

Donald Coutts-Wood - Coroner's Office  
Leicester City and South Leicestershire  
The Coroner's Court,  
Town Hall,  
Town Hall Square,  
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Reference HSCSU/MH/Rule 43

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Head of HSCSU

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Head of HSCSU

Date 21 November 2013

Dear Sir



**INQUEST INTO THE DEATH OF WALTER GORDON POWLEY – 25<sup>TH</sup> MAY 2012 –  
4<sup>TH</sup> OCTOBER 2013 – BURNS FROM CONTACT WITH HOT PIPES**

Your Regulation 28 letter dated 4<sup>th</sup> October 2013 has been passed on to me for reply as I lead for HSE's Health and Social Care Services Unit on the topic of social care. I was sorry to learn about the death of Walter Powley.

You reported matters of concern to HSE under Schedule 5 of the Coroners and Justice Act 2009 and regulations 28 and 29 of the Coroners (Investigations) Regulations 2013.

You requested consideration be given to the following:

- 1 – Neither the pipes or the valves in the bedroom were covered and readings taken at the Home indicated that temperatures ranged from 60 Degrees Celsius to over 70 Degrees Celsius. Evidence given suggests that pipes and valves may not be covered in other Homes in the area.
- 2 – There was no risk assessment of the physical circumstances of the room and whether it was safe for the resident.
- 3 – The Home had been inspected by CQC and the LA and the matters referred to had not been recognised.

HSE has guidance on the risks from hot water and surfaces on its Health and Social Care web pages (<http://www.hse.gov.uk/healthservices/scalding-burning.htm>), including Information Sheet 6. Further information can also be found in HSE booklet 'Health and safety in care homes' (HSG220) which is available on the website and is currently being reviewed and updated. It is hoped that the revised version will be available in early Spring 2014.

I totally understand your concerns but see CQC as the lead regulator and inspection body in England for health and social care providers and we believe they are better placed to proactively lead on service user safety issues. I note that you have also written to CQC.

HSE has also just launched a GB Social Care Partners Forum (SCPF) which brings together regulators, care home representatives and other stakeholders. The aim of the Forum is to raise standards by producing broadly agreed guidance and disseminating it to the sector. HSE sees this as an appropriate forum to raise your concerns and it is our intention to raise the issue of assessing the risk from hot surfaces and pipe-work at the next meeting. It is hoped that the next meeting will be held in February 2014. One of the task and finish groups that has been established is looking at mapping standards and exploring how these can best be promulgated as your concerns no doubt apply to other established standards.

HSE does not routinely inspect health and social care providers but does investigate serious incidents meeting our selection criteria and inspect where there is evidence of poor compliance. This may include, for example, where there is evidence of established standards, such as those concerning prevention of burns, not being followed. This is also the case for non-nursing residential care which is enforced by local authorities. I will share this letter with local authority health and safety regulators via HSE's Local Authority Unit and also arrange for the matter to be discussed at the next meeting of the national local authority practitioner forum.

How health and social care is regulated across England is currently being reviewed following the Mid-Staffordshire Inquiry and this may impact on how such concerns are taken forwards in the future.

I hope this addresses the concerns you have raised but please do not hesitate to contact me if you wish to discuss the matter further.

Yours faithfully

  
**Senior Policy Advisor**  
Health and Social Care Services Unit

Cc Local Authority Unit (LAU)