

# Care home fined following death of vulnerable resident

A care home operator has been fined £400,000 for safety breaches, following the death of a vulnerable resident at a care home in Scotland.

On the night of 16 December 2021, Susan Greens, a resident at Springfield Bank Care Home, could not be found on the premises.



Springfield Bank Care Home

Following a search around the site in Bonnyrigg near Edinburgh, care assistants found the 95-year-old in her nightwear lying in an external courtyard. Mrs Greens had fallen and struck her head in the courtyard where she had been in the cold for some time.

She was admitted to Edinburgh Royal Infirmary and sadly died in hospital two days later.

An investigation by the Health and Safety Executive (HSE) found Mrs Greens died because she was able to access the courtyard while unsupervised and had fallen, spending up to an hour and a half outside before staff came to her aid.

Springfield Bank Care Home is run by HC-One Ltd and is a purpose-built care home offering nursing and nursing dementia care.

Guidance on [Health and safety in care homes \(hse.gov.uk\)](https://www.hse.gov.uk/healthandsafetyincarehomes/) is available helping those providing and managing care homes a better understanding of the real risks and how to manage them effectively.

At Edinburgh Sheriff Court on 22 February, care home provider HC-One Limited of Archer Street, Darlington pleaded guilty to breaching Regulations Section

3(1) and Section 33(1)(a) of the Health and Safety at Work etc. Act 1974. They were fined £400,000.

Speaking after the case, HSE inspector Kerry Cringan said: "This error cost a vulnerable old lady her life – families think that their loved ones will be safe in care.

"This was tragic and wholly avoidable. Had the doors been kept locked at night or had there been a system where staff would be told if the doors to the courtyard had been opened, the accident could have been avoided."

#### 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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## [Company fined after worker injured by 300kg batteries](#)

A recycling company in West Yorkshire has been fined £120,000 after batteries weighing at least 300kg fell onto an employee and severely injured him.

The man was working with two colleagues at Wastecare Limited's site on North Dean Business Park, Halifax when he was struck by the batteries being recycled on 22 March 2019.

The three workers had been restacking the batteries that were stored in Flexible Intermediate Bulk Containers (FIBCs) after it had toppled over.

However, the FIBCs started to rip in front of them leading to the batteries falling on to one of the workers.

He suffered a double compound fracture to his lower right leg, a fracture to the left tibia, a fractured right collar bone, some bruising to his ribs and a cut on his forehead.

A Health and Safety Executive (HSE) investigation found Wastecare Limited failed to ensure the health, safety, and welfare of its employees at work.

The site was overstocked, bags of batteries had been stacked in an unsafe manner and there was no specific documented risk assessments or safe systems of work for the correct stacking and storage of batteries. This was not an isolated incident.

HSE guidance says FIBCs must not be stacked unless the FIBC is designed to be stacked and only then should it be stacked in either a pyramid form or against two walls. Learn more about HSE guidance here: [Waste Management: Frequently Asked Questions \(hse.gov.uk\)](https://www.hse.gov.uk/waste-management-frequently-asked-questions/)

Wastecare Limited, of Normanton Industrial Estate, Normanton, West Yorkshire, pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company was fined £120,000 and ordered to pay £4,937.39 in costs at Leeds Magistrates' Court on 21 February 2024.

HSE inspector Jackie Ferguson commented: "There are specific Industry Standards and Guidance relating to Flexible Intermediate Bulk Containers (FIBCs) which provides users with information on a range of aspects relating to their use including filling, discharging, handling and storage.

"This incident could so easily have been avoided by implementing simple control measures and safe working practices to ensure the batteries were stacked safely and securely. The industry should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

This HSE prosecution was brought by HSE enforcement lawyer Samantha Crockett and supported by HSE paralegal officer Stephen Parkinson.

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# HSE to lead investigation into death of Michael Jones

The investigation into the death of Michael Jones at Bramley Moore is now being led by the Health and Safety Executive (HSE).

Michael, who was 26, was killed while working on the construction of Everton Football Club's new stadium on 14 August 2023.

The involvement of Merseyside Police has now concluded. HSE will now lead the criminal investigation.

HSE inspector John Padfield said: "We have been a part of this inquiry from the outset and we will continue to thoroughly investigate Michael's tragic death as the lead agency

"This will aim to establish if there have been any breaches of health and safety law.

"We are in regular contact with Michael's family and our thoughts remain with them at this time."

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# Livestock focus as national campaign bids to improve safety on Britain's farms

- Livestock incidents were the number one cause of work-related death in British agriculture in 2022/23.
- Livestock or moving vehicles were responsible for seventy-seven fatalities in the last five years.
- The Health and Safety Executive (HSE) supports farmers to reduce

injuries and save lives.

Incidents involving livestock were the number one cause of work-related deaths on British farms.

The finding has driven the Health and Safety Executive (HSE) to focus on the dangers of livestock as its Your Farm, Your Future campaign relaunches today, Monday 19 February 2024.

HSE statistics show being injured by an animal was the number one cause of work-related deaths on British farms in 2022/23, when there was a total of eight such deaths.



Injury by animal was the leading cause of death on British farms last year

Agriculture remains one of the most dangerous of all the main industrial sectors across the country.

Last year's campaign by HSE focused on transport safety, and today the organisation has relaunched the campaign with new advice on working with livestock, hosted on its [Your Farm Your Future campaign website](#), to assist farmers and workers and keep them safe.

There are sensible measures that can be taken to keep animals and people apart but handlers should be in good health, agile and have the physical ability to do the work.

Together, livestock and farm vehicle incidents account for around a half of all work-related deaths on British farms in the past five years. A total of seventy-seven people lost their lives, with each death leaving a devastating legacy on families. Hundreds more are hurt in incidents involving moving vehicles and cattle on farms. Incidents involving moving vehicles remains the leading cause of death over the last five-year period.

Adrian Hodkinson, agriculture lead at HSE, said: "Working with cattle and using vehicles are two very common activities in farming, but they bring with them a high risk of being very badly hurt.

"This campaign is focused on work with livestock and aims to stress how important it is to take sensible measures to keep animals and people apart.

At the same time we'll be continuing to highlight the key things for safe use of farm vehicles in and around the yard and sheds, but also out in the fields when checking, feeding, moving and caring for your herd."



Adrian Hodkinson, agriculture lead at HSE

"For example, ATVs (or farm quads) are commonly used on livestock farms. HSE has looked at the reported incidents and many show the user was doing something in relation to farming the animals at the time of the overturn or crash. That's why we are looking at raising awareness of both cattle safety but also farm vehicle safety.

"Agriculture consistently has a high rate of fatal and serious injuries of all main industry sectors in Great Britain. Over the past five years, the average fatal incident rate is twenty-one times higher in agriculture than the average across all other industries. That is a shocking statistic and sadly the impact on every affected farm is huge. Sometimes I see the incident leads to farming work stopping all together, as the key person has life changing injuries and can no longer work"

"It's time for us to make a change together to make our farms safer, and that's why we're asking farmers in England, Scotland and Wales to consider these areas of their daily farming activities and take the right actions to prevent another farming tragedy."



This year's campaign will focus on livestock as well as farm vehicles

To support farmers HSE has created new webpages and a checklist for working

safely with livestock – aimed at those new to farming, and to serve as a reminder of what to consider for experienced farmers. The advice covers three areas:

- **Operating a Safe Farm – Where possible keep people and cattle apart:**
- **Safe equipment**
- **The animal**

Adrian Hodkinson added: “We understand the significant pressures faced by British farmers and want to support the farming community to show that safety on the farm doesn’t need to be difficult or expensive. There are simple steps you can take today to help keep you and everyone on your farm safe.

“Farmers and farm workers should take a moment to think about what would happen to their families and their farms if they were seriously injured and unable to work.

“When people on farms start their daily routine, they should follow our advice to help plan the job and complete it safely.”

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2. Further details on the latest [HSE news releases](#) is available.
3. Further details about [HSE statistics and the labour force survey](#) is available.
4. Further advice, videos and free resources [Work Right Agriculture – Work Right to keep Britain safe](#)

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## **[Engineering company fined after workers loses two fingers](#)**

An engineering firm in Perth has been fined £10,000 after an employee lost two of his fingers.

The worker, employed by Edwards Engineering (Perth) Limited, had been carrying out maintenance work on a grain dryer at East of Scotland Farmers on 28 June 2020.

He inadvertently placed his hand into the blades of an unguarded rotary fan

in the grain dryer. The fan was rotating at 1200 revolutions per minute when it came into contact with the worker's hand.

This led to his little and ring fingers being amputated. He was off work for seven weeks following the incident.

A Health and Safety Executive (HSE) investigation into this incident found Edwards Engineering (Perth) Limited had failed to risk assess the task that the employees were required to undertake. On the day of this incident, there was no risk assessment for the work to be done nor was there any safe working procedure.

It's important that clear information is given to workers when using machinery. Steps must be taken to prevent access to dangerous parts of machinery. HSE guidance can be found at: [Provision and Use of Work Equipment Regulations 1998 \(PUWER\) \(hse.gov.uk\)](https://www.hse.gov.uk/puwer/).

Edwards Engineering (Perth) Limited, Glenearn Road, Perth pleaded guilty to breaching Regulation 22 of The Provision and Use of Work Equipment Regulations 1998. The company was fined £10,000 at Perth Sheriff Court on 16 February 2024.

HSE principal inspector Fiona MacNeill said: "This incident could so easily have been avoided by simply following a safe working procedure which would have prevented access to dangerous moving parts.

"Companies 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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