

# Repeated wood dust failures lands company with fine

An Essex-based company that makes windows and doors has been hit with a £4,000 fine after repeatedly failing to protect its workers from exposure to wood dust.

Timbercraft Windows & Doors Limited, which also manufactures wooden conservatories, was visited by the Health and Safety Executive (HSE) on three occasions over a 12-year period.

Those visits, to the company's workshop on Severalls Industrial Park in Colchester, identified large build-ups of wood dust around machinery as well as other health and safety breaches. These included workers not being provided with suitable respiratory protective equipment (RPE).



The amount of wood dust on the premises put workers at risk

- Breathing in wood dust excessively can cause asthma and nasal cancer. Guidance on working in the [woodworking industry](#) is available an [inspection-led campaign to protect workers](#)

A subsequent HSE investigation found the company failed to adequately control and prevent its employee's exposure to wood dust in the following ways:

- inadequate local exhaust ventilation (LEV) and a failure to have its LEV thoroughly examined and tested within the preceding 14 months;
- failure to have employees face fit tested for their RPE;
- common dry sweeping of wood dust;
- using compressed air lines for clearing of wood dust from machines;
- using incorrect L class vacuums; and
- failure to have employees who were exposed to wood dust under health surveillance.



HSE inspectors visited Timbercraft Windows & Doors Limited three times over 12 years

For each of failures above the solutions are widely known in the woodworking industry:

- Health surveillance should be undertaken for employees exposed to wood dust; a system of on-going health checks to detect ill-health effects such as occupational asthma at an early stage.
- LEV in woodworking should be subject to a thorough examination and test by a competent person, no less frequent than every 14 months. It is a detailed and systematic examination sufficient to make sure the LEV can continue to perform as intended by design and will contribute to the adequate control of exposure.
- Adequate LEV will be dependent upon the process, however guidance sheets for control of wood dust at woodworking machines are available for free from the HSE website.
- Face fit testing is required for tight fitting RPE to ensure that it fits the wearers face and does not leak, as this would increase the wearers exposure.
- Wood dust should be cleared on a regular basis using a minimum of an M class vacuum. Dry sweeping and use of compressed air lines should not be used for clearing of wood dust as they create plumes of dust that can then be inhaled once again.

Following the December 2022 inspection, three improvement notices were served relating to control of wood dust. A further improvement notice was served relating to arrangements for monitoring, guarding and other protection devices on machinery.

Each visit by HSE inspectors during the past 12 years had resulted in improvement notices being issued, along with other action taken. However, despite this, the company still failed to act, including to provide its workers with suitable RPE.



Despite repeated visits from HSE the company failed to protect its own workers

Timbercraft Windows & Doors Limited, of Crowborough East Sussex, pleaded guilty to breaching Regulation 9(2), 11(1) and 7(1) of Control of Substances Hazardous to Health Regulations 2002.

The company was fined £4,000 and was ordered to pay £2,792 costs at a hearing at Colchester Magistrates Court on the 16 of January 2025.

HSE inspector Tom McQuade said: “Just seeing the piles of wood dust lying around gave us an indication of how much workers would have been exposed.

“The risks from exposure to wood dust are well known and exposure can cause irreparable harm.

“The fine imposed should highlight to employers in the woodworking industry that the courts and HSE, take failure to control exposure to harmful substances, such as wood dust, extremely seriously.

“Appropriate controls are well documented, and [guidance is provided free of charge](#) on the HSE website.

“Businesses need to protect their employee’s respiratory health. And if they don’t, we will not hesitate to take appropriate action.”

This HSE prosecution was brought by enforcement lawyer Arfaq Nabi and paralegal officer Helen Hugo.

#### **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](#).

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## [HSE v Amber Precast Ltd: Injured worker reacts](#)

- ‘It was a massive strain on us,’ says dad left disabled from horrific incident
- HSE subsequently prosecuted Amber Precast Ltd, with company fined £60,000

A father-of-two has revealed he was forced to move homes and unable to say goodbye to his dad after sustaining life-changing injuries following a horrific incident at work.

Wayne Hatton’s legs were crushed by an 800kg steel pallet that was being removed from a concrete cast, leading to the amputation of his lower right leg and two toes on his left foot.

His employer Amber Precast Ltd was fined £60,000 last week [following a prosecution by the Health and Safety Executive \(HSE\)](#), which found the company had not implemented a safe system of work to ensure the pallet could be removed safely. HSE guidance can be found at: [Provide information, training and supervision: Overview – HSE](#)



Wayne Hatton and dad Henry

The 50-year-old, who was 46 at the time of the incident on 14 January 2021, later spent seven weeks in hospital and was bed bound for nine months after sustaining the injuries.

“I still get flashbacks about what happened,” Wayne said.

“Adapting mentally has been hard. Everyone always says you have handled it really well but they don’t see you on a day-to-day basis, just getting out of bed, putting your leg on and off and getting in and out of the shower and toilet.

“They just see me having a laugh and a joke about it, they don’t see everything else. I try and keep positive but dealing with it mentally has been hard.”

While the incident took a toll on Wayne’s mental and physical health, his relationship with his eldest son Jayden was also affected as he began to take care of his dad during his recovery.

Wayne, who lives in Doncaster, said: “He was only 17 at the time and it took a massive strain on him having to look after his dad.



Wayne Hatton and mother Marine

“At the time it was a massive strain on us both. I was trying to deal with everything and he was trying to look after me.

“He didn’t realise what comes into running a house, washing, cleaning and everything else. And he was trying to have a social life as well, which he couldn’t do, so it was hard for both us, frustrating and we fell out a lot of times.”

As a result of his injuries, Wayne, who used to play golf and go to the gym prior to the incident, now wears a prosthetic leg and moved from his house to a bungalow which addresses his physical condition.

The biggest impact however came three months later in April 2021, with Wayne unable to be with his dad as he passed away.

He said: “The hardest part for me was my dad had only had six months to live

and in the last three months, I only got to see him twice before he died. That were hard for me, losing my leg and then losing my dad. I didn't get to say goodbye to him, which still hurts now."

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## [Fine for company after worker fell to his death from church steeple](#)

A specialist construction company has been fined £60,000 after a worker fell to his death from a church steeple in Birmingham.

David Clover was employed by Ecclesiastical Steeplejacks Ltd to carry out restoration work to St Nicholas' Church in Kings Norton on 13 November 2020. The 64-year-old steeplejack had been suspended from the 60 metre tall steeple of the Grade 1 listed building, sitting in a 'bosun's chair' – a work positioning seat – when he fell, suffering fatal injuries.



Steeplejack David Clover was suspended from the 60 metre tall steeple carrying out restoration works

An investigation by the Health and Safety Executive (HSE) identified that the

bosun's chair was not supported by a suitable backup system preventing falls, such as, a double or twin leg lanyard fall arrest harness.

Working at height remains one of the biggest causes of fatalities and major injuries. 50 people died as a result of a fall from height in 2023/24. [HSE guidance is available](#).

Ecclesiastical Steeplejacks Ltd, which has ceased trading since the incident, pleaded guilty to contravening Regulation 4(1) of the Work at Height Regulations 2005. It was fined £60,000 at a hearing at Birmingham Magistrates' Court on 15 January 2025.



Mr Clover had been sat in a 'bosun's chair' – a work positioning seat – when he fell, suffering fatal injuries

In passing sentence, Judge Quereshi found the company had outdated attitudes to managing health and safety.

After the hearing, HSE inspector Emma Page said: "Falls from height remain one of the leading causes of work-related deaths and injury in Great Britain.

"We will take action against companies that fail to protect workers.

"Our thoughts remain with the family of David Clover."

This HSE prosecution was brought by HSE enforcement lawyer Julian White and paralegal officer Imogen Isaac.

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5. HSE guidance on [working safely at height](#) is available.

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## [Company fined after repeatedly exposing workers to risks from wood dust](#)

A Blackburn-based furniture manufacturer has been fined after it repeatedly failed to protect its own workers from exposure to wood dust.

Pendle Woodcraft (Blackburn) Limited failed to implement safe working practices despite earlier interventions from the Health and Safety Executive (HSE).

The company consistently failed to control the accumulation of wood dust at its site in Darwen, Lancashire. Wood dust can cause serious and often irreversible health problems, including dermatitis and when breathed in excessively it can cause asthma and in the case of hardwood dust nasal cancer. Wood dust is also known to be flammable and, in certain situations, can cause a fire or explosion.



HSE inspectors repeatedly identified large amounts of wood dust during visits

HSE provides a range of [guidance on working in the woodworking industry](#), covering the Control of Substances Hazardous to Health (COSHH) Regulations 2002; exposure limits; extraction; and health surveillance.

Inspectors from the HSE carried out a series of visits to the company over an eight year period, repeatedly identifying large amounts of wood dust. The

first of those visits came in November 2015, when HSE offered advice on the control of wood dust. The site was visited again in April 2019, November 2021, and finally on 5 June 2023, as part of the workplace regulator's [Dust Kills campaign](#), which targeted woodworking businesses due to the significant health risks associated with wood dust.

However, on each of these three occasions inspectors observed excessive amounts of wood dust and served Improvement Notices.



An inspector's boot shows the scale of the wood dust found

Pendle Woodcraft (Blackburn) Limited, Cotton Hall Street Darwen, Lancashire pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974, and were fined £6,000, and ordered to pay costs of £2,926.55 on 15 January 2024 at a hearing in Blackburn Magistrates Court.



Exposure to wood dust can have a significant impact on the health of workers

After the hearing, HSE Inspector Tracy Fox said: "This company repeatedly failed to protect its own workers.

"Wood dust is a substance hazardous to health because it can cause serious non-reversible health problems, including asthma; dermatitis; and irritation to the eyes, nose and throat and all businesses need to protect their workers' respiratory health.

“The expected standard is to control exposure to wood dust to as low a level as is reasonably practicable.

“Companies need to be aware that when HSE identifies repeated similar significant failings in the workplace, a prosecution will always be considered.”

The prosecution was brought by HSE enforcement lawyer Chloe Ward and paralegal officer Helen Hugo.

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## **[Fine for Kent timber firm after worker loses three fingers](#)**

A company has been fined after an employee had three fingers severed by a panel saw at work.

David Broadway, 36, had been working at Pemberton Timber Frame Limited, a company that manufactures timber frame structures for the construction industry, at its site in Evelyn Way in Ramsgate on the morning of 4 January 2023.

He was operating a panel saw and asked to cut down the thickness of a length of timber – known as a rip cut. This process involved passing a length of timber through the panel saw multiple times as the timber exceeded the depth the blade could cut in one pass.

CCTV footage shows Mr Broadway successfully completing the cut before flipping the length of timber over, but he soon found the second cut much more difficult. He can be seen attempting to feed the timber through the saw and while receiving it from the cut end, his right hand made contact with

the saw blade, instantly amputating his index, middle and ring fingers, also cutting his little finger.



Mr Broadway had been operating a panel saw at the time of the incident

Mr Broadway said the accident has massively impacted in aspects of his life.

“I used to do weight lifting, ride my bike and keep active,” he said.

“I used to work a lot with my hands and I am now getting frustrated as I can’t do these things.

“Even normal activities like cooking or taking a shower are a challenge. It makes me feel stressed as I can’t do the everyday activities I used to do.”

Mr Broadway now also struggles to care for his children, including his young son, born after the accident.

A Health and Safety Executive (HSE) investigation found that Mr Broadway was asked to complete a task that was not suitable for the machine he was using. Pemberton Timber Frame Ltd had also failed to ensure he received sufficient training or instruction on how to use the panel saw safely, which would have included vital information about the limitations of the saw, guarding and other safety features such as a riving knife and the use of a push stick. The saw riving knife was also absent at the time of the incident.

HSE has clear guidance on [safe woodworking](#) which includes how and when a rip cut is carried out – a panel saw with a circular blade must not be used unless the saw blade, at all times, projects through the upper surface of the material being cut.

The investigation also discovered that the company had appropriate machines to undertake this task safely but Mr Broadway was unaware of this due to his

lack of training.

On 8 January 2025, Pemberton Timber Frame Ltd of The Strand, Walmer, Kent pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 at Sevenoaks Magistrates' court. The company was fined £12,000 order to pay full costs of £4,034.

Speaking after the hearing, HSE principal inspector Ross Carter 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.

"If a suitable safe system of work had been in place prior to the incident, the life changing injuries sustained by Mr Broadway would not have happened."

The HSE investigation was conducted by HM inspector Simon Asakura-Cornish and the prosecution brought by HSE enforcement lawyer Samantha Wells, support by paralegal officer David Shore.

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