

Rotherham metal fabrication company sentenced after young apprentice injured during apprenticeship training

- 17-year-old apprentice injured by a metal cutting guillotine
- An HSE investigation found a large gap in the bed of the guillotine that allowed access to dangerous parts of the machinery
- The company had failed to identify risk even after the incident had taken place

A Rotherham-based metal fabrication company has been sentenced after pleading guilty to health and safety failings that led to a young apprentice being injured by dangerous parts of a metal cutting guillotine during training.

On Friday 8 November 2024, a 17-year-old apprentice at MTL Advanced Ltd was cutting sheet metal in preparation for welding practice as part of their apprenticeship training. The guillotine was located within a dedicated Apprentice Training Workshop, where first-year apprentices learn and practise metal fabrication techniques before moving into the company's main manufacturing areas in their second and third years.

The apprentice made several successful cuts, but on the final cut their thumb came into contact with the machine's clamps, causing a crush injury.



Image from site

The HSE launched an investigation and identified, from documents provided by the company before an on-site visit, that a large gap in the bed of the

guillotine was allowing access to dangerous parts of the machinery. Critically, the company had failed to identify this risk even after the incident had taken place.

A Prohibition Notice was served remotely by HSE to control the ongoing risk. Following its service, HSE Inspectors attended the site and identified further issues with the guillotine requiring immediate remedy.

HSE provides extensive guidance on [managing risks in the workplace](#), including preventing access to dangerous parts of machinery and [employing young persons in training](#). Guidance notes that young people are likely to be new to the workplace and so are at more risk of injury in the first six months of a job, as they may be less aware of risks.

A wider inspection of the Apprentice Training Workshop revealed additional health and safety failings, including access to live electrical parts, further instances of unguarded dangerous machinery, and deficiencies in the system of inspection for workshop equipment.

MTL Advanced Ltd, of Britannia House, Junction Street, Darwen, Lancashire, BB3 2RB, pleaded guilty to breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998. The company was fined £140,000 and ordered to pay full costs of £5,013, with a Victim Surcharge of £2,000, at Sheffield Magistrates' Court.

Speaking after the hearing, HM Principal Inspector of Health and Safety Chris Tilley said: "Young people and apprentices are at the beginning of their career and so when it comes to workplace risks, employers must take particular care to assess those risks and fulfil their duty to keep them safe. Had this machinery been effectively guarded, this injury would never have happened."

HSE provides extensive guidance on managing workplace risks, including preventing access to dangerous parts of machinery and employing young people in training:

This prosecution was brought by HSE enforcement lawyer Chloe Ward and Paralegal Officer Hannah Snelling.

Further Information

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. Relevant guidance can be found here [Managing risks and risk assessment at work: Overview – HSE](#)
5. 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 can be found [here](#).