

Fines for company and director after man injured during excavation work

A company and its director have been fined a combined £18,000 after a man was injured during excavation work in West Sussex.

JHE Construction and Jordan Hay-Ellis pleaded guilty to breaching health and safety laws following the incident on 23 February 2023.

The company had been contracted to complete a full barn conversion, which included the installation of a new septic tank. In order to install the tank, workers had to dig an excavation approximately three metres deep. Edward Keely, 30, along with two other men, had been tasked with doing the work at Lone Oak Farm.



The three men were working in this excavation when it collapsed

The three men were in the hole preparing to install a concrete base for the septic tank to sit on when the walls collapsed. Mr Keeley was struck by falling soil which resulted in multiple bone fractures and required for him to be dug out.

An investigation by the Health and Safety Executive (HSE) found that no precautions had been taken to prevent the collapse of the excavation, yet the men were expected to work in it.



The septic tank that the excavation was being dug to fit into

HSE guidance advises that all work of this nature should be correctly planned, including whether any temporary support structures should be used. This may also include battering the excavation sides to make it safer. You can [read more about HSE guidance here](#).

JHE Construction Limited, of Icarus Avenue, Burgess Hill, West Sussex, pleaded guilty to breaching regulation 22 (1) of The Construction (Design and Management) Regulations 2015. The company was fined £16,000 and ordered to pay £2,612 in costs at Brighton Magistrates Court on 24 March 2025.

Jodran Hay-Ellie, 33, of Icarus Avenue, Burgess Hill, West Sussex, pleaded guilty to breaching regulation 22 (1) of The Construction (Design and Management) Regulations 2015. He was fined £2,000 and ordered to pay £1,000 costs.



No precautions had been taken to prevent the collapse of the excavation, yet the men were expected to work in it

After the hearing, HSE inspector Nathan Kent said: “The risk associated with excavation collapse is well understood within the construction industry and this incident was easily foreseeable.

“All excavation work should be supported or battered back.

“Failure to do so in this case resulted in a young man sustained very serious injuries.

“HSE will not hesitate to take action against companies which do not do all they can to keep people safe.”

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 on excavations](#) is available.
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](#).

[Wales: New partner joins HSE campaign to tackle stress in workplaces across Wales](#)

The Health and Safety Executive’s (HSE) campaign aimed at preventing or combatting stress in the workplace has welcomed a new partner ahead of stress awareness month in April.

Healthy Working Wales has become the 36th organisation to join [Working Minds](#) as part of its mission to improve the health of employees across Wales.

In 2023/24, Health and Safety Executive (HSE) figures revealed that in Wales alone there are an estimated 49,000 work-related stress, depression or anxiety cases annually – equating to 800k working days lost.

Kayleigh Roberts, work-related stress policy lead at HSE, has welcomed the addition of Healthy Working Wales to help businesses access important information and tools they require.

She said: “Our statistics show that work-related stress affects many people across Great Britain and just like any other risk to health, employers have a legal duty to protect workers by including work-related stress in their risk

assessment and acting on it.

“Failing to manage stress at work can lead to reduced productivity, sickness absence, or even losing valued members of the team if they are not well enough to stay in work. Our Working Minds campaign has all the resources you need to understand what’s required and to get proactive on prevention.”

Healthy Working Wales is a free programme that aims to improve health and prevent ill-health among the working age population in Wales.

Oliver Williams, consultant in public health and speaker for Healthy Working Wales, said: “Partnering with HSE allows us to support Welsh businesses in understanding the benefits of taking action on employee health and wellbeing. Managing work-related stress effectively not only enhances workforce wellbeing but also improves performance and reduces absence.

Through initiatives like our recent joint webinar—where 82% of attendees reported feeling ready to implement their learnings—we are equipping employers with practical steps to create healthier workplaces. Together, we are committed to helping organisations create safe, supportive environments where employees can thrive.”

To watch the Healthy Working Wales and HSE webinar visit HSE’s YouTube page.

[webinar: Stress and mental health at work – what Welsh businesses need to know](#)

Or, [watch a version of the webinar with Welsh language subtitles on YouTube.](#)

To help employers to prevent stress and support workers’ mental health, HSE launched the Working Minds campaign in November 2021, providing free resources for employers and managers.

Working Minds hinges on five simple steps based on risk assessment. They are to reach out and have conversations, recognise the signs and causes of stress, respond to any risks you’ve identified, reflect on actions you’ve agreed and taken, and make it routine.

There are six main areas that can lead to work-related stress if they are not managed properly. These are: demands, control, support, relationships, role and change. Factors like skills and experience, age, or disability may all affect someone’s ability to cope.

HSE has a free online learning tool for businesses with over 12,000 people already registered with over 90% saying it was easy to use and felt they could implement what they learned in their organisation.

Helpful resources:

- [register for our free online learning](#)
- [download a risk assessment template](#)

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. During Stress Awareness Month this April, employers and managers are being invited to support the campaign and complete the five steps of Working Minds over the course of the month. To read more about HSE's Working Minds campaign click [here](#).
3. To read more about Healthy Working Wales click [here](#).
4. No matter whether you're a small business or a large corporation, the law requires all employers to prevent work-related stress to support good mental health in the workplace.
5. For press and media enquiries please contact media.enquiries@hse.gov.uk.

Fines for company and operations manager after death from 20-foot fall

- Man fell through fragile roof in Dudley
- Company, now in liquidation, does not escape criminal sanction
- Detailed guidance on both working on fragile surfaces and working at height is available from HSE.

A company and its operations manager have both been fined after a man fell to his death through a roof at its site in Dudley.

Maciej Rozanski, who was 42, had been working to remove a redundant steel cleaning machine from the company's Sovereign Works site on Deepdale Lane, on 29 June 2018. However, during the work, Mr Rozanski stepped onto a fragile roof and fell more than 20 feet to the floor below. He suffered serious injuries and was pronounced dead at the scene.



Maciej Rozanski, who was 42, had been working to remove a redundant steel cleaning machine from the company's Sovereign Works site on Deepdale Lane in Dudley

Surface Technik (Old Hill) Limited, which is now in liquidation, was found guilty following a trial earlier this week, while Robert Hammond had already entered a guilty plea, but disputed he was responsible for health and safety at the site. This prosecution was brought following an investigation by the Health and Safety Executive (HSE).

The HSE investigation found that the company began the work to remove the machinery in December 2017 and that project was led by Robert Hammond. The steel cleaning machine was housed in a corrugated steel tower on the side of the main production building which required partial dismantling in order to remove the machine. On the day of the incident, Mr Rozanski and another employee were tasked with the dismantling works. Once at the top of the tower they used an angle grinder to remove bolts holding the corrugated steel plates in place. It was during this activity that Mr Rozanski fell to his death.



Mr Rozanski stepped onto a fragile roof and fell more than 20 feet to the floor below

There was no suitable and sufficient risk assessment made for the work at height activities. The work to remove corrugated steel sheets from the disused tower was carried out at height, near to a fragile roof surface without suitable access equipment or safe working practices. The work was not properly organised, planned, appropriately supervised or carried out in a safe manner and the employees were not trained for working at height when the incident occurred.

- HSE has detailed guidance on [working safely at height](#) and also when [working on or near fragile surfaces](#).

Surface Technik (Old Hill) Limited formerly of Deepdale Lane, Dudley was found guilty by a jury of a breach of Section 2 (1) of the Health and Safety at Work etc. Act 1974 and have been fined £90,000 and ordered to pay costs of £28,956 at a hearing at Wolverhampton Magistrates Court on 21 March 2025.

Robert Hammond of Sutton Coldfield accepted that he did not take reasonable care for the health and safety of both employees when he pleaded guilty to breaching Section 7 of the Health and Safety at Work etc. Act 1974. Mr Hammond was fined £8,500 and pay the same amount in costs.

Speaking after the hearing, HSE inspector Sarah Smewin said “Working from height remains a leading cause of workplace death and injury.

“This case highlights the risks of working at height from or near to fragile roof surfaces and the importance of a risk assessment, proper planning, training and supervision of work at height and the use of suitable access equipment to ensure that the work can be carried out safely.

“It also demonstrates that placing a company into liquidation is no bar to prosecution.”

This HSE prosecution was brought by HSE enforcement lawyer Andrew Siddall and paralegal officer Gabrielle O’Sullivan.

Notes to Editors:

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 [Work at height – HSE](#); [Fragile surfaces – HSE](#)
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](#).
6. HSE will always carefully consider any insolvency process and weigh that against the public interest of prosecuting a company that breaks the law.
7. If necessary, we will take steps to prevent a company from being dissolved whilst criminal proceedings are ongoing.

[Council fined following carbon monoxide leak at primary school](#)

A Scottish local authority has been fined more than £13,000 after a carbon monoxide leak at a primary school in Bishopbriggs.

East Dunbartonshire Council pleaded guilty following the incident at Balmuildy Primary School in February 2020. A number of staff and pupils attending the school on 19 February 2020 reported feeling ill, experiencing symptoms such as headaches and nausea. Throughout the day, several pupils were sent home and staff had to take medication to relieve symptoms. The following day, testing for a gas leak revealed high levels of carbon monoxide

present in areas of the school. The building was immediately evacuated.

An investigation by the Health and Safety Executive (HSE), in conjunction with Gas Safe Register investigators, found that one of the two auxiliary gas boilers present at the site was leaking carbon monoxide into the boiler room and the school buildings. The investigation found this was due to a lack of maintenance.

Had the faults with the boiler been found prior to the incident through the required routine maintenance, it would have been classed as immediately dangerous in line with the Gas Industry Unsafe Situations Procedure (GUSP). This would have necessitated the disconnection of the gas boiler until the boiler was repaired for further use.

HSE provides free guidance to dutyholders: [Safety in the installation and use of gas systems and appliances](#). The guidance states that effective maintenance of appliances usually involves an ongoing programme of regular/periodic inspections, together with any necessary remedial work.

In the absence of specific manufacturers' instructions, effective maintenance should include as a minimum:

- examination of the physical condition and safe functioning of appliance(s);
- installation pipework;
- ventilation and any flue for deterioration;
- carrying out performance tests; and
- taking the necessary remedial action.

East Dunbartonshire Council of Strathkelvin Place, Kirkintilloch, pleaded guilty to breaching Regulation 35 of the Gas Safety (Installation and Use) Regulations 1998. The council was fined £13,333 plus a victim surcharge of £999.98 at Glasgow Sheriff Court on 20 March 2025.

Speaking after the hearing, HSE inspector Stuart Easson, said: "This is the second time in five years that East Dunbartonshire Council have been handed a significant fine for failing to protect employees and children at a primary school under their control."

"Although nobody suffered any serious adverse effects during this incident, we hope that this prosecution demonstrates that HSE will not hesitate to take action and that failures of this nature are simply not acceptable."

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[Property developer fined for multiple construction site failures](#)

A London property developer has been fined £63,000 plus costs after Britain's workplace regulator found multiple failures at a construction site in Dalston.

Nofax Enterprises Limited was investigated by the Health and Safety Executive (HSE) following four visits to its site on Dalston Lane over a 13 month period between 2020 and 2021. The company was overseeing the construction of a four storey building on the site, containing nine flats and large basement to house a youth club.

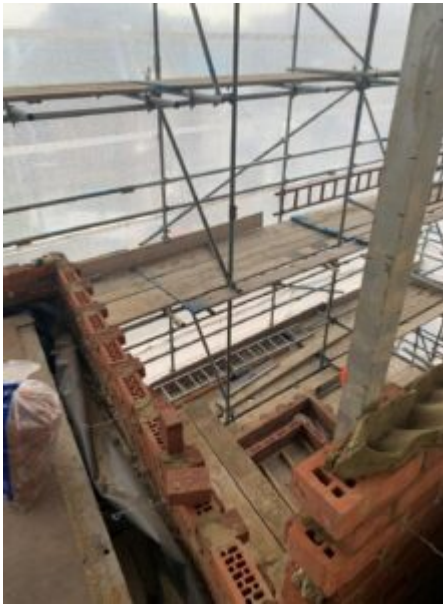


Nofax Enterprises were served with nine enforcement notices for a catalogue of failures

However, the failures identified by HSE inspectors – including multiple working at height risks, poor fire precautions and exposure to large amounts of silica dust – were so serious, that they resulted in the site being closed down on two separate occasions. Other breaches of the law included failing to protect workers from exposure to wood dust, as well as insufficient covid and welfare controls.

- Exposure to either wood or silica dust can result in very serious and life threatening health conditions, including asthma, nasal and lung

cancers, chronic obstructive pulmonary disease and silicosis. HSE provides a range of guidance for [stone workers](#) and those working with [wood](#).



Nofax Enterprises were served with nine enforcement notices for a catalogue of failures

In total, 9 enforcement notices were served against the company for the Dalston Lane site, including five prohibition notices. The subsequent HSE investigation included inspections at other sites operated by the company, identifying a poor health and safety culture and systemic management failings.

Owing to the repeated poor performance and lack of compliance to basic health and safety, Nofax Enterprises Limited, of Maldon, Essex pleaded guilty to breaches of sections 2(1) and 3(1) of the Health & Safety at Work etc. Act 1974. Following the hearing at Southwark Crown Court on 18th March 2025, the company was ordered to pay a total of £88,812.68 which included a fine of £63,000, costs of £25,622.



Nofax Enterprises were served with nine enforcement notices for a catalogue

of failures

In summing up, the judge stated that despite repeated visits by HSE and multiple notices being served, risks subsisted over a long period and the company failed to make any appropriate changes. The judge concluded by saying that there had been a systemic failure within the organisation to manage health and safety.

After the hearing, HSE inspector Gordon Nixon said: "This company showed a total disregard to keeping its workers safe.

"They failed to meet even the most basic health and safety standards, continually exposing operatives to serious risks.

"HSE will not wait until workers are seriously injured, or worse and will take appropriate action including prosecutions when health and safety regulations are so blatantly flouted."

Further information:

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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 England and Wales can be found [here](#) and for those in Scotland [here](#).