

HMSC Aled Gruffydd  
Swansea Neath and Port Talbot  
[REDACTED]

[REDACTED]  
Director of Regulation's Office

HSE  
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Date – 12<sup>th</sup> November 2025

Dear Mr Gruffydd,

I'm writing to you in response to your letter received by HSE on 17<sup>th</sup> September 2025 as part of your inquest into the death of Mr Brian Lyn Davies on 13<sup>th</sup> March 2023 at his home of [REDACTED] Swansea.

In your 'Regulation 28: Prevention of Future Deaths Report', we note that the cause of Mr Davies' death was determined to be due to neck and chest injuries sustained following an explosion at his home address.

Your report noted three areas deemed to be 'Matters of Concern' and you have requested that HSE respond to you regarding these.

These matters were –

1. There was no understanding of what evidence was required to be preserved for the purposes of an investigation as to the cause of the explosion;
2. There was no order given to secure such evidence;
3. There was no memorandum of understanding or protocol between the Police and the HSE to provide information on what the HSE would need to be able to identify the cause of the explosion as far as practicable without impacting upon the primary objective of preserving life undertaken by the search and rescue operation.

The response to incidents where there may be a work-related death, is managed through joint implementation of the Work Related Death Protocol (WRDP). HSE and thirteen other organisations, including the Police, Fire Authorities, and Local Authorities, are signatories to the WRDP, and in response to your concerns, we would like to bring to your attention the two main documents, which have been in place in various revisions since 1998, the [Work-related Deaths: A protocol for liaison \(England and Wales\) - WRDP1](#) and [Work-related Deaths Protocol: Practical Guide \(England and Wales\)](#).

The purpose of the protocol and supporting (practical) guide is to ensure effective joint investigation of work-related deaths in England and Wales. The WRDP National Liaison Committee (NLC), 'owns' the protocol and HSE sits on the committee alongside the other signatories.

Since its introduction, the protocol has become a tried and tested approach to effective liaison between whichever signatory organisations are involved in investigating a work-related death. By signing the protocol, signatories confirm their commitment to the joint investigation approach, appreciating that the public want to be confident that those investigating work-related deaths are doing all that they can to co-ordinate activities, and to cooperate with each other in the best interests of public safety, justice and compassion for those affected.

The protocol *'has been prepared on the assumption that those tasked with investigating such serious and tragic matters, from whichever organisation, are qualified to do so.'* In order to ensure HSE carries out its functions within the WRDP, HSE trains its operational staff in the understanding and implementation of the protocol, from initial contact, through investigation and potential enforcement.

HSE would expect that all signatory organisations to the WRDP are assured that their staff are aware of the nature and content of the WRDP.

In relation to the specific 'Matters of Concern' raised in your letter, it is HSE's opinion that the Work Related Death Protocol (WRDP) addresses your points. I have responded to each of those points individually with *excerpts from the protocol* below.

1. There was no understanding of what evidence was required to be preserved for the purposes of an investigation as to the cause of the explosion;

*At an early stage of the investigation, the Police and other relevant authorities should agree to the following:*

- (e) how relevant material is gathered or generated during the investigation is to be stored, revealed and shared between parties. Normally it would be appropriate for the parties to the investigation to share evidential material with each other, or permit access to it, as the investigation progresses;*
- (f) what specialist and expert advice is required; for what lines of enquiry, i.e. gross negligence manslaughter, corporate manslaughter or health and safety breaches; and how they are to be commissioned and funded. The aim is to ensure, where possible, that an expert addresses the issues in relation to all potential offences at the same time;*

2. There was no order given to secure such evidence;

- (e) how relevant material is gathered or generated during the investigation is to be stored, revealed and shared between parties. Normally it would be appropriate for the parties to the investigation to share evidential material with each other, or permit access to it, as the investigation progresses;*
- (f) how the forensic examination of relevant material is to be co-ordinated e.g. physical items, DNA evidence, digital material;*

3. There was no memorandum of understanding or protocol between the Police and the HSE to provide information on what the HSE would need to be able to identify the cause of the explosion as far practicable without impacting upon the primary objective of preserving life undertaken by the search and rescue operation;

*The WRDP provides an appropriate framework to enable the Police and HSE to successfully manage a Gas Explosion incident. No one explosion is the same. It is important that an incident is investigated on a case-by-case basis to ensure that the HSE is able to gather evidence and information needed to identify the cause of explosion, without impacting the primary objective of preserving life.*

The process as identified by the WRDP will enable investigators to determine what evidence should be preserved on a case-by-case basis. In addition to this, Appendix 1 of the WRDP provides duties for first officers in Domestic Gas Incidents, however, these questions relate to Carbon Monoxide fatalities rather than gas explosions.

HSE believes that the current WRDP is fit for purpose as a framework to ensure collaboration between organisations responding to major incidents and makes a note where any issues arise to bring them to the attention of the WRDP NLC.

In relation to this incident, HSE was contacted by South Wales Police at approx. 1700 on 13<sup>th</sup> March 2023 and made aware of a 'Gold Command' meeting by South Wales Police that was arranged for 1730 – HSE was not invited to attend this meeting and was informed that the site was a 'live' search and rescue site as it was believed a person was still trapped. HSE were advised not to attend site as it was not yet deemed safe.

The first direct contact with the South Wales Police Senior Investigating Officer occurred at 1845 on the 13<sup>th</sup>, at which point Mr Davies' body had been recovered. The WRDP was discussed as well as some other matters. HSE attended site on the 14<sup>th</sup> by which time search and rescue efforts had meant material had been moved offsite to waste and recycling facilities. Although the gas meter, gas cooker and gas boiler had been retained off site, all other evidential material had been disposed of by the waste and recycling company. HSE investigators on site had requested that material be retained for future examination. The scene and lead for the investigation remained with South Wales Police.

However, in response to the matters of concern you raised and to further improve the current WRDP and guidance, HSE will:

- Raise your concerns at an appropriate WRDP National Liaison Committee (NLC) and recommend that refresher communications be issued to all signatory organisations, highlighting the need to ensure that all new and existing staff, who could be involved in WRDP incidents, are fully aware of its requirements;
- Provide an update to the NLC regarding work HSE has been doing in preparing national training material focussing on the work related elements of such investigations for those responding to incidents including more specific advice for those first on scene. This will in due course be put to the NLC for consideration and endorsement;
- Provide an update to the NLC on other HSE on-going work to develop a proposed 'Suspected Gas Explosion checklist', to sit alongside the current 'Carbon Monoxide checklist' within Appendix 1 of the WRDP Practical Guide – '*Additional duties of first officer – Domestic Gas Incidents*'. This would be for the NLC to agree and update the guide.

Thank you for your letter and if I can be of any further assistance, please contact me via email

[Redacted]

Yours sincerely,

[Redacted]

[Redacted]

**Head of Director of Regulation's Office**