

Grimsby company fined £200,000 after driver suffers chemical burns

A company in Lincolnshire has been fined £200,000 after a driver suffered chemical burns to his feet assuming he was standing in a puddle of rainwater.

The man had been offloading his tanker with a delivery at the Laporte Road site of Tronox Pigment UK Limited, in Stallingborough, Grimsby, on 9 August 2022.

During the offloading process, he was standing in what he assumed to be a puddle of rainwater, due to the fact it had been raining throughout the day and the drains were blocked.

However, the driver was actually standing in a pool of water containing caustic, a corrosive chemical substance.

The subsequent burns led to him requiring skin grafts to the underside of both feet. The smallest toe on each of his feet were also amputated. He was unable to work for 12 weeks.

The pool of chemicals had leaked from the company's scrubber system and secondary containment. It ended up on the roadway after the site's sump pumps failed to pump the chemicals away.

A Health and Safety Executive (HSE) investigation into this incident found Tronox Pigment UK Limited did not respond adequately to control the risk of a loss of containment after the site's sump pumps failed to work. The firm's failure to ensure the drains were kept clear also meant drivers did not recognise pools of standing liquid as a potential risk.

HSE guidance can be found at: [Provision and Use of Work Equipment Regulations 1998 \(PUWER\) \(hse.gov.uk\)](https://www.hse.gov.uk/puwr/)

Tronox Pigment UK Limited of Laporte Road, Stallingborough, Grimsby, pleaded guilty to breaching Section 3(1) and Section 33(1)(a) of the Health and Safety at Work etc. Act 1974. The company was fined £200,000 and ordered to pay £7,500 in costs at Grimsby Magistrates' Court on 15 September 2023.

HSE inspector Angus Robbins commented: "This was a disturbing incident, given that an innocent worker was suffering severe burns without, at first, realising. Other delivery drivers visiting the area could also have been put at risk.

"The incident could so easily have been avoided by simply carrying out correct control measures and safe working practices.

"The importance of having adequate maintenance procedures and arrangements to respond to equipment failures, including assessing the risks arising from such failures, is essential."

This HSE prosecution was supported by HSE enforcement lawyer Samantha Crockett and paralegal officer Kirsty Crapper.

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.

HSE to lead investigation into double fatality at Teesworks site

The investigation into deaths of two men at the Teesworks site in 2019 will now be led by the Health and Safety Executive (HSE).

On 19 September 2019, John Mackay and Tom Williams died following an explosion at the site.

Following a thorough joint investigation by Cleveland Police and HSE, there is insufficient evidence to support gross or corporate manslaughter charges. The families of the deceased have been informed of this decision.

HSE principal inspector John Heslop said: "Although some of these developments are difficult for the families of John and Tom, I have assured them that the criminal investigation into their deaths remains ongoing. We also made it clear our investigation will be a thorough one, while also recognising the desire for a speedy conclusion."

This remains a criminal investigation that Cleveland Police will continue to support.

Company and director fined for putting workers at risk

A West Midlands engineering company and its managing director have been fined for failing to protect their workers from welding fume.

Associated Metalmasters Limited and managing director Darren Spittle were prosecuted by the Health and Safety Executive (HSE) following an inspection of the company's former site at Woodside Industrial Estate, Pedmore Road, Dudley, in October 2021.

HSE inspectors found the company had failed to put in place appropriate precautions to control the exposure of mild steel welding fume from metal inert gas (MIG) welding taking place at the site.

Breathing in welding fume can lead to asthma, pneumonia and lung cancer. HSE guidance can be found at: [Welding fume: protect your workers – Overview – HSE](#)

A subsequent HSE investigation found Associated Metalmasters Limited had initially complied with two Improvement Notices served by the workplace regulator in 2016 and 2019. The notices required the company to make improvements to its MIG welding process.

However, the company failed to sustain its compliance with the notices meaning there was an inadequate control of exposure to welding fume. Darren Spittle, managing director at the company, was in control of the MIG welding process and was aware of the Improvement Notices.

The company could have sustained compliance with the notices by ensuring that industry standard controls for the welding were provided and maintained at the site. These controls would have likely included a local exhaust ventilation (LEV) and respiratory protective equipment (RPE).

Associated Metalmasters Limited, of Grazebrook Industrial Park, Peartree Lane, Dudley, West Midlands, pleaded guilty to breaching Regulation 7(1) of the Control of Substances Hazardous to Health Regulations 2002. The company was fined £20,000 and ordered to pay £3,896.30 in costs at Dudley Magistrates' Court on 13 September 2023.

Darren James Spittle, of Bright Street, Wollaston, Stourbridge, West Midlands, pleaded guilty to breaching Section 37(1) of the Health and Safety at Work etc. Act 1974. He was fined £2,000 at Wolverhampton Magistrates' Court on 13 September 2023.

HSE inspector Heather Campbell said: "There are clear dangers from welding fume – remaining compliant with the law is not something that can tail off over time. This case shows prosecution will be considered if that happens."

This prosecution was supported by HSE enforcement lawyer Gemma Zakrzewski.

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 3. HSE news releases are available at <http://press.hse.gov.uk>
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Gas Safety Week: Engineer of the Year discusses career, regulations and diversity

An award-winning gas specialist at Britain's safety regulator has described the "emotionally taxing" week he spent at the site of an explosion that claimed the life of a two-year-old boy.

Steve Critchlow, a principal registered gas engineer at the Health and Safety Executive (HSE), was called to Mallowdale Avenue in Heysham, Lancashire, following the blast in May 2021.

He stayed at the site for a week as part of his investigation for HSE with his report later supporting the conviction of a man who received 15 years in jail for manslaughter, damaging a gas meter and theft of gas.



Steve Critchlow

"It was a very emotionally taxing and high-profile case," Steve said. "You can have a really massive incident that takes a lot of work."

"The explosion was caused by a next-door neighbour tampering with their gas installation and my work involved attending the scene, doing some laboratory testing and producing a report."

Steve, who was named this year's Engineer of the Year at the National Gas Industry Awards made the comments during this year's Gas Safety Week, an annual awareness week with the goal of keeping the nation gas safe.



Steve (middle) collecting his award at the National Gas Industry Awards

The 50-year-old has also investigated fatal gas explosions in the Cairngorms in 2015 and in Shaw, Oldham, in 2011. Steve's role also requires him to investigate carbon monoxide poisonings, including a fatality in Ipswich in 2012 – which proved to be particularly touching.

Steve, who is from Buxton, explained: "The family of the deceased wrote to me afterwards and sent me a lovely card with a handwritten message just saying how much they appreciated what I had done and they could see I did my very best to explain to them what had happened.

"And I kept that card because that is kind of the motivation every time, why I jump up out of my seat and drive around the country to attend these tragic incidents."

Alongside his investigation work, Steve's role at HSE requires him to appear in court as an expert evidence provider for gas-related prosecutions. And in July 2023, Steve's incident investigation work saw him named as Engineer of the Year at the National Gas Industry Awards.

A gas inspector with 20 years' experience with HSE, Steve is also responsible for advising fellow HSE inspectors and employers in the gas industry. HSE guidance can be found at: [Gas – HSE](#).



Steve attending the scene of a gas explosion in Haxby, York

All too often, Steve has seen what can happen when employers do not adhere to gas safety regulations, which is why he believes it so important businesses safely maintain their gas installations.

He said: “It is very tempting for businesses to try and save money, to try to save time by not looking after their gas installations.

“It’s a highly regulated industry and the reason for that is because we know it can go wrong with fires and explosions and there is also a risk of carbon monoxide poisoning if appliances are not maintained regularly.

“Businesses using gas have a duty to maintain their gas installations and if they don’t, then it is imperative HSE takes action against them. That sends the clear message that we have regulations, guidance and standards in place you have to follow to ensure safety.”

Reflecting on this year’s Gas Safety Week theme encouraging diversity among Gas Safe Registered engineers, Steve commented: “Things are improving, there is an increasing number of women going in to gas engineering and why shouldn’t they be – it is open to all people. The gas networks are increasing the number of women in their workforce, so there are definite steps in the right direction.

“Diversity needs to be normalised. There are around 56 million people with gas appliances in their homes – it’s increasingly important that the trusted engineers who keep those families safe must better reflect the communities they are serving.”

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[Companies fined combined £120,000 after man suffers serious injuries](#)

Two construction companies have been fined a combined total of £120,000 after a groundworker suffered horrific injuries when heavy drainage pipes fell on top of him.

Anthony Pennell was rushed to Royal Stoke University Hospital having sustained several fractures to both sides of his pelvis, as well as a fractured vertebrae and bleed on the spine, following the incident at a site in Fradley Park, Lichfield on 3 September 2019.

Mr Pennell, who was 32 at the time, spent nine days in hospital before he was able to be discharged to his home in Cleethorpes.



- The drainage pipes, each weighing around 160kg, fell on top of Mr Pennell

The Health and Safety Executive (HSE) has guidance about the regulations on [lifting operations and equipment](#).

"I had to sleep downstairs for about five months after the accident and I could only use the downstairs toilet," he said.

"I had a lot of help from my partner Zoe who was allowed a period of time off work which lasted for the first 14 days after I came home.

"She helped me with washing and changing my clothes. She brought everything that I needed to me because I could only mobilise with difficulty and using two crutches and therefore, I couldn't carry anything."

HSE enforcement lawyer Nathan Cook, told Telford Magistrates' Court how Mr Pennell, an employee of R O Donnell Plant & Civil Ltd, sustained his injuries. The pipes ,each weighing around 160 kg, had been suspended on the forks of a telehandler while being moved to a different area of the site.

Although one pack of pipes had already been transported safely, the incident happened while moving a second load. When the telehandler came to a stop, Mr Pennell tried to re-position a dangling skid so that the pack could be lowered properly. However, at this point, the load fell on top of him.

Four years on, the 37-year-old has not been able to resume his job as a groundworker, and is instead only able to work as a landscaper, which pays him less.

"I continue to have pain in my right leg," he said. "I am no longer as strong as I was and can no longer carry out heavy manual activities.

"I will always be at a disadvantage in the labour market, and cannot see how I could get a job again where I would earn the money that I was earning as a groundworker."

An investigation by HSE found that both Mr Pennell's employer and the principal contractor (Readie Construction Ltd) failed to ensure that the operation was properly planned, appropriately supervised, and carried out in a safe manner. The investigation also identified issues in relation to the level of knowledge and experience of those involved in the lifting operations, and in the companies' overall management and coordination of the telehandler usage between contractors.

R O Donnell Plant & Civil Ltd, of New Road, Worlaby, Brigg, Lincolnshire, pleaded guilty to breaching 8(1) of the Lifting Operations and Lifting Equipment Regulations 1998 and was fined £80,000 and ordered to pay costs of £3,784.

Readie Construction Ltd, of Falcon Business Centre, Ashton Road, Romford, Essex, pleaded guilty to breaching 8(1) of the Lifting Operations and Lifting Equipment Regulations 1998 and was fined £40,000 and ordered to pay costs of £3,784.

HSE inspector Will Gretton said: "This horrific incident could easily have been avoided had the work been properly planned and suitable control measures implemented to properly secure and safely transport the load.

"This case should remind all on construction sites and wider industry that all lifting operations must be properly planned by a competent person, appropriately supervised and carried out in a safe manner to ensure the

health and safety of those involved or affected by the work.”

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4. Guidance about the regulations on [lifting operations and equipment](#) is available.