

NHS trust fined £1m following 53-year-old man's death in Lincolnshire

United Lincolnshire Hospitals NHS Trust has been fined following the death of 53-year-old John Biggadike at Pilgrim Hospital in Boston.

Lincoln Crown Court heard that Mr Biggadike, who was a patient at the hospital, died on 10 April 2012 from internal injuries after falling onto an exposed metal post on the standing aid hoist that staff were using to support him.

The kneepad on the standing aid hoist had been incorrectly removed leaving the exposed metal post that caused the fatal injuries when he collapsed after standing up.

A Health and Safety Executive (HSE) investigation found the Trust did not have systems for training and monitoring how staff used the standing aid hoist and unsafe practices had developed.

United Lincolnshire Hospitals NHS Trust, of Trust Headquarters, Lincoln County Hospital, Greetwell Road, Lincoln, was found guilty of breaching Section 3(1) of the Health and Safety at Work Act 1974. It was fined £1 million and ordered to repay £160,000 in costs.

The trust has also been ordered to pay £3800 to Mr Biggadike's family to cover the costs of the funeral.

In his statement John Biggadike's brother Keith said: "John didn't deserve to die the way that he did. One day I had a brother and the next I didn't. "

Harvey Wild, Operations Manager for the HSE said: "First of all, our thoughts remain with John Biggadike's family. This was a tragic and preventable death.

"If staff had received effective training and monitoring in the use of the standing aid hoist Mr Biggadike's death could have been avoided."

Guidance on how to safely handle patients can be found at <http://www.hse.gov.uk/healthservices/moving-handling-do.htm>

Notes to Editors:

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. It aims to reduce work-related death, injury and ill health. It does so through research, information and advice, promoting training; new or revised regulations and codes of practice, and working with local authority partners by inspection, investigation and enforcement. www.hse.gov.uk
2. The HSE has a legal duty to make inquiries about all allegations or complaints made to it, initially to determine whether there are grounds to formally investigate possible breaches of health and safety

regulations.

3. Until 1 April 2015, allegations of unsafe working practices at medical establishments, unrelated to clinical matters, could be referred to HSE. After this date, the Care Quality Commission (CQC) became the lead regulator, including investigating potential breaches of health and safety regulations.
4. Since 1 April 2015, this HSE investigation was conducted as a historic inquiry, as the HSE was the responsible regulator at the time these offences were committed.
5. Further information about how the HSE decides on whether to launch a formal investigation can be found at <http://www.hse.gov.uk/enforce/incidse/crits.pdf> and <http://www.hse.gov.uk/foi/internalops/og/ogprocedures/investigation>.
6. Section 3(1) of the Health and Safety at Work etc. Act 1974 states: "It shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety." Further information about the legislation applied in this case can be found at www.legislation.gov.uk/

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