

CASE STUDY: FIRM FINED AFTER FORKLIFT OPERATOR KILLED



A large steel fabrication company based in North Yorkshire, has been fined after a forklift truck (FLT) operator was killed when the truck he was operating overturned. However, the offence to which the company pleaded guilty was not a significant cause of the fatal accident.

Teesside Crown Court heard how the 27-year-old operator was reversing the forklift truck when it struck some steps causing it to overturn. The operator was not wearing a seatbelt and suffered crush injuries which proved fatal.

An investigation by the Health and Safety Executive (HSE) into the incident which occurred on 13 March 2013 found that the business failed to manage forklift truck driving operations. They did not enforce the wearing of seat-belts or control the speed at which some FLT operators drove their trucks.

The business pleaded guilty to a non-causative breach of Regulation 5(1) of the Management of Health and Safety at Work Regulations 1999, and was fined £135,000 and ordered to pay costs of £46,020.

HSE inspector David Welsh said after the hearing: "A company has a legal duty for the health and safety of people working on its site, whether they are employees or not. They are required to assess risks, eliminate them where possible and enforce proper control measures, such as seat belt wear, by checking that safe driving practices are being followed to deal with the risks that remain.

"Sadly, in this case, the prosecution shows that the company's management of FLT driving operations and risk control measures failed which exposed employees to danger."