

Network Rail gets £1.4m fine following ORR prosecution over life-changing injuries to employee

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Network Rail has been fined £1.4 million for a health and safety breach after an investigation by the Office of Rail and Road. ORR found failings that led to a worker being crushed between the conveyor of a 25 tonne 'Superboss' ballast distributor (see image) and Kubota people carrier.

The worker suffered catastrophic and life-changing injuries to his legs and spine. He lost 12cm of bone to his left leg and 4cm to his right leg. The tendons and nerves of his right leg were also irreparably damaged, causing permanent disability.

A second worker suffered minor injuries to his wrist and shoulder from the collision.

The incident happened on 19 September 2018 on a 19 mile stretch of track between Crewe and Chester.

ORR's investigation led to it prosecuting Network Rail under the Health Safety at Work etc. Act 1974. Network Rail was fined after pleading guilty at Chester Magistrates Court yesterday (11 May 2022).

ORR found failings in Network Rail's management of the worksite, including poor planning, failure to provide adequate supervision of the works, poor communication at all levels and failure to provide adequate information, instructions and training to safety critical staff.

District Judge Sanders on sentencing Network Rail stated the subsequent accident was as a result of many layers of failure within Network Rail. Judge Sanders said there was a failure in the planning with a lack of clarity as to what was going on, failure in the supervision which was insufficiently robust, and there were operating failures by Network Rail.

ORR's HM Chief Inspector of Railways Ian Prosser CBE, said: "The injuries sustained to a Network Rail employee on 19 September 2018 were horrendous and have had a devastating impact on him and his family, to whom we offer our heartfelt sympathies.

"The incident was caused by totally inadequate supervision of the task at all levels.

"Nobody was making sure that those under their supervision had been following safe working practices, which led to this incident that could easily have been avoided."