

John Adrian Gittins
Senior Coroner for North Wales (East & Central)
Coroner's Office
Wynnstay Road,
Ruthin,
Wales,
LL15 1YN

Sent via Email to: [REDACTED]

7th January 2025

Subject: Response to Regulation 28 Report to Prevent Future Deaths

Dear Mr Gittins,

Thank you for your Regulation 28 Prevention of Deaths report dated 13th November 2024 regarding the tragic death of Andrew Howat. First and foremost, we wish to extend our sincere condolences to Mr Howat's family and loved ones.

As a business we remain committed to ensuring the highest standards and have carefully reviewed the matters of concern highlighted in your report, wishing to respectfully address the two key points raised: (a) the driver's adherence to training and guidance; and (b) the failure to contact the police on 999 during the incident.

Driver Training

The driver's decision to discharge the passenger at an unsafe location is deeply regrettable and we acknowledge that their actions on this occasion fell short of the standards we would expect. While drivers are trained to balance their own safety with their duty of care to passengers, we recognise that this tragic outcome signals a need to reinforce and clarify our procedures with drivers.

To further enhance this message, we have updated the "DR18 Driver Information & Advice" document, issued to all drivers during onboarding. Specifically, two new sections were added (*Legal Duty of Care, Incident Procedures: Breakdown, Accident & Violence*) and another strengthened (*Managing Confrontation & Violent Situations*) to provide clearer guidance on resolving confrontation, emphasising duty-of-care and the importance of safe decision-making in difficult circumstances.

On the 3rd January 2025, using our document sharing feature, we have updated all our drivers with the enhanced clearer guidance. As a Company we have taken this opportunity to reach out to all our c. 1,300 drivers covering not just KingKabs but to the wider group, ensuring consistency and firm commitment in our message.

Police Contact Procedure

[REDACTED] was a manager at KingKabs and was working on the evening of the incident. While an attempt was made by [REDACTED] to call 101 (non-emergency services), we understand that this was not successfully completed. Whilst [REDACTED] was on hold with 101, he overheard a colleague say there had been a serious accident in the same location. [REDACTED] assumed it was linked with his call, hung up immediately and dialled 999.

On review, the process followed by [REDACTED] was not adequately documented and the procedures within it could be made more robust. As such and in tandem with the driver

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procedures, we have documented a new set of 'Driver Incident Procedures' in "CC002 Call Centre Procedures" document for call centre staff, which provides clear and detailed guidance on when and how to escalate incidents to the police and other emergency services.

The updated version of CC002 has been sent to all staff on 3rd January 2025.

To demonstrate the proactive measures we have taken, we attach relevant excerpts from the updated "DR18 Driver Information & Advice" and "CC002 Call Centre Procedures" documents. We have not submitted the full documents as they contain commercially sensitive information. We respectfully request that these excerpts be redacted also for commercial privacy purposes before any wider publication.

We are committed to taking all necessary steps to ensure the safety of our passengers and to address the concerns raised in your report. Should you require any further details or clarification, please do not hesitate to contact me directly at [REDACTED].

Yours Sincerely,

[REDACTED]
Regional General Manager (Northwest)

For and on behalf of KingKabs Limited.