

# Death of Marius Badiou – An Update from HSE

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

Marius Badiou died on 21 July 2022 during a lifting operation at the Gatwick Railway Redevelopment Project at Gatwick Airport.

A joint investigation was launched with and led by the British Transport Police. The police have concluded their investigations and the Health Safety Executive (HSE) will now lead the investigation.

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

HSE principal inspector Ross Carter said: “It is important HSE completes the investigation into Marius’ death to determine the cause of this incident.

“HSE will draw upon the evidence gathered so far and call upon its own specialist investigators and independent support in what is likely to be a complex investigation.

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

Ends

## **Notes to Editors:**

1. Please click on the following link to see [statement](#) from Thames Valley Police.
2. 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. [hse.gov.uk](https://www.hse.gov.uk)

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## Two new non-executive directors to

# [join HSE Board](#)

The Secretary of State for Work and Pensions has confirmed two non-executive director appointments to the Board of the Health and Safety Executive (HSE).

Chyrel Brown and David Coats will fill two vacant positions on HSE's Board, bringing with them a wealth of experience that will strengthen the existing team.

Chair of HSE, Sarah Newton, welcoming the appointments, stated:

"I am delighted that Chyrel and David will be joining us on the HSE Board. Their wealth of expertise, knowledge and experience will be a great asset to us. I look forward to working with them."

## **Chyrel Brown**

Chyrel is currently the Chief Operating Officer at One Housing Group and has worked for more than 20 years in large, complex commercial organisations across London and the Southeast. She sits on the Boards of St Martins of Tours Housing Association, Barnsbury Housing Association and is also a non-executive director at University College London Hospital.

In the aftermath of the Grenfell Fire disaster, Chyrel delivered assurance to the London Assembly on Fire Safety and embedded organisational risk regimes in cladding, fire and regulatory compliance.

## **David Coats**

David has previously worked for the Trades Union Congress (TUC) and continues to provide research and advice to a number of trade unions. He is the director of WorkMatters Consulting and an Honorary Professor at the University of Leicester. He sits on the Central Arbitration Committee, which is effectively the Industrial Court for Great Britain and the Advisory Committee for the Industrial Relations Research Unit at the University of Warwick.

As well as his breadth of experience in industrial relations, including work with non-unionised environments such as vulnerable workers, David has previously advised the World Economic Forum and served on the Low Pay Commission from 1999-2004.

## **About HSE**

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. HSE also has added responsibilities, such as becoming the appointed Building Safety Regulator. 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. [hse.gov.uk](https://www.hse.gov.uk).
  2. HSE is an Executive Non-Departmental Public Body sponsored by the Department for Work and Pensions (DWP).
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## [Roofing contractor fined after worker falls from a roof and dies](#)

A North West roofing contractor has been fined after an employee fell from a roof ladder and died at the scene.

In May 2021, roof replacement work was being carried out on a domestic property in Burnley by Richard Thornton, trading as Vanguard Roofing. On the final day on site, an employee of Mr Thornton was climbing a triple extending access ladder on the roof, to reach scaffolding at eaves level, whilst carrying a pile of slate on their shoulder. They slipped and fell to the ground, sustaining fatal injuries.

An investigation by the Health and Safety Executive (HSE) found that the interlocking sections of the ladder they had been negotiating did not allow for three points of contact to be maintained, especially when a load was being carried: a single pole access ladder would have enabled this.

The employee had also been wearing loose fitting footwear, which had not allowed for a firm foothold on the ladder. There was no safe means of transporting materials to the roof, such as a gin wheel and bucket, which would have avoided the need for carrying loads via the ladder. Had these measures been taken, proper contact could have been maintained and the incident avoided. The investigation also found that Mr Thornton did not have any employer's liability insurance in place to protect workers.

At Blackpool Magistrates' Court Richard Anthony Thornton of Upper Brook Court, Greenbrook Road, Burnley pleaded guilty to breaching Regulation 4(1) of The Work at Height Regulations 2005 and Section 1(1) of the Employers' Liability (Compulsory Insurance) Act 1969. He was sentenced to six months in prison, suspended for two years, and ordered to pay costs of £3,600.

Speaking after the hearing, HSE Inspector Christine McGlynn said: “Each year falls from ladders kill a number of workers. This tragic incident could have been avoided by the selection of equipment which would have meant that three points of contact could be maintained.

“Inexpensive equipment, such as a gin wheel and bucket, could and should have been made available to avoid the need to carry materials up a ladder. Every employer needs to ensure that they have Employers Liability (Compulsory) Insurance in place to insure against liability for injury or disease to their employees arising out of their employment. Where employers are found to be in breach of this requirement, they will be held to account by HSE.”

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2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](https://www.hse.gov.uk/legislation)
3. HSE news releases are available at <http://press.hse.gov.uk>
4. More information and guidance can be found at: <https://www.hse.gov.uk/work-at-height>

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## **Fine for company which ignored previous enforcement action**

A property development company has been fined £8,000 for failing to adequately assess the risks involved in a refurbishment project, despite having been subject to previous enforcement action.

Health and Safety Executive (HSE) inspectors visited a Daneets Developments Limited site in Bond Street, Blackpool, on 7 June 2021 during which enforcement action was taken in relation to general fire precautions, slips and trips, a failure to provide welfare, work at height, use of personal protective equipment, electrical safety, and potential exposure to asbestos.

A follow up visit to the site was then made on 21 June 2021 where further breaches of law relating to work at height and building safety were identified.

An investigation by HSE found the company did not have the organisational

capability to comply with their duties under the Construction (Design and Management) Regulations 2015. It also found that lessons from previous enforcement action in 2017, had been ignored.

Daneets Developments Limited of Glenville Close, Cheadle, Cheshire pleaded guilty to breaching the Construction (Design and Management) Regulations 2015 Reg 13, and was fined £8,000 and ordered to pay costs of £2,744 at Blackpool Magistrates Court on August 31 2022.

After the hearing, HSE inspector Jackie Western 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 in the safe system of working. Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards.”

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3. HSE news releases are available at <http://press.hse.gov.uk>
4. More information and guidance on work equipment and machinery can be found at: <http://www.hse.gov.uk/work-equipment-machinery/index.htm>

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## **[Timber company fined £80,000 after worker hurt in fall](#)**

A Devon-based timber company has been fined £80,000 after an employee fell through a stairwell while working on a barn conversion.

The 49-year-old driver and warehouse operative, employed by Lamisell Limited, was working on the barn, which was being converted for rental use, at the company's address near Okehampton, on 14 May 2018.

He was trying to access the first floor of the barn from exterior scaffolding and jumped onto a piece of insulation which was covering a stairwell. The insulation gave way and the worker fractured two vertebrae in the fall.

An investigation by the Health and Safety Executive (HSE) found the work was not properly planned, appropriately supervised, or carried out in a safe manner when the incident occurred. The company had a duty to control how the work was carried out, including staff supervision.

Lamisell Limited, of Meeth, Okehampton, Devon pleaded guilty to breaching Section 4 (1) of the Work at Height Regs 2005, and was fined £80,000 and ordered to pay costs of £7,331 at Poole Magistrates' Court on August 31, 2022. The company also ordered to pay a £170 victim surcharge.

Speaking after the hearing, HSE inspector Peter Buscombe said: "This worker's injuries were serious. This incident could have been avoided if basic safeguards had been put in place.

"Falls from height remain one of the most common causes of work-related fatalities and injuries in this country and the risks associated with working at height are well-known."

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