

Fatal skylight fall – company and director sentenced

A Wakefield roofing company has been fined and its sole director given a suspended prison sentence after a dad-of-two was killed when he fell 12 metres through a skylight.

Jonathan May, 39, from Horbury, Wakefield, who was a subcontractor for Davis Industrial Roofing Limited, was working on a storm-damaged warehouse roof at F&G Commercial Limited, Carlton Industrial Estate in Barnsley with two others on 18 December 2016, when he fell.

The work involved the replacement of more than 300 skylights on a fragile asbestos cement roof. The skylights had been damaged in a hailstorm.

An investigation by the Health & Safety Executive (HSE) found Davis Industrial Roofing Limited had failed to provide an appropriate risk assessment, method statement, and suitable and sufficient fall protection measures for the roof work to be carried out safely.

The investigation found even though reasonably practicable precautions were available, poor planning had resulted in a risk assessment and method statement that was not suitable and sufficient. The work was poorly supervised and carried out unsafely.

Melvyn Davis, the sole director of the company, who had drawn up the risk assessment and method statement and had regularly visited the site to monitor progress, had failed to provide suitable and sufficient fall protection measures and consented to the use of an unsafe system of work. This constituted a personal neglect for safety during the roof work.

Melvyn Davis, of Field Place, Wakefield, pleaded guilty to breaching Section 37(1) of the Health and Safety at Work etc. Act 1974 and was sentenced to eight weeks imprisonment suspended for 12 months and ordered to do 15 days of rehabilitation activity at Sheffield Magistrates' Court on 16 November 2022.

Davis Industrial Roofing Limited, of Field Place, Wakefield, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974 and was fined £20,000 and ordered to pay costs of £12,557.

Speaking after the hearing, HSE Inspector Chris Gallagher said: "This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices.

"Companies and directors should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

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>