

Ms C Robinson  
Group Managing Director  
Corserv Ltd  
Higher Tennant  
Wadebridge  
Cornwall  
PL27 6TW

Construction Division  
**Helena J Tinton**  
**Principal Inspector**

2 Rivergate  
Temple Quay  
Bristol  
BS1 6EW

Tel: 020 3028 1800  
helena.tinton@hse.gsi.gov.uk

<http://www.hse.gov.uk/>

Head of Operations  
Michael Thomas

Reference: 4622501

Date: 16<sup>th</sup> April 2020

Dear Ms Robinson

#### **RIDDOR INCIDENT 5CA19A2442**

I am writing to you in relation to concerns raised with the Health and Safety Executive (HSE) by Cllr Egerton regarding your investigation and reporting procedures in respect of the above RIDDOR following the injury of Mr [REDACTED] on the 16<sup>th</sup> December 2016, as referenced in your letter to HSE dated 17<sup>th</sup> September 2019.

In addressing the ongoing concerns raised by Cllr Egerton I carried out a full review of the documentation provided by Cllr Egerton and the documentation provided by Corserv in November 2019. This review has identified that the RIDDOR report submitted by Cormac Solutions Limited, a subsidiary of Corserv Limited, on 27<sup>th</sup> January 2017 contained a number of errors, some of which are acknowledged in your previous letter, referenced above.

#### **Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)**

Under Regulation 4(1) of the above regulations Cormac Solutions Limited have a duty to ensure that an injury suffered by an employee at work is reported to the relevant enforcing authority, HSE, following the correct reporting procedure. In particular Reg 4(1) details those injuries which fall into a category of specified injuries:

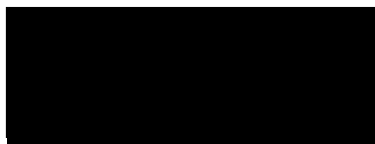
*4(1)(a) any bone fracture diagnosed by a registered medical practitioner, other than to a finger, thumb or toe;*

It is evident from my review of correspondence and documentation that Cormac Solutions Limited were aware at the time of reporting to HSE that the injury sustained by Mr [REDACTED], fractured skull, was a specified injury but the report did not reflect this recording the injury as an 'over 7 day injury' and only making reference to 'head injury'. Although meeting the requirement to submit a report in my opinion the content of the report constituted a breach of Reg 4(1)(a) of RIDDOR.

I was also concerned to identify that although initial enquiries were made in December 2016 a full investigation of the circumstances surrounding the injury to Mr [REDACTED] was not carried out until several months after the incident following concern raised with Cormac by Cllr Egerton.

Having carried out a full review my investigation concludes that the reporting procedures in place at the time of the incident fell short of what was required resulting in mis-reporting and delays in completing an incident investigation. In light of these failings and in line with HSEs Enforcement Management Model I have given due consideration to enforcement action in the form of an Improvement Notice (IN). However it is evident from discussion and documentation reviewed that there have been significant changes to your health and safety management systems in the intervening years which have improved your incident reporting policy and procedure making the issue of an IN unnecessary and inappropriate. Therefore, no further enforcement action will be taken in relation to this matter at this time.

Yours sincerely



**Helena Tinton**  
**HM Principal Inspector of Health and Safety**