



## SUBJECT: Fatal Slip

RECIPIENTS: All Services – Including Schools

ISSUE DATE: June 2017 REF: HSB84

### Prosecution following the death of a pensioner

The well know convenience store has been fined £400,000 over the death of a 74-year-old man who slipped and fell on a puddle of water at one of it's stores. Crown Court was told that water had been intermittently leaking from a sandwich chiller over a 44-hour period in July 2015. Although staff had mopped up the water, they had not taken any action to stop or contain the leak, nor to prevent customers walking into the area. Engineers had been called to the store the day before the accident happened and were thought to have successfully repaired the chiller. However, water continued to seep out and staff had placed a wet floor sign next to the leak but had failed to report it as a maintenance issue. The customer slipped and fell on the water and hit his head on the floor. He was taken to hospital but later died from a subdural haematoma.



The Group had pleaded guilty to a charge under s 3(1) of the Health and Safety at Work. After the hearing, the investigating officer, who brought the prosecution, said the case “should serve as a warning to the retail industry, and particularly supermarkets, that signage alone is not an adequate control. Protective measures must be taken to either prevent floors becoming slippery or precluding public access.”

#### Lessons to be learned

- Signs are not an adequate control measure on their own
- Other control measures must be taken e.g. clean up the spillage and/or prevent public access in the area
- Further guidance is available in the health & safety manual using the following link

#### LCC guidance

[Office Safety – G2](#)

[Slip, Trip, Fall](#)

**If you require further assistance or clarification on the subject please contact:**  
[corporatehealth&safety@lincolnshire.gov.uk](mailto:corporatehealth&safety@lincolnshire.gov.uk)