

CASE STUDY: FATAL ACCIDENT INVOLVING A DEPALLETISER



This case study outlines the prosecution of a confectionery company after an employee suffered fatal injuries when a depalletiser machine was restarted while he was still inside it.

Summary

The employee had been working on a machine that processed pallets of sweet tins. During his shift, he went on a break. Cover was provided by a colleague who was expected to carry on with his normal duties of keeping production running smoothly, though he was not always in the direct vicinity and view of the machine.

While providing break cover, the other employee responded to an alarm on the machine. He checked the error message on the control panel but could visually see the problem was caused by a broken pallet and that tins of product had fallen and blocked the machine. He cleared the blockage and then went about his other duties.

He did not see the other employee return from his break. Shortly after, the alarm sounded again and he again went to check the message on the control panel. He could see no-one inside the machine or any blockage, so restarted the machine at which point it jerked immediately stopped and the alarm sounded once again.

He then entered the machine without removing the key from the control panel and went back around to the area which had previously jammed. He saw a high vis jacket and realised that his colleague had been inside when he restarted it. Other staff tried to administer first-aid but he was pronounced dead at the scene.

The investigation found that the company had not carried out an adequate risk assessment. The investigation also discovered that a safety key device to halt the machine was available but the company had failed to ensure its employees were aware of its purpose and how to use it correctly. The company's safety breaches were compounded by the fact that the company had previously received written advice about improving guarding on a palletiser, but had not applied that advice to the machine on which the employee was killed.

Action

The company pleaded guilty to breaching Sections 2(1) of the Health and Safety at Work etc Act 1974 in that they failed to ensure the Health, Safety and Welfare of their employees, as the depalletiser was not in a safe condition to use and they failed to provide comprehensible and relevant instruction, training and supervision. They were fined £180,000 and ordered to pay £41,826.33 in costs.

Advice

The prosecuting inspector said: "This was a terrible tragedy that could have been so easily avoided. The company failed to ensure robust systems were in place to control safe entry into the depalletiser and prevent the machine being re-started whilst someone was in the danger zone.

"A family has been left without a father and a provider due to inexcusable negligence by the company. Companies should be aware HSE will not hesitate to take appropriate enforcement action against those that fall so far below the required standards."

Further information on how to ensure that risks to workers' health and safety from the use of work equipment and machinery are properly controlled can be found on the HSE website at www.hse.gov.uk