

## Companies fined more than £400,000 after hospital staff violently attacked by patients

Two companies have been fined a combined total of more than £400,000 after staff working at a South Wales mental health hospital were subjected to violent attacks by patients over a three year period.

Parkcare Homes (No.2) Limited and Priory Central Services Limited, both part of The Priory Group, pleaded guilty after failing to manage risks to care staff and patients from violence and aggression.

Cardiff Magistrates Court heard that Priory Hospital in Aberdare – a facility owned by Parkcare Homes (No.2) Limited – was a specialised institution for people with complex mental health, behavioural and learning issues. At any one time, there were up to 12 in-patients being cared for by the staff.

Over a three year period between 2014 and 2017, there were incidents of violence and aggression towards both care staff and patients, resulting in serious injuries, including loss of consciousness and permanent scarring. Due to the frequency and severity of incidents, concerns were formally raised by senior management of the hospital in November 2016 to Priory Central Services Limited, which was responsible for the provision of training and equipment and the employment of staff at Aberdare. Priory Central Services Limited failed to take prompt and appropriate action to rectify the deficiencies and incidents were allowed to continue.

An investigation by the Health and Safety Executive (HSE) found there were no suitable and sufficient risk assessments carried out and the equipment and environment was not fit to diffuse violent situations. Staff were not provided with adequate information or training to cope with patients with aggressive traits.

The investigation also found staff were not given the appropriate personal protective equipment, including bite resistant clothing and personal safety alarms.

There were no post incident de-brief sessions carried out with staff involved or even when individuals return from sick level following an injury. No investigations were carried out of incidents to establish what had happened to identify lessons learnt despite repeated serious and significant injuries being caused.

The companies were fined at a sentencing hearing on 26 July 2023 after entering guilty pleas at an earlier date. Parkcare Homes (No.2) Limited of Fifth Floor, 80 Hammersmith Road, London, W14 8UD pleaded guilty to breaching Sections 2(1) & 3(1) of the Health and Safety at Work etc. Act 1974. Priory Central Services Limited of Fifth Floor, 80 Hammersmith Road, London, W14 8UD

pleaded guilty of breaching Section 3(1) of the Health and Safety at Work etc. Act 1974.

Parkcare Homes (No.2) Limited was fined £363,000 and ordered to pay £43,656 in costs. Priory Central Services Limited was fined £40,000 and ordered to pay £21,828 in costs.

After the hearing HSE Principal Inspector Anne Marie Orrells said: “Priory are a leading independent provider of mental healthcare and adult social care in the UK. It is a long-established company and despite repeated warnings about systemic failures it failed to prevent its staff being injured.

“Care providers should have adequate arrangements to effectively plan and organise preventative measures to prevent violence towards staff and other patients.”

### 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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## [New non-executive director to join HSE Board](#)

The Secretary of State for Work and Pensions has confirmed a new non-executive director appointment to the Board of the Health and Safety Executive (HSE).

Ken Rivers will replace Ken Robertson, who left HSE’s Board in July 2023, bringing with him a wealth of experience from the oil and chemical sectors that will help HSE continue to deliver on its 10-year strategy.

Chair of HSE, Sarah Newton, welcoming the appointment, stated:

“I am delighted that Ken Rivers will be joining us on the HSE Board. I’m looking forward to welcoming Ken into our team of effective and committed non-executive directors focused on enabling the delivery of HSE’s vitally important mission, vision and ten-year strategy.”



Ken Rivers

## **Ken Rivers**

Ken has significant experience of working with government and regulators in the oil and chemical sectors. HE has been a CEO of the listed company Refining NZ and held senior positions within Shell.

Ken has skills and experience relevant to organisations operating in regulated environments where safety is critical. Until recently, he was chair of the COMAH Strategic Forum and successfully chaired this tripartite group for the last eight years since inception.

Ken is a member of the Industry Safety Steering Group monitoring industry's progress in implementing the Building Regulation and Fire Safety review post-Grenfell. He also chaired the industry/regulator task force in the wake of the Buncefield Terminal explosion. Ken has a track record of managing change and business turnarounds based on developing a clear strategic direction and building organisational capability.

## **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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## Construction company fined after Shropshire bricklayer fractures skull

A construction company has been fined £12,000 after a Shropshire bricklayer fell through a stairwell opening and fractured his skull.

Scott Ife, 30, from Bridgnorth, was working for 2 Counties Construction (Midlands) Ltd when the incident took place on 8 June 2020. The company had been hired as the principal contractor overseeing the refurbishment of agricultural barns into houses on Humber Lane in Telford.



Scott Ife fell through an unprotected stairwell opening from the first floor of the renovation project

Working alongside another employee, Mr Ife, who was 27 at the time, was laying the blocks to form the gable walls for a two-storey extension. The pair set up a working platform using Youngman boards on the first floor of the property. As there was an unprotected stairwell opening in the property, one end of the Youngman boards was unsupported.

While leaning over to point up the blocks in the gable walls, the worker lost his balance before falling onto the unsupported Youngman boards and through the stairwell opening.

He fell four-and-a-half metres onto the concrete floor below, fracturing his skull and damaging his facial nerve. The man was hospitalised for three days following the incident.



The stairwell void below the first floor of the property

An investigation by the Health and Safety Executive (HSE) identified a series of failings on the part of 2 Counties Construction (Midlands) Ltd including a lack of suitable controls for preventing falls into the building and through the stairwell openings. There was also inadequate planning, a lack of selection of equipment for working at height and inadequate site management arrangements.

HSE guidance can be found at: [Work at height – HSE](#)

2 Counties Construction (Midlands) Ltd, of Taylors Lane, Broomhall, Worcester, pleaded guilty to breaching Regulation 13(1) of the Construction (Design and Management) Regulations 2015. The company was fined £12,000 and ordered to pay £4,139 in costs at Cannock Magistrates' Court on 21 July 2023.

HSE inspector David Brassington said, "This incident could and should have been easily avoided. Work at height needs to be properly planned and managed to ensure that appropriate precautions are used.

"We are fortunate that the injuries resulting from these failings were not more serious."

This prosecution was supported by HSE enforcement lawyer Nathan Cook.

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3. Further details on the latest [HSE news releases](#) is available.

4. Guidance on [working at height](#) is available.

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## **Blackpool clothing company fined after worker hit by forklift truck**

A Blackpool clothing firm has been fined £40,000 after a man was seriously injured when he was hit by a forklift truck.

Self-employed delivery driver Andrew “John” Robinson suffered multiple leg fractures and a dislocated ankle as he collided with the vehicle while delivering goods at T. Print Limited’s Bristol Avenue site in Blackpool on 25 March 2022.

The 53-year-old, from Blackburn, had to be airlifted from the scene and spent a month in hospital because of his injuries. He has required multiple follow-up operations and, over a year later, has still not recovered sufficiently to be able to work.

Mr Robinson says the incident and recovery has ‘taken a toll on his mental health.’

A Health and Safety Executive (HSE) investigation found T. Print Limited had failed to ensure that there were adequate measures in place to ensure the safe segregation of delivery drivers from the unloading and loading activities, as Mr Robinson was not instructed to stand or wait in a safe area during the unloading of his vehicle. The dangers should have been identified by a suitable and sufficient assessment of the risks.

HSE guidance can be found at: [Introduction to workplace transport safety – HSE](#)

In a statement presented to court, Mr Robinson, 53, said: “During the incident I sustained serious injuries to both of my legs. I have had six surgeries in the last year, including bone and skin grafts.

“I am still not allowed to weight bear on one of my ankles and have no freedom currently due to my injuries; I cannot drive, and my mobility is limited. I live in a first-floor flat, but the stairs are not manageable without help. Before, I was a strong independent man, but the incident and slow recovery has taken a toll on my mental health.

“Sometimes I wish that I had lost my legs instead, as I have had enough of the pain.”

T. Print Limited, of Bristol Avenue, Bispham, Blackpool, Lancashire, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act

1974. The company was fined £40,000 and ordered to pay £4,696.95 in costs at Liverpool Magistrates' Court on 20 July 2023.

HSE inspector Matthew Shepherd said: "The company had failed to implement a safe system of work for its loading and unloading activities thereby exposing delivery drivers, such as Mr Robinson, to the risk of being struck by the forklift truck conducting the unloading operation. Mr Robinson sustained serious injuries which have had a significant impact on his life.

"All work settings that use forklift trucks to load or unload goods, need to consider the risks arising from their use and implement adequate segregation controls to ensure the safety of pedestrians, such as delivery drivers, during these activities."

This HSE prosecution was supported by HSE enforcement lawyer Krystal Savoie and HSE paralegal officer David Walker.

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## [Boarding school fined £50,000 after pupils overexposed to radon radioactive gas](#)

A private boarding school has been fined £50,000 after exposing two employees, five pupils, and two other children to high levels of radioactive radon gas.

Five pupils at Kingswood School in Bath, Somerset were exposed to levels of radioactive radon gas almost 8 times the legal limit. Two other children, who were not pupils at the school, were exposed to levels of radon gas almost 14 times the legal limit. Two employees were exposed to radioactive radon gas  $\frac{3}{4}$  of the legal limit. Exposures to radiation need to be kept as low as reasonably practicable.

The radioactive gas radon is a hazard in many homes and workplaces and



breathing in radon is the second largest cause of lung cancer in the UK resulting in over 1,000 fatal cancers per year. Radon is a colourless, odourless, radioactive gas that occurs in rocks and soils, some building materials and water. The ground is the most important source as radon can seep out and build up in houses and indoor workplaces like schools.

The legal limits for radiation exposure in the workplace are defined in [The Ionising Radiations Regulations 2017 \(IRR17\)](#).

These exposures to radioactive radon gas occurred in 2019. The two employees and their two children were exposed to the elevated radon gas levels as a result of working and living at the school. The five overexposed pupils studied and lived at the school during this time.

An investigation by the Health and Safety Executive (HSE) found that the school knew they had a radon problem as far back as 2007 when they carried out monitoring and installed some remediation to reduce radon levels. However, from 2010 to 2018 the school carried out no subsequent radon monitoring and had no systems in place to ensure radon control measures were adequate. Only following HSE intervention in 2018 did the school find out about their previous radon problem and further radon monitoring and remediation was carried out to reduce radon levels.

Kingswood School Trustees Limited, of Lansdown, Bath, Somerset pleaded guilty to breaching Section 2(1) and 3(1) of the Health and Safety at Work etc Act 1974. The company was fined £50,000 and was ordered to pay £19,222 costs at a hearing at Taunton Magistrates' Court on 19 July 2023.

After the hearing, HSE Principal Specialist Inspector (Radiation) Stewart Robertson, said: "The fine imposed on Kingswood School Trustees Limited should underline to everyone in the education sector that the courts, and HSE, take a failure to follow the regulations extremely seriously."

"We will not hesitate to take action against companies, including schools, who do not do all that they should to keep people safe. Every workplace needs to consider radon as a risk to its employees and others."

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2. More about the legislation referred to in this case can be found at: [L121 – Work with ionising radiation: Approved Code of Practice and guidance \(hse.gov.uk\)](#)
3. HSE has guidance on assessing radon risk in the workplace: [Radon in the workplace \(hse.gov.uk\)](#)
4. Further details on the latest [HSE news releases](#) is available.