

[Nestle fined after worker suffers injuries at chocolate factory](#)

Nestle has been fined after an employee suffered life-changing injuries at its factory in Newcastle-upon-Tyne.

The incident happened on 30 November 2020 when the man was drawn into a roller mechanism on a conveyor machine.

South Tyneside Magistrates' Court heard how the maintenance technician was investigating a problem on the conveyor belt of a machine used to make chocolate sweets. While checking the machine, his sleeve was caught in a roller, which dragged his left arm into the machine, trapping it between the roller and a conveyor belt.

A Health and Safety Executive (HSE) investigation into the incident at Nestle's factory on Rowan Drive, Fawdon, Newcastle-upon-Tyne found that the company had not properly assessed the risk created by the rollers under the conveyor belt and failed to guard the roller, which was a dangerous part.

It was foreseeable that employees would require access to this area and there was a clear risk of injury to employees coming into contact with this roller. Nestle had previously been prosecuted following a similar incident at its Halifax factory.

Nestle UK Ltd of City Place, Gatwick, West Sussex, pleaded guilty to breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998 and was fined £800,000, ordered to pay costs of £7776.50 and a victim surcharge of £190 at South Tyneside Magistrates' Court on October 19.

After the hearing, HSE inspector William Gilroy said: "This incident could easily have been avoided had Nestle properly reviewed the safety measures on their plant and equipment to ensure that access to dangerous parts was prevented.

"Nestle were aware of this risk following a similar incident at their Halifax plant but failed to take appropriate action."

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. [hse.gov.uk](https://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at:

<https://www.hse.gov.uk/simple-health-safety/risk/index.htm>

3. HSE news releases are available at <http://press.hse.gov.uk>

[Worker died after falling into a hot water tank at an industrial cleaning company](#)

A catering equipment cleaning company has been fined £200,000 after a worker died after falling into a tank of hot water.

The man fell through the lid of a tank of hot water heated to 76° centigrade and died a week later in hospital.

It happened on 8 January 2018 when the worker was standing on the lid of a covered tank at Pan Glo (UK) Ltd, in Skelmersdale, Lancashire when it gave way.

He was pulled from the hot water by a colleague and taken to hospital but had sustained 37% burns from which he didn't recover.

An investigation by the Health and Safety Executive (HSE) found that the company Pan Glo (UK) Ltd, previously known as Cleanbake Ltd, had failed to carry out risk assessments or develop written systems of work for any maintenance to the tank line. There was no instruction about what should or shouldn't be done when access to the restricted rear area was necessary, including whether it was acceptable to walk across the tops and lids of the tanks. This resulted in employees routinely accessing the area in this way, placing themselves at significant risk and which subsequently led to this death.

At Preston Magistrates' Court on October 18, Pan Glo (UK) Ltd of Seddon Place, Skelmersdale, Lancashire pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £200,000 and ordered to pay costs of £14,597.17.

Speaking after the hearing, HSE principal inspector Helen Jones said: "This was a tragic incident, and our thoughts remain with the family involved.

"The death of this man could easily have been prevented had the company acted to identify and manage the risks involved, and to put a safe system of work in place."

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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. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](https://www.legislation.gov.uk/)
3. More information about working safely at height can be found at <http://www.hse.gov.uk/toolbox/height.htm>
4. HSE news releases are available at <http://press.hse.gov.uk>

[Building Safety Regulator calls on residents to have their say](#)

- The Building Safety Regulator has been established in the Health and Safety Executive, as part of the building safety reforms, following recommendations in the Hackitt review after the Grenfell Tower tragedy.
- The Building Safety Act 2022 introduces a more stringent, regulatory regime for England to make sure that residents living in high-rise buildings are safe and feel safe in their homes.
- HSE is putting residents at the heart of building safety as it launches the recruitment of their first ever Statutory Residents' Panel (SRP).

Residents of high-rise buildings in England can now apply to be a part of a Residents' Panel, ensuring their voice is heard during the development and implementation of the new building safety regime.

The Building Safety Act 2022 requires the Building Safety Regulator (BSR) to set up a panel to help the regulator with its work and to help shape policy and guidance. Members will have an important role in helping to decide how the building safety regime will work in the future.

The regulator is looking for twenty people to form the panel. It will be made up of a broad representation of residents from different locations, housing types and demographics.



HSE's Chief Inspector of Buildings, Peter Baker, said: "Residents will be at the heart of the new building safety regime. Setting up the Residents' Panel is an important milestone in the BSR's development. This group of individuals will make sure that residents will have a say on how building safety will be managed in the future, building on the valuable early work undertaken by our Interim Residents' Panel."

The panel will meet up to six times in the first year to give BSR advice on different aspects of its design, policies, and procedures, based on members' real-life experience of living in high-rise properties. There are certain areas where the panel must be consulted by law. The group will also be able to set up smaller working groups to explore relevant, emerging issues.

Peter continued: "Good communication with all high-rise residents is so critical to the success of the BSR and the new regime. We want to make sure residents understand what the reforms mean for them, what their rights are, and what part they will play in the building safety regime in the future. This panel will act as the voice of their community. If you live in a high-rise building and would like to take part, we want to hear from you."

Applications close on Friday 18 November 2022. [More information can be found here.](#)

[Freight containers – potential worker exposure](#)



Port and distribution workers who play a crucial role in making sure items are delivered to buyers in the UK could be putting their health at risk.

Approximately 63.2 million tonnes of goods were handled by UK ports in 2015 in freight containers. These containers are opened on arrival by workers at Great Britain's ports and distribution centres around the country.

Workers who open or enter the containers could be exposed to dangerously low oxygen levels or to hazardous substances in the air which have built up as a result of limited ventilation while they are sealed.

To learn more about the potential risks to workers in their work with freight containers, the Health and Safety Executive (HSE) carried out research which involved visits to six ports and two distribution centres by HSE scientists.

The scientists found a range of hazardous substances and low oxygen levels inside the containers which had the potential to affect workers who open or enter them.

Nicola Jaynes, from HSE's Transport and Public Services Unit, said: "This important research looked at the associated systems of work at ports and distribution centres across Great Britain.

"Some hazardous atmospheres have the potential to harm workers if breathed in. For example, they may contain toxic substances such as fumigants and carbon monoxide or have dangerously low oxygen levels. Potential harm includes asphyxiation and ill health.

"The research confirmed there is the potential for exposure to hazardous substances and/or oxygen depleted atmospheres when opening freight containers if effective control measures are not in place. This underlines the need for suitable and sufficient risk assessment when conducting this type of work.

"It identified a range of good practice control measures at the six ports. Examples of this included training workers about the risks, and workers testing for hazardous substances in the atmosphere inside freight containers before entering them.

"However, the researchers did not find adequate safe systems of work at the two distribution centres. While this was only a small sample size, these findings cannot be considered as representative of the distribution sector. HSE will use the findings to inform and engage with the industry and local

authority regulators.”

Businesses must have effective control measures in place to protect workers. HSE publishes guidance and an Approved Code of Practice for the Confined Spaces Regulations (1997) that will help. [Safe work in confined spaces. Confined Spaces Regulations 1997 – L101 \(hse.gov.uk\)](#)

To read the full research report click [here](#).

Notes to editors

1. Limited evidence is available of incidences of ill health and hospitalisation to workers at ports in GB during the routine opening of freight containers, and no fatalities have been reported to HSE. However, there have been incidents in Europe, and further afield, which have resulted in ill health.
2. The British Retail Consortium (BRC), the UK Logistics Forum, and Port Skills and Safety raised concerns regarding workers entering freight containers. As a result, this research was done to update the knowledge of HSE, local authority enforcers, and industry of current control measures for these activities.
3. Further guidance produced with HSE support on container handling is available:
<https://www.portskillsandsafety.co.uk/resources/sip-003-guidance-container-handling>
4. 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. [gov.uk](#)
5. HSE news releases are available at: <http://press.hse.gov.uk>

[Company fined £440,000 after security guard seriously injured](#)

A meat production company has been fined £440,000 after a security guard at an abattoir was seriously injured by a vehicle passing through the site gate.

The 63-year-old security guard, who was working for an independent security company, was on duty at the gated entrance of the Dunbia (UK) abattoir at Hatherleigh, near Okehampton, Devon early on the morning of November 29, 2018.

Her duties included operating the gates to allow delivery vehicles to enter and exit the site. She sustained serious leg and head injuries requiring surgery when she was hit by a vehicle towing a trailer leaving the site. She was holding the gate open at the time.

An investigation by the Health and Safety Executive (HSE) found that the system of work was unsafe and that the company's risk assessments did not extend to the security guards. Risks had not been adequately assessed or controlled.

Although there was a high volume of vehicle movements on site there was no segregation between the vehicle routes and pedestrians on site.

Dunbia (UK), of Castle Street, Exeter, pleaded guilty to breaching Section 3(1) of the Health & Safety at Work etc. Act 1974. The company was fined £440,000 and ordered to pay costs of £27,016 and a victim surcharge of £170 at Plymouth Magistrates Court on 12 October 2022.

Speaking after the hearing, HSE inspector Victoria Buchanan said: "Employers have a legal duty to ensure that the health and safety of their employees, contractors and members of the public are not put at risk.

"This incident could have been avoided had the company assessed the risks from vehicle movements and implemented safety measures including segregating vehicles and pedestrians."

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