

Company fined after worker's leg crushed by forklift truck

A manufacturing company has been fined £600,000 after a worker's leg was crushed by a forklift truck.

The man was working for AkzoNobel Packaging Coatings Limited when the incident occurred at the firm's Birmingham site on Bordesley Green Road on 8 May 2018.

He had been walking across a pedestrian crossing at the site when a forklift truck, being driven by another worker, collided with him, crushing his leg and ankle. The driver did not slow down while approaching the pedestrian crossing and his vision was restricted as the forklift truck was carrying multiple intermediate bulk containers (IBCs).

The injured worker required surgery and skin grafts following the incident.

A Health and Safety Executive (HSE) investigation into the incident found AkzoNobel Packaging Coatings Limited failed to provide an adequate risk assessment nor a safe system of work. There was also a lack of appropriate supervision. This led to the adoption and development of an unsafe custom and practice on site.

AkzoNobel Packaging Coatings Limited, of Wexham Road, Slough, Berkshire, pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974. The company was fined £600,000 and ordered to pay costs of £3,188.60 at Birmingham Magistrates' Court on 3 April 2023.

HSE inspector Marie Wheeler said: "This incident could so easily have been avoided by the employer adequately assessing the risks and ensuring a suitable workplace transport system was implemented with correct management and supervision in place.

"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:

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
2. More about the legislation referred to in this case can be found at: www.legislation.gov.uk/
3. HSE news releases are available at <http://press.hse.gov.uk>

HSE's Working Minds campaign supports Stress Awareness Month 2023

The Health and Safety Executive (HSE), through its Working Minds campaign which aims to prevent work-related stress and promote good mental health in the workplace, has compiled a list of resources to assist employers and workers during stress awareness month this April.

HSE and its twenty-two partner organisations across Great Britain have come together to urge workplaces to take action on work-related stress and mental health.

Launched in November 2021, Working Minds has grown from nine to 22 partners, with the next two members the Scottish Association for Mental Health (SAMH), and See Me – Scotland's national programme to end mental health stigma, both joining this month.

The campaign is reminding businesses the law requires all employers to assess the risk of work-related stress, and to assist employers to prevent or tackle any work-related stress to support good mental health in their workers. To assist them and workers achieve this and access support they may require, HSE has collated multiple resources into one simple document which is accessible [here](#).

Liz Goodwill, Head of the Work-Related Stress and Mental Health Policy Team at HSE, said: "Stress Awareness Month is an opportunity for employers to check in and support their staff's mental health. Working Minds helps employers to follow five simple steps based on risk assessment. They are to **Reach out** and have conversations, **Recognise** the signs and causes of stress, **Respond** to any risks you've identified, **Reflect** on actions you've agreed and taken, and make it **Routine**. It needs to become the norm to talk about stress and how people are feeling and coping at work.

"There are six main areas that can lead to work-related stress if they are not managed properly. These are: demands, control, support, relationships, role and change. Factors like skills and experience, age, or disability may all affect someone's ability to cope."

Helpful resources

- Visit [the Working Minds campaign website](#)
- Visit the HSE's work-related stress webpages
- [Listen to our podcast with Professor Cary Cooper, one of the world's foremost experts on wellbeing](#)
- Watch our [stress and mental health at work video](#)
- See [HSE's Stress Management Standards](#)
- Download a [Talking Toolkit](#)

- Download our [prevent stress at work poster](#)
- Download a [risk assessment template](#)
- Download the [mobile app](#)
- [Stress Indicator Tool](#)
- [NEBOSH stress training qualification & training course](#)
- Mind helpline (open 9am-6pm weekdays) – 0300 123 3393

Andrew Berrie, Head of Workplace Wellbeing at Mind, says: “Paying attention to workplace mental health has never been more important. Whoever you are and whatever you do for work, Mental Health at Work has plenty of tools, resources, and stories to support you and your teams.”

Francoise Woolley, Head of Mental Health and Wellbeing at Acas, said: “This month is an opportunity to reflect on how organisations are supporting the wellbeing of their employees and addressing the causes of stress at work. Leaders and managers play a huge role in recognising and responding to signs that someone might be struggling, and creating an environment where employees feel safe to speak up about their concerns.”

Carole Spiers, Chair of ISMA UK, said: “We are pleased to support Stress Awareness Month, increasing public awareness about the causes of stress and how to help combat it. Prolonged and intense stress in the workplace can result in burnout, negatively impacting employees’ mental and physical health.

To prevent this, it’s essential for employers to engage in open discussions with their employees about stress.”

Emma Mamo, Assistant Director of Workplace and Business Development at SAMH, said: “Regardless of the size of your organisation, promoting mental health should be a key priority. We know that a mentally healthy workplace is more productive, has lower staff turnover and fewer absences, with added benefits including higher staff morale and improved working relationships.

“Through our partnership with Working Minds, we aim to raise awareness and help empower people in workplaces across the country. This is also a key component of SAMH Workplace training, which develops the confidence and capabilities of participants, equipping learners with the tools and resources they need to improve the mental health and wellbeing of themselves and others.”

Wendy Halliday, Director of See Me, said: “HSE’s Working Minds campaign is an important partnership for us at See Me.

“The last few years have been tough for workers across the country, and we know that more needs to be done to enable people to feel comfortable speaking about their mental health.

“Mental health stigma continues to be a major barrier for people in the workplace, with nearly 40 per cent of Scottish workers telling us that they think colleagues are unlikely to speak about a mental health problem at work for fear of losing their job. This means that people aren’t asking for help

when they need it, which can lead to bigger issues for employers.

“By encouraging staff to speak more openly about mental health, and providing employers with the tools and resources they require to support their employees, we can create more mentally healthy workplaces, free from stigma and discrimination.”

Whether it's a small business or a large corporation, the law requires all employers to prevent work related stress to support good mental health in the workplace. They have a legal duty to protect workers from stress at work by doing a risk assessment and acting on it.

If employers don't do anything about it, it will cost. That cost might be productivity, sickness absence, losing a valued member of the team if they're not able to stay in work or from litigation costs such as an Employment Tribunal.

The Working Minds resource list is available [here](#).

Notes to Editors

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 2. To read more about HSE's Working Minds campaign click here: <https://workright.campaign.gov.uk/campaigns/working-minds/>
 3. HSE launched a major campaign, Working Minds, in November 2021 to remind employers of their legal responsibilities to assess and tackle risks at work and provide practical tools to support their employees' mental health.
 4. Working Minds campaign partners include Mind charity, Acas, International Stress Management Association, Mental Health Productivity Pilot, Institution of Occupational Safety and Health (IOSH), Farm Safety Foundation, Composites UK, British Plastics Federation, Make UK, Lifelines Scotland, The Civil Engineering Contractors Association, Mates in Mind, The Lighthouse Construction Industry Charity, Nation Body Repair Association, Commercial Vehicle Body Repair, Independent Garage Association (IGA), Ben automotive charity, The Burnt Chef and British Aggregates Association.
 5. Since 2019, The total annual cost of poor mental health to employers has increased by 25%, costing UK employers up to £56 billion a year – according to a [report by Deloitte](#). Figures show employers can see a return of £5.30 on average for every £1 invested in mental health.
 6. For press and media enquiries please contact media.enquiries@hse.gov.uk
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McLaren fined as worker dies after falling at Formula One facility

Automotive group McLaren has been fined £650,000 after a father-of-five from Portsmouth fell to his death carrying out an inspection.

David Oldham's widow, Patricia, says she has been "robbed" of her husband following the tragedy. The couple had been married for 14 years and lived in Hereford.

Fifty-five-year-old David worked for Zurich Management Services Limited. He was carrying out a structural inspection of McLaren's Paddock Brand Centre, a hospitality unit used by its Formula One racing team, when he fell from one of the upper floors. He later died of his injuries.

The incident happened on 18 October 2016, while the structure was undergoing maintenance at one of McLaren's warehouses on Vanwall Road, Maidenhead.



McLaren Paddock Brand Centre

An investigation by the Health and Safety Executive (HSE) found McLaren had failed to properly assess the risks and to put measures in place to prevent workers falling from height at its Paddock Brand Centre.

Falls from height remain the biggest cause of fatal accidents involving workers. In the five-year period between 2017 and 2022, 174 workers in Great Britain – a quarter of those killed in accidents at work – tragically fell to their death. HSE guidance can be found at: [Work at height – HSE](#)

David's wife Patricia Oldham said: "Davey was my husband for a short 14 years, although we had been together for 18 years. We had a happy time together and loved each other very much. He took care of me and I in turn took care of him.

"Our relationship was the kind that we could silently communicate to each other from the other side of the room. We used to work together and that is how we met and became good friends. Our wonderful, blended family consists

of five grown up children, Chris, Dale, Nikki, Andy, and Simon. We have seven grandchildren and even a great-grandson! Dave loved his family and spoilt all of the grandchildren.



David and Patricia Oldham

“A few months before he was killed at McLaren’s Paddock Brand Centre, we had taken all the grandchildren on holiday to Spain. We had an amazing time, especially poignant now given these circumstances.

“Dave was the kind of man who would help anyone if he could. He had such a big heart. His passion was golf, of which he enjoyed playing a round with his boys as well as myself and even to the extent of taking his grandchildren to the driving range. He used to like to keep fit and liked running, he did runs for charity.

“He used to make me laugh so much. Together we planned our retirement, where we would travel and see what new experiences we could explore together.

“I have been robbed of my husband, but poor Dave lost his life.”

Following a trial at Reading Crown Court, McLaren Services Limited, of Chertsey Road, Woking, Surrey, was found guilty of breaching Sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £650,000 and ordered to pay £110,132 in costs at Reading Crown Court on 31 March 2023.

HSE inspector Saffron Turnell said: “Patricia’s powerful words make clear the impact David’s loss has had on her life. This is a devastating tragedy and our thoughts remain with her and David’s family.

“Work at height is a high risk activity and falls can result in life changing injuries and death. It’s the number one reason why people like David didn’t get home from work. Those responsible to ensure his health and safety failed to do so.

“It is very important that those in control of the work identify the risk,

plan to eliminate it if possible, or where it is not possible, take appropriate precautions to safeguard workers and others. Good management will also include regular monitoring that the controls in place are keeping people safe."

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3. HSE news releases are available at: <http://press.hse.gov.uk>
4. HSE guidance and information about work at height can be found at: [Work at height – Occupational health and safety – HSE](#)
5. Falls from height deaths to workers: Year (number of deaths). Bold = biggest cause of work-related fatal accidents to workers during that year. 14/15 (**42**), 15/16 (**37**), 16/17 (27), 17/18 (**35**), 18/19 (**43**), 19/20 (**31**), 20/21 (**36**), 21/22 (**29**). Source –[RIDKIND – RIDDOR reported fatal and non-fatal injuries in Great Britain by kind of accident and broad industry group \(.xlsx\)](#)
6. Following a trial at Reading Crown Court, Zurich Management Services Limited was found not guilty to breaching Section 2(1) of The Health and Safety at Work etc. Act 1974.

[£600,000 fine for company after employee died while loading lorry](#)

An East Yorkshire garden landscaping company has been fined £600,000 after an employee died while loading a lorry.

Brian White, 59, was working for Kelkay Limited when he was operating a forklift truck at the company's site on Heck and Pollington Lane, Pollington, East Yorkshire, on 15 June 2020.

Brian was fatally injured when the lorry he was loading was moved by the driver, pulling the forklift truck over and trapping him underneath.

An investigation by the Health and Safety Executive (HSE) found Kelkay Limited's risk assessment failed to take into account the possibility of [lorries moving while they are being loaded](#). HSE also found that the systems of work provided for ensuring that vehicles were not moved during loading activities were inadequate.

Kelkay Limited, of Heck And Pollington Lane, Pollington, East Yorkshire, was found guilty of breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £600,000 and ordered to pay £20,848.71 in costs at Grimsby Magistrates' Court on 30 March 2023.



Brian White
was killed
while loading
a lorry

Brian's eldest son Barry said: "Not a day goes by without me thinking of my dad and how we have lost a massive part of our family. He was our rock who we could turn to for advice and help. We have lost a friend and a father and a grandad all in one go.

"He was a well-known part of the local area and his loss has affected many people around the community.

"We miss him so much. It still upsets me to this day and we will always remember him. Rest in peace dad."

Brian's partner Joan said: "Brian went to work on that day but didn't return home through no fault of his own.

"We had made plans for the future together but then everything was turned upside down on that day.

"My life was then a total disaster from that day."

HSE inspector John Boyle commented: "This incident could have been avoided by implementing the 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."

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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.
 4. HSE guidance on the dangers of loading and unloading vehicles safely is available.
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[Stay safe around cattle in the countryside at Easter](#)

The Easter break will see thousands of people heading into the countryside to stretch their legs and enjoy Britain's stunning scenery.

While the vast majority of walkers enjoy the countryside safely and use the extensive network of footpaths, bridleways, and public access land without any problems, going through fields where there are cattle can be hazardous.

Britain's workplace regulator, the Health and Safety Executive (HSE), is reminding both farmers and walkers to do all they can to help to keep everyone safe, particularly where cattle and countryside visitors are close together.

HSE inspector Wayne Owen said: "All large animals can be a risk to people. Even a gentle knock from a cow can result in people being crushed or falling. All cattle should be treated with respect."

Farmers have a legal responsibility to manage their herds to reduce risk to people using footpaths and other rights of way.

HSE regularly investigates incidents involving cattle and the public. A proportion of these incidents involve serious injury and sometimes death. On average, between one and two members of the public are killed each year while using public rights of way, others suffer serious injury.

Incidents in which walkers are killed or injured often involve cows with calves, or bulls. Often, those injured or killed have a dog with them.

Members of the public can find out about steps to safely enjoy the countryside and respect farming activities by following Government advice in [The Countryside Code – GOV.UK \(www.gov.uk\)](#).

Advice includes:

- Give livestock plenty of space. Their behaviour can be unpredictable, especially when they are with their young.
- Keep your dog under effective control to make sure it stays away from livestock. It is good practice wherever you are to keep your dog on a lead around livestock.
- Let your dog off the lead if you feel threatened by livestock. Releasing your dog will make it easier for you both to reach safety.

Mr Owen said: "Farmers should carefully consider the risk before putting cattle into fields with footpaths, for example cows and calves are best kept in alternative fields.

"Even docile cattle, when under stress, perhaps because of the weather, illness, unusual disturbance, or when maternal or other instincts are aroused, can become aggressive.

"Follow farming industry and HSE guidance to reduce the risk from animals and help people to enjoy your land and pass through smoothly."

Key considerations for farmers and landowners include:

- No dairy bulls should be kept in fields with public access at any time.
- Where possible avoid putting cattle, especially cows with calves, in fields with public access.
- Where there is a need to keep cattle with calves or a bull in a field with public access, do all that you can to keep animals and people separated. Consider the use of fencing (permanent or temporary e.g. electric fencing). This is particularly important at busy times or where access routes are heavily used.
- Assess the temperament of any cattle before putting them into a field with public access.
- If cattle, especially cows with calves, do need to be put into fields with public access, keep this period to a minimum.
- Position feed and water troughs away from public access routes and away from public entrances and exists to the field.
- Put in place a system to monitor any cattle in fields with public access at least on a daily basis. It may be worth recording this.
- Consider culling any animal that shows signs of aggression.
- Any animal that has shown any sign of aggression must not be kept in a field with public access.
- Clearly sign post all public access routes across the farm. Display signage at all entrances to the field stating what is in the field (cows with calves / bulls).

Notes to editors

1. HSE Guidance for England and Wales on putting cattle into fields with public rights of way / public access can be found here: [Cattle and public access in England and Wales \(hse.gov.uk\)](https://www.hse.gov.uk/cattlepublicaccess/)
1. HSE guidance for Scotland can be found here: [Cattle and public access in](https://www.hse.gov.uk/cattlepublicaccess/)

[Scotland: Advice for farmers, landowners and other livestock keepers AIS17 \(hse.gov.uk\)](#).

1. There is also guidance available from other stakeholders for visitors to the countryside and farmers / landowners eg [The Countryside Code – GOV.UK \(www.gov.uk\)](#).
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