



**SUBJECT: £933,000 Per Toe**

**RECIPIENTS: All Council Directorates**

**ISSUE DATE: Sept 2018**

**REF: HSB 119**

## Two large construction firms hit for £2.8m after worker loses toes

Two major construction firms have been fined £1.4m apiece after an agency worker, who had previously expressed concern about low staff levels, was injured when his foot was drawn into a rotating screw conveyor. The worker was standing inside the chamber when the machine automatically activated without warning pulling their foot through the mechanism resulting in three toes being amputated.



The two construction firms, which both reported turnover of more than £1bn in 2017, pleaded not guilty but were found guilty of breaching s 3(1) of the Health and Safety at Work Act. They were fined a total of £2.8m and ordered to cover costs of £101,462.

The Health and Safety Executive (HSE) inspector who led the investigation, said: "These two businesses turn over approximately £50m every two weeks so they are much larger than the 'large organisation category' set out in the [sentencing] guidelines."

### Unlimited Fines

In 2015 the sentencing guidelines changed allowing much large and proportionate fines for breaches of Health & Safety legislation, this as lead to a number of multi-million pound fines for larger companies for non-fatal accident.

For further information on sentencing guideline please see: [HSB59 New Powers on Unlimited fines](#)

**If you require further assistance or clarification on the subject please contact:** Corporate Health & Safety Advisers (see George section: Corporate > Information for Working > Risk Management > H&S Advisers)