

Jedburgh firm fined after worker seriously injured in fall



A Jedburgh firm has been fined for safety failings after a worker was severely injured when he fell down a lift shaft as he was transporting a loaded cage trolley that landed on top of him. James Douglas, then 62, of Jedburgh, was working for The L S Starrett Company Ltd at its premises in Oxnam Road, Jedburgh, when the incident happened on 20 June 2013.

Jedburgh Sheriff Court heard on 28 Nov that Mr Douglas, who had worked for the company for 46 years, was transporting a loaded cage trolley, weighing around 519kg in total, from the upper level of the despatch area to the lower level using one of the three table lifts.

He saw that the lift gates were open, but the platform was not at the upper level so he moved to edge of the lift shaft to look down and see if anyone was using the lift at the lower level. However, as he looked down he lost his balance and fell down into lift shaft, landing on the platform two metres below.

The loaded cage then fell on top of him, trapping him from the top of his legs to his feet until colleagues arrived to free him. He suffered several severe fractures to his right hip and heel as well as tissue damage to his sciatic nerve, knees and lower legs, and had to undergo surgery that included the insertion of four screws in his hip.

The court heard that immediately following the incident the company prohibited the use of all the table lifts in the factory until it had carried out a full internal investigation and implemented any changes identified.

This led to the installation of interlocks and sensor switches on the lift shaft access gates, which prevented them from being open when the platform was not in position.

An investigation by the Health and Safety Executive (HSE) revealed that had The L S Starrett Company Ltd carried out a suitable risk assessment in advance it would have identified the fact that it was possible for the gates at the upper level to be opened even if the platform was at the lower level, which exposed workers to the risk of falling down the lift shaft.

There was a duty on the company to maintain safe equipment and systems of work and it would have been reasonably practicable for it to have installed interlocks and platform positioning sensors which work automatically, and are thus effective at preventing entry into an exposed lift shaft.

The lifts were subject to a thorough examination every six months, as required under legislation, but the contractor had failed to notice this issue.

The L S Starrett Company Ltd, of Oxnam Road, Jedburgh, was fined £3,000 after pleading guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974.

Following the case, HSE inspector Norman Buchanan said: "This incident could have easily been avoided if The L S Starrett Company Ltd had carried out a risk assessment, which would have identified the fact that the upper level gates could be opened when the platform was not there. It would have been reasonably practicable for the company to have installed inter-locks and platform positioning sensors, as they did later.

Such devices are considered as a standard requirement in lift installations throughout residential, industrial and commercial buildings, and their omission in this case was a critical factor in the cause of this incident. The fact that the company did install such devices afterwards shows that this was a reasonably practicable measure which they could have taken, had they done so Mr Douglas would not have suffered such serious injuries."

The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. It aims to reduce work-related death, injury and ill health. It does so through research, information and advice, promoting training; new or revised regulations and codes of practice, and working with local authority partners by inspection, investigation and enforcement.

In Scotland the Crown Office and Procurator Fiscal Service has sole responsibility for the raising of criminal proceedings for breaches of health and safety legislation. Section 2(1) of the Health and Safety at Work etc Act 1974 states: "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."