

# £1m fine for Crossrail contractor following three incidents

A joint venture comprising of three companies established to support the Crossrail tunnel construction has been fined a total of more than £1m following three separate incidents on the project, including the death of a worker.

Southwark Crown Court heard Renè Tkáčik died after being crushed by falling wet concrete on 7 March 2014. Two other men were injured following separate incidents within six days of one another, on 16 and 22 January 2015. All three incidents took place in the tunnels around the Fisher Street area.

The three workers were operating under Bam Ferrovial Kier (BFK), an unincorporated joint venture made up of three companies; BAM Nuttall Limited, Ferrovial Agroman (UK) Limited and Kier Infrastructure and Overseas Ltd.

Renè Tkáčik, 43 from Slovakia, was working on a team enlarging the tunnel by removing rings of the existing pilot tunnel and spraying walls with liquid concrete. During this operation, a section of the roof collapsed, fatally crushing Mr Tkáčik.

On 16 January 2015 Terence 'Ian' Hughes was collecting some equipment from inside one of the tunnels when he was struck by a reversing excavator. He suffered severe fractures to his right leg and crush injuries to his left knee and shin.

Six days later worker Alex Vizitiu, who was part of a team tasked with spraying liquid concrete lining, was assisting with the cleaning of the pipes that supply the concrete. Due to a lack of communication one of the lines was disconnected and he was hit by pressurised water and concrete debris. He suffered head and hip injuries as well as a broken finger and was hospitalised for six days.

A Health and Safety Executive (HSE) investigation found a failure to provide a safe system of work relating to the operations Renè Tkáčik and Alex Vizitiu were working on. It was also found there was a failure to properly maintain the excavator which reversed into Ian Hughes.

On all three occasions, the investigation found a failure to properly enforce exclusion zones that would have helped protect workers from foreseeable harm.

Bam Ferrovial Keir, of the corner of Charterhouse Street and Farringdon Road, London has pleaded guilty to three offences. In relation to the death of Renè Tkáčik, it has admitted to breaching Regulation 10(2) of the Work at Height Regulations 2005. It has today been fined £300,000 in relation to this offence.

BFK has pleaded guilty to two separate breaches of Section 22 (1a) of the Construction (Design and Management) Regulations 2007, relating to the two

incidents in January 2015. The joint venture has been fined a £600,000 for the incident involving Ian Hughes on 16 January, and £165,000 for the incident relating to Alex Vizitiu on 22 January.

The total fine is therefore £1,065,000. The defendant was also ordered to pay costs of £42,337.28.

HSE Head of Operations Annette Hall said: "The omission to implement exclusion zones in a high hazard environment was a consistent failure in this case. Had simple measures such as these been taken, all three incidents could have been prevented, and Renè Tkáčik may not have died.

"We believe every person should be healthy and safe at work. Here, all three workers were taking part in one of the most important and challenging infrastructure projects of the decade. It was this joint venture's duty to protect its dedicated and highly-skilled workforce. On these three occasions, BFK failed in its duty, with tragic consequences for Renè Tkáčik and his family."

#### **Notes to Editors**

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. It aims to reduce work-related death, injury and ill health. It does so through research, information and advice, promoting training; new or revised regulations and codes of practice, and working with local authority partners by inspection, investigation and enforcement.

[www.hse.gov.uk](http://www.hse.gov.uk)

2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk](http://www.legislation.gov.uk)

3. HSE news releases are available at <http://press.hse.gov.uk>

Journalists should approach HSE press office with any queries on regional press releases.

---

## [Food manufacturer fined after worker left seriously injured](#)

A food manufacturing company has been fined after a worker fell six metres from the back of a fork lift truck.

Lincoln Magistrates' Court heard how an employee of Fishgate Limited was instructed on 16 July 2013 to paint guttering and drainpipes on the outside of a factory in Brookenby, Lincolnshire. The employee was raised up by a forklift driver in an unsecured tote box to paint when he fell to the ground from a height of around six metres resulting in a dislocated arm, cracked pelvis, broken foot and shattered leg.

An investigation by the Health and Safety Executive (HSE) found the work was not properly planned nor was it adequately supervised. The injured worker had not received any training or advice on how to correctly carry out the task.

Fishgate Limited of Brookenby Business Park, Brookenby, Lincolnshire, was found guilty of breaching Section 2(1) of the Health & Safety at Work Act 1974. The company has been fined £100,000 and ordered to pay £19,032.63 in costs.

Speaking after the trial, HSE inspector Samantha Farrar said: "This work activity should have been properly planned. The injured worker should have been given the correct equipment as well as instruction as to how to carry out the work. The company also failed to adequately supervise the activity which could have prevented the incident."

#### Notes to Editors:

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. It aims to reduce work-related death, injury and ill health. It does so through research, information and advice, promoting training; new or revised regulations and codes of practice, and working with local authority partners by inspection, investigation and enforcement. [www.hse.gov.uk](http://www.hse.gov.uk)<sup>[1][1]</sup>
2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)<sup>[2][2]</sup>

HSE news releases are available at <http://press.hse.gov.uk>

Journalists should approach HSE press office with any queries on regional press releases.

---

## [EARLY BIRD OFFER – Workplace Healthy Lungs Summit 2017 – Ends 1 Sept 2017](#)

[Registration](#) / [Programme](#) / [Speakers](#) / [Sponsorship](#) / [Location](#) / [Contact](#) / [Related Information](#)



# Health and Safety Executive

Lung disease remains a serious problem in the workplace. This Summit will describe what HSE is doing about it, what you can do about it, and what science and evidence can tell us.



### Benefits of Attending

- Hear about HSE's position on occupational lung disease – what the regulator is going to be doing and what they expect others to do
- Get a better understanding of how to achieve effective control of exposure in practice
- Understand the business case for improved control of risk and hear directly about the human consequences of failure
- Engage with others facing the same challenges – learning from those within your sector and from other sectors regarding good practice and how to engage others for behaviour and attitude change

See the draft [overview programme](#)



### Who Should Attend

- Employers
- Health and safety professionals, occupational health advisors and consultants.
- Trade and sector bodies, unions, manufacturers of respiratory risk solutions and services.
- Key industry sectors – construction, manufacturing (including stone-working, ceramics, and bakeries) and quarries.
- Academics and professionals working on workplace lung disease.

### Sponsorship and Exhibition Opportunities

We have various sponsorship opportunities available to suit organisations of different sizes and budgets. HSE events provide an excellent networking opportunity and can offer you a targeted platform to raise your organisation's profile and promote products and services to industry decision-makers.

### Conference Fee

Early Bird registration up until 1<sup>st</sup> September 2017 is £350. Standard registration from 2nd September is £425. – [Book online here](#)

### Location and Date

Queen Elizabeth II Centre, Broad Sanctuary, Westminster, London, SW1P 3EE on 22nd November 2017 – [Book online here](#)

### Contact

HSE Training and Conferences on 01298 218806 or [HealthyLungs@hsl.gsi.gov.uk](mailto:HealthyLungs@hsl.gsi.gov.uk)

[Book the Early Bird fee online now](#)

[Download the first announcement flyer](#)

---

## [HSL: Taming Tigers: Safety Excellence in Engineering – in partnership with The University of Manchester – 13-14 Sept 2017,](#)

### [Book Course](#)

HSL is to run a 2 day course on Taming Tigers: Safety Excellence in Engineering – in partnership with The University of Manchester.

**13 – 14 September 2017**

Why big cats and engineering?

If we think of traditional health and safety risks as lions (dangerous but we can see them and take action) then process safety hazards are tigers. Latent failures lurking in the jungle, not easily visible until they pounce with potentially catastrophic consequences. Learning to tame these tigers helps industry avoid catastrophe and improve performance.

## Why Big Cats and Engineering?

If we think of traditional health and safety risks as lions (dangerous but we can see them and take action) then major accidents are tigers. Latent failures lurking in the jungle, not visible until they pounce with catastrophic consequences. By taming tigers industry can avoid catastrophe and improve performance.



One of the biggest challenges facing the engineering leadership community in high-risk industries is delivering value to the business. Whilst traditional safety management courses tend to focus upon technical risk assessment methods and their application, this master class has been designed to take a holistic view across technical, operational and organisational dimensions.

### Learning Outcomes

- Understand the challenges and Technical Risk Management solutions for low probability, high impact consequences.
- Understand the value of mindful thinking in Technical Risk Management.
- Understand how to receive, identify and act upon precursors to major accidents.
- Understand the importance of organisational culture to Technical Risk Management.

### Delivery Method

In this master class we aim to outline concepts and principles based on engineering and project management good practice. In addition to the subject matter experts from HSE and The University of Manchester, there will be other high profile speakers: [Taf Powell](#) – Managing Partner, Corporate Integrity Partnership; and [David Warriner](#) – **Head of Primary Components Operations Improvement Programme, Rolls-Royce**. These interactive guest speaker sessions are a great opportunity for delegates to learn from invaluable project and operations experience. A short pre-work will aim to identify delegate challenges in HSSE. During the master class, subject matter experts and delegates will work together to consider sustainable solutions to the main challenges identified.

A short pre-work will aim to identify delegate challenges in HSE. During the master class, subject matter experts and delegates will work together to consider sustainable solutions to the main challenges identified.

## Overview Programme

### *Highlights of Day 1*

- Optional Guided Tour of HSL's Unique Forensic Engineering Facilities & Outdoor Large Scale Rigs
- '(Not) learning the lessons of 40 years of major accidents' – Taf Powell (CIP)
- Your Greatest Challenge – Dr Moray Kidd (UoM)
- Personal Mindfulness – Rosemary Whitbread (HSE)
- Technical Risk Management for Low Probability & High Consequence Events Part 1 – Matt Clay (HSE)
- Evening Meal followed by Keynote: 'Applied Technology Readiness' – David Warriner (Rolls-Royce)

### *Highlights of Day 2*

- Technical Risk Management for Low Probability & High Consequence Events Part 2 – Matt Clay (HSE)
- Anatomy of Culture – Prof Andrew Gale (UoM)
- Risk Communication – Rosemary Whitbread (HSE) & Dr Moray Kidd (UoM)

## Who should attend

Senior professionals in the science and engineering community who face the challenge of balancing technical risk management with other business priorities.

<b>Comments &amp; Feedback</b>	‘Very topical. Good differentiation between occupational risk/safety versus technical risk/safety. Very useful and informative.’ P Odendaal, Britannia Refined Metals Ltd “I found ‘How to avoid Project Wreckages’ and ‘Mindful Leadership in Technical Safety’ thought provoking and relevant to my organisation. I have been made aware of a number of new tools that I can read up on and digest and apply as I see appropriate. I liked the recommended reading suggestions.” ‘A Gibbs, Solvay
--------------------------------	--

## Venue

The Masterclass will be run at the Health & Safety Laboratory in the spa town of Buxton. Buxton is in the heart of the Peak District and has good links to mainline train stations and Manchester International Airport.

Details of hotels in the Buxton area can be found at [www.visitbuxton.co.uk](http://www.visitbuxton.co.uk)

## Cost

£1350 per person, includes an evening meal on first night.

This Master Class is run in partnership with The University of Manchester

## [Book Course](#)

For further information email: [training@hsl.gsi.gov.uk](mailto:training@hsl.gsi.gov.uk) or contact the Training & Conferences Unit at HSL directly on +44 (0)1298 218806.

[Back to Health and Safety Seminars](#)

[Back to the top](#)

---

## [HSE Chair, Martin Temple, talks about his personal connection to farming in support of National Farm Safety Week](#)



The Health and Safety Executive (HSE) is encouraging everyone involved in agriculture to join the #HelpGBWorkWell conversation to talk about how they can prevent ill health, injury and death in the workplace.

National Farm Safety Week takes place next week, 24 – 28 July. Organised by the Farm Safety Foundation, the week sets out to reduce the number of deaths and injuries and offers support and guidance for those working in the industry.

The week comes just after the release of HSE's annual fatality statistics and couldn't be more timely as figures for the agriculture sector highlight just how poor farming's record is. Next week provides an opportunity to really focus the conversation around #Farmsafetyweek.

Martin Temple, HSE Chair said:

“Everyone involved in improving workplace health and safety has a role to play in helping Great Britain work well.

I personally have some experience of the challenges and risks farmers face on a day to day basis having grown up on a farm. Farming has changed and with new and different working practises and a transient workforce, all farmers need to constantly revisit and re-consider the risks faced by the people working on their farm.”

Agriculture, Forestry and Fishing remains the riskiest industry sector in the UK with 27 workers being killed on farms last year and three members of the public, making a total of 30 people according to HSE's recently released fatality figures for the sector.

Martin added:

“National Farm Safety Week provides an ideal opportunity for everyone working in the agricultural industry to raise their voice, and have the conversation around how managing risk well in the workplace is good for farming and all those working in agriculture.”

HSE has a range of resources and guides available to improve health and safety on farms. They cover a range of topics including farm vehicles, working at height, manual handling and electricity and can be accessed on the HSE website at [www.hse.gov.uk/agriculture](http://www.hse.gov.uk/agriculture). Join the help Great Britain work well conversation, it's for good for business and good for workers, #HelpGBWorkWell.

End

If you are interested in speaking to HSE on this subject please contact Jane Gregory or Natalie Dunn at HSE media and campaigns office on 0203 028 4691/3389