# Renfrewshire Council ordered to pay £88,693 to nurse after chisel injury highlights workplace safety failings



Local authority officials in Renfrewshire face scrutiny after a court ruling mandated them to compensate a staff nurse £88,693 for severe injuries sustained from a workplace incident involving a falling chisel. The judgement, issued by Judge Lord Braid at the Court of Session in Edinburgh, underscores the tangible and lasting consequences of workplace negligence.

The incident unfolded on October 6, 2021, at the nurse's brother's home in Linwood, where she was struck unexpectedly by a chisel that fell from a height of 30 feet. It weighed approximately four kilograms and measured 2.5 feet in length. At the moment of impact, the nurse, then 48 years old, had been bending down to clean her trainers. The repercussions of this sudden incident were profound and immediate; she was quickly hospitalised, where she experienced a range of symptoms, including confusion, vomiting, and sleep disturbances. A subsequent medical examination revealed a small fracture to the right side of her skull, leading to persistent headaches and tinnitus, which plagued her daily life.

Judicial findings highlighted a significant deterioration in the nurse’s quality of life post-incident. Lord Braid noted that not only was her physical health compromised—characterised by migraines four times a week and continuous tinnitus—but her mental well-being was also affected. The nurse’s condition, described as a “loud, persistent fuzzy noise,” earned a severity rating of four out of five from medical professionals. She reported that the relentless nature of her tinnitus has had a profound emotional toll, spurring anxiety and affecting her social interactions.

Most notably, the court heard that the once-engaging woman noted a drastic shift in her personality, accompanied by increased irritability and episodes of panic. Activities and responsibilities that were once second nature to her became daunting tasks, as her husband took on the lion's share of household duties. Her ability to work was also severely restricted, as she transitioned from her role in orthopaedics to a position in an elective orthopaedic ward.

Importantly, the council's legal representatives admitted liability for the incident, acknowledging that their employees’ actions had directly caused the accident. This candid acceptance of responsibility reflects a broader trend seen in similar cases involving local authorities. For instance, in a separate ruling concerning NHS Lothian, a nurse received around £50,000 following a slip on a wet floor. Such cases illustrate a recurring theme of negligence within public institutions leading to severe repercussions for healthcare workers and highlight the critical need for stringent safety protocols.

Renfrewshire Council, having settled numerous claims for slips, trips, and falls in the past five years totalling nearly £450,000, now faces mounting scrutiny over its health and safety measures. The recent ruling accentuates the potential for escalating costs associated with inadequate workplace safety and the imperative for local authorities to enhance protective measures for both staff and citizens. With ongoing claims still pending, including those dating back to 2016, the council's financial liabilities could rise further, calling for urgent investment in safety infrastructures.

In conclusion, this case not only serves as a sobering reminder of the dangers present in seemingly mundane environments but also highlights the vital importance of accountability in public institutions. The court's ruling stands as a critical step towards ensuring that similar incidents are mitigated in the future, fostering a safer working atmosphere for the dedicated professionals serving the public.

### Reference Map

1. Paragraphs 1, 2, 3, 4, 5, 6, 7
2. Paragraphs 1, 3, 4, 6
3. Paragraphs 3, 4
4. Paragraphs 3, 4
5. Paragraphs 5
6. Paragraph 5
7. Paragraphs 5, 6

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://news.stv.tv/west-central/renfrewshire-council-ordered-to-pay-nurse-who-was-hit-on-head-by-falling-chisel-88000> - Please view link - unable to able to access data
2. <https://news.stv.tv/west-central/renfrewshire-council-ordered-to-pay-nurse-who-was-hit-on-head-by-falling-chisel-88000> - Renfrewshire Council has been ordered to pay £88,693 in compensation to a nurse who suffered debilitating injuries after being struck on the head by a falling chisel. The incident occurred on October 6, 2021, when the 48-year-old nurse was hit by a chisel that fell 30 feet from a roof. The court heard that the nurse experienced persistent headaches, tinnitus, and other symptoms, leading to a significant impact on her life. The council admitted liability for the incident, and Judge Lord Braid awarded the compensation in a written judgment issued at the Court of Session in Edinburgh.
3. <https://www.bbc.co.uk/news/uk-scotland-edinburgh-east-fife-39750636> - Kathleen Ann McLeish, a nurse from Edinburgh, was awarded almost £50,000 in compensation after slipping on a wet floor at the Edinburgh Royal Infirmary in June 2011. The court found that cleaners failed to put out signs warning of the wet floor, leading to McLeish developing complex regional pain syndrome in her wrist. The condition caused her 'constant pain and disability,' affecting her ability to perform daily activities and work tasks. Judge Lord Mulholland ruled that NHS Lothian was liable for the incident and ordered them to pay £48,206 in damages.
4. <https://www.scottishlegal.com/articles/nurse-who-slipped-and-fell-on-wet-hospital-floor-awarded-50000-damages> - A nurse who broke her wrist and later developed a debilitating health condition after slipping on a wet hospital floor has been awarded almost £50,000 damages. Kathleen Ann McLeish, 60, was working in the A&E department at Edinburgh Royal Infirmary when she fell on a slippery surface in one of the resuscitation rooms on June 10, 2011. A judge in the Court of Session ruled that her employers Lothian Health Board were liable after cleaners failed to put down signs warning of the wet floor. Lord Mulholland heard that the pursuer was showing two visiting consultants from Birmingham Children’s Hospital one of the resuscitation rooms when the accident occurred.
5. <https://www.shponline.co.uk/in-court/council-fined-20-000-after-elderly-tenant-falls-through-uncovered-hole/> - Renfrewshire Council has been fined £20,000 for serious safety failings after an elderly tenant fell four feet through an uncovered access hole in her hallway. Margaret O’Donnell, 77, suffered a fracture in the bone at the top of her arm near the shoulder and an undisplaced crack in the thigh bone in the fall, on 3 February 2010, while workers were installing a new central heating boiler in her Paisley flat. The court was told that during the installation, Mrs O’Donnell was told to stay in her living room as the floorboards in the hallway were being lifted. A joiner cut a hole in the floorboards outside the living room door and without covering it he left the premises to do another task.
6. <https://news.bbc.co.uk/2/hi/uk_news/scotland/3294205.stm> - A maths teacher has been awarded £55,000 compensation after slipping on a chip outside her school canteen. Aileen Gilmour, 62, strained knee ligaments in the fall and was unable to return to work. The judge ruled that East Renfrewshire Council should have foreseen the risk and guarded against it. Ms Gilmour had been carrying 33 jotters and her handbag when she fell down a ramp in Mearns Castle High School, Newton Mearns, five years ago. The former senior teacher sued her ex-employer for damages at the Court of Session in Edinburgh. Judge Gordon Reid QC ruled the local authority should have realised the ramp posed a risk.
7. <https://news.stv.tv/west-central/council-forced-to-pay-almost-450000-over-trips-and-slips> - Renfrewshire Council has paid out almost £450,000 in compensation over the past five years for trips and slips on roads and footpaths. Between 2015 and 2019, the council settled 177 claims, totaling £448,741.18, for injuries resulting from uneven pavements, ice, and other hazards. With 39 claims still pending, some dating back to 2016, the total compensation amount could increase. The council has committed to investing £40 million in improving roads and footways to enhance safety for motorists and pedestrians in Renfrewshire.