

# Company fined £175,000 after worker suffers brain trauma

A London company has been fined £175,000 after a worker suffered serious head injuries that saw him hospitalised for seven months.

The man, who was 35 at the time, was working at a domestic property on Elmfield Avenue, Crouch End, London, on 3 March 2019 when he sustained head injuries during concrete pumping operations carried out by sub-contractor Singh Will Mix It Ltd.

The concrete pump operator was cleaning the pump's hose after it had been used to pump concrete for a ground floor extension. As he was doing this, the pump became blocked, leading to a sudden release of pressure and causing the hose to whip and strike him in the head. The man was not qualified to operate the machine.

The man spent seven months in hospital following the incident, suffered brain trauma, and continues to have difficulties with his speech, memory and movement.



The property on Elmfield Avenue, Crouch End, London

An investigation by the Health and Safety Executive (HSE) found Singh Will Mix It Ltd failed to ensure workers had the necessary skills, knowledge, experience and training to carry out the work and they failed to have appropriate health and safety systems in place to carry out the work safely.

Singh Will Mix It Ltd, of Larkshall Road, Walthamstow, London, was found guilty of breaching Sections 2(1) and 3(1) of the Health & Safety at Work etc. Act 1974 following a trial at Southwark Crown Court. The company was fined £175,000 and ordered to pay £75,722 in costs at Southwark Crown Court

on 15 March 2023.

HSE inspector Gordon Nixon said: “HSE will not hesitate in prosecuting where contractors and operatives do not have the appropriate skills, knowledge, experience and training when carrying out dangerous tasks and putting people at risk.”

### 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.
2. More information about the [legislation](#) referred to in this case is available.
3. Further details on the latest [HSE news releases](#) is available.

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## [Firm receives £190k fine after worker seriously injured](#)

A Hereford company has been fined £190k after an employee was seriously injured after falling into a pit.

The man was working for Wyman-Gordon Limited, a company that produces forgings for the aerospace industry, when he fell into the bottom of a pit on 25 November 2018. He sustained deep cuts to his head that required eight stitches. He had been working at the company’s premises on Spa Road, Lincoln.

While changing an oil seal on a counterblow hammer, a lifting sling containing a 169kg load broke. The load fell and broke the board the worker was standing on, causing him to fall into the bottom of the pit.

The man has revealed how the incident left him feeling anxious after returning to work.

The worker said in his victim impact statement: “I was on sick leave for three weeks.

“After the accident I became more anxious while doing high risk work. I continue to have a problem with my back. I go to physiotherapy via the NHS when necessary. Currently, it has become difficult for me to get up in the morning because of my back.

“I also have frequent headaches. I have been to different hospitals in connection with that, but no cause has been determined.

“Also the accident had a partial impact on looking after my wife as I could not lean forward and bend down for about two weeks. My daughter had to assist both me and my wife during all that time.”

An investigation by the Health and Safety Executive (HSE) found Wyman-Gordon Limited failed to ensure so far as is reasonably practicable, the health, safety and welfare at work of its employees during the ram seal replacement. There was no safe system of work that properly addressed work at height and lifting operations. The company should not have lifted loads over employees and either prevented the need to work at height, or used alternative methods for doing so. HSE guidance on equipment and machinery can be found at: [Equipment and machinery – HSE](#)

Wyman-Gordon Limited, of Holmer Road, Hereford, Herefordshire, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £190,000 and ordered to pay £35,000 in costs at Lincoln Magistrates’ Court on 16 March 2023.

HSE inspector Stacey Gamwell said: “Employers have a responsibility to devise safe methods of working that properly address the risks, had one been in place prior to the incident, the injuries sustained by the employee could have been prevented. There is guidance freely available on the HSE Website regarding the safe planning, organisation and undertaking of lifting operations. Guidance is also freely available in relation to working at height safely.”

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## [Farmer fined after dog walker thrown 8ft into the air and trampled by cow](#)

A DOG walker was thrown 8ft into the air by a cow which then repeatedly trampled on him as he tried to crawl away, breaking six ribs of his ribs and leaving him with damage to his lungs and spleen.

Steve Adams, from Coleshill, Warwickshire, was on holiday with his wife Jane near Sidbury, East Devon when they went for a walk with their Springer Spaniel, named Lisa.

They were walking along a public footpath through a field containing cows with calves when one of the cows attacked, leaving Steve badly injured. He spent seven days in intensive care.

The farmer responsible for the cattle has been ordered to pay a fine and costs totalling more than £3,500.

Farmers should not put cattle with young calves in fields with a public right of way. The Health and Safety Executive (HSE) has [advice for farmers, landowners and other livestock keepers](#) on dealing with the risks posed by cows with calves.

Steve, who is now 63, and is a dad of three with two grandchildren, is retired from the transport industry. He said: "My own grandfather was a farmer, so I'd been around cattle as a child, and I wasn't scared of them. Now, I wouldn't go into a field with cows, you don't know what's going to happen. People should be very wary of cows."

Steve and Jane were on holiday at the East Devon caravan and motorhome campsite in July 2021 when they decided to go for a walk with their dog, which was on a lead.

Their route took them from a pub through fields. As they headed towards a pedestrian gate at the edge of one of the fields, they came to an electric fence surrounding the fields edge.

They were then surrounded by more than 20 cattle, some with calves. A cow approached, lowered its head and tossed Mr Adams into the air. It then trampled him on the ground until he managed to crawl away.

A HSE investigation established that cattle with young calves were being kept in a field with a public right of way across it. Cattle with young calves are known to be protective and unpredictable, and can pose a risk to walkers, especially to those with dogs. Farmers should not put cattle with young calves in fields with a public right of way.

Steve Adams said: "It was just the one cow, the biggest one. It came up and threw me into the air with its head and then it trod all over me. I was trying to crawl out of the way, but it just kept landing its hooves on me.

"The dog was on its lead and I'd managed to let it go and it made it away. My wife had one of those plastic ball throwers for the dog and she was hitting the cow with it but it made no difference at all. I managed to roll away from under it.

"I wasn't feeling too good at all, I couldn't breathe. It had taken us about 15 minutes to walk to where it happened, but it took us about two and half hours to make it back to the van. An ambulance was called to the site and they said straight away that I'd broken my ribs. It was a pretty scary day.

“I don’t walk too much now. I’m not as healthy as I was, and I can still feel my injuries now.”

Barry Fowler, of Sidbury, Sidmouth, pleaded guilty to breaching Section 3(2) of the Health & Safety at Work etc Act 1974 and was fined £555 and ordered to pay costs of £3,000 at Exeter Magistrates’ Court on 8 March 2023.

HSE inspector Simon Jones said: “The serious injuries to Mr Adam sustained when he has attacked and trampled by cattle with their calves was totally preventable.

“Cattle are extremely protective of their calves and even calm cattle can become aggressive if they think the calves may, in any way, be threatened, even by members of the public walking past.

“Farmers should not place cattle with calves in fields where members of the public have a legal right to walk unless appropriate measures are in place such as robust fencing separating cattle from people. Had Barry Fowler done this then the incident could not have happened.”

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

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## **Campaign launched to reduce farm vehicle deaths and injuries**

- **Vehicle incidents are the number one cause of deaths and serious injuries in British agriculture**
- **Forty-eight lives lost in farm vehicle incidents in last five years, hundreds injured**
- **Health and Safety Executive (HSE) launches campaign to reduce injuries and save lives**

Vehicles play a vital role in farm work but incidents involving vehicles are the number one cause of deaths and serious injuries on British farms.

Incidents involving moving vehicles have been responsible for 30 per cent of all fatalities on farms over the past five years, that’s 48 lives lost in

incidents that have destroyed farming families.

And hundreds more are hurt in incidents involving moving vehicles on farms every year.

The Health and Safety Executive (HSE), Britain's workplace safety regulator, is calling on everyone in the farming community to do what they can to reduce the number of injuries involving vehicles and save lives.

HSE is this week launching a farm vehicle safety campaign and has created a [website](#) which brings together lots of great advice on using vehicles safely on farms.

HSE says there are three pieces in the vehicle safety jigsaw: operating a safe farm, maintaining a safe vehicle and being a safe driver.

Together, these pieces will help to keep everyone on farms safer. If one piece is missing, the risks increase.

Sue Thompson, HSE's Head Agriculture Policy, said: "We want to make 2023 a safer year on our farms by working together to prevent injuries and deaths.

"Agriculture consistently has the highest number of fatal and serious injuries of all industry sectors in Great Britain. Over the past five years, the average fatal incident rate is twenty-one times higher in agriculture than the average across all other industries. That is a shocking statistic.

"It's time for us to make a change together to make our farms safer, and that's why we're asking farmers in England, Scotland and Wales to consider three areas of their daily farming activities and take the right actions to prevent another farming tragedy."

Operating a Safe Farm - Keep people and vehicles apart:

- Segregate vehicles and people with clearly marked routes and walkways to keep them apart to avoid serious injuries.
- Use barriers and posts in high traffic areas to protect people and save lives.
- Use signage, good lighting and a high visibility clothing to help everyone be seen on the farm.

Maintaining a safe vehicle - Detect faults now, before it's too late:

- Regularly check and maintain brakes. Trailers must have brakes designed for the maximum loads and speeds at which they will operate.
- Ensure a seatbelt is fitted and worn every time.
- For vehicles which have doors fitted as standard, make sure the doors are attached securely and remain closed when the vehicle is moving.
- For vehicles that have mirrors fitted as standard, double check they are fitted securely and are clean to ensure optimum visibility.

Being a safe driver - Pause, take a moment to be a safer driver:

- Use the handbrake every time. To prevent serious injury if your vehicle moves due to the terrain or gradient, follow the simple safe stop routine before you get out or off a vehicle: handbrake on, gears in neutral, engine switched off and the key removed.
- Ensure you've been trained properly; training is vital to help keep everyone safe.
- Think visibility to protect everyone on the farm, whatever the vehicle - ensure mirrors and windows on the vehicle are clean and when manoeuvring, take a moment to consider where the blind spots are. Keep people away while you are moving, get people to stand where you can see them.

Sue Thompson said: "With significant pressure on British farmers now, we want to support the farming community to show that safety on the farm doesn't need to be difficult or expensive. There are simple steps you can take today to help keep you and everyone on your farm safe.

"Farmers and farm workers should take a moment to think about what would happen to their families and their farms if they were seriously injured and unable to work.

"When people on farms start their daily routine, they should follow our safe farm, safe driver, safe vehicle advice to help plan the job and complete it safely."

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There is lots of free advice available on using vehicles in agriculture safely:

- Practical tips and advice to help make the farm safer when [working with vehicles](#)
- Practical tips and advice on [vehicle maintenance](#)
- Advice on [training](#)
- For advice on a range of farming safety issues, download [What A Good Farm Looks Like](#)

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1. Further details on the latest [HSE news releases](#).
1. Further details about HSE statistics and the labour force survey can be

found here: [Agriculture, forestry and fishing statistics in Great Britain, 2022](#)

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## [Construction company and director fined after house partially collapses](#)

A construction company and its director have been fined for health and safety failings after a house partially collapsed in Manchester.

The Health and Safety Executive (HSE) visited the property on Caxton Road, Fallowfield, on 22 September 2020 after being informed an exterior wall had collapsed during construction work undertaken by Servotec Ltd.



Servotec was fined after failings after a house partially collapsed in Manchester

Following HSE's visit, a Prohibition Notice was issued to Servotec Limited after the roof on the property was found to be unstable with the company also failing to provide a temporary works design (TWD).

Additionally, HSE issued Improvement Notices to the company for the poor welfare on site and insufficient asbestos survey. HSE has just [launched a campaign](#) highlighting the dangers of asbestos and has guidance on the [safe working with asbestos](#).

HSE returned to the site on 25 September 2020 and a second Prohibition Notice was issued to Servotec after another structural problem was identified.

Servotec complied with all of the enforcement action issued.



Following this, HSE set out to investigate the initial cause of the partial building collapse, however the company and its director, Shaun Brae, were not forthcoming with the requested information over a number of months.

HSE made another visit to the house on 10 February 2021 when further health and safety breaches were found which included inadequate prevention of exposure to silica dust whilst cutting roof tiles. Servotec was then served with a Prohibition Notice and Improvement Notice.

The investigation by HSE found the company failed to comply with this final Improvement Notice and that significant risks across a multitude of areas were present at the site from start to finish, including structural safety, working at height and welfare. As Mr Brae was involved, directly served all Prohibition Notices and had demonstrated a persistent poor attitude and lack of accountability throughout HSE's interactions, he was also found to have failed to comply in his role as a director.

Servotec Limited, of Mauldeth Road West, Chorlton Cum Hardy, Manchester

pleaded guilty to breaching Section 2 (1), Section 3(1) and Section 33(1)(g) of the Health and Safety at Work etc. Act 1974. The company was fined £5,000 at Manchester Magistrates' Court on 10 March 2023.

Shaun Brae of Repton Avenue, Ashford, Kent, pleaded guilty to breaching Section 2 (1), Section 3(1) and Section 33(1)(g) of the Health and Safety at Work etc. Act 1974, by virtue of 37(1) of the Act. He was fined £1,000 and ordered to pay £2,000 in costs at Manchester Magistrates' Court on 10 March 2023.

HSE inspector Mike Lisle said: "This was a very serious incident, and it is fortunate nobody was injured as a result of the collapse or any of the subsequent failings.

"Where contractors demonstrate persistent poor health and safety and ignore Notices served, HSE will not hesitate to take necessary action.

"Directing minds playing a significant role in a Company's failings will also be held accountable as was the case here."

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