

# Company fined after a worker was injured by a forklift truck

A facility services company operating at Winchester prison has been fined after a worker suffered a broken leg when he was struck by a forklift truck (FLT).

Basingstoke Magistrates' Court heard that on 23 May 2019, the Gov Facility Services Limited employee was injured whilst carrying out inspections of drain covers adjacent to a workshop. He was struck by a FLT, breaking the bone in his right leg. The driver of the FLT was unloading boxes for a delivery to the canteen, his view was obscured by the load on the forks, preventing him from seeing the other employee.

An investigation by the Health and Safety Executive (HSE) into the incident found that the company had failed to carry out the appropriate risk assessment to identify and implement risk control measures to ensure vehicles and pedestrians were not working at the same time in the same place.

Gov Facility Services Limited of Albany House, Petty France, London pleaded guilty to breaching Section 2(1) and 3(1) of the Health and Safety at Work Act 1974. The company was fined £15,000 and ordered to pay costs of £7,638.

Speaking after the hearing, HSE inspector Nicola Pinckney said: "This injury was easily preventable. Planning for transport safety and implementing safe working practices should avoid such incidents.

"Workplace transport is a significant hazard and the risks must be recognised and managed. There are simple and effective measures employers can take to help keep everyone safe.

"Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required safety 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. [hse.gov.uk](https://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at:

[Workplace transport safety – A guide to workplace transport safety \(hse.gov.uk\) legislation.gov.uk/](#)

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

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## [Yorkshire businesses targeted to stop Covid advice getting lost in translation](#)

As lockdown measures are eased and businesses across Yorkshire and the Humber reopen, Work Right has created dedicated resources in multiple language versions to keep employers and workers safe from COVID-19.

Work Right in Yorkshire and the Humber provides accessible resources for both businesses and workers, which provides guidance and support on how people can remain safe as the remaining business sectors reopen, and more and more employees return to work.

These are available on the [Work Right website](#) and include [posters](#) for the workplace and a [leaflet](#) for workers in seven languages: English, Gujarati, Polish, Hungarian, Romanian, Punjabi and Urdu

The Work Right campaign is being run by the Health and Safety Executive (HSE) to remind employers and workers across the region to be mindful of the continued risk of coronavirus and encourages everyone to take an active role in stopping the spread of the virus.

Employers must continue to have COVID-secure measures in place to manage the risk of coronavirus to protect workers, customers and visitors, and need to ensure that everyone follows them. Workers should follow both the measures in place at work and the government guidelines on coronavirus outside of work. They should be aware of avoidable risks of infection, which could lead to them bringing the virus in the workplace.

Bruno Porter, Acting Head of Operations, Yorkshire and North East at the Health and Safety Executive, said: “The aim of the Work Right campaign is to highlight the need for everyone in Yorkshire and the Humber to continue to follow the advice to stop the spread of COVID-19 as lockdown restrictions are eased.

“Work Right in Yorkshire and the Humber is designed to be easily accessible

for employers and workers, presenting guidance and information in a way everyone can understand to improve safety for everyone.

“All businesses should have COVID-secure measures in place. Businesses have a legal duty to protect their workers and others from harm and this includes taking reasonable steps to control the risk and protect people from coronavirus.

“This means making business adjustments to be COVID-secure. We encourage employers to work with their staff when implementing changes, to help increase confidence with workers, customers and the local community.

“When discussing COVID-secure measures with staff, employers should think about their time outside of work, such as how they get to work, and consider this in the measures implemented. If workers have to use public transport, consider staggering start times so they can avoid busy commuting times. Or, if workers live or travel to work together could you put them on the same shift?

“We encourage workers to follow government guidelines when outside of work and to discuss their situations and ideas with their employer. There are some quite simple changes businesses can make to take COVID-secure measures a step further to help stop the spread of COVID-19.”

As part of its Work Right campaign in Yorkshire and Humber, HSE is currently carrying out spot checks and inspections on businesses to check they have COVID-secure measures in place. During the [spot checks and inspections](#) HSE will provide guidance where required but, where businesses are not managing the risk, immediate action will be taken.

For more information, please visit [workright.campaign.gov.uk/Yorkshire](https://workright.campaign.gov.uk/Yorkshire).

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2. Work Right is a campaign run by the Health & Safety Executive aimed at helping smaller businesses and workers in Britain to navigate the benefits of proportionate and effective risk management. During the COVID-19 pandemic a primary health and safety concern for all businesses has been the risk of coronavirus transmission and is one of Work Right’s primary targets to address.
3. Throughout the pandemic HSE has helped businesses create COVID-secure environments for millions of workers as they continue to perform critical roles that keep the nation running. HSE has conducted spot checks and inspections of businesses to check measures are in place, and

published guidance on making workplaces more resilient to virus transmission.

4. HSE news releases are available at [www.press.hse.gov.uk](http://www.press.hse.gov.uk). For HSE's working safely guidance see [www.hse.gov.uk/coronavirus/working-safely/index.htm](http://www.hse.gov.uk/coronavirus/working-safely/index.htm)

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## **Utilities company fined after member of the public died following fall into excavation site**

A utilities company has been fined after a member of the public suffered fatal injuries after falling into an excavation on a footpath.

Luton Crown Court, sitting at Knight's Chamber in Peterborough Cathedral, heard that on 28 May 2017 M&S Water Services (Utilities) Ltd was digging on a footpath on Devon Road, Luton to access a stop tap that needed replacing. The stop tap could not be reached by hand and so it was left protected by plastic barriers until a deep dig team could attend a few days later.

Over the bank holiday weekend, a member of the public, Matthew Wilmot, was walking home when he fell into the excavation site. His body was found the next morning.

A Health and Safety Executive (HSE) investigation found that suitable and sufficient risk assessment had not been completed. It should have identified the need for secure fencing, back filling or covering as the excavation was to be left unattended for five days and there was no easy alternative route for nearby householders.

M&S Water (Utilities) Ltd of High Town Enterprise Centre in York Street, Luton were found guilty of breaching Section 3(1) of the Health and Safety at Work Act 1974. They were fined £100,000 and ordered to pay costs of £50,238.

Speaking after the hearing, HSE inspector Alison Ashworth said: "This tragic incident could have been avoided if the risks had been properly assessed and simple precautions put in place."



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3. HSE news releases are available at <http://press.hse.gov.uk>
4. For more information on how to do a proper risk assessment, please visit: <https://www.hse.gov.uk/simple-health-safety/risk/index.htm>

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## [Company fined after worker has arm amputated following entanglement in machine](#)

Agricultural machines manufacturer Superior Machines Ltd was fined for safety breaches, after a 68-year-old worker suffered life threatening injuries when he became entangled on a manual lathe.

York Magistrates' Court heard that on 25 January 2019, the worker became entangled on either the rotating workpiece or the chuck as it rotated. He sustained extensive injuries including a punctured lung, broken neck, fractures to the back, ribs, arm and shoulder blade. He subsequently had his left arm amputated at the shoulder.

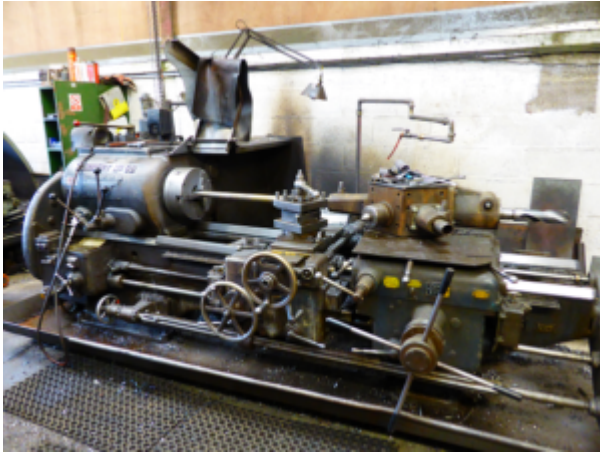
An investigation by the Health and Safety Executive (HSE) found that machinery standards across the site were poor with many machines unguarded. Three prohibition and five improvement notices were served. These included machine guarding, welfare and management issues.

Superior Machines Ltd of Pluckham Farm, Fridaythorpe, Drifffield, East Riding

of Yorkshire pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company was fined £60,000 and ordered to pay costs of £7,618.

Speaking after the hearing, HSE inspector Sarah Taylor said: "Entanglement incidents on unguarded rotating machinery are far too common.

"The worker's injuries were life changing and he could have easily been killed. This serious incident and devastation could have been avoided if basic safeguards, risk assessments, supervision and instruction had been in place."



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3. HSE news releases are available at <http://press.hse.gov.uk>[3]
4. Please see the link below to the page on HSE's website that is the best guide to doing it the right way: <https://www.hse.gov.uk/engineering/index.htm>

The post [Company fined after worker has arm amputated following entanglement in machine](#) appeared first on [HSE Media Centre](#).

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## [High school fined after child is fatally injured](#)

A high school in Chelmsford has been fined after a young child died after a locker in a changing room fell on top of him.





Chelmsford Magistrates' Court heard that on the 23 May 2019, nine-year-old Leo Latifi was fatally injured when he attended an after-school swimming lesson at the sports centre of Great Baddow High School. The incident occurred whilst he and another young child had been waiting in the boy's changing room for their lesson to start. The lockers, which had doors missing, stood prominently in the changing area provided a climbing frame to the children. As they climbed on the front of the unit it toppled forward. One child was able to jump free but tragically Leo could not and the locker fell on top of him.

An investigation by the Health and Safety Executive's (HSE) found that the locker unit, which was 180cm tall and weighed 188kg, had not been secured to the wall to prevent it from toppling over despite the unit having fixing brackets fitted as part of its structure. The court heard how several scenarios could have caused the unit to move including an adult stepping onto the lowest edge of the unit to pull at a bag stuck in a top tier locker or to clean the top the unit.

Great Baddow High School, Duffield Road, Chelmsford pleaded guilty to breaching Section 3(1) of the Health and Safety at Work Act 1974 and has been fined £16,700 and ordered to pay costs of £12,000 with a surcharge fee of £170.

After the hearing HSE inspector, Saffron Turnell, said: "This tragic incident led to the avoidable death of a young child which has, and will continue to, deeply affect his loving family, his friends and acquaintances.

"This incident could easily have been prevented had the school simply ensured the locker unit had been securely fixed to the wall, however it had failed to identify the risk associated with the potential for the unit to topple over and to put in place appropriate monitoring arrangements to ensure that it stayed secure.

"At the inquest into Leo's death last year, the jury agreed that this tragedy was significantly contributed to by a lack of appropriate assessment to a clear and obvious risk. This remained the case for around six years.

"I therefore urge all organisations to urgently check that any free-standing furniture is appropriately assessed and properly secured, if they have not

done so already.”

Leo’s family commented: “Nothing can bring back our precious Leo, and the prosecution hearing is yet another very difficult time when we will have to re-live what happened on the terrible day he died.

“Families must be sure that their children will be kept safe when they are at school, in the care of other adults and organisations. We can only hope that no one else has to suffer what we have endured these past two years since our Leo lost his life, and if the prosecution makes other schools more alert to their responsibilities in looking after equipment that could put children at risk, then that is all we can ask for right now.”

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3. HSE news releases are available at <http://press.hse.gov.uk>
4. Following the tragedy, a health and safety message was issued to HSE’s dedicated schools eBulletin list.
5. The family do not wish to be interviewed.

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