

# [Building firm fined after worker hurt falling through collapsed floor](#)

A building company has been fined £66,667 after a worker was injured when a floor that was under construction collapsed.

The Lusson Ltd worker was one of three people who were on the incomplete first floor of a building that was being constructed in Croham Valley Road, Croydon on 23 June 2021.

Several pallets of blocks were lifted on to the incomplete concrete beam and block floor using a loader crane, eventually causing the floor to collapse.

One of the three workers fell to the ground and suffered an open fracture to his left leg as well as a broken wrist.

An investigation by the Health and Safety Executive (HSE) found that Lusson Ltd did not take any steps to prevent falls from height and they failed to establish a safe system of work for this task.

Lusson Ltd, of Barking Road, London, pleaded guilty to breaching Regulation 13(1) of the Construction (Design and Management) Regulations 2015 and was fined £66,667 and ordered to pay costs of £1,907 at Westminster Magistrates Court on 21 December 2022.

HSE Inspector Owen Rowley said: "This incident could so easily have been avoided by simply carrying out correct control measures and 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:**

1. 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.
  2. More information about the [legislation](#) referred to in this case is available.
  3. Further details on the latest [HSE news releases](#) is available.
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## Food company fined £858,000 after worker loses arm

A food production company has been fined £858,000 after an employee had his arm amputated after becoming entangled in an industrial food mixer.

Lee Simpson was removing filling ingredients from a paddle mixer, from which the contents could be removed at the front, at David Wood Baking Limited's premises in Sheerness, Kent when his right hand and arm were drawn in.

Lee, from Sheerness, who was 26 years old at the time, had to have his arm surgically removed.

He said he has now lost much of his independence. He said: "Life has changed so much since the accident and I am doing everything I can to improve, but it will never be the same.

"Since my accident I have become dependent on others, primarily my family and fiancée, to complete daily activities for me, such as cooking and domestic tasks such as doing the laundry."

The incident happened on September 27, 2021 at the Mill House, Dorset Road, Sheerness, where David Wood Baking Limited makes sausage rolls, quiches and other food products.

An investigation by the health and Safety Executive (HSE) found that the control measures in place to prevent contact with moving parts were ineffective as the guarding of the mixer was routinely not replaced after cleaning.

The 'interlocking' system was also defeated which meant the mixer would still operate without the front guard in place, putting employees, including Mr Simpson, at risk when operating it.

David Wood Bakery Limited pleaded guilty to breaches under the Provision and Use of Work Equipment Regulations 1998, Regulation 11(1)(b) and was fined £858,000 and ordered to pay £8,000 costs at Folkestone Magistrates Court on December 21, 2022.

Guidance on working with [bakery products](#) can be found on the HSE web site.

HSE Inspector Joanne Williams said: "A wide variety of work equipment and machinery is used across food production.

"Every year, a significant proportion of accidents, many of them serious and sometimes fatal, occur as a result of poorly guarded work equipment. To prevent and reduce the risk of serious or fatal injury adequate arrangements and systems of work are required.

"In the food and drink industries machinery and plant causes over 30% of

fatal injuries and over 10% of major injuries.

“In this case this was a wholly avoidable incident, caused by the failure of the company to implement safe systems of work and a failure to identify the risks.

“Had the company ensured the interlocks were maintained and remained in working order, the machine could not have been used without the guard in place and this life changing injury could not have occurred.”

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## [BPF joins HSE campaign to tackle stress in Great Britain’s plastics industry](#)

The world’s longest-running plastics trade association, the British Plastics Federation (BPF), has become the latest partner to join the Health and Safety Executive’s (HSE) Working Minds campaign.

The [latest statistics from HSE](#) show there were an estimated 914,000 cases due to work-related stress, depression, or anxiety in 2021/22. That’s an 11% rise from the 822,000 cases in 2020/21. An estimated 17 million working days were lost to work-related stress, depression or anxiety in 2021/22, which covers more than half of all working days lost due to work-related ill health across the same period.

Since 2019, the total annual cost of poor mental health to employers has increased by 25%, costing UK employers up to £56 billion a year – [according to a report by Deloitte](#). Figures show employers can see a return of £5.30 on average for every £1 invested in mental health.

Graeme Craig, Senior Industrial Issues Executive at BPF, says: “When it comes

to work-related stress, the link between wellness in the workplace and business performance is well documented but, for some smaller businesses, having the resource and capability to create a culture of inclusivity and engagement within their team can seem like a challenge.

“At every level, organisations and businesses are facing difficult questions in challenging times. And this is the clue to where we begin supporting employees – at every level. If employers don’t do anything about it, it will cost. That cost might be productivity, sickness absence, losing a valued member of the team if they’re not able to stay in work.”

HSE research showed that many employers are not aware that they are required by law to carry out a stress risk assessment and act upon the findings to prevent work-related stress and support good mental health in the workplace.

[Working Minds](#) was launched by HSE last year and is aimed specifically at supporting small businesses by providing employers and workers with easy to implement advice and tools to help them recognise and respond to the signs and causes of stress and support better mental health in the workplace.

Together with partners such as the BPF, HSE invites businesses and organisations across the nation to support its campaign and become Working Minds Champions to help raise awareness and drive change.

Elizabeth Goodwill, Head of the Work Related Stress and Mental Health Policy Team at HSE, said: “We’re calling for a culture change across Britain’s workplaces so that recognising and responding to signs of stress become as routine as managing workplace safety and we can’t do it alone. We’re delighted to be working with the BPF to help prevent stress and support good mental health.

“Working Minds helps employers to follow 5 simple steps based on risk assessment. They are to **Reach out** and have conversations, **Recognise** the signs and causes of stress, **Respond** to any risks you’ve identified, **Reflect** on actions you’ve agreed and taken, and **make it Routine**. It needs to become the norm to talk about stress and how people are feeling and coping at work.”

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2. Details on HSE’s work-related mental health campaign, Working Minds, can be found here [Working Minds – Work Right to keep Britain safe](#)
3. The British Plastics Federation (BPF) is the world’s longest running plastics trade association. It was established in 1933 and has represented and promoted the UK plastics industry ever since. The BPF has more than 500 member companies that span the entire plastics supply chain. <https://www.bpf.co.uk/>

4. For media enquiries please contact [rmills@bpf.co.uk](mailto:rmills@bpf.co.uk) or Jennie Atkins, HSE Senior Communications Manager, at [Jennie.Atkins@hse.gov.uk](mailto:Jennie.Atkins@hse.gov.uk) or on 07880 425244
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## [The Building Advisory Committee: Inaugural meeting](#)

The first meeting of the **Building Advisory Committee** (BAC) took place this week. The BAC was established under the Building Safety Act, 2022 as part of the Government's reforms of building safety. The reforms are designed to create lasting change and make it clear how residential buildings should be constructed, maintained and made safe.

BAC will advise and inform the **Building Safety Regulator** (BSR) in its important mission to ensure the safety of residents in high-rise buildings, as well as the Regulator's other roles including keeping the safety and standards of **all** buildings under review.

The inaugural meeting was an introduction to BSR and the role of the committee before it starts preparing its workplan. It was chaired by the **Health and Safety Executive's Chief Inspector of Buildings, Peter Baker**, who commented:

"I am delighted to welcome the first members to the inaugural meeting of BAC and look forward to working with them in tackling the challenges in the built environment, and in helping to drive culture change and ownership of building safety and standards by industry. BAC's function is to support the Building Safety Regulator in its important work to protect residents and users of high-rise buildings, identify new and emerging risks affecting the safety and standards of all buildings, and to help develop sensible and proportionate solutions."

"Establishing the Building Advisory Committee is another important milestone for the Building Safety Regulator and the introduction of the new, more stringent building safety regime following the Grenfell Tower tragedy."

The BAC will be joined in 2023 by two other committees established by the Building Safety Act – the Residents' Panel and the Industry Competence Committee. Both committees currently support the BSR in an interim, non-statutory form and will be constituted under the Act next year.

### **Notes to Editors**

- The members of BAC are: Richard Blyth, Hywel Davies, Andrew Lawrence, Simon Lay, Nick Mellor, Paul Mooney, Andy Mullins, Paul Nash, Suzannah Nichol, Benjamin Ralph, Niall Rowan, Aman Sharma, and Martin Taylor.

- Members have been appointed on an independent basis on their ability to represent stakeholders across their respective areas of the built environment. They are not representing the company or organisation that they work for.
- Members of the BAC will serve for a period of three years and are drawn from diverse industry backgrounds. Their collective experience and knowledge will ensure that BAC provides insightful advice and information to the BSR to deliver sustainable, positive, and practical improvements across the built environment.
- The work of the Building Regulations Advisory Committee (BRAC) – established to advise the Secretary of State for Local Government, Housing and Communities on matters relating to building regulations will continue until the committee has been consulted on the necessary secondary legislation. BAC will start to provide technical advice to BSR from this point onwards.

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## Company fined £100,000 and director given suspended prison sentence after worker dies

A property development company has been fined £100,000 and building firm director handed a suspended prison sentence after a labourer was fatally crushed while demolishing a wall.

Jakub Fischer, a self-employed labourer, was hired as a sub-contractor by North West Facilities Limited to work on a house refurbishment project for Thorndyke Developments Limited on Mansell Street, Liverpool. The 41-year-old, who was originally from the Czech Republic, was tasked with demolishing a rear yard wall dividing the property from the neighbouring house on 5 June 2019.

That day, other workers on the job left the site at 3.30pm however, when a neighbour returned home from work at around 5.40pm they saw Jakub trapped between an outer kitchen wall and a collapsed section of the yard wall. He was pronounced dead at the scene by emergency services.

An investigation by the Health and Safety Executive (HSE) found the demolition work was not planned nor accounted for in the construction phase plan. No risk assessment or method statement was provided and Jakub was not trained to carry out safe demolitions. There was also a lack of supervision as the system of work implemented by Thorndyke Developments Limited and North West Facilities Limited prohibited non-English-speaking workers from carrying out demolitions.

Thorndyke Developments Limited, of Rodney Street, Liverpool pleaded guilty to breaching Regulation 4(1) of The Construction (Design and Management) Regulations 2015. They were fined £100,000 and ordered to pay £8,401.59 in costs at Wirral Magistrates' Court on 15 December 2022.

David Peter Hartley, a director at North West Facilities Limited, pleaded guilty to breaching Regulation 13(1) of The Construction (Design and Management) Regulations 2015, by virtue of 37(1) of the Act. Mr Hartley, of Trearddur Road, Holyhead, Anglesey was given 26 weeks imprisonment, suspended for two years, and ordered to pay £5,836 in costs at Wirral Magistrates' Court on 15 December 2022.

HSE Inspector Christine McGlynn said: "HSE will not hesitate to consider the roles of not only organisations when investigating serious incidents, but also those individuals such as directors and managers who are the controlling minds and best placed to direct work and ensure that it is carried out without risks to health and safety."

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2. More about the legislation referred to in this case can be found at: [Construction – Resources – Construction law \(hse.gov.uk\)](http://www.hse.gov.uk/construction-resources/construction-law)
3. HSE news releases are available at <http://press.hse.gov.uk>