

# Sea food processing company fined after fatality involving forklift

A sea food processing company has been fined after a worker died following injuries sustained when she was run over by a forklift

Lerwick Sheriff Court heard on 31 January 2018, that Karen Allen' an employee of QA Fish Ltd suffered significant leg injuries as a pedestrian, following a vehicular collision in Scalloway, Shetland.

A joint investigation by the Health and Safety Executive (HSE) and Police Scotland found that no site-specific workplace transport risk assessment had been carried out. The use of the forklift truck was critical for the function of the business and the company failed to provide suitable and sufficient control measures to ensure that pedestrians and vehicles could circulate in a safe manner in the exterior of the premises, particularly with regards to the forklift truck.

The company failed to implement effective arrangements for the management of health and safety and also failed to act on the advice of a health and safety consultant several years prior to the incident.

QA Fish Ltd of Blacksness Pier, Shetland have pleaded guilty to breaching Section 2(1) and Section 33(1)(a) of the Health and Safety at Work Act 1974 and have been fined £80,000, to be paid within 12 months.

Speaking after the case HSE inspector Connor Gibson said "The tragic outcome of this incident clearly highlights why dutyholders must ensure that vehicle and pedestrian movements at their work site are properly assessed and adequately controlled. This fatal incident could and should have been prevented via suitable and sufficient control measures segregating pedestrians from vehicle movements."

## **Notes to Editors:**

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. We to 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. [hse.gov.uk](http://hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>

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# Timber company fined after employee severs thumb

A timber company has been fined after an employee suffered serious injuries when his thumb came into contact with a saw blade.

High Wycombe Magistrates' Court heard that on 13 February 2019, Maceij Rudnicki, was setting up the floor mounted band resaw for a production run when his hand was drawn towards the blade with the power feed on. The thumb on his right hand was severed when it made contact with an unguarded blade.

An investigation by the Health and Safety Executive (HSE) found that Watford Timber Company Limited had failed to take the machine out of use when the guard stopped working because it did not have adequate arrangements in place to check and monitor their machines to ensure that guards and other protective devices remained in good working order.

Watford Timber Company Limited of Olds Approach, Tolpits Lane, Watford pleaded guilty to breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998 and Regulation 5 of The Management of Health and Safety at Work Regulations 1999. The company was fined £13,400 and ordered to pay costs of £5,358.05.

Speaking after the hearing, HSE inspector Nigel Fitzhugh, said: "The incident could have been easily avoided had the company taken the machine out of use and repaired the guard as soon as it became inoperable. Employers must ensure that machinery guarding is kept in good working order."

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## Construction company fined following fall from height.

Side Extensions Limited, a Hertfordshire-based construction company, has been

fined for not having safety measures in place for working at height which caused the fall and death of an 86-year-old woman.

Southwark Crown Court heard that on 2 December 2019 Mrs Iris Keys entered a construction site at St Ann's Hill, Wandsworth, London. She walked up a flight of stairs, across the first floor and fell from the edge of an unprotected stairwell. Mrs Keys suffered serious injuries including a fractured hip, fracture to her right arm, a dislocated left shoulder and lacerations to her forehead and right leg. She subsequently died from her injuries at St George's Hospital five days later.

An investigation by the Health and Safety Executive (HSE) found that Side Extensions Limited was in control of work at height and had a duty to take suitable and sufficient measures to prevent, so far as is reasonably practicable, any person falling a distance liable to cause personal injury. HSE's investigation found it would have been reasonably practicable to ensure that the entire stairwell opening had been boarded over with a suitable material before the removal of the bannisters. This would have allowed a window to be installed without risks to falls. If the stairwell needed to be reopened after installation of the window, temporary guard rails or barriers could have been installed before the board over the stairwell opening had been removed.

Side Extension Limited of Penningtons, Bishop's Stortford, Hertfordshire, pleaded guilty to breaching Regulation 6(3) of the Work at Height Regulations 2005. The company was fined £50,000 and ordered to pay costs of £10,061.86.

Speaking after the hearing, HSE inspector Saif Deen, said: "This tragic incident led to the avoidable death of an elderly lady. The case highlights the importance of following guidance and the law which requires duty holders to properly plan, manage and monitor the risks resulting from work activities at their construction sites.

"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."

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## Two men sentenced after worker suffers fatal injuries after falling through fragile roof

Two men have been fined and received suspended sentences after a worker fell over five metres through fragile roof panels suffering injuries that subsequently proved fatal.

Newcastle Crown Court heard how that on 16 November 2015, the worker was carrying out over-cladding work, involving the installation of new roofing material over an existing fragile asbestos cement roof, at an industrial building on West Chirton (South) Industrial Estate, North Shields, Tyne and Wear.

An investigation by the Health and Safety Executive (HSE) found that the method of work was unsafe and there were inadequate precautions to prevent or mitigate against falls from or through the roof as well as an effective assessment of risk, selection and use of appropriate work equipment, safe system of work and effective supervision.

Ian Blacklin of Capheaton, Newcastle upon Tyne, pleaded guilty to breaching Regulation 3(2) of the Management of Health and Safety at Work Regulations 1999, Section 3(2) of the Health and Safety at Work Act 1974 and Regulation 8(2) of the Construction (Design and Management) Regs 2015 and was sentenced to 16 months imprisonment, suspended for 18 months.

Dennis Spence of Denton, Newcastle upon Tyne, pleaded guilty to breaching Regulation 3(1) of the Management of Health and Safety at Work Regulations 1999, Regulation 4(1) of the Work at Height Regulations 2005 and Regulation 6(1) of the work at Height Regulations 2005 and was sentenced to 14 months imprisonment, suspended for 18 months with £1,800 costs.

After the hearing, HSE inspector Andrea Robbins, said: "In this case there was a significant failure to plan and manage the over-cladding of roofs over fragile roofing material.

"Roof work should only be undertaken by people who have the necessary skills knowledge and experience, assessing the associated risks, selecting and using appropriate equipment to prevent/mitigate falls and ensure effective supervision is in place."

### **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: [hsg33.pdf \(hse.gov.uk\)](http://hsg33.pdf(hse.gov.uk))
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