





29/04/22

# Enforcement action Devon Highways



Incident notification 	Alert 	Information 	Toolbox Talk 
Date and time of incident:	07/04/22   11:00	Injury severity:	n/a
Alert Author:	Christian Booth	Potential severity:	Major
HS&W Lead:	Rachael Lee	Investigation Completed:	Full
Trade/company involved:	Milestone/Devon Highways	Operational disturbance:	Exposure to or contact with harmful substance/material

## What Happened?

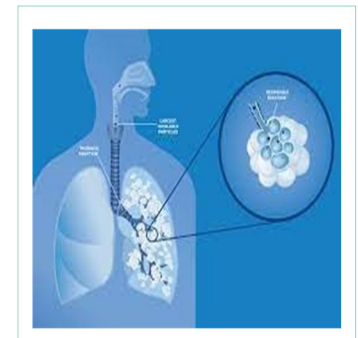
An HSE inspector visited a gang working on site at Wolborough Street, Newton Abbot where the HSE inspector questioned the operatives on their task in hand, equipment used for the task and PPE they had worn during the task. The charge hand honestly replied to the inspector that whilst operating a petrol abrasive wheel whilst cutting tarmac the two operatives incorrectly did not wear the required RPE, mainly a FP3 mask or blown air hood.

The HSE inspector issued an improvement notice in accordance with Health and Safety at work Act 1974, S2(1) the control of substances hazardous to health regulations 2002, Reg 76 (1). The company "failed to ensure that the Exposure of their employees to respirable crystalline silica (RCS) has not been adequately controlled, because they did not have suitable RPS, where it was accepted

## HSE



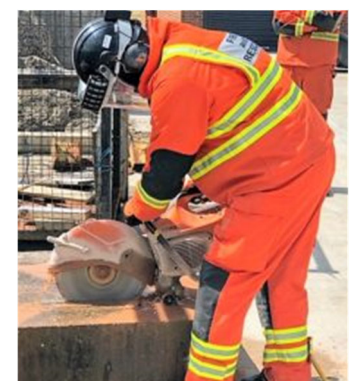
## Silica



## Key Investigation Findings/Learning:

- Both operatives were clean shaven whilst conducting their FFP3 face test but had since grown facial hair.
- Though it was accepted and understood that it was company policy for operatives to wear FFP3 masks or air blown hoods for operatives with facial hair it was not understood that it was a legal requirement.
- It was not understood by the operatives on who the HSE was and the enforcement powers they hold but also the procedure for escalating the enforcements visit to site.
- It was highlighted there had been a lack of training and information about Occupational Lung diseases.
- The contract accepted that they did not have enough air blown hoods for operatives with facial hair.
- It was accepted that disposable FFP3 masks currently being used across the business on contracts are below the business minimum standards.

## Petrol Operated Abrasive wheel



29/04/22

# Enforcement action

## Devon Highways



Incident  
notification



Alert



Information



Toolbox Talk



### Contract/Project Specific Learning Points:

- To review the amount of air blown hoods across the contract and ensure sufficient are purchased.
- The contract to provide information on enforcement agencies and their powers to all operatives and procedure to be followed if visited.
- The contract to provide training on occupational lung diseases and included within the weekly HSW pack.
- Comprehensive guidance on the use of FFP3 masks, air fed hoods and their requirements to be produced.

### Business Considerations for Learning:

- To review the amount of air blown hoods across your contract in comparison to operatives with facial hair and ensure sufficient hoods are purchased.
- Regular checks to be carried out to confirm operatives are following correct procedures for RPE whilst using abrasive wheels.
- Review of face fit testing to be carried out.

### Basic Risk Factor:

- ☐ Housekeeping
- ☒ Procedures

### ☐ Defences

- ☒ Incompatibility of Goals
- ☐ Tools/Equipment

### ☐ Design

- ☐ Maintenance Management
- ☒ Training

### ☐ Error Enforcing Conditions

- ☒ Organisation
- ☐ Communication

### Action Required:

☒ Brief

☒ Display

☐ Information Only