

A matter of life and death: why businesses must check their bins

Every winter, as temperatures drop, some of Britain's most vulnerable citizens seek shelter wherever they can find it. For rough sleepers, a large commercial waste bin might seem like temporary refuge from the cold. But this desperate act of survival can quickly become a death trap.

In May 2024, Vitalij Maceljuch, 36, climbed into a cardboard recycling bin behind a kitchen store in Chester seeking shelter. Hours later, the bin was collected and tipped into a waste lorry. Despite the driver following proper checking procedures (looking into the bin, calling out, and shaking it on the lorry's forks), Mr Maceljuch was not discovered until his body was found on a conveyor belt at a recycling depot in Flintshire. The coroner concluded he died from severe head and neck injuries, likely caused by being crushed.

This tragedy serves as a stark reminder that this is not a theoretical risk. It is a real and present danger that demands continued vigilance from businesses and waste collection services alike.

This video from the Environmental Services Association gives waste operatives an overview of how to check if someone may be sleeping inside or around a waste container and what to do if you do find someone:

The Health and Safety Executive (HSE) has published comprehensive guidance on [preventing people getting into large waste and recycling bins](#), developed in partnership with the Waste Industry Safety and Health (WISH) Forum. This guidance sets out simple, practical measures that can save lives.

Tim Small, HM Principal Inspector of Health and Safety for Waste and Recycling, said: "No one should die because they sought shelter from the cold. Businesses and waste collectors have a clear responsibility to implement simple checks that can prevent these entirely avoidable tragedies."

The solution lies in two fundamental approaches: preventing access to bins in the first place and checking bins before they are emptied. Neither of these measures requires significant investment or complex procedures. What they require is vigilance, particularly during the colder months when rough sleepers are most likely to seek shelter.

Businesses managing bin storage areas should review their waste-storage arrangements. These are the risk factors that increase the likelihood of tragedy:

- Bin areas that are isolated, dark, and easily accessible
- Bin lids that are unsecured and easy to open
- Storage containing dry materials like cardboard and textiles that might attract those seeking comfortable shelter

- Areas stored for long periods, unemptied and undisturbed

The [Waste Industry Safety and Health Forum's guidance](#) makes clear that waste producers and businesses managing bin storage areas have the primary responsibility for ensuring people do not get into bins. Where practicable, this means locating bins in secure areas, ensuring proper lighting, and training staff to watch for and report signs of people attempting to access bins.

Where there are signs of people getting or trying to get into bins, businesses should use appropriate bin types to minimise risks. Those with lid locks, lid-opening restrictors, fixed or lockable grilles, or other access-restrictors. These security devices must be properly maintained and used at all times. During periods of cold or wet weather, these checks become even more critical.

Employees who discover someone in a bin need to understand how people in such vulnerable circumstances are likely to behave and how to manage the situation and their own safety. There is potential for aggression or violence, and workers should not attempt to restrain anyone, especially if they try to flee. The priority is helping people get out safely and reporting the incident appropriately (including under [RIDDOR regulations](#) if there are fatalities or serious injuries requiring hospital treatment).

As we approach the coldest time of the year, every business that manages commercial waste bins should review their procedures. Recording incidents where people are found in or near bins (even when no injury occurs) and sharing this information between waste producers and collectors can help all parties assess whether their control measures are adequate and identify where improvements are needed.

These are simple measures. They cost little. But they could save a life.

Notes to editors:

- [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.
 - Full guidance: [Preventing people getting into large waste and recycling bins](#) on HSE.gov.uk
 - Industry guidance: [Waste Industry Safety and Health Forum \(WISH\) guidance on managing access to large waste and recycling bins](#) (scroll down to ref no WASTE25).
 - Watch: [Situational Awareness: People in Bins](#) (an industry awareness video for waste operatives)
 - Posters and information cards: [Awareness post.pdf](#), [Situational awareness – huddle card – fit for work](#).
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Metal polishing company fined after employee's hand crushed in machinery

A metal polishing company in Oldbury has been fined following an incident in which an employee's hand became entangled in an unguarded tube polishing machine, resulting in the amputation of one finger and severe crushing injuries to two others.

Nathan Watkins was working for FMP West Midlands Limited in Oldbury, West Midlands, on 8 July 2024, when he was loading a tube polishing machine. The machine had faulty rollers, which required Mr Watkins to lean over and straighten the metal tubes. As he did so, his left hand became entangled in the machine's unguarded cogs and chains.

Mr Watkins' left ring finger was severed to the first knuckle, his middle finger was crushed requiring an operation to have a metal rod inserted, and his index finger was crushed, requiring multiple surgeries. The 35-year-old has undergone eight surgeries and requires further operations. He has been unable to return to work since the incident.

Mr Watkins said: "I have gained some strength back in my hand, but it is very tender and painful."

An investigation by the Health and Safety Executive (HSE) found that FMP West Midlands Limited failed to prevent access to dangerous parts of machinery, namely the rotating cogs and chains on the rollers.



Tube polishing machine

HSE provides clear guidance under the Provision and Use of Work Equipment Regulations 1998 on preventing access to dangerous parts of machinery. The first consideration should be physically enclosing the dangerous part with fixed guards to prevent access, which should be securely attached and not easily removed. Further guidance can be found at HSE's website: [Safe use of work equipment. Provision and Use of Work Equipment Regulations 1998. Approved Code of Practice and guidance L22](#))

FMP West Midlands Limited, of Rood End Road, Oldbury, West Midlands, pleaded guilty to breaching regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998. The company was fined £24,000 and ordered to pay a £2000 victim surcharge and £4,073.10 in costs at Birmingham Magistrates' Court on Friday 5 December.

HSE inspector, Taila Phelan, said: "This incident was entirely preventable.

There is clear and long-standing guidance on machinery guarding to prevent access to dangerous parts. The failure to maintain proper guarding standards is not acceptable and too many workers are still being injured by machinery due to employers not taking the necessary steps to protect their employees.

“The tube polishing machine was not up to safety standards. Had FMP West Midlands Limited installed suitable guarding, this life-changing injury would not have occurred.

“The fine imposed should send a clear message to industry that HSE will not hesitate to take enforcement action against those who fail to comply with health and safety regulations.”

This prosecution was brought by HSE enforcement lawyer Edward Parton and paralegal officer Jorge Kemp.

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 [Safe use of work equipment. Provision and Use of Work Equipment Regulations 1998. Approved Code of Practice and guidance L22](#))
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](#).

Company and director sentenced after worker fell 15 feet

- Company cut corners to speed up roof repair work.
- Man fell through fragile skylight.
- Despite incident, company carried on with the job the day after.

A construction company in Hampshire has been fined £80,000 after a man fell more than 15 feet through a fragile skylight during roof repair work.

The 29-year-old sub-contractor sustained multiple fractures as a result of his fall at The Tanneries Industrial Estate in January 2024. As a result, he was unable to work for months, and has not regained full use of one leg.

J Smith Construction Services Limited had started the roof repairs at the site in Titchfield in December 2023, but the work had been progressing slowly. In an attempt to speed up the project, the company planned to work over the weekend of 13-14 January 2024 and took on extra workers to help, including the sub-contractor.



Skylight and area below

The company did not arrange for scaffolding to be erected at the open edges of the roof, nor make adequate arrangements to prevent or mitigate falls through fragile areas of the roof. As there was nothing to prevent or reduce his fall through the skylight, the man fell from the height of the roof to the solid floor below.

Despite this serious incident, J Smith Construction Services and the remaining sub-contractors returned to complete the work the following day, with no additional safety measures in place.

Working at height remains one of the leading causes of workplace injury and death and HSE has detailed guidance on working safely at height, [working safely at height](#) including roof work. [Health and safety in roof work](#)

An investigation by the Health and Safety Executive (HSE) found that the company had failed to take appropriate precautions to ensure the safety of the workers on the roof.

J Smith Construction Services Limited of Southampton, pleaded guilty to breaching The Work at Height Regulations 2005, Regulation 6(3). The company was fined £80,000 and ordered to pay costs of £2,630 at a hearing at Southampton Magistrates Court on 4 December 2025.

Company director, Mr Joseph Smith, who had been present throughout the works, pleaded guilty to Health and Safety at Work etc Act 1974, s.37(1). At the same court hearing, he was given a three-month prison sentence, suspended for 12 months, and ordered to pay costs of £2,630.

After the hearing, a HSE spokesperson said: "These sentences should send a

clear message to employers that HSE and the courts take a failure to comply with health and safety legislation extremely seriously.

“Too many workers are injured or killed every year as a result of falls from height during construction work. These incidents can be prevented if reasonably practicable measures such as scaffolding or netting are put in place to protect workers.”

This HSE prosecution was brought by HSE enforcement lawyer Karen Park and paralegal Helen Hugo.

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. 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 in Scotland can be found [here](#).

[Construction company and roofing contractor fined thousands after worker sustained life-changing injuries in fall](#)

A London based property refurbishment company, and an Essex roofing contractor have been fined after a worker fell from scaffolding and suffered life-changing injuries.

The worker was contracted as a general labourer for Premier Property and Construction Limited on a project managed by Axis Europe Limited at Cathcart Hill, London on 15 April 2024. During an unplanned lifting operation, the load became trapped. When the worker attempted to free it, the released load caused him to be pulled over the edge of the scaffold.



Image of scene

An investigation by the Health and Safety Executive (HSE) found that Premier Property and Construction Limited failed to adequately plan, manage and monitor the work, particularly regarding routine lifting operations and the use of appropriate lifting equipment and accessories.

HSE also found that Axis Europe Limited failed to properly manage and monitor the works being carried out by Premier Property and Construction Limited on its site. The principal contractor did not recognise insufficient detail on lifting operations and did not adequately challenge or prevent the use of untested lifting accessories on site.



Image of unsuitable and untested lifting accessory

HSE guidance states that contractors must plan, manage and monitor construction work under their control to ensure risks to health and safety are controlled, with effort proportionate to the project's size, complexity and risks involved. Further guidance can be found at HSE's website: [Managing health and safety in construction – Guidance on the Construction \(Design and Management\) Regulations 2015 – L153](#).

Axis Europe Limited, of Tramway Avenue, London, pleaded guilty to breaching regulation 13(1) of the Construction (Design and Management) Regulations 2015. The company was fined £640,000 and ordered to pay £4787.59 in costs and a £2000 victim surcharge at Highbury Corner Magistrates' Court on 5 December 2025.

Premier Property and Construction Limited, of Kings Lodge, London Road, Sevenoaks, Kent – trading from Thames Industrial Park, Princess Margaret Road, East Tilbury, Essex – pleaded guilty to breaching regulation 15(2) of the Construction (Design and Management) Regulations 2015. The company was fined £160,000 and ordered to pay £4787.59 in costs and a £2000 victim surcharge at Highbury Corner Magistrates' Court on 5 December 2025.

Following the hearing HSE inspector, Andrew Pipe, said: "Every year, a significant proportion of construction-related accidents, many of them serious and sometimes fatal, occur as a result of inadequately planned, managed or monitored work. This was a wholly avoidable incident. Had both companies taken appropriate measures to ensure workers' health and safety, the life-changing injuries would not have occurred."

"The fines imposed on Axis Europe Limited and Premier Property and

Construction Limited should underline to everyone in the construction industry that the courts, and HSE, take failures to follow the regulations extremely seriously. HSE will not hesitate to take action against companies which do not do all that they should to keep people safe.”

This prosecution was brought by HSE enforcement lawyer Arfaq Nabi and paralegal officer Mellisa Wardle.

Notes to editors

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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. Relevant guidance can be found here [Managing health and safety in construction – Guidance on the Construction \(Design and Management\) Regulations 2015 – L153](#)
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](#).

Roofer sentenced for refusing to co-operate with HSE

- Roofer risked lives of those working for him.
- He ignored HSE prohibition notice.
- Verbally abused inspector and failed to show at court.

A Cornish roofer has been sentenced after failing to comply with requests for information from an inspector for Britain’s workplace regulator.

The Health and Safety Executive (HSE) received a concern after workers had been observed carrying out roof replacement work without any scaffolding being in place. The regulator identified unsafe work on a domestic roof being worked on by Steven Hendry, 40, from Liskeard, leading HSE inspector, Hatti Shipp, to serve a prohibition notice against him.

As a result, further information was requested from Hendry, however, he failed to comply with the request, which was made under Section 20 of the Health and Safety at Work Act. HSE guidance states that individuals and companies must co-operate with inspections and investigations.

Hendry, trading as Apex Roofing & Property Services at the time, was verbally abusive towards the inspector. As well as ignoring the request for further information, he went on to do further work without scaffolding, completely ignoring the prohibition notice. He then chose not to attend court and a warrant was issued for his arrest.

HSE defines work-related violence as 'any incident in which a person is abused, threatened or assaulted in circumstances relating to their work'. This can include verbal abuse or threats, including face to face, online and via telephone and physical attacks. It can include violence from members of the public, customers, clients, patients, service users and students towards a person at work.

Steven Hendry, t/a Apex Roofing & Property Services of Marthus Court, Liskeard, pleaded guilty to section 20(2) of the Health and Safety at Work etc Act 1974, Section 20(c). He was fined £400 and ordered to pay costs of £3,852 at Plymouth Magistrates Court on 25 November 2025. The court also approved an application made by HSE under s.42 of HSWA for Hendry to provide the information requested by them under section 20. He has until 1 March 2026 in which to do this.

HSE Inspector, Hatti Shipp, said: "Part of our role to prevent further risk of injury is to follow-up with companies or individuals who work unsafely, ensuring they are held accountable for improving conditions for workers and demonstrating to the HSE that they have done so.

"In this case, the defendant made it impossible for us to conduct this work and confirm the safety of those he was paying to undertake roof work.

"Not only did Hendry demonstrate a flagrant disregard to HSE and its powers, he was also verbally abusive to me in the process."

This HSE prosecution was brought by HSE enforcement lawyer Daniel Pool and paralegal officer Gabrielle O'Sullivan.

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. Working at height remains one of the leading causes of workplace injury and death in the UK, with 35 people losing their lives in 2024/25. Guidance on [working safely at height](#) is available.
5. Relevant guidance on [workplace violence and aggression](#) is available.
6. 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](#).