

Bird feed manufacturer prosecuted after employee's fingers amputated

A manufacturer of prepared bird feed has been prosecuted after an employee suffered life changing injuries when his hand was trapped in an unguarded rotary valve

Cannock Magistrates' Court heard that on 25 July 2017, a production operative had to have three fingers amputated after sustaining injuries at C J Wildbird Foods Ltd while operating a mixing extraction unit at the company's site in Upton Magna, Shrewsbury. The employee had been in the process of levelling out the waste dust that collected in a large bag located underneath a rotary valve on the mixing plant. He lost his balance and began to fall backwards into the bag. As he tried to steady himself, he used his right hand to reach out and grab something. In doing so he unintentionally brought his right hand into contact with the dangerous moving parts of the rotary valve, causing his hand to be jammed.

An investigation by the Health and Safety Executive (HSE) found there had previously been a guard preventing access, to the dangerous parts of the rotary valve but that this had fallen off over time and not been replaced. The mixing extraction unit had originally been purchased second hand and no suitable and sufficient assessment of the risks arising from the use of this machine had ever been made prior to it being used, so the company failed to identify the risks from the dangerous parts.

C J Wildbird Foods Ltd, of The Rea, Upton Magna, Shrewsbury pleaded guilty to breaching Regulation 11(1) of the Provision of Use of Work Equipment Regulations 1998 and Regulation 3(1) of the Management of Health and Safety at Work Regulations 1999. The company was fined £50,000 and ordered to pay costs of £5,508.61.

HSE inspector Andrew Johnson said after the hearing: "This was an easily preventable incident which has had life changing consequences. It reminds us why there are long established and straightforward regulations requiring dutyholders who procure and use their work equipment to assess the risks and identify and put in place effective measures to prevent access to any dangerous moving parts".

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

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

The post [Bird feed manufacturer prosecuted after employee's fingers amputated](#) appeared first on [HSE Media Centre](#).

[Illegal gas work left at risk in a Devon home](#)

A self-employed electrician has been sentenced after conducting gas work he was not registered or competent to do.

Exeter Magistrates' Court heard that Gareth Symons, of Gareth C Symons Electrical Services, quoted for a refurbishment of the client's property in Exmouth. The job included gas works for which Mr Symons employed a fitter, who fitted a new gas boiler and fittings in August 2016 but did not complete the installation. After the client complained about the reliability of the fitter, Symons went to the property and completed the required work to ensure the gas boiler was working.

When the client smelled gas, she contacted Wales & West Utilities who found faults with the fittings and advised the boiler should not be used. The client attempted to contact Mr Symons for him to come back to correct the faults, but no response was received. An inspector from Gas Safe Register later inspected the work and found numerous defects on the installation and issued a warning notice.

An investigation by the Health and Safety Executive (HSE) found Mr Symons was not and never has been a member of Gas Safe Register. He was not registered or competent to undertake gas work.

Gareth Symons of Madison Close, Stoke Canon, Exeter pleaded guilty to breaching Regulations 3(3) and 33(1) of the Gas Safety (Installation and Use) Regulations 1998. He was sentenced to a 12-month suspended custodial order with 210 hours of unpaid work and ordered to pay costs of £7979.90.

Speaking after the hearing HSE inspector Paul Mannell said: "Mr Symons undertook gas work but was not and never has been a member of the Gas Safe Register. Furthermore, immediately following completion of the installation, he failed to test the connection to the installation pipework to verify that it was gas tight and examine the appliance in accordance with the Gas Safety (Installation and Use) Regulations 1998.

"All gas work must be completed by a registered, and therefore HSE approved, Gas Safe engineer to ensure the highest standards are met to prevent injury

and loss of life.”

Further information about gas safety can be found at <http://www.hse.gov.uk/gas/>

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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](http://www.hse.gov.uk)^[1]
2. More about the legislation referred to in this case can be found at:

www.legislation.gov.uk/^[2]

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The post [Illegal gas work left at risk in a Devon home](#) appeared first on [HSE Media Centre](#).

[Director of G&S Roofing Ltd sentenced following unsafe roofing work](#)

The director of a roofing company has been handed a suspended jail sentence after an eagle-eyed Health and Safety Executive (HSE) inspector spotted unsafe work on a roof.

Brighton Magistrates’ Court heard that on 11 August 2018, the inspector noticed three men working on the pitched roof of a two-storey house in East Grinstead, West Sussex, without any edge protection.



The HSE investigation found that the company's failure to ensure that work at height was carried out safely was attributable to Clifford Smith. The most basic of duties for those organising work at height is to provide adequate fall prevention measures. No fall prevention measures were provided by Clifford Smith whilst three roofers worked on the roof.

The court heard that this was not the first time the HSE had encountered poor working practices from G&S Roofing and Clifford Smith, with HSE having taken previous enforcement action and a prosecution in March 2018 for similar conditions at a site in Horsham, West Sussex.

Clifford Smith of The Hatchington, Worplesdon, Guildford pleaded guilty to a breach of section 37 of the Health and Safety at Work Act. He was sentenced to six months in jail, suspended for twelve months, ordered to do 200 hours of unpaid work and has been disqualified from being a director for three years. He was furthermore ordered to pay £4000 in costs.

Speaking after the hearing HSE inspector Amanda Huff said: "We hope this case demonstrates that directors can be held personally liable for the failings of their company if they fail to manage health and safety. Clifford Smith had previous form for this and failed to learn the lessons; we hope others that cut corners will pay closer attention to the health, safety and wellbeing of workers."

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[Hampshire County Council fined £1.4m after child suffers life-changing head injury](#)

Hampshire County Council has today been fined after a six-year-old girl, playing on an unsecured street bollard, suffering a life-changing head injury.

Bournemouth Crown Court heard how, on 28 December 2015, the girl was visiting Lymington with her family. She climbed onto the cast iron hinged bollard on Quay Hill, a cobbled pedestrianised street. The bollard fell to the ground taking the child with it. As a result, she suffered serious, life-changing head injuries that were initially life-threatening and spent six months in hospital in a critical condition. The extent of her brain injury will not be fully known until her brain has matured.



An investigation by the Health and Safety Executive (HSE) found the bollard which weighed approximately 69kg was damaged and not appropriately secured. This matter had been reported to Hampshire County Council prior to the incident and monthly scheduled inspections had failed to identify this. The investigation also found insufficient information, instruction and training were provided to the council's highways department personnel conducting ad hoc and monthly inspections, and the inspection guidance was misleading.

Hampshire County Council of The Castle, Winchester, Hampshire was found

guilty after a trial of breaching Section 3(1) of Health and Safety at Work etc Act 1974 and has been fined £1.4m and ordered to pay full costs of £130,632.

Speaking after the case, HSE inspector Angela Sirianni said: "Councils have a duty to adequately assess and control risks to members of the public from street furniture.



"A child has been left with life-changing injuries as a result of what was an easily preventable incident. Council inspections failed to identify this risk over a long period of time and then, when alerted to the damage to the bollard, failed to take the urgent action required to prevent injury."

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[Company sentenced following serious incident in sewer](#)

A water and wastewater company has been fined following an incident in which three workers were carried along a sewer following the collapse of a 150-year-old sewer gate.

Westminster Magistrates' Court heard that, on 29 August 2017, three workers were carrying out preparatory work in a sewer for the Thames Tideway Tunnel at East Greenwich, which is controlled by Thames Water Utilities Limited (TWUL). A 150-year-old cast iron penstock failed engulfing the workers and carrying them along the sewer. The three workers suffered minor physical injuries but have been mentally affected. One worker has been treated for the long-term traumatic stress because of the incident which has prevented him from continuing work in his specialised career.

An investigation by the Health and Safety Executive (HSE) found that Thames Water Utilities Limited (TWUL) had planned individual work activities but failed to properly coordinate these as the permission and authorisation system was fragmented. The company had no effective means of collating, comparing and adapting to the impact of multiple work activities.

Due to an unrelated planned power outage, sewage pumps vital to the control of sewage levels for the work being undertaken at East Greenwich were not available for use which resulted in the failure.

Thames Water Utilities Limited of Clearwater Court, Reading, Berkshire, pleaded guilty to breaching Regulation 3(1)(b) of the Confined Spaces Regulations 1997 and was fined £300,000 and instructed to pay costs of £16,419.

Speaking after the hearing, HSE inspector James Goldfinch said: "This serious

incident endangered the lives of three workers and caused lasting adverse mental health effects; the workers narrowly avoided death by drowning in sewage.

“It should serve as a warning and a reminder to all those that work in confined spaces that work in these challenging environments must be properly planned, coordinated and managed.”

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