

Case study – Beth Hamidrash Hagadol Synagogue



The Beth Hamidrash Hagadol Synagogue has been at the heart of the community for Orthodox Jews in the centre of Leeds for nearly 150 years. With one of the largest congregations in Northern England the Synagogue is an important hub that provides vital services to the Jewish community locally and in the surrounding area.

A nasty fall

A contractor was employed by the Synagogue to undertake improvements to a pre-existing security system. The work involved a degree of re-wiring and at the time of the incident the claimant was working alone. The claimant fell from a footstool owned by the Synagogue while trying to feed wiring through a suspended ceiling.

The claimant alleged significant injuries to his elbow as a direct result of the fall and accused our customer of negligence citing breaches of regulations under the Health and Safety at Work Act 1974 due to the footstool being broken and not fit for purpose.

On a full liability basis, due to the complex nature of the injuries sustained, the treatment required and the alleged loss of earnings while recuperating, the cost of the claim could have been substantial.

Supporting our customers

We immediately repudiated the claim for several reasons. The claimant made use of the stool under his own volition and was not invited to use it for the work being undertaken. Furthermore our inquiries identified that the company the claimant worked for had been on-site for at least two weeks and appeared to be well equipped with several sets of ladders and other access equipment.

Our investigations further revealed that taking into account the height of the ceiling and the claimant, the footstool was never capable of being a platform sufficiently high enough to complete the task being undertaken.

Ecclesiastical's claims experts also pointed to the fact that the footstool was never intended to be for the claimant's use. Indeed his employers clearly provided equipment that would have been more appropriate for the task and also agreed that he was wrong to use the footstool.

Claim denied

Taking into consideration all of the evidence we had gathered as a result of the allegation we denied liability on behalf of the Synagogue and the claim was withdrawn by the Claimant.

Continued overleaf





Carol O'Donnell, Specialist Claims Consultant, comments:

“ This was potentially a case fraught with difficulty as by the time the claim was made the stool had been disposed of and post accident photos could not be traced. Nevertheless, we were clear there was never any intention for our customer to provide work equipment, nor had they been asked to do so. It seems the claimant took it upon himself to use whatever was close at hand to allow him to reach the suspended ceiling and in so doing had overbalanced. We had supportive witness evidence and were pleased to be able to help our customer by offering a defence to the claim. ”

At Ecclesiastical we take pride in ensuring that the right approach is taken. We utilise the expertise and experience we have to defend claims such as these, where the evidence exists, ending in a result that satisfies both us and the customer.

