

Date: 3 September 2025

██████████
Assistant Coroner Coventry and Warwickshire

Dear Madam,

REGULATION 28 PREVENTION OF FUTURE DEATHS – the death of Jacqueline Mary LANGWORTHY

Thank you for your Regulation 28 report to ██████████, HSE Chief Executive, in relation to the tragic death of Jacqueline Mary Langworthy whilst using a platform lift in her role as a care assistant. I am responding as the Head of the Local Authority and Entertainments Team at the Health and Safety Executive (HSE) which holds the operational policy lead for health and safety regulation of several of the local authority enforced sectors.

Your report raises as matters of concern, that:

- many platform lifts still in use in care settings and other premises do not have hold-to-run controls;
- evidence was received indicating that such controls can be retrofitted at relatively low cost; and
- there is limited awareness of both the risks posed by the absence of hold-to-run devices and the feasibility of fitting such devices to existing platform lifts.

I will address each of these points in turn.

Lifts in other care homes do not have hold to run controls

There is currently no legal requirement to retrofit hold-to-run controls. As employers those managing/running care homes have responsibilities under health and safety law to ensure, so far as is reasonably practicable, the health and safety of their staff and others who might be affected, such as residents and visitors. They are required to carry out risk assessments. As a minimum the employer is expected to:

- identify what could cause injury or illness in the business (hazards);
- decide how likely it is that someone could be harmed and how seriously (the risk);
- take action to eliminate the hazard, or if this isn't possible, control the risk.

Assessing risk is just one part of the overall process used to control risks in the workplace, employers must share the findings of the risk assessment with their staff, instruct, train and supervise them.

Regarding the lift, Approved Code of Practice (ACoP) and Guidance L22, [Safe use of work equipment. Provision and Use of Work Equipment Regulations 1998. Approved Code of Practice and guidance L22](#) describes measures which should be taken by a duty holder to prevent access to dangerous parts of work equipment, eg the trapping point between the lift platform and fixed parts of the lift shaft.

The hierarchy of control for preventing access to dangerous parts is described in paragraph 145 of L22: Regulation 11(2) specifies the measures that must be taken to prevent access to the dangerous parts of the machinery and achieve compliance with regulation 11(1). The measures are ranked in the order they should be implemented, where practicable, to achieve an adequate level of protection. The levels of protection are:

- a) fixed enclosing guards;
- b) other guards or protection devices such as interlocked guards and pressure mats;
- c) protection appliances such as jigs, holders and push-sticks etc.

Information, instruction, training and supervision will be needed regardless of the level of protection chosen.

The risks relevant to this incident, of entrapment, shearing, crushing and trapping are readily foreseeable. They are referenced in BS 6440:1999, BS EN 81-41:2010, and reference is made in the lift user manual to “trapped between a fixed and moving part of the lift.” In this situation there was a pressure sensitive edge to the platform to prevent crushing and shearing and a slow travel speed so, in engineering terms, this is not the lowest level in the hierarchy, nevertheless, the dutyholder must still place a high reliance on robust non-engineering safeguards such as information, instruction, training and supervision.

This will be the case for any lift of this type in any business setting, including in the care sector, and the resultant risks must be addressed in the assessment and the controls in place with systems of work and engineering controls working in tandem.

Controls can be retrofitted at relatively low cost

The purpose of the legislation is to control the risk and this may be achieved in several ways. The law does not require retrofit of hold-to-run controls, but these may be one way of reducing risk and HSE supports the adoption of reasonably practicable measures that do this, particularly where it enhances safety and is feasible in the context of the specific lift installation, along with the necessary instruction in how they should be used, especially where this is reasonably practicable to do so.

Dutyholders will need to consider this option as part of their risk assessment process, taking into account the design and operational characteristics of the lift, and ensuring that any modifications are accompanied by appropriate training and supervision. However, it may be that safe operation can also be achieved without installation of hold-to-run controls if part of an appropriate robust safe system of work.

Limited awareness of the feasibility of fitting hold-to-run controls to existing platform lifts

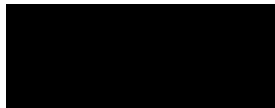
Enforcement of the health and safety legislation is split between HSE and the local authorities, who are independent regulators in their own right. HSE and LAs work closely to ensure consistent enforcement of health and safety legislation. As noted above, this type of lift will be used in other settings and so the risks may not be specific to care homes.

To increase awareness among local authority enforcement officers I have asked that this matter is raised at the national Local Authority Health and Safety Practitioner Forum (<https://www.hse.gov.uk/lau/national-committees.htm>) and in a technical LA bulletin. I have also asked that the circumstances be shared with CQC, from a patient safety perspective, in a healthcare bulletin, to the wider healthcare industry and widely within the industry.

I am aware, through HSE's contact with the Lift and Escalator Industry Association (LEIA), that they have raised your concerns with their relevant committees and that they have previously published a home-lift guide to help in selection of lift solutions (<https://www.leia.co.uk/wp-content/uploads/2019/05/LEIA-home-lifts-guide-fnl.pdf>).

I hope that the above information addresses the matters raised.

Yours faithfully



Head of Local Authority and Entertainments Team
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