Schindler Ltd
400 Dashwood Lang Road, Bourne Business Park, Weybridge, Addlestone, KT15 2HJ

Response to Regulation 28 Report to Prevent Future Deaths

By email ([redacted]) and by post

FAO – Oliver Longstaff

Dear Sir,

RE: Response to Regulation 28 Report to Prevent Future Deaths

We refer to your report sent via email to [redacted] dated 27 September 2024 with the subject "RE: Coroner's report – Wakefield" and provide our response to your concerns as follows:

Unintended Care Movement Protection

After investigation of the incident of entrapment dated 17 January 2024, the root cause of the initial breakdown related directly to damage of the car doors and safety edge which further led to the misalignment of the car door electrical contact. We believe that this damage was caused by the paramedics when they entered and moved around inside the lift cabin. Subsequent passenger movement within the car during the lift travel by the paramedics and Mr Nazemi along with their equipment caused an interruption of the car door safety circuits which was recorded in the control panel as an Unintended Car Movement Protection (UCMP) error occurred. The UCMP is a safety measure to protect passengers in a lift where an error occurs, and the car door cannot properly close.

UCMP monitors the car movement with open doors and will stop the car if it detects the car or landing doors being open whilst the lift is moving outside of a door zone.

This protection is a stringent safety measure which has been required on all new lifts by the lift regulations since 2009. Once the UCMP detects a potentially dangerous situation, the lift controller must be reset by authorised lift personnel after thorough technical examination in accordance with EN81-20.

We believe there has been a misunderstanding of what is meant by the UCMP being activated by the passengers. The passengers cannot activate the UCMP, the UCMP is purely a processor monitoring function embedded within the architecture of the lift control panel. The lift control panel is normally situated on the top floor landing adjacent to the lift entrance. The UCMP monitors a given situation where the car door electrical contact may have inadvertently opened (opened safety circuit) due to the suspected damage whilst the lift was travelling.

The measures are activated through the control system when a potentially dangerous situation occurs due like when damage occurs to the lift car door. These measures are activated to protect passengers within the lift. The UCMP functioned as required by bringing the lift car to a stop upon detection of misalignment of the car door electrical contact. In instances where there is misalignment of the car door contact, there is a potential health and safety risk for the lift to travel with the car doors open which could cause potential death if it travels while the car door remains open. Schindler is fully compliant with international standards on lift safety.

Entrapment Release

There was a delay on the Schindler engineer and local Fire and Rescue Service attending site. This affected both the Schindler Technician and the local Fire and Rescue Services. This was caused by unforeseen circumstances due to traffic, which were out of the control of the technician.

In summary, the lift functioned as required when detecting a potential safety error. The delays thereafter in releasing the trapped passengers were caused by the attending Fire and Rescue Service being unfamiliar with the equipment and passenger release process. The passenger release information is contained within the lift control panel and the owner's manual. In addition, the Schindler technician via telephonic communications advised the Fire and Rescue Service how to release the passenger, the Fire and Rescue Service was unable to follow the advice and attempted a manual release.

From a health and safety standpoint, the measures taken regarding the release of entrapped passengers is in line with EN81-20 (lift regulations) which are the safety rules for the construction and installation of lifts. BS72-55 is a code of practice on the safe working on lifts, giving further guidance on relevant health and safety standards.

Clause 5.10 – BS72-55

Clause 5.10 of BS72-55 addresses the release of passengers trapped in a lift and states "Although release procedures are not to be delayed, undue haste can lead to disregard of the recommended procedures for the release of passengers. For these reasons, it is usually preferable for the owner to arrange for trained lift industry personnel to release trapped passengers.

Schindler are compliant with this clause. The process for when there is an entrapment is that a call is raised to the Schindler call centre who then contacts a nearby Schindler Engineer to attend a call out and release the entrapped passenger. All Schindler Engineers who attend call outs are trained and authorised. The recommended procedures should be followed for the release of passengers, and it is preferable for trained lift industry personnel to release trapped passengers as opposed to lay people. The reasoning behind this is that if any lay person could open the lift, the risk of death increases substantially.

Clause 5.10.1 – BS72-55

Clause 5.10.1 of BS72-55 states that "The owner should authorize only persons trained in the release procedure for the particular lift to release passengers trapped in a car" further stating "Where a lift is provided with instructions for the release of trapped passengers, the owner should make these instructions available in the machinery space and only to trained persons."

Schindler are compliant with this clause. Further to clause 5.10, 5.10.1 further emphasises the point that only authorised and trained personnel should release trapped passengers. Unauthorised and untrained personnel releasing trapped passengers could malfunction the lift or cause damage to the lift, putting all passengers in serious danger.

In accordance with clause 5.10.1 of BS72-55, Schindler provided instructions for the release of passengers in the control panel of the lift. This is available to the engineers attending call outs and the fire service who attend in case of emergency.

Clause 5.10.2 – BS72-55

Clause 5.10.2 states that "Failure to adopt proper procedures can increase the risk to trapped persons or those undertaking the rescue." in addition,

"All release operations to be adopted should be carried out in accordance with the manufacturer's, or other, authorized instructions". Further to this, the clause details "Before commencing manual movement of a lift machine, the electrical supply should be isolated and locked off".

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This clause details that there are certain safety procedures that should be put in place before resetting a lift and commencing manual movement such as isolating and locking off the electrical supply. If these procedures are not complied with, the lift could be damaged, leading to both short and long term health and safety risks for current and future passengers. Allowing lay people to reset a lift or manually commence travel of a lift if it has entrapped passengers would not only contradict the safety standard of BS72-55 but also compromise the safety of the lift.

Summary

We therefore propose that no further action be taken as the lift fully conforms and operates as expected in accordance with EN81-20, BS72-55 and the Lift Regulations 2009. In addition, full passenger release information is available to the emergency services within the control panel of the lift. It is duty given that any persons performing passenger release should familiarise themselves with the process.

We hope this clarifies your concern and should you require further information, please reach out to our legal department for clarification.

Regards

[redacted]

[redacted]
Legal Counsel
[redacted]