

# Scaffolding company and director fined following fall from height fatality

Wembley Scaffolding Services Limited has been fined following an incident where a worker fell five metres and suffered a fatal head injury.

Southwark Crown Court heard how, on 16 February 2017, two operatives were dismantling a scaffold on Cricklewood Broadway, London, during this process the scaffold collapsed resulting in one of the operatives falling at least five metres onto a concrete pavement, causing serious head injuries. He later died from these injuries on 4 March 2017.

An investigation by the Health and Safety Executive (HSE) found that Wembley Scaffolding Services Limited's director, Sean Chapple, failed to carry out a suitable risk assessment, plan the work and provide a design for erection and dismantling of the scaffold. Sean Chapple himself was not knowledgeable about the measures required to do this without putting people at risk and therefore didn't follow the correct measures to ensure safe erection and dismantling of the scaffold.

Wembley Scaffolding Services Limited, Hillier Hopkins LLP, Radius House, Clarendon Road, Watford, pleaded guilty to breaching Regulation 3(3)(b) of the Work at Height Regulations 2005 and 8(b)ii; Section 33(1)(c) of the Health and Safety at Work etc. Act 1974. The company was fined £7,860 and ordered to pay costs of £8,940.

Director, Sean Chapple of York Road, Northwood pleaded guilty to breaching Regulation 8(2)(ii) of the Work at Height Regulations 2005; sections 33(1)(a) and 37(1) of the Act; Section 33(2) and Schedule 3A to the Act (as amended by section 1 of the Health and Safety (Offences) Act 2008. He was fined £1,000, received a 12 week prison sentence suspended for one year and was ordered to pay costs of £11,000.

After the hearing HSE inspector Saif Deen said: "This tragic incident led to the avoidable death of a young man. The case highlights the importance of following industry guidance in order to design and erect scaffolding in a safe manner, to prevent risk to workers using the scaffold. The death could have been prevented had the employer acted to identify and manage the risks involved, and to put a safe system of work in place."

## **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. [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/) <sup>[2]</sup>

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

4. Further information about scaffolding available at

<https://www.hse.gov.uk/construction/safetytopics/scaffoldinginfo.htm>

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