

HSE Successful Prosecution

Cumulative Cases = 19

Safe System of Work = 7

Work at Height = 5

CDM = 4

Electricity at Work = 1

Provision and Use of Work Equipment Regulations (PUWER) = 1

Gas Safe = 1

February 2023

Total Cases = 8

Safe System of Work = 2

Work at Height = 4

CDM = 1

Electricity at Work = 0

Provision and Use of Work Equipment Regulations (PUWER) = 0

Gas Safe = 1

Company fined after worker fractures back and ribs following fall

- Renka Limited, of Birmingham Road, Marlbrook, Bromsgrove, Worcestershire, pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005. The company was fined £12,000 and ordered to pay £3863.25 in costs at Birmingham Magistrates' Court on 20 February 2023.

Company and director fined after HSE inspectors find unusable toilet

- Having pleaded guilty on 18 January 2023 to breaching Section 33(1)(g) of the Health and Safety at Work etc. Act 1974, ID8 Design and Build Ltd, of Blatchington Road, Hove, East Sussex, was fined £1334 and ordered to pay costs of £1748.
- Having pleaded guilty on 18 January 2023 to breaching Section 33(1)(g) of the Health and Safety at Work etc. Act 1974 by virtue of Section 37(1) of the act, ID8 Design and Build Ltd director Adeel Bhatti, of Blatchington Road, Hove, East Sussex, was fined £416 and ordered to pay costs of £1622.07.

Exeter farmer fined after teenage worker injured on dumper

- Richard John Palfrey of Upper Kingswell Farm, Exeter pleaded guilty to breaching Section 3(1) of the Health & Safety at Work etc. Act 1974. He was fined £8,000 and ordered to pay costs of £15,324.40.

Health board fined £180,000 after patient dies

- NHS Highland, of Assynt House, Beechwood Park, Inverness, pleaded guilty to breaching Regulation 5(1) of the Management of Health and Safety at Work Regulations 1999. The health board was fined £180,000 at Inverness Sheriff Court on 31 January 2023.

Company fined £120,000 after dad fell to his death working on roof

- PTSG Electrical Services Limited, of Flemming Court, Whistler Drive, Castleford, West Yorkshire, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £120,000 and ordered to pay £5448.51 in costs at Wirral Magistrates' Court on 9 February 2023.

Company fined £20,000 for health and safety failings at building site in Alderley Edge

- Daniel Taylor Builder and Architectural Woodworker Limited, of Wheelwrights Yard, Congleton, Cheshire, pleaded guilty to breaching section 3(1) of the Health and Safety at Work Act 1974. The company was fined £20,000 following its early guilty plea, and ordered to pay £1,507.71 in costs at South Cheshire Magistrates' Court on 8 February 2023.
- David William Taylor, of New Road, Congleton, Cheshire, pleaded guilty to breaching section 37(1) of the Health and Safety at Work Act 1974. Mr Taylor, 77, was fined £10 by the district judge taking into account totality of sentencing this defendant as a director of the company, his early guilty plea, positive references and his cooperation with HSE enforcement action. He was ordered to pay £1,507.71 in costs at South Cheshire Magistrates' Court on 8 February 2023.

Plumber jailed after illegal gas work costs elderly woman over £1000

- Christopher Roland Shaw, of Stonegate Farm Close, Leeds, Yorkshire pleaded guilty to breaching Section 3(1) of the Health & Safety at Work etc Act 1974, Section 33(1)(g) of the Health & Safety at Work etc Act 1974 and Regulations 3(1) and 3(3) of the Gas Safety (Installation and Use) Regulations 1998. Mr Shaw was sentenced to 16 months in prison at Leeds Crown Court on 9 February 2023.

Two companies fined more than £380k after worker fell through roof

- STP Construction Ltd, of Woodside Walk, Whinfield Industrial Estate, Rowlands Gill, Tyne And Wear, pleaded guilty to contravening Regulation 13(1) of Construction (Design and Management) Regulations 2015. The company was fined £320,000 and ordered to pay £8,538 in costs at Oxford Magistrates' Court on 10 February 2023.
- Brackley Industrial Maintenance Ltd, of Avon Dassett, Southam, Warwickshire, pleaded guilty to contravening Regulation 9 (2) of the Work at Height Regulations. The company was fined £68,000 and also ordered to pay £8,538 in costs at Oxford Magistrates' Court on 10 February 2023.

Working at height remains one of the biggest causes of fatalities and major injuries. Common cases include falls from ladders and through fragile surfaces. 'Work at height' means work in any place where, if there were no precautions in place, a person could fall a distance liable to cause personal injury (for example a fall through a fragile roof).

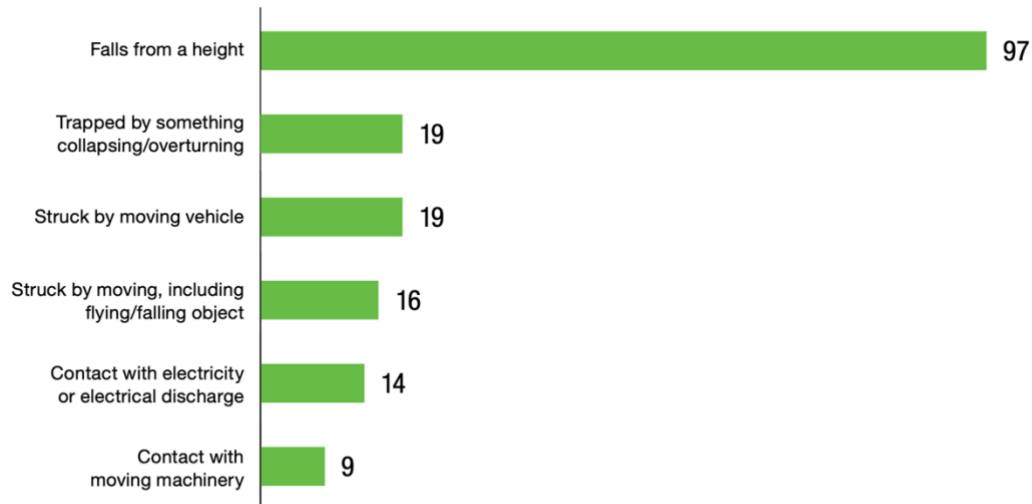


Figure 1 Falls are the biggest killer in construction (Fatal accidents in construction – 2011–2016)

Before working at height work through these simple steps:

- **avoid** work at height where it's reasonably practicable to do so
- where work at height cannot be easily avoided, **prevent** falls using either an existing place of work that is already safe or the right type of equipment
- **minimise** the distance and consequences of a fall, by using the right type of equipment where the risk cannot be eliminated

The purpose of [The Work at Height Regulations 2005](#) is to prevent death and injury caused by a fall from height. If you are an employer or you control work at height (for example facilities managers or building owners who may contract others to work at height) the Regulations apply to you.

Employers and those in control of any work at height activity must make sure work is properly planned, supervised and carried out by competent people. This includes using the right type of equipment for working at height. Low-risk, relatively straightforward tasks will require less effort when it comes to planning.

You should make sure that people with sufficient skills, knowledge and experience are employed to perform the task, or, if they are being trained, that they work under the supervision of somebody competent to do it.

Working on roofs is a hazardous activity because it involves working at height. Roof work accounts for a quarter of all deaths in the construction industry. Falls through fragile materials, such as roof lights and asbestos cement roofing sheets, account for more of these deaths than any other single cause. Not all the people killed while working on roofs are trained roofers: many people accessing roofs are maintenance workers. There are also many serious injuries, often resulting in permanent disabilities.

Roof work is an issue not just for construction companies. Other workers, such as building maintenance staff and surveyors, can also fall from or through roofs.

The advantage of using rope access methods lies mainly in the speed with which workers can get to or from difficult locations and then carry out their work, often with minimal impact on other operations. The Industrial Rope Access Trade Association (IRATA International) has in place a continuously evolving regime with procedures that members are required to follow, which are monitored for compliance to ensure a safe system of work is established and maintained.

In many cases, mobile elevating work platforms (MEWPs) provide safe and quick access to trees and a secure working platform. The Provision and Use of Work Equipment Regulations 1998 (PUWER) require the risks from using equipment at work to be prevented or controlled and specifically focuses on minimising the overturning risks associated with mobile work equipment such as MEWPs. This is particularly relevant when considering the ground, environmental and operating conditions that the MEWP may experience.

References

Working at Height – A brief guide

<https://www.hse.gov.uk/pubns/indg401.pdf>

Health and Safety in Roof Work

<https://www.hse.gov.uk/pubns/priced/hsg33.pdf>

The selection, management and use of mobile elevating work platforms

<https://www.hse.gov.uk/pubns/geis6.pdf>