

# School trust fined after pupil injured

A school trust in Surrey has been fined after part of a pupil's finger was amputated.

The five-year-old boy, a Year 1 pupil at Danetree Primary School in Epsom, had been leaving the toilet on 15 June 2022 when his right hand slipped and went into the hinge side of a door.

There was no door guard installed and he trapped his right hand in the door.

This led to the tip of his middle finger becoming detached as his right hand was stuck in the door.

A teacher found the tip of his middle finger, and the boy underwent surgery to re-attach his finger at St Georges Hospital in Tooting, London.

Although younger pupils in Key Stage 1 were taught in a newer building where hinge guards had been fitted on the doors, the incident occurred in a separate building where the older children in Key Stage 2 were taught.

The Key Stage 1 pupils would use the Key Stage 2 building at least once a week to use its library and learn about music and science. While in this building, the Key Stage 1 pupils were allowed to use the toilets unsupervised.

A Health and Safety Executive (HSE) investigation into the incident found GLF Schools, the trust that runs Danetree Primary School, had failed to identify the risk to its Key Stage 1 pupils while using the toilets. This meant hinge guards were not installed on the toilet doors of the building where Key Stage 2 pupils were taught.

GLF Schools, of Picquets Way, Banstead, Surrey, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The trust was fined £6,000 and ordered to pay £6,875.70 in costs at Staines Magistrates' Court on 30 October 2024.

HSE principal inspector Emma Stiles said: "This little boy and his family could have been spared a lot of pain and upset if the trust had installed widely available, effective and inexpensive hinge guards on the doors the young children had access to. I would ask all schools to review their estates to make sure they have hinge guards where needed so no other children are hurt in this way when at school."

This prosecution was brought by HSE enforcement lawyers Jayne Wilson and Jon Mack and supported by HSE paralegal officer Melissa Wardle.

## **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. HSE made an application for a reporting restriction during this prosecution. This reporting restriction prohibits the publication of any information which may lead to the identification of the injured pupil.

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## [Man spared immediate spell behind bars over unsafe gas work](#)

A man from Blackpool has been spared an immediate spell behind bars after his unsafe gas work put people's lives at risk.

Mehmet Kalyoncu, who pleaded guilty on the first day of a proposed trial, was given a 12-month custodial sentence suspended for the same period.

The 57-year-old, who was not Gas Safe Registered, installed various gas appliances and pipework at an address in the seaside town. It was only when concerns were raised about the work to the Gas Safe Register that investigators visited the property and found gas fittings had been left in an unsafe state.

When the matter was then referred to the Health and Safety Executive (HSE) for investigation, it became clear that Kalyoncu had previously been served with a prohibition notice to not undertake any further gas work unless he was Gas Safe registered.

Further information and guidance on [domestic gas health and safety](#) is available.

As part of its investigation, HSE found that despite the earlier prohibition notice, Kalyoncu continued to carry out unregistered and unsafe gas work, putting members of the public at considerable risk from unsafe gas fittings and appliances.

Mehmet Kalyoncu, of no fixed abode, pleaded guilty to breaching section 33(1)(g) of the Health and Safety at Work etc Act 1974 and Regulations 3(3) and 6(2) of the Gas Safety (Installation & Use) Regulations 1998. He was sentenced to 12 months imprisonment, suspended for 12 months, and ordered to pay costs of £600 at a trial at Preston Crown Court on 29 October 2024.

HSE principal inspector Caroline Shorrocks said: "Mehmet Kalyoncu showed a

complete disregard to the safety of the public.

“He carried out unsafe gas work that put people at risk.

“The fact he had already been served with a notice to not do this unless Gas Safe registered makes this case even worse.”

“All gas work must be done by registered Gas Safe Register engineers to ensure the highest standards are met to prevent injury and loss of life.

“The public should always ask to see the gas engineer’s identification and check the registration number online.”

Gas engineers and consumers can contact the Gas Safe Register in any of these ways:

- [Gas Safe Register](#)
- Phone – **Consumers:** 0800 408 5500; **Engineers:** 0800 408 5577
- Email – [enquiries@gassaferegister.co.uk](mailto:enquiries@gassaferegister.co.uk)

This prosecution was brought by HSE enforcement lawyer Matthew Reynolds and supported by HSE paralegal officer Rebecca Withell.

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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. 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 in England and Wales can be found [here](#) and for those in Scotland [here](#).

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## **[Company fined as employee fractures skull](#)**

A company has been fined £80,000 after an employee sustained a fractured skull at its site in Glasgow.

In addition to a fractured skull, the worker sustained a broken clavicle, a ripped earlobe and haematomas down his right side, caused by being struck by

a telehandler bucket while working at Grayshill Limited on 19 October 2022.

He had been removing cattle from the back of a lorry when the telehandler bucket became detached and struck him.

A Health and Safety Executive (HSE) investigation found Grayshill Limited failed to implement a safe system of work for the use of quick hitches on the telehandler. A quick hitch is a latching device that enables, in this case, the bucket, to be connected to the arm of the telehandler and changed quickly. A manual quick hitch requires an operator to manually insert a metal pin from the latching device to secure the attachment.

On the morning of 19 October 2022, a self-employed agricultural engineer had serviced the telehandler, which included removing the bucket but the engineer did not correctly reattach it onto the telehandler after the service was complete. The investigation found that the securing pin for the quick hitch had not been reinserted.

HSE guidance can be found at: [Provision and Use of Work Equipment Regulations 1998 \(PUWER\)](#)

HSE principal inspector Hazel Dobb said: "This was a serious incident that has resulted in a worker sustaining horrific injuries. We thoroughly investigated this incident and found Grayshill Limited failed to carry out the correct control measures and safe working practices at its site in Glasgow. The company also failed to check its vehicles after they had been serviced and repaired to ensure they were safe for use."

Grayshill Limited, of Mollins Road, Cumbernauld, Glasgow, pleaded guilty to breaching Section 2(1), Section 2(2)(a) and Section 33(1)(a) of the Health and Safety at Work etc. Act 1974. The company was fined £80,000 and ordered to pay a victim surcharge of £6,000 at Airdrie Sheriff Court on 28 October 2024.

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## Routine inspection lands metal recycling firm with £650,000 fine

A major metal recycling firm has been hit with a £650,000 fine following a routine inspection by Britain's workplace regulator.

ASM Metal Recycling, which operates four other metal recycling sites, including at locations in Bedfordshire and Hertfordshire, received enforcement action from the Health and Safety Executive (HSE) for failing to implement effective control measures to protect workers.

HSE inspector, Emma Page, visited ASM Metal Recycling at its Griffin Lane premises in Aylesbury on 3 and 8 August 2023. While there, she observed dangerous working practices, including a failure to [segregate moving vehicles from pedestrians](#) as waste was being manually sorted.

During her inspection, HM Inspector Page was able to take videos evidencing these practices – the videos show three pedestrian workers wearing yellow hi-vis sleeveless jackets, sorting waste in the yard in close proximity to three 360 grab excavators operating behind them. As they continue to hand-sort the waste, a red HGV skip lorry pulls forwards and reverses towards and passed them. At this point, two of the workers have their backs towards the still reversing HGV. The footage clearly reveals there are no measures, such as barriers, to prevent the reversing vehicle coming into contact with, and causing injury, or worse, to the workers.

The subsequent HSE investigation further identified that ASM Metal Recycling Ltd had previously identified the risks of pedestrian-vehicle collision but had failed to implement effective control measures to prevent this. At these times, pedestrian workers were exposed to risks of being struck by a vehicle.

HSE had previously served enforcement notices on ASM Metal Recycling Ltd in 2010, 2014, 2016, 2018. HSE also wrote Notification of Contravention letters to the company in 2021 and 2023.

ASM Metal Recycling Ltd, of 55 Station Road Beaconsfield Buckinghamshire HP9 1QL, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act. They were fined £650,000 and was ordered to pay £5,885 costs at a hearing at Oxford Magistrates Court on 22 October 2024.

After the hearing, HSE inspector Emma Page said: "The scrap and metal recycling industry has consistently had a poor fatal incident rate for many years.

"The most serious risk associated with manually sorting waste is a collision between a vehicle and a pedestrian. On average, there are around five fatalities each year in the waste industry, with nearly half of these

relating to being struck by a moving vehicle.

“Incidents happen because working practices have failed to achieve effective segregation of moving vehicles from pedestrians. During my inspection it was clear that this was the case at ASM Metal Recycling’s Griffin Lane premises in Aylesbury, and the fact we had previously identified these areas of concern but they were not acted upon resulted in HSE’s prosecution of the company. .”

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5. Further information and HSE endorsed guidance on [hand-sorting of waste in the industry](#) is also available.

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## [Residents put at risk of deadly disease as company fined £900k](#)

A company has been fined following an outbreak of legionella at its sheltered housing accommodation in Birkenhead, putting vulnerable residents at risk of contracting Legionnaires’ disease.

The deadly bacteria was detected at Vincent Naughton Court following the sampling of its water systems in the communal areas and flats in July and August 2018.

With all 44 samples testing positive for legionella, the residents were then evacuated from the Sanctuary Housing premises in August 2018, before returning in October and November 2018 after the water system was remedied through the installation of a chlorination unit.

A Health and Safety Executive (HSE) investigation found Sanctuary Housing poorly managed the risk of legionella in the water system of Vincent Naughton Court, with staff inadequately trained and supervised. The residents were a

particularly vulnerable group due to their age and underlying health issues, putting them at a higher risk of contracting Legionnaires' disease.

The HSE investigation found that legionella was detected during testing on 16 and 31 July, which prompted a letter being written by Sanctuary Housing to residents, advising that work would be carried out on the water system on 6 August.

The letter, dated 3 August, misleadingly stated that the contaminated tap water could be stored in sinks and boiled in kettles. More importantly, the letter failed to inform residents that they should avoid using their showers, which would lead to residents being exposed to the risk of Legionnaires' disease.

Further testing on 8 and 15 August confirmed legionella was still present as work to fix the water system was carried out. The residents were later evacuated on 24 August.

HSE guidance can be found at: [Legionella and legionnaires' disease – HSE](#)

Sanctuary Housing Services Limited, of Castle Street, Worcester pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £900,000 and ordered to pay £11,480.60 in costs at Liverpool Crown Court on 22 October 2024.

HSE inspector Rose Leese-Weller said: "Sanctuary Housing failed to protect vulnerable residents living at Vincent Naughton Court through its mismanagement of the site's water system. It is very fortunate that none of the residents became ill as they were allowed, without any proper warnings, to continue to use the grossly contaminated water for a large period of time. Not only was there a failure by Sanctuary Housing to manage the risk of contamination in its water systems, but the company had not provided its staff with adequate instruction and training."

This HSE prosecution was brought by HSE enforcement lawyer Kate Harney and supported by HSE paralegal officer Lucy Gallagher.

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