

Example of a standard personal injury report

Having received instructions from Donald Solicitors of 54 Marple Avenue, St Kings, Pembrokeshire, this report concerns itself with an Industrial Accident that resulted in a Personal Injury, which occurred on August 10th, 2006 at Hitchen Frame Tools Ltd, Woodhouses Way, Woodhouses Business Park, Milford Haven, Pembrokeshire.

I have interviewed the Claimant and the task Supervisor involved, and having made a detailed inspection of the accident site I have conducted a content analysis of the statements presented in this report. To further assist with the investigation, copies of the following documents have been requested.

- (a) From Hitchen Frame Tools Ltd:Accident Records: Copy of the Accident Report
Sent to HSE: Company Health & Safety Policy:Risk Assessment for task
Involved: the Claimant's Personal Training Records: and Record of any First
Aid given to the Claimant on site:
- (b) From Milford Haven Hospital:Accident and Emergency records concerning the
Claimant:
- © From Dr Needham:General Practitioner's report concerning the Claimant.

Together with other findings made possible and supported by physical evidence elicited both from the scene of the accident and from statements obtained, I have put forward my conclusions in accordance with the evidence available and considered at this time.

I am the holder of a Certificate in Accident Investigation, having received in-depth theoretical and practical training in the investigation of all forms of accidents. Any and all material presented in this report is supported by clear and concise evidence gained from detailed analysis of the facts presented at the time of the investigation.

General Overview of the Accident and Claim made.

1. At approximately 11.45 a.m. on August 10th, 2006, an industrial accident, resulting in serious personal injury, occurred on the premises of Hitchen Frame Tools Ltd, Woodhouses Way, Woodhouses Business Park, Milford Haven, Pembrokeshire.
2. Mr Simon Wallis claims that he did injure himself during the course of his third day at work, whilst he and a colleague were cleaning a BOBST cut and crease machine, under minimal supervision and without any relevant prior training.
3. The BOBST is a large machine that forms predefined cartons from sheets of cardboard. It features a fixed maintenance platform to one side, on which Mr Wallis was standing whilst cleaning the machine.
4. Mr Wallis slipped and fell from the platform which had become wet and greasy during the course of his duties and in so doing injured his torso and leg.
5. Following his fall, Mr Wallis was taken by ambulance to the Accident & Emergency Unit of Milford Haven Hospital, where his torso was x-rayed and he was subsequently prescribed painkillers. He experienced pain and suffering throughout the ensuing three-week period.
6. Mr Wallis confirms that he has not signed any Compromise Agreement with Hitchen Frame Tools Ltd.

Attending the Site of the Accident.

7. In my capacity as Accident Investigation Officer, I visited Hitchen Frame Tools Ltd at 9.45 a.m. on Monday 28th August, 2006. Mr Scates, the Department Supervisor, showed me the site of the accident.

8. I photographed the BOBST machine and platform (AppendixII) and measured the platform on which Mr Wallis was standing before his accident. I found it to be 72 inches (1.87 metres) long, 54 inches(1.38 metres) wide and 48 inches(1.23 metres)above the floor. The Surface of the platform is made from untreated plywood panels that are half an inch(1.27 centimetres)thick.

9. The floor of the platform is secured to a horizontal metal framework base. It is unobstructed and provides a broad, flat and level working area. It is fitted with a handrail along the short edge adjacent to the rear of the machine, and along the long edge furthest from the side of the machine. The edge adjacent to the front of the machine accommodates access steps, which have no handrail. The edge nearest to the machine has no handrail, frame or guard to prevent people falling between the platform and the machine.

10. The handrail is 36 inches high and made of steel tubing which is square in cross-section. Joints and Corners are angular rather than rounded in construction. There is no barrier (horizontal cross-members, panels or meshing)in place between the platform floor and the handrail to prevent people falling through the resultant space.

11. A statement was taken from Mr Scates and is included here at Appendices V & VI.

Photographs.

12. In order to ascertain the exact injuries sustained by Mr Wallis due to the accident, photographs (Appendix I) were taken during my visit to his home on the 27th August, having first obtained his statement of events (Appendices III & IV). I photographed the BOBST machine (Appendix II) during my visit to Hitchen Frame Tools Ltd on 28th August.

Photograph 1.

13. This photograph shows the injury to Mr Wallis's torso as a result of the accident.

Photograph 2.

14. This photograph shows the injury to Mr Wallis's left leg as a result of the accident.

Photograph 3.

15. This photograph shows the BOBST machine. The platform on which Mr Wallis was standing prior to his accident is shown to the right of the machine.

Analysis.

16. Mr Wallis will state that no training was given regarding the performance of the task being undertaken at the time of the accident.

“We were not given any training or information other than: ‘Clean the machine’”.

17. Mr Scates will state that he instructed Mr Wallis to use the platform whilst cleaning the BOBST machine:

“On the other side there was a fixed working platform that runs the length of the machine. I instructed them to clean that side of the machine from this platform”

and that he was in charge of Mr Wallis at the time of the accident:

“Simon was an agency employee who was under my supervision.”

18. Mr Wallis will state that there is a handrail attached to the platform:

“The handrail caught me in the side...”.

This is supported by Photograph 3 (Appendix II).

19. Mr Scates will further state that Mr Wallis was acting properly:

“I returned to the machine at least once to make sure that they were following instructions, which they were.”

20. Mr Scates will state that Mr Wallis was a willing and conscientious worker:

“They cleaned that piece of kit to my satisfaction and came back to me for further duties.”

21. Mr Scates will state that Mr Wallis was not provided with a container in which to wring out sodden rags to prevent a build-up of water and grease on the platform:

“I gave them rags, Ultra Blue degreasing agent and a small bucket in which to dilute the degreasing agent, and a spray with which to apply it.”

22. Mr Wallis will state that his Supervisor ignored his concerns about the safety of the platform:

“Even after this short time the platform was covered in grease and water.. We both talked to the Supervisor about the platform, but he said it was O.K, and we should complete the task”.

23. Mr Wallis will state that non-slip footwear was not provided:

“As we both had trainers on, our feet were getting wet.”

24. Mr Wallis will state that he received medical treatment:

“The lady in the office..telephoned for an ambulance and I was taken to the Accident & Emergency Unit of Milford Haven Hospital.”

25. Mr Wallis will state that he experienced prolonged pain and suffering as a direct result of this accident:

“I was in pain for about three weeks. Every time I took a deep breath a sharp pain went across my chest. I went to see my G.P, who is Dr Needham, and she continued to give me painkillers.”

Conclusions.

26. The injuries sustained by Mr Wallis were a direct result of him slipping on the wet and greasy platform. Had he not done so, he would not have injured himself on the handrail attached to the platform as he fell. A correct level of competent supervision would have noticed the dangerous state of the platform during the cleaning operation, and initiated some form of remedial action.

27. Through the dangerous system of work employed in cleaning the BOBST machine, the management of Hitchen Frame Tools Ltd failed to ensure the health, safety and welfare of their employee. Mr Scates failed in his Duty of Care to Mr Wallis in that he did not tell him to stop working, despite having been informed that the platform had become unsafe.

28. Mr Wallis informed the Supervisor, Mr Scates, of the dangerous state of the platform, but was told to continue. Mr Scates has been employed as Department Supervisor for Six years, so can be considered as experienced and competent in a Supervisory capacity.

29. The handrail attached to the platform is evidently a hazard in itself, as it caused the injury to Mr Wallis's torso. It is also insufficient to prevent a person from falling a distance of 48 inches from the platform to the floor.

30. Photographic evidence shows that the design of the handrail is inadequate in preventing a person from falling off the platform. Further to this, the current positioning of the handrail would not prevent a person from falling between the platform and the machine

31. A safer method of cleaning the machine should be devised. An ideal system would use less water, and disposable cloths instead of rags. These measures would reduce the amount of water finding its way onto the platform. Any grease removed from the machine would then be placed, along with dirty disposable cloths, directly into some form of waste container.

32. The simple measure of providing a container in which to wring out sodden rags would have greatly reduced the build-up of water and grease on the platform.

33. Either non-slip footwear should have been provided to Mr Wallis for the pursuance of his task, or the platform should have previously had some form of industrial non-slip coating permanently applied to it.

34. The evidence gathered at your request would support without question Mr Wallis's claim for damages against Hitchen Frame Tools Ltd.

LIST OF APPENDICES TO CASE:
WALLIS vs HITCHEN FRAME TOOLS LTD.

Page

- I. Photographs 1 & 2.
- II. Photographs 3.
- III. Statement of Mr Simon Wallis
- IV. Continued.
- V. Statement of Mr Kevin Scates
- VI. Continued.

APPENDIX TO CASE: WALLIS vs HITCHEN FRAME TOOLS LTD

7. We both talked to the supervisor about the platform, but he said it was O.K. and we should complete the task. As we both had trainers on, our feet were getting wet.
8. We had been working for about 40 minutes when, while reaching up to clean the side of the machine, I slipped and fell to the right. The handrail caught me in the side, which caused a great deal of pain. I fell from the platform to the floor. I had a great deal of pain in my chest from the fall.
9. Johnny Cusions went for help to the office. I got up from the floor and followed him to the office. I was in a great deal of pain. When I got to the office, which is only a short distance from the machine, Johnny lifted up my top and it was then that I saw how badly I was hurt.
10. The lady in the office, whose name I do not know, telephoned for an ambulance, And I was taken to the Accident and Emergency unit of Milford Haven Hospital. I was x-rayed and given some painkillers. My left leg also had a cut on the shin.
11. I was in pain for about three weeks. Every time I took a deep breath a sharp pain Went across my chest. I went to see my G.P. who is Dr Needham and she continued to give me painkillers.
12. The platform should have a frame round it to stop people falling and the grease Should be cleaned off while people are working. We were not given any training Or information other than "clean the machine". I feel the firm is responsible for my injuries. I have not been back to the agency for any more work and am currently unemployed because of what happened to me.
13. My National Insurance number is JN363881C. I wish to make a claim for Compensation against the company Hitchen Frame Tools.

I believe that the facts stated in this witness statement are true.

Signed _____ Date _____
Mr Simon Wallis

APPENDIX TO CASE: WALLIS vs HITCHEN FRAME TOOLS LTD

Made on behalf of the Claimant
Mr Simon Wallis
First Statement
Dated this

IN THE COUNTY COURT CASE NO .

BETWEEN:

MR SIMON WALLIS

Claimant

And

HITCHEN FRAME TOOLS LTD

Defendant

WITNESS STATEMENT: Mr Kevin Scates

I Mr Kevin Scates of 8, Delford Way, Wooley, Pembrokeshire will say as follows:

1. Save where otherwise stated the information within this statement is from my own knowledge and belief.
2. I am 51 years old, being born on 16th October, 1954.
3. I am employed by Hitchen Frame Tools Ltd as a Supervisor in the Carton Department. I have been employed in that capacity for six years.
4. I recall an accident involving Simon Wallis, but I did not witness it. The first I knew was when I was told by a colleague that he had been taken to Milford Haven Hospital.
5. I understand that he fell whilst cleaning the cut and crease machine.
6. Simon was an agency employee who was under my supervision. The accident occurred on the third of his working with us. The previous two days he had been what is know as 'breaking out', which is the simple task of removing scrap from around the cartons produced on the cut and crease machine.
7. On Wednesday 10th August, 2006, I asked Simon and Johnny Cousins to clean the BOBST cut and crease machine. This machine had been installed some time in July But was not yet running. It was covered in oil and grease.

APPENDIX CASE: WALLIS vs HITCHEN FRAME TOOLS LTD

8. I asked the two lads about 9.30 a.m. to clean the machine. I gave them rags, Ultra Blue degreasing agent and a small bucket in which to dilute the degreasing agent, a spray in which to apply it.
9. I gave them instructions to dilute the degreaser, which is not a harmful substance, It being similar to washing – up liquid.
10. Having shown them how to use the degreaser, I showed them where to clean. Specifically, I told them in the first case to clean the small free-standing section of conveyer belt that can be attached to the machine, if required, to remove waste.
11. They cleaned that piece of kit to my satisfaction and came back to me for further Duties. This would be at about 11.00 a.m.
12. I then instructed them to clean the sides of the actual machine. On one side of the machine there was no working platform, so I instructed them to clean as high as they could reach. On the other side, that is the right – hand side, as facing from the office end, there was a fixed working platform that runs the length of the machine. I instructed them to clean that side of the machine from this platform.
13. I returned to the machine at least once to make sure that they were following instructions, which they were.
14. The two men were not instructed to clean the front or back of the machine, as there were no step – ladders available.
15. I had no further contact with them until I heard of the accident.

I believe that the facts stated in this witness statement are true.

Signed _____ Date _____
Mr Kevin Scates

