



## **SUBJECT:** Fines reach new heights

**RECIPIENTS:** All Services – Including Schools

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### **MULTI-MILLION POUND FINES FOR SUPERMARKET CHAIN**



In October 2013, a contractor was called to replace the air-handling filters at a well-known supermarket chain in South Yorkshire. The contractor was working on a plant platform above a suspended ceiling, when he fell almost 3m through the ceiling, sustaining fatal injuries.

An investigation by the Principle Environmental officer for the prosecuting Council found there were no barriers or handrails to prevent falls from the platform. The area immediately in front of the access ladder was only 45cm wide, and additionally that cabling present on the platform presented a trip hazard. The supermarket chain had failed to ensure a suitable and sufficient risk assessment

had been completed, either by contractors or their own staff, at any time prior to the fatal accident.

Claims that the contractor was responsible for identifying the missing handrail were rejected by the Crown Court, and the retailer was subsequently found guilty of breaching sections 2 (1) and 3 (1) of the Health and Safety at Work Act, was fined £1.25m for each offence, and ordered to pay full costs of £65,020 to the local prosecuting council.

In a separate incident, a Hull -based Bakery has been fined £1m for breaching Section 3 (1) of the Health and Safety at Work Act, plus costs of £30,000, after an electrical contractor fell from a stepladder, which the Bakery had provided and had deemed suitable for the work activity. The Health and Safety executive (HSE) inspector found that the bakery had failed to plan the work activity, including access arrangements in the event of routine maintenance activities.



Falls from Height remain one of the most common causes of work-related fatalities, and the risks of working from height are well known. Work at height regulations require that all work at height is properly planned and appropriate access and equipment is provided.

Lincolnshire County Council's [G36 Work at height](#) policy contains advice and guidance on working at height, including the safe use and inspection of ladders and stepladders

[Working at height- A brief guide](#) can be found on the Health and Safety Executive website.

**If you require further assistance or clarification on the subject please contact:**  
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