

Work Accidents In Hospitals

Hospitals are supposed to be safe environments for the frail, sick and injured. There has been enough emphasis in the press over the past few years about the dangers to hospital patients from superbugs like MRSA and C. difficile, but what about the risks to NHS workers? We hear all too often about negligence claims being brought against the NHS, but how many of the thousands of workers employed by the National Health Trusts are at risk in their working environment? The dangers from such things as needles, infected blood and transmittable diseases are obvious and the NHS makes a great effort to protect employees against these dangers. But a recent case has highlighted that it's not these normal, run of the mill dangers that threaten staff every day. Money is tight in the NHS and sometimes building maintenance can be allowed to slide below acceptable standards. This has resulted in a recent case where high levels of the legionella bacteria were found at a Liverpool hospital. The Liverpool Heart and Chest Hospital NHS Trust was ordered to pay nearly £48,000 following an investigation. The investigation found unsafe levels of legionella in the water supply system for the showers, baths and sinks at the hospital. The court was told that the Trust had stopped testing the water supply for the disease, despite high levels of the bacteria being found in the hospital in 2002. The HSE criticised the Trust for failing to put suitable control measures in place, and blasted senior management for failing to take responsibility for overseeing the control of the bacteria. The Trust pleaded guilty to putting both patients and staff at risk. The action of the Trust constituted a severe breach of their duty of care, not only to their patients but to the staff as well. The Trust had ignored the recommendations it had been given by a specialist contractor to control the levels of bacteria in the water supply and no one person was given overall control or responsibility for managing the bacteria, and suitable control measures were not in place. This, luckily, is one of those rare instances where the result of this lax attitude towards a potentially deadly disease did not result in any directly attributable deaths. But it does highlight the fact that working environments are not just potentially hazardous places for accidents - there is also the risk of illness through disease too. If an organisation that is supposed to care for the sick cannot or will not implement measures to protect both patients and staff from a deadly disease such as legionella, especially after having been told quite clearly that there was a problem, then any illnesses resulting from exposure to the bacteria could have been considered the fault of the Trust and liable to a claim for compensation. A valuable lesson has been established here. It isn't just the duty of employers to make sure that a working environment is safe from accident hazards, but illness hazards too. This is an exceptional case, granted. But it does draw attention to the potential for life-threatening working situations to develop because of a reluctance to listen to the advice of experts. The massive financial penalty imposed by the courts could have been averted easily by the Trust by ensuring that the situation was controlled as per the advice of the contractors. Instead, the hospital blatantly put both staff and patients at risk of a disease that kills. It is to be hoped that there is no repeat of this shameful incident and that hospital workers and patients are never exposed to this kind of health and safety mismanagement again.

About the Author

Visit Work Accident Solicitors if you have been [Injured At Work](#). Read our free [Work Accidents](#) Guide to discover everything you need to know about making a Work Accident Claim. Nick Jervis is a solicitor (non-practising) and a consultant to Work Accident Solicitors who specialise in Work Accident Claims.

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