

A CORNWALL
COUNCIL COMPANY

Mrs Helena Allum
H.M. Principal Inspector of Health & Safety
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Your ref: Incident 5CA19A2442
My ref: CR/ct
Date: 17th September 2019

Dear Mrs Allum

Incident 5CA19A2442

I am writing to you to highlight information that I have become aware of in relation to an incident which occurred on 16th December 2016, involving an employee of Cormac Solutions Ltd (Cormac); [REDACTED]. The incident was reported to HSE by Cormac on the 23rd January 2017, with a RIDDOR notification reference of 5CA19A2442.

I have been contacted by Cllr Bob Egerton who is supporting Mr [REDACTED] following the incident. He has expressed concerns regarding specific elements of the information submitted as part of our RIDDOR notification to HSE as the enforcing authority and specifically the category of injury severity.

As you are aware from previous investigation enquiries with the Corserv Group of Companies, health and safety is of paramount importance across the businesses and we approach any contact with the enforcing authorities in an open and transparent manner. In keeping with that approach, it is important to us that the information held by HSE is accurate.

Following the incident an internal investigation was launched to establish what had occurred, with part of the enquiries attempting to establish whether the incident was work related, as initial details did not immediately suggest this. As the ongoing investigation continued to be unable to clarify this point the decision was taken to notify the regulator as a precaution.

The Cormac Company notified you of the incident on 23 January regarding the incident and at that time reported that it was a head injury with the severity of the injury being "injury preventing the injured person from working for more than 7 days". This was consistent with the GP Statement of Fitness for Work which was received by the Company. All of the GP's fitness to work statements for the whole period of his absence from work until he retired due to ill health referred to a head injury and did not reference a fractured skull.



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The employee M [REDACTED] self-reported to his line manager that he had suffered a bleed on the brain and a fractured skull on the 16 January 2017. He advised that the Doctors were unsure whether the bleed on the brain caused him to fall or vice versa.

[REDACTED] has been supported through Cormac's occupational health support services throughout the period since his injury, including appointments with qualified clinicians. Confidential correspondence from the clinicians to our Human Resources team discussing Mr [REDACTED] case indicated on 9th February 2017 that "he suffered a major head injury and it is not clear what the aetiology of this was. However, he suffered a fractured skull with bruising on his brain and also a subarachnoid bleed."

This report provided more specific information than Mr [REDACTED] supplied 'fitness to work' certificates, which repeatedly detailed only a 'Head Injury'.

The indication of the fracture should also have triggered a specified injury category to be assigned to the incident notification report; however the confidential nature of the medical correspondence hampered this. We have made changes to our internal systems to ensure relevant diagnosis information relating to incidents is passed from the HR function to our health and safety support team, who notify incidents to the enforcing authorities.

Mr [REDACTED] still has no recall as to the events of the incident and suffers from episodes of memory loss which have left him unable to return to work. Ultimately he was offered early retirement on medical grounds and has been fully supported through this process.

Despite a thorough investigation it has not been possible to ascertain the activity that Mr [REDACTED] was undertaking at the time of the incident, whether this was work related, or what caused his injuries. Should the information regarding the mis-reporting of the RIDDOR notification injury severity category change HSE's view on their own investigation of the incident, we will share our investigation report with you and fully cooperate with any enquiry.

Yours sincerely

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