

Company and director fined for exposing workers to fall from height risks

A solar panel installation company and its sole director have been fined for failing to manage and control fall from height risks.

Reading Crown Court heard how, after a concern was raised by a member of public, a Health and Safety Executive (HSE) inspector made a visit to the site where Sasie Limited was installing solar panels on the roof of a commercial building. On this visit the inspector identified two workers on the roof without any form of fall protection and a prohibition notice was served.

When the HSE inspector returned to the site three days later there was further unsafe work being carried out on the roof. An investigation by HSE found that the unsafe work was allowed to continue by the director, Mr Kelly despite a member of public bringing it to his attention and the serving of the prohibition notice.

Sasie Limited of Waterway Street, Nottingham pleaded guilty to breaching Sections 2(1) and Sections 33(1)(g) of the Health and Safety at Work etc Act 1974 and also Regulation 6(3) of the Work at Height Regulations 2005. The company was fined £10,000 and ordered to pay costs of £6,300.

Mr Ean Marsden Kelly of Waterway Street, Nottingham pleaded guilty to breaching two counts of Section 37(1) of the Health and Safety at Work etc Act 1974 and was fined £500.

Speaking after the hearing HSE inspector Dominic Goacher said “Falls from heights are the one of the biggest causes of workplace fatalities and major injuries.

“All work at height must be properly planned irrespective of the task being undertaken and those in control must ensure suitable control measures to prevent falls are in place throughout the duration of the project”.

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

4. Further information about best practices can be found in freely available HSE guidance
<http://hse.gov.uk/construction/safetyopics/roofwork.htm>

Journalists should approach HSE press office with any queries on regional press releases.

[Help GB Work Well case study highlights ISTR's new research for working with arthropods](#)

As we near the end of British Science Week, we're sharing how the Institute of Safety in Technology and Research's (ISTR) commitment to managing risk and keeping pace with change as part of their contribution to Help GB Work Well, has led to the delivery of internationally-significant research.

A collaborative project between research scientists and the Institute has produced the first industry guidance on working safely with a variety of insect vectors of disease as well as genetically modified (GM) insects.

Following the rise in emerging and re-emerging infections including Zika, Bluetongue and West Nile, there has been a surge in research into the causes and carriers of these diseases. Due to the impact on public health, the economy and animal health and welfare, understanding these diseases has become both a national and international priority.

The need for a common approach to the management, design and operation of UK research facilities was identified by the |Institutes members who raised the issue with the Biosafety Steering Group (BSG). Previous guidance focussed on the requirements of biosafety legislation regarding work with infected animals, but there was no comprehensive or specific guidance available for working safely with infected arthropods.

Given the specialist nature of the work, and following discussions with HSE, it was agreed that the need could be addressed by preparing guidance to supplement and complement the official guidance available and to provide practical guidance for the community.

The project involved a range of different research organisations, biosafety specialists and research scientists from the public and private sectors.

The new guidance includes a range of good practice approaches to containment and control and is based on the real-life experience of those working in these facilities and formalises this in a way so that others can learn and

benefit from them.

Acknowledging that there is more than one way to achieve safe working is a key message and means that the guidance can meet the needs of a broad range of users while ensuring work is managed safely and facilitating the delivery of research of national and international importance. The aim of the Institute is to enhance the knowledge, competence and professional development of its members. The Institutes Biosafety Steering Group represents the interests of UK biosafety nationally and internationally.

Making a commitment to Helping Great Britain Work Well demonstrates the willingness of the Institute's members to share their personal knowledge, skills and experience both among the membership and with academic and scientific colleagues.

[Farming company fined after worker falls from ladder](#)

A farming company has been fined after a worker fell from a ladder sustaining significant injuries.

Greater Manchester Magistrates' Court heard how, on 28 January 2016, an employee of Edge Farming Company was cleaning the gutters on a farm building when the ladder he was working on slipped down the face of the building. The employee suffered a broken arm, shoulder and fractured elbow as a result.

An investigation by the Health and Safety Executive (HSE), found there was inadequate control measures in place with regards to working at height. There was no specific risk assessment for the cleaning of gutters even though it was a regular occurrence on the farm and the company failed to ensure that there was appropriate information, instruction, training and supervision. The defendant had also failed to report the accident within the required timeframe.

Edge Farming Company of Wimboldsley Hall, Wimboldsley, Cheshire, pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974 and Regulation 4 of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) and has been fined £10,000 and ordered to pay costs of £5,826.74 .

Speaking after the case HSE inspector Rose Leese-Weller said: "This incident could have been fatal. Those in control of work have a responsibility to devise safe methods of work and to provide the necessary information, instruction and training to their workers. For example, the work in this case could easily have been carried out using a mobile elevated work platform or a properly designed and erected mobile scaffold tower.

“If a suitable safe system of work had been in place, the life changing injuries sustained by the employee could have been prevented.”

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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>
4. More information about working at height can be found at <http://www.hse.gov.uk/work-at-height/index.htm>

Journalists should approach HSE press office with any queries on regional press releases.

[West Midlands man handed suspended sentence for unregistered gas work](#)

An unregistered gas fitter was handed a 26-month suspended sentence for carrying out gas work after his Gas Safe Registration had been removed and he had been prohibited from carrying out further work on gas appliances and fittings.

Coventry Magistrates’ Court heard that 71-year-old Harcharan Singh Sembi continued to carry out unsafe work on gas appliances despite having been removed from the Gas Safe Register and prohibited from doing further gas work by the Health and Safety Executive (HSE).

An investigation by the HSE found that Mr Sembi was removed from the Gas Safe Register for failing to meet competency standards. Despite this, he continued to carry out unsafe work on gas appliances despite it being an offence to work without Gas Safe Registration and in contravention of an enforcement notice.

Mr Harcharan Singh Sembi of William Groubb Close, Coventry, pleaded guilty to breaching Regulation 3(3) of the Gas Safety (Installation & Use) 1998 Regulations and was sentenced to 12 months in custody, suspended for two years. Mr Sembi also pleaded guilty to breaching Section 33 of the Health and Safety at Work etc. Act 1974 and was sentenced to 14 months in custody, suspended for two years. He was also ordered to undertake 40 hours of unpaid

work.

In his sentencing remarks, HHJ Potter commented that Mr Sembi's offences were so serious that he would have imposed an immediate custodial sentence if his personal circumstances had been different. The defendant's age and the circumstances around the support available to his elderly wife were factors taken into consideration by the Judge in concluding that a suspended sentence was proportionate.

Speaking after the hearing HSE Inspector Karl Raw commented: "Harcharan Sembi undertook gas work which he knew he was not registered to do.

"All gas work must be done by registered Gas Safe engineers to ensure the highest standards are met to prevent injury and loss of life."

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[Company fined after employee injured by machinery](#)

An agricultural engineering company was fined for serious safety failings after a worker was injured at its premises near Blackburn, Lancashire.

Preston Magistrates Court heard how, on 25 November 2016, a 17-year-old trainee was working for Malcolm E Taylor Ltd at the company's site in Langho when he was pulled into machinery used to make cladding for agricultural buildings.

The employee's left arm became trapped between the metal sheeting he was holding and rollers as it was fed into the machine. The young worker suffered extensive damage to his left forearm, leaving him in chronic pain and with significant impairment to the use of his arm.

The Health and Safety Executive (HSE) investigation found that it was possible for employees to reach dangerous parts of the roll-forming machine when it was in operation as Malcolm E Taylor Ltd had failed to suitably guard the machine.

Malcolm E Taylor Ltd of Mellor Brook, Blackburn pleaded guilty to breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998. The company was fined £12,000 and ordered to pay costs of £2,967.82.

Following the case, HSE inspector Anthony Banks said:

“The dangers of unguarded machinery are well-known. If Malcolm E Taylor Ltd had ensured that suitable guarding was in place, then this incident would have been avoided.

Companies should be aware that HSE will not hesitate to take enforcement action when the required standards are not met”.

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
2. More about the legislation referred to in this case can be found at: legislation.gov.uk/
3. HSE news releases are available at <http://press.hse.gov.uk>
4. More information about machinery guarding can be found at: <http://www.hse.gov.uk/toolbox/machinery/safety.htm>
5. Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998 states: “Every employer shall ensure that measures are taken to (a) prevent access to any dangerous part of machinery or to any rotating stock-bar; or (b) to stop the movement of any dangerous part of machinery or rotating stock-bar before any part of a person enters a danger zone.”

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