

# HSE targets construction workers' lung health with nationwide inspection campaign

Failure to prevent life-threatening diseases caused by dust at work is unacceptable, says the Health and Safety Executive (HSE), as it gears up for a summer targeting construction sites across Great Britain.

Supported by HSE's *Dust Kills* campaign, which provides free advice to businesses and workers on the control measures required to prevent exposure to dust, the inspections throughout May, June and July will focus on respiratory risks from exposure to dust.

Each year in the construction industry, there are thousands of preventable cases of irreversible lung disease due to past exposure to dust at work. These diseases often have a life-changing impact and can result in an early death.



HSE's chief inspector of construction, Michael Thomas, said: "Every year we see construction workers die from diseases caused or made worse by their work. This is unacceptable in the 21<sup>st</sup> century, when occupational lung disease is preventable.

"We are urging employers and workers to take the necessary precautions today to protect their long-term lung health, to avoid them and their families suffering from the devastating impact that can result."

Starting on Monday, 15 May 2023, the inspections, part of a respiratory health intervention initiative, will specifically focus on dust control, checking employers and workers know the risks, plan their work, and are using the right controls.

Inspectors will be checking the control measures in place to protect workers from inhaling construction dusts including silica (Respirable Crystalline Silica/RCS) and wood dust. They will also gain assurances that asbestos containing materials have been identified and removed or managed where necessary to prevent or reduce exposure.

The initiative is supported by HSE's *Dust Kills* campaign. This provides simplified advice and guidance on the [Work Right website](#), for employers, small builders and workers, to help everyone understand the risks and how to stay healthy on site.

The primary aim of the inspection initiative is to ensure workers' health is being protected. However, if safety risks or other areas of concern are identified, inspectors will take the necessary action to deal with them.

Michael Thomas continued: "Our inspectors will visit a range of construction sites to check businesses are taking the necessary action to ensure their workers' long-term respiratory health is being protected. Through engaging with those on site, we can make sure they have considered the job from start to finish, have considered the risks at each stage, and are managing the risks with effective measures in line with the broad hierarchy of control options such as water suppression, extraction, and as a last resort Respiratory Protective Equipment (RPE).

For more information visit the [Work Right campaign page](#).

HSE has partnered with construction and occupational health organisations to highlight the control measures required on site to prevent exposure to dust. The network of *Dust Kills* partners includes Construction Industry Advisory Committee (CONIAC) and Civil Engineering Contractors Association (CECA), Construction Leadership Council (CLC), Health in Construction Leadership Group (HCLG) and Construction Dust Partnership.

## 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. Henry Gregg, Chair, Taskforce for Lung Health said: "The HSE's campaign to improve workplace health is a key part of working toward reducing preventable deaths caused by lung conditions. Lack of awareness around the dangers of dirty air, particularly in some working environments such as construction sites, contributes to thousands respiratory deaths per year in the UK. The Taskforce is proud to support the HSE's vital work, reducing respiratory risks and preventing occupational lung disease."

3. Peter Crosland, National Civil Engineering Director, CECA said:  
“Construction workers still die every week from respiratory related illnesses brought on by their work and this is clearly not acceptable in the 21st century. The reasons behind these fatalities are, I believe, quite complex as no one intentionally sets out to cause harm to either themselves or others but nevertheless these illnesses are still occurring. Some of the possible reasons include lack of awareness of the legal duties of employers, lack of awareness of the damage dust can actually cause and lack of time on projects to plan work properly, and that’s both at the design stage and on site. Working together with HSE and other stakeholders, we hope to provide valuable advice to those that need it most.”

---

## [Bradford man spared jail after father fell through roof](#)

A Bradford man has been given a suspended prison sentence after an employee sustained life-threatening injuries when he fell 30-feet [through a fragile roof](#).

Fazal Subkhan was given the nine-month sentence (suspended for two years) after pleading guilty to health and safety breaches. It related to an incident on 25 March 2020 when Uzaifa Khan, 34, suffered a number of significant injuries including a broken hip and pelvis.



Thirty-four-year-old Mr Khan fell more than 30 feet through the fragile

roof

Mr Khan said the incident at a unit in Shipley, left him unable to do '95 per cent' of things he did before.

"It's been a crazy two and a half years," he said.

"A lot has happened since regarding my physical and mental wellbeing.

"It has impacted me greatly.

"I can't physically pick up my daughter and she cries that I can't do so.

"I don't feel safe going out anymore as I can't physically look after myself."

Leeds Crown Court heard that Subkhan was working on the roof of Unit C, Ashely Lane in Shipley, with Mr Khan. However he fell through the fragile roof landing on pallets approximately 36-feet below. His other injuries included broken ribs, a partially collapsed lung, a shattered left wrist and a broken left elbow.



Fazal Subkhan was given a nine-month suspended prison sentence in relation to the incident

"The accident has completely changed my life," he went on to say.

"The key memory is falling and when I was on the floor and in pain, he came up to me and said 'make sure you tell the police you went on the roof on your own accord'."

An investigation by the Health and Safety Executive (HSE) found that Mr Subkhan had made previous repairs to the roof at the site but returned to undertake further work. No risk assessment was undertaken for working on the fragile roof. Safe access to the roof, and the risk of falling through or from the roof were not considered and no controls of any sort were put in place.

Fazal Subkhan of Rochester Street, Bradford, West Yorkshire pleaded guilty to breaching Section 3 (2) of the Health & Safety at Work etc Act 1974. As well as the suspended prison sentence he must also complete 150 hours unpaid work

and was ordered to pay £2,500 in costs.

HSE inspector Chris Tilley said: “Falls through fragile roofs and fragile roof lights cause death and serious injury. They account for almost a fifth of all the fatal accidents which result from a fall from height in the construction industry.

“It’s better to avoid working on fragile roofs at all but if you have to, always assess the risk and employ safe control measures like installing perimeter edge protection, the use of staging on the roof surface to spread the loads or install safety nets underneath the roof”.

#### 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.
4. Guidance on [carrying out roof work safely](#) is available.
5. Additional guidance on [working at height](#) is also available.

---

## [Trucking company fined after Darlington man killed unloading a wagon](#)

The sister of a man killed while unloading a lorry trailer has spoken of the devastating impact her brother’s death has had on their family.

Anthony Clark, 51, from Darlington worked for GCS Johnson Limited, a trucking company based in North Yorkshire.

On 17 August 2018 the father-of-two was helping move a large piece of machinery from one trailer to another at the GCS Johnson depot at Barton Quarry industrial estate in Richmond.

As a team of workers were moving the piece of machinery, it fell from the bed of the vehicle trailer and hit Anthony killing him instantly.



Anthony Clark  
with his  
grandson Jake

Anthony, a grandfather of two and an avid Sunderland fan, had recently got engaged to his fiancé Marie. On the day of his funeral, he was due to leave on a cruise with Marie.

An investigation by the Health and Safety Executive (HSE) found that when the workers were transferring the load for shipment, the machinery was in two parts and the smaller section fell free during the lifting operation. This caused the part of machinery to strike Anthony resulting in immediate fatal injuries.

HSE has detailed guidance on the [provision and use of work equipment](#).

Today (May 3) at Leeds Magistrates' Court, GCS Johnson Limited of Barton Park, Barton, Richmond, North Yorkshire pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company was fined £140,000 and ordered to pay £18,355.07 in costs.

Anthony had an older brother, Graham, and sister Elaine.

Elaine Clark said: "Today's verdict will not bring our Anthony back. He absolutely should not have died at work that day.

"He should still be here but he's not. And that leaves a huge void in all our lives that nothing will ever replace.





Anthony Clark (left) with his brother Graham

“Mum has lost her son. Marie has lost her fiancé. Graham and I don’t have our baby brother anymore. His daughters don’t have their dad. His grandchildren will never get to know their Grandad.

“None of us get to see his smile. None of us get to hear him laugh. He doesn’t get to ride his scooter with his mates. Or go to watch Sunderland every week. He will never get old like the rest of us.

“Nearly five years on, family events that should be joyous occasions are tainted by our Anthony not being there. And that will never change.

“I can only repeat, he absolutely should not have died at work that day.”

After the hearing, HSE inspector Julian Franklin said: “You can tell from the moving tribute from Anthony’s sister, Elaine, how popular he was and the severe impact his death has had on the family.

“If the load had been examined carefully prior to the lift being carried out, the team would have identified that it was in two pieces. As it was, the lifting method used was not suitable for a load of that size and shape, and a lifting plan should have been prepared.

“This terrible incident could so easily have been avoided by simply implementing the correct control measures and safe working practices.”

#### **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.

---

## [Peter Baker retires from HSE](#)

After a long and successful career, Peter Baker, has retired from the Health and Safety Executive and his role of Chief Inspector of Buildings.

HSE's current Director of Regulation and former Head of Construction Division, Philip White, will take over Peter's responsibilities on an interim basis, pending recruitment of the next Chief Inspector of Buildings.

This paves the way for a smooth transition of senior leadership of HSE's construction operations and building safety responsibilities as the Building Safety Regulator (BSR) programme continues to remain firmly on track.

Philip White joined HSE as a trainee Inspector in 1985 and has experience of regulating a broad range of industries. As Director of Regulations in HSE, Philip has played a leading policy role in setting up the BSR over the last three years.

Philip said: "I am looking forward to the challenge of leading the regulatory programme for building safety, at a time when stability will be key to the delivery of our new operational services, until an open competition for the permanent position is held."

### **Notes to Editors**

**About BSR:** The Building Safety Regulator (BSR) is an independent body established by the Building Safety Act, 2022, and is part of the Health and Safety Executive (HSE). BSR will raise building safety and performance standards and oversee a new stringent regime for high-rise residential buildings, as well as overseeing the wider system for regulating safety and performance of all buildings and increasing the competence of relevant regulators and industry professionals.

**About HSE:** 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.

**About the Building Safety Act, 2022:** The Building Safety Act gained Royal Assent on the 28 April 2022 and makes ground-breaking reforms to give residents and homeowners more rights, powers and protections. The Act



overhauls existing regulations, creating lasting change and makes clear how residential buildings should be constructed, maintained, and made safe. Full implementation of the Act is in October 2023, which means each building owner should have their building safety regime in place by this time.

HSE news releases are available at <http://press.hse.gov.uk>

---

## [Devon dad has every finger amputated after hands crushed in machine](#)

A dad from Devon was left with horrific injuries to his hands after an incident at his work.

Dean Delahaye, from Barnstaple, had to have all eight fingers amputated after his hands were crushed by a metal rolling machine.

The 35-year-old worked for flue and chimney manufacturer SF Limited. He was feeding flat metal sheeting into the machine when the incident took place on 5 September 2019. He spent 54 days in hospital and had numerous operations. More than three years on, he is still waiting for prosthetics to be fitted.



Dean Delahaye from Barnstaple suffered horrific injuries at work

"I still get very frustrated and have a sense of uselessness," he said.

"I am frustrated with how long things are taking, and how things have been put on hold.

"Having no fingers means I am unable to grip things.

"Before my accident I enjoyed playing a wide range of sports, including football, tennis and squash.

"I have always enjoyed working with my hands and have only ever had manual jobs, but since the accident it will never be possible to return to doing this again.

"Before my accident I was an independent and sociable person, but I feel this has been taken away from me now."

Due to the severity of his injuries, Mr Delahaye went on to say how he was even unable to pick up and feed his daughter, who was born after the incident.

"It makes me feel like a burden to my loved ones, with all the assistance I need daily," he said.

"My wife Jess not only has to care for me, but is also like a single parent which makes me feel so worthless.

"Mentally I have not come to terms with my new reality.

"When I dream, I am fully able-bodied and then I wake and realise this is never going to be the case for me again.

"But if my accident can stop someone going through what I have had to go through, then at least it will be for something."



Dean Delahaye  
said his life has

never been the  
same since he  
suffered horrific  
injuries at work

Yeovil Magistrates Court heard that an investigation by the Health & Safety Executive (HSE) found the company had failed to adequately assess the risks and implement the necessary controls when the roller equipment was installed. They subsequently missed a further opportunity to reassess the risks following a significant change in the way in which the machine was operated.

S F Limited which trades as SFL Flue and Chimney of Pottington Business Park, Barnstaple, Devon, pleaded guilty to breaching Section 2(1) of The Health and Safety at Work etc Act 1974. They were fined £26,000 and ordered to pay costs of £12,000.

After the hearing HSE inspector Paul Mannell said: "Dean's injuries were easily preventable.

"Employers must identify the risks posed by dangerous parts of machinery and ensure that relevant controls are implemented to minimise the potential for harm.

"Where the way in which machinery is used changes, the assessment and controls should be updated to ensure employees can work safely and without risk of injury."

#### **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.