

# London joinery firm fined £20,000 for failing to control wood dust

A joinery firm in South East London has been fined £20,000 for failing to control its employees' exposure to wood dust.

F&E Joinery Limited, in Herne Hill, was inspected in May 2022 as part of a Health and Safety Executive (HSE) campaign targeting woodworking businesses due to the significant health risks associated with [exposure to wood dust](#), including the risk of developing occupational asthma. During the visit the inspector identified multiple failings related to control of exposure to wood dust, including excessive levels of settled dust around the site (shown in the images below).



The inspection was carried out in May 2022

The inspection found some of the company's machines had been disconnected from the local exhaust ventilation (LEV) system, which is used to extract wood dust at source during machining of wood. There was no way to connect other machines to the system. LEV significantly reduces the amount of wood dust that becomes airborne and inhaled when machined. There was also no evidence that settled wood dust was being cleaned up.

The company had been served with an enforcement notice relating to their control of wood dust on two previous occasions spanning over ten years.

On 21 April 2023, at Westminster Magistrates' Court, F & E Joinery Limited pleaded guilty to breaching Regulation 7(1) of the Control of Substances Hazardous to Health (as amended) Regulations 2002 and was fined £20,000 and ordered to pay costs of £1,500.



The firm had already been served two enforcement notices over a ten-year period

HSE inspector Marcus Pope said: “This case sends out a clear message to the industry that HSE will prosecute when inspectors find serious health and safety failings, particularly when previous enforcement and advice has been provided.

“Exposure to wood dust causes various occupational lung diseases which can significantly affect the quality of people’s lives, and in some cases result in premature death. HSE continues to target the woodworking industry and strongly urges businesses to consult its website for further information to ensure that control of exposure is managed, and their statutory duties are complied with.”

### 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. Further information about control of [exposure to wood dust](#) is available.
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# Teenager fell more than 20 feet through roof of Bodmin dairy farm

A Bodmin dairy farm has been fined more than £60,000 after one of its workers sustained multiple injuries when he fell more than 20 feet through a roof on to a concrete floor.

Mike Rossiter, was just 18 when he was airlifted to Derriford hospital in Plymouth after the shed roof he was clearing gutters from gave way. As well as rupturing his spleen and liver, the farm worker also fractured several vertebrae. An additional fracture to his left elbow required surgery and a permanent plate in his arm.

"I was in hospital for two-and-a-half weeks," he explained.

"I have been left with permanent damage in my arm and no longer have full movement and I'm unable to lift and carry heavy things.

"I recently found the cold weather is making it worse, so I now have to take the weather into account when I am working outside."



Mike Rossiter fell more than 20 feet through a shed roof

A keen rugby player before the incident, 20-year-old Mr Rossiter, went on to say that despite being back in work and fully-supported by his employer, he still fears for his long-term future in the industry.

"My employer has given me a job that doesn't involve heavy lifting," he said.

"I don't know how much longer I will be able to keep working in the farming industry as a result of my injuries.

“I am hoping this will not be the case as I enjoy what I am doing and would not like to leave the profession.”

Plymouth Magistrates Court heard that employees of C.P. Button Limited were clearing the gutters on the grain and silage pit shed roofs on 13 July 2021. Although they were using crawling boards, Mr Rossiter had stood on a fragile rooflight, which failed under his weight causing him to fall.

An investigation by the Health and Safety Executive (HSE) found the company failed to control the risk of falls. They failed to adequately assess the risks and did not have a safe system of work. Wider failings were identified in respect of the information, instruction, training, and supervision provided for the employees involved. HSE guidance can be found at:

[Agriculture: Preventing falls \(hse.gov.uk\)](https://www.hse.gov.uk/agriculture/preventing-falls/)



CP Button Limited were fined more than £60k at Plymouth Magistrates Court

C.P. Button Limited, of St Tudy, Bodmin, Cornwall, pleaded guilty to breaching section 2(1) of the Health and Safety at Work etc. Act 1974 after failing to ensure so far as reasonably practicable the health and safety and welfare at work of all its employees against the risk of falling when carrying out the planned maintenance task of clearing gutters. The company was fined £63,466 and ordered to pay £4,223.50 in costs at Plymouth Magistrates' Court on 20 April 2023.

HM Inspector of Health and Safety James Hole said: “This was a wholly avoidable incident which resulted in life changing injuries.

“Roughly half the deaths and serious injuries caused by falls in agriculture involve work on fragile roofs.

“Any work on roofs should be adequately planned and suitable protection should be provided which will normally include a combination of coverings, guard rails, safety nets and safety harnesses.”

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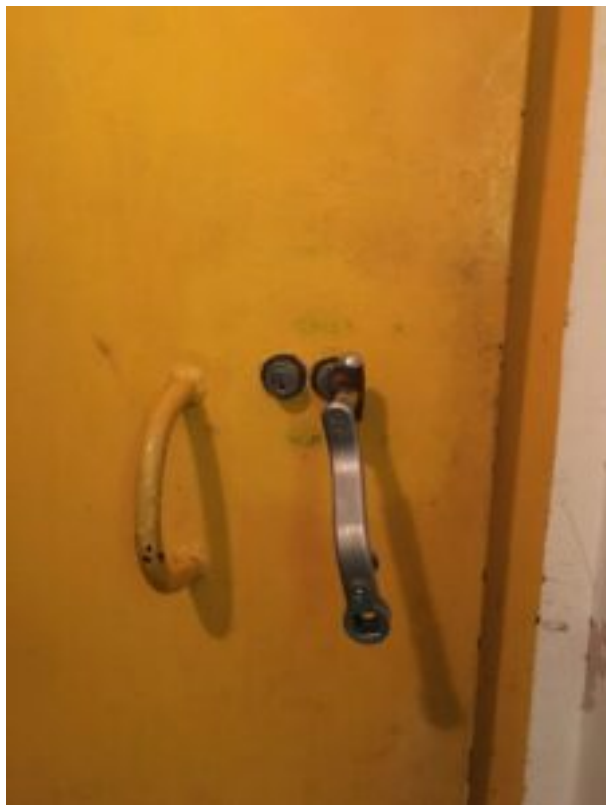
## [Company fined for putting workers at risk of exposure to radiation](#)

A company in Cornwall has been fined after putting its employees at risk of exposure to ionising radiation over a ten-year period.

In 2009, Terrill Bros (Founders) Limited's external Radiation Protection Adviser (RPA) identified failings in the access controls and warning systems at the company's foundry on Guildford Road, Hayle, Cornwall. In the ten years following, the company received further RPA visits, reports and advice, yet remedial action was not taken.

The company's failure to address these issues continued until the Health and Safety Executive (HSE) carried out an unannounced inspection of the foundry in February 2019.

A HSE investigation found the door to the company's industrial radiography enclosure did not have adequate interlocks nor was there a suitable trapped key system to prevent access. There were also no pre-exposure warning systems or automatic and failsafe warning lights in place. Employees at Terrill Bros (Founders) Limited were put at risk of exposure to high dose rates of ionising radiation by the company's reliance on administrative controls, rather than installing industry standard engineering controls.



The door to the company's industrial radiography enclosure

HSE guidance can be found at: [Health and Safety: Ionising Radiation \(hse.gov.uk\)](https://www.hse.gov.uk/ionising-radiation/)

Terrill Bros (Founders) Limited, of Guildford Road, Hayle, Cornwall, pleaded guilty to breaching Regulation 9(1) of the Ionising Radiations Regulations 2017, and Regulation 8(1) of the preceding Ionising Radiations Regulations 1999. The company was fined £33,750 and ordered to pay costs of £47,601 at Truro Crown Court on 14 April 2023.

Karen Fuller, HSE Specialist Inspector of Radiation, said: "This situation could so easily have been avoided by acting on the advice received from their RPA and installing appropriate control measures.

"All companies carrying out industrial radiography must ensure they have appropriate access controls and warning systems for their enclosures. Only then can they be confident that any exposure to ionising radiation is kept as low as reasonably practicable and the risks of accidental exposure are minimised.

"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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2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](https://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>
4. HSE guidance can be found at: [Health and Safety: Ionising Radiation \(hse.gov.uk\)](https://www.hse.gov.uk/health-and-safety/ionising-radiation/)

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## [Companies sentenced after worker hospitalised for nearly two weeks](#)

Two construction companies have been sentenced after a worker was hospitalised for nearly two weeks after being struck by a 124kg panel.

The man was working as a lift supervisor at a construction site at Eskdale Terrace, Jesmond, Newcastle, on 22 January 2020.

He had been using a tower crane to lift a structured insulated panel (SIP). During the lifting operation, the SIP struck steelwork and fell on top of the worker.

He spent 13 days in hospital following the incident after fracturing his collarbone, shoulder blade, left ankle and left rib.

An investigation by the Health and Safety Executive (HSE) found Tolent Construction Limited, the principal contractor, had failed to properly plan, manage and monitor the construction phase. This resulted in a failure to ensure a suitable and sufficient lift plan was in place for the lifting of individual SIPs. Most importantly, the lift plan failed to stipulate how the individual SIPs were to be safely lifted and failed to consider proximity hazards or how the SIPs would be adequately controlled during the lifting operation.



The construction site at Eskdale Terrace, Jesmond, Newcastle

HSE's investigation also identified Clad Build UK Limited (trading as SIP Build UK), as the contractor responsible for the design, supply and installation of the SIPs. Clad Build UK Limited failed to plan, manage and monitor the work or to provide the necessary information and instruction to workers on how to prepare the SIPs for lifting. Clad Build UK Limited also failed to ensure effective supervision and monitoring of work being undertaken by a sub-contractor working under its control and to comply with requests for information from the principal contractor.

HSE guidance can be found at: [Managing health and safety in construction. Construction \(Design and Management\) Regulations 2015. Guidance on regulations L153 \(hse.gov.uk\)](#) and here: [Lifting Operations and Lifting Equipment Regulations \(LOLER\) 1998](#)

Tolent Construction Limited of Grey Street, Newcastle, pleaded guilty to contravening Regulation 13 (1) of the Construction (Design and Management) Regulations 2015. The company was fined £1,000 and ordered to pay £8,468.50 in costs at Newcastle Crown Court on 17 April 2023.

Clad Build UK Limited of Foxbridge Way, Normanton Industrial Estate, Normanton, West Yorkshire, pleaded guilty to contravening Regulation 15 (2) of the Construction (Design and Management) Regulations 2015. The company was fined £12,000 and ordered to pay £45,000 in costs at Newcastle Crown Court on 17 April 2023.

HSE inspector Stuart Whitesmith said: "HSE will not hesitate to take enforcement action against those that fall below the required standards. This case should raise awareness of the dangers of failing to properly plan and safely carry out this type of lifting operation. SIPs are increasingly used in the construction industry and all contractors should be aware of the need



to suitably plan, manage and monitor their safe installation.”

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3. HSE news releases are available at <http://press.hse.gov.uk>
4. For guidance please go to: [Managing health and safety in construction. Construction \(Design and Management\) Regulations 2015. Guidance on regulations L153 \(hse.gov.uk\)](https://www.hse.gov.uk/construction/) or here: [Lifting Operations and Lifting Equipment Regulations \(LOLER\) 1998](https://www.hse.gov.uk/loler/)
5. Had Tolent Construction Limited not entered administration prior to the sentencing hearing, the recorder stated the company would have received a £1m fine. James Wood KC added there was no basis that Tolent Construction Limited was seeking to deploy a voluntary liquidation to avoid a fine. Therefore in the circumstances, he concluded that to seek to impose a fine of £1m would have been wrong.

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## [Construction company fined £800,000 after death of 10-year-old boy](#)

A Scottish civil engineering contractor has been fined £800,000 for safety breaches after a 10-year-old boy died after falling down a manhole on a building site in Glasgow.

Ten-year-old Shea Ryan went out to play with his friends on the evening of 16th July 2020 and got onto the construction site where he was able to enter a manhole within which, he fell. Emergency services and local residents raced to the scene and rescued Shea from the manhole but tragically he died from his injuries.

The construction site was part of a surface water management project being carried out adjacent to Glenkirk Drive in the Drumchapel area of Glasgow on behalf of Glasgow City Council.



The construction site adjacent to Glenkirk Drive

An investigation by Police Scotland and the Health and Safety Executive (HSE) found that insufficient measures had been taken to prevent children gaining access to the construction site.

The HSE investigation also found that R.J. McLeod (Contractors) Limited, the company in charge of the site, had failed to carry out a suitable and sufficient assessment of the risk of unauthorised persons gaining access to the site, which resulted in a failure to adequately inspect and maintain suitable perimeter fencing, and install other suitable security measures. HSE guidance on protecting the public can be found here: [Public protection – construction industry health & safety \(hse.gov.uk\)](https://www.hse.gov.uk/public-protection-construction-industry-health-safety/)



The construction site adjacent to Glenkirk Drive

R.J. McLeod (Contractors) Limited, of London Road, Glasgow, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £800,000 and ordered to pay a victim surcharge of £60,000 at Glasgow Sheriff Court on 14 April 2023.

HSE Principal Inspector Graeme McMinn said “Shea should never have been able to get onto and play on that site. The security measures should have taken account of the adjacent children’s play park and the likelihood of children

trying to gain access.

“The company should have had robust measures in place to maintain the fence line that was regularly being damaged and consider what additional security measures were needed to deter and prevent unauthorised access.

“The construction industry should be aware that some children can be drawn to construction sites as exciting places to play. It must do everything it can to keep them out of construction sites and away from danger to prevent a tragedy such as this happening again.”

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4. HSE guidance on protecting the public can be found here: [Public protection – construction industry health & safety \(hse.gov.uk\)](http://hse.gov.uk/public-protection-construction-industry-health-safety)