

# Company and director fined after HSE inspectors find unusable toilet

A construction company and its director have been fined after they failed to provide suitable welfare facilities at a construction site in Belsize Park, North London.

East Sussex firm ID8 Design and Build Ltd was in charge of the site on Carlingford Road where the company was carrying out a full refurbishment of a two-storey flat into a converted house, including the erection of front and rear dormers.

A Health and Safety Executive (HSE) inspection of the site on 29 November 2021 found the welfare facilities did not comply with the minimum requirements as set out in Schedule 2 of the Construction (Design and Management) Regulations 2015; the toilet provided was not flushable and was in a room without a door or window coverings. There was no sink, no hot water, no soap and no towels – cold water only was available from a pipe in the room next to the toilet. No rest area had been set up by the company either.



The unusable toilet on site

ID8 Design and Build Ltd was then issued with an Improvement Notice by HSE requiring the firm to ensure suitable welfare facilities were available at the site. HSE guidance on welfare facilities for construction sites can be found here: [Construction: Welfare – Managing occupational health risks in construction \(hse.gov.uk\)](https://www.hse.gov.uk/construction/welfare/)

However, a second inspection by HSE on 5 January 2022 found no sufficient improvements had been made as required by the Improvement Notice issued.

At Westminster Magistrates' Court on 15 February 2023:

- Having pleaded guilty on 18 January 2023 to breaching Section 33(1)(g) of the Health and Safety at Work etc. Act 1974, ID8 Design and Build Ltd, of Blatchington Road, Hove, East Sussex, was fined £1334 and ordered to pay costs of £1748.
- Having pleaded guilty on 18 January 2023 to breaching Section 33(1)(g) of the Health and Safety at Work etc. Act 1974 by virtue of Section 37(1) of the act, ID8 Design and Build Ltd director Adeel Bhatti, of Blatchington Road, Hove, East Sussex, was fined £416 and ordered to pay costs of £1622.07.

HSE inspector Emma Bitz said: "Providing suitable and sufficient toilets is an absolute duty and there is no exception to them being provided or made available. The reality is that many of the smaller sites we inspect don't have basic facilities at all.

"Inspectors will not hesitate to take appropriate enforcement action against employers who fail to comply with an Improvement Notice. Welfare is a fundamental and basic necessity for workers. It is also required by law."

#### **Notes to Editors**

1. The [Health and Safety Executive](#) (HSE) is Britain's national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise.
2. More information about the [legislation](#) referred to in this case is available.
3. Further details on the latest [HSE news releases](#) is available.

HSE Guidance on welfare facilities for construction sites can be found here: [Construction: Welfare – Managing occupational health risks in construction \(hse.gov.uk\)](#)