

# Roofing contractor company fined after fatal ladder fall

An Aberdeen based roofing contractor has been fined after an employee fell to his death from a ladder while exiting a scaffold at Jute Street in the city.

Aberdeen Sheriff Court heard that on 21 September 2016, Joseph Kane, an employee of Henderson and Aitken Limited fell from the top rungs of a ladder when it slipped sideways on the scaffold. Mr Kane died of multiple injuries.

The scaffolding had been erected by Henderson and Aitken Limited employees and the ladder was tied, using a blue nylon cord, to the scaffold ledger at only the left stile.



Unsafe scaffold at  
Jute Street

A Health and Safety Executive (HSE) specialist inspector that carried out the investigation estimated the lateral movement of the ladder due to the lack of fixity was approximately 20cm.

HSE found a Henderson and Aitken Limited employee had erected the scaffold even though he was not a qualified or competent scaffolder. He had been asked to do this by the company director who was aware he was unqualified. The director then allowed three people to access the scaffold. The scaffold was not erected to the correct standard.

Henderson and Aitken Limited of 6 Balmoral Terrace, Aberdeen, AB10 6HH pleaded guilty to breaching Regulation 4 of Work at Height Regulations 2005 and Section 33(1)(c) of HSWA and was fined £53,000.

Speaking after the hearing HSE Principal Inspector Niall Miller said: "Falls from height remain one of the most common causes of work-related fatalities in this country and the risks associated with working at height are well

known.

“This tragic and preventable death highlights the need for those undertaking work at height to ensure that it is carried out safely, that industry guidance is followed and that the relevant regulations are complied with. It is vitally important that those planning and arranging for such work give sufficient regard to the risks posed to workers and members of the public through their actions.”

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

The post [Roofing contractor company fined after fatal ladder fall](#) appeared first on [HSE Media Centre](#).

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## **Lancashire furniture manufacturer fined after worker injured by machinery**

A furniture manufacturer, A and L Furnishings Ltd, has been fined after an employee was injured whilst operating unguarded machinery.

Preston Magistrates’ Court heard that on 19 March 2018, the employee had been using a horizontal drilling machine to make parts for a chair at the company site in Leyland when the fingers of his left hand came into contact with unguarded counter-rotating drill bits and became entangled. The incident caused extensive damage to his left hand, resulting in the amputation of two fingers.



The Health and Safety Executive (HSE) investigation found that it was possible for employees to reach the dangerous parts of the horizontal drilling machine when it was in operation as A and L Furnishings Ltd had failed to provide a suitable guard for the machine.

A and L Furnishings Ltd of Leyland, Lancashire pleaded guilty to breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998 and has been fined of £14,000 and ordered to pay costs of £5500.85.

Speaking after the hearing, HSE inspector Anthony Banks said:

“The dangers of unguarded machinery are well-known. If A and L Furnishings Ltd had ensured that suitable guarding was in place, then this incident would have been avoided.

“Companies should be aware that HSE will not hesitate to take enforcement action when the required standards are not met.”

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## **Man sentenced after illegal gas work in Cornish home**

A self-employed builder has been found guilty and sentenced today after conducting gas work he was not registered or competent to do and leaving it in a dangerous condition.

Plymouth Magistrates’ Court heard how in March 2018 Christopher Finley, sole director of Centreline Building Services Ltd, quoted for a kitchen re-fit which included the installation of a Liquid Petroleum Gas (LPG) hob at a property in Cornwall. He undertook this work and installed a new LPG gas hob. There was no paperwork left with the customer.

When the client found faults with the hob, she attempted to make contact with Mr Finley and requested the gas safety certificate, but no response was received. A properly registered gas engineer later inspected the work and



found it to be of poor standard and classed it as 'At Risk'. It was found that Mr Finley had left the LPG hob that he fitted in a dangerous state. He had failed to change the injectors from those fitted for natural gas to those required for LPG. There was therefore too much gas being supplied at the hob which could have resulted in a fire and explosion.

An investigation by the Health and Safety Executive (HSE) found that Mr Finley was not and never has been a member of Gas Safe Register. He was not registered or competent to undertake gas work. He should have used a registered gas engineer to undertake the gas work element of the kitchen refit.

Christopher Finley of Crockington Lane, Wolverhampton was found guilty of breaching Regulations 3(1), 3(3) and 26(1) of the Gas Safety (Installation and Use) Regulations 1998. He has been given a six month suspended sentence on each breach, ordered to do 160 hours unpaid work and ordered to pay costs of £7505.40.

Speaking after the hearing HSE inspector Simon Jones said: "Mr Finley undertook gas work which he knew he was not registered to do.

"All gas work must be done by a registered Gas Safe engineer to ensure the highest standards are met to prevent injury and loss of life."

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## **BP Exploration Operating Company Limited fined after an oil leak**

BP Exploration Operating Company Limited has today been fined following an uncontrolled release of fluids at the Sullom Voe Terminal, Mossbank, Shetland.

Lerwick Sheriff Court heard that on 13 December 2016 work was being carried out by BP Exploration Operating Company employees to drain a surge relief line connected to the Ninian pipeline system, within Sullom Voe Terminal Complex. During this procedure a hose was connected to single valve on the pipe and put, unfixed into a manhole. After draining out the water, unstabilised crude oil at high pressure flowed through the hose, which came out of a man-hole resulting in a 'loss of containment'. This was not noticed for about 30-40 minutes. During this time approximately 3.8 tonnes of extremely flammable, unstabilised crude oil spilled on to the ground.

An investigation by the Health and Safety Executive (HSE) found that between 12 November and 13 December 2012 BP Exploration Operating Company Limited had failed to take all measures necessary to prevent major accidents and to limit their consequences to persons and the environment. They failed to identify and assess the hazards and risks arising from the under-taking of a non-routine job, namely the task of draining water from a drain valve on a surge relief line.

BP Exploration Operating Company Limited, Chertsey Road, Sunbury on Thames, Middlesex pleaded guilty to breaching Regulation 4 of The Control of Major Accident Hazards Regulations 1999 and Section 33(1)(c) of the Health and Safety at Work Act etc 1974. The company was fined £400,000.

Speaking after the hearing HSE principal inspector Greg Haywood said: "This incident could so easily have been avoided by simply carrying out 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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## Groundworks company fined after security guard suffers life changing injuries

A groundworks company has been fined after a security guard suffered serious hand injuries.

Bristol Magistrates' Court heard how on 17 November 2017 at the site on Ableton Lane in Avonmouth, a plant driver employed by APK Earthmoving Limited requested the assistance of a security guard working for a separate company to remove a trailer from a bulldozer whilst the machine was operated by the driver. The security guard's right hand was trapped between a metal post and the bulldozer resulting in the amputation of his middle and ring fingers, and loss of movement in his index finger of his right hand.



An investigation by the Health and Safety Executive (HSE) found that APK Earthmoving Limited had failed to conduct its undertaking, the hire of mobile plant and driver services, in such a way that people not in its employment

were exposed to risks to their safety.

APK Earthmoving Limited of Oxfordshire pleaded guilty to breaching Section 3 (1) of The Health and Safety at Work etc. Act 1974. The company has been fined £10,000 and ordered to pay costs of £1297.00.

The injured person said: "I was off work for seven months and I still have a lot of pain in my hand. As I am right-handed my injuries have affected my writing, and there are many tasks at work and at home that I need help with. I tend to keep my hand in my pocket because I'm concerned it will affect people if they see my injuries."

Speaking after the hearing HSE inspector Berenice Ray said: "This injury could have been easily prevented if a safe system of work had been followed, with the bulldozer ignition turned off before anyone was allowed close to remove the trailer.

"Employers should make sure they properly assess risks and apply effective control measures to minimise the risk from their machinery operations."

Further information about safe techniques can be found at: [www.hse.gov.uk](http://www.hse.gov.uk)

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