

Incident details:		
Date of hearing: 3 rd October 2024.	Area: Corby.	Zone: Production area
Incident summary		
<p>Failing to implement a safe system of work cost this Company over £370,000.00. Costs excluding any personal injury claim.</p> <p>An investigation by the Health and Safety Executive (HSE) found that this Northamptonshire Bakery Company failed to ensure, so far as is reasonably practicable, the health, safety and welfare of all their employees.</p> <p>In this instance there was a failure to implement a safe system of work ensuring that machinery was isolated and then locked off during maintenance work when fixed guards would be removed.</p> <p>Incident: The bakery engineer had a finger on his right hand caught in a flour sifting machine. The then 31-year-old was assisting colleagues as they attempted to maintain the machine by clearing a blockage at the plant in Corby on 2 February 2023.</p> <p>Following removal of a guard, as the engineer assisted with the task, he checked the tension of a drive belt and his hand got pulled around the bottom pulley which resulted in the amputation of part of his right middle finger. The engineer was unaware that the machine had been switched back on.</p> <p>Additionally, HSE found that engineers were unclear on when to isolate and 'lock out tag out' machines due to an absence of adequate training and instruction – and the fact that it was custom and practice to not robustly isolate and lock off illustrated an absence of adequate supervision and monitoring.</p> <p>The Company pleaded guilty and was fined £366,000.00 and ordered to pay £5,386.00 in costs.</p>		



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Unsafe act(s)

According to the Health and Safety Executive (HSE), "If an appropriate 'lock out tag out' procedure had been produced and implemented and with suitable training, the serious injury would have been avoided."

This unnecessary incident highlights the duty on employers to ensure that there are robust procedures in place relating to maintenance activities.

In this instance multiple unsafe acts were found:

- Failing to ensure so far as is reasonably practicable, the health, safety and welfare of all employees.
- Failure to implement a safe system of work.
- Failure to provide adequate training and instruction.
- Absences of adequate supervision and monitoring.
- Unclear procedure on when to isolate and 'lock out tag out'

The law on workplace safety

As an employer, you must provide welfare facilities and a working environment that's healthy and safe for everyone in your workplace, including those with disabilities.

ALARP and SFAIRP

"ALARP" is short for "as low as reasonably practicable". "SFAIRP" is short for "so far as is reasonably practicable". The two terms mean essentially the same thing and at their core is the concept of "reasonably practicable"; this involves weighing a risk against the trouble, time and money needed to control it. Thus, ALARP describes the level to which we expect to see workplace risks controlled.

The Company pleaded guilty to breaching **Section 2(1) of the Health and Safety at Work etc Act 1974.** **The company was fined 366,666 and ordered to pay £5,386.00 costs** at the hearing at Wellinborough Magistrates Court 3 October 2024.

Legislation breached

Section 2 General duties of employers to their employees.

- (1) It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees

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Learning's – What do we need to do?

Employers are required by law to protect employees and others from harm.

As an employer, you should consider how your workers use machinery. You should also have adequate maintenance arrangements in place to ensure it remains safe to use.

What do you need to do?

- Before you or your workers use any machine, you should think about what risks may occur and how these can be managed. Check the machine is complete, with all safeguards fitted, and free from defects. The term 'safeguarding' includes guards, interlocks, two-hand controls, light guards, pressure-sensitive mats etc.
- By law, the supplier must provide the right safeguards and inform buyers of any risks ('residual risks') that could not be designed out. Users need to be aware of these and manage them.
- Make sure you identify and manage risks from badly designed safeguards. These may be inconvenient to use or easily overridden, which could encourage your workers to risk injury and break the law. If they are doing this, find out why and take appropriate action to manage this.
- Produce a safe system of work for using and maintaining the machine. Maintenance may require the inspection of critical features where deterioration would cause a risk.
- Look at any residual risks listed in the information provided with the machine. Make sure they are included in the safe system of work.
- Ensure every static machine has been installed properly and is stable (usually fixed down).

Help is available: With Safety PAL (Plan Act learn) in place and implemented, this Company would have been able to mitigate risk and repudiate claims by providing suitable and sufficient proof by:

- [Risk Management](#) and implementing control measures [and Permit to Work](#).
- Delivering information, [converting to knowledge and implementing creating skills](#).
- Equipment [pre-use checks and inspections](#).
- Workers [competence assessments](#).
- Completing regular inspections recording and resolving [any near misses, positive interventions or non-conformities immediately](#).

Brief your teams on the above alert, this will help prevent a similar occurrence in your organisation. If you need more information about the accident from the HSE:
<https://press.hse.gov.uk/2024/10/03/leading-sandwich-bread-baker-fined-after-worker-loses-finger/>

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See more at <https://yoursafetypal.com>

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