

[Transport company fined after employee fatally crushed](#)

A transport company has been fined after a worker was fatally injured when the pallet of stone tiles he was attempting to deliver fell onto him.

High Wycombe Magistrates' Court heard how, on 23 November 2016, an agency driver was carrying out a delivery for Reason Transport UK Limited at Fraser Road, High Wycombe. The driver was delivering a pallet of stone tiles using a tail-lift and a manual pallet truck. He spent several minutes struggling to lift and manoeuvre the pallet onto the truck's tail-lift. When he eventually succeeded in doing so, he lost control of the pallet, which fell onto him, causing him to suffer fatal crush injuries.

An investigation by the Health and Safety Executive (HSE) found that the weight of the pallet was recorded as 1,200 kg but the actual weight of the pallet was in excess of 1,400 kg. The pallet was therefore in excess of the 1,000 kg weight limit set by the pallet network for tail-lift deliveries. The investigation also found that the driver had worked for the company for two weeks and had not received any training for the safe delivery of pallets using a tail-lift.

Reason Transport UK Limited, now in liquidation, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974 and have been fined £5,000.

After the hearing HSE inspector Stephen Faulkner said: "This was a tragic and wholly avoidable incident, caused by the failure of the host company to provide training to this agency worker on the safe delivery of pallets from a vehicle with a tail-lift.

"Transport companies should be aware of the importance of identifying and managing the risks involved with delivering heavy loads and the need to adequately train new staff before undertaking such deliveries."

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. www.hse.gov.uk^[1]
2. More about the legislation referred to in this case can be found at: www.legislation.gov.uk^[2]
3. HSE news releases are available at <http://press.hse.gov.uk>

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Spot checks and inspections at schools in Scotland

Using coloured spots to highlight frequency touched points and introducing alternatives to staggered start and stop times were some of the examples of good practice carried out by schools in Scotland to ensure they are COVID-secure.

These are some of the examples of good practice discovered by Health and Safety Executive (HSE) inspectors after carrying out a programme of COVID-secure school spot checks in Scotland regarding the implementation of school reopening guidance.

Since August, a total of 500 schools have been contacted to check they are COVID-secure and compliant with the Scottish government's school reopening guidance.

To give a representative sample of schools across Scotland, 16 local authorities were selected for the focus of the checks, and a proportionate number of primary schools and secondary schools were selected in each area. In addition, a sample of Additional Support Needs (ASN) schools and independent schools were also contacted.

Following the initial calls, HSE found around 80% of schools had a good understanding on being COVID-secure. Where levels of compliance were less certain in 100 schools, HSE undertook follow-up site visits.

Harvey Wild, Head of HSE's Transport and Public Services Unit, said: "In our view the Scottish government's school reopening guidance was very good quality, and was viewed positively by schools in what can only be described as very challenging circumstances.

"It appeared to be flexible enough to be implemented appropriately in different settings and adapted to local circumstances ensuring most schools we contacted were COVID-secure.

"The majority of schools in Scotland reacted very quickly to implement new measures. For those schools where compliance was less certain, formal spot inspections were carried out by a team of HSE inspectors.

"This enabled the inspectors to go to the schools and see what COVID-secure measures were in place so they could then offer formal advice and guidance where needed."

All the HSE spot inspections at schools in Scotland were completed by the beginning of October and, based on the inspections undertaken, HSE found no need for any formal interventions requiring improvement. Any areas of

concerns were dealt with by verbal advice.

Our inspectors did find some common areas of concern where schools needed to make changes. This centred around social distancing in staff room areas, cleaning regimes and ventilation in school buildings.

For ventilation, most schools were relying on windows and doors being open for long periods of time and HSE's feeling was that schools/local authorities may need to conduct a simple risk assessment of fresh air in schools. In light of this the Scottish Government developed further guidance to assist schools – see www.gov.scot

Harvey Wild added: "While highlighting some areas of concern to schools, our inspectors also found some novel and new examples of good practice.

"Regarding social distancing, one primary school had considered replacing the two metre lines to separate teachers from pupils with a painting of a river, to help pupils understand the concept of not crossing it.

"Another school introduced creative alternatives to staggered start and stop times by using multiple exits at the same time. This prevented parents waiting for long periods of time at the school gate.

"These examples show how well most schools have adopted COVID-secure measures, but there can't be room for complacency. Ensuring a school has measures in place to manage any COVID risks can only benefit the health of the local community they serve."

For more information on being COVID-secure, visit www.hse.gov.uk and for details on spot checks and inspections www.hse.gov.uk/campaigns/spot-inspections.htm

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2. HSE news releases are available at <https://press.hse.gov.uk>
3. For HSE's working safely guidance see <https://www.hse.gov.uk/coronavirus/working-safely/index.htm>

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Company fined after forklift truck fatality

A pallet transport company has been fined after a forklift driver was killed when his forklift overturned.

Mr Reginald Bacon was working as a forklift driver at Fortec Distribution Network Limited's pallet hub at Watling Park, Watford Village, Northamptonshire.

Northampton Magistrates' Court heard how on 13 October 2016, Mr Bacon was unloading goods from the trailer of a large goods vehicle (LGV) and whilst his forks were inside the trailer to remove a pallet, the LGV drove forward; this caused the forklift to tip over on its side. Mr Bacon was not wearing his seatbelt correctly and tried to jump clear from his truck but sustained fatal head injuries.

An investigation by the Health and Safety Executive (HSE) found that the company's risk assessment failed to identify the risk of an LGV driving away whilst being loaded or unloaded. The company also failed to recognise that the system of work being followed was different from its documented systems of work, including the monitoring and supervision of wearing seatbelts correctly when operating forklift trucks. The system being used for moving LGV's through their warehouse was unsafe.

Fortec Distribution Network Limited of Coronation Road, High Wycombe, Buckinghamshire, pleaded guilty to breaching Section 2(1) of Health and Safety at Work etc Act 1974 and was fined £107,000 and ordered to pay costs of £17,436.97.

Speaking after the hearing, HSE Principal Inspector Samantha Wells said "Dutyholders have a responsibility to devise safe methods of work, effectively risk assess and then provide this information, instruction and training to their workers.

"The safe methods of work should be monitored and supervised by those in control, to ensure those safe methods have been implemented and are being adhered to."

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

3. Specifically:-
 - a) HSE's webpages on workplace transport
<https://www.hse.gov.uk/workplacetransport/index.htm>
 4. b) HSE publication L117 "Rider operated lift trucks, operator training and safe, Approved Code of Practice and guidance"
<http://www.hse.gov.uk/pubns/priced/l117.pdf>
 5. c) HSE leaflet INDG457 "Use lift trucks safely, Advice for operators"
<http://www.hse.gov.uk/pubns/indg457.pdf>
 6. HSE news releases are available at <http://press.hse.gov.uk>

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[Council fined after teacher assaulted by pupil](#)

Luton Borough Council has been sentenced today after a teacher was assaulted by a pupil.

Luton Crown Court heard how on 17 June 2016, the assistant head teacher at Putteridge High School was called to deal with a disruptive pupil who was refusing to go into a detention room. After clearing the classroom of the other pupils, the pupil launched a sustained assault on the teacher, using a mobile phone and inflicting life changing injuries.

An investigation by the Health and Safety Executive (HSE) found that there were significant shortcomings in relation to the measures at the school, regarding violence and aggression posed by the pupils to others. No effective consideration was given to the risk of injury or death posed by the pupils to others and measures were not taken to reduce that threat to as low as reasonably practicable.

Luton Borough Council did not ensure that the school had people with sufficient competence in the management of health and safety involved in running the school to ensure that the threat was addressed. The Council did not see to it that staff members at the school had the training either to remedy that shortcoming or to deal with violent and aggressive pupils in a way which did not expose them to risk. The council also failed to monitor the adequacy of the measures Putteridge High School had in place and the council therefore failed to pick up and address the shortcomings.

Luton Borough Council of Town Hall Upper George Street Luton pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 and was fined £104,000 with £60,000 costs. The fine was reduced from £300,000 due to the Council's lack of revenue as a result of the coronavirus pandemic.

Her Honour Judge Mensah in sentencing said: “There is no doubt in my mind that this was a properly brought prosecution. Not to have brought a prosecution in this serious case would, apart from anything else, have sent a completely wrong message to the school, its governors, the staff and pupils, other local authorities with responsibilities under the Education Acts and to the public generally.

“This was a large organisation which, to a very large extent, relied on employees conducting the day to day running of the school as it could not, and did not, have complete control over the daily functioning of the school. However, I am satisfied that the systems that were in place were inadequate and oversight by the local authority was ‘light’ – I accept that no concerns were brought to the attention of the local authority but that equally, it does not appear that the local authority invited matters to be brought to its attention.”

Speaking after the hearing, HSE inspector Emma Page said: “In community schools, where the local authority is the employer, the local authority must monitor the arrangements it’s schools have in place to manage the risk from violence and aggression”.

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[Building contractor fined following dumper truck incident](#)

A building contractor has been fined after an employee suffered serious injuries when the forward tipping dumper truck that he was operating rolled over at a construction site in Windermere, Cumbria.

Barrow Magistrates’ Court heard that, on 5 June 2019, S M Dixon Building

Contractors Ltd had been working on the renovation of a detached property when the dumper truck, removing rubble over uneven ground, overturned resulting in multiple fractures to vertebrae in the worker's back

An investigation by the Health and Safety Executive (HSE) found that the employee had not received adequate training on how to operate the forward tipping dumper truck, including not being clearly instructed to always wear the seat belt when operating the machine. This led to the dumper overturning and the employee being ejected from the dumper and crushed.

S M Dixon Building Contractors Limited, 25 Main Street, Staveley, Kendal pleaded guilty to breaching Section 2(1) of the Health & Safety at Work etc Act 1974. The company was fined £10,000 and ordered to pay costs of £4,087.24.

Speaking after the hearing, HSE inspector Michael Griffiths commented: "The injuries sustained by the worker were life changing and he could easily have been killed.

"This incident could have been avoided if measures were in place to ensure the dumper truck was operated safely through the provision of appropriate training and supervision."

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