

RPC



Health & Safety bulletin

April 2025

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Global Asbestos Awareness Week

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Company fined for unsafe scaffolding

The HSE investigated A.I.M Access Solutions Ltd for an unsafe scaffolding rig following the death of their employee, 45-year-old Robert Duffy in May 2021, after suffering serious injuries. Mr Duffy had been working on scaffold erected unsafely at a block of flats on Rice Hey Road, Merseyside. The HSE found that assembly instructions had not been followed and workers were left to climb the rungs of the scaffold itself as there was no ladder.

The HSE has long-standing guidance ([here](#)) on tower scaffolds and have identified the leading causes of injuries are:

- Defects in the scaffold: improper installation or missing platform guardrail.
- Erection/dismantling: manufacturers, suppliers or hirers must provide instructions to the person erecting the tower, detailing the correct order, including bracing and maximum height, for safe erection.
- Misuse: where a ladder is used on a tower causing it to overturn or when a person falls while the tower is being moved.

A.I.M were not prosecuted on the basis that the incident caused Mr Duffy's death, but the company admitted breaching S.2(1) of the Health & Safety at Work etc. Act 1974. They received a £30,800 fine and an order for costs of £5,040.75 on 27 February 2025.

HSE inspector Sam Eves said, *"The company failed to provide a safe way to get to and from the work platform"* and that the guidance should be followed to reduce risks to employees.

Brothers fined for failing to protect public from cattle

A 59-year-old father of three and teacher, David Clark, suffered fatal injuries from a herd of cows when out with his two dogs crossing a right of way on 21 September 2020.

The HSE investigated brothers Andrew and David Turnbull for failing to protect the public from their herd of cows as they did not signpost another public right of way in their field located in the Coalsgarth Valley, North Yorkshire. They pleaded guilty to breaching S.3(2) of the Health & Safety at Work etc. Act 1974. Andrew Turnbull, 47, received a £1,589 fine and a costs order of £1,500, whilst David Turnbull, 61, received a £1,390 fine and a costs order of £1,500.

HSE has guidance for those with cattle in fields to keep the public safe ([here](#)). This includes a risk assessment and guidance on appropriate measures to minimise any risks.

The Government has advice for safe enjoyment of the countryside in [The Countryside Code](#) which includes respect for farming:

- Animals are unpredictable, give them space.
- Keep dogs under control/on a lead.
- It can help to let dogs off the lead if you feel in danger because of livestock.

HSE inspector Elliot Archer commented the brothers failed to protect the public, and others in their position need to understand and mitigate the risk posed when keeping cattle in fields where the public have access.

Farmer jailed after three-year-old child killed by vehicle

A three-year-old boy, Albie Speakman, was tragically killed on 16 July 2022 when struck by a telehandler (a machine similar to a forklift but with a telescopic boom arm) being driven by his father. Mr Speakman, 39, was using the machine to load bags with woodchips having left his son to play in a small garden, which did not have a fence, at the front of the Bentley Hall Farm, in Bury Greater Manchester. He struck his son whilst reversing.

The HSE and Greater Manchester Police investigated and found Mr Speakman had failed to ensure a safe, separate area to keep his son safely playing away from a workplace activity. Mr Speakman borrowed the machine from a neighbour and, although he had used it before, had not undergone any training. Additionally, he would have had reduced visibility as the machine was missing a wing mirror on the passenger side whilst the one on the driver side was not clean.

The CPS prosecuted Mr Speakman. He pleaded guilty to breaching S.3(2) of the Health & Safety at Work etc. Act 1974 and received a 12-month prison sentence (of which he must serve at least 6) at Manchester Crown Court on 28 February 2005, and a £2,000 costs order. Mr Speakman was found not guilty of gross negligence by manslaughter.

HSE has guidance on keeping children safe when carrying out agricultural work activities ([here](#)). It is often believed that farm children understand farm risks, but most children who die in farm incidents are family members. Agricultural workers should:

- Exclude children from potentially dangerous areas
- Use fencing
- Keep children away from moving vehicles

HSE inspector Mike Lisle said, *"This tragedy could easily have been avoided if our guidance was followed"*.

Skiing company fined after boy was killed at friend's birthday party

A twelve-year-old schoolboy tragically died whilst tobogganing at a friend's birthday party at the Snowdome in Tamworth. In his descent of the slope, Louis Watkiss collided with an employee walking alongside and then fell backwards, suffering fatal head injuries.

The HSE investigated and found significant failings by the Snowdome to ensure the safety of users. Their risk assessment was found to be insufficient and did not account for people on the slope whilst others were tobogganing, safe working, information, instruction, training or supervision to mitigate risks of collision.

The company pleaded guilty to breaching S.3(1) of the Health & Safety at Work etc. Act 1974 on 26 February 2025. A £100,000 fine was given together with a £14,534 costs order.

The HSE has guidance on managing risks and risk assessment at work which can be found [here](#). It is a legal requirement for employers to protect workers and others.

Senior HSE enforcement lawyer Nathan Cook referred to this as a tragedy that did not need to happen, and which could have been avoided if correct procedures were followed.

Wood company fined more than £1million after two workers injured

In January 2020, 28-year-old Sean Gallagher sustained head injuries following an accident at work which involved his leg becoming entangled in moving machinery in a bunker. Within six months, a scaffolder, 39-year-old David McMillan suffered fractures including to his neck and ankle after falling over 13 feet after a rusty plate gave way.

Mr Gallagher had worked at the biomass plant of West Fraser (Europe) Ltd (formerly Norbord) for 5 years. He entered the bunker once to inspect a fault, following the company's safe working procedures. However, he then entered it for a second time to investigate further issues without doing so and left the power on, which resulted in him becoming entangled in the machinery. He managed to signal for help to another worker using his phone. The company installed further safety measures after this, including a mesh and padlocked hatch which only a supervisor can unlock once the system is isolated.

The steel gantry Mr McMillan fell from was found to be corroded with deficient welding. The gantry was banned from use and later disassembled and taken away.

In respect of Mr Gallagher's incident, following the HSE's investigation, the company accepted it had failed to comply with Regulations 11(1) and (2) of the Provision and Use of Work Equipment Regulations 1998 and S.33(1)(c) of the Health & Safety at Work etc. Act 1974. On 17 February 2025, they received a £28,000 fine. For Mr McMillan's incident, the HSE found there were no procedures in place for the maintenance or safety checks of the construction. The company accepted it failed to comply with S.4(2) and S.33(1)(a) of the Health & Safety at Work etc. Act 1974. A fine of £1,040,000 was handed out on the same day. This follows a fine of over £2 million in 2022 for the death of an employee of the company.

HSE inspector Stuart Easson said both men were lucky to be alive and hastened to add that this was the second time in five years West Fraser (Europe) Ltd had received a hefty fine for failing to protect its workers.

Fine for company after worker fell to his death from church steeple

A 64-year-old steeplejack, David Clover, suffered fatal injuries after falling from a "bosun's chair" (a seated harness) whilst working on St Nicholas' Church's 60m tall steeple in Kings Norton, Birmingham, on 13 November 2020.

The HSE's investigations found the harness was unsupported meaning no safety mechanism was in place. The HSE has produced significant guidance on working at a height safely, [here](#), as working at height is one of the main causes of death and serious injury, taking the lives of 50 people in 2023/24 alone.

The Judge held the company, Ecclesiastical Steeplejacks Ltd (which is no longer trading) formerly of Maryvale Business Park, Birmingham, did not have up to date Health and Safety measures in place. The company admitted to contravening Regulation 4(1) of the Work at Height Regulations 2005. It was handed a £60,000 fine at Birmingham Magistrates Court on 15 January 2025.

HSE inspector Emma Page said they will continue to take action against those failing to protect employees working from heights.

Food safety fails results in multiple fines and convictions

In 2021, David Wood Baking Ltd received a conviction and was fined £858,000 after an employee had an accident whilst removing filling ingredients from a paddle mixer as the machinery was unguarded. During that investigation, the HSE determined the requisite control measures were not in place, and that the specific machine had possibly been defective from as early as 2018, which is when it was installed. The machine should have been monitored and defects reported/repaired.

Despite already being put on notice of the importance of regular checks on machinery, three further incidents happened at the company:

- The first accident took place in June 2022 and resulted in a woman requiring three surgeries and metal plates for reconstruction after suffering two open fractures and nerve damage in her hand from getting her arm caught in a conveyor belt.
- The second incident took place in the July, where an employee got his arm caught in a mechanical mixer for 90 minutes and was then rescued by the fire brigade.
- The third incident happened in December 2022 and resulted in an employee losing their finger whilst operating a machine with an unprotected drive belt.

The HSE carried out its investigation and determined that not only was the training provided to the employees insufficient, but the company failed to adequately monitor its machinery and carry out requisite remediation.

The company pleaded guilty to breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations and was fined £573,344 and ordered to pay £12,288 in costs.

Train strikes two workers and results in fine for Network rail of £3.75m

In July 2019, two rail workers were struck by a train whilst carrying out works and were fatally injured, with a third worker narrowly escaping being hit.

The Rail Accident Investigation Branch (RAIB) carried out an investigation and announced that it had found multiple failures by Network Rail in their processes and management systems and that these failures were similar to previous failures at other incidents resulting in fatalities.

In this case, there were no appointment lookouts in place that could have warned the workers working on the live line, and there was no line block in place, which would have stopped the train from proceeding down the track where the work was taking place. The workers were wearing ear defenders and did not hear the train approaching. The RAIB set out a number of factors in its investigation report where Network Rail had failed to adequately protect its workers.

Network Rail pleaded guilty to breaching S.2(1) of the Health and Safety at Work etc. Act and was fined £3.75m, with a cost order of £175,000. The level of the fine reflected the gravity of Network Rail's failings.

Since this incident, RAIB made recommendations to Network Rail for it to improve its safety working practices and to protect its workers.

Exploding tyre kills farm worker

A 23-year-old farm worker was killed when a tyre that he was inflating exploded, and its wheel rim caused traumatic head injuries.

The HSE found that the company had not carried out adequate assessments on the tyre to ensure it could be inflated safely. The tyre being inflated was in poor condition which resulted in the risks of explosion being much greater. The company had also failed to control the risks associated with this type of work.

The company pleaded guilty to breaching Regulation 2(1) of the Health and Safety at Work etc. Act 1974 and was fined £80,000 with a costs order of £8,605.

Student dies at school resulting in £300,000 fine

Owen Garnett, a student that suffered from 'Pica', an eating disorder which meant he had a compulsion to eat non-food items, was left unsupervised in a playground and by the time he was located by staff, he was choking on a paper towel.

The HSE investigation identified a similar incident had happened just a few days before where the student was found choking on paper, but on that occasion, he managed to clear his own airways.

Students at the school had had individual risk assessments and, as part of Mr Garnett's assessment, the risk of choking had been identified. He was supposed to have a named person supervising him at all times to mitigate the risk of him eating something he shouldn't.

The HSE investigation identified multiple failings by the school and, in particular, the failure to ensure that the garden area where the student had choked was supervised, and that supplies of paper towels were monitored in order to prevent the risks identified.

Welcombe Hills School in Stratford-upon-Avon pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974 and was fined £300,000 with an order of £10,750 in costs.

Worker crushed by machine results in £80,000 fine

In November 2021, a worker from Wigan was moving a large cutting press for its employer, Partwell Special Steels Limited, by using skates placed underneath, when it became unbalanced and fatally crushed him.

The HSE investigation highlighted a number of insufficiencies by the employer, namely that it had not carried out an adequate risk assessment for the work, nor with adequate planning or safe system of work provided. In addition, the workers had not been given sufficient training to carry out that task and had an assessment taken place, it would have identified the method being used by the workers was unsafe.

The company pleaded guilty to breaching S.2(1) of the Health and Safety at Work etc. Act 1974 and received a fine of £80,000 and was ordered to pay £6,713 in costs.

Stone company fined after repeatedly failing to protect workers

Warmsworth Stone Limited, a company that produces stone products, was given seven improvement notices from the HSE for repeated health and safety failures following several inspections. Despite having notice of its failures and areas in need of improvement, the company failed to protect its workers.

One of the main failures of the company was that the company left its employees at risk of exposure to stone dust containing Respirable Crystalline Silica (RCS) when they were processing the stone. In addition, the company breached its duty in respect of the exposure to legionella bacteria, as well as having inadequate welfare facilities.

The HSE indicated that the company had been reckless in its disregard to basic health and safety protection, including the risks associated with the dust.

Both the director and the company pleaded guilty to breaching Regulation 7(1) of the Control of Substances Hazardous to Health in relation to the exposure to RCS, and Regulation 9 (2) (a) of the Control of Substances Hazardous to Health for failing to have local exhaust ventilation and adequate testing and assessments. The company also pleaded guilty to breaching S.21 Health and Safety at Work etc. Act 1971 as it failed to comply with the improvement notices issued previously by the HSE

The company was fined £18,000 with a costs order of just over £4,000 with the director being fined £1,062 with costs of £3,782.

Serious food crimes: food unfit for human consumption makes its way back to the market

A joint investigation by Southwark Council and the Food Standard Agency's National Food Crime Unit (NFCU) found that 1.9 tonnes of animal byproducts, including whole and cut chickens, lamb's testicles and beef burgers, were being processed in an illegal meat cutting plant in London and being sold to the general public.

Food operators had been sending the byproducts to manufacture pet foods or for safe disposal. However, Fears Animal Products had been in criminal conspiracy with Mark Hooper, Azar Irshad and Ali Afzal to process the byproducts back to the human food chain.

Mr Hooper, Mr Irshad and Mr Afzal entered guilty pleas in relation to conspiracy to defraud, failure to comply with Regulation 19 Food Safety and Hygiene Regulations relating to Unapproved Premises and charges related to Placing Unfit Good on the Market. However, Anthony Fear, sole director of Fears Animal Products, decided to enter a not guilty plea. At an 11-week trial which concluded on 27 March 2025, the jury found the company and his director unanimously guilty, on the same basis as the other defendants.

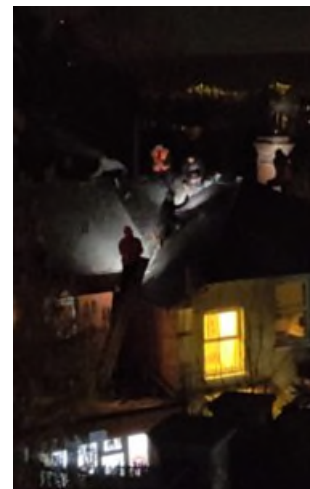
No safety net: roofing firm and director sentenced for putting workers at risk

A roofing company was fined, and its director handed a suspended prison sentence after admitting putting roofers working at height at risk. Workers for Weather Master Roofing Limited were seen carrying out works without any scaffolding, edge protection, or harnesses on the roof of a house being renovated in Surrey in February 2023. This left them vulnerable with no measures in place to break a substantial fall. Workers were also observed using the light from their phones and torches while working on the roof at night.

The HSE served an Improvement Notice the same month, requiring the company to improve how it planned, carried out, supervised and monitored the work being carried out on the roof; however, this was not complied with, so the HSE prosecuted.

The company pleaded guilty to breaching Work at Height Regulations 2005 and the Health and Safety at Work Act 1974 and was fined £4,000 and ordered to pay £1,500 in costs and a victim surcharge of £1,600. The company director, Mr Avanzo, also pleaded guilty and was given a six-month prison sentence, suspended for two years, ordered to complete 120 hours of unpaid work, disqualified from being a company director for three years and ordered to pay £1,500 in costs.

Falls from height are the single biggest cause of work-related deaths in Britain and the law requires employers to take measures to prevent falls. The HSE publishes [guidance on its website](#) about how to plan and carry work at height out safely, including the preventative measures required.



Source of photographs: HSE Website

Prosecution following lack of asbestos control

Stephen Wilks of S Wilks Roofing pleaded guilty to breaching asbestos safety regulations after a local resident reported concerns about debris which had fallen into their garden in February 2022. Doorbell camera footage showed that workers of S Wilks Roofing, who had been retained by a property management company to replace asbestos cement roof sheets on three garages in Altrincham, disposed of asbestos waste without control measures. Ripped bags of debris containing white (chrysotile) asbestos were being stored in a publicly accessible area in front of the garages, with contents spilling out of the bags, contaminating undergrowth and personal belongings stored in the garages. Further footage showed the employees disposing of the asbestos debris in domestic bins.

Following an investigation by the HSE, Mr Wilks pleaded guilty to breaching Regulation 11(1) and Regulation 16 of The Control of Asbestos Regulations 2012, which require proper planning and precautions to prevent exposure to and spread of asbestos during non-licensed work. He was sentenced to 200 months' unpaid work and ordered to pay just over £3,500 in costs in March 2025.

HSE's campaign 'Asbestos and You' reminds employers and workers about the dangers of asbestos, which can cause fatal lung diseases, and guidance on how to identify and safely dispose of it. Workers in the construction, maintenance, demolition and installation trades are particularly at risk. Further guidance can be found in the [HSE's Guide to Asbestos Safety for Workers](#).

Environmental

Three sentenced over illegal waste activity in Northamptonshire

Between 2019 and 2021, Green Infrastructure Ltd illegally stored rubbish, weighing in at 34,000 tonnes and stretching 10 metres high, on their land at Mill Farm, Great Cransley near Kettering, without the requisite environmental licence. During this time, Storefield Aggregates sent over 24,000 tonnes of rubbish to the location as did two other companies.

Environment Agency officers visited the site repeatedly over 2 years, but neither Green Infrastructure Ltd nor its owner, 64-year-old David Goodjohn, complied with their guidance. On 27 February 2025, they were prosecuted and ordered to pay over £75,000.

Storefield Aggregates was ordered to pay over £43,000 and the Environment Agency warned the other two companies.

Environment Agency Manager, Yvonne Daily, was clear that illegal rubbish dumping is taken seriously, and that they will take appropriate action.

Trash & burn: illicit waste warehouse scheme unravelled, resulting in jail terms for operators

Complaints from residents of Margate about swarms of flies lead to the discovery of a warehouse illegally filled with thousands of bales of household and construction waste. It transpired that DW Lands Ltd had filled the warehouse with 220 vehicle loads containing 6,000 blocks of waste from the home counties in the spring of 2017. David Weeks of DW Land Ltd instructed OMC Outdoor Maintenance Company to secure and manage the unit with a view to using it as an energy-from-waste plant. However, neither Mr Weeks nor Lee Brookes, the director of OMC, had obtained an environmental permit for the storage of waste.

An environmental permit would have required the pair to manage the risk of fire: a risk which eventuated in September 2018 when the building caught fire, blazing for 25 days, disrupting travel and even causing operations at the local hospital to be cancelled.

Mr Weeks and Mr Brookes admitted knowing that their respective companies ran the waste operation without a permit in breach of Regulation 12 (1)(a) of the Environmental Permitting (England and Wales) Regulations 2016. Mr Weeks was sentenced to 16 months in prison, suspended for two years, 150 hours of unpaid work, 20 hours of rehabilitation activity and monitoring by electronic tag for two months. He was also ordered to pay £5,000 in costs and a victim surcharge of £140. On the other hand, Mr Brookes was sentenced to four months in prison, suspended for a year, 80 hours of unpaid work and 20 hours of rehabilitation activity, plus costs of £1,000 and a victim surcharge of £115. Mr Weeks was a repeat offender, having been fined almost £10,000 seven years ago for involvement in the illegal storage of 13,000 tonnes of wood in Plymouth. The companies appear to no longer be trading.

Round up

Report highlights actions to support people with health challenges remain in work

Attitudes have shifted towards supporting health conditions to keep people in work or helping people get back into work. The Health Foundation's interim report, [Towards a healthier workforce](#), came out in October 2024 citing early intervention as being key. The nation's deteriorating working-age population over the past 10 years significantly affects the employment sector.

Some key points from the report:

- There are three principal priorities; employers should proactively manage workers' health, provide structured help early on to keep people in work, and provide both health and well-being as well as financial support to those who want to return to work.
- Nearly 4m people of working age aren't in employment due to a work-limiting health condition (2.8m due to long-term sickness/disability). This is around 300,000 per year.
- An increase of 64% between 2013 and 2023 of those continuing to work in poor health.
- Musculoskeletal and mental health are the main health conditions – [The European Agency for Safety and Health at Work](#) asks employers to treat mental health conditions as if physical.
- Support should be given to those with health conditions to help them go back to work as they are less likely to.
- The pandemic exacerbated the problem.
- Employers want to support workers but do not have the tools available to them.
- Priority groups needing targeted support include young people with low skills; those working with health conditions; and of those people who have not worked for less than 2 years; and people with health or disability-related caring roles.
- Before the final report is published, steps the Government can take include financial support for local communities, removing the backlog of back to work claims, reforming statutory sick pay, evaluating public organisations' working practices, and rethinking short-term cost savings to modify work capability assessments.

New HSE guidance for stone worktop installers

The HSE has published new guidance for installers of stone worktops. This guidance highlights the importance of taking appropriate measures to mitigate the risks associated with installing stone worktops, such as dust exposure and the dangers of breathing in Respirable Crystalline Silica (RCS). Long term exposure to this can result in often fatal conditions, which are listed as '*silicosis, chronic obstructive pulmonary disease and lung cancer*'.

The detailed guidance can be found [here](#). It outlines the training and information that should be provided to workers in order to protect themselves and those around them whilst working with stone. This includes what the risks from exposure to the dust are, how you can be exposure to RCS and other dust as well as what control measures are required.

Global Asbestos Awareness Week

The HSE's Global Asbestos Awareness Week ran from 1 to 7 April 2025 and aimed to raise awareness amongst occupiers of buildings constructed before 2000 about the potential presence of asbestos and the duties to manage the risks the material presents.

Although asbestos was most widely used between 1950 and 1980, buildings built before 2000 could contain asbestos, which could be found in pipe lagging, insulation board, asbestos cement products such as profiled roof sheets and wall panels, floor coverings and asbestos sprayed coatings. Asbestos Containing Materials (ACMs) such as gaskets and rope seals can also be found within old plant and equipment such as industrial ovens and pipework.

There is a [legal duty to manage asbestos](#) and failing to do so can result in penalties ranging from fines to prison sentences. Despite a typical 10-to-40-year incubation period, there have been more than 100 asbestos-related prosecution cases brought in the past five years. The HSE advise of 6 key steps to manage asbestos:

1. Find out if asbestos could be present in your building.
2. Arrange an asbestos survey by a competent person or accredited surveyor.
3. Make a register and assess the risks from your asbestos.
4. Write your asbestos management plan.
5. Put your plan into action.
6. Continually monitor and communicate the plan.

For further information on asbestos-related disease statistics we recommend HSE's publication: [Asbestosis, mesothelioma, asbestos related lung cancer and non-malignant pleural disease in Great Britain 2024 \(PDF\)](#)