

# Plastics firm fined following fatal machinery accident

- Employee became trapped in unguarded machine and died at the scene.
- Company failed to carry out suitable and sufficient risk assessment.
- Reflex Flexible Packaging Ltd fined £277,500.

A plastics conversion company based in Derbyshire has been fined £277,500 after an employee sustained fatal injuries when he became trapped in the moving parts of an unguarded machine.

Paul Whalley, 46, was employed by Reflex Flexible Packaging Ltd at their factory on Amber Drive, Langley Mill, when the incident occurred.

On 29 May 2020, Mr Whalley entered an opening in the side of a plastic conversion machine that permitted whole-body access to dangerous moving parts. The area contained several unguarded mechanisms, and Mr Whalley became trapped in the machine.

Despite efforts by the emergency services, including cutting conveyor belts and rollers to free him, he sadly died at the scene from crush asphyxia.



Reflex Flexible Packaging machine

An investigation by the Health and Safety Executive (HSE) found that Reflex Flexible Packaging Ltd failed to carry out a suitable and sufficient risk assessment for operation of the machine.

The company had not installed appropriate guarding to prevent access to dangerous parts and had no written safe systems of work or isolation procedures in place.

HSE guidance states that employers must take effective measures to prevent access to dangerous parts of machinery.

This typically involves fixed guarding, but where routine access is required, interlocked guards may be needed to stop movement before a person can reach the danger zone.

Further information is available in HSE's Safe Use of Work Equipment – Provision and Use of Work Equipment Regulations 1998 (PUWER) and its Approved Code of Practice: [Safe use of work equipment \(PUWER\)](#).

Reflex Flexible Packaging Ltd, of Hamilton Way, Mansfield, Nottinghamshire, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974.

The company was fined £277,500 and ordered to pay £20,000 in costs at Derby Crown Court on 5 November 2025.

Following the hearing, HSE Inspector Lee Greatorex said:

"This tragic incident could have been easily prevented had a suitable and sufficient risk assessment taken place and the actions identified implemented. The accident is made worse by the fact that the company's own internal health and safety department had identified a lack of risk assessments 18 months before the accident, but no follow-up action was taken to remedy this failing.

"This wholly avoidable incident was caused by the failure of Reflex Flexible Packaging Ltd to guard the dangerous parts of the machine Mr Whalley was operating. It was obvious that these moving parts were not guarded and presented a clear risk of injury. Had the company fitted suitable guarding, this fatality would not have occurred."

This prosecution was brought by HSE Enforcement Lawyer Edward Parton and Paralegal Officer Rebecca Withell.

#### **Further information:**

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. We are dedicated to protecting people and places, and helping everyone lead safer and healthier lives.
2. More information about the [legislation](#) referred to in this case is available.
3. Further details on the latest HSE news releases are available at [press.hse.gov.uk](#).
4. Relevant guidance can be found here: [Safe use of work equipment \(PUWER\)](#).
5. HSE does not pass sentences, set guidelines, or collect any fines imposed. Relevant sentencing guidelines must be followed unless the court is satisfied that it would be contrary to the interests of justice to do so. The sentencing guidelines for health and safety offences can be found [here](#).