



SUBJECT: Induction, Induction, Induction!

RECIPIENTS: All Council Services (including schools)

ISSUE DATE: March 2019

REF: HSB 136

Training failures left delivery driver with traumatic brain injury on first day of work

An agency worker who fell off a raised tail lift and suffered a brain injury on his first day in a new job had not been trained to use the equipment safely, a court was told. The 27-year-old man was working as a multi-drop delivery driver for a pallet distribution firm when the accident happened in 2017.

The company pleaded guilty to breaching s 3(1) of the Health and Safety at Work Act and has been fined £60,000. The Magistrates' Court was told that the worker was given a "brief" induction at the company's depot before starting work the same day.



However, an address on his route was incorrect and the order of 12 beer kegs was undeliverable. The worker was moving the kegs with a pallet truck to access the next load when he fell from the raised tail lift on to the road. Several kegs of beer fell and struck him, resulting in a traumatic brain injury and facial fractures that required metal plates to be inserted into his skull.

Investigating, the Health and Safety Executive (HSE) found the worker had no previous experience with the type of pallet truck or tail lift involved in the accident. He had not been trained to use the machinery safely, nor was he made aware of safe working practices for operating a pallet truck on a tail lift.

It said Distribution firm failed in its duty to carry out checks on the injured person's competence and previous experience and, as a result, did not provide adequate training. The company was ordered to pay prosecution costs of £7,203 also.

After the hearing an HSE inspector said: "Employers who use agency workers or contractors have a responsibility to firstly establish the workers' competence, [considering] their level of experience and familiarity with the work and work equipment, and then provide the appropriate level of training to ensure the work is done safely.

"If appropriate training had been provided, the life-changing injuries sustained by the agency worker could have been prevented."

[LCC G28 – Moving and Handling of Load](#)

[L2L health and safety training courses](#)

[LCC Employee Induction](#)

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)