



SUBJECT: **Support Worker Prosecuted**

RECIPIENTS: Adults Social Care

ISSUE DATE: Aug 2016 **REF:** HSB65

Support Worker sentenced after severely disabled woman choked and died

Lincolnshire County Council feels it necessary to highlight the prosecution detailed below to all relevant stake holders. Following this tragic event we want to remind everyone of the importance of undertaking good risk assessment, the implementation of agreed control measures along with robust monitoring and reviewing procedures. By raising awareness of this incident we hope to reduce the risk of a similar horrific incident occurring within Lincolnshire.

The Case

A senior support worker was sentenced after a severely disabled woman choked and later died while in her care. The Crown Court heard, a senior support worker at an adult day care centre allowed a sweet to be given to a 34- year-old, severely disabled woman who had not developed a rotary chew, the circular motion that allows food to be ground down enough to swallow, and therefore required a soft diet. She choked and later died in hospital.

An investigation by the Health and Safety Executive (HSE) into the incident which occurred on 20 April 2012 found that support worker failed to take reasonable care for the safety of individual in a way that almost immediately set in motion a chain of events that directly led to her death.

The support worker pleaded guilty to breaching Section 7(a) of the Health and Safety at Work etc Act 1974, and was sentenced to 80 days imprisonment, suspended for twelve months.