

# Road haulage company fined after worker killed

An Essex-based road haulage firm has been fined after an employee was crushed between two articulated vehicles and subsequently died from his injuries.

Southend Magistrates Court heard how an HGV driver employed by YCT Limited suffered fatal injuries when his vehicle rolled forward out of control whilst he was coupling the HGV tractor unit to a trailer.

An investigation by the Health and Safety Executive (HSE) into the incident, which occurred on 20 October 2015, found that YCT Limited failed to implement safe systems of work or monitoring arrangements to ensure that its drivers were consistently undertaking coupling and uncoupling operations safely, in line with widely available industry guidance. As a result of this, a culture developed whereby its drivers were not always applying trailer parking brakes.

YCT Limited, previously of Port Centric House, Thurrock Park Way, Tilbury, pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc Act 1974. The company has been fined £170,000 and ordered to pay costs of £6,268.80

Speaking after the case, HSE inspector Jessica Churchyard said “This tragic incident led to the avoidable death of a young man, and was caused in part by the failure of his employer to implement and monitor safe systems of work to prevent vehicle runaways.

“This death could have easily been prevented if his employer had acted to identify and manage the risks involved, and followed the industry guidance.”

## **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. [gov.uk](http://gov.uk)<sup>[1]</sup>
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk](http://legislation.gov.uk)<sup>[2]</sup>
3. HSE news releases are available at <http://press.hse.gov.uk>

Journalists should approach HSE press office with any queries on regional press releases.

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# Company fined after employee suffers serious burn injuries

A liquified petroleum gas (LPG) service provider has been fined after a worker suffered serious burn injuries when an LPG vessel ignited.

Worcester Magistrates' Court heard that on 8 June 2016 an unsecured LPG vessel that an employee was manoeuvring struck another vessel, resulting in the release of LPG at high pressure which then ignited. The S & E LPG Limited worker was caught by the flames. The fire spread to other vessels stored nearby, destroyed a workshop 10 metres away and lasted more than 24 hours.

An investigation by the Health and Safety Executive (HSE) into the offence found empty LPG vessels had not been stored correctly, on and before the date of the incident, and still had a fire and explosion risk. Well established industry standards were not followed.

HSE also found the LPG vessel had been moved from Aylesbury to Two Shires Road, Honeybourne, on 11 May 2016, while containing hundreds of litres of LPG. The vessel was not an approved container for transportation of such a large quantity of LPG. This delivery posed a significant risk of fire and explosion on a public highway.

S & E LPG Limited of Two Shires Road, Honeybourne, Evesham, Worcestershire pleaded guilty of breaching Regulation 5 of The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009 and Section 3 of the Health and Safety at Work Act 1974. The company has been fined £26,600 and ordered to pay costs of £3550.90.

Speaking after the hearing HSE Inspector Wai-Kin Liu said "The worker's injuries were life changing and he could have easily been killed. This serious incident and devastation could have been avoided if industry well established standards had been put in place".

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## Kitchen-fitting company fined after worker injured

A kitchen-fitting firm has been fined after an employee's fingers were severed whilst using an unguarded circular saw.

Liverpool Magistrates' Court heard how, on the 27<sup>th</sup> June 2016, an apprentice of Kitchencraft (Wirral) Limited was working unsupervised on an unguarded table saw when his left hand came into contact with the blade. The apprentice suffered injuries including a laceration to this thumb while two of his fingers were completely severed. Despite his fingers later being reattached, the apprentice has been left with a lasting injury to his hand resulting in him having to reassess his future career.

The Health and Safety Executive (HSE) investigation found training had not been provided to the apprentice on the safe use of the saw and he had not been appropriately supervised. The company failed to ensure a suitable guard was provided and used, or that the employee was supplied with an adequate push stick or holder to use in conjunction with the saw.

The HSE investigation also found that Kitchencraft (Wirral) Limited did not have Employers Liability Compulsory insurance in place at the time of the incident.

Kitchencraft (Wirral) Limited of Edith Road, Wallasey, Wirral, pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974 and Section 1(1) of the Employers' Liability Compulsory Insurance Act 1969.

The company was fined £2,000 and ordered to pay £1,000 in costs, the company was also ordered to pay a £17,000 compensation order.

HSE inspector Catherine Lyon said after the hearing: "Had the company in this case simply provided the appropriate guarding on the saw, this incident could have been prevented.

"Good management of health and safety applies to all duty-holders, including small companies, and every employer must ensure they have Employers Liability (Compulsory) Insurance in place. Where employers are found to be in breach of this requirement, they will be held to account by HSE."

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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)

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## Council fined after worker diagnosed with HAVS

Wrexham County Borough Council has been fined after a 57-year old man was diagnosed with Hand Arm Vibration Syndrome (HAVS).

Mold Magistrates' Court heard how the employee of the council's StreetScene department had been diagnosed with HAVS in September 2015.

An investigation by the Health and Safety Executive (HSE) found the council failed to address the issue of HAVS following an audit in February 2011 which identified a failure to assess the risk to employees from vibration. The council had developed a number of policies dating back to 2004 to tackle the risk of HAVS, however it was found these policies were not implemented.

Following the introduction of HAVS occupational health surveillance for users of vibrating tools a further eleven diagnoses of HAVS or Carpal tunnel syndrome have been reported.

Wrexham County Borough Council of the Guildhall, Wrexham pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work Act 1974.

The council has been fined £150,000 and ordered to pay costs of £10,901.35

Speaking after the hearing HSE inspector Mhairi Duffy said: "This employee now suffers from a long term, life changing illness. The council should have implemented the policy they devised following the audit in 2011.

"Workers' health should not be made worse by the work they do; all employees have the right to go home healthy at the end of the working day."

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## **HSE launches second phase of construction inspection campaign**

Construction projects across Britain are being urged to act now to ensure the health and safety of their workers is protected as the second phase of a targeted inspection initiative gets underway today.

The Health and Safety Executive (HSE) says 43 workers were fatally injured in 2015/16, and an estimated ten times that number died from construction related ill-health, with a further 65,000 self-reported non-fatal injuries.

HSE is now asking every construction contractor, client and designer to ensure they are not adding to this unacceptable toll of harm by failing to manage well-known risks.

In addition to things such as falls from height, the campaign will focus on control of harmful dusts including respirable silica from concrete, brick and stone, asbestos and wood dust, as well as work at height, structural safety, materials handling, good order and welfare provision.

HSE points to the mis-conception that health issues cannot be controlled in construction. It says harmful dust, whether silica or wood, is a serious issue and can be managed effectively with the right design, equipment and training. Health effects may not be immediate, but the ultimate impact on workers and their families can be devastating.

HSE carried out over 2000 inspections during the first phase of the initiative earlier this year with action being taken to address these issues in almost half of visits.

HSE's Chief Inspector of Construction and Director of Construction Division Peter Baker commented: "In phase 1 of this campaign HSE's inspectors found

lots of good examples of small sites working safely and protecting workers health from exposure to harmful dusts, proving it can be done. My message to smaller businesses is don't wait for an accident or a visit from an HSE inspector – learn from the success of others and act now.

“Nearly half of construction fatal accidents and injuries reported to HSE involved refurbishment work.

“Some small refurbishment sites continue to cut corners and not properly protect their workers resulting in an unacceptable number of deaths and injuries each year.”

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[www.hse.gov.uk](http://www.hse.gov.uk)
2. More information about harm in the construction industry can be found at: <http://www.hse.gov.uk/statistics/industry/construction/> HSE news releases are available at <http://press.hse.gov.uk>
3. Free HSE guidance is available for construction employers and workers at [www.hse.gov.uk](http://www.hse.gov.uk) about how to manage risks and prevent harm, as well as maintain productivity and business viability.
4. Join the conversation online at [@H\\_S\\_E](https://twitter.com/HSE) on twitter and [SaferSites](https://www.facebook.com/SaferSites) on Facebook.
5. For more information on HSE's campaigns visit:  
<http://www.hse.gov.uk/strategy/index.htm> for Helping Great Britain Work Well and <http://www.hse.gov.uk/gohomehealthy/index.htm> for Go Home Healthy.

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