

# Company and director fined after incident leaves worker paralysed

A company and an individual have been fined after a worker suffered life changing injuries while dismantling an external platform lift.



Basingstoke Magistrates' Court heard how, on 31 August 2017, a worker was injured whilst working on an external lift shaft at Alton College. A heavy component of the lift toppled to the ground and he fell with it, suffering serious life changing injuries that resulted in him being paralysed and confined to a wheelchair.

An investigation by the Health and Safety Executive (HSE) found that The Platform Lift Company was contracted to dismantle an external lift shaft to enable building works to provide ramped access for wheelchair users. The work was sub-contracted to premier lift solutions of which Davey Marcus was a director at the time. The companies failed to ensure dismantling of an external platform lift was undertaken without risks of persons falling or structural collapse.

The Platform Lift Company, Millside House, Anton Mill Road, Andover, Hampshire have pleaded guilty to breaching a single charge of section 3(1) of the Health and Safety at Work Act 1974 and have been fined £6,000 and ordered to pay costs of £9,104.50.

Mr Davey Marcus, Windsor Avenue, Whitehead, County Antrim pleaded guilty to two charges of Regulations 20(1) and 20(2) of Construction (Design & Management) Regulations 2015 and was fined £480 and ordered to pay costs of £1,000.

Speaking after the hearing, HSE inspector Dominic Goacher said: "Neither party adequately planned the work and failed to identify suitable control measures such as scaffold to prevent falls.

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

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

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## **[HSE’s Chief Scientific Adviser welcomes introduction of new Covid-19 research programme](#)**

The Health and Safety Executive (HSE) has been asked to lead one of seven studies as part of a national COVID-19 research programme funded by the UK government and fronted by the Government’s Chief Scientific Adviser, Sir Patrick Vallance.

Britain’s regulator for workplace health and safety has been asked to lead a study addressing the transmission of COVID-19 in the environment, including in workplaces, transport and other public settings. The study is structured around five themes, each led by a leading scientist in the field: Professor Cath Noakes (Leeds University), Allan Bennett (Public Health England), Prof Wendy Barclay (Imperial College), Prof Martie van Tongeren (University of Manchester) and Dr Yiqun Chen (HSE).

Reacting to the news, HSE’s Chief Scientific Adviser, Professor Andrew Curran said:

“HSE is privileged to lead this programme and use our experience in workplace risk management to improve our understanding of how the virus is transmitted.

We employ some of the leading scientists in workplace health and safety who are skilled in addressing complex issues such as this. We will also harness the knowledge and expertise of our counterparts in other organisations to coordinate the most effective response to answer these important questions.

“As findings emerge, they will be shared. We hope they will feed directly into effective approaches and guidance that will help improve practices in workplaces. This work will yield information on an ongoing basis, improving our understanding of what a COVID-Secure workplace looks like. When infection rates will allow sustained re-opening of the economy, working safely will be even more crucial than it is now.”

The National Core Studies are a small group of key research projects and infrastructure programmes designed to answer essential policy and operational questions as the UK enters the first winter period of the coronavirus pandemic.

The seven studies will examine fundamental questions such as: the levels of infection in the general population and in specific settings such as schools and nursing homes, the role of different environments in enhancing spread, and whether antibodies confer protection and for how long.

The programme will be a multi-agency response with each study lead drawing upon the best scientific knowledge and expertise available in the UK from within government and academia to help ensure these and other critical questions are answered quickly and well.

### **About HSE**

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## **HSE releases annual injury and ill-health statistics for Great Britain**

Statistics released today show that Great Britain is still one of the safest places in the world to work with the lowest number of deaths on record.

However, more than half of Britain’s working days lost in 2019/20 were due to

mental ill-health.

The annual report by the Health and Safety Executive (HSE) includes statistics for work-related ill health, workplace injuries, working days lost, enforcement action taken, and the associated costs to Great Britain.

The emergence of COVID-19 as a national health issue at the end of final quarter of 2019/20 does not appear to be the main driver of changes seen in the 2019/20 data, although it is possible that COVID-19 may be a contributory factor.

HSE has been at the heart of work across government for getting Great Britain's workplaces Covid Secure. As part of HSE's response to COVID-19, it has continued to support the wider health response through working closely with National Public Health Bodies, Local Authorities and local health teams.

Figures show that around 693,000 workers sustained non-fatal injuries in 2019/2020 and 1.6 million workers suffering from work-related ill-health.

The statistics, compiled from the Labour Force Survey (LFS) and other sources, illustrate that in Great Britain in the 2019/2020 period there were;

- 111 fatal injuries at work
- 1.6 million working people suffering from a work-related illness
- 38.8 million working days lost due to work-related illness and workplace injury
- 325 cases were prosecuted and resulted in a conviction. Fines from convictions totalled £35.8 million

In 2019/2020, the estimated economic cost to Great Britain totalled £16.2 billion with 38.8 million working days lost.

In response to the report, Sarah Newton, HSE Chair said:

"The Covid pandemic has focussed attention on the health and safety issues people face in the workplace. HSE remains committed to taking action where workers are not protected, to ensure the guidance and assistance we provide for employers in managing risks is the best available, based on the latest evidence and science.

"Although Great Britain continues to be up there with the safest places in the world to work, these figures highlight the scale of the challenge HSE currently faces in making Britain an even healthier and safer place to work, this includes our role in the response to the pandemic to ensure workplaces are Covid Secure.

"We must continue to drive home the importance of managing risk and promoting behaviours to ensure employers work right so that workers are able to go home healthy and safe at the end of each day."

The full annual injury and ill-health statistics report can be found on [HSE's website](#).

## Ends

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2. HSE news releases are available at <http://press.hse.gov.uk>
3. Further information on annual fatal injury statistics released in July can be found <https://press.hse.gov.uk/2020/07/20/figures-reveal-that-numbers-of-people-killed-have-fallen-yet-agriculture-continues-to-have-the-highest-rates-of-worker-fatal-injury/>

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## Company fined after worker loses fingers

Insulation panel company, Panelbond Ltd was sentenced today for safety breaches after an employee had three fingers cut off while he was working alone cutting metal sheets using an 'Edwards' metal cutting guillotine.

Grimsby Magistrates Court heard how, on 26 April 2017, the sheet of metal being cut had an upturned corner which didn't fit flush against the backstop. The worker managed to get his left hand beyond the 'guard' to attempt to hold the upturned corner against the backstop. He operated the foot pedal activating the guillotine blade, consequently he suffered the loss of three fingers

An investigation by the Health and Safety Executive (HSE) found that the guillotine had been purchased from auction and had been supplied with 'finger guards' which prevents access to the blade from the front of the machine. Over time, the supplied guard had become damaged and therefore had been replaced by Panelbond. However, the replacement guard was not adequate to prevent access to the guillotine blade.

Panelbond Ltd of Omega Business Park, Estate Road Grimsby N E Lincolnshire pleaded guilty to breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998. The company has been fined £4000 and ordered to pay £7335.05 in costs.

After the hearing, HSE inspector Kirstie Durrans commented: "Serious accidents occur each year due to companies not identifying and managing the risks posed by machinery. The dangers of unguarded machinery are well known.

"If the company had ensured that suitable guarding was in place this incident could easily have been avoided"

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2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](https://www.legislation.gov.uk/)<sup>[2]</sup>
3. HSE news releases are available at <http://press.hse.gov.uk><sup>[3]</sup>
4. Please see the link below to the page on HSE's website that is the best guide to doing it the right way:

<https://www.hse.gov.uk/pubns/priced/hsg129.pdf>

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# Cheshire Council fined after child falls from height

Cheshire West and Chester Council has been fined after a young child fell almost three metres to the floor from a gap in railings, sustaining serious head injuries.

Chester Magistrates' Court heard how on 16 November 2018, a family was visiting Chester City centre to watch the Christmas parade. While standing at a viewing point on The Rows at Bridge Street, their 21-month-old daughter fell through a gap in the railings onto the floor below, resulting in a fracture to her skull.

An investigation by the Health and Safety Executive (HSE) found that one of the spindles on the railings had been missing since at least May 2017, leading to a significant gap (22cm) in the physical protection of the railings on The Rows.

Cheshire West and Chester Council failed to ensure that The Rows were maintained to prevent a risk of a fall from height..

No risk assessment or risk control measures were put in place for members of the public and employees accessing or working on The Rows before the incident occurred.

The council failed to provide adequate information, instruction and training to ensure employees understood the risks associated with a lack of maintenance of the Rows.

Cheshire West and Chester Council of Nicholas Street, Chester, pleaded guilty of breaching section 3(1) of the Health and Safety at Work etc. Act 1974. The Local Authority was fined £300,000 and ordered to pay costs of £5,607.40.

HSE Inspector Emily Osborne said after the hearing: "Councils have a duty to adequately assess and control risks to members of the public, and maintain structures for which they are responsible.

“A child suffered serious injury as a result of what was an easily preventable incident if the risk had been identified and correct action taken to prevent a fall.”

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