

# Farming company fined after employees injure fingers in machinery

A farming company has been fined after two employees severely injured their fingers while trying to replace a part on farming machinery.

Lincoln Magistrates Court heard that on 12 April 2018, two employees of Beeswax Dyson Farming Ltd had the ends of their index fingers severed whilst attempting to re-insert a 37kg shaft into the housing of a pump. The employees were holding the shaft as it was pressed back into its housing with the aid of a hydraulic press when it dropped through a gap. The workers were unable to support the weight with their fingers and unable to get their hands out of the way in time. The employees both underwent amputation of their index fingers following the incident.

An investigation by the Health and Safety Executive found the company had failed to carry out a suitable and sufficient risk assessment to ensure that the risks from dismantling, transporting and then inserting the shaft into the pump housing were adequately controlled. They had failed to appropriately plan a safe system of work and employees had not been provided with adequate information, instruction, training or supervision to carry out the task safely.

Beeswax Dyson Farming Limited, of The Estate Office, Cyclone Way, Nocton, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work Act 1974 and Regulation 3(1) of the Management of Health and Safety at Work Regulations 1999. The company was fined £100,000 and ordered to pay costs of £27,685.

Speaking after the hearing, HSE inspector Charlotte Cunniffe said: "Employers have a duty to carry out an assessment of the risks and put in place safe system of work for activities, including for infrequent maintenance work. It should not be left to employees to decide on the most appropriate means of carrying out a task. If safe working practices had been implemented this incident would 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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## [Engineering company fined after employee suffered serious injuries](#)

An engineering company was fined after one of its employees, a blacksmith, sustained life-changing injuries whilst welding an industrial steel fabrication.

Dundee Sheriff Court heard that on 23 June 2017, Kenneth McIntosh was undertaking work to fabricate and weld dolphin jackets, devices which are secured to the seabed and used for mooring boats. A dolphin jacket, which weighed approximately 7.7 tonnes, moved in an uncontrollable manner trapping Mr McIntosh and crushing his feet. Half of Mr McIntosh's left foot was severed in the incident and a further portion had to be surgically amputated. His right foot could not be saved and was later surgically removed below his right knee to enable a prosthetic limb to be fitted.

An investigation by the Health and Safety Executive (HSE) found that no written risk assessments or work method statements had been produced. A method was devised by the workers to move the dolphins into position and secure them using a combination of forklift trucks (FLT) and temporary steel supports, which failed. While the company may have had significant confidence in their employees' abilities, it was the company's responsibility to ensure work was carried out in safe manner at all times.

D Copeland Engineering Limited of Nobel Road, West Gourdie Industrial Estate, Dundee pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. They were fined £25,000.

Speaking after the hearing, HSE inspector, Michelle Gillies said: "Those in control of work procedures have a responsibility to devise safe methods of working and to provide the necessary information, instruction and training to their workers to ensure the safe system of working.

"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."

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## Sports nutrition supplier in court after worker loses fingers

A Liverpool sports nutrition product supplier has been fined after an employee had three fingers of their right hand severed whilst cleaning a screw conveyor.

Liverpool Magistrates Court heard how, on the 13 September 2019, a production operative, employed by Applied Nutrition Ltd at their Webber Estate site in Knowsley, was cleaning one of the product transfer screws. The operative had switched off the screw at the control panel, but had not switched off the machine at the main electricity supply. After cleaning the screw, the operative went to replace it. However, the power had inadvertently been turned back on and the screw began to operate when it came into contact with the drive motor. This resulted in the severing of three fingers and part of the palm of the operative's right hand. He remained in hospital for eight days and has since undergone several operations. The injury has significantly changed the man's life and has impacted on daily tasks and restricted the leisure activities he used to take part in.

An investigation by the Health and Safety Executive (HSE) found that the company had no risk assessments or safe systems of work in place. They did not provide staff with adequate training or make them aware of the dangers associated with the machinery being cleaned. Had there been a risk assessment performed by the company regarding the danger associated with cleaning the screw conveyor, an industry standard lock off system at the power supply could have been installed preventing the incident.

Applied Nutrition Ltd of 2 Acornfield Road, Knowsley Industrial Park, Liverpool, pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974 and was fined £70,000 and ordered to pay costs of £4,551.10.

After the hearing, HSE inspector David Bellis said: "This incident could so

easily have been avoided. Employers should carry out an assessment of the risks and put in safe system of works for the operation of all machinery, including tasks such as cleaning. Employers should also ensure that adequate information, instruction and training is provided to all who use it.”

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2. More about the legislation referred to in this case can be found at: [Why is machinery safety important? \(hse.gov.uk\)](http://www.hse.gov.uk/why-is-machinery-safety-important/)
3. HSE news releases are available at <http://press.hse.gov.uk>

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## [Construction company fined after worker suffered multiple fractures](#)

Britcon (UK) Ltd have been sentenced for safety breaches after a worker was struck by a falling load from a mechanical excavator.

Leeds Magistrates’ Court heard that Britcon (UK) Ltd were appointed as a contractor to construct a surge pit as part of a renewal and refurbishment project at the McCain’s Foods (GB) Limited site at Havers Hill in Scarborough. Part of the process involved removing sheet piles from the ground.

An investigation by the Health and Safety Executive (HSE) found that on 21 March 2018, 66-year-old Stephen Gouldthorpe was assisting with cleaning sheet piles as they were removed from the surge pit by a Doosan DX 225 LC3, 360-degree excavator. The excavator had an attachment known as an EMV 300 pile attachment fitted to remove the sheet piles from the ground. The mechanical excavator was removing a seven-metre sheet pile weighing approximately 190 kg to a lay down area when a safety chain slipped causing the pile to fall and strike Mr Gouldthorpe.

He suffered a fractured left tibia and fibula and ankle, a fractured right clavicle, seven fractured ribs, pulmonary contusion and fractured vertebrae.

Britcon (UK) Ltd of Midland Road, Scunthorpe, North Lincolnshire, DN16 1DQ pleaded guilty to breaching Section 3 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £570,000 and ordered to pay £40,054.68 in costs.

After the hearing, HSE inspector Paul Thompson commented: “There was insufficient supervision and communication during the lifting operations. There was no specific exclusion zone in place and workers had to approach the sheet pile to clean it.

“This incident could so easily have been avoided by simply carrying out the correct control measures and safe working practices”

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2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>
4. Please see the link below to the page on HSE’s website that is the best guide to doing it the right way: [Lifting Operations and Lifting Equipment Regulations 1998 \(LOLER\) – Work equipment and machinery \(hse.gov.uk\)](http://hse.gov.uk/lifting-operations-and-lifting-equipment-regulations-1998)

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## Contractor fined after employee falls from scaffolding

A shopfitting company has been fined after an employee suffered multiple fractures after falling fifteen feet from scaffolding.

Manchester Magistrates Court heard how on the 24 October 2019, an employee of TA Knox Shopfitters Ltd was working from a tower scaffold at the front of the Footasylum Store in the Trafford Centre, Manchester, when the scaffold moved throwing him off balance. He fell backwards against the safety rail of the scaffold, which gave way and he fell fifteen feet to the ground. The employee suffered ten fractured ribs, a fractured shoulder and a collapsed lung.

An investigation by the Health and Safety Executive (HSE) found that the safety rail had not been fixed in place correctly, causing it to give way when the employee fell against it. It also found that the tower scaffold had not been erected by somebody with the appropriate skills, knowledge and training. If the edge protection been suitable and sufficient and the tower constructed by somebody competent to erect tower scaffolds, the incident could have been prevented.

TA Knox Shopfitters Ltd of Hollingworth Road, Bredbury, Stockport pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £18,000 and ordered to pay costs of £4,623.

Speaking after the hearing, HSE inspector Seve Gomez-Aspron said: "Falls from height remain one of the most common causes of work-related fatalities and severe injuries in this country. The risks associated with work at height are well known. This incident could so easily have been avoided by ensuring that suitable and sufficient edge protection had been used and qualified people had been on site to erect a tower scaffold."

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2. More about the legislation referred to in this case can be found at: [Construction – Scaffold tower – Scaffolding industry health & safety \(hse.gov.uk\)](http://www.hse.gov.uk/news/press/2014/140514construction-scaffold-tower)
3. HSE news releases are available at <http://press.hse.gov.uk>