

# West Midlands company fined after worker killed by forklift truck

A Birmingham manufacturer of calcium carbonate products has today been sentenced after a worker suffered fatal injuries when struck by a forklift truck.

Birmingham Magistrates' Court heard how, on 24 July 2017, Christine Workman, an employee of Minteq UK Ltd (trading as Specialty Minerals) was struck by a forklift truck whilst walking in the designated pedestrian area of the site's roadway. She suffered severe crush injuries and tragically died on 8 August 2017.

An investigation by the Health and Safety Executive (HSE) found the measures in place to separate and segregate pedestrians from vehicles were inadequate, with the designated pedestrian walkway running, unprotected, down the centre of the roadway used by vehicles.

Minteq UK Ltd of Lifford Lane, Kings Norton, Birmingham, pleaded guilty to breaching Sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974 and has been fined £200,000 and ordered to pay costs of £23,217.87.

Speaking after the case, HSE inspector Kay Brookes commented:

“Far too many people are killed and seriously injured by vehicles in the workplace every year. Provisional data for 2018-19 shows that of the 147 workers fatally injured, 30 of them were as a result of being struck by a moving vehicle. Many hundreds are left with life-changing injuries.

“The requirement to ensure adequate separation and segregation between pedestrians and vehicles is paramount. This tragic and wholly avoidable incident highlights the need for companies to comply with their legal duty to identify what can kill and seriously hurt people in their workplace and take steps to stop that happening.”

## **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](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>

## **Garden shed manufacturer fined after employee injures hand**

A garden shed manufacturer has been fined after an accident at its site in Gateshead resulted in an employee losing the tip of his right thumb and damaging tendons in his right hand.

North Tyneside Magistrates' Court heard that on 26 July 2017 the employee of David Bell, who trades as Leam Lane Garden Sheds, was using a rip saw to cut the apex of a shed. The riving knife of the rip saw was missing and during this process the employee's hand came into contact with the blade of the saw resulting in him losing the tip of his right thumb and damaging tendons in his index and middle finger on his right hand.

An investigation by the Health and Safety Executive (HSE) found the employer had not isolated the saw to prevent it from being used until it had been repaired. It also failed to ensure the employee had received suitable and sufficient training in the use of woodworking machinery.

David Bell, trading as Leam Lane Garden Sheds, of Salt Meadows Road, Gateshead pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £15,000 and ordered to pay costs of £925.90.

After the hearing, HSE inspector Victoria Crofton said: "Employers should make sure they properly assess and apply effective control measures to minimise risk from woodworking machinery, and provide the necessary information, instruction and training to their workers. They must also ensure any defective equipment cannot be used.

"Had this been done this worker would not have suffered these serious injuries."

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2. More about the legislation referred to in this case can be found at:

The post [Garden shed manufacturer fined after employee injures hand](#) appeared first on [HSE Media Centre](#).

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## **Company and director fined following worker's fatal fall from a tree**

A property investment company and its director have been fined after a worker fell from a tree causing fatal injuries.

Nottingham Crown Court heard how on 27 September 2017 untrained workers were tasked with taking down a large, dead sycamore tree on Ebers Road in Nottingham using a chain saw. One worker went up a ladder and used the saw to cut a branch, which when released swung back at the worker knocking him out of the tree. As he was not using ropes to anchor himself into the tree he then fell to the ground. The man was taken to hospital and sadly died two weeks later.

An investigation by the Health and Safety Executive (HSE) revealed that workers should have been trained in chainsaw use and in working with saws in trees. The work should also have been properly planned with competent workers using correct personal protective equipment (PPE) for operating the saws and climbing the tree.

Claudio De Falco of The Spinney, Woodthorpe, Nottingham as Director pleaded guilty to a breach of Regulation 4 (1)(c) of the Work at Height Regulations 2005. He was fined £40,000 and ordered to pay costs of £6,350.

CDF Properties Investment Ltd of Haydn Road, Nottingham pleaded guilty to a breach Regulation 4 (1)(c) of the Work at Height Regulations 2005.

The company was fined £80,000 and ordered to pay costs of £12,700.

Speaking after the hearing HSE inspector Martin Giles said:

“Using chain saws on and in trees is a specialised task and should only be carried out by trained and competent people using the right protective equipment for using the saws and climbing trees.

“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.”

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## **Employer sentenced after worker severed three fingers**

Andrew Gibson has been given a suspended jail sentence for safety breaches after a worker suffered life changing injuries.

Sheffield Magistrates' Court heard how, on 19 October 2016, an employee was using an Elektra Beckum table saw to cut down some large (2.4m x 2.4m) sheets of chipboard at a workshop in Houndhill Park, Rotherham. The worker's right hand made contact with the unguarded saw blade and three of his fingers were severed. After the incident he was taken to hospital by Mr Gibson. Two of his fingers were reattached at the hospital but the third finger was never found.



An investigation by the Health and Safety Executive (HSE) found that the worker was pushing the sheets through the saw by hand, without using an appropriate pushstick or jig which would have kept his hand and fingers away from the moving blade. At the time of the incident the crown guard and riving knife were also not fixed to the machine. The investigation also found that there was no Employer's Liability (Compulsory Insurance) policy in place.

Andrew Gibson of Lower Dolcliffe Road, Mexborough, South Yorkshire, who at the time was trading as Crosby Kitchens (a kitchen manufacturing company), pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. He was sentenced to 26 weeks in prison, suspended for 18 months, and 200 hours of unpaid work. He was also ordered to pay £17,000 compensation to the injured employee.

After the hearing, HSE inspector Jane Fox commented: "This incident could so easily have been avoided by implementing suitable control measures and safe working practices.

"Dangerous parts of machinery should be appropriately guarded as required by the legislation, in order to protect employees."

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2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)<sup>[2]</sup> Please see the link below to the page on HSE's website that is the best guide to doing it the right way:
3. <http://www.hse.gov.uk/pubns/wis16.pdf>
4. HSE news releases are available at <http://press.hse.gov.uk><sup>[3]</sup>

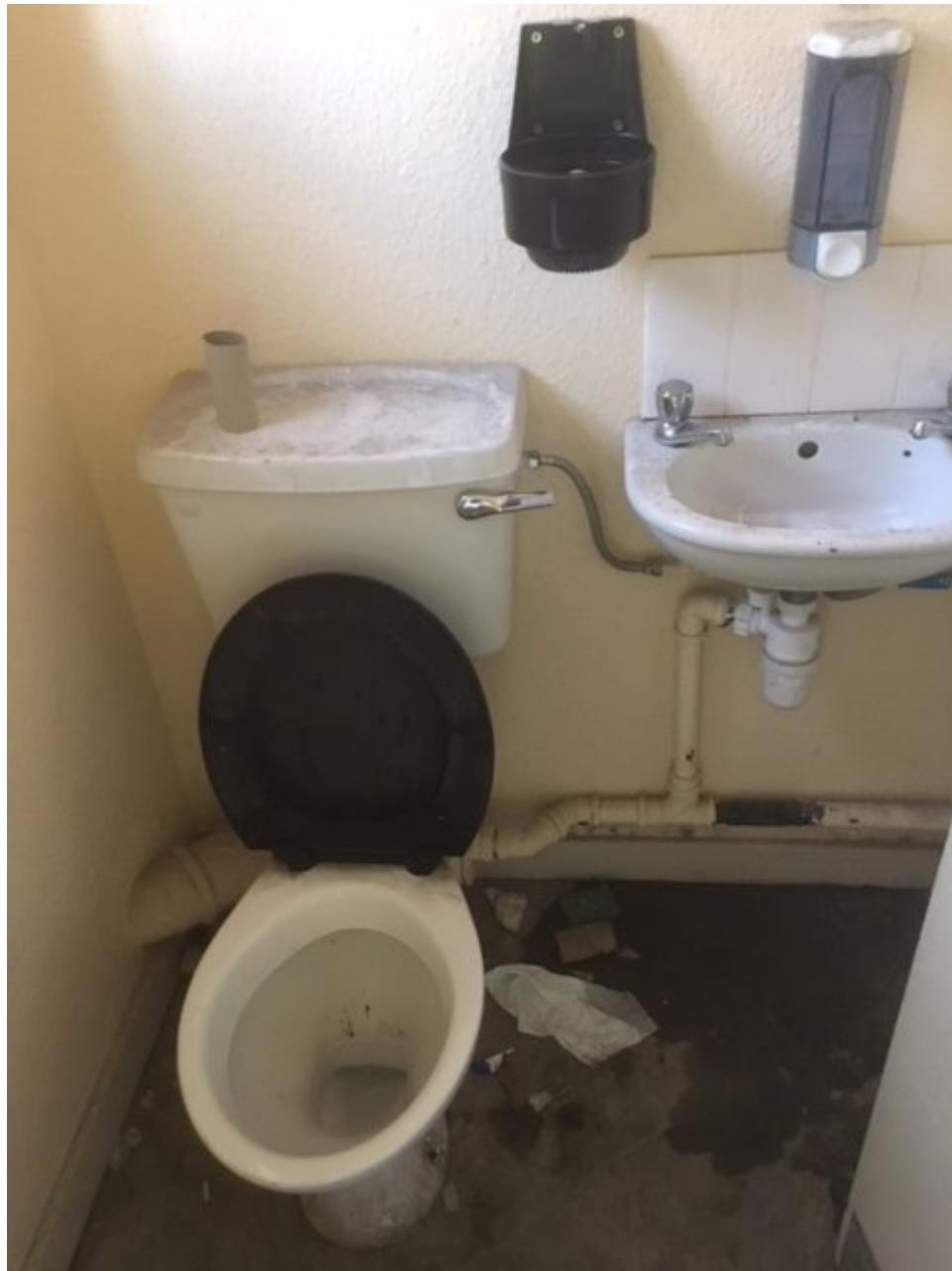
The post [Employer sentenced after worker severed three fingers](#) appeared first on [HSE Media Centre](#).

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## **Construction firm prosecuted due to inadequate welfare facilities on site**

A Stockport construction company has been prosecuted after failing to ensure suitable welfare facilities were provided for workers on site.

Manchester Magistrates' Court heard that R & S Builders (Mcr) Ltd had been issued with multiple Improvement Notices, following an inspection by a Health and Safety Executive (HSE) inspector at the company's site at Great Underbank, Stockport on 7 July 2018. The company subsequently complied with the Improvement Notices that had been served for fire safety and respiratory risks, but failed to comply with the minimum standards of health, safety and welfare on site.



An investigation by the HSE found that welfare facilities on site had been in a poor condition, in particular there being no hot or warm running water, and that the company did not provide evidence of compliance with the Improvement Notice within the deadline. R & S Builders (Mcr) Ltd was previously subject to enforcement action by HSE in 2017 that included an Improvement Notice in relation to the absence of adequate welfare provisions at a different site.

R & S Builders (Mcr) Ltd of Sovereign House, Stockport Road, Cheadle, pleaded guilty to breaching Section 21 of the Health and safety at Work etc. Act 1974 and Regulation 13(4) of the Construction (Design and Management) Regulations 2015. The company was fined £8,000 and ordered to pay costs of £1,814.90.

HSE inspector Chris Brookes-Mann said after the hearing: "Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards. Furthermore, companies that fail to comply with an Improvement Notice in the time allowed can expect to be prosecuted since this is a criminal offence in its own right regardless of the circumstances under which the original Improvement Notice was served."

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2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
3. More information on provision of welfare facilities can be found at <http://www.hse.gov.uk/pubns/cis59.pdf>
4. HSE news releases are available at <http://press.hse.gov.uk>

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