

# Company fined after employees exposed to Respirable Crystalline Silica

A playground installation and landscaping contractor has been fined after failing to provide employees with adequate control measures to prevent exposure to respirable crystalline silica (RCS).

Greater Manchester Magistrates' Court heard how on 23 March 2018, the Health and Safety Executive (HSE) carried out unannounced inspection of a site at Newbank Garden Centre, Bury Road, Radcliffe. The HSE inspector served a Prohibition Notice to stop two employees of Playscape Design Ltd, using a powered tool to cut flags without any respiratory protective equipment. This put the health of the employees at risk due to exposure to RCS, which is released when silica-containing materials are cut with a powered tool.

HSE then served an Improvement Notice, requiring the company to provide adequate control from exposure to RCS. The investigation found the company did not provide evidence of compliance within the deadline and a second, similar job was completed at the same site with no adequate control measures in place.

Playscape Design Limited of Ball Grove Drive, Colne, Lancashire, pleaded guilty to breaching Regulation 7(1) of the Control of Substances Hazardous to Health Regulations 2002 and also admitted not complying with an Improvement Notice, which is an offence under Section 33(1)(g) of the Health and Safety at Work etc. Act 1974. The company was fined £20,000 and ordered to pay costs of £3,000.

HSE inspector Rebecca Hamer, said after the hearing: "The working conditions we encountered were putting the health of the employees at risk due to exposure to RCS, which is released when silica-containing materials are cut with a powered tool.

"Exposure to respirable crystalline silica can cause life-threatening diseases including silicosis and chronic obstructive pulmonary disorder (COPD), which can lead to impaired lung function, lung cancer and death. This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices.

"Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards"

## **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. [www.hse.gov.uk](http://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
  3. More information about respiratory protective equipment at work can be found at: <http://www.hse.gov.uk/pUbns/priced/hsg53.pdf>
  4. HSE news releases are available at <http://press.hse.gov.uk>

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