

# Company fined £250,000 after crushing leaves worker with brain damage

A passenger air transport firm has been fined after an employee suffered brain damage after being crushed by hangar doors in Bedfordshire.

St Albans Crown Court heard how an employee of Signature Flight Support London Luton Ltd was injured while she was opening the doors of Hangar 219 at Luton Airport to move aircraft inside. On moving one of the doors the employee became trapped causing crushing injuries resulting in severe brain damage.

An investigation by the Health and Safety Executive (HSE) into the incident which occurred on 28 April 2015 found that the company failed to conduct an adequate planning or provide adequate training and written instructions.

Signature Flight Support London Luton Ltd of Hangar 63, Percival Way, London Luton Airport, pleaded guilty to breaching Section 2 of the Health and Safety at Work etc Act 1974. It has been fined £250,000 and ordered to pay costs of £19,483.50.

Speaking after the hearing HSE inspector Andrew McGill said: "The injured person's family have been left devastated after this incident. Her husband gave up work to care for her daily and has been diagnosed with post-traumatic stress disorder.

"Employers must provide suitable systems of work, training, information and supervision to ensure safety. If a safe system of work had been in place prior to this incident, it could have prevented the life-changing injuries sustained by the employee."

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

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

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# Company sentenced after worker loses hand

A soft toy filling company was sentenced for safety breaches after a worker suffered life changing injuries.

Sheffield Magistrates' Court heard the worker lost his left hand as a consequence of being drawn into an unguarded carding machine on 8 March 2016. The injured worker was attempting to clear a blockage in a carding machine.

The carding machine had a flange attachment for connecting pipework to the machine at the discharge chute in order to supply loose fibre to a single toy filling machine. However, the flange and pipework were left off to allow the carding machine to discharge into a wooden enclosure to supply three toy filling machines with loose fibre. Consequently, a spiked roller located inside the discharge chute was unguarded and accessible during operation.

The worker affected had entered the wooden enclosure and was clearing loose fibre from the discharge chute to free a blockage in the machine. The spiked discharge roller was still rotating and grabbed his left hand, drawing him into the machine and severing most of his fingers. The worker was airlifted to hospital where surgeons amputated his hand from the wrist due to the seriousness of his injuries.

The Health and Safety Executive (HSE) prosecuted the firm over the incident.

The Stuffing Plant Ltd (TSP) of Whitelea Grove Industrial Estate, Mexborough pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work Act 1974 and was fined £35,000 with £2486 costs.

After the hearing, HSE inspector Eddy Tarn commented: "This man's life changing injuries could have been prevented if a suitable and sufficient planning had been completed and the correct control measures were identified and implemented.

"The consequences of leaving off the flange and discharge pipework were foreseeable and could have easily been prevented."

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4. Please see the link below to the page on HSE's website that is the best guide to doing it the right way:

[www.hse.gov.uk/work-equipment-machinery/puwer.htm](http://www.hse.gov.uk/work-equipment-machinery/puwer.htm)

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## **HSE statement following fatal incident at Theme Park in Ohio, USA**

A HSE spokesperson said: "HSE is aware of the tragic accident involving the KMG Afterburner (themed as Fire Ball) machine in Ohio on 26 July.

"There are six machines of this version operating in UK which were all thoroughly inspected within the last 12 months in line with agreed procedures. There is no verified information regarding the immediate cause of the US accident.

"Following the incident, HSE initiated a re-inspection of these machines. As a result, on Friday 28 July an Enforcement Notice was served on five of the machines, which are now to be taken out of use until the notices have been complied with. The sixth, at Lightwater Valley in North Yorkshire, was immediately taken out of use following the incident in Ohio. This was a decision taken independently by the operator. Lightwater Valley has agreed to keep this machine out of use until the other five notices have been complied with.

"HSE will ensure operators are kept abreast of information as it arrives and will take such action as is necessary to ensure the rides are inspected and tested as necessary to ensure safety."

The rides which are subject to the Enforcement Prohibition notice are in the following locations:

- Pleasure Wood Hills – East Anglia
- Ryan Crow Amusements – North East
- Coney Beach Fair – South Wales
- Joseph Manning – based in Hertfordshire
- Brean Theme Park – Somerset

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# Company fined after worker fell from height

Fruehauf Limited has been fined after a worker sustained fatal injuries after falling from a cherry picker at a factory in Grantham.

Lincoln Magistrates Court heard how on 18 February 2016, the 64-year old worker fell while climbing from the basket of a cherry picker onto an overhead travelling crane to repair it. The court heard that the work was not properly planned and carried out without suitable harnesses and fall arrest equipment.

An investigation by the Health and Safety Executive (HSE) found that Fruehauf Limited failed to provide and enforce a safe system of work for accessing the overhead cranes in the factory; The company did not have appropriate management arrangements in place for controlling, monitoring and reviewing the safety of maintenance tasks and the activity was not properly risk assessed.

Fruehauf Limited pleaded guilty to being in breach of Regulation 2 (1) of the Health and Safety at Work etc Act 1974, and Regulations 3(1) and 5(1) of the Management of Health and Safety at Work Regulations 1999. The company was fined £200,000 and were ordered to pay costs of £5,622.

Speaking after the hearing HM Inspector Martin Giles said: "Those in control of work have a responsibility to devise safe methods of working and to provide the necessary information, instruction and training to their workers in the safe system of working.

This incident could have been prevented had Fruehauf Limited provided appropriate supervision and suitable fall arrest equipment for their workers to wear and use.

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## £1m fine for Crossrail contractor following three incidents

A joint venture comprising of three companies established to support the Crossrail tunnel construction has been fined a total of more than £1m following three separate incidents on the project, including the death of a worker.

Southwark Crown Court heard Renè Tkáčik died after being crushed by falling wet concrete on 7 March 2014. Two other men were injured following separate incidents within six days of one another, on 16 and 22 January 2015. All three incidents took place in the tunnels around the Fisher Street area.

The three workers were operating under Bam Ferrovial Kier (BFK), an unincorporated joint venture made up of three companies; BAM Nuttall Limited, Ferrovial Agroman (UK) Limited and Kier Infrastructure and Overseas Ltd.

Renè Tkáčik, 43 from Slovakia, was working on a team enlarging the tunnel by removing rings of the existing pilot tunnel and spraying walls with liquid concrete. During this operation, a section of the roof collapsed, fatally crushing Mr Tkáčik.

On 16 January 2015 Terence 'Ian' Hughes was collecting some equipment from inside one of the tunnels when he was struck by a reversing excavator. He suffered severe fractures to his right leg and crush injuries to his left knee and shin.

Six days later worker Alex Vizitiu, who was part of a team tasked with spraying liquid concrete lining, was assisting with the cleaning of the pipes that supply the concrete. Due to a lack of communication one of the lines was disconnected and he was hit by pressurised water and concrete debris. He suffered head and hip injuries as well as a broken finger and was hospitalised for six days.

A Health and Safety Executive (HSE) investigation found a failure to provide a safe system of work relating to the operations Renè Tkáčik and Alex Vizitiu were working on. It was also found there was a failure to properly maintain the excavator which reversed into Ian Hughes.

On all three occasions, the investigation found a failure to properly enforce exclusion zones that would have helped protect workers from foreseeable harm.

Bam Ferrovial Keir, of the corner of Charterhouse Street and Farringdon Road, London has pleaded guilty to three offences. In relation to the death of Renè Tkáčik, it has admitted to breaching Regulation 10(2) of the Work at Height Regulations 2005. It has today been fined £300,000 in relation to this offence.

BFK has pleaded guilty to two separate breaches of Section 22 (1a) of the Construction (Design and Management) Regulations 2007, relating to the two incidents in January 2015. The joint venture has been fined a £600,000 for the incident involving Ian Hughes on 16 January, and £165,000 for the incident relating to Alex Vizitiu on 22 January.

The total fine is therefore £1,065,000. The defendant was also ordered to pay costs of £42,337.28.

HSE Head of Operations Annette Hall said: "The omission to implement exclusion zones in a high hazard environment was a consistent failure in this case. Had simple measures such as these been taken, all three incidents could have been prevented, and Renè Tkáčik may not have died.

"We believe every person should be healthy and safe at work. Here, all three workers were taking part in one of the most important and challenging infrastructure projects of the decade. It was this joint venture's duty to protect its dedicated and highly-skilled workforce. On these three occasions, BFK failed in its duty, with tragic consequences for Renè Tkáčik and his family."

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