

# Tayside Health Board fined after three patients died in acute psychiatric ward

Tayside Health Board has been fined following three incidents where patients completed suicide using ligature points.

Perth Sheriff Court heard that, between 1 April 2012 and 4 November 2015, on the Moredun Ward at general adult psychiatry ward of Murray Royal Hospital, Muirhall Road, Perth, three patients were able to utilise ligature points to take their own lives. Patients on Moredun Ward are acutely unwell and often not in a position to ensure their own safety.

An investigation by the Health and Safety Executive (HSE) found that Tayside Health Board failed to assess, manage and control the risk of severe injury and death associated with ligature anchor points. Private bedrooms within the facility had multiple ligatures points which could have been removed to reduce the risk to patients on the ward. The Health Board failed to effectively communicate risks associated with the ligature points to staff who were required to monitor and assess patients. A previous attempt by one patient to secure a ligature to a ligature anchor point was not communicated to the staff who monitored her. She later successfully completed suicide by the same method.

Tayside Health Board of Ninewells Hospital, Clepington Road, Dundee pleaded guilty to breaching Sections 3(1) and Section 33(1)(a) of the Health and Safety at Work Act and was fined £120,000.

After the hearing, HSE inspector, Kerry Cringan said: "These tragic incidents led to the avoidable deaths of three women. These deaths could have been prevented if the Health Board had acted to ensure their ward met the required standards for acute mental health facilities. This requires providers to ensure that spaces where service users are not continually supervised are designed, constructed and furnished to make self-harm or ligature as difficult as possible. HSE will not hesitate to take appropriate enforcement action if providers fail to meet these 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. [www.hse.gov.uk](http://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>

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## Poor management control puts workers at risk

A Blackburn logistics company has been fined after failing to provide fall protection for workers replacing the roof of its premises.

Blackpool Magistrates' Court heard how, on 29 May 2019, Health and Safety Executive inspectors visited a warehouse in Blackburn and observed two workers on the roof without any physical protection or any work equipment in place to prevent or minimise the distance of a fall.



Further investigation by HSE also found that the roof of the warehouse was fragile and the employees were at risk of coming through it. The company, Speed Drop Logistics Ltd, did not have any measures in place to prevent workers falling from or through the roof from which they could suffer personal injury or even death. The removal of tiles should have been carried out from underneath the roof using a scissor lift or a cherry picker. Scaffold should have been in place to create a barrier against and to minimise the distance of a possible fall.

Speed Drop Logistics Ltd of Manner Sutton Street, Blackburn, pleaded guilty to breaching Regulation 6(3) of the Work at Height Regulations 2005. The company was fined £80,000 and ordered to pay costs of £1570.60.

Speaking after the hearing, HSE inspector Stuart Hadfield, said: "Falls from height remain one of the most common causes of work-related fatalities in

this country and the risks associated with working at height are well known. Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standard.”

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## **Plymouth landlord receives suspended prison sentence after gas safety failings**

A landlord from Plymouth has been sentenced after failing to maintain gas appliances and failing to have landlord’s gas safety checks undertaken at his rental property in Canterbury Drive, Plymouth.

Plymouth Crown Court heard how, in August 2018, a concern was raised with the Health and Safety Executive (HSE) by a previous tenant that no landlord’s gas safety checks had been carried out for three years. HSE made numerous attempts to contact the landlord, Mr Thomas Brumby, but received no replies or representations.

Having failed to provide HSE with a copy of any landlord’s gas safety records for his tenanted property, a formal Improvement Notice was served on Mr Brumby requiring him to arrange for the gas appliances at his tenanted property to be checked and maintained. Mr Brumby ignored this Improvement Notice.

Thomas Brumby of Canterbury Drive, Plymouth, pleaded guilty to breaching Regulations 36(3)(a) and 36(2)(a) of the Gas Safety (Installation and Use) Regulations 1998. He has been sentenced to 15 weeks in prison for each

offence, both suspended for 18 months, and ordered to pay costs of £1,500.

Speaking after the hearing HSE inspector Simon Jones said: "Thomas Brumby put the residents and other members of the public at risk of harm by failing to maintain gas appliances in the domestic property. He showed contempt of the law surrounding gas safety at a tenanted property.

"Landlords must ensure they obtain a landlord's gas safety record and they maintain all gas appliances in accordance with the law."

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## **Building firm fined after worker injured**

Stan England Builders Limited has been fined following an incident when a worker suffered serious injuries after falling from a mezzanine level and wooden platform.

Aberdeen Sheriff Court heard that on 31 March 2016, Alan Ness was working at a residential property in Banchory. He began taping areas on the ceiling of a mazzine level. He gained access to this level by a wooden platform which had a ladder propped against it. As he was working close to the edge of the mezzanine level, he lost his footing and stumbled a drop of 18.5cm onto the wooden platform. He was unable to regain his footing and fell a further 2.5 metres head first onto the floor below. He sustained head, back and neck injuries.

An investigation by the Health and Safety Executive (HSE) found that there

was no edge protection on the wooden platform and no safe system of work had been put in place. Mr Ness had received no formal training for work at height or working on ladders, he had a lack of knowledge and awareness of the hazards associated with work at height. Stan England Builders Limited had failed to supervise appropriately and had not corrected deficiencies, despite visiting shortly before the accident there was no written risk assessments for this task.

Stan England Builders Limited of Raemoir Road, Banchory pleaded guilty to breaching Regulation 6(3) of the Work at Height Regulations 2005 and was fined £6,000.

After the hearing, HSE inspector, Connor Gibson 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.

"Falls from height remain one of the most common causes of work-related fatalities in this country and the risks associated with working at height are well known. In this case a different and simple approach of using edge protection on the wooden platform could have prevented the life changing injuries sustained by the employee."

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## **Company fined after worker loses thumb**

A poultry processing company was fined for safety breaches after an agency worker had her thumb severed on a moving part of a processing line.

Sheffield Magistrate's Court heard that, on 24 April 2017, the Chesterfield Poultry Ltd worker was rehanging chickens on a hook coming from an overhead conveyor at a site on Coulman Street, Coulman Road Industrial Estate, when one of the chicken's feet came out of the shackle. As she went to insert the foot back into the hook, her thumb got stuck, and she was pulled around with the conveyor. Further around the line there was a fixed upright post attached to a drip tray and as she got to this point her thumb met the post and her thumb was traumatically severed.

An investigation by the Health and Safety Executive (HSE) found there was no emergency stop for the worker to stop the conveyor from her working position when she became caught in it.

Chesterfield Poultry Ltd (CPL) trading as Iqbal Poultry (IQP) of Coulman Street, Thorne, Doncaster pleaded guilty to breaching Section 3(1) of the Health & Safety at Work Act 1974. The company has been fined £300,000 and ordered to pay £5,046.29 in costs.

Speaking after the hearing, HSE inspector Eddy Tarn commented: "The moving shackles passing the fixed pole – that supported the drip tray – created the danger zone that the worker was drawn into.

"Companies must ensure that measures are in place to prevent access to dangerous parts of machinery and provide a means to stop machinery should an emergency happen."

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