

# Council fined as school technician loses finger

A local authority has been sentenced after a worker lost his finger while operating a machine.

Adi Soday, a technician at The Forest School in Horsham, lost his right index finger when it was sliced off by a circular bench saw on 13 June 2022.

The 29-year-old, who worked in the design and technology (DT) department, had been operating the saw to cut pieces of wood that were set to be used for a DT lesson.

While pushing one of the sheets of wood through the saw, Mr Soday, who was 27 at the time, felt a pain in his right index finger and immediately turned off the machine.

As he looked down, he saw his finger lying on the bench.



The machine being operated by Mr Soday

A Health and Safety Executive (HSE) investigation found West Sussex County Council, the local authority in charge of the school, failed to ensure Mr Soday was trained to use the bench circular saw. Mr Soday had used the saw many times but had not been trained on how to use it safely.

West Sussex County Council pleaded guilty to breaching Regulation 9 of the Provision and Use of Work Equipment Regulations 1998. The local authority was fined £16,000, ordered to pay £4,294.60 in costs and a victim surcharge of £190 at Brighton Magistrates' Court on 3 July 2024.

HSE inspector Russell Beckett said: “Workers must be trained properly when using high risk woodworking such as bench circular saws. This incident could have been prevented had West Sussex County Council provided Mr Soday with proper training.”

This prosecution was brought by HSE enforcement lawyer Iain Jordan and supported by HSE paralegal officer Imogen Isaac.

#### **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.

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## **Explosives manufacturer fined £670,000 after worker dies**

A manufacturer of military explosives has been fined £670,000 after an employee was killed and another seriously injured in an explosion at its factory near Salisbury.

The two men were working on the production of MTV – an explosive substance used in military flares – at the premises of Chemring Countermeasures Limited in High Post on 10 August 2018. They were cleaning a vessel used in the production and were removing residual explosive material in preparation for the next day’s shift.

Piotr Zukowski, 29 of Southampton was partially inside the vessel when the remaining material exploded, killing him instantly. Another worker, Jake West, 32 was caught in the resulting fireball and sustained substantial burns.



Piotr Zukowski was killed following an explosion in 2018

Piotr's mother Elżbieta, said her life 'stopped' on the day her son was killed.

"At the time, I was on holiday in Greece with my younger, 13-year-old son Maks.

"Then, my son Piotr died at Chemring. That's when my heart stopped.

"I don't know how we got back, I don't know how I survived the next weeks. It was and still is a nightmare.

"Piotr went to work, as usual, and never came back.

"I could give all my money, my life, only for my son Piotr, at least for a moment, to appear in this world, so that I could hug him, to see his smile, to hear his voice."



Piotr Zukowski and  
his mother Elżbieta

An investigation by the Health and Safety Executive (HSE) found that Chemring Countermeasures Limited of Romsey, Hampshire, had failed to carry out a suitable and sufficient risk assessment. They had also failed to identify that explosive material was building up within work equipment, or to identify the sensitiveness of these explosives and had not put in place controls to ensure that this build-up of material did not present a serious risk to workers. Furthermore, workers were poorly supervised, allowing routine non-compliance with process instructions to take place.

The company holds an explosive licence, granted by HSE, which permits the manufacture and storage of explosives. Activities carried out in the corridor compromised the route of access and egress from the building and were contrary to the conditions of the licence. It was also custom and practice to have the doors to all of the bays in the building open during the working day, also contrary to the conditions of the licence.

When the initiation occurred, because explosive waste was processed and stored in the corridor, it was allowed to communicate to other parts of the building thus increasing the severity of the event. Mr West was injured, receiving serious burns, whilst working in the corridor.

Chemring Countermeasures Limited pleaded guilty to breaching Regulation 2(1) of the Health and Safety at Work etc Act 1974. They were fined £670,000 and was ordered to pay £12,835 costs at a hearing at Swindon Magistrates' Court on 27 June 2024. The prosecution was supported by HSE enforcement lawyer Alan Hughes and paralegal officer Ellen Garbutt.

After the hearing HSE inspector David Myrtle said: "This tragic incident led to the avoidable death of a young man. It could easily have been prevented.

"The failure to properly recognise the hazards posed by MTV throughout the production process, the unchecked build-up of waste MTV and a general lack of knowledge of good explosives practice meant the control measures in place were inadequate."

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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 for [working safely with explosives](#) is available.

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## Charitable trust fined following death of volunteer

A charitable trust has been fined after a volunteer lost his life during restoration work on the Wilts and Berks Canal.

Peter Konitzer was fatally crushed when a section of a wall collapsed onto him in an excavation at Pewsham locks on 24 August 2016.

The 62-year-old had been inside the excavation removing temporary propping that was supporting the wall when the section collapsed.



A section of the wall collapsed while Mr Konitzer was inside the excavation

Wilts & Berks Canal Trust undertook the restoration work as part of its

project to preserve, conserve and improve the route of the Wilts and Berks Canal.

A joint investigation by the Health and Safety Executive (HSE) and Wiltshire Police investigation found Wilts & Berks Canal Trust had failed to ensure the safety of volunteers who were working within the excavation. The temporary propping was inadequate and there was no clear method for the safe installation or removal of props during this renovation work.



A section of the wall collapsed while Mr Konitzer was inside the excavation

The trust routinely used volunteers to assist in work to undertake tasks including clearing rubbish and overgrowth from various canal sites and general gardening type duties but had increasingly used volunteers for light construction works.

Wilts & Berks Canal Trust, of Dauntsey Lock, Chippenham, Wiltshire, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The trust was fined £30,000 and ordered to pay £10,822 in costs at Swindon Magistrates' Court on 24 June 2024.

HSE inspector James Lucas said: "This was a tragic and wholly avoidable incident. The situation which led to Peter's death would not have arisen had the temporary structural works been properly planned and implemented to ensure a suitable safe system of work prior to the incident.

"It is essential that those in control of work of this nature devise safe methods of working and to provide the necessary information, instruction, and training to their workers to ensure their safety."

This prosecution was brought by HSE enforcement lawyer Iain Jordan and supported by HSE paralegal officer Rebecca Withell.

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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. Wilts & Berks Canal Trust will also pay £6,043.16 in compensation.

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## **Companies fined after 16-year-old worker exposed to asbestos**

Two companies have been fined after a teenage worker was exposed to asbestos.

The 16-year-old had been working for P Turnbull Joinery and Building Services Ltd on an outbuilding of a domestic property after the firm had been hired by Alt Berg Holding Limited to refurbish the property in Richmond, North Yorkshire.

He had been breaking up cement sheets taken from the roof of the property and putting them into a skip on 7 June 2021. Asbestos was later found to be in the cement sheets, exposing the worker to asbestos fibres.

A Health and Safety Executive (HSE) investigation found that Alt Berg Holdings Limited had failed to carry out an asbestos refurbishment and demolition survey of the property, which would have identified the asbestos. P Turnbull Joinery and Building Services Ltd had not properly assessed the work and failed to prevent the worker being exposed to asbestos.

P Turnbull Joinery and Building Services Ltd, of Attwood Terrace, Wolsingham,

Durham, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £2,000 and ordered to pay £500 in costs at Peterlee Magistrates' Court on 20 June 2024.

Alt Berg Holdings Limited, of Moor Road, Melsonby, Richmond, North Yorkshire, pleaded guilty to breaching Regulation 4(4) of the Construction (Design and Management) Regulations 2015. The company was fined £6,000 and ordered to pay £1,950 in costs at Peterlee Magistrates' Court on 20 June 2024.

HSE Principal Inspector Chris Tilley commented: "A suitable and sufficient asbestos refurbishment and demolition survey of the building undertaken by the client and provided to the contractor before work started would have identified the presence of asbestos in the roofing materials. The contractor could have ensured that suitable controls were put in place and the asbestos removed safely before further work was undertaken.

"This incident could so easily have been avoided by the provision of suitable and sufficient pre-construction information, effective communication between the parties and the use of correct control measures and safe working practices."

This prosecution was brought by HSE enforcement lawyer Chloe Ward and supported by HSE paralegal officer Rebecca Withell.

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## **Company fined after delivery driver electrocuted**

A company in Berkshire has been fined £30,000 after a father-of-four was electrocuted.

Levi Alleyne (known as 'Chunky') lost his life while delivering crushed concrete at a construction site on Swallowfield Road, Reading, on 16 November



2020.

Chunky was killed after the crane arm of his lorry came into close contact with an overhead power line, which then created an electrical charge.

The 41-year-old later passed away from his injuries.

A Health and Safety Executive (HSE) investigation found BBM Contracts Limited, the principal contractor, ordered the delivery and chose the area where the crushed concrete would be delivered. However, the delivery area was located below an 11kv overhead powerline. The company was aware of the presence of overhead powerlines but did not consider whether there was an alternative way of working which avoided them, nor did it put in place demarcations or warnings. An alternative delivery route was subsequently used following the incident.

BBM Contracts Limited, of Aldbourne Avenue, Earley, Reading, pleaded guilty to breaching Regulation 13(1) of the Construction (Design and Management) Regulations 2015. The company was fined £30,000 at Reading Magistrates' Court on 20 June 2024.

HSE principal inspector Georgina Symons said: "This tragic incident led to the death of a father-of-four. This death might have been prevented if the contractor had correctly identified and managed the risks involved.

"The dangers associated with overhead power lines are well-known and a wealth of advice and guidance is freely available from HSE and other organisations."

This prosecution was brought by HSE enforcement lawyer Samantha Tiger and supported by HSE paralegal officer Helen Jacob.

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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. BBM Contracts Limited has also been ordered to pay £11,613.50 in compensation to the family of Levi Alleyne.