

Shipping Services company fined after worker loses finger

A company which provides shipping services, cargo handling and storage has been fined after a worker severed part of his finger while at work.

Dundee Sheriff Court heard that on 13 July 2021 Gordon McMillan, 55 at the time of the incident, works as a 'stevedore' (steve-eh-door), a role which involves the dockside loading and unloading of ships and goods vehicles, was injured when operating a table saw.

In early July 2021 the company took up the lease of a building at South Quay, Montrose, near to Montrose Harbour, to store and dry grain.

Mr McMillan was tasked with cutting small pieces of wood known as 'packers', that needed to be replaced on the site.

Whilst using a piece of wood as a 'push stick' Mr McMillan's gloved left hand came into contact with the rotating blade. Upon removing his glove Mr McMillan observed that the top of his left index finger had been almost completely severed. He later had to have part of his finger amputated.

An investigation by the Health and Safety Executive (HSE) found that the table saw did not have a blade guard or a guiding fence, and that no push-stick had been provided. HSE issued a Notification of Contravention to the Company, outlining the material breaches identified during the investigation.

Rix Shipping (Scotland) Limited of Meridian Street, Montrose pleaded guilty to the contravention of The Provision and Use of Work Equipment Regulations 1998,

Regulations 11(1) and 11(2) and were subsequently fined £16,000 with a Victim Surcharge of £1200.

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

"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:

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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.
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[Aviation company fined after worker death at Heathrow Airport](#)

An aviation company has been fined £160,000 after a man, described by his family as a “legend”, was crushed to death at London Heathrow Airport during the unloading of baggage containers from an aircraft.

The man was working for Dnata Limited, a provider of ground handling and cargo services to major airlines, at Terminal 3 on 23 February 2022. He had arrived at the stand with a set of trailers to collect baggage containers which were being unloaded from the hold of an Emirates Airbus A380 aircraft which had just arrived from Dubai.

The man moved around one of the trailers and under a type of scissor lift known as a high-loader; a raised platform being used to bring the containers to ground level. At this time the high-loader operator lowered one of its two hydraulically operated platforms, which was holding two further containers to be collected, and it crushed the employee.

A Health and Safety Executive (HSE) investigation found that the operators’ visibility of the area underneath the rear of the platform was almost completely obscured.

However, Dnata did not have any engineering controls installed on its high-loaders, such as sensors, to detect if people were underneath raised platforms before they were lowered, or to stop movement of platforms in these circumstances. It also did not have any mandatory communication systems in place to ensure operators were informed that it was safe for them to lower platforms.

A spindle locking mechanism to secure containers on the baggage trailer being used by the employee was broken at the time of the incident, and it is thought that this prompted him to move to the other side of the trailer to attempt to operate it from that position. Although another employee had reported defects on the trailer more than two weeks before the incident and it should have been removed from service, the defects were not entered into the company’s maintenance system, and it was available for use on the night of the incident without having been repaired.

HSE has guidance on the safe use of lifting equipment. This sets out what businesses should do to comply with the [Lifting Operations and Lifting](#)

[Equipment Regulations 1998 \(LOLER\).](#)

The wife of the employee said: "My husband absolutely loved work. He called his work colleagues his second family. He used to be so excited to go into work. He used to love making tea for everyone during tea breaks and used to buy tea bags and take them into work especially for that reason.

"The future plans I had with my husband are ruined. After retirement, we were both going to go on religious pilgrimages and also holidays together, go on experiences together, enjoy the time with our children together. Now I face the rest of my life without my best friend and companion."

His children added: "He was the rock of our whole family. He was such a happy, positive, funny, loving, supportive dad. He had an infectious personality and was loved by many in his community. His presence is greatly missed at family gatherings and events. They are no longer the same. He was a legend.

"We can no longer go to an airport without being reminded that this was a place where our father died. Each of us has had to have counselling to help us to come to terms with and process what has happened, and we were each off work for a long period of time. However, it cannot heal the pain that we feel."

Dnata Limited, of Dakota House, Poyle Road, Colnbrook, Berkshire pleaded guilty to breaches of Regulation 8(1) of the Lifting Operations and Lifting Equipment Regulations 1998 and Regulation 5(1) of the Provision and Use of Work Equipment Regulations 1998. The company was fined £160,000 and ordered to pay £6,494.25 in costs at Westminster Magistrates' Court on 17 April 2024.

HSE inspector Gordon Carson said: "Although Dnata had identified a risk of employees being crushed by the platforms of high-loaders, the measures it had put in place before this incident occurred failed to ensure that work in close proximity to these machines could be carried out safely. Numerous hazards exist during airport ground handling activities and companies providing these services should ensure their activities comply with UK health and safety legislation."

This prosecution was brought by HSE enforcement lawyer Rebecca Schwartz and supported by HSE paralegal officer Gabrielle O'Sullivan.

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Company fined £30,000 for unsafe removal of asbestos

A company based in Kent has been fined £30,000, and its director fined £5,000, after failing to ensure the safe removal of asbestos across two separate sites.

Ironically, the firm in question was trading as 'Asbestos Gone'.



AsbestosGone

An investigation by the Health and Safety Executive (HSE) found that DOV Services Ltd, the company behind the Asbestos Gone name, had removed loose fill asbestos insulation, a licensable activity, during the renovation of a retail unit in Redhill in April 2021, despite not holding a licence granted by HSE to do so.

Between 30 March and 7 April 2021, the company also removed asbestos cement sheets from the fascia of a school gymnasium and sports hall in Stanford-le-Hope, Essex. While not licensable work, the company failed to follow a safe system of work for the removal, with little to no control measures in place to protect its own workers, or pupils and staff at the school from exposure to asbestos. Asbestos debris was found on the roofs, on top of the covered walkway around the buildings, and on the floor at the base of the gymnasium and sports hall.

As a result of the poor work, the school had to engage a licenced asbestos contractor to undertake a remedial environmental clean.

HSE has recently updated its guidance on [asbestos safety](#) and earlier this year launched its [Asbestos: Your Duty](#) campaign that aims to improve understanding of what the legal duty to manage asbestos involves.

At Southwark Crown Court on 16 April DOV Services Ltd of Bradbourne Stables, East Malling, Kent, pleaded guilty of breaching Section 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974 and Regulation 8 of The Control of

Asbestos Regulations 2012. The company was fined £30,000 and ordered to pay costs of £7,260.85.

Company Director David Ryce also pleaded guilty to all charges and was fined £5,000 and also ordered to pay costs of £7,260.85.

After the hearing HSE inspector Stephanie Hickford-Smith said: "It's a sad irony that a company trading under the name of Asbestos Gone could make such a shambles of safely removing such a dangerous substance.

"DOV Services Ltd removed loose fill asbestos insulation, probably the most dangerous asbestos-containing material, from the site in Redhill, without having a licence to do so. It also put children and others, including its own workers and their families, at risk by failing to remove asbestos cement sheets from the school in Stanford-le-Hope under controlled conditions."

This HSE prosecution was brought by HSE enforcement lawyer Samantha Wells and paralegal officer Imogen Isaac.

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Company fined as worker has leg amputated

A company that grows mushrooms has been fined after an employee's leg became trapped in a machine and was later amputated.

Luka Ilic's right leg was caught by the rotating blades of a mushroom filling machine and became stuck in the device's moving parts on 16 October 2019.

He was part of a team of three at Howden Enterprises Ltd, trading under the name Hughes Mushrooms, that were cleaning the machine at the firm's premises in Holme-on-Spalding-Moor, East Yorkshire.



Filling machine

The then 29-year-old climbed onto the machine, which is used to prepare and fill compost in growing trays, to remove the last remaining parts of the compost.

The machine was then turned on, leading to Mr Ilic's leg being caught by the rotating blades in the mixing axle and becoming trapped.



His leg was later amputated below the knee at hospital.

A Health and Safety Executive (HSE) investigation into this incident found Howden Enterprises Ltd failed to adequately assess the operation of the filling machine, in particular the cleaning of the machine. The firm failed to ensure there robust isolation and safe operating procedures were in place

and followed.

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

Howden Enterprises Ltd, of Trew Mount Road, Dungannon, County Tyrone, Northern Ireland, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £73,333.00 and ordered to pay £7,522.60 in costs at Hull and Holderness Magistrates Court on 10 April 2024.

HSE inspector Louise Redgrove said: “The importance of a suitable and sufficient risk assessment which reflects all actual practical activities cannot be underestimated. It is vital to ensure there are effective systems of work and physical controls which are implemented, supervised and used by all those involved. This incident could have easily been avoided with a robust isolation procedure and padlock for each worker involved.”

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

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[Company fined after HSE inspection finds wood dust failures](#)

A company has been fined after an inspection by Britain’s workplace regulator found workers were being exposed to excessive levels of wood dust.

Breathing in wood dust excessively can cause asthma and nasal cancer.

The Health and Safety Executive (HSE) visited Target Furniture Limited’s workshop on Studland Road in Kingsthorpe, Northampton on 26 May 2022 and found significant amounts of wood dust around the site and unsafe machinery, requiring Prohibition Notices to be issued.



Deposits of wood dust were found in the sawmill and around most of the woodworking machines

Deposits of the dust were found in the sawmill and around most of the woodworking machines, exposing the firm's employees to potentially harmful consequences.

HSE inspectors found that workers at Target Furniture Limited were also dry sweeping wood dust despite the company purchasing a vacuum cleaner which could take the dust particles out of the room. This further exposed them to wood dust.

A subsequent investigation found the company failed to adequately control and prevent its workers' exposure to wood dust. They had been visited by HSE four times in six years, leading to advice and enforcement including an Improvement Notice in relation to controlling staff's exposure to wood dust. Despite this, the firm had an inadequate extraction system on woodworking machinery that was not properly capturing wood dust and they had not provided adequate respiratory protective equipment to protect their workers from wood dust.



Target Furniture Limited were visited by HSE four times in six years

Dust extraction and vacuuming instead of sweeping can be some of the measures taken to control exposure to workers. Guidance on working in the [woodworking industry](#) is available and an [inspection-led campaign to protect workers](#)

[continues](#).

Target Furniture Limited, of Studland Road, Kingsthorpe, Northampton, pleaded guilty to breaching Regulation 7(1) of the Control of Substances Hazardous to Health Regulations 2002. The company was fined £14,700 and ordered to pay £4,869.46 in costs at Leicester Magistrates' Court on 3 April 2024.

HSE inspector Nicholas Moreby said: "The fine imposed on Target Furniture Limited should underline to everyone in the woodworking industry that the courts, and HSE, take a failure to control exposure to harmful substances such as wood dust, and to follow the regulations, extremely seriously.

"Wood dust can cause serious health problems and all businesses need to protect their workers' respiratory health. We will not hesitate to take action against companies which do not do all that they should to keep people safe."

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