



Executive Committee

No specific Ward Relevance

20 May 2009

ANNUAL CORPORATE HEALTH AND SAFETY REPORT

(Report of the Head of Human Resources)

1. Summary of Proposals

To bring to Members' attention the work undertaken by the Council's staff on Health and Safety over the past year (2008/9) and to outline the work programme for the 2009/10 municipal year.

2. Recommendations

The Committee is asked to RESOLVE that

the work on Health and Safety be noted and the Health and Safety work programme outlined for the following year be endorsed and supported.

3. Financial, Legal, Policy, Risk and Sustainability Implications

Financial

- 3.1 The activities outlined in this financial year have all been contained within budget.

Legal

- 3.2 The Council as an employer and provider of services to the public has very clear and strict legal health and safety obligations. The main piece of legislation is the Health and Safety At Work Act (1974), although a wide range of additional legislation, and Codes of Practice relate specifically to health and safety issues which affect Redditch Borough Council staff eg Control of Substances Hazardous to Health, Display Screen Equipment etc.
- 3.3 The effect of the 1974 Act is to make criminally enforceable the common law duty to take reasonable care for the safety of employees. This applies both to the organisation, Councillors, Directors and Managers as individuals. Penalties for serious breaches range from fines to a prison sentence or both. Section 37 of the Act provides that:

- 3.4 "Where an offence committed by a corporate body is proved to have been committed with the consent or connivance of or to have been attributable to any neglect on the part of any director, manager or other similar officer of the body corporate he as well as the body corporate shall be guilty of that offence and shall be liable to be punished accordingly"
- 3.5 There are also clear requirements for employees to take reasonable care for their own health and safety, anyone who may be affected by their acts and co-operate with their employer to enable legal obligations to be met.

Corporate Manslaughter

- 3.6 The Corporate Manslaughter and Corporate Homicide Act 2007 came into force on 6 April 2008, across the UK. The Act sets out a new offence for convicting an organisation where a gross failure in the way activities were managed or organised, results in a person's death. This will apply to a wide range of organisations across the public and private sectors. In England and Wales and Northern Ireland, the new offence will be called corporate manslaughter. Courts will look at management systems and practices across the organisation, providing a more effective means for prosecuting the worst corporate failures to manage health and safety properly.

Policy

- 3.7 The items in this report will enable the authority to adhere all health and safety policies in place, to ensure a safe and healthy working environment

Risk

- 3.8 The report is based around current health and safety legislation and the risk to the authority for not carrying out the items in the report could result in a poor health and safety culture leading to an increase in accidents etc or in extreme cases could lead to legal prosecution under the Health And Safety At Work Etc Act 1974 and underlying regulations.

Sustainability / Environmental

- 3.9 There are no sustainability or environmental implications arising from this report.

Report

4. Background

- 4.1 In March 1999 Corporate Services agreed a revised method for managing Health and Safety, and Terms of Reference for a Safety Committee. It was also agreed that an annual report would be brought to elected members each year which incorporates the work of the Committee and the wider work of the Human Resources team in promoting health, safety and welfare.
- 4.2 The Health and Safety Committee met for a Planning and Review day in January 2008 where it reviewed its activity during the year and planned the work programme that is outlined in this report.

5. Key Issues

5.1 Stress related Illness

2009 will see continued emphasis put on the management of stress in the workplace and stress related illness/absence. With release of the Health and Safety Executive's Stress Management Standards, the framework is in place for managers and supervisors to assess problems that may be a cause for stress related problems that occur. Stress risk assessment will be an ongoing priority for this year with training courses in stress management for managers, supervisors and staff continuing to take place.

5.2 Health and Safety Audit

The annual audit has been changed, as follows: a range of health issues are specifically included,

- a) the role of the directorate representative, particularly in checking documentation, has been expanded
- b) the directorate level audits, which feed into the corporate score, have been changed to include free text observations alongside a proper assessment against the audit criteria
- c) all audits are now done by a panel including the Safety Advisor (where possible), Fire Officer and DHSLO representatives
- d) written reports of each directorate audit will be circulated to the specific directorate.

These changes have been evaluated, and the process will be further improved next year.

5.3 Health and Safety Initiatives

The following initiatives took place:

Summer Sort Out Week

- 5.4 Building on last year's success, this year's campaign included (very public) photo display boards of the worst "offenders"

Health and Safety Provision

- 5.5 This year has seen a continuation of the popular and successful training events for staff.
- 5.6 Following accreditation in 2007 from the Chartered Institute of Environmental Health, RBC has the capability of running the full Managing Safety Certificate aimed directly at managers and above. The 6 Day course will give information on the duties and responsibilities of managers and above with regard to Health and Safety. The course is due to be offered in 2009.
- 5.7 Following accreditation in 2001 from the Chartered Institute of Environmental Health to run the full Supervising Health and Safety Certificate for Managers in-house, over 150 managers and supervisors have studied for and achieved this qualification between 2002 and 2008.
- 5.8 As well as this the CIEH foundation in health and safety is now well under way and over 250 members of staff have now taken and passed this qualification.
- 5.9 The CIEH Stress awareness for managers has been in place for a while and a large number of managers have attended and gained the certificate in stress awareness.
- 5.10 A further 20 other programmes have run eg sharps and infectious diseases, manual handling, fire safety, working at height, stress awareness etc. as well as bespoke courses developed and delivered outside of core hours to ensure that certain members of staff are trained without disruption to services.
- 5.11 Occupational Health is being carried out by an outside agency and services such as eye tests etc have been carried out by other outside agencies. Sessions such as healthy lifestyle etc have been discontinued.
- 5.12 Hepatitis B inoculations have continued this year in a planned program that will continue into 2009.

- 5.13 Hand arm vibration equipment has been purchased and the training received so that a program of testing can now be set up in 2009 to ascertain the levels of vibration being received by operatives. Health surveillance has been carried out on all Landscape operatives to ascertain any onset of the Vibration White Finger disease.
- 5.14 2008 saw the launch of the Human resources intranet site. Included in this is a comprehensive health and safety section that includes most of the information on systems, legislation etc needed by managers to fulfil their health and safety commitments.

Corporate Health and Safety Audit

- 5.15 The Corporate Health and Safety audit was undertaken during November/December 2008, to compare progress with the previous audits undertaken.
- 5.16 The Corporate Audit has been carried out using the results of the Directorate Audits, six monthly updates of these audits, and communication with Staff, Managers and Directors with the aim of identifying the level of understanding, the systems in place and the records kept for Health and Safety.
In the audit process each safety item is given a score dependent on the degree of success or the amount of data available.

For example:

Risk Assessment

If all assessments are in place and within review date then a score of 5 is allocated

If only some assessments are in place or they are out of review date then a score of 3 is allocated

If there are no assessments in place then a score of 0 is allocated.

This process is then carried out over all departments/areas.

If there were 12 areas the scores from these areas would be added together divided by the possible perfect score (in this case it would be 60), multiplied by 100.

For example this would look like $35/50 = 0.7 \times 100 = 70\%$

This gives the overall percentage of where the authority is at for each criteria.

This then broken down and analysed so that the forward work plan can be produced by the safety committee at its away day.

The summary percentage scores are used as an indicator to benchmark the years audit against the previous year.

5.17 The summary scores

	Section	2007	2008
1	Health and Safety Policy	88.57	91.30
2	Organisation	85.00	85.71
3	Planning	61.00	60.00
4	Implementation		
	A) Selection and training	74.21	87.86
	B) Consultation and communication	88.75	89.41
	C) Risk assessment	78.00	56.89
	D) Noise	60.00	60.00
	E) Manual Handling	58.55	76.00
	F) Personal Protective Equipment (PPE)	77.50	84.17
	G) Safe Systems/Permits	90.00	65.14
	H) Management of Third Parties on Site	57.14	61.00
	J) Electrical Safety	90.20	93.20
	K) Workplace Safety	86.35	87.65
	L) Work Equipment Safety	82.76	91.62
	M) Fire/Emergency Arrangements	83.29	81.50
5	Health		
	A) COSHH	76.89	88.44
	B) Hand Arm Vibration	20.00	100.00
	C) Display Screen Equipment	64.29	74.57
	D) First Aid	90.00	76.40
6	Monitoring		
	A) Active	76.00	83.50
	B) Reactive	80.00	81.82
7	Audits	82.86	100.00
	Review	85.00	91.67

All areas in the audit that are showing below average scores will be addressed through the work programme being developed for the coming year.

Health and Safety Policy

- 5.18 The Council's Health and Safety Policy is subject to a three yearly review, and a revised policy has been approved and is now in circulation.
- 5.19 Planned Work Programme for the Year Ahead.
- 5.20 The health and safety work programme for the Year 2008/9 includes the following targets;

Crossgate Depot Works

- 5.21 There are issues at Crossgate depot that require some further work in the segregation of pedestrians and vehicles. Plans are in place to carry out the work in 2009 to the HSE's satisfaction.

Vibration

- 5.22 An equipment tracking and monitoring system is being put into place to help identify pieces of equipment and the amount of time that they can be safely used.
- 5.23 Ongoing training is being set up for all operatives that deal with vibrating equipment in the workplace.

European Health and Safety Weeks 2008/9

- 5.24 In line with the European Health and Safety weeks for 2008/9, there will be a program of training and events around producing and reviewing both generic and specific risk assessments. This will include preferred contractors to the authority, thus insuring that all parties working for RBC will be consistent in their approach to health and safety.

Health and Safety Training

- 5.25 To introduce the Chartered Institute of Environmental Health CIEH Level 4 Award in Health and Safety in the Workplace for Managers, Heads of Service, Directors, etc.

Fire

- 5.26 Fire awareness/warden training for managers to be put into place. Fire risk assessments to be produced for all RBC site including high occupancy buildings.
Review of fire detection equipment in these buildings.

Audit of all fire signage to ensure compliance with the Fire Reform Order 2005.

Personal Emergency Evacuation Plans (PEEP's) to be produced for all vulnerable, disabled persons and persons with restricted mobility. Fire alarm and detection system for Crossgate Depot to be upgraded to conform with current requirements.

Building Security

- 5.27 To look at security systems for all buildings and to instigate a campaign to highlight security. The campaign is to be called 'Lock it or Lose It' and will be aimed at making staff aware that personal items should be locked away and not left unattended in offices etc.

First Aid

- 5.28 To evaluate First Aid cover/provision for RBC to and to enhance the level of 'First Aider' cover for all workplaces within the authority to comply with the 'Health and Safety (First Aid) Regulations 1981'.

Policy Updates

- 5.29 To up date the corporate policy on Legionella
To update the Drivers/Driving Policy including 'Grey Fleet' criteria

Document Checks for Casual and Essential Car Users

- 5.30 To put in place a system through HR to check and record Licence, MOT's and Insurance for casual and essential car users for Redditch Borough Council. Copies of the documents to be appended to individual employees on the Chris 21 system.

To ensure adherence to legal requirements and best practice

- 5.31 a) To continue to develop risk assessments on stress levels for different jobs, accompanied by education for managers and staff on mental health problems at work
- b) To highlight all new and updated pieces of legislation, such as Stress, Working at Height, Noise at Work, and Vibration, with managers and supervisors.
- c) To complete the hand arm vibration assessment of all relevant Council machinery taking into account the vibration levels set out in the legislation.
- d) To update health monitoring for staff at risk from hand/ arm vibration to detect any variation from the previous tests.

- e) To continue hepatitis vaccinations for relevant staff
- f) All remaining managers/supervisors to obtain the Supervising Health and Safety certificate by December 2009
- g) To carry out an authority wide risk assessment audit and implement a revised Risk Assessment format to comply with the HSE's Five steps to risk assessment documentation.
- h) To review the safety committee membership in the light of directorate changes and personnel changes.

To promote health and safety issues

- 5.32 a) Summer Sort Out week to be carried out with recycling of materials as an overriding theme and also to be linked to promotion of accident awareness (such as Slips, Trips and falls from poor housekeeping etc.)
- b) To update the "Manager's Guide to Safety Records" which is in the same format as the guide to absence records, enabling managers to keep a central record of all health and safety information.
- c) To continue the use of the one day certificate in Basic Health and Safety through the Chartered Institute of Environmental Health for staff members along side specific health and safety training, to raise the awareness of the importance of health and safety legislation and compliance.
- d) To produce computer based Health and Safety induction both corporate and departmental.
- e) To continue with the spot audit checks on all departments to ascertain the authority's level of health and safety compliance.

To audit health and safety performance

- 5.33 a) To develop a system of health and safety "notices" for staff and managers, with an easy to use system for health and safety "whistleblowing".
- b) To continue with planned and unplanned safety spot checks throughout the authority to ensure that health and safety systems are in use and being adhered to.

6. **Other Implications**

Environmental	:	None specific.
Equal Opportunities	:	None specific.
Asset Management	:	None specific
Community Safety	:	None specific.
Human Resources	:	Contained in report.
Social Exclusion	:	None specific.

7. **Lessons Learnt**

- 7.1 This year has been a period of consolidating rapid changes to the structure of health and safety provision at the Council, and has seen a steady rate of progress through the 2008 work plan. Fundamental systems for health and safety have been reviewed to drive up quality in the management of health and safety across the organisation. A more organised approach to auditing and planning the workload has born fruit through a varied range of successful initiatives, and a further useful programme of activities for 2008/9.

8. **Background Papers**

Previous committee reports and minutes of the Health and Safety Committee, Corporate Audit and local audit reports, training programmes and Human Resources Best Value Review data, all held within Human Resources.

9. **Consultation**

The following have been consulted in the preparation of this report:

Members of the Safety Committee and the Human resources Head of Service, Committee Services Manager, Trade Union representatives.

10. **Author of Report**

The author of this report is John Walker (Safety Advisor) (john.walker@redditchbc.gov.uk), in conjunction with Elaine Storer (Head of Human Resources) (ext. 3294, elaine.storer@redditchbc.gov.uk) and members of the Safety Committee.

11. **Appendices**

None.