health and Work Conference with the free, interactive, event taking place on 15 November 2022. To [register](#) for the virtual all-day event, click here: <https://healthandworkconference.co.uk/home#register>

Building on the success of last year's conference, which saw huge demand, HSE has increased the capacity five-fold to provide 5,000 spaces for delegates.

The conference is part of HSE's approach to inspire and promote better

prevention, management and control of the common risks and causes of work-related ill-health across Great Britain.

At the conference HSE will unveil how it is supporting the government's response to the Health is Everyone's Business (HiEB) consultation, as well as discussions on topics including work related stress and mental health, occupational health, musculoskeletal disorders, and occupational lung disease.

Delegates at the event will see how health and work is evolving not just in response to the pandemic, but also around the actions we need to take collectively as employers, employees, regulators and others to prevent harm caused by work-related ill-health.

Ali Wellens, HSE's head of health and work branch, said: "Health in the workplace needs to be a priority for everyone.

"This conference is a unique opportunity to engage with HSE's regulatory inspectors, scientists and health topic specialists.

"There will also be the chance to connect with peers and delve deeper into the topics that are of interest to you via a selection of elective workshops on priority areas of health and work.

"The day will include discussions around work related stress and mental health, occupational health, musculoskeletal disorders, occupational lung disease and COSHH and much more."

Spaces are limited, so please register for the Health and Work Conference 2022 today.

For more information on HSE and its health and work priorities visit [www.hse.gov.uk](http://www.hse.gov.uk)

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1. HSE news releases are available at <http://press.hse.gov.uk>
1. To view the full conference agenda click [here](#)