

Ms Tracy Myhill, Chief Executive
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Reference(s) 4636464
4636466
4637017

Date 15 April 2020

Dear Ms Myhill

HEALTH & SAFETY AT WORK ETC ACT 1974

Following the advice given by the Welsh Government on social distancing at work (and outside work), on 23rd March, several concerns were raised by different members of staff in the Medical Records offices at Morriston Hospital. The advice was subsequently put into law by the Welsh Government on 2nd April. During my investigations into the concerns raised, it became clear that social distancing was inadequate in the Medical Records offices, and that staff were being asked to handle paper records coming straight from active medical wards including those with suspected Covid-19 patients, both as recently as 8th April. The Health and Safety Executive is enforcing the legislation where it is conventionally the enforcing authority, including in hospitals. Subsequently I contacted Laurie Higgs, head of health and safety, and he visited the Medical Records offices on 8th April. He has subsequently sent me the results of his investigation, and I believe the main concerns of staff have been addressed. However, I am of the opinion that for some time in early April, the health and safety of staff in Medical Records was put at risk due to inadequate precautions being taken to prevent the spread of coronavirus infections.

This is, in my opinion, a breach of the **Health and Safety at Work etc Act 1974, section 2(1)**.

FURTHER INFORMATION – HEALTH AND SAFETY AND NUCLEAR (FEES) REGULATIONS 2016

Under the Health and Safety and Nuclear (Fees) Regulations 2016 (“the Fees Regulations 2016”) HSE will recover its costs for the work it does in relation to certain contraventions of health and safety law.

More detailed information is given in HSE 47 - *Guidance on the application of Fee for Intervention* at <http://www.hse.gov.uk/pubns/hse47.pdf>.

I notifying you that the contraventions identified during the HSE investigation and numbered in Appendix 1 are, in my opinion, material breaches for which a fee is payable by you, to HSE under Fee for Intervention.

Ein gweledigaeth yw cydnabod
iechyd a diogelwch

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HM Principal Inspector of Health
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Paul Kloss

Yours sincerely

[signature unavailable]

Simon Breen
HM Inspector of Health and Safety

Appendix 1

CONTRAVENTIONS OF HEALTH AND SAFETY LAW

I identified the following contraventions of health and safety law - these require your attention. You must take action to comply with your legal duties. I have also given you the reasons for my opinion as to why you are contravening or have contravened health and safety law.

- 1) Employees in the Medical Records offices at Morriston Hospital were exposed to a heightened risk of contracting coronavirus infection due to inadequate implementation of reasonable precautions outlined in recent advice and legislation set out by the Welsh Government. This is a breach of the **Health and Safety at Work etc Act 1974, Section 2(1)**.