

# Tata Steel UK Ltd fined after worker suffers permanent brain damage

Tata Steel UK has been fined £120,000 after a worker suffered serious head injuries after being hit in the face with a scaffold pole, causing him to fall backwards.

Gavin Rowlands, an employee at Monolithic Refractories Limited, sustained permanent brain damage as a result of the incident on 3 April 2017.

He had been preparing to start a paddle mixer to mix concrete at Tata Steel UK's site in Port Talbot, Wales. The paddle mixer door however would not open as hard concrete had built around it.

Using a scaffold pole, one of Mr Rowland's colleagues managed to open the door. This caused the pole to spin and hit Mr Rowlands in the face with such force that he was thrown backwards, hitting his head and losing consciousness.

This led to Mr Rowlands breaking his jaw and suffering permanent brain damage.

A Health and Safety Executive (HSE) investigation found Tata Steel UK provided an unguarded mixer for Monolithic's employees to use and that the mixer's door regularly jammed. Tata Steel UK also failed to ensure that there was a safe system of work in place to release the mixer's door.

The investigation also found that as the mixer was unguarded, workers were able to develop and adopt an unsafe system of work to release the door, which ultimately resulted in Mr Rowlands injuries. Tata Steel UK also failed to supervise workers that were using the mixer at its site.

Tata Steel UK Limited, of Grosvenor Place, London, pleaded guilty to breaching Section 2(1) and 3(1) of the Health and Safety at Work etc Act 1974. The company was fined £120,000 and ordered to pay £14,138.06 in costs at Swansea Crown Court on 5 July 2023.

HSE inspector Gethyn Jones said: "This incident could so easily have been avoided by implementing suitable control measures and safe working practices.

"Ensuring that safe systems of work are adopted and supplemented with adequate supervision to ensure they are followed is a fundamental requirement of the Health and Safety at work etc Act 1974. Companies 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.

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. Following a trial at Swansea Crown Court, Monolithic Refractories Limited was found not guilty to breaching Section 2 of the Health and Safety at Work etc Act 1974.

---

## [Work-related fatality figures published](#)

- **135 workers died in work-related incidents in 2022/23**
- **2,268 mesothelioma deaths in 2021 through past exposure to asbestos**

One hundred and thirty-five workers were killed in work-related incidents in Great Britain in the last year, according to figures published today (Thursday July 6) by the Health and Safety Executive.

The industries with the highest deaths were construction (45), agriculture, forestry, and fishing (21), manufacturing (15), and transportation and storage (15). Agriculture, forestry, and fishing has the highest rate of fatal injury per 100,000 workers of all the main industrial sectors followed by waste and recycling.

The annual data release published by the Health and Safety Executive (HSE), Great Britain's workplace regulator, covers the period from April 2022 to March 2023.

The three most common causes of fatal injuries are falls from height (40), being struck by a moving object (29), and being struck by a moving vehicle (20).

The total of 135 worker deaths in 2022/23 is higher than the previous year (123) but is in line with pre-pandemic levels. The figure for 2020/21 was 145.

Great Britain is one of the safest places in the world to work. There has been a long-term downward trend in the rate of fatal injuries to workers, though in the years prior to the coronavirus pandemic the rate was broadly flat.

A further 68 members of the public were killed following a work-related incident in 2022/23. This is a decrease of 20 from last year.

HSE's Chief Executive Sarah Albon said: "Any loss of life in the workplace is a tragedy.

"While these figures show Great Britain is one of the safest countries in the world to work, safety must continue to be at the top of everyone's agenda.

"Our mission is to protect people and places and we remain committed to maintaining safe workplaces and holding employers to account for their actions."

HSE has also published the annual figures for Mesothelioma, a cancer caused by past exposure to asbestos. The figures show 2,268 people died from the disease in 2021. This is a fall of 302 compared with the 2,570 deaths in 2020 and substantially lower than the average of 2,520 deaths per year over the period 2012-2019.

Asbestos-related diseases take decades to develop. Most people with them today will largely have been exposed before the tightening of controls and the use of asbestos was banned in 1999.

The current regulations state that where asbestos is present in buildings it must be managed, maintained in a good condition, and stay undisturbed. If this level of protection cannot be achieved, then asbestos must be removed.

These regulations have led to a significant reduction in exposure and the number of people developing asbestos-related illness is predicted to fall as we get further from the date asbestos was banned in 1999. Prior to that point, asbestos was used extensively in construction.

HSE's approach to asbestos management is based on evidence that is constantly reviewed. HSE has recently launched a campaign called Asbestos & You to raise awareness of the risks associated with the dangerous substance.

Find out more about the [Asbestos and You](#) campaign, and visit HSE's website for [further guidance on asbestos](#).

#### **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. Further details on the latest [HSE news releases](#) is available.
  3. Work-related fatal injuries: [Statistics – Work-related fatal injuries in Great Britain \(hse.gov.uk\)](#)
  4. Mesothelioma statistics: [Mesothelioma statistics for Great Britain, 2023 \(hse.gov.uk\)](#)
-

# Haulage company fined £150,000 after employee death

A family run haulage and storage business, has been fined following the death of a 25-year-old employee at its premises in East Lothian.

Andrew Black Limited was fined £150,000 after the death of Grant Borton, an experienced LGV driver on 31 December 2022.

Edinburgh Sheriff Court heard that after finishing his driving duties, Mr Borton was using the on-site wash bay to clean his vehicle in preparation for his next shift. Upon exiting the wash bay, he raised the body of his tipper vehicle and [made contact with overhead powerlines](#) which resulted in his death by electrocution.

An investigation by the Health and Safety Executive (HSE) into the incident revealed that a failure to ensure suitable control measures were in place resulted in Mr Borton being electrocuted. Had the risks been recognised and simple controls been implemented, his death could have been avoided.

On 4 July 2023, Andrew Black Limited pleaded guilty to breaching Regulation 4(3) of the Electricity at Work Regulations 1989 and were fined £150,000.

Speaking after the case HSE Principal Inspector Fiona MacNeill said “This incident could so easily have been avoided by simply ensuring suitable control measures and safe working practices were in place. [HSE guidance](#) clearly sets out the requirements to avoid the risk, or where this is not reasonable, implement suitable controls including establishing safety zones.

“Accidental contact with live overhead power lines kills people and causes many serious injuries every year particularly in agriculture and construction. Companies should be aware that we will not hesitate to take appropriate 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.
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. Guidance about working [around overhead powerlines](#) is available.

---

## [HSE launches manufacturing inspection initiative focusing on respiratory risks from silica](#)

Health and Safety Executive (HSE) inspectors have begun a targeted inspection initiative focusing on manufacturing businesses where materials that contain silica are used. This will include brick and tile manufacturers and foundries.



Dust Kills campaign

Exposure to airborne particles of respirable crystalline silica (RCS) can lead to life-changing respiratory conditions such as silicosis, chronic obstructive pulmonary disease and lung cancer.

Silica is a natural substance found in most stones, rocks, sand, and clay. Silica particles are produced during many manufacturing tasks involving these materials. Over time, exposure to silica particles can harm a worker's ability to breathe and cause irreversible, often fatal, lung diseases.

The inspections, which start today (Monday 3 July), are checking that employers and workers know the risks involved when dealing with RCS and that businesses have control measures in place to protect workers' respiratory health.

The initiative is supported by HSE's Dust Kills silica campaign. This provides straight forward advice and guidance on the Work Right website for employers and workers, to help everyone understand the risks and how to protect respiratory health when processing materials that contain silica: <https://workright.campaign.gov.uk/campaigns/silica/>

Employers have a legal duty to create suitable arrangements to manage health and safety and ensure they comply with the Control of Substances Hazardous to Health Regulations 2002 (COSHH). Inspectors will be looking for evidence that businesses have put in place effective control measures, such as Local Exhaust Ventilation (LEV), and where appropriate, use of water suppression and personal protective equipment such as Respiratory Protective Equipment (RPE), to reduce workers' exposure to the RCS. If any health and safety breaches are discovered, HSE will take enforcement action to make sure workers' health is protected.

HSE's head of manufacturing David Butter said:

"It's important that manufacturing businesses act now to ensure they comply with the law and protect their workers from serious lung diseases. Businesses should take note that good ventilation in the workplace and personal protective equipment are just some of the measures they need in place to protect the respiratory health of workers.

"During the 2022 silica initiative, inspection findings indicated poor management of control measures including engineering controls, cleaning and housekeeping and RPE management. Employers should ensure control measures are used and maintained appropriately.

"We want employers and workers to make sure they are aware of the risks associated with the activities they do. For example, brick and tile manufacture and foundry activities can create RCS dust that could be breathed in. To assist them we have advice and free resources on our Dust Kills campaign pages."

To view the guidance visit:

- <https://workright.campaign.gov.uk/campaigns/silica/silica-employers/brickandtile/>
- <https://workright.campaign.gov.uk/campaigns/silica/silica-employers/foundries/>
- Or download our advice for workers:  
<https://workright.campaign.gov.uk/download/6194/?tmstv=1688117586>

You can sign up for regular updates on the [silica campaign here](#). Follow the campaign on Twitter at @H\_S\_E or on Facebook @hsegovuk.

#### **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. Further details on the latest [HSE news releases](#) is available.
3. The inspection programme will be supported by HSE's 'Dust Kills' campaign, aimed to influence employer behaviour change.

---

## School fined £35,000 after child severely burned at carol concert

A London primary school has been fined £35,000 after a child received 45 per cent burns to their body at a carol concert.

The school was found guilty after a trial following an incident at a church on 11 December 2019.

During the carol concert, 60 Year 3 children from the school were waiting in costume, in a narrow corridor, holding 10-inch lit taper candles. As they were waiting, a seven-year-old boy wearing a home-made sheep costume made out of cotton wool balls, caught fire.

The fire was extinguished with some difficulty and the child received first aid at the scene before being taken by air ambulance to Broomfield Hospital and found to have sustained an estimated 45 per cent burns to their body.

An investigation by the Health and Safety Executive (HSE) found that the school had failed to take appropriate measures to account for the risks inherent with giving lit candles to children, while wearing potentially flammable costumes.

The injuries sustained by the boy will require on-going, regular, invasive surgeries throughout his youth and into adulthood and have been life changing for him and his family.

The school pleaded not guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act but were found guilty by a jury at Southwark Crown Court on 19 June 2023. At Southwark Crown Court on 30 June they were fined £35,000 and ordered to pay £25,970 in costs

Speaking after the hearing, HSE Inspector Sarah Whittle said: "This was a shocking and scary incident that could have so easily been avoided.

"Common sense alone should have been enough to see the risk. Mitigation in this case would have been the substitution of wax candles for flameless ones, thereby reducing the risk to zero. This was a step the school took after the incident but by then it was far too late for a young child who will be forever affected by this.

"The importance of a suitable and sufficient risk assessment has never been made so clear."

**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.
4. Guidance on the use of candles safely from the London Fire Brigade is available: <https://www.london-fire.gov.uk/safety/the-home/candles/>