



## **SUBJECT:** Safe Use of Social Care Equipment

**RECIPIENTS:** All LCC services/partners involved in the provision, use and supply of Moving and Handling and Social Care Equipment (Adult Social Care, Children's Services, Schools, Commissioning, Contracting)

**ISSUE DATE:** 31<sup>st</sup> October 2012

**REF:** HSB16 ICES Inter Agency Management Group

### **Equipment Update**

The purpose of this update bulletin is to inform all members of the ICES Inter Agency Management group of incidents, case studies, prosecutions or serious injuries involving equipment that may be supplied or used by LCC services or their partners. The aim is to highlight potential risks and apply any learning points to our own practices and share this with all relevant services and partners. (If members become aware of any cases or issues which may be of interest to the group to share please inform Alison Gibson or Liz Dirjal Mouchel H&S Adviser).

### **Prosecutions**

**1. Bed Rails and Mattress Compatibility** The owners of a West Yorkshire care home have been told to pay £183,000 in fines and costs after a frail 93 year-old widow died because established safety measures were neglected. The patient was asphyxiated after becoming trapped in the gap between her mattress and incorrectly-fitted bed safety rails at Aden Court Care Home in Huddersfield on 24 April 2010.

<http://www.hse.gov.uk/press/2012/rnn-yh-16312.htm?eban=rss-health-services>

### **2. Moving and Handling – Fall from Hoist**

Two nursing home owners have been fined after an elderly resident died following a fall from a hoist. The patient, 78, who was known as Vera, was being transported in a sling from her bed to a specialist chair at Harley House Nursing Home on Elms Road in Leicester on 19 July 2008.

During the manoeuvre the patient fell to the floor, hitting her head. The pensioner, who suffered from Huntington's disease and was immobile, died the following day.

<http://www.hse.gov.uk/press/2012/rnn-m-10212.htm?eban=rss-health-services>

### **3. Maintenance of Hoist LOLER**

A Liverpool nursing home has been fined £18,000 after an 81-year-old woman fell to the ground while being lifted out of bed.

The patient fell three feet and suffered a broken shoulder as well as injuries to her back and elbow. The wife, mother of two and grandmother of one died in the Royal Liverpool University Hospital the following day.

The Catholic Blind Institute, which runs the Christopher Grange nursing home, was prosecuted by the Health and Safety Executive (HSE) for failing to carry out regular checks of the lifting sling being used. It pleaded guilty to the offence and was sentenced at Liverpool Crown Court on 17 January 2011.

The court heard that the patient was being moved from her bed to a wheelchair at the Christopher Grange Nursing Home, on Youens Way in Knotty Ash, on 4 December 2008 when the sling failed.

<http://www.hse.gov.uk/press/2011/coi-nw-35catholicblindinstitute.htm>

#### 4. Poorly Maintained Bed Rails and Staff Training

The Health and Safety Executive (HSE) is warning those with a duty of care to vulnerable people to ensure that bedrails are in good condition and fitted properly. It is also essential that their staff are appropriately trained in using the equipment.. <http://www.hse.gov.uk/press/2008/gnnwal54307.htm>

#### 5. Bed Rails

The owners of a Preston care home have been fined £65,000 following the death of a 40-year-old mother-of-one, who became trapped between a mattress and a bed rail.

The HSE investigation found Mrs Young was able to knock her bed rail out of position because it was not the right size for her bed. This created a gap between her bed rail and mattress in which she became trapped and was unable to breathe. <http://www.hse.gov.uk/press/2011/coi-nw-10sueryder.htm>

#### 6. Note to Assessors of Bed Rails

- MHRA DB 2006(06) 'Safe Use of Bed Rails' is under review, we will update you when it is published once issued the Inter Agency Bed Rails Policy will be updated.
- On 1<sup>st</sup> April 2013 BS EN 60601-2-52:2010 will replace BS EN 1970:2000 the revised standard specifies requirements and dimensions for bed rails intended for use by adults. HSE advises users/assessors to take into account of the new dimensions when assessing risk and ensuring correct fitting. Manufacturers and suppliers of bedrails also have a duty to ensure that equipment is safe for use and should refer to their instructions.  
[http://www.hse.gov.uk/foi/internalops/sims/pub\\_serv/07-12-06/](http://www.hse.gov.uk/foi/internalops/sims/pub_serv/07-12-06/)

#### 7. HSE Information – Equipment used in the Community

FAQs see: <http://www.hse.gov.uk/healthservices/faqs.htm#hoist>

***I am employed to carry out care within a person's own home. Do the Lifting Operations and Lifting Equipment Regulations (LOLER) apply to lifting equipment owned by the person receiving care?***

If you visit someone's home, and are required to use the service user's own equipment, this equipment is not considered to be supplied for use at work. Therefore, the service user has no duties under LOLER.

However, if you are required to use this equipment, the duty to ensure your safety, so far as is reasonably practicable, rests with your employer. In this situation, your employer may have no control over the condition of the equipment. They therefore need to decide whether to provide suitable alternative equipment, or take adequate steps to ensure that the service user's equipment is properly maintained and safe to use. The responsibilities of all parties involved should be clearly set out in the care provision contract.



**If you require further assistance or clarification on the subject please contact:**

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