

Priory Healthcare fined following patient death

The company that runs The Priory Hospital has been fined for failing to ensure the safety of patients on the hospital's Emerald Ward following the death of 21-year-old Francesca Whyatt.

Francesca, from Knutsford in Cheshire, was found unconscious at The Priory Hospital in Roehampton, London. She died three days later.

Priory Healthcare has been fined £140,000 after an investigation by the Health and Safety Executive (HSE).

Francesca died on 28 September 2013. She had been transferred from a local hospital to the Emerald Ward, a specialist unit at The Priory Hospital, in March 2013.

She was found unconscious in a patient lounge on the top floor of the hospital on 25 September.



Francesca Whyatt

Francesca had managed to make her way to the lounge as the hospital responded to an incident involving other patients and used the tights that she was wearing as a ligature.

An investigation by HSE concluded Priory Healthcare Limited failed to ensure

the provision of in-patient psychiatric treatment was carried out in such a way that patients were not exposed to risks to their health and safety.

Daniel Whyatt, Francesca's brother, said his sister was a "truly selfless [and] special individual."

Daniel said: "The tragic and untimely death of our beloved sister has had a profound impact, and has repercussions well beyond those conceivable to anyone outside of our little family unit. It has invariably ruined all of our lives, and has muddled the precious memories we have of Francesca.

"It is a strange thing to note that it is just as difficult to write her name as it is to speak it, all these years later it is still so raw. We should be able to talk about her fondly, with a smile... instead every mention of her is done so in anger and rage and it feels like being stabbed in the heart.

"It is extremely overwhelming. Francesca had a proclivity for helping everyone she met and changed their lives in positive and meaningful ways, often at her own expense. She was a truly selfless, special and unique individual."

Priory Healthcare Limited, of Hammersmith Road, Hammersmith, London, pleaded guilty to failing to discharge a duty under Section 3(1) Health and Safety at Work etc. Act 1974. The company was fined £140,000 at Southwark Crown Court on 14 November 2023. Costs will be decided at a later date.

Paul Hems, HSE's head of operations for London, said: "This incredibly sad case highlights the need for suitable and sufficient systems to be put in place to monitor patients.

"Employers should be aware that HSE will hold to account those who do not comply with health and safety legislation. It should also be noted that similar incidents which have taken place after April 2015 will be enforced by the Care Quality Commission (CQC)."

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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.
4. Following the Mid Staffordshire NHS Foundation Trust Public Inquiry and the publication of the Francis Report, the Care Quality Commission (CQC) was given powers to carry out criminal investigations and bring

prosecutions. These took effect in April 2015. Since that time, in England, the CQC has been the regulator for patient health and safety matters, with HSE regulating health and safety for workers and members of the public. A revised memorandum of understanding reflecting these changes and setting out areas of responsibility was agreed by the two organisations which is available on HSE's website. [MoU between the Care Quality Commission \(CQC\) and HSE](#)

Clare Sullivan and Ged Nichols reappointed to HSE Board

The Minister for Social Mobility, Youth and Progression has reappointed Claire Sullivan and Ged Nichols as non-executive directors of the Health and Safety Executive (HSE) board for a further three years.

Claire and Ged both serve as employee (trades union) representatives on our tripartite Board (a board made up of employer, employee and other representatives).



Claire Sullivan has been reappointed as a non-executive director of the HSE board for another three years

Claire is Director of Employment Relations and Union Services at the Chartered Society of Physiotherapists and sits on the General Council of the Trades Union Congress (TUC), and the England NHS Social Partnership Forum.



Ged Nichols is General Secretary of the Accord union

Ged is General Secretary of the Accord union and sits on the Executive Committee, and General Council of the TUC, and is chair of the trustees of the TUC Superannuation Society Ltd.

Recruitment for new non-executive directors is an ongoing process as members come to the end of their terms.

It is managed by the Public Appointments team in the Department for Work and Pensions, our sponsor department, with involvement from our Board Chair, Sarah Newton.

Find out more about [HSE's Board members on our website](#).

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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Two men injured after cradle falls nine floors at London tower block project

Two men working on a residential tower under construction in London were fortunate to escape death when a defective cradle they were in fell about 90 feet.

On 4 June 2020, Marcel Botnaru and Radu Baracu were working in the cradle at level nine of the Pennington Street building. The support beams for the cradle had been fitted with the wrong sized end stops, which resulted in it rolling off the end and crashing to the ground below.



- The two men were in the cradle when it fell approximately 90 feet

Guidance on the [safe use of lifting equipment](#) is available.

Mr Botnaru suffered six broken ribs and a punctured lung while Mr Baracu was off work for six weeks, but both were extremely fortunate to escape more serious and potentially life-threatening injuries.

Two companies, which specialise in the provision and installation of access equipment, were fined a total of £240,000 when they were sentenced at Croydon Magistrates Court on 10 November 2023.



- The residential tower was under construction on Pennington Street in London

The court heard how an investigation by the Health and Safety Executive (HSE) found that Zarafa Height Solutions Limited failed to ensure that the support beams they manufactured were safe to use when they left their factory in Grantham. A second company, Giraffe Access Company Limited, who installed the cradle and support beams at the London Dock site failed to identify that they were defective during their safety checks prior to commissioning.

Both companies of Hungate, Pickering, North Yorkshire, are part of the Zarafa Group and pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act.



- The cradle fell from level nine of the residential tower building

Zarafa Height Solutions Limited was fined £120,000 and was ordered to pay £3,987 costs and Giraffe Access Company Limited was fined £120,000 and was ordered to pay £3,996 costs.

After the hearing, HSE inspector Kevin Smith said: "This incident could have ended in a double tragedy.

"Both of these men suffered injuries but were fortunate to escape with their lives.

"The fines imposed on these two companies should underline to everyone in the construction industry the importance of ensuring that rigorous safety checks are carried out on equipment before it is put to use.

"We will not hesitate to take action against companies which do not do all that they should to keep people safe."

This prosecution was supported by HSE enforcement lawyer Samantha Crockett.

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Manufacturer fined after workers fall from height

A manufacturer of shopping trolleys has been fined after two men fell approximately three metres when a metal cage they were dismantling collapsed beneath them.

On 12th May 2018, two employees at Wanzl Limited were taking apart a large metal cage as part of an ongoing programme of improvement works at Prologis Park in Coventry.

Following a visual inspection, a decision was made by Wanzl Ltd to hire scaffold towers and scaffolding boards to carry out the work. Once the scaffold towers had been erected the two employees accessed the roof of the cage. They began to remove panels one at a time dropping them to the floor inside the walls of the cage. When several of these panels had been removed the employees noticed that the cage shook in response to movement. The roof suddenly gave way and both employees fell to the floor below.



One of the men, Michael Barton, who was 52 at the time, suffered a broken pelvis, injured his hip and arm. The now 57-year-old, from Walsall, was off work for 12 months following the incident.

An investigation by the Health and Safety Executive (HSE) found that the work had not been properly planned, appropriately supervised, or carried out in a manner that was safe. No consideration was given to whether dismantling the structure could be carried out without working at height or if the work was within the capabilities of the company's employees. None of the employees involved were trained in the assembly of scaffolding towers, and the injured man was not trained in working at height. An investigation by Coventry City Council came to the same conclusion before primacy was handed to HSE.



HSE has guidance on [working at height](#).

At Birmingham Magistrates' Court on 10 November 2023, Wanzl Limited of Heathcote Lane, Warwick pleaded guilty to breaching Regulation 4 (1) of the Working at Height Regulations 2005. The company was fined £320,000 and ordered to pay costs of £4016.35.

Speaking after the hearing, HSE inspector Charlotte Cuncliffe said: "Working at height remains one of the leading causes of death and serious injury to workers in the United Kingdom.

"All work at height, including one-off activities which fall outside of a company's usual business should be properly planned and appropriate work

equipment selected. Employers must assess the competency of their employees when asking them to carry out non-routine work.”

This prosecution was supported by HSE lawyer Nathan Cook.

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