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An investigation by the Health and Safety Executive (HSE) found that the company had not identified the risks to their employees from exposed rotating shafts and had not provided suitable guards or safe systems of working.

At Poole Magistrates Court on 8 September, Parvalux Electric Motors Limited of Wallisdown Road, Bournemouth, pleaded guilty to breaching Section 2 (1) of the Health and Safety Work Act 1974. They were fined £60,000 and ordered to pay costs of £8,000.

Speaking after the hearing, HSE Inspector Francesca Arnold said: "The defendant failed to ensure the safety of its employees in the testing of electrical motors.

"This incident could so easily have been prevented by simply putting the correct control measures in place and establishing safe working practices; for example, guarding exposed rotating parts and providing safe working practices.

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

## **Notes to Editors:**

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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/)
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# Death of a contractor – an update from HSE

The investigation into the death of a maintenance contractor has been handed over to the Health and Safety Executive.

A 79 – year old man died on September 4 whilst carrying out track maintenance duties at Babbacombe Cliff Railway, Babbacombe, Downs Road, Torquay.

A joint investigation was launched with and led by Devon and Cornwall Police. Whilst inquiries continue, the Health Safety Executive (HSE) will now lead the investigation.

The criminal inquiry will determine if any breaches under the Health and Safety at Work Act have occurred.

HSE principal inspector Trevor Lowe said: “We will draw upon the evidence gathered so far to determine the cause of this tragic incident.

“During the investigation we will continue to keep in touch with the family of the deceased as we send them our deepest sympathies at this difficult time.”

Ends

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## HSE launches inspection initiative targeting manufacturing sector

Health and Safety Executive (HSE) inspectors have begun a targeted inspection initiative focusing on manufacturing businesses where materials that contain silica are used.

The inspections, which started on Monday (October 3), will check whether employers and workers know the risks involved when dealing with silica and ensure that businesses have control measures in place to protect workers’

respiratory health. This will include brick and tile manufacturers, foundries, stone working sites and manufacturers of kitchen worktops.

Prolonged exposure to airborne particles of respirable crystalline silica (RCS) can lead to life-changing respiratory conditions such as silicosis, chronic obstructive pulmonary disease and lung cancer warns Britain's workplace regulator.

As part of the HSE's role as an enabling regulator it has recently refreshed its silica guidance for [brick and tile manufacturing](#), [stonework](#) and [foundries](#) and has an [ebulletin to support this industry](#). HSE also has advice for [employers and workers in manufacturing that use materials that contain silica](#).

Silica is a natural substance found in most stone, rocks, sand, quartz and clay. Silica particles are produced during many manufacturing tasks involving these materials. Silicosis, chronic obstructive pulmonary disease (COPD) and lung cancer can all be caused by breathing in tiny particles of silica. Over time, exposure to silica particles can harm a worker's ability to breathe and cause irreversible, often fatal, lung disease.

Employers have a legal duty to put in place suitable arrangements to manage health and safety and ensure they comply with the Control of Substances Hazardous to Health Regulations 2002 (COSHH). Inspectors will be looking for evidence that businesses have put in place effective measures, such as Local Exhaust Ventilation (LEV), water suppression and where appropriate, use of protective equipment such as Respiratory Protective (RPE), to reduce workers exposure to the RCS. If any health and safety breaches are discovered, HSE will take enforcement action to make sure workers' health is protected.

HSE's Chief Medical Advisor, Professor David Fishwick explains more about silicosis in this [short video](#).

HSE's head of manufacturing David Butter said: *"It's hugely important for manufacturing businesses where workers use materials that contain silica to act now to ensure they comply with the law and protect their workers from the risks of devastating lung disease. Businesses should take note that that good ventilation in the workplace and protective equipment are just some of the measures they need in place to protect the respiratory health of workers."*

*"Ahead of our autumn/winter inspection campaign, we want employers and workers to make sure they are aware of the risks associated with the activities they do. For example brick and tile manufacture, foundry workers and stoneworkers where they cut and shape bricks, tiles and stone that can create RCS dust that could be breathed in. To assist them we have refreshed our guidance. In addition, we have committed to providing dutyholders with regular updates, information and advice through our ebuletin."*

To view the refreshed guidance visit:

- [Brick and tile silica – COSHH e-tool \(hse.gov.uk\)](#)
- [Foundry – COSHH e-tool \(hse.gov.uk\)](#)

- [Stoneworkers – COSHH e-tool \(hse.gov.uk\)](https://www.hse.gov.uk/stoneworkers/)

You can sign up for [regular updates on the silica campaign here](#). Follow the campaign on Twitter at @H\_S\_E or on Facebook @hsegovuk.

Ends

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1. HSE news releases are available at <http://press.hse.gov.uk>
1. The inspection programme will be supported by HSE's 'Work-Right' campaign, aimed to influence employer behaviour change.

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## Companies and employees sentenced after 18-year-old worker's death

Two companies and two people have been sentenced after an 18-year-old construction worker was fatally injured while working on a house-build construction site in Boston, Lincolnshire.



P & R Plant Hire (Lincolnshire) Limited, D. Brown (Building Contractors) Limited, Brent Woods and Darrell Tripp were all fined following the death of Josh Disdel.

In July 2018 Mr Disdel, and another worker, both employed by P & R Plant Hire (Lincolnshire) Limited, had been tasked with clearing debris from manholes at a house-build construction site at White Bridges, Boston.

While work was taking place, Mr Disdel's colleague was asked if he could move the works van to allow another vehicle to pass. However, he was not aware that Mr Disdel was lying on the road with his head and torso in a manhole, directly in front of the van.

As the vehicle moved forwards one of the wheels entered the top of the manhole contacting Mr Disdel. Mr Disdel was then taken to hospital but later died as a result of serious crush injuries.

An investigation by the Health and Safety Executive (HSE) found that neither the Principal Contractor, D. Brown (Building Contractors) Limited, nor the groundworks sub-contractor, P & R Plant Hire (Lincolnshire) Limited, had ensured that the work was planned in such a way to ensure that workers were not exposed to risks to their health and safety.

Brent Woods, a manager within P & R Plant Hire (Lincolnshire) Limited for approximately 10 years, sent employees to carry out the task without a risk assessment or method statement in place despite having previously produced such information in the past.

In addition, workers had not been trained to work in a road, had not been provided with any equipment to ensure the work was carried out safely and had not been provided with any instruction on any safety measures to be used at site.



Today (September 6) at Lincoln Crown Court, Darrell Tripp, a site manager for D. Brown (Building Contractors) Limited for approximately four years, having worked in the construction industry for about 40 years, did not carry out a site induction of Josh Disdel and failed to carry out suitable checks to ensure the workers had the relevant training. Mr Tripp also failed to ensure there was a safe system of work in place of whether there were adequate control measures.

D. Brown (Building Contractors) Limited of Seas End Road, Spalding, were found guilty of contravening Section 3(1) of the Health and Safety at Work etc Act 1974. They were fined £300,000 and ordered to pay costs of £15,765.92

P & R Plant Hire (Lincolnshire) Limited of Station Road, Cambridgeshire, pleaded guilty to contravening Section 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £24,000 and ordered to pay costs of

£2,264.87.

Brent Woods of North Parade, Holbeach, Spalding was found guilty of contravening Section 7(a) of the Health and Safety at Work etc Act 1974. He was sentenced to 18 weeks imprisonment suspended for two years and ordered to complete 200 hours of community service and pay costs of £1200.

Darrell Tripp of Broadgate Lane, Deeping St James, Peterborough was found guilty of contravening Section 7(a) of the Health and Safety at Work etc Act. He was sentenced to eight weeks imprisonment suspended for two years and ordered to pay costs of £1200.

Speaking after the hearing, HSE inspector Mark Welsh said: "This was a completely avoidable incident, caused by a multitude of failures by both companies and both of the individuals who appeared in court.

"All of the defendants failed to adequately plan the work to identify the risks, failed to ensure that the individuals carrying out the work were trained and competent to do so, and failed to ensure a safe system of work was in place and followed.

"The result was the tragic loss of life of a young man who was looking forward to a bright future."

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2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>
4. Further information relating to work site traffic management on construction sites can be found at: <https://www.hse.gov.uk/construction/safetytopics/vehicledtraffictmanagement.htm> and <https://www.hse.gov.uk/pubns/cis53.pdf>

