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Reference: 4622501

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Head of Operations
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Date: 16th December 2019

Dear Councillor Egerton

CONCERN: CORMAC SOLUTIONS LIMITED

I am writing in response to your letter dated 30th September 2019 in which you raised concerns regarding the investigation and RIDDOR reporting practices of Cormac Solutions Limited. This concern referenced the actions of Cormac Solutions Limited following an incident in December 2016 involving Mr [redacted], a resident within your electoral division. You provided more information at our meeting on November 15th and via email after the meeting. As discussed at our meeting the incident in December 2016 was not investigated by HSE and as such it is not appropriate for me to comment on the specific circumstances surrounding the injury to Mr [redacted].

I would like to assure you that HSE take concerns of this kind very seriously. I have reviewed the relevant documentation provided to inform my enquiries of the company. These enquiries are now concluded.

Riddor Reporting

You raised concern that the content of the RIDDOR report of the injury to Mr [redacted] was deliberately misleading to prevent further investigation by HSE.

To address your concern it may assist if I provide some information about how HSE identify RIDDOR reported incidents for investigation. I recognise the incident in December 2016 has had serious consequences to Mr [redacted] however the HSE receive a large number of RIDDOR reports and as such cannot investigate every incident we therefore focus on the most serious work-related incidents, injuries or cases of ill health in line with our incident selection criteria, this can be found on the HSE website at <http://www.hse.gov.uk/foi/internalops/og/ogprocedures/investigation/incidselcrits.htm>. In line with this selection criteria HSE investigate head injuries which result in loss of consciousness, with or without a skull fracture. It is our understanding Mr [redacted] was found conscious but dazed and so the incident did not meet the incident selection criteria for investigation. The failure of the notifier to correctly mark the report as a specified injury had no impact on HSE's decision not to investigate.

Having made enquiries of Cormac Solutions Limited I am aware that the Company have recently introduced a more robust incident reporting procedure to ensure that all staff reporting injuries under RIDDOR are suitably trained to ensure accuracy in completing the report submitted to HSE.

Incident investigation

You raised concern that the company failed to investigate the injury to Mr [REDACTED]

The Management of Health and Safety at Work Regulations 1999, regulation 5, requires employers to plan, organise, control, monitor and review their health and safety arrangements. Health and safety investigations form an essential part of this process. The HSE produce guidance to assist companies in their formulation of suitable policies and procedures to ensure investigation findings feed into any changes to practice or control measures, the manner in which these investigations are *carried out is for* the company to determine. It is my understanding that enquiries were made at the time but that it was only later that a more in depth investigation was carried out. My enquiries have identified that the findings of the company investigations have been used to review their control measures, these findings have also been shared with Mr [REDACTED] and the legal advisors dealing with his civil claim.

I would like to reiterate that HSE take concerns of this kind very seriously and are grateful that this matter was brought to our attention. If you would like to discuss any issue covered in this letter please do not hesitate to contact me on the number above.

Yours sincerely

[REDACTED]

[REDACTED]

HM Principal Inspector of Health and Safety