

Company sentenced after worker injured in fall from roof

A conservatory and window fitting company has been sentenced after a worker, who was replacing a conservatory roof in adverse weather conditions at a property in Nantwich, slipped and fell sustaining broken ribs and bruising.

Manchester Magistrates' Court heard that on 1 February 2018, the 34-year-old-man was getting down from the roof, when he slipped on ice and fell, landing on step ladders.

An investigation by the Health and Safety Executive (HSE) found that the director of the company at the time of the incident, Andrew Bradshaw, ignored concerns from workers regarding adverse weather. Inspectors also found that there wasn't any edge protection in place to prevent a fall from height.

DNA Home Improvement (Cheshire) Limited of Ideal House, Lower Walsall Street, Wolverhampton pleaded guilty to breaching Section 2(1) of the Health & Safety at Work etc. Act 1974. The company was fined £30,000 and ordered to pay costs of £4,771.92.

The former director of the company, Andrew Bradshaw, of Chapel House, Middlewich Road, Minshull Vernon, Crewe pleaded guilty to breaching Section 2(1) of the Health & Safety at Work etc. Act 1974 by virtue of section 37(1) of the same act. He was issued with a 12-month community order requiring him to undertake 150 hours of unpaid work. He was also ordered to pay costs of £4,807.62

Speaking after the hearing, HSE inspector Rebecca Hamer said: "The risks from working at height are well known. Those in control of the work have a responsibility to devise safe methods of working, which should include ensuring the use of suitable work equipment and adequate supervision."

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>

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[HSE is checking businesses in the transport sector are COVID-secure](#)

In the run up to the festive period, the Health and Safety Executive (HSE) is working with local authorities to inspect businesses in the transport and logistics industry to ensure they are managing the risk of coronavirus (COVID-19).

With the current lockdown restrictions, the demand for online shopping is already high and this is expected to increase over the next few weeks. This will also increase demand in the supply chain for the sector.

HSE inspectors and local authority officers will be visiting warehouses and distribution centres across the country to make sure workplaces are COVID-secure and following the relevant guidance.

Being COVID-secure means that businesses need to put in place workplace controls such as social distancing and cleaning arrangements to manage the risk and protect workers and others from coronavirus.

They will be making sure that businesses have suitable toilet and handwashing facilities for all workers, including visiting drivers. They will also check other health and safety matters if required.

HSE provides a range of advice and guidance to support businesses, this includes:

- [Making your workplace COVID-secure](#)
- [Driver welfare](#)
- [Social distancing – a step-by-step guide](#)
- [Risk assessment](#)
- [Vehicles at work](#)

Information from the visits will be shared to promote good practice and assist the industry in meeting the combined challenges of COVID and the seasonal surge in demand.

Harvey Wild, Head of HSE's Transport and Public Services Unit, said: "The logistics and distribution industry overall has seen a significant increase in business activity over the past few months and, with shops and retail centres closed, there will be a surge in online shopping in the run up to the festive period.

"As a result of this, we will see an increase in the number of agency and temporary workers in the transport and logistics sector to meet the demand. It's important that all workers and also customers feel confident that measures are being taken to protect them from Covid-19.

"Employers have a legal duty to protect workers and others from harm and this includes taking reasonable steps to control the risk and protect people from coronavirus. We encourage businesses to consult with their workers on the changes they put in place to become COVID-secure. This is to provide reassurance for workers and to also increase confidence in customers and the local community.

"Becoming COVID-secure not only benefits the health of our communities and vital businesses, it also good for the health of the UK economy."

We are looking to work with employers but where we find they're not managing the risk, HSE and local authority officers will take action. This can range from the provision of specific advice, issuing enforcement notices and stopping certain work practices until they are made safe. Where businesses fail to comply, this could lead to prosecution.

Further guidance is also available for [England](#), [Wales](#) and [Scotland](#).

You can also receive information on HSE's latest inspections and campaigns by [signing up to our newsletter](#).

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3. For HSE's working safely guidance see <https://www.hse.gov.uk/coronavirus/working-safely/index.htm>

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Plastics manufacturer fined after employee was injured by machinery

A plastics manufacturer, who specialises in the manufacturing of traffic barriers and cones, has been fined after an employee's finger was severed due to inadequately guarded machinery.

Manchester Magistrates' Court heard how, on 5 November 2018, the 36-year-old employee of Melba Products Limited had been refilling the hopper of a blow moulding machine with plastic granules from bags at their site on Manchester Road, Bury. Work gloves that had been inside one of the bags fell into the hopper and through the guard. Whilst reaching through a large gap in the top of the hopper guard to retrieve the gloves, his middle finger contacted dangerous parts of the blender resulting in it being severed down to the knuckle of his second finger.



An investigation by the Health and Safety Executive (HSE) found that the blender had not been sufficiently guarded to prevent access to dangerous parts of machinery. There was a large gap of approximately 4 x 5 inches towards the top of the hopper guard. The injured employee had only been operating the machine for one week prior to the incident.

Melba Products Limited failed to carry out a risk assessment of the blender, to put in place appropriate control measures to prevent access to dangerous parts and to implement a suitable system of training and supervising of new starters.

Melba Products Limited of Bury, pleaded guilty of breaching section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £125,000 and ordered to pay costs of £5,387.

HSE inspector Alex McFarland said after the hearing: “This injury was entirely preventable and could have been avoided by ensuring the machine was being operated safely, with a suitable guard in place. Adequate supervision should also have been in place to ensure the machine was being used safely by newer operatives.

“Employers should make sure they properly assess and apply effective control measures to minimise the risk from dangerous parts of machinery.”

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2. More about the legislation referred to in this case can be found at: www.legislation.gov.uk/
3. More information about safe use of machinery can be found at <https://www.hse.gov.uk/toolbox/machinery/safety.htm>
4. HSE news releases are available at <http://press.hse.gov.uk>

The post [Plastics manufacturer fined after employee was injured by machinery](#) appeared first on [HSE Media Centre](#).

[Construction company fined after a dumper truck overturned trapping an employee](#)

A construction company was fined after a driver was trapped when a dumper truck overturned at a site in Liskeard, Cornwall.

Plymouth Magistrates’ Court heard how on the 12 April 2019 an employee became trapped when the truck overturned on the construction site. The employee was not wearing a lap belt and was operating the dumper truck without deploying the roll-over protective structure. He suffered multiple crush injuries to his body, when the dumper overturned.

An investigation by the Health and Safety Executive (HSE) found the company, Jim Elliot & Son, had failed to assess the competence and the skills of the operator ahead of work on the refurbishment project. The company also failed to induct the employee on starting work at the site thus failing to identify that the employee had the necessary skills, knowledge and experience to operate the dumper.

It was also identified that the company had failed to undertake a risk assessment or prepare a construction phase plan. These measures, along with a suitable site induction would have identified that the employee did not have the required competence, training, skills and knowledge to ensure that the work was carried out safely and the dumper operated in accordance with its operator's manual.

Jim Elliott of The Grove, Crow's Nest, Liskeard, Cornwall was found guilty of breaching Section 13(1) of the Construction (Design and Management) Regulations 2015. The company was fined £850 and ordered to pay £2,000 in costs.

Speaking after the hearing, HSE inspector Georgina Symons said: "This incident could have easily been prevented if the company had assessed the risk related to operating site dumpers and ensured that its workers had the skills and competence necessary to do so safely."

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The post [Construction company fined after a dumper truck overturned trapping an employee](#) appeared first on [HSE Media Centre](#).

Company director and project manager sentenced after construction worker sustained fatal crush injuries

A company director and project manager were sentenced after an untrained and unsupervised worker was killed when the forward tipping dumper truck he was operating overturned.

Swansea Crown Court heard how on 1 October 2016 the employee was working alone at a construction site in West Aberthaw, Vale of Glamorgan. He was operating a dumper truck around a construction site, which had no designated traffic routes.

The worker was operating the vehicle when it overturned causing him to either be thrown or jump from the vehicle. The worker was not wearing a seatbelt.

The 38-year-old man was found two days later with fatal crush injuries at the bottom of a ramp, which formed part of a spoil heap. His injuries were consistent with being struck by the rollover protection structure (ROPS) bar of the overturning dumper truck.

An investigation by the Health and Safety Executive (HSE) found that the access ramp was uneven, made up of loose ground; and the slope and cross slope of the ramp exceeded the dumper truck's machine maximum operating capacity. Untrained operators regularly used construction vehicles on routes that were not suitable for the vehicles and there was no effective management of health and safety on the construction site.

Project Manager at TSD group Graham Kuhlmann of Parcau Road, Bridgend pled guilty to breaching section 3(2) of the Health and Safety at Work etc. Act 1974, he received a 21-week custodial sentence suspended for 12 months and was ordered to pay £5,000 in costs.

Sole director of Pro'conn Limited, the principal contractor at the site, Kevin March of Fields Park Road, Pontcanna, Cardiff pled guilty to breaching Section 37(1) of the Health and Safety at Work etc. Act 1974, he received a 32-week custodial sentence suspended for 12 months and was ordered to pay £20,000 in costs.

Speaking after the hearing, HSE inspector Paul Newton said: "The risks associated with untrained operators using construction vehicles on uneven ground with excessive slopes are foreseeable. This was a tragic and wholly avoidable incident.

"Those responsible for managing health and safety on construction sites should ensure that traffic routes are safe, designed and managed, for the vehicles using them; and only those with the necessary skills, training and knowledge should be asked to operate construction vehicles."

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