

# Dog food boss spared jail after teenager lost finger on first day at work

The director of a dog food company has been given a suspended prison sentence after a teenage boy severed and lost his finger on his first day working at the firm.

Company director Gary Pitchford was given a six-month custodial sentence, which was suspended for a period of 12 months.

The new starter, who was 16 at the time, had been hired by Finer By Nature after leaving school and began working there on 15 July 2020.

Kidderminster Magistrates Court heard that the middle finger on the teen's right hand was sliced off while assisting another worker operating a food processing machine, used to package dog food, at the company's site at Whitestone Business Park in Hereford.

Despite there being an interlock guard on the machine, the young worker, who is now 19, was instructed to stand on a step ladder and put his hands into the hopper bowl to scrape meat into the base where there were dangerous moving parts of the machine.

This led to his middle finger being severed by the machine. He had two operations to close off the wound following the incident and stayed in hospital for six days in total.

The male said in a statement: "The emotional effect on me has been huge. At 16-years-old I felt so self-conscious, and this stopped me socialising, especially around strangers as they would always ask about my stump. I became very snappy with people including my own family because the trauma of what had happened upset me so much, it affected my mood and behaviour.

"I was experiencing flashbacks and phantom pains in my finger at night-time. Any sound that went snap caused a major flashback because I remember hearing the bone in my finger snap in the machine. I have never returned to the place where this happened, I actually don't even go down the road where the factory is, the thought of it all still makes me feel sick and faint."

A Health and Safety Executive (HSE) investigation found Finer By Nature had failed to make suitable and sufficient assessments of the risks involved with this type of work and that Gary Pitchford, the director at Finer By Nature, had neglected to manage the safety of employees using the food processing machine.

Finer By Nature, of Whitestone Business Park, Whitestone, Hereford, pleaded guilty to breaching Regulation 3(1) and 3(4) of the Management of Health and Safety at Work Regulations 1999 and Regulation 11(1) Provision and Use of

Work Equipment Regulations 1998. The company was fined £34,000 and ordered to pay £4,564.15 in costs at Kidderminster Magistrates' Court on 5 October 2023.

Gary Pitchford, of Whitestone Business Park, Whitestone, Hereford, pleaded guilty to breaching Section 37 of the Health and Safety at Work etc. Act 1974. He was sentenced to a six-month custodial sentence for each of the three offences to run concurrently, suspended for 12 months and 180 hours of unpaid work.

HSE inspector Sara Lumley, said: "This incident occurred on the first day of this young person's work.

"The machine was adequately guarded, and correct use of the guard would easily have been prevented this incident. The risks should have been identified before the machine was used.

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

"The sentence handed out should act as a reminder to all employers that they will be punished if they don't protect their workers."

This prosecution was supported by HSE enforcement lawyer Jon Mack.

#### **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.
2. More information about the [legislation](#) referred to in this case is available.
3. Further details on the latest [HSE news releases](#) is available.

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## **Woodworking company fined for dust exposure**

A Norfolk woodworking company has been fined £25,000 for failing to control its employees' exposure to wood dust.

A Health and Safety Executive (HSE) inspection of The Joinery Yard Limited at Sweet Briar Road industrial estate, Norwich in November 2019 identified failings in the company's control measures to prevent exposure of their

employees to wood dust. As a result, enforcement action was taken.

Wood dust is a respiratory sensitiser that can cause long term health effects including occupational asthma.

A subsequent inspection in July 2022 showed that the company had failed to maintain standards and enforcement action was taken again. This inspection identified ongoing failings in the company's control measures and found that they had failed to take appropriate precautions to ensure the safety of workers exposed to wood dust.

HSE has guidance on working in the [woodworking industry](#) and is running the [Dust Kills: Wood Dust campaign page](#).

At a hearing at Norwich Magistrates' Court on 4 October, The Joinery Yard Ltd of Aylsham Road, Norwich, Norfolk pleaded guilty to breaching the Health and Safety at Work Act 1974, Section 2 (1). They were fined £25,000 and ordered to pay costs of £2681.77.

After the hearing, HSE Inspector Natalie Prince said "The fine imposed on The Joinery Yard Limited should underline to everyone in the woodworking industry that the courts, and HSE, take a failure to follow the regulations extremely seriously.

"Wood dust can cause serious health problems and all businesses need to protect their workers' respiratory health.

"We will not hesitate to take action against companies which do not do all that they should to keep people safe."

This HSE prosecution was supported by HSE enforcement lawyer Sam Crockett and paralegal officer Rebecca Forman.

#### **Notes to editors:**

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# Leeds bird farm fined after worker suffers serious burns in shed blaze

A bird farm in Leeds has been fined £26,680 after a fire in a rearing shed resulted in serious injuries to one of its employees.

The incident happened at Yorkshire Game Farm, in Woodlesford, on 6<sup>th</sup> May 2020. The employee suffered second and third degree burns, and was kept in an induced coma at Pinderfields Hospital for five days, and not released from hospital until 12 days later.

Leeds Magistrates' Court heard that the employee had been installing gas heaters in a pheasant rearing shed, ready for a new crop of birds. Upon turning on the gas supply and lighting the heaters, the shed burst into flames, causing him significant burns and totally destroying the shed.



The extent of the damage following the fire at Yorkshire Game Farm

An investigation by the Health and Safety Executive (HSE) found that when the employee came to commission the heaters, it was highly likely that a leak of gas ignited, setting fire to the shed and the bedding put down for the birds.

The reason for the gas leak was not identified as all the gas piping within the building was destroyed, but gas equipment outside the building was cracked and perished, indicating that it had not been maintained.

Yorkshire Game Farm of Woodlesford, Leeds, West Yorkshire pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £26,680.00 and ordered to pay £6495.20 in costs.

HSE inspector Howard Whittaker said: "This fire was most likely caused by gas leaking from poorly maintained equipment, and could have led to this young man's death. He was very lucky to escape with his life, but he will suffer increased sensitivity to sunlight for the rest of his life.

"The gas pipelines and equipment we found outside the shed was perished and

cracked, indicating that it had not been maintained in a safe condition leading to the leak of gas causing an initial flash, followed by a fire inside the shed.

“In addition, a gas tightness test should have been carried out once the equipment had been installed and before the gas equipment was used, to identify if there were any leaks.

“In sentencing Yorkshire Game Farm, the district judge remarked this was an accident waiting to happen.

“Had the equipment been properly maintained and operated, in line with industry standards and good practice, this dreadful accident would not have happened.

This prosecution was supported by HSE enforcement lawyer Jayne Wilson and paralegal Louisa Shaw.

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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. Guidance is available, including on the [safe use of work equipment](#)

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## **Three companies fined after engineer electrocuted in hospital kitchen**

Three companies have been fined a total of £600,000 after an engineer was fatally electrocuted while repairing an appliance in a hospital kitchen.

Craig Stocker, working for Serviceline (part of AFE Group), died on 13 December 2017 while fixing a macerator (food waste disposal unit) at Bishops Wood Hospital, operated by BMI Healthcare (now known as Circle Health Group Limited) in Northwood, Middlesex.

The 36-year-old, who was originally from Stevenage, Hertfordshire, but lived in Letchworth, came into contact with a metal section of the macerator that had been electrified as water had entered the machine’s wiring.



Bishops Wood Hospital kitchen area – sink and macerator underneath

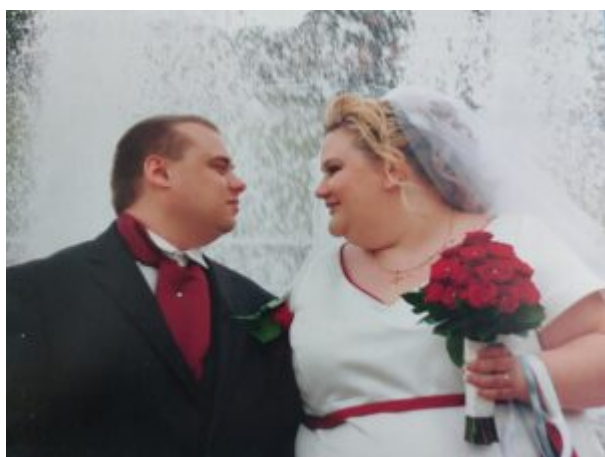
The macerator was not protected by an earth wire and there was no residual current device (RCD) to prevent fatal exposure to the electrical current.

A Health and Safety Executive (HSE) investigation into this incident found that Imperial Machine Company's design of the macerator had serious flaws. The earthing wire could be connected in a way that meant it was ineffective, and the equipment was also permanently live.

When the macerator was installed by McFarlane Telfer in 2013, they had not acted on the manufacturer's instructions, which required that a residual current device (RCD) was fitted.

BMI Healthcare did not identify that the RCD had not been fitted and the machine was operated for several years before the incident occurred.

HSE guidance on electrical safety can be found here: [Electrical safety – HSE](#)



Craig's wife Leah said: "Craig and I would enjoy dinners out, trips to the cinema, day trips to the seaside and we loved to go on holidays, with Tenerife being a particular favourite. Craig was a family man, both with his own family and my family and not forgetting his lads holidays with Martin, Owen and many other of his friends. Craig would also enjoy spending time with his childhood friend Mark who he spent a lot of time with sharing his interests with Mark, particularly American football (NFL) and WWE shows.

"He was a kind-hearted man who was a hardworking, caring individual. Craig had a passion for American football, WWE wrestling and listening to music from morning until night and many other hobbies. He was the life and soul of any party.

"On the day that Craig died, our lives changed in many ways, nothing can prepare you for this, nothing can prepare you for the psychological and emotional turmoil this causes to one's mental health, Craig is missed by many people, myself and his mum Dianne in particular. Craig you are missed, you will always be missed but forever in our thoughts and hearts you will remain."

Following a trial at Southwark Crown Court:

- BMI Healthcare (now Circle Health Group Limited), of Cannon Street, London, was found guilty of breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc Act. 1974. The company was fined £450,000 and ordered to pay £106,895 in costs on 3 October 2023.
- McFarlane Telfer Limited, of Westacott Way, Littlewick Green, Maidenhead, was found guilty of breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc Act. 1974. The company was fined £70,000 and ordered to pay £106,753 in costs on 3 October 2023.

AFE Group Limited (trading as Serviceline) were found not guilty of breaching the Health and Safety at Work etc Act 1974.

On 2 March 2022, Imperial Machine Company Limited, of Whisby Road, Lincoln, pleaded guilty to breaching Section 6(1) of the Health and Safety at Work etc. Act 1974. The company was fined £80,000 and ordered to pay £12,945 in costs at Southwark Crown Court on 3 October 2023.

HSE inspector Kevin Shorten said: "Our thoughts today are with the family of Mr Stocker. He should have returned home safely at the end of his working day but, because of the failings of these three companies, he did not.

"The fines imposed should underline to manufacturers, contractors and building owners that the courts, and HSE, take a failure to ensure electrical safety extremely seriously.

"We will not hesitate to take action against companies which do not do all that they should to keep people safe.

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  4. Guidance on electrical safety can be found here: [Electrical safety – HSE](#)
  5. Following a trial at Southwark Crown Court, AFE Group Limited was found not guilty of breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc Act. 1974.
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## **BSR register of high-rise buildings represents major momentum for building safety**

- Registration deadline for existing high-rise residential building in England has now passed
- Over 13,000 dutyholders have started or completed their application
- Registration is a legal duty brought in by the Building Safety Act 2022, following the Grenfell fire

The Building Safety Regulator's new regulatory regime has moved further ahead in its vital registration programme of in-scope high-rise residential buildings, that are at least 18 metres or seven storeys tall, with two or more residential units.

Building registration is a major step in a package of measures to ensure high-rise residential buildings are safe for residents and users. The registration information provided by dutyholders will be used by the BSR to help it prioritise buildings for the building assessment certificate process from April 2024.

Principal Accountable Persons (PAP's) were given until the 1 October 2023 to register all high-rise residential buildings in England. It is now an offence to allow residents to occupy an unregistered building.

Chris Griffin-McTiernan, Deputy Chief Inspector of Buildings at BSR, said: "We are encouraged to see that since the HRB registration service opened in April, the majority of Principal Accountable Persons (PAP's) have recognised their mandatory registration obligations. When the registration deadline was reached on 1 October, over 13,000 applications had been started.

"We are now urgently reminding the minority of dutyholders who have missed the deadline for completing their registration application, that they could now face significant sanctions, including prosecution. Please respond to your legal duty – act now and register to avoid action being taken against you."

Detailed guidance for owners and managers of high-rise buildings on their legal duties for registering their building, and information on how to



complete the application, including the key building information, has been available since April 2023.

BSR's recent programme of over thirty stakeholder sessions have focussed on supporting people with completing their registration applications, ready for the Regulator to begin the building safety certification process.

Further guidance and support for building owners and managers is available on the 'Making Buildings Safer' campaign website [here](#).

#### **Notes to editors:**

**About BSR:** The Building Safety Regulator (BSR) is established within the Building Safety Act 2022, as an independent regulator within the Health and Safety Executive (HSE). BSR will raise building safety and performance standards and oversee a new stringent regime for high-rise residential buildings, as well as overseeing the wider system for regulating safety and performance of all buildings and increasing the competence of relevant regulators and industry professionals.

**About HSE:** 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.

**About the Building Safety Act, 2022:** The Building Safety Act gained Royal Assent on the 28 April 2022 and makes ground-breaking reforms. The Act overhauls existing regulations and creates new powers that will enable lasting change across the built environment.