

# London borough council fined after child sustains fatal injuries at playground

London Borough of Tower Hamlets Council has been sentenced after a five-year-old girl died when playground equipment collapsed on top of her at Mile End Park.

Westminster Magistrates' Court heard that on 17 July 2015, Alexia Walenkaki was swinging on a rope attached at one end to a wooden post, when the play equipment gave way. The post snapped at its base causing the wooden structure to collapse on top of her. She sustained fatal head injuries.

An investigation by the Health and Safety Executive (HSE) found that London Borough of Tower Hamlets Council had failed to ensure that an annual playground safety check was carried out. Investigators also found the post was made from wood that was unsuitable and had decayed.

The local authority had previously implemented a system of inspections to ensure that play equipment was safe to use. However, the play equipment at Mile End Park had not been inspected by a playground inspector since September 2013. If the equipment had been inspected and tested for signs of rot, the risk may have been identified and appropriate action taken to remove and replace the equipment.

London Borough of Tower Hamlets Council pleaded guilty to breaching Section 3(1) of the Health and Safety at Work Etc. Act 1974. They were fined £330,000 and ordered to pay costs of £6,204.

Speaking after the hearing, HSE inspector Stephron Baker Holmes said: "Those who provide play equipment should ensure it is safe for children. The lack of a suitable playground inspection in the period leading up to this incident has resulted in tragic consequences."

Further information regarding health and safety guidance for leisure activities can be found here:

<https://www.hse.gov.uk/entertainment/leisure/useful-links.htm>

## 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)
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>

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## [Company fined after machine operator sustained serious injuries](#)

A supplier of machined components has been fined after an employee sustained a severed finger, lacerations and tendon damage whilst operating a stud assembly machine at a factory in Brownhills, West Midlands.

Dudley Magistrates' Court heard that on 20 February 2018, CNC Speedwell Limited employee Malgorzata Musiol, 23, was seriously injured when her gloved hand became entangled in the exposed rotating parts of a stud assembly machine. Her index finger and the tendon along her arm were severely damaged.

An investigation by the Health and Safety Executive (HSE) found employees had been using an unsafe system of work placing items by hand very close to exposed rotating parts of the machine whilst wearing gloves. Various options were available to prevent this injury had the work been risk assessed, including guarding and two-handed controls. A safe system of work should have been in place and operators should have received suitable training.

CNC Speedwell Limited of Lichfield Road, Brownhills, West Midlands pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £130,000 and ordered to pay costs of £10,909.

Speaking after the hearing, HSE inspector Elizabeth Thomas said: "Horrific, life changing injuries sustained in entanglement incidents can be avoided by simply carrying out correct control measures and safe working practices.

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

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## [Company director sentenced after worker sustains serious crush injuries](#)

The director of a construction company has been sentenced after a sub-contractor suffered serious injuries when a stack of plasterboards fell on him at a construction site in Thames Ditton, Surrey.

Brighton Magistrates' Court heard that on 12 April 2019, sub-contractors were moving sheets of plasterboard weighing 32kg each from the ground floor to the second floor of a house undergoing refurbishment. As there was no staircase in place, they were stacking the plasterboard against an unsecured ladder and sliding them up to the floor above. During the process the plasterboards fell on the worker, fracturing his pelvis.

An investigation by the Health and Safety Executive found there was no safe system of work in place and the workers were not being adequately supervised. The stairwell openings were not guarded and they were partially spanned with scaffold boards resting on insecure scaffold poles, creating a significant fall risk.

Siamak Samyani the sole director of SS Reforms Limited of Eastcote Avenue, West Molesey, Surrey pleaded guilty to breaching Section 37 of the Health and Safety at Work Etc Act 1974. He was sentenced to 20 weeks in custody suspended for 12 months, fined £3,400 and ordered to pay costs of £600.

Speaking after the hearing, HSE inspector Andrew Cousins said: "This was a wholly avoidable incident, caused by the failure of the director to devise and implement a suitable safe system of work.

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

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The post [Company director sentenced after worker sustains serious crush injuries](#) appeared first on [HSE Media Centre](#).

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## [Roofing supplies firm and director fined after workers fall from height](#)

A north west roofing supplies firm and its director have been fined after two workers fell from a tower scaffold, sustaining serious injuries.

Manchester Magistrates' Court heard how on 27 November 2018, two employees of Rooffabs Direct Ltd had been working with Paul McMahon, the sole director of the company, to install signage at retail premises on Bury New Road, Prestwich. The employees used a tower scaffold to carry out the work. During the afternoon, when Mr McMahon was no longer on site, the tower scaffold moved away from the building and the two employees fell approximately two metres, suffering fractures to their legs and ankles.

An investigation by the Health and Safety Executive (HSE) found that the tower scaffold had not been erected by someone with suitable training. There were missing guard rails on the scaffold and no outriggers in place at the time of the incident. The company also failed to report the incident as required by the Reporting of Injuries, Diseases and Dangerous Regulations 2013 (RIDDOR).

Rooffabs Direct Limited of St Mary's place, Bury, pleaded guilty to breaching section 2(1) of the Health and Safety at Work etc. Act 1974 and section 3(1) of the Reporting of Injuries, Diseases and Dangerous Regulations 2013. The company was fined £20,000.

Paul McMahon of Bury Road, Rochdale, pleaded guilty under section 37 to breaching section 2(1) of the Health and Safety at Work etc. Act 1974 and section 3(1) of the Reporting of Injuries, Diseases and Dangerous Regulations 2013. Mr McMahon was ordered to complete 100 hours community service, pay compensation orders of £500 each for the two injured persons and was ordered to pay costs of £1,000.

Speaking after the hearing, HSE inspector David Norton said: "Falls from height remain one of the most common causes of work-related fatalities and severe injuries in this country. The risks associated with work at height are well known.

"This incident could so easily have been avoided by having a suitably trained person put up the tower scaffold and ensuring that the required guardrails and outriggers were in place."

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2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
3. More information about using tower scaffolds safely can be found at <https://www.hse.gov.uk/construction/safetytopics/scaffold.htm>
4. HSE news releases are available at <http://press.hse.gov.uk>

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## [Company fined after worker traps arm in machine](#)

Nestlé UK Ltd was sentenced for breaching health and safety regulations after an employee was dragged into a machine on the production line of their Albion Mills site in Halifax.

Bradford Crown Court heard how on 13 February 2016, while observing the operation of the After Eight production machine, the technical operator placed his right hand close to a gap in the machine housing. An emery cloth held in his right hand was dragged into the machine taking his arm with it.

The employee was unable to reach any of the emergency stop buttons located around the machine from the position in which he was trapped. He had to be released from the machine by paramedics. He suffered a double compound fracture to his arm, which required surgery.

An investigation by the Health and Safety Executive (HSE) found the company had failed to prevent access to dangerous moving parts of the machine, namely an 'in-running nip'. There was a gap large enough to allow access at a belt conveyor entry on the After Eight line.

Nestle UK Ltd of City Place Gatwick pleaded guilty to breaching Reg 11 of the Provision and Use of Work Equipment Regulations 1998. They were fined £640,000 and ordered to pay £26,234 in costs.

Speaking after the hearing, HSE inspector Jacqueline Ferguson said: "This is a tragic incident that could so easily have been avoided. The risks inherent in failures to properly guard dangerous parts of machinery are well known in

industry and to Nestlé.

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

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