

# Recycling company fined £1.2m after worker hit by a wagon

A Yorkshire metals recycling company has been fined £1.2m after a worker was injured after being struck by a wagon at a processing site.

On 10 August 2020 an employee of CF Booth Limited was walking across the site yard in Rotherham when he was struck by a moving 32-tonne skip wagon. The man was not wearing his hi-vis jacket and did not see the wagon approaching. The wagon driver did not see the employee prior to the collision due to concentrating on manoeuvring the vehicle around some low-level skips which had been placed on the corner near where the employee was crossing the yard.

Following the incident, the man sustained a fractured skull and also fractured his collar bone in two places but has since made a full recovery.



The incident took place at CF Booth Limited's site in Rotherham

A Health and Safety Executive (HSE) investigation found that at the time of the incident the site was not organised in such a way that pedestrians and vehicles could circulate in a safe manner. A suitable and sufficient workplace transport risk assessment was not in place for the segregation of vehicles and pedestrians. The company had failed to take steps to properly assess the risks posed by the movement of vehicles and pedestrians. The incident could have been prevented by adequately assessing the risks and implementing appropriate control measures such as physical barriers and crossing points.



Every workplace must be safe for the people and vehicles using it and traffic routes must be suitable for the people and vehicles using them. HSE has guidance on [workplace transport](#) with advice on keeping traffic routes safe and separating people from vehicles.

At Sheffield Magistrates' Court on April 25 CF Booth Limited of Clarence Metal Works, Armer St, Rotherham, pleaded guilty of breaching Section 2 of the Health and Safety at Work etc. Act 1974. They were fined £1.2million and ordered to pay costs of £5,694.85.

After the hearing, HSE inspector Kirstie Durrans said: "If CF Booth Limited had assessed the risks and ensured vehicles and pedestrians could circulate in a safe manner, this incident could have easily been avoided.

"Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

This HSE prosecution was brought by HSE enforcement lawyers Karen Park and Kate Harney, and supported by paralegal officer Rebecca Forman

#### **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.
  2. More information about the [legislation](#) referred to in this case is available.
  3. Further details on the latest [HSE news releases](#) is available.
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# Awarding success: Winners of the Risk Reduction Through Design Award 2024 announced

In a bid to highlight workplace health solutions, the Health and Safety Executive (HSE) has unveiled its 2024 'Risk Reduction Through Design' awards winners, celebrating design changes that mitigate the risk of musculoskeletal disorders (MSDs) in the workplace.

The 'Risk Reduction Through Design' award 2023/24, sponsored by HSE and the [Chartered Institute of Ergonomics and Human Factors \(CIEHF\)](#), aims to spotlight design changes that reduce MSD risks across industries. MSDs encompass a range of conditions affecting the musculoskeletal system, including back pain and joint injuries.

This year marked the introduction of a new category, recognising the efforts of small to medium enterprises alongside the overall best design innovation.

**Cranswick Gourmet Pastry** has been awarded the **MSD Risk Reduction through Design Award** for its modification to their pie filling process. The design introduced the "Hopper Topper", which eradicates the need for manual lifting and decanting of heavy trays and buckets of pie fillings, reducing MSD risk from this activity and increasing productivity.



Operators at Cranswick Gourmet Pastry Ltd 'crimping' and weighing pies at the end of the line

Kent-based **MRF Contracting** has been recognised with the inaugural **Small to Medium Enterprise (SME) Recognition Award** for its creative use of a handheld crane and tool balancer tailored for its fencing installation operations. This design has substantially reduced the physical strain from lifting and hand-arm vibration (HAVS) effects on employees, promoting a healthier and more efficient working environment.

Chris Quarrie, Chartered Ergonomist and Human Factors specialist and chair of this year's judging panel, said: "We applaud both Cranswick Gourmet Pastry and MRF Contracting for their contributions towards reducing workplace MSD risks to their workers.

"These awards demonstrate how MSD risks can be designed out of daily work activities. For many workplaces, simple changes can reduce the amount of physical lifting, bending, twisting and the associated strains those

movements have on the body. Where manual handling is still necessary, innovative designs like those implemented by our winners can make all the difference when it comes to creating healthier work environments. These awards reflect the importance of engaging the employees throughout the process of designing out MSD risk.

“We are thrilled with all the nominations submitted this year. We hope that other workplaces, with the help of their employees, can consider designing out, or reducing MSD risk, with simple and cost-effective solutions.”

Speaking about their winning design solution, a Cranswick Gourmet Pastry spokesperson said: “We are thrilled that we have been awarded the prestigious MSD Risk Reduction Through Design Award 2024. This accolade serves as a testament to our ongoing commitment within our health & safety strategy to find innovative solutions aimed at eliminating and mitigating risks. This remarkable achievement is a testament to the dedication and hard work of the entire team involved in the project.”

Archie Montgomery, CEO of MRF Contracting, said: “Winning the award gives recognition to the wider MRF team, which works together to ensure that we are working in the safest, healthiest and best environment. A design as simple as this started from an employee suggestion and was developed through the office staff and our workshop fitters to deliver a solution that benefits the staff we have now and, in the future, and, with luck, other users of this tool.

“It’s a sign of recognition that we, as a company, are progressing toward creating a safer, happier environment.”

The dual awards were presented by Dr Andrew Pinder, HSE Senior Ergonomist, during CIEHF’s annual awards ceremony on 23 April 2024, where the commitment and innovation of the winning companies was celebrated.

Speaking about the awards, Iris Mynott, from CIEHF, said: “Through these recognitions, we highlight the impactful contributions of businesses in advancing workplace safety. Congratulations to our winners and all the entrants for their dedication to ergonomic improvements.”

For further details on the winners and their innovative designs, visit: <https://www.hse.gov.uk/news/msd-awards.htm>

#### **Notes to Editors:**

1. For more information on the award winners visit: <https://www.hse.gov.uk/news/msd-awards.htm>
2. More information about Chartered Institute of Ergonomics and Human Factors (CIEHF) can be found here: <https://ergonomics.org.uk/>
3. 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.

## Contractor fined after young carpenter dies

A carpentry contractor has been fined after a 22-year-old man died after he was struck by construction equipment on a building site.

On 30 October 2019, Niall McCormack from Kettering, Northamptonshire had been working for KM Carpentry Contractors Limited installing roof trusses at a new build site at Alconbury Weald, Cambridgeshire.

Both the truss packs and party wall spandrel panel had been lifted by crane onto a pair of semi-detached properties the day before the incident – temporarily supported by timber restraints.



Niall McCormack was just 22 when he was killed on a building site

Mr McCormack was working with another carpenter to remove trusses from the pack, to then spread and install across the building. As the two carpenters were in the process of spreading, the wind caught a spandrel panel, pushing it against the remaining trusses in the pack. Both the truss pack and spandrel panel fell into the work area. Niall McCormack was struck by the falling material and suffered a fatal head injury.

An investigation by The Health and Safety Executive (HSE) found that KM Carpentry Contractors Limited had failed to identify the risk of wind loading, and the effect this could have on the stability of the spandrel panel prior to being secured in place. The method statement for the installation of the spandrel panels included lifting and placing them on the

roof only after the roof trusses had been installed and permanently secured. This could not be followed as they had both been placed on the roof at the same time as the roof trusses the day before.

HSE has guidance on the [roles and responsibilities](#) for contractors who directly employ or engage construction workers or manage construction work.

At Cambridge Magistrates' Court on 25 April 2024, KM Carpentry Contractors Limited, of High Street, Higham Ferrers pleaded guilty to breaching Section 2(1) of the Health & Safety at Work etc Act.

The Company was fined £8,000 and ordered to pay £6,974 in costs.



Niall McCormack was struck by falling equipment on the site in Cambridgeshire

A family statement said: "The whole family has been badly affected by Niall's loss. One of his friends is going to Australia and we can't help thinking Niall should be here and going with him.

"Niall has lost the ability to grow up and have children of his own. He won't be getting married and all the things you do as families. He's missed out on so much, for what, going to work. No one should go to work and not come back."

After the hearing, HSE Inspector Jenny Morris said: "Our thoughts are with Niall's family, a 22-year-old who was just setting out on his career in the construction industry.

"This case highlights the importance of identifying the risks associated with a work activity and ensuring a safe system of work is devised and then followed."

The prosecution was brought by HSE enforcement lawyer Samantha Wells and paralegal officer Lucy Gallagher.



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## Company and director fined after workers exposed to asbestos

A company and its director have been sentenced after workers were exposed to asbestos and its potential harmful effects.

Inspectors from the Health and Safety Executive (HSE) visited Eye Track Limited's site in Stretford, Manchester, and found an uncontrolled spread of asbestos containing materials around the premises.



Some of the asbestos containing materials on site

HSE has recently updated its webpages on [asbestos safety](#) and in 2023 launched an awareness campaign, [Asbestos and You](#), which provides tradespeople with information about how to deal with asbestos on a job, and the personal risks from asbestos that still exist across the country today.

Earlier this year, the workplace regulator launched its [Asbestos: Your Duty](#) campaign that aims to improve understanding of what the legal duty to manage asbestos involves.



HSE attended the premises on Talbot Road in April 2019 after concerns were raised over workers unsafely working at height during the demolition of a number of units and construction of eight new residential houses.

During the inspection, HSE found significant amounts asbestos-containing materials across the site, mostly large amounts of debris associated with the breakage of asbestos-containing roof sheets from the demolished units. One unit taken down was estimated to contain 100 square metres of asbestos insulation board, 70% of which was demolished by hand and machinery.

A subsequent HSE investigation found the asbestos removal work was carried out under the direct control and instruction of Eye Track Limited director Selcuk Pinarbasi, who was fully aware of the potential dangers of asbestos. Mr Pinarbasi had some months earlier instructed a suitably qualified asbestos surveyor to carry out an asbestos demolition survey which had identified in detail the presence of both licensed and unlicensed materials throughout the site. Mr Pinarbasi was therefore fully aware of the risks the site posed from the presence of asbestos materials on his site prior to any demolition work taking place.

Eye Track Limited, of Talbot Road, Stretford, Manchester, pleaded guilty to breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £20,000 and ordered to pay £18,783.61 in costs at Manchester Crown Court on 25 April 2024.

At the same hearing. Selcuk Pinarbasi, of Bankhall Lane, Hale, Greater Manchester, pleaded guilty to breaching Section 3(1) and Section 33(1)(g), by virtue of Section 37(1), of the Health and Safety at Work etc. Act 1974. He received a custodial sentence of 20 weeks, suspended for 12 months. He was also fined £75,000 and ordered to pay costs of £18,783.61.

HSE inspector Phil Redman said: "This case highlights how such behaviour will not be tolerated under any circumstances. Lives were deliberately put at risk as profits were prioritised over safety during the uncontrolled demolition and removal of asbestos containing materials.

"Eye Track Limited and its director showed a total disregard for the health, safety and welfare of workers working under their control."

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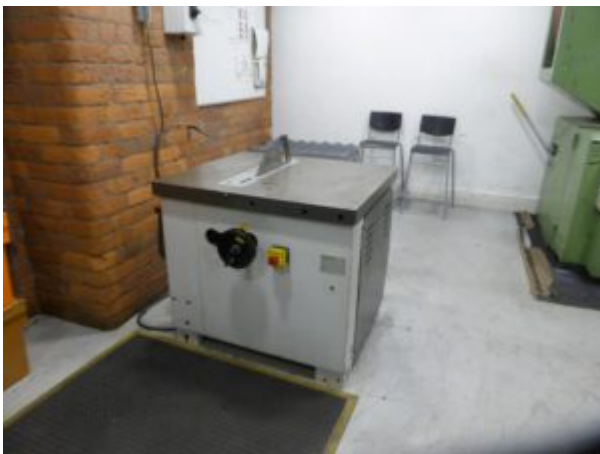
## Company fined after agency worker injured using unguarded machine

A packaging manufacturer has been fined for safety breaches after a worker received severe hand injuries at a factory in Yorkshire.

On 15 June 2020 an agency worker injured their fingers when using a table saw without a guard at Loadhog Limited's site at Hawke Street, Sheffield.

The worker, who was operating the saw, received the injuries when his fingers came into contact with a rotating saw blade. Three fingers were partially severed although they were later reattached in hospital.

A Health and Safety Executive (HSE) investigation found that the company had failed to carry out a suitable and sufficient risk assessment, resulting in a failure to provide a suitable guard, allowing access to the exposed parts of the saw blade.



HSE has guidance for people and companies who own, operate or have control over work equipment and how to [use it safely](#).

At Sheffield Magistrates' Court on 25 April, Loadhog Limited of The Hog Works, Hawke Street, Sheffield pleaded guilty to breaching Regulation 11 of the Provision and Use of Work Equipment Regulations 1998 and Regulation 3 of the Management of Health and Safety at Work Regulations 1999. They were fined £100,000 and ordered to pay £3,139.75 in costs.

After the hearing the HSE inspector Laura Hunter said: "This incident could so easily have been avoided by simply implementing the correct control measures and safe working practices.

"HSE has clear guidance on the provision and use of work equipment that can help in preventing incidents like this from happening.

"Companies should be aware that HSE will not hesitate to take appropriate

enforcement action against those that fall below the required standards.”

This HSE prosecution was brought by HSE Enforcement Lawyers Jon Mack and Kate Harney and supported by Paralegal Officer Rebecca Forman.

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