

Recycling firm fined following death of forklift driver

A paper recycling company has been fined £600,000 following the death of a 20-year-old agency worker who suffered fatal crush injuries at a plant in Crayford, London.

Westminster Magistrates' Court heard that on 9 October 2018, agency worker Jamie Wright was driving a forklift truck at Restore Datashred Ltd's plant when it overturned. He was not wearing a seatbelt and became trapped between the forklift's rollover protective structure and the floor. He sustained fatal crush injuries.

An investigation by the Health and Safety Executive (HSE) found significant failings in the management of workplace transport risks at the site, including issues relating to operator competence and supervision and monitoring.

Restore Datashred Ltd of Queen Elizabeth Distribution Centre in Purfleet, Essex pleaded guilty to a breaching of Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £600,000 and ordered to pay costs of £22,860.

Speaking after the hearing, HSE inspector Sarah Whittle said: "This was a tragic and preventable work-related incident.

"Companies need to ensure that work equipment, such as forklift trucks, is only operated by those who are trained and competent to do so, and that temporary workers are not allowed to slip through the cracks with regard to appropriate training, supervision and management."

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[2]
3. HSE news releases are available at <http://press.hse.gov.uk>
4. Guidance on managing lift truck safety can be found here: <https://www.hse.gov.uk/workplacetransport/lift-trucks/managing-lift-trucks.htm>

The post [Recycling firm fined following death of forklift driver](#) appeared first on [HSE Media Centre](#).

Window manufacturer fined after worker seriously injured whilst moving stillages

A UPVC window and door manufacturer has been sentenced after a worker was crushed whilst moving a stack of stillages weighing 3000kg.

Blackpool Magistrates' Court heard how, on the 9 January 2020, the worker, with two other employees of Sovereign Group Ltd, was locating a stack of three stillages loaded on a side loader into a gap in the aisle of the despatch area. Whilst manoeuvring the stillages away from the aisle, to make another attempt to push the stillages into the gap, the stack of stillages fell over onto the employee breaking both legs and causing ligament damage. The incident has caused lasting injuries which affect everyday life and the employee has not been able to return to work.

An investigation by the Health and Safety Executive (HSE) found the company had no formal safe system of work in place and the operatives had developed their own system for swapping stillages, which involved unsafe lifting operations. The method adopted by the company was not safe and employees were not adequately trained or instructed. The despatch area was heavily congested at the time of the incident and poorly laid out for the stillages to be stored safely.

Sovereign Group Ltd of Vale Street, Nelson, Lancashire pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974 and was fined £33,333 and ordered to pay costs of £5,191.58

HSE Principal inspector Lisa Bailey said after the hearing: "Those in control of work have a responsibility to ensure they provide safe methods of working and a safe working environment. If suitable controls had been in place the serious physical injuries sustained by this employee could easily have been prevented."

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2. More about the legislation referred to in this case can be found at: [www Vehicle and transport safety at work \(hse.gov.uk\)](http://www.hse.gov.uk/vehicle-transport-safety-at-work).
3. HSE news releases are available at <http://press.hse.gov.uk>

The post [Window manufacturer fined after worker seriously injured whilst moving stillages](#) appeared first on [HSE Media Centre](#).

[Company and director sentenced after two workers injured in falls from height](#)

A facilities and construction management company, along with the director, have been fined after unsuitable scaffolding partially collapsed, injuring two workers.

Newport Magistrates' Court heard that on 8 March 2018, workers on a six-metre high scaffolding tower were carrying out demolition activities at the Citizens Advice Bureau in Church Place, Bargoed when the platform of the tower partially collapsed. One man suffered broken ribs, tendon damage and since the incident depression and short-term memory loss. The other man suffered three broken vertebrae and has since been diagnosed with post-traumatic stress disorder (PTSD).

An investigation by the Health and Safety Executive (HSE) found that the tower scaffolding was not suitable for the type of work being undertaken. It was not erected by a person trained and competent to do so, had been erected to a height above recommendation and was loaded with a weight greater than the safe working load stated by the manufacturer.

Invictus Facilities and Construction Management Limited of Pontprennau, Cardiff pleaded guilty to breaching Section 3(1) of The Health and Safety at Work etc. Act 1974. They were fined £106,000 and ordered to pay costs of £8,501.

Director of the company Simon Paul Wright of Tredegar pleaded guilty to Section 33 (1a) by virtue of Section 37(1) of The Health and Safety at Work etc. Act 1974 and was ordered to undertake 150 hours of unpaid work.

Speaking after the hearing, HSE inspector Gemma Pavey said: "Failure to

select suitable and sufficient scaffolding towers and the failure to have them erected and dismantled by a competent person creates risk to workers who could be injured by a fall or collapse.

“Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards.”

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 3. HSE news releases are available at <http://press.hse.gov.uk>
- For more information and guidance on the use of tower scaffolds please see: <https://www.hse.gov.uk/construction/safetytopics/scaffold.htm>

The post [Company and director sentenced after two workers injured in falls from height](#) appeared first on [HSE Media Centre](#).

[Two construction companies fined after worker injured during lifting operation](#)

Two construction companies have been fined after a worker was seriously injured when a part of an air conditioning plant fell on him while it was being lowered from a roof.



Southwark Crown Court heard that on 10 November 2017 three roofers had been working on Bromley High Street in London, finishing off a large roof

refurbishment project. The workers were instructed to dismantle a decommissioned air conditioning plant and remove it from the roof in high winds. As part of the plant was being lowered, it became detached from the rope and hook. It fell and struck one of the workers on the pavement below, fracturing his left femur.

An investigation by the Health and Safety Executive (HSE) found that only a basic manual gin wheel was provided to lower the parts, no one was assigned to supervise and none of the workers had any formal training on carrying out lifting operations or slinging loads. There were also other failings at the site relating to working at height, control of asbestos, emergency arrangements, manual handling and a total lack of any welfare facilities for the workers.

NMC Surfacing Limited (NMC) who operate nationally, had subcontracted the roof refurbishment work to a smaller local business, Fraden Contracts Limited. The client was unaware NMC had subcontracted the construction work. The Court heard NMC provided them with modified versions of Fraden's risk assessment records with all references to Fraden erased.

NMC Surfacing Limited of Railway Court, Reading Bridge House, Reading, who had been the Principal Contractor for the project, was found guilty after a trial of a breach of Regulation 13(1) of the Construction (Design and Management) Regulations 2015. The company was fined £350,000 and ordered to pay £45,122.36 in costs.

Fraden Contracts Limited of Northside House, Mount Pleasant, Barnet who had been contracted by NMC Surfacing Limited to carry out the work, had already pleaded guilty to a breach of 15(2) of the Construction (Design and Management) Regulations 2015. This company was fined £14,000 and ordered to pay £6,015.26 in costs.

HSE inspector, Andrew Verrall-Withers, commented after the hearing: "Little thought was given to planning the lifting operation by the companies and it was the workers who identified passing members of the public were at risk and borrowed some barriers to try and protect them.

"It is vital construction companies do not assume that because workers have been in an industry for years, that they automatically know everything about how to safely use equipment.

“A worker suffered an injury which means he can no longer work as a roofer despite three decades of previous experience. He, or a passing member of the public, could have been killed.”

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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. For more information on lifting equipment at work please visit our website <https://www.hse.gov.uk/pubns/indg290.htm>

The post [Two construction companies fined after worker injured during lifting operation](#) appeared first on [HSE Media Centre](#).

[Sole trader sentenced after worker sustains serious injuries in fall from height](#)

Sole trader, Ian Pitman, has been fined after a sub-contractor fell five metres through a sky light onto a concrete floor.

Bristol Magistrates’ Court heard how on 20 July 2017 a man working for Ian Pitman was renewing the guttering between two buildings in Chipping Sodbury in Bristol. While fitting a roof panel back into place he fell backwards through a sky light, hitting the rail of a lift truck below and landing on the concrete floor. He suffered multiple injuries including a fractured skull and broken ribs.

An investigation by the Health and Safety Executive (HSE) found that Mr Pitman failed to ensure that work at height was properly planned, appropriately supervised and safe in such a way as to ensure that persons not in their employment were not exposed to risks to their health and safety.

Ian Pitman of Kingston St Michael, pleaded guilty to contravening Regulation 4(1) of the Work at Height Regulations 2005. He received a four-month custodial sentence, suspended for 18 months and given 180 hours of unpaid community work. He was ordered to pay costs of £13,500 and a victim surcharge of £115.

Speaking after the hearing, HSE inspector Stacey Gamwell, said: "Falls from height remain one of the most common causes of work-related fatalities in this country and the risks associated with working at height are well known. This serious incident could have been avoided if basic safeguards had been put in place.

"HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

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3. HSE news releases are available at <http://press.hse.gov.uk>
4. More information about working safely at height can be found here:
<http://www.hse.gov.uk/construction/safetytopics/roofwork.htm>
<http://www.hse.gov.uk/pubns/cis60.pdf>

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