

# HSE to prosecute Essex Partnership University NHS Foundation Trust (EPUFT)

A Health and Safety Executive (HSE) prosecution is being brought against Essex Partnership University NHS Foundation Trust (EPUFT) following an investigation into North Essex Partnership University NHS Foundation Trust (NEPUFT).

HSE has investigated how NEPUFT managed environmental risks from fixed potential ligature points in its inpatient wards between 25 October 2004 and 31 March 2015.

Essex Partnership University NHS Foundation Trust of The Lodge, Lodge Approach, Runwell Wickford, Essex will face a charge under Section 3(1) Health and Safety at Work Act 1974.

The first hearing is due to take place on 12 November 2020 at Chelmsford Magistrates' Court.

## **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>
4. Until the 1 April 2015, decisions whether or not to investigate patient safety matters in England were made in line with our HSWA Section 3 policy: <http://www.hse.gov.uk/enforce/hswact/priorities.htm>. After this date, the Care Quality Commission (CQC) became the lead inspection and enforcement body under the Health and Social Care Act 2008 for safety and quality of treatment and care matters involving patients and service users in receipt of a health or adult social care service from a provider registered with CQC.
5. HSE has not investigated individual patient deaths as this does not fall within our remit.
6. The investigation timescales predate the existence of Essex Partnership University NHS Foundation Trust which came into existence when North Essex Partnership University NHS Foundation Trust (NEPUFT) merged with another trust.

The post [HSE to prosecute Essex Partnership University NHS Foundation Trust \(EPUFT\)](#) appeared first on [HSE Media Centre](#).

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## [Woodworking company fined after worker suffers serious injuries](#)

Woodworking company, Peter Ramsey & Sons (Denholme) Timber Ltd, has been fined after a worker became entangled in an unguarded drive shaft and suffered serious injuries.

Leeds Magistrates' Court heard that, on 8 March 2018, the worker was working on an automated wood planer machine which is used to process large pieces of wood into different sizes ordered by customers at the company's Wellington Street sawmills in Bradford.

The worker reached over an unguarded rotating driveshaft to adjust a piece of wood after it had come out of the machine, his hi-vis jacket and t-shirt became entangled, drawing him into the machine. He sustained a torn tendon in his left fourth finger, a broken left wrist, a break to his little finger and nerve damage to his left arm.

An investigation by the Health and Safety Executive (HSE) found that the company failed to appropriately assess the risk posed by the machine following the installation of a new conveyor line.

Peter Ramsey & Sons (Denholme) Timber Ltd Wellington Street sawmills Bradford pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £56,000 and ordered to pay £3,484.84 in costs.

After the hearing, HSE inspector Darian Dundas commented: "The company should have produced a detailed risk assessment when the conveyor was added to the existing machine. This could have identified that there was an unguarded rotating drive shaft which required guarding to prevent access.

"This injury could have been easily prevented, and the risk should have been identified."

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## [Cornish construction company fined after dangerous demolition](#)

Bodmin builder Thomas Sturgess, has been sentenced after concerns over an unsafe demolition site were raised.

Bodmin Magistrates' Court heard that during December 2017, concerns were raised by members of the public about potentially dangerous demolition taking place in Webber Street, Falmouth. HSE received a number of photographs from concerned members of the public showing extremely poor and unsafe working practices. Workers were observed standing on top of the building to demolish it with no control over working at height safely. The pictures suggested workers were at risk from falling through or from the buildings undergoing demolition and members of the public were very close to the site which was inadequately fenced off. An unannounced visit was made by the HSE whereby all further demolition work was prohibited.

An investigation by the Health and Safety Executive (HSE) found that safety measures fell significantly below the expected standard. The buildings were being demolished in an unsafe manner with little or no planning with regard to their structural stability. There were no welfare facilities on site, no risk assessments and no demolition plans or asbestos survey available. Overall there were a number of health and safety concerns and there was apparent lack of skills, knowledge and experience on behalf of the defendant due to his lack of site management experience, knowledge of relevant health and safety legislation and safe working practices and completely ineffective skills, knowledge and experience to undertake such a project.

Thomas Sturgess of Lanviet, Bodmin pleaded guilty to breaching Regulation 20(1) of Construction (Design & Management) Regulations 2015, he has been given a 180 hour Community Order and ordered to pay costs of £9428.84

Speaking after the hearing HSE inspector Georgina Symons 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.

"Those working within the construction industry 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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## [Health and Safety Executive cracks down on dust](#)

Health and safety inspectors across Great Britain will be targeting construction firms to check that their health standards are up to scratch during a month-long inspection initiative, starting on Monday 5 October 2020.

This is the fourth health-focused initiative of its kind. As in previous years, inspections will focus on respiratory risks and occupational lung disease; looking at the measures businesses have in place to protect their workers’ lungs from the likes of asbestos, silica and wood dust. This is part of HSE’s longer term health and work strategy to improve health within the construction industry.

While the primary focus will be on health during this programme of inspections, if a HSE inspector identifies any other areas of concern, they will take the necessary enforcement action to deal with them. This will include making sure that businesses are doing all they can to protect their workers from the risk of coronavirus and make workplaces COVID-secure.



Inspectors to focus on respiratory risks

Inspectors will also be looking for evidence of employers and workers knowing the risks, planning their work and using the right controls. If necessary, they will use enforcement to make sure people are protected.

The construction initiative will be supported by HSE's 'Dustbuster' campaign, aimed to influence employer behaviour by encouraging builders to download free guidance and advice, increasing knowledge and capability to protect workers' health.

More than 3,500 builders die each year from cancers related to their work, with thousands more cases of ill-health and working days lost.

HSE's chief inspector of construction, Sarah Jardine, said: "Around 100 times as many workers die from diseases caused or made worse by their work than are actually killed in construction accidents.

"Our inspection initiatives ensure that inspectors are able to speak to dutyholders and visit sites to look at the kind of action businesses in the construction industry are taking right now to protect their workers' health, particularly when it comes to exposure to dust and damage to lungs.

"There are a few simple things that everyone can do to make sure they are protecting their health and their future. Be aware of the risks associated with activities you do every day, recognise the dangers of hazardous dust and consider how it can affect your health. We want businesses and their workers to think of the job from start to finish and avoid creating dust by working in different ways to keep dust down and wear the right mask and clothing."

For more information on the programme of inspections follow the campaign on Twitter at @H\_S\_E, or on Facebook @hsegovuk and @SaferSites. You can also join the conversation at #Dustbuster. To sign up for HSE's construction e-bulletin go to: [hse.gov.uk/construction/infonet.htm](https://www.hse.gov.uk/construction/infonet.htm)

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## [Manufacturer fined after worker's arm caught in machinery](#)



A Wirral-based company that manufactures composite hose products has been fined after an inexperienced agency worker was injured when he was pulled into a spinning lathe, sustaining open fractures to his right arm.

Liverpool Magistrates' Court heard how, on 20 November 2018, a worker at Novaflex Ltd was operating a lathe at the Bromborough site when the sleeve of his sweatshirt caught between a pitch wheel and rotating mandrel, pulling his arm into the machine. This resulted in an open fracture of the ulna (long bone found in the forearm) and the radial shaft of his right arm, leaving it permanently weak, making day-to-day tasks difficult and stressful. He also suffered severe bruising to his body and skin abrasions.

An investigation by the Health & Safety Executive (HSE) found that the company had not identified the risk of entrapment or the necessary controls required to avoid it. The risk was increased as the lathe had been modified which made operators work closer to the entrapment hazard. The company had failed to effectively prevent access to dangerous parts of the machinery. They also failed to provide a safe system of work for the task and had not provided adequate instruction and training to ensure its workers were competent to operate the machinery.

Novaflex Ltd of Power Road, Bromborough, Wirral pleaded guilty to breaching Sections 2 and 3 of Health and Safety at Work Act 1974. The company was fined £22,000 and ordered to pay costs of £7,021.30.

After the hearing HSE inspector Emily Osborne said: "Those in control of a workplace have a responsibility to identify and devise safe methods of working and to provide the necessary information, instruction and training to their workers."

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