



My Ref: FOI6172
Enquiries to: Information Requests
E-Mail: informationrequests@barnsley.gov.uk

Dear Requester,

Re: Request for Information – Freedom of Information Act 2000

I wish to confirm that the council has completed its search for the information which you requested.

The information requested and our findings are as follows: -

I write to you as the Insurer for KDA Wholesale.

I can confirm that we are now instructed in relation to a formal claim against KDA Wholesale. The Claimant/inured person is Mr M Kirk and he is being represented by his daughter Mrs Juhasz.

She is pursuing a claim against our Insured and has stated the following:

- 1. That she believes you are the HSE**
- 2. That the site was not 'proper, safe or finished'**

Please could you advise whether you advised her you were acting on behalf of HSE and please could you provide a full detailed report as to your independent findings in this matter?

She has advised that this information was relayed to her via telephone as opposed to via any written correspondence.

- 1. I can confirm that health and safety enforcement for warehouses falls under the local authorities remit, therefore we are the enforcing authority and not the HSE. At no point have we given Mrs Juhasz reason to believe that we are acting on behalf of the HSE, in fact her original complaint was made by her to Barnsley Metropolitan Borough Council.**
- 2. Please see the attached chronology of events and findings in relation to this case. I trust that this will answer your query.**

If you have any queries about this letter, please contact Information Requests Via email.

Please remember to quote the reference number above in any future communications.

If you are unhappy with the way the Directorate has handled your request, you may ask for an internal review. Please clearly mark your correspondence 'Complaint' and address it to:

Barnsley MBC
Information Requests Team
PO Box 634
Barnsley
S70 9GG
email: informationrequests@barnsley.gov.uk

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: -

Customer Services Team
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Email: <http://www.ico.org.uk/foicomplaints>

Kind regards,

Information Requests Team, Barnsley MBC

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