

# Furniture company sentenced after failing to comply with compulsory insurance requirements

A Plymouth-based furniture company has been sentenced for failing to have employers' liability compulsory insurance (ELCI) the day an employee was injured.

Pinexpress flouted repeated requests for documentation from representatives of an employee who was accidentally cut as he was unpacking furniture delivered to a customer.

Plymouth Magistrates' Court heard that after the incident on 30 October 2018, his solicitors requested details of the company's ELCI. After several repeated requests, the solicitors raised concerns with the Health and Safety Executive (HSE) two months later.

Despite repeated attempts by both the solicitors' firm and HSE, the company failed to produce a certificate of insurance, or give any confirmation that they did or did not have the necessary cover. HSE served a 'notice to produce' in February 2019 but this was not complied with. No further action has been taken by the dutyholder to comply with the notice or to make any contact with HSE. As a result, the employee who was injured at work has been unable to progress his claim for compensation which has caused anxiety and stress in addition to the physical injuries sustained.

Pinexpress Limited of Looe Street, Plymouth, Devon pleaded guilty to breaching Section 1(1) and 4(2)(b) of the Employers' Liability Compulsory Insurance Act (1969) and has been fined £35,000 and ordered to pay costs of £2,729.80.

Speaking after the hearing HSE visiting officer Roberta Rickard said: "Employers are responsible for the health and safety of their employees while they are at work. Having up to date employers' liability compulsory insurance is much more than a box ticking exercise, as this case demonstrates; it has a bearing on the lives of the employees it is designed to protect.

"Anyone who wants to check whether their employer has ELCI should be able to find an up to date certificate displayed in their workplace. This information may be held electronically as long as employees know how and where to find it and are given reasonable access to it."

## **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](http://hse.gov.uk)

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. The company in this case is a Local Authority enforced premises; HSE's only involvement therefore was to investigate the ELCI concern.

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