

RPC



Health & Safety bulletin

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The headlines...

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Fines and penalties

Hospital Trust and Manager convicted after failing to ensure patient safety

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[Read more>>](#)

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Showtime Sports Bar in Huddersfield was issued with an enforcement notice as inspections identified a number of fire hazards. [Read more>>](#)

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Cast iron pipe injures 5-year-old during work on house extension

Building work was being carried out on a house extension in Totton, when a loose pipe fell hitting a child below. [Read more>>](#)

Not guilty verdict for couple following death of gardener

Paul Marsden was working as a gardener for Mr and Mrs Prest. Tragically, he suffered a fatal accident after the quad bike he had been using to spray weedkiller on their fields crushed and asphyxiated him. [Read more>>](#)

Food safety

Hospital stay for 7-year old after restaurant's failure to ensure meal was gluten-free

A 7-year-old child suffered a severe allergic reaction after a visit to a former jungle themed restaurant, Rainforest Café on Shaftesbury Avenue. [Read more>>](#)

Fine for Asda with out-of-date cheesecakes

Inspections at an Asda store in Merseyside resulted in a prosecution after they found out-of-date products on display on its shelves. [Read more>>](#)

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[Read more>>](#)

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Consultations / Statistics / Guidance

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Hospital Trust and Manager convicted after failing to ensure patient safety

The tragic death in July 2015 of Alice Figueiredo, a 22-year-old patient at a mental health unit in Goodmayes Hospital, has highlighted critical lessons for improving the safety of patients which mental health campaigners say are all too often neglected.

The North East London Foundation NHS Trust (**NELFT**) was prosecuted for corporate manslaughter. It represented only the second time an NHS Trust had been accused of this offence (the first failed within two weeks). Ward manager, 53-year-old Benjamin Aninakwa, was also prosecuted for gross negligence manslaughter, having been in charge whilst Alice was an inpatient.

The trial took place in the Old Bailey almost ten years after the tragedy, during which time Alice's family had been pushing for prosecution. The court heard this was not Alice's first suicide attempt but her 19th, having made 18 other attempts since her admission five months earlier, each in a similar way using plastic/bin bags. The unit recognised the danger, and no plastic bags were kept in patients' rooms as a result. However, Alice was able to procure bags from the communal bathroom, despite Alice's family's warnings about this.

The case highlights the challenge for mental health providers to ensure patients, especially those with a history of self-harm or suicide attempts, to be regularly risk assessed and thoroughly reviewed with records kept detailing any steps that have been taken. Items which may be harmful should be strictly controlled with consistent, audited protocols in place. These procedures were tragically found to be lacking for Alice. There was also a question mark over Mr Aninakwa's working practices; he had recently completed a three-year performance improvement plan. In addition, there was a high turnover of agency staff on the ward.

The offence of corporate manslaughter was created to ensure companies and other organisations are held properly accountable for very serious failings resulting in death. The threshold for the Prosecution to establish liability is high. Charges are also hard to bring against an organisation such as an NHS Trust due to their complex structures. The CPS said the jury set a record for their 24-day deliberation to deliver their verdicts. Whilst NELFT was not found guilty of corporate manslaughter and Mr Aninakwa was found not guilty of gross negligence manslaughter, lesser charges were successful against both under the Health and Safety at Work etc. Act 1974 for failing to ensure patient safety.

At the sentencing hearing, the Trust was fined £565k and ordered to pay costs of £200k. When setting the fine, Judge Richard Marks KC commented that the Trust's finances were in an "absolutely parlous state" with a concern that the fine could impact on services. Mr Aninakwa was sentenced to 6 months in prison, suspended for 12 months plus 300 hours of unpaid work.

Droplight window incident results in £1m fine for Great Western Railway

In 2018, Bethan Roper tragically suffered a fatal head injury when she put her head outside of a droplight window of a moving train, and she was struck by a tree branch.

Great Western Railway (GWR) was already aware of the risk after the Rail Accident Investigation Branch issued safety recommendations in May 2017 after a similar incident in 2016 where a passenger died near Balham.

GWR produced a risk assessment in September 2017 highlighting droplight windows as one of the highest risks for passenger safety, but the Office of Rail and Road (ORR) considered the assessment to be inadequate. Unfortunately, the risk assessment was not revised and the actions identified following the assessment had not all been implemented by the time of Bethan's incident in 2018.

Further safety recommendations have since been issued, including measures to prevent passengers from placing their heads out of droplight windows.

First Great Western Limited t/a GWR pleaded guilty to breaching section 3(1) Health and Safety at Work etc. Act 1974 and Regulation 19(1) of the Railways and other Guided Transport Systems (Safety) Regulations 2006 (ROGS). GWR was fined £1m and was ordered to pay £78,444.19 in costs.

Fatal jet hose accident results in £800k fine

A father of three died on 27 December 2022 following an accident at work involving a jet hose that exploded and hit the 51-year-old in the head.

The Health and Safety Executive (HSE) carried out an investigation and identified that the company, Lanes Group Limited, had failed to implement adequate measures to protect the health, safety and welfare of its employees. This included a failure to implement a safe system of work when using the jetting system, to maintain the equipment, as well as a lack of adequate physical control measures. In addition, insufficient information regarding the appropriate supervision and training of employees had been provided.

The company was fined £800k which had been reduced from £1.2m to reflect the guilty plea.

Roof collapses and injures three workers

A 70-year-old builder was fined and given a suspended sentence following the collapse of a roof which injured three workers.

Jack Savva was working on a loft conversion when a gable wall collapsed after the roof was removed. Mr Savva had previously indicated that the works would need to be propped. However, he instructed workers to remove the supporting timbers and steels without that step being taken. This resulted in the wall falling, destroying the first floor of the house and hitting the workers.

The HSE investigation found that Mr Savva had not considered the structure appropriately and failed to ensure that it was adequately supported whilst it was in a state of temporary weakness. Mr Savva was also found to have failed to take appropriate measures to ensure the safety of his workers at that time.

Mr Savva pleaded guilty to breaching Regulation 19(1) Construction (Design and Management) Regulations 2015 and was given a two-year suspended sentence. Unfortunately for the homeowner, Mr Savva's public liability insurance was invalid, and they were left facing a £200k bill to rebuild their home.

Man crushed to death and company fined £1.5m

On 25 September 2019, Justin Day was working at Tata Steel's Port Talbot steelworks plant and was called out to resolve an issue with a large conveyor system. Whilst some of the power to the system was isolated, other parts remained live. During the works, Justin climbed onto the conveyor system, triggering sensors which activated a moving beam in one of the live sections, which fatally crushed him.

The HSE investigation determined that there was a failure to ensure the works were carried out safely, and that the company had failed to properly isolate the system before Justin was called to address the problem. The conveyor system was not adequately guarded, so access to the moving parts of the machinery was not appropriately restricted. A comprehensive risk assessment following the partial isolation should have highlighted these issues.

Tata Steel pleaded guilty to breaching sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974 and was fined £1.5m.

Reversing HGV kills worker resulting in £1m fine

Mr Warburton was making a delivery in Manchester for Bestway Northern Limited, a wholesale supplier and was acting as banksman for his colleague who was reversing the HGV. Sadly, whilst directing the vehicle, Mr Warburton was crushed between the HGV and a wall.

After carrying out its investigation, the HSE found that Bestway Northern Limited failed to undertake an adequate risk assessment of the works or provide adequate training for its workers, especially for those acting in the role of banksman. It also failed to implement a safe system of work for vehicle movements.

The HSE's guidance (which can be found [here](#)) confirms that 'nearly a quarter of all deaths involving Workplace transport occur during reversing', emphasising the importance of risks assessments and appropriate control measures so accidents such as this can be avoided.

Bestway Northern Limited pleaded guilty to breaching Regulation 2(1) of the Health and Safety at Work etc. Act 1974 and was fined £1m.

Multi-agency collaboration results in fine for ignoring fire safety

Glovers Court Ltd was undertaking a redevelopment project of a former warehouse in Preston city centre into 35 apartments when Lancashire Fire and Rescue Service (LFRS) inspected the project and identified a number of fire safety issues. LFRS prohibited use of the building, which meant that those living there had to leave.

The HSE then carried out a site visit and found the company was undertaking construction work without adequate fire safety measures being in place, including: *"no fire detection system, no means of raising the alarm in case of a fire, inadequate escape plans, and construction work had not been phased to ensure fire compartmentation was maintained throughout the project to prevent fire spreading to all floors."*

A prohibition notice was issued against Glovers Court Ltd, as well as an improvement notice which directed the company to carry out the requisite fire management design and implementation. The HSE carried out two further visits to the site and identified construction works were still ongoing, despite the prohibition notice being in place, with no action having been taken to comply with either notice.

Glovers Court Ltd was found guilty of breaching section 33(1) (c) Health and Safety at Work etc. Act 1974 by breaching Regulation 11(1) and 13(1) CDM 2015. The company was fined £165k with a costs order of £10,512.

Blatant disregard of fire safety leaves bar with £160k fine

Hellfire Entertainment Ltd.'s property, Showtime Sports Bar in Huddersfield, was visited several times by West Yorkshire Fire and Rescue Service and was issued with an enforcement notice as the inspections identified a number of issues, including no automatic fire detection in the kitchen and blocked fire exits. There was also no fire separation between the open kitchen, where there were numerous deep fat fryers, and the bar.

After failing to comply with the enforcement notice, the company was prosecuted. In handing down the fine of £160k, the Senior Fire Protection Manager, Chris Kemp, highlighted that this was the biggest fine imposed for failure to comply with an enforcement notice, and that they wanted to set a precedent to ensure that companies take their obligations in relation to fire safety seriously. The company was also ordered to pay £17,280 in costs.

Second day at work ends in tragedy as roofer falls to death through skylight

Four workers were installing over-cladding to a large industrial unit in Walsall. One of the workers, Adam Brunskill (aged 22 years), was only on his second day at work when he fell through a glass-wire skylight onto the concrete floor, some 23 feet below. Adam's injuries proved to be fatal, as he tragically passed away the following day.

The HSE investigation determined that the skylights could have either been covered or had safety netting installed below, either of which would have prevented the accident.

Proclad (Developments) Limited pleaded guilty to breaching section 3(1) Health and Safety at Work etc. Act 1974 and Regulation 9(2) of the Work at Height Regulations 2005. The company was fined £400k.

Wayne Clarey Roofing & Cladding Limited pleaded guilty to breaching section 2(1) Health and Safety at Work etc. Act 1974 and Regulation 9(2) of the Work at Height Regulations 2005 and was fined £45k. Its director, Wayne Clarey, pleaded guilty to the same offences and was sentenced to 26 weeks imprisonment, which was suspended for 18 months.

Cast iron pipe injures 5-year-old during work on house extension

On 20 July 2021, building work was being carried out on a house extension in Totton, located in close proximity to a primary school, which was only a few seconds walk away. During the excavation of a concrete floor the base of a pipe had been broken away. Whilst further works were undertaken to free a TV cable from the pipe two sections of it, weighing 45kg, fell onto the pavement below. Unfortunately, the pipe hit a passing child, causing him to sustain a fractured skull. The pipe was considered to have been installed in around 1930 and had suffered from significant corrosion.

During the investigation, the HSE reached the view that the company, Sage Homes Limited, together with its director, Jason Scorey, did not carry out an adequate risk assessment or properly assess the foreseeable risks arising from the task. With the location of the property being so close to a school, they considered that even more care should have been taken to protect the safety of the public.

Mr Scorey and his company were found guilty of breaches of Section 37 and section 3(1) of the Health and Safety at Work etc. Act 1974. Mr Scorey was fined £1,645 and the company £15k.

Not guilty verdict for couple following death of gardener

In April 2020, Paul Marsden was working as a gardener for Mr and Mrs Prest at their home in Monmouthshire. Tragically, he suffered a fatal accident after the quad bike he had been using to spray weedkiller on their fields overturned, causing him to be crushed.

Mr and Mrs Prest were accused, of breaching health and safety laws. During their trial it transpired that Mr Marsden, along with another contractor, Mr Miles, did not wear helmets when riding the quad bike, nor were they trained on how to use the vehicles properly. In addition, no daily checks or proper tyre checks were carried out. However, Mr and Mrs Prest maintained that Mr Marsden, who had worked with them for six years, was self-employed and working at his own risk. They also confirmed that he was an experienced rider, and the quad bike was in good condition.

Mr Miles' evidence at trial indicated that they were not provided with any equipment to carry out checks on the quad bike, including a pressure gauge for the tyres. One of the accident causes was deemed to be an underinflated rear nearside tyre which, combined with the load being carried by the quad bike, caused it to destabilise. The HSE also alleged that the field which was being treated was not suitable for a quad bike loaded with weedkiller.

During his evidence, Mr Prest confirmed he was "deeply shocked" when he was initially informed that he was being charged with gross negligence manslaughter. Ultimately the decision was taken to pursue health and safety charges against Mr and Mrs Prest and following a trial, the jury returned a verdict of not guilty for both of them.

Food safety

Hospital stay for 7-year-old after restaurant's failure to ensure meal was gluten-free

In 2021, David Wood Baking Ltd received a conviction and was fined £858k after an employee had an accident whilst removing filling ingredients from a paddle mixer as the machinery was unguarded. During that investigation, the HSE determined that requisite control measures were not in place, and that the specific machine had possibly been defective from as early as 2018, which is when it was installed some 3 years before. It was alleged that the machine should have been monitored and defects reported/repaired.

Despite already being put on notice of the importance of regular checks on machinery as a result of that prosecution, three further incidents happened at the company:

- The first accident took place in June 2022 and resulted in a woman requiring three surgeries and the insertion of metal plates for reconstruction after suffering two open fractures and nerve damage in her hand from getting her arm caught in a conveyor belt.
- The second incident took place in the following month, where an employee got his arm caught in a mechanical mixer for 90 minutes and had to be rescued by the fire brigade.
- The third incident happened in December 2022 and resulted in an employee losing their finger whilst operating a machine with an unprotected drive belt.

The HSE determined that not only was the training provided to the employees insufficient, but the company failed to adequately monitor its machinery and carry out requisite remediation as and when required.

The company pleaded guilty to breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations and was fined £573,344 and ordered to pay £12,288 in costs.

Asda fined after displaying out-of-date food for sale

At an Asda store in Huyton, Merseyside, Knowsley Council carried out two inspections which resulted in a prosecution after they found out-of-date products on display on its shelves. Those products included ham, corned beef and cheesecakes.

The company was found to have had inadequate processes and procedures for ensuring food was removed once it had passed its use-by date.

Asda has previously been subject to fines for similar prosecutions for selling food past its use-by date, which were brought by Derby City Council and Cornwall Council.

Asda pleaded guilty to breaching food and hygiene regulations and was fined £130k and was ordered to pay £11k in costs.

Couple prosecuted for hazardous takeaway conditions

Environmental Health Officers visited a takeaway in Newcastle, Jesmond Tandoori, three times in 2024. On the first occasion, officers reportedly found squalid conditions with no clean areas, a lack of sanitising conditions, a lack of cleaning materials and supplies were noted to be stored in dirty tubs. The inspection resulted in Jesmond Tandoori being issued with a zero-food hygiene rating. However, improvements were not seen to be made during subsequent visits. Basic requirements continue not to be met, as staff could not wash their hands in the sink as it was blocked by a bench that had been placed in front of it. Food in the fridge, including chicken, was also found to be mouldy.

The council prosecuted owners, Bina and Abu Essa of Wallsend, for five breaches of Food and Safety Hygiene standards. They were fined £533 each (following a reduction to reflect their guilty pleas), which included a £128 victim surcharge and £85 legal costs.

Deputy leader of Newcastle City Council Councillor Alex Hay said the site photos were horrific, and the poor food management was a serious risk to anyone with food allergies. In mitigation, the husband-and-wife team said they had been overwhelmed and could not cope. The business was subsequently placed under new ownership and Mrs Essa now works at the restaurant on a part-time basis.

Environmental

Farmer fined £89k for illegal waste dump

Martin Harvey, a 64-year-old from St Newlyn East, was recently prosecuted in Truro Crown Court for operating an illegal waste site which included hazardous materials such as asbestos.

Between February and July 2023, the Environment Agency visited the site and found both blue and white asbestos was being stored unlawfully together with various other forms of rubbish. Mr Harvey had also undertaken unauthorised alterations to the land, including filling in a wooded valley and watercourse as well as unlawful land development. Additionally, Mr Harvey constructed and operated an incinerator- which he appeared to have made for burning the waste – all without securing the relevant planning permissions. He was issued with warnings to cease operations as a result.

Part of his defence included statements denying the presence of asbestos, a right to burn rubbish due to an exemption, and an assertion that the works were in preparation for new agricultural structures. He also refused to confirm the sums he was paid to receive the waste other than stating that it was a "modest sum".

He pleaded guilty to one offence and was convicted of two others. He was provided with the option to either serve three months' imprisonment or repay money he had made from the unauthorised activities (£72,500), by 9 January 2026, together with the Environment Agency (EA)'s costs of £16,653.99 within one year.

EA's Sally Turberville stated "*Offenders like Harvey simply won't get away with concealing information or their assets. Waste crime can be a blight on the environment, communities and to legitimate businesses.*"

Consultations /Statistics / Guidance

HSE Launches Call for Evidence: Reviewing LOLER and PSSR for Modernisation and Clarity

On 1 October 2025, the Health and Safety Executive (HSE) announced a Call for Evidence to review the Lifting Operations and Lifting Equipment Regulations (LOLER) and Pressure Systems Safety Regulations (PSSR).

The primary objective was to gather robust evidence to inform opportunities for simplifying and streamlining regulatory processes, whilst maintaining high workplace safety standards. The review will consider current industry practices, anticipate future innovation, and will ensure regulations remain fit for purpose in a changing landscape. Stakeholder engagement is crucial to this process and ensure that practical insights form part of any amendments.

Kate Haire, HSE's Deputy Director of Direction and Policy, emphasised that the review is a targeted approach to regulatory reform, aiming to enhance clarity, modernise requirements, and reduce unnecessary compliance burdens. The intention behind the Call for Evidence is not to overhaul the frameworks, but to ensure proportionate regulation that protects workers and supports investment and innovation.

HSE's initial assessment finds that LOLER and PSSR are well-established and grounded in sound engineering principles. However, the rise of new technologies, such as those associated with net zero transitions (e.g., hydrogen), introduces novel risk profiles, necessitating an updated evidence base. The outcome of the review is awaited.

Workplace Fatalities - HSE Report 2025

The Health and Safety Executive (HSE) has published its annual statistics on work-related fatalities for the period April 2024 to March 2025, revealing that 124 workers lost their lives in workplace incidents across Great Britain. This is fourteen less than the previous year, with figures remaining broadly consistent with pre-pandemic levels. Fatalities have significantly declined from 223 in 2004/05 and 495 in 1981.

Falls from height remain the leading cause of fatal injury, accounting for 35 deaths, which is over a quarter of the total recorded. Additionally, 92 members of the public died in work-related incidents. In terms of industries, Construction (35 deaths) and agriculture, forestry and fishing (23 deaths) remain the most hazardous sectors, with agriculture, forestry and fishing recording the highest fatal injury rate per 100k workers. Waste and recycling also continue to present elevated risks.

The HSE's Chief Executive, Sarah Albon, emphasised that while Great Britain is among the safest countries to work in, each fatality is a tragedy and complacency must be avoided. She encouraged the use of HSE's free guidance to further improve workplace safety and help businesses implement safe working practices and processes.

Separately, the HSE reported 2,218 deaths from mesothelioma in 2023, a cancer linked to historic asbestos exposure. This represents a reduction of 62 from 2022 and is notably below the average of 2,508 annual deaths recorded between 2011 and 2020. Mesothelioma deaths are expected to continue declining as exposures recede. These figures exclude deaths from occupational diseases other than mesothelioma and underline the ongoing need for vigilance and robust safety measures across all sectors.

HSE Consultation: Proposed Reforms to the Control of Asbestos Regulations 2012

The HSE has launched a consultation on proposed reforms to the Control of Asbestos Regulations 2012 (CAR 2012), aiming to strengthen the management of asbestos risks in workplaces. The HSE has confirmed that around 5,000 people die every year from asbestos related diseases and that it continues to be a significant risk. The consultation responds to recommendations from the Work and Pensions Committee (WPC) and feedback from industry stakeholders, with the overarching goal of reducing ill health caused by asbestos exposure and ensuring the regulatory regime remains proportionate, clear, and effective.

Aims of the Consultation

The consultation seeks to address three main areas where further action may be needed:

1. **Ensuring independence and impartiality in the four-stage clearance process** following asbestos removal.
2. **Improving the quality of asbestos surveys** to support effective risk management.
3. **Clarifying the definition and role of Notifiable Non-Licensed Work (NNLW)** within the regulatory framework.

These aims reflect a common theme: enhancing the competence of duty holders to manage asbestos risks safely and effectively.

The consultation represents a targeted effort to refine asbestos regulation, as well as seeking to focus on independence in the clearance, survey quality, and clearer categorisation of work types. It is relevant to all stages of the asbestos system. Stakeholders are invited to provide feedback by 9 January 2026. The full consultation document can be accessed [here](#).