

Construction company fined £60,000 after worker falls through unprotected floor opening

- Worker seriously injured after collapsing wall knocked him through an unprotected floor opening
- No edge protection, no warning signage, no safety instructions given to workers, and no supervisor present at the time of the incident
- HSE guidance on working at height is available

A construction company based in the Northwest of England, has been fined £60,000 after a wall collapsed, knocking an employee through an open stairwell onto a concrete floor below.

Ace Infra Ltd pleaded guilty after an incident led to employee, Mark Jones, to spend a month in hospital recovering from his injuries.

The court heard how Mr. Jones, a general labourer, was sweeping up dust and debris on the first floor of the building at the end of the working day. Earlier that day, boards had been delivered and laid across a large opening in the floor where a staircase was to be installed. The boards did not cover the entire opening, and no edge protection had been installed around the remaining gap. There was no signage warning of the danger, and Mr. Jones had received no instructions regarding his safety around this area.

While sweeping along the boards, a newly built wall to the left collapsed, knocking him over the unprotected edge onto the concrete floor 2.5 to 3 metres below.

The incident happened on 25 April 2024 at an Ace Infra site at NW Auctions Milnthorpe, Cumbria.

Mr Jones suffered multiple fractures and a dislocated shoulder, spending a month in hospital.

An investigation by the Health and Safety Executive (HSE) found that the risk of falling through the gap in the floor had not been addressed, as no preventative measures had been taken. Mr Jones had not been made aware of the risks or the safety measures required. No site supervisor or manager was present when the incident occurred.

HSE guidance on [working at height](#) states that employers must take precautions to prevent falls from heights that could cause serious personal injury, including falls into floor openings. Employers have a duty to ensure workers are not exposed to risks to their health or safety.

Ace Infra Ltd, of 31 St James Drive, Burton, Carnforth, Cumbria, pleaded guilty to breaching Regulation 6(3) of the Work at Height Regulations 2005 by failing to ensure that suitable and sufficient measures were taken, so far as

was reasonably practicable, to prevent any person working at height from falling a distance liable to cause personal injury.

The company was fined £60,000 and ordered to pay £4,799.44 in costs, with a £2,000 victim surcharge at Lancaster Magistrates Court on 23 December.

HSE Inspector, Derek McLauchlan, said: “Everyone working in construction has a responsibility to ensure that people are safe. Any work at height is potentially high-risk and requires proper planning and implementation.

“This incident could have been avoided had appropriate control measures and training been in place. Despite the serious injuries sustained, a fall of this height and nature could have resulted in far worse outcomes. Lessons must be learned from this case.”

This HSE prosecution was brought by HSE Enforcement Lawyer, Chloe Ward and Paralegal Officer, Zahra Shafique.

Notes to Editors

1. [The Health and Safety Executive](#) (HSE) is Britain’s national regulator for workplace health and safety. We are dedicated to protecting people and places and helping everyone lead safer and healthier lives.
2. More information about the [legislation](#) referred to in this case is available.
3. Further details on the latest [HSE news releases](#) is available.
4. Relevant guidance can be found here [Working at height – HSE](#).
5. HSE does not pass sentences, set guidelines or collect any fines imposed. Relevant sentencing guidelines must be followed unless the court is satisfied that it would be contrary to the interests of justice to do so. The sentencing guidelines for health and safety offences can be found [here](#).