

Stone company fined after repeatedly failing to protect workers

A company that produces stone products and its director have been fined a total of just under £20,000 after repeatedly failing to protect workers from exposure to Respirable Crystalline Silica (RCS).

The Health and Safety Executive (HSE) carried out several inspections on Warmsworth Stone Limited, which produces carved stone masonry products using limestone, sandstone, granite and marble, at the company's site at Knabs Hill Farm on Clayton lane in Thurnscoe, starting in May 2023.



Photos taken at the scene by HSE show the extent of the dust.

Following these inspections, the company was served with seven improvement notices, which covered several failures including exposure to stone dust, control of legionella bacteria and inadequate welfare facilities.

When HSE inspectors returned in September 2023, five of the improvement notices had still not been complied with – despite the company being given an extension to do so following another visit in August.

The company had shown reckless disregard of several health and safety issues including the assessment and control of respirable dust, and the company's standard of health and safety management was far below what is required by health and safety law, leading to HSE's proactive prosecution for failure to control the exposure of workers to RCS.



The company ignored enforcement notices served against them by HSE

Stone workers are at risk of exposure to airborne particles of stone dust containing RCS when processing stone, by cutting, chiselling and polishing. Over time, breathing in these silica particles can cause irreversible, life-changing and often fatal respiratory conditions such as silicosis, chronic obstructive pulmonary disease and lung cancer. HSE provides a range of guidance for stone workers [Stoneworkers: Health and safety topics](#).



The company failed to protect its workers from exposure to RCA dust

After the hearing the HSE inspector Charlotte Bligh said: “The company management responsible for health and safety were neither informed nor competent enough to carry out their role under the law.

“Over time, the basic measures to secure the health of all on site had not been taken, there had been no attempt to assess health risks and existing control measures had not been properly maintained.

“The company failed to take the initiative in health and safety matters and seek guidance, instruction and competent advice on implementation and

communication of those measures necessary to control the risks at the site.

“The provision of suitable protection for worker’s health is a basic requirement that this company has failed to meet. HSE will not hesitate to take appropriate action against those that fail to comply with the requirements of enforcement notices.”

Warmsworth Stone Limited of 1-3 Sheffield Road, Warmsworth, Doncaster, South Yorkshire pleaded guilty to breaching section 21 of Health and Safety at Work Act 1974 by failing to comply with an Improvement Notice, breaching Regulation 7(1) of the Control of Substances Hazardous to Health Regulations 2002 by failing to adequately control employee exposure to a substance hazardous to health namely RCS and breaching Regulation 9(2)(a) the same Regulations by failing to have local exhaust ventilation subject to a thorough examination and test at least every 14 months.

They were fined £18,000 and ordered to pay costs of £4,064.

Director Simon Jonathan Frith pleaded guilty to being a director of a company that had breached Regulation 7(1) of the Control of Substances Hazardous to Health Regulations 2002 by failing to adequately control employee exposure to a substance hazardous to health namely RCS and breaching Regulation 9(2)(a) of the same Regulations by failing to have local exhaust ventilation subject to a thorough examination and test at least every 14 months, those offences being committed with his consent, connivance or neglect.

He was fined £1,062, and ordered to pay costs of £3,782.

Further information:

1. [The Health and Safety Executive](#) (HSE) is Britain’s national regulator for workplace health and safety. We are dedicated to protecting people and places, and helping everyone lead safer and healthier lives.
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. HSE does not pass sentences, set guidelines or collect any fines imposed. Relevant sentencing guidelines must be followed unless the court is satisfied that it would be contrary to the interests of justice to do so. The sentencing guidelines for health and safety offences in England and Wales can be found [here](#) and for those in Scotland [here](#).