

Respiratory risks in construction: early findings from HSE's latest Dust Kills health campaign



Dust Kills campaign

A snapshot of good and bad practices of how workers' exposure to dust is being managed and controlled on construction sites across Great Britain has been revealed.

As part of its Business Plan, the Health and Safety Executive (HSE) carried out more than 1,000 inspections between May and July, focusing on what businesses and workers were doing to prevent or adequately control the risks from construction dust.

HSE's [Dust Kills campaign](#) supported the site inspections, which raised awareness of the inspections, provide helpful advice, information, and links to guidance, for employers and workers. Almost two million connections were made to the campaign via the social media channels alongside extensive stakeholder and press coverage.

The inspections by Britain's national regulator for workplace health and safety revealed examples of good practice on sites and within companies. These included; the use of motorised water suppression alongside face fit tested FFP3 respiratory protective equipment (RPE) to reduce exposure to silicosis and lung cancer causing respirable crystalline silica (RCS); air fed hoods (or powered air respirators) being used when using high powered cutting saws during carpentry to prevent exposure to asthma causing wood dust; and the inclusion of details of HSE's campaign within company health, safety & environmental newsletters to raise awareness of the effects of dust exposure and the importance of effective control measures to improve the long-term health of construction workers.

However, HSE's inspectors also found many examples of poor practice, including no on-tool extraction in place on high powered cutting saws that generate silica and wood dust, along with poorly maintained extraction equipment such as hoses and units making it ineffective; suitable RPE not being made available on site for workers to use or making it available but not ensuring it is used; and the health of workers not being considered when carrying out the simplest of tasks such as sweeping up indoors, which requires damping down to control the dust generated and the provision of suitable face-fit tested RPE.

A key area of concern for the regulator is that inspectors are still finding sites where the hierarchy of controls are simply not considered at all; where no effective design or planning has taken place to eliminate risks from dust, such as considering the use of pre-cut materials, and nothing being in place to minimise the risks by use of suitable control measures, such as water suppression and on-tool extraction and the use of RPE.

HSE's Acting Head of Construction Division Mike Thomas said: "Regularly breathing in the dust generated by many construction activities can cause diseases like lung cancer, asthma, chronic obstructive pulmonary disease (COPD) and silicosis.

"Every year we see construction workers die from these diseases caused or made worse by their work because the necessary precautions required to protect their long-term lung health have not been taken by employers and workers themselves.

"The 1,000 plus inspections completed took place across a range of construction sites to check the action businesses are taking to ensure their workers' health is being protected. Some of the examples of good practice found on sites during the campaign are really pleasing. But, as can be seen by some of the poor practices found by our inspectors, where planning around the risks of dust and controls to prevent exposure are not even considered, it shows there is still plenty of room for improvement.

"A full evaluation of the inspection data is underway, and we will release more information in due course."

The early findings come at the start of UK Construction Week that runs from 3-5 October in Birmingham.

The law requires employers to prevent the ill health of their workers as far as reasonably practicable, which includes prevention or adequate control of workers' exposure to construction dust.

Ideally, elimination of the risk of exposure to dust for workers should be achieved by good design and planning. Where this is not possible, measures should be put in place to control dust and provide workers with appropriately fitted RPE. Employees should also play their part by taking responsibility for wearing and maintaining RPE provided.

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. Further details of HSE's Business Plan can be found: [HSE annual business plan – HSE](#)
3. HSE partnered with construction and occupational health organisations to highlight the control measures required on site to prevent exposure to dust. The network of *Dust Kill*spartners 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. For more information visit the [Work Right campaign page](#).

[Dockside company sentenced after worker seriously injured on trawler](#)

A dockside warehousing company has been fined £127,500 after a worker fell 25ft through an open hatch on a trawler which had no edge protection.

David Eggins, a father-of-two, was working aboard a fishing vessel docked at the quayside at Cattedown Road, Plymouth on 16 December 2019.

While acting as a banksman for a crane lifting pallets of frozen fish from the vessel's hold, Mr Eggins was knocked through an unguarded hatch by an unsecured wheeled bin, as the vessel moved on the water. He fell between 25/30ft onto the floor below suffering multiple fractures to his head, neck, back, pelvis and ribs. He also sustained internal bleeding and spent over three months in hospital.

An investigation by the Health and Safety Executive (HSE) found that Cattedown Wharves Limited had failed to take appropriate precautions to ensure the safety of workers during the operation. They were in charge of the unloading operation and should have taken adequate measures to ensure the safety of their employees.

HSE has guidance available for [safety on fishing vessels](#).

Cattedown Wharves Limited, of Fisher House, Barrow-in-Furness, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act.

The company was fined £127,500 and was ordered to pay £13,767 costs at a

hearing at Plymouth Magistrates' Court on 29 September 2023.

After the hearing, HSE inspector Emma O'Hara said: "David Eggins was seriously injured in a fall which should not have been able to happen.

"The fine imposed on Cattedown Wharves Limited should underline to companies that the courts, and HSE, take a failure to follow the regulations extremely seriously. We will not hesitate to take action against companies which do not do all that they should to keep people safe."

This HSE prosecution was supported by HSE enforcement lawyer Alan Hughes.

Notes to editors:

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2. More information about the [legislation](#) referred to in this case is available.
3. Further details on the latest [HSE news releases](#) is available.

[HSE to prosecute Falcon Tower Crane Services Limited following deaths of three men](#)

A prosecution by the Health and Safety Executive (HSE) is being brought against Falcon Tower Crane Services Limited after a crane collapsed in Crewe, Cheshire and three men lost their lives.

Rhys Barker, 18, from Castleford, David Newall, 36, from Bradford, and David Webb, 43, from Northampton, died following the incident at a construction site on Dunwoody Way on 21 June 2017.

Falcon Tower Crane Services Limited is accused of breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc. Act 1974.

The charges follow a long and complex investigation by HSE. A Plea and Trial Preparation Hearing is due to take place at Chester Crown Court on 6 October 2023.

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[September 2023 – A roundup of HSE's top stories this month](#)

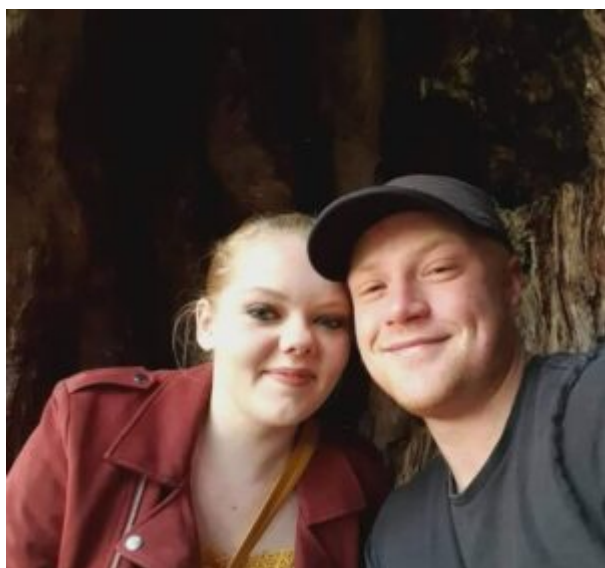
A campaign launch, an important investigation update, cautions for fraudulent divers, as well as a host of successful prosecutions were among the top stories published by the Health and Safety Executive (HSE) during September.

Waste management company fined £3m following HSE investigations

At the beginning of the month, Valencia Waste Management Limited, formerly known as Viridor Waste Management Limited, were fined a total of £3million after two men died in separate incidents.

HSE investigated the firm after the deaths of Michael Atkin and Mark Wheatley in 2019 and 2020.

Michael, a 63-year-old HGV driver from Wetherby, was killed while collecting wastepaper bales at the firm's Grendon Road site in Earls Barton, Northamptonshire on 10 October 2019.



Mark Wheatley (right) and his partner Keeley Martin

Just months later, 31-year-old agency worker Mark, died while lifting two skips with a lorry at a depot in Bovey Tracey in Devon on 17 January 2020.

[The devastated families of both men paid tributes to the impact of losing their loved ones](#)

Divers and company director receive police cautions for fraud

Two offshore commercial divers and the director of a diving company were sanctioned for exaggerating credentials.

HSE investigators slammed the trio for false claims of diving experience that could have jeopardised their own and other divers' lives in an offshore incident.

Following the investigation, two divers from the Portsmouth area had their diving qualifications withdrawn.

[Both men and the director of a commercial diving company also received police cautions for fraud.](#)

Gas Safety Week: Engineer of the Year discusses career, regulations and diversity

An award-winning gas specialist at HSE described the “emotionally taxing” week he spent at the site of an explosion that claimed the life of a two-year-old boy.



Steve (middle) collecting his award at the National Gas Industry Awards

Steve Critchlow, a principal registered gas engineer, was called to Mallowdale Avenue in Heysham, Lancashire, following the blast in May 2021.

He stayed at the site for a week as part of his investigation for HSE.

[His report helped support the conviction of a man who received 15 years in jail for manslaughter.](#)

HSE to lead investigation into double fatality at Teesworks site

On 15 September, we announced that an investigation into the deaths of two men at the Teesworks site in 2019, will be led by HSE.

John Mackay and Tom Williams died following an explosion at the site.

[This remains a criminal investigation that Cleveland Police will continue to support.](#)

Grimsby company fined £200,000 after driver suffers chemical burns

A company in Lincolnshire was fined £200,000 after a driver suffered chemical burns to his feet assuming he was standing in a puddle of rainwater.

The man had been offloading his tanker with a delivery at the Laporte Road site of Tronox Pigment UK Limited, in Stallingborough, Grimsby, on 9 August 2022.

[The driver was actually standing in a pool of water containing caustic, a corrosive chemical substance.](#)

Time running out as deadline to register high-rise buildings nears

On 20 September, a warning was given that time was running out to register high-rise buildings with the Building Safety Regulator (BSR).

It will be a criminal offence for any qualifying building not to be registered with the new regulator after 1 October 2023. Registration opened in April 2023.

[Those responsible for high-rise buildings not registered by the deadline could face significant sanctions, including prosecution.](#)

HSE campaign highlights dangers from metalworking fluids

Businesses are being warned to make sure their staff are safe when working with metalworking fluids or coolants.



HSE inspector Stacey Gamwell with Dane Rawson, director of CNTL Ltd

Exposure to metalworking fluids – also referred to as ‘white water’ – can cause harm to lungs and skin through inhalation or direct contact with unprotected skin; particularly the hands, forearms and face.

[HSE plans to carry out unannounced inspections between now and March 2024.](#)

Company fined £1.275m after man crushed to death

A Birmingham company was fined £1,275,000 after a 26-year-old man was crushed to death during maintenance work at Mountsorrel Quarry in Leicestershire.

Tarmac Aggregates Limited failed to ensure critical defects were recorded and rectified in a timely manner.



Luke and his girlfriend Sarah

Luke Branston, from Leicester, died in the early hours of 21 June 2017 after becoming trapped between a conveyor and a feed hopper.

[His family say they are devastated by his passing.](#)

Company fined £1.275m after man crushed to death

A company in Birmingham has been fined £1,275,000 after a 26-year-old man was crushed to death during maintenance work at Mountsorrel Quarry in Leicestershire.

Luke Branston, from Leicester, died in the early hours of 21 June 2017 after becoming trapped between a conveyor and a feed hopper.

Luke's family, who loved going stock car racing with him every weekend, say they are devastated by his passing.



Luke and his girlfriend Sarah

The contractor, working on behalf of Branston Site Services Limited, was part of a nightshift maintenance team that was repairing a feed hopper at the Loughborough quarry, operated by Tarmac Aggregates Limited.

He had been stood on a conveyor that was located under the feed hopper and had not been effectively isolated – through cutting the power – before the repair work started.

The conveyor was then inadvertently switched on, trapping Luke against the feed hopper, fatally crushing the 26-year-old.



The feed hopper and conveyor at Mountsorrel Quarry

A Health and Safety Executive (HSE) investigation into this incident found Tarmac Aggregates Limited had failed to ensure the feed hopper was properly isolated before the repair work commenced. The test button on the conveyor electrical panel was not connected to the test circuit and was therefore inoperative. This issue appears to have existed for many years before the incident, meaning Tarmac Aggregates Limited failed to ensure critical defects were recorded and rectified in a timely manner. The company should have also provided a visual and audible pre-start alarm for the conveyor.

HSE guidance can be found at: [Quarries – HSE](#) and [Provision and Use of Work Equipment Regulations 1998 \(PUWER\) \(hse.gov.uk\)](#).



The conveyor at Mountsorrel Quarry

Michael Branston, Luke's brother, said: "I'm definitely not the same person that I was before this incident, I used to be fun and highly motivated, but now I look at things a lot differently and approach things with more caution.

"I always think the worst all the time in situations and I find myself visualising what would happen if I lost a loved one.

"Luke wasn't just my brother, he was my best friend, there with me every step of the way, so the loss was massive for me."

Sharon Branston, Luke's mum, said: "I feel this has made us an emotional family, having guilty feelings for being happy. We are still here and he is not. Six years on, I still have hard days and cry over silly things. I still have Luke's ashes at home as I can't bear the thought of leaving him.



Luke Branston

"Every day I think about Luke and wish he was here still, but I only have memories and photos, that's all we have left."

Kevin Branston, Luke's dad, said: "We had to sell Luke's house to help with money pressure. The loss of Luke's house hurt a lot, it was as if I was losing a memory."

"Luke was the youngest child of my four children. Luke is like a missing link in my life – at work and more as we loved going stock car racing as a family every weekend. Luke's racing took him all over the country. Every bit of spare time he had was spent in the workshop fixing his cars with his brother Micky. I go in the workshop now and find myself just sitting there getting upset looking at his race car, thinking why him?"

"Sometimes I feel guilty for still being here when Luke's not. I miss him all the time."



Luke Branston

Tarmac Aggregates Limited, of Trinity Park, Bickenhill Lane, Birmingham, pleaded guilty to breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £1,275,000 and ordered to pay £200,000 in costs at Leicester Crown Court on 27 September 2023.

HSE inspector Adrian Jurg said: "This is a devastating tragedy that claimed the life of a young man. Luke's family have made clear the impact his passing has had on their lives and our thoughts remain with them.

"When a company like Tarmac profit from the hard work of contractors like Luke then the very least they owe him and his family is a duty to ensure he gets home safe at the end of his shift.

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

This prosecution was supported by HSE enforcement lawyer Alan Hughes.

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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. Michael, Sharon and Kevin Branston's statements were presented to the court.