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Mr Ian Wade QC
Assistant Coroner
Eastern District of London
Walthamstow Coroner's Court
Queens Road
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London E17 8QP

12th June 2015

Your Ref: IW/j. (Allison)

Dear Sir

Re: Inquest touching upon the death of Mr Joseph Allison

We write further to your Regulation 28 Report to prevent future deaths sent under cover of your letter of 25th March 2015 and subsequent exchanges of correspondence regarding an extension of time in which to submit a response.

This letter constitutes the response to your Regulation 28 Report.

Before addressing the section of your Report which deals with "Matters of Concern" it is felt appropriate to deal with two matters which arise out of our consideration of the section headed "Circumstances of Death" which we feel, as currently worded, may have the capacity to mislead someone reading the Report who did not have the benefit of the full background or having heard all of the evidence given at the Inquest.

The first matter relates to paragraph 4(3) where it is respectfully submitted that the use of the following phrase has the potential to mislead:

"Moreover the manufacturer's internal record of compliance was completed so as to *falsely* show that the necessary work had been carried out."

Our concern is that the word "falsely" in the context of the sentence as constructed has the capacity to be interpreted in a way which suggested some deliberate act or act of dishonesty on the part of the company was involved in the factual narrative. Plainly that is not the case, was not the evidence given in writing or orally at the Inquest, and no witness was questioned on the basis that such could have been the case, as should have been done, really, if such a matter was to be in question.

In our view the sentence would be more reflective of the actuality and the evidence given were it to read "Moreover the records compiled by the manufacturer to capture which stairlifts had been successfully upgraded as part of the original upgrade programme were inaccurate in that they showed some stairlifts as having been upgraded which had in fact not been, as was later discovered."

The second matter relates to the sentence appearing at paragraph 4(5) which reads:

"Furthermore no information regarding this defect and remedial actions was released to appropriate third parties such as independent installer or dealers."

Again, in our view, and respectfully, we say that this is capable of being misleading. As was clear from the evidence submitted in writing and the evidence given orally at the Inquest Bulletins 55 and 66 were mailed to our trade customers at the time of issue. This would include independent installers and dealers, and, in fact, as was explained, all those to whom we knew the business had supplied a stairlift or who were regularly maintaining stairlifts.

What was not done at the time, and what we understood the concern to be directed to during the course of the Inquest, was to distribute such information to other independent installers and maintainers, outside of the group reached, in order to cover the potential scenario whereby a stairlift had been sold or installed second-hand outside the knowledge of the business or was being serviced by someone outside our known and identifiable network of installers, dealers, and maintainers.

In our respectful view the sentence would more reflective of the evidence if it read "Furthermore whilst efforts were made to provide information on the defect and remedial actions to those to whom the manufacturer had supplied stairlifts or it knew maintained stairlifts such information was not supplied to others who might have sold or installed stairlifts second-hand or who were maintaining stairlifts outside the manufacturers identifiable network of businesses which maintain stairlifts."

We will now address the matters set out in the section of your report entitled "Matters of Concern".

"5(1) In-house service engineers have not been specifically trained to be aware of the defect in the Minivator 2000, nor issued with feeler gauges to implement the appropriate safety check."

Action Taken

Handicare engineers have been made aware of the potential defect, issued with feeler gauges and have received a face to face briefing with regard to its use to carry out a trunnion inspection as detailed in Bulletin 66. The content of Bulletin 66 has also been issued to them.

They have also been issued with a list of recall batch serial numbers.

Training with the feeler gauge and a briefing on the top trunnion issue has been added to the new engineer training programme together with a list of the recall batch serial numbers, to ensure that any new employees are made aware of the issue as part of their induction training.

It will be recalled that Bulletin 66, which formed Appendix B to the statement of Mr [REDACTED] explained what needed to be done to identify the defect and what action should be taken immediately if a defect was found.

"5(2) In-house and third party service engineers are thereby exposed to the same risks which end users face if they test ride serviced stairlifts themselves"

Action Taken

In relation to in-house service engineers please see the response to paragraph 5(1) above.

We are contacting all dealers that have ordered stairlifts or spares since 2005 to raise awareness of the defect and upgrade programme. We are issuing the recall batch numbers with the request to contact us if they come across any of these units in the field.

We have also purchased a list of UK mobility retailers and are sending a similar communication to any of these dealers not already registered with us and covered by the communication referred to in the paragraph immediately above.

First class mailing of these communications took place 11th and 12th June 2015.

A communication covering similar ground will also be included as an insert, for ease of extraction and retention, in THIIS (stands for "The Homecare Industry Information Service") magazine, the primary trade publication. This is planned for the July issue of this monthly magazine.

We attach examples of the communications which are being sent to our dealer network, are being sent to the list of dealers who are not part of our established dealer network, and are to be inserted into THIIS magazine marked as TM1, TM2 and TM3 respectively.

"5(3) No nationally publicised safety recall campaign has been undertaken to alert end users to the danger, or request that such users contact the manufacturer for access to the remedial programme."

Action Taken

We will be conducting a national advertising campaign in the publications identified to us by external specialists as having the highest readership and best national coverage. This will run between Monday 15th June and Sunday 4th July. Adverts will run on various days in the following publications: The Sun (National), The Scottish Sun, the Daily Mail and the Mail on Sunday.

We are also mailing all Local Authorities to raise awareness of this recall in case they have had an affected stairlift installed by a third party. First class mailing of these communications took place 11th and 12th June 2015.

We attach examples of the adverts which are to appear in the national newspapers and the communications to be sent to local authorities marked TM4, TM5 and TM6 respectively.

The Group function is also in the process of reviewing the viability of incorporating a section on the Handicare website, to be accessible by any visitor to the website, listing safety upgrades, including the Minivator 2000 trunnion upgrade. This site is managed by Handicare Group's central marketing department not a local UK team

and serves a number of divisions so changes like this go through a consultation process. As matters stand we cannot confirm whether or not this is something for which we will get authority to proceed.

"5(4) No adequate initiative has been taken to advise the stairlift industry generally of the risks inherent in unimproved Minivator 2000 Stairlifts."

Action Taken

In relation to the generality of the concern expressed please see the responses/action taken in relation to paragraphs 5(2) and 5(3) above.

As regards the topic of all manufacturers or all leading manufacturers sharing information on such issues within the sector generally, from our recollection, this was tabled by our representative at a meeting of the stairlift section of the BHTA once the original trunnion upgrade programme was initiated, to highlight the need to share safety information between companies. At the time some manufacturing members of the section were opposed to creating a formal system due to concerns about the requirement to share data or information which may be commercially confidential or commercially sensitive in its nature, and therefore this was rejected.

We have raised the matter informally with the BHTA again, both before and following the Inquest. There is a BHTA stairlift section meeting planned for the 9th July 2015, the first such meeting following the Inquest, where this will be tabled once more for consideration. We will raise the issue again with all manufacturers at this meeting to try to highlight the importance of sharing such information in order to reduce the risks to users of stairlifts with potential safety issues. A letter will also be sent to these manufacturers during the week commencing 15th June 2015.

We believe we have done all that we can to address the concerns identified in the Regulation 28 Report. As will no doubt be readily understood the safety of users of our products and of our staff who maintain them is of the utmost importance to us and that is why we always seek to review our processes to identify areas for risk reduction and improved accident prevention. We are, therefore, appreciative of your drawing our attention to the matters highlighted in the Regulation 28 Report.

At the risk of repeating what has already been said publicly at the Inquest we must reiterate how deeply saddened we were at the circumstances of the accident involving Mr Allison following what was thought to have been a successful initial upgrade programme.

If there is anything further with which we can help, or if any clarification is required, please get in touch.

Yours faithfully


Sales & Marketing Director
For and on behalf of Handicare Accessibility Ltd

Encs: TM1 to TM6