



**SUBJECT:** The HSE are watching and enforcing

**RECIPIENTS:** All Council Directorates

**ISSUE DATE:** Nov 2019

**REF:** HSB 156

## Over £5m in fines in 4 separate prosecutions

**Case 1:-** £1.8m fine for steelmaker firm due to a lack of risk assessment which led to a "catastrophic" explosion fatally injuring 2 employees. The HSE found the company had failed to assess the risk which its employees were exposed when undertaking this task, instead a local custom and practice had developed which was not fully understood or consistently carried out by employees, exposing them to the risk of explosion.

[G1.2- Risk Assessment Guidance](#)

[LCC Risk Assessment Training](#)

**Case 2:-** £1.27m fine for a recycling firm due to a lack of guarding on dangerous equipment. An employee's arm had to be amputated below to elbow after his gloves got dragged into a powered conveyor belt whilst attempting to remove a blockage. The HSE said "this incident could have been avoided had the company ensured that system designed to keep employees away from dangerous machinery was properly maintained.

[G8 – Independent engineering Inspections](#)

[G9 – Use of Contractors](#)

**Case 3:-** £3m (reduced to 1.5m on appeal) for a care home provider following the death of one of their residents after contracting Legionnaires disease. The company were found guilty of failing to implement measure to control and monitor hot and cold water systems. The judge commented that the most likely cause was a failure to flush and disinfect pipes after refurbishment works.

[G34 – Legionella Bacteria](#)

[LCC legionella Awareness Training](#)

**Case 4:-** £650K fine Bus Firm and Council after a member of the public is killed by lorry. The person walked through a gap in two buses on to a pedestrian crossing, partly blocked by a lorry, the eight wheel lorry pulled away causing "catastrophic" and immediately fatal injuries. The bus station was going through a £8m redevelopment and the site was often congested with contractor vehicles being parked in the working part of the station. The bus firm and Council failed to prevent exposure to risk, failing to make a suitable assessment of the risk to pedestrians being stuck by construction vehicles and not taking reasonable steps to ensure contractors could work safely.

[G38 Construction Design and Management \(CDM\)](#)

[Managing Safety in Lincolnshire e-learning course](#)

**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)