

## **Report to Joint Consultative Safety Committee**

**Subject:** Health and Safety Annual Report

**Date:** 30 August 2016

**Author:** Health and Safety Officer

### **1. Purpose of the Report**

To provide elected members, senior management and UNISON representatives with an annual report on matters relating to the health and safety (H&S). This includes the H&S officers work plan for 2015/16. The report highlights the 2016/17 work plan, summarises the assurance risk assessment and outlines the proposed work plan to deliver continuous development of the service.

### **2. Background**

The H&S officer acts principally as the specialist safety officer for the Council, providing appropriate advice and assistance to aid management to meet their statutory obligations and facilitate a consistent application of the Council's H&S policy. The role also includes a lead role for emergency planning duties. The H&S role and service has continued to evolve and modernise over the past year. Whilst recognising the formal responsibilities placed upon relevant managers, the H&S Officer has a general responsibility and authority to provide an appropriate enforcement role when there is a discernible breach of H&S.

The Council's H&S culture and standards have shown signs of weakness in a couple of service areas but remains largely resilient amongst most service areas, there is work planned to address these concerns. There are identified and some unconfirmed reasons for the dip in standards, contributing factors may include changing work priorities in service areas, operational tasks taking priority over H&S, a lack of focus on H&S, misunderstandings, a lack of knowledge and appreciation for H&S, gaps in H&S training, some managers perceiving H&S as a low risk when the risk is greater in reality, a legacy of reassurance that the H&S compliance is adequate; for example in the areas of legionella, fire and asbestos management.

Now is the time to re-focus management's attention on H&S, and for the Senior Leadership Team (SLT) to make clear the H&S expectations on their service managers, such as challenging colleagues to consistently raise and maintain H&S standards.

At the time of writing the report there was a number of management role vacancies. SLT should be mindful of short to medium-term effects that vacancies have on H&S management, and the period afterwards when new employees familiarise themselves until they become adequately trained, skilled and knowledgeable in corporate H&S policies.

There are notable H&S concerns in planning and waste services. The weaknesses are to be addressed and action taken to re-establish good standards.

There are objectives this year to test the safety culture, as well as a programme of H&S audits and inspections.

The Corporate Health and Safety (CHAS) group meetings have continued to meet quarterly to address corporate risks in consultation with nominated CHAS representatives. The representatives are now the main H&S champions for the service areas they represent.

The H&S officer has undertaken comprehensive work plan to enforce and monitor compliance with the H&S policy, this ranged from prompt investigations to H&S tours with two corporate directors within respective service areas, reinforcing the chief executive officer's signed commitment to H&S. The approach to H&S is apply the principles of plan, do, check and act, to identify risks, assess and manage them, controlling acceptable risk and directing resource to residual risks.

The limited resource of one H&S officer as at times been stretched by a number of management requests, notably the administration and delivery of the repair and renew flood grant scheme. This sadly, gave rise to delays in improving corporate H&S guidance and other work areas.

The H&S officer continues to promote safety education in conjunction with management, encouraging safety & health consciousness within all levels of the organisation and assisting and encouraging supervisory managers to develop safe working practices.

The H&S officer strives to undertake his work in a supportive manner, with positive reinforcement and a hands-on approach where necessary. This has ranged from support to managers for return to work workplace adjustments in housing and planning, advising on Display Screen Equipment (DSE) risk assessments, pregnant workers and disability workstation adjustments in Revenues and Benefits and Customer Services. There are good examples of consultation with the workforce with significant improvements to DSE workstations at Calverton and Arnold Leisure Centre reception areas.

The Council remains a corporate member of The Royal Society for the Prevention of Accidents (RoSPA). The H&S officer is now the Chair for the Nottinghamshire

Risk Management Group (NRMG), a safety meeting attended by Nottinghamshire' and other H&S officers. The group provides a valuable source of H&S information and facilitates effective networking and sharing of best practice.

**Council workplace profile as of June 2016**

The Council currently employees 490 contracted employees, not including agency staff or casual employees.

The male, female ratio is nearly 50:50. With 242 Males and 248 females

The age breakdown is as follows:

Age 18 and under = 0

19-25 = 44

26-39 = 104

40-65 = 327

66 and over = 15

There are also 145 manual role employees and 345 Non-manual.

Nearly 70% of the workforce is over 40 years of age, which could be argued is matching the wider aging population.

**The following sections provide a summary of the assurance ratings for each of the five key Health & Safety enablers.**

**2.1 Safety Guidance**

National legislation, Health and Safety Executive (HSE) guidance, case law, other industry best practice guidance changes, alongside organisation learning and management support requests have shaped the H&S officer's priorities. This resulted in a significant review being undertaken to the Council's H&S Policy.

**14-15 Assurance Assessment** – guidance was improving in 2014/15.

Inherent risk rating	High
Residual risk rating 2014/15	Low

**Summary of control actions planned and implemented during 2015/16:**

1. The Council's H&S policy was reviewed throughout the year, with tracked changes providing a clear audit trail for amendments,
2. Changes were made to the first aid policy. This included a review of national guidance and best practice, in consultation with the workforce. Consequently, long-term cost savings will result for first aid training. The policy change affects swimming pool sites with National Pool Lifeguard

- Qualified (NPLQ) employees being exempt from having to attend additional first aid training,
3. The Employee Protection Register (EPR) and guidance continued to be developed. It is intended to be ready for this coming financial year. The H&S officer met with the Corporate Director Organisational Development and Democratic Services where it was agreed to trial a different EPR model. The associated corporate lone working guidance will be reviewed when the EPR guidance is finalised,
  4. The lone worker device trial was completed and feedback obtained as part of the consultation process, a number of lone working risk assessments were reviewed by the H&S officer,
  5. The following safety guidance notes were reviewed; Legionella guidance, client officer and construction management, accident and incident reporting, and permit to work (PTW) guidance was developed,
  6. The awareness and communication of the Council's H&S policy, and corporate guidance was communicated throughout the year. This included highlights in The Gen, intranet, CHAS group meetings, training courses, and at other meetings with all levels of management.

### **2015/16 Assurance Assessment**

Inherent risk rating	High
Residual risk rating 2015/16	Medium



### **Residual Risk Direction: (Deteriorating)**

Delays in delivering the revised EPR guidance and the administration of the Repair and Renew Grant (RRG) scheme were contributing factors to the residual risk rating. The residual rating has been affected from observations and lack of compliance with corporate guidance, identified during H&S audits, inspections, observations and accident and incident learning. The associated risks with asbestos, fire and legionella arrangements are contributing factors to the residual risk.

Significant work and support from the H&S officer is needed to improve the robustness of arrangements. It is foreseen that associated costs will be met by local budgets and the risk management fund, and addressed in a risk based approach. Focus will be given to high risks first, and then medium risks followed by the remaining low risks.

The H&S culture in a number of service areas is of growing concern in the opinion of the H&S officer and management support is essential to get better buy-in by the wider workforce. Management must challenge unacceptable work practices. A specific H&S survey will aid with identifying H&S culture and a benchmark the current H&S climate.

### **Summary of planned control actions for 2016/17:**

The following actions are planned for 16-17 to maintain and improve the Council's assurance level with respect to Safety Guidance:

- Continue to review the H&S policy as a 'live' document,
- Review a minimum of 4 sets of safety guidance during 2016/17,
- Continue to communicate and raise the profile of safety policies and guidance,
- Continue to consult the workforce on H&S matters via the CHAS group and the Joint Consultative Safety Committee (JCSC),
- Work will commence to build a clearer policy on employees driving privately owned vehicles whilst on Council business. Commonly referred to as the grey fleet,
- Complete the Employee Protection Register guidance, and conduct briefing sessions to management,
- Implement the revised legionella guidance,
- Conduct two legionella briefing sessions to support understanding by local management and SLT,
- Further modernise of the risk assessment process,
- Conduct a review of fire risk assessment arrangements, this will include engaging external support in creating suitable and sufficient fire risk assessments,
- Asbestos guidance will be rewritten. A corporate asbestos risk assessment will be generated. This will include fly-tipped asbestos containing material arrangements. This will be a preamble to specialist contractor site specific asbestos management surveys,
- Conduct two asbestos briefings sessions to support understanding by local management and SLT,
- Corporate directors will reiterate to service areas the H&S expectations to support the Council's H&S policy objectives,
- Corporate directors are to be informed of non-compliance by the H&S officer,
- The deputy chief executive is to undertake an assessment of waste services to ascertain the underlying and root causes of H&S non-compliance,
- The chief executive will ascertain H&S non-compliance in planning, to provide an effective H&S hand-over to forthcoming recruited management roles,
- A review of the CHAS representative roles will be conducted by the Chair of the CHAS group with the support of the H&S officer, to reiterate their roles, responsibilities and overall H&S expectations,
- The Council's insurers will provide an impartial assessment of asbestos, fire and legionella arrangements,

- A H&S staff survey will be piloted to assess the current H&S culture, creating H&S culture as a key performance indicator (KPI),
- To request that key H&S questions are included in the two yearly staff survey. This will provide a long-term KPI for the H&S service,
- Due to the high risk profile of asbestos, legionella and fire arrangements, H&S duties will take priority over emergency planning duties.

## 2.2 Safety Training

The H&S officer' role includes promoting and providing regular safety training for all employees in collaboration with all service areas. Training commitments continue to be influenced by management requests, internal learning and gap analysis.

**14-15 Assurance Assessment** – training was improving during 2014/15.

Inherent risk rating	High
Residual risk rating 2014/15	Medium

### **Summary of control actions planned and implemented during 2015/16:**

1. Training was delivered in a planned approach, 20 H&S courses were delivered by the H&S officer, and 9 external H&S courses delivered,
2. The central training database was developed further, providing management with a tool to interrogate and highlight training needs. A significant improvement was made in leisure services with the introduction of the H&S training matrix. This matrix is a straightforward database to populate and understand training needs. There are options to make the matrix available for other service areas,
3. The legionella combined training courses, provided a good opportunity to check arrangements and action improvements; this included a full rewrite of management guidance and log book design. This work will require full roll out during 2016/17,
4. Sadly, due to other work commitments Waste Industry Safety and Health forum WISH training was not arranged for Waste or PASC service areas, this will be re-prioritised for 2016/17,
5. An additional officer was trained to support in the delivery of First Aid at Work (FAW) courses and the First Aid register of qualified persons. The first aid register was maintained and rationalised. Long-term cost savings have been identified in this area,
6. The safety champions are now part of the CHAS representative role,
7. The continued delivery of a Staff Support Campaign was delivered throughout the year with the completion of successful health fair, resilience, stress management and violence and aggression training

sessions. These activities may be a contributory factor to the reducing sickness and absenteeism figures at the end of the previous financial year. The Council achieved its target of less than 9 days per full-time employee, with a final outturn of 7.24 days lost. Notably, that sickness absence related to depression and anxiety saw much improvement (ref. JCSC report. Sickness absence: summary of current trends 24 May 2016).

8. eLearning options were investigated.

### **15-16 Assurance Assessment**

Inherent risk rating	High
Residual risk rating 2015/16	Medium



### **Residual Risk Direction: (Improving)**

Whilst this year's actions have not moved the residual risk rating up to Low, we are tracking towards this status. We are seeing more employees attending H&S training. However, there are some unknown gaps due to no standard training matrix in every service area, this will be addressed. It is essential that all colleagues attend the right H&S course at the right times. For example, there are examples of temporary and some long-term colleagues being overdue or not attending training when required. Management need to ensure that all colleagues requiring H&S training are released from workplaces to attend.

It is recognised that there needs to be close scrutiny of budgets in order that H&S costs are managed to an acceptable level. H&S training rationalisation will continue to be an important factor before any internal and external training is agreed.

H&S training requirements are not optional and mandatory training needs to be met to satisfy adequate minimum H&S standards.

eLearning is an option to assist with reducing training resources and the associated delivery and support costs. There are also wider benefits to organisational development with modules being available for human resource, safeguarding and to IT. The modules have editable packages to make them specific to Council needs.

New H&S policies and approaches have been and will continue to be in line with statutory guidance, best practice and developed in consultation with the workforce.

### **Summary of planned control actions for 2016/17:**

The following actions are planned for 16-17 to maintain and improve the Council's assurance level with respect to Safety Training:

- Deliver training in a planned approach,
- Review the types of internal H&S courses the attendance requirements, and the requirement for external training, along with budget needs,
- SLT and Service managers are required to ensure colleagues are effectively released to attend H&S training,
- Review the emergency evacuation chair training requirements to identifying potential savings to training costs,
- Continue to manage the first aid register, and train staff as per local management first aid risk assessment requirements,
- Support the delivery of (WISH) external training courses for PASC and Waste service areas with local management assistance,
- Support and review the quality of externally delivered manual handling training for PASC, Transport and Waste Service areas. This training will be specific to the workplaces, rather than generic manual handling training covered by the H&S officer on employee H&S awareness courses. This will assist with challenging bad habits and poor unsafe techniques,
- Develop a business case for online e-learning, to find additional training efficiencies,
- To present the CHAS group with the template staff training matrix derived from the leisure services training matrix to be rolled out to all service areas,
- Continue to support the delivery of the staff support campaign.

### 2.3 Safety Audits & Inspections

The H&S officer will complete periodic assessments, inspections or audits to identify unsafe plant, working procedures or practices and wherever possible, advise on remedial action to overcome any negative observations to the service area concerned.

**14-15 Assurance Assessment** – audits and inspections was deteriorating in 2014/15

Inherent risk rating	Medium
Residual risk rating 2014/15	Medium

### **Summary of control actions planned and implemented during 2015/16:**

1. The H&S Audits that were completed during 2015/16, are as follows:
  - Waste Services,
  - Legal Services,
  - Calverton Leisure Centre,
  - Arnold Leisure Centre,

- Redhill Leisure Centre,
  - Carlton Forum Leisure Centre,
  - Richard Herrod Centre,
2. The audit system was further improved with the introduction of the H&S audit grading chart and audit process. H&S audits now have a clear 10 stage process,
  3. Two corporate directors have now conducted or have planned H&S tours within their service areas. This provides positive reinforcement of H&S standards and awareness of both senior management and operational staff to workplace H&S matters. The H&S tours should be considered for inclusion by the chief and deputy executive in the future,
  4. H&S site inspections and unannounced visits were completed,
  5. The UNION safety representative conducted a number of hazard reports which assisted with wider depot H&S improvements. Such as guarding, fire and lighting arrangements.

### **15-16 Assurance Assessment**

Inherent risk rating	Medium
Residual risk rating 2015/16	Low



### **Residual Risk Direction: (Improving)**

The overall findings from H&S audits undertaken with the exception of one service area has improved the overall residual risk rating.

Despite the H&S officer's best efforts waste services progress to act on H&S advice and audit recommendations has been limited. Observations by the H&S officer and external MH trainer on waste operatives include some employees being complicit in some unsafe practices such as task and finish mentality, this presents an unhealthy and unacceptable risk to the Council. Support will be required to improve compliance and maximise learning from relatively recent HSE prosecutions against other local authority waste service operations, despite previous assurance given by HSE inspections to waste services management. These and other engrained habits must be addressed by management.

Waste services random H&S inspections have also highlighted gaps in H&S arrangements.

Significant improvements have been made to H&S audit process; the number of inspections and unannounced inspections was lower than intended.

Management should be strongly encouraged to prioritise conducting H&S inspections across all workplaces. This is an important proactive approach to H&S. This should include office environments, which are historically seen as low risk, but have seen weakness in understanding and reduced standards.

H&S tours by SLT in conjunction with service managers and the H&S officer need to continue to help raise the profile of H&S across the Council.

Leisure centre internal and external right directions H&S audits showed good improvements, this should be commended. The engagement and culture change by local management is now seen by the H&S officer as the top performing service area for H&S. For example, staff training records is much improved.

### **Summary of planned control actions for 2016/17:**

The following actions are planned for 16-17 to maintain and improve the Council's assurance level with respect to Safety Audits & Inspections:

- The H&S officer will complete a minimum of 6 H&S audits,
- A further waste services audit to be planned during 2016/17,
- The H&S officer will continue to raise the profile of the H&S audit process at the CHAS group meetings,
- Continue to develop and streamline the audit process,
- The chief and deputy chief executive to conduct H&S tours,
- The H&S officer will conduct a minimum of 6 workplace inspections across the Council in 2016/17,
- The H&S officer will strive to be more proactive in the manually intensive service areas,
- The deputy chief executive should investigate and review the underlying reasons of the waste services H&S standards, ascertain the progress of the H&S audit's recommended actions and summarise the findings to SLT and the H&S officer,
- Service managers to ensure that each workplace receives a reasonable number of H&S inspections and to report the main findings to their corporate director and the H&S officer,
- Leisure services to consider reducing external right directions audits to every two or three years, this third party impartial assessment of H&S standards comes at a cost. These costs in the H&S officers opinion can be slightly reduced,

## **2.4 Accidents and Investigations**

The H&S officer continued to collate, prepare and submit accident statistics and other safety reports for management to measure safety performance. Incidents continued to be investigated and feedback given on the quality of the form completion through the CHAS group.

It takes time to develop an ingrained healthy, safe approach and awareness to H&S and by its very nature is a constant ongoing process. A strong H&S culture is the corner stone for strong H&S performance linked to positive H&S attitudes

and opinions of the whole workforce, reinforced at the highest levels of the organisation.

**14-15 Assurance Assessment** – accidents and investigations was improving during 2014/15

Inherent risk rating	High
Residual risk rating 2014/15	Medium

**Summary of control actions planned and implemented during 2015/16:**

1. All Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) incidents were investigated by management with the support of the H&S officer,
2. All accident and incidents requiring the H&S officers input or support were conducted in a timely manner,
3. The H&S officer provided positive reinforcement of good practice and improvements were made to the quality of the accident and incident reports,
4. Due the limited capacity of one officer in IT, the H&S officer was unable to pursue options of the online accident and incident report, this should be reprioritised during 2016/17, or alternatives considered,
5. A number of improvements were made to the accident and incident report form,
6. Quarterly incident statistics now form part of the CHAS group updates,
7. Workplace accident and incident statistics were provided to management as part of post incident learning,
8. Two Accident and Incident investigation training sessions were delivered.

**15-16 Assurance Assessment**

Inherent risk rating	High
Residual risk rating 2014/15	Medium



**Residual Risk Direction: (Improving)**

Whilst this year’s actions have not moved the residual risk rating up to Low, we are tracking towards this status.

A small number of accident and incident reports took too long to be submitted to the H&S officer, service managers need to ensure that this improves. It is essential that employees take responsibility for reporting all accidents and incidents, particularly hazard and near misses on the corporate forms.

There are still misunderstandings in completing certain sections of the accident and incident report form. Common errors include the non completion of the corporate witness statement form.

There is also under reporting of hazard and near misses across the Council.

**Summary of planned control actions for 2016/17:**

The following actions are planned for 16-17 to maintain and improve the Council's assurance level with respect to Accidents & Investigations:

- The H&S officer will provide feedback and communicate findings to management and the CHAS group, this will include eGen alerts,
- The H&S officer to provide support on all Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) incidents were required,
- All accidents and incidents requiring the H&S officers input or support should be requested in a timely manner so that an effective investigation can be conducted,
- The H&S officer provided positive reinforcement of good practice,
- The H&S officer will further investigate the internal IT development options for an online/intranet accident form completion, to increase compliance, accuracy of data, and efficiency of analysis.
- SLT will be visible and active leaders in health, safety and welfare.
- SLT should reinforce the standards of accident and incident reporting to be completed in a timely manner and conduct either a minimum, low, medium or high level investigations as per accident and incident investigation management guidance (risk assessed approach)

Reference: Pages 6&7 of the guidance / Table 3. Colour coded guidance chart for managers/Supervisors when assessing what type of investigation is needed.

- Where witness statements are required as part of the accident and incident report, service managers should ensure that the correct forms are completed before the report is submitted to the H&S officer,
- The H&S officer will provide feedback at CHAS as to the quality of accident and incident reporting standards,
- Near miss and hazard reporting should form part of the audit and asset management service plan, replacing the unrealistic accident reduction key performance indicator,
- SLT and service managers must ensure that hazards and near misses are reported using the corporate accident and incident report form,
- SLT and service managers should ensure that accident and incident report forms are fully completed, i.e. part 4 of the report form, links to updated risk assessments, procedures, instructions, attached emails and re-training, in short all associated documentation should be attached to the final report.

NB. All accidents and incidents are also known and referred to as adverse events.

Refer to Appendix 3, For statistical reference for Leisure Centres adverse events breakdown for 2013/14 to 2015/16, External partner's adverse

events 2014/15 to 2015/16 and Service Area adverse events 2014/15 to 2015/16.

## 2.5 Occupational Health

The occupational health management and surveillance continued to be delivered during the past year in conjunction with the personnel team and local management.

**14-15 Assurance Assessment** – occupational health was deteriorating during 2014/15

Inherent risk rating	High
Residual risk rating 2014/15	Medium

### **Summary of control actions planned and implemented during 2015/16:**

1. Completion of occupational health clinics and other relevant appointments,
2. A business case was submitted and agreed regarding the occupational health budget. The budget has now seen a permanent increase to £8000,
3. Occupational health budget was supported by other central funds to ensure any shortfalls in budget were met,
4. The occupational health contract is now in place and renewed annually,
5. Benchmarking with other local authorities was completed during the past financial year, numerous meetings with the current occupational health provider were also undertaken to improve the service the Council receives,
6. Work was completed to review the leisure centre surveillance requirements,
7. A number of cleanse exercises were completed to improve the occupational health database,
8. REACTEC was introduced into Parks and Street Care service area and Transport services, this made substantial improvements to monitoring, including accurate vibration ‘trigger time’ monitoring. There is also greater efficiency with the near elimination of monitoring paperwork with only a few exceptions.

### **15-16 Assurance Assessment**

Inherent risk rating	High
Residual risk rating 2015/16	Medium

### **Residual Risk Direction: (Improving)**



The residual risk remains as a medium risk due to the ongoing gaps in noise survey assessment arrangements identified during 2015/16, and learning from a noise induced hearing loss claim. Due to the actions taken and outstanding the residual rating remains unchanged. With a stretched H&S officer, there are concerns that the

improving status could be affected this year due to wider work commitments, the H&S officer will make every effort to maintain the improving status.

### **Summary of planned control actions for 2016/17:**

The following actions are planned for 16-17 to maintain and improve the Council's assurance level with respect to Occupational Health:

- Arrange noise assessments as required for waste services and the tree team in PASC, This will include a review of control measures,
- To conduct noise assessments and initial surveys of leisure centre pool plant rooms and bar areas of the Richard Herrod centre. This will include a review of control measures,
- Conduct local exhaust ventilation arrangement review in transport workshops,
- Continue to manage and make further improvements to the occupational health database,
- Complete an assessment and recommend improvements to Carlton Forum Leisure Centres reception and front reception areas,
- Update the H&S Policy to reflect the changes to the arrangements.

## **7. Resource Implications**

Planned work is to be completed within existing budgets. Additional support from other department budgets will be requested as and when required.

## **8. Recommendation**

The group is asked to note the report. To provide support of the actions required my all levels of the Council to address H&S actions. To re-focus management's attention on H&S, and for the Senior Leadership Team (SLT) to make clear the H&S expectations on their service managers.

## **9. Appendices**

Appendix 1. Risk category – Standard Definitions

Appendix 2. A summary overview of all H&S risk types.

Appendix 3 Leisure Centres adverse events breakdown for 2013/14 to 2015/16; External partners adverse events; Appendix 3.2 Service Area adverse events 2014/15 to 2015/16