

Company director sentenced after worker sustains serious crush injuries

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The director of a construction company has been sentenced after a sub-contractor suffered serious injuries when a stack of plasterboards fell on him at a construction site in Thames Ditton, Surrey.

Brighton Magistrates' Court heard that on 12 April 2019, sub-contractors were moving sheets of plasterboard weighing 32kg each from the ground floor to the second floor of a house undergoing refurbishment. As there was no staircase in place, they were stacking the plasterboard against an unsecured ladder and sliding them up to the floor above. During the process the plasterboards fell on the worker, fracturing his pelvis.

An investigation by the Health and Safety Executive found **there was no safe system of work in place and the workers were not being adequately supervised**. The stairwell openings were not guarded and they were partially spanned with scaffold boards resting on insecure scaffold poles, creating a significant fall risk.

Siamak Samyani the sole director of SS Reforms Limited of Eastcote Avenue, West Molesey, Surrey pleaded guilty to breaching Section 37 of the Health and Safety at Work Etc Act 1974. **He was sentenced to 20 weeks in custody suspended for 12 months, fined £3,400 and ordered to pay costs of £600.**

Speaking after the hearing, HSE inspector Andrew Cousins said: "This was a wholly avoidable incident, caused by the failure of the director to devise and implement a suitable safe system of work.

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

Notes:

Section 37 of the Health and Safety at Work Etc Act 1974

37 Offences by bodies corporate.

- 1) Where an offence under any of the relevant statutory provisions committed by a body corporate is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of, **any director, manager, secretary or other similar officer** of the body corporate or a person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- 2) Where the affairs of a body corporate are managed by its members, the preceding subsection shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.