

Self-builder receives suspended prison sentence after worker suffers fatal injuries

A man building a detached property for himself and his family has been fined after a roofer fell whilst working on the roof, sustaining serious injuries from which he later died.

Manchester Magistrates Court heard how Tony Geldart, a 63-year-old father of two, was employed by Roy Staunton to carry out roof work on his self-build detached domestic property in Hale, Greater Manchester. On 18 July 2017, Mr Geldart fell 2.6 metres from the roof which had no fall protection measures in place. He sustained serious neck & head injuries from which he died three days later in hospital.

An investigation by the Health & Safety Executive (HSE) found that Roy Staunton was responsible for removing some of the scaffolding himself despite not being competent to do so. He did not replace any means of fall protection and failed to ensure that working from height was carried out in a safe manner.

Mr Roy Staunton of Egerton Drive, Hale, Greater Manchester pleaded guilty to breaching of Regulation 4 (1) of the Working at Height Regulations 2005 and was sentenced to eight months imprisonment suspended for two years and ordered to pay costs of £16,529.46

After the hearing HSE inspector Phil Redman 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 tragic incident was preventable by having suitable fall protection in place"

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. hse.gov.uk
 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>
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Kitchen manufacturing company fined after worker injured by machinery

Kitchen manufacturing company Omega PLC were sentenced for safety breaches after a worker severely injured their finger in unguarded machinery.

Sheffield Magistrates' Court heard that on 8 May 2018, the worker was processing wood panels on an edge-banding machine at a kitchen unit manufacturing factory in Doncaster. A panel became stuck in the process. When the worker accessed the inner part of the machine to clear the blockage, his hand entered the milling block area, which caused a severe laceration to the middle finger on the left hand resulting in amputation.

An investigation by the Health and Safety Executive (HSE) found that the machine was inadequately guarded at the front. It found that employees would climb onto the machine bed from the unguarded front and were able to access the area of danger when carrying out activities such as routine maintenance and to clear blockages.

Omega PLC of Omega Boulevard, Capitol Park, Thorne, Doncaster pleaded guilty to breaching Regulation 11 (1) of the Provision and Use of Work Equipment Regulations 1998. The company were fined £50,000 and ordered to pay £6,000 in costs.

Speaking after the hearing, HSE inspector Anuja Mistry-Raval said: "Employers should make sure they properly assess and apply effective control measures to minimise the risk from dangerous parts of machinery.

"This incident could so easily have been avoided by implementing correct control measures and ensuring that safe working practices were followed."

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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: <https://www.hse.gov.uk/pubns/wis27.pdf>
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Company fined after employee's hand injured in machinery

Harbro Limited has been fined after an employee's hand became entangled in a 'Superbruiser' mixing machine.

Banff Sheriff Court heard that on 2 November 2018, at Harbro's Rosehall Depot, Turriff, Aberdeenshire, an employee put his right arm through the inspection hatch of the Superbruiser to feel along the edge of the rotating roller for embedded metal. The glove came off his hand which was caught between two rollers. The employee sustained crush injuries to his second, third and fourth fingers. Consequently, his middle finger was partially amputated and he was unable to work for approximately two and a half months.

An investigation by the Health and Safety Executive (HSE) found that Harbro Limited had failed to provide fixed or moveable guarding on the inspection hatch of the Superbruiser. This would have significantly reduced the risk of a machine operator reaching into the machine while the rollers were rotating.

Harbro Limited of 1 Markethill Road, Turriff AB53 4PA, pleaded guilty to breaching The Provision and Use of Work Equipment Regulations 1998, Regulations 11(1) and (2) and the Health and Safety at Work etc. Act 1974, Section 33(1)(c) and was fined a total of £12,000.

After the hearing, HSE inspector, Simon Dunford said: "This injury was easily preventable and the risk should have been identified.

"Employers should make sure they properly assess and apply effective control measures to minimise the risk from dangerous parts of machinery. The risks of undertaking such work are well known in the industry and it is disappointing that a safe system of work was not followed in this case."

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Care provider fined for failing to manage risk of service user

The Action Group, who provides support to children and adults, has been fined £20,000 after HSE investigated how risks to staff were assessed, in the wake of an attack on an employee by one of its service users.

Edinburgh Sheriff Court heard that a female employee of the Action Group was abducted, assaulted, sexually assaulted and raped in 2018 while visiting the home of a male service user to provide support and care.

An investigation by the Health and Safety Executive (HSE), prompted by the police's investigation into the attack, found that the Action Group failed to carry out a suitable and sufficient assessment of the risks to the safety of their female employees posed by this service user. This was despite evidence indicating that concerns had been raised by support staff about their safety with this service user from as early as 1994.

The Action Group of North Park Centre, Albion Road, Edinburgh pleaded guilty to breaching Sections 2(1) and 33(1)(c) of The Health and Safety at Work etc Act 1974 and Regulation 3(1)(a) of The Management of Health and Safety at Work Regulations 1999. The group was fined £20,000.

Speaking after the hearing, HSE inspector Kerry Cringan said: "This was a harrowing case for all involved and could have been avoided by carrying out a suitable assessment of the risks, particularly those posed to female members of staff. If this had been done, appropriate control measures and safe working practices could have been put in place that would have protected their staff and prevented this incident."

A separate prosecution against the individual led by Police Scotland and The Crown Office and Procurator Fiscal Service (COPFS) was completed in 2019.

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