

# Health and Safety Executive cracks down hard on dust

HSE's inspectors across Great Britain will be targeting construction firms to check that their health standards are up to scratch during a month-long inspection initiative, starting on Monday 4 October 2021.

This year inspections will focus on respiratory risks and occupational lung disease, looking at the control measures businesses have in place to protect their workers' lungs from construction dust including silica, asbestos and wood dust. This is part of HSE's longer term health and work strategy to improve health within the construction industry.



Inspectors to focus on respiratory risks

While the primary focus will be on health during this programme of inspections, if an inspector identifies any other areas of concern, including immediate safety risks, they will take the necessary action to deal with them.

Inspectors will be looking for evidence of employers and workers knowing the risks, planning their work and using the right controls. If necessary, they will use enforcement to make sure people are protected.

The initiative will be supported by HSE's WorkRight campaign, aimed at influencing employer behaviour by encouraging builders to download free guidance and advice, increasing knowledge and capability to protect workers' health.

More than 3,500 builders die each year from cancers related to their work, with thousands more cases of ill-health and working days lost.

HSE's chief inspector of construction, Sarah Jardine, said: "Around 100 times as many workers die from diseases caused or made worse by their work than are actually killed in construction accidents.

"Our inspection initiatives ensure that inspectors are able to speak to duty holders and visit sites to look at the kind of action businesses in the

construction industry are taking right now to protect their workers' health, particularly when it comes to exposure to dust and damage to lungs. These are mature health challenges that the industry ought to be managing effectively.

“There are a few simple things that everyone can do to make sure they are protecting their health and their future. Be aware of the risks associated with activities you do every day, recognise the dangers of hazardous dust and consider how it can affect your health. We want businesses and their workers to think of the job from start to finish and avoid creating dust by working in different ways to keep dust down and wear the right protective equipment.”

HSE is being supported by the Health in Construction Leadership Group (HCLG) and Tier 1 industry contractors. Throughout October 2021, HCLG members will carry out more than 1,000 site visits to assess the effectiveness of measures in place to controls workers' exposure to respiratory risks from dust. Findings from site visits and a survey will allow industry to feed into HSE's broader commitment to improve the health of construction workers by providing HSE with a wider dataset to evaluate ongoing practices across industry.

HSE and industry Insights will support HSE's strategic plan to broaden the range and depth of future regulatory health interventions.

For more information on the programme of inspections visit the Work Right campaign

website: <https://workright.campaign.gov.uk/campaigns/construction-dust/>

Follow the campaign on [Twitter at @H\\_S\\_E](#), on [Facebook @hsegovuk](#), or on [LinkedIn](#). You can also join the conversation at #WorkRight.

To sign up for HSE's construction e-bulletin go to: [hse.gov.uk/construction/infonet.htm](https://hse.gov.uk/construction/infonet.htm)

#### **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. [hse.gov.uk](https://hse.gov.uk)
  2. HSE news releases are available at <http://press.hse.gov.uk>
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# Recycling worker sustains serious injuries to leg in machine incident

A recycling company has been fined after an employee fell through a moving conveyor belt sustaining serious crush injuries to his right leg at the Accoil Paper Recycling Limited plant in Erith.

Westminster Magistrates Court heard how, on 19 January 2018, the worker was injured whilst trying to remove contaminants from a paper load prior to it entering a baler. He sustained multiple fractures, which have left him with reduced mobility and impacted on his ability to work.

An investigation by the Health and Safety Executive found the company failed to adequately manage the risk of workers being injured while operating machinery. It was common practice for workers and supervisors to jump on and off the moving conveyor belt feeding a paper baling machine to remove contaminants.

Accoil Paper Recycling Limited of Maypole Crescent in Darent Industrial Park, Erith was found guilty of breaching Section 2 (1) of the Health and Safety at Work Act 1974. They were fined £75,000 and ordered to pay costs of £7,706.

Speaking after the hearing HSE inspector Chris McDowell said: "Those in control of work have a responsibility to devise safe methods of working and to provide the necessary information, instruction, and training to their workers on the safe system of working. Suitable supervision arrangements should also be in place to ensure that workers are following the safe system of work.

"If a suitable safe system of work had been in place prior to the incident, and supervisors were ensuring that this system was being followed, the injuries sustained by the employee could have been prevented."

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  2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
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# Construction company fined after three contractors fell from height

A construction company has been fined following an incident where three contractors fell from height suffering serious injuries.

North Somerset Magistrates' Court heard how, on 18 July 2018, three bricklayers fell approximately 2.5 metres onto a concrete floor sustaining serious injuries ranging from a broken back, a broken sternum to a swollen knee. The three workers fell through a temporary stairwell cover, which gave way underneath them because it had not been correctly fitted.

An investigation by the Health and Safety Executive (HSE) found that St Modwen Homes Limited did not have a robust system in place to ensure that the temporary stairwell cover was identified as a temporary working platform and treated as such. It failed to coordinate matters relating to the safe use of the temporary platform and it failed to plan, manage and monitor the installation, inspection, maintenance and use of the temporary working platform.

St Modwen Homes Limited of Park Point, High Street, Longbridge, Birmingham pleaded guilty to breaching the Construction (Design and Management) Regulations 2015, contravening Regulation 13(1). The company has been fined £200,000 and ordered to pay costs of £13,332.

Speaking after the hearing, HSE inspector Stephan Axt-Simmonds said: "Falls from height remain one of the most common causes of work-related fatalities in this country and the risks associated with working at height are well known. This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices. Temporary stairwell covers need to be inspected the same as any other working platforms.

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



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## [Contractor prosecuted after spot check reveals multiple breaches](#)

A construction contractor has been fined after multiple health and safety issues were identified during a proactive Covid spot check at a site in Manchester.

Manchester Magistrates' Court heard that on 9 July 2020, a HSE inspector performed a proactive Covid-19 spot check at a construction site in the city.

During the inspection, a host of safety issues were identified including working at height, welfare, Covid-19, site security, and electricity. The principal contractor was served with a Prohibition Notice and two Improvement Notices.

A return inspection was made on the 17 August 2020, after very little communication from the principal contractor. Little or no improvements had been made regarding the issues and additional enforcement action was required, including a further Prohibition Notice regarding an unsupported excavation.

It was subsequently established that the contractor had failed to comply with any of the Improvement Notices HSE had served.

Principal contractor Umar Akram Khatab, now resident in Hollingwood Lane, Bradford, pleaded guilty to breaches of Section 21 of the Health & Safety at Work etc. Act 1974 and Regulation 13(1) of the Construction (Design and Management) Regulations 2015. He was sentenced to a 12-month community order. He was also ordered to pay £3,000 towards costs and a victim surcharge of £95.

Speaking after the hearing, HSE inspector Rebecca Vaudrey said: "HSE prides itself on being a proportionate and evidence-based regulator. Since the beginning of the pandemic HSE has carried out more than 316,000 Covid spot checks, with the priority to urgently make workplaces safe from transmission risks, rather than heavy-handed enforcement.

"These checks have demonstrated that the majority of employers want to do the right thing to ensure their workers go home safe and well.

"This is the first prosecution to arise from the Spot Check programme. We've repeatedly stressed that prosecution is a last resort, but this case clearly illustrates that where there is consistent disregard to Covid or other risks to employees' health and safety, HSE will use its powers to take action."

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2. More about the legislation referred to in this case can be found at: [Construction – Health and safety for the construction industry \(hse.gov.uk\)](http://hse.gov.uk/construction-health-and-safety-for-the-construction-industry)
3. HSE news releases are available at <http://press.hse.gov.uk>

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## **[Recycling company fined for poor health and safety management](#)**

A waste and recycling company has been fined after HSE inspectors discovered widespread poor management of health and safety risks at their site in West Drayton, London.

Westminster Magistrates Court heard that, on 21 March 2019, inspectors attended Iver Recycling (UK) Limited, Holloway Lane, West Drayton, to carry

out a routine inspection, where they discovered widespread risk to employees and poor health and safety management of the site.

HSE revisited the site on 1 April 2019 with electrical engineering, mechanical engineering and civil engineering specialists to assess the site. In total, HSE issued nine Prohibition Notices and seven Improvement Notices. Conditions were so bad that an investigation was conducted to help understand the underlying causes of the conditions seen. The investigation concluded that a lack of competent advice, risk assessment and poor management had led to deterioration of conditions on site, despite previous enforcement being issued by HSE.

Iver Recycling (UK) Limited failed to appear at the hearing on 16 September 2021, and the case was heard in their absence. The court found that HSE's case, a breach of Health and Safety at Work etc. Act 1974 Section 2(1) had been proved. The company were issued with a £200,000 fine and order to pay cost of £7,125.72 and the victim surcharge of £170.

Following the hearing, HSE inspector Sarah Pearce said: "Companies should be aware that if they fail to operate their businesses in a manner which protects the health and safety of those who work there, HSE will pursue those responsible to the highest possible level. The conditions seen at this site



should not occur in 21st-century Britain."

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2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](https://www.legislation.gov.uk/)<sup>[2]</sup>
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