

Report to Cabinet

Subject: Corporate Health and Safety Annual Report 2019/20

Date: 12 November 2020

Author: Health, Safety and Emergency Planning Officer

Wards Affected

Borough wide

Purpose

To present the Corporate Health and Safety Annual report 2019/20 to Cabinet and seek officer delegations.

Key Decision

This is not a key decision.

Recommendations

THAT:

- 1) The Corporate Health and Safety Annual Report 2019/20 be noted.
- 2) To approve the formal officer delegations for Health and Safety functions as set out in Appendix 2.

1 Background

- 1.1 The Health and Safety at Work etc. Act 1974 imposes a number of obligations on employers, employees and others in regards health, safety and welfare in connection with work activities. In relation to the Council's role as an employer, these are executive functions that fall within the remit of Cabinet. These statutory duties are separate from the Council's role as an enforcement body, which ensures that other employers within the borough comply with their obligation under the Act and other applicable Health and Safety (H&S) legislation. It is important to note that the Health, Safety and Emergency Planning Officer (HSEPO) is not responsible for enforcement of these activities of other employers within the borough

where the Council is the responsible enforcement body. Those functions are a non-executive functions falling within the remit of the Environment and Licensing Committee and the Public Protection service area.

- 1.2 Reporting annually on H&S performance is considered good practice by the Health and Safety Executive, the Institute of Directors and the Royal Society for the Prevention of Accidents (RoSPA). The Management of Health and Safety at Work regulations 1999 also requires all employers to periodically review their H&S management system.
- 1.3 Cabinet are asked to receive this annual H&S report to inform them of health and safety performance covering the period April 2019 – March 2020.
- 1.4 The Council manages a wide portfolio of services for a Borough of more than 117,900 people. Some of these services involve a potential significant risk of harm to our staff and others that our work activities could affect. To this end, to prevent injury and ill health, the Council's objective is to have a positive health and safety culture, a robust H&S management system and be committed to the principles of sensible risk management and compliance with our legal obligations.
- 1.5 To achieve this the Council has implemented a H&S management system that involves all staff, our partners, others and wider Council work activities. We retain a specialist Chartered Safety and Health Practitioner to maintain this system and train managers and staff to understand and control the risks that arise from our service to the community.
- 1.6 The HSEPO service and H&S Annual Report supports the Council's priorities and assists service areas in achieving the Council's overall vision of Serving People Improving Lives.

The HSEPO service supports the following Gedling Plan objectives:

- High Performing Council: To be a high performing, efficient and effective Council, to maintain a positive and supportive working environment and strong employee morale and improve use of digital technologies
- Healthy Lifestyles: To promote the health and well-being of our residents, to improve health and wellbeing and reduce health inequalities.

2 Proposal

- 2.1 It is proposed that the Corporate Health and Safety Annual Report 2019/20 at Appendix 1 be noted.

- 2.2 There are currently no specific officer delegations in relation to health and safety functions, however Cabinet will recall approving 2 officer delegations in respect of business continuity functions on 2 July 2020. Therefore it is proposed that the officer delegations relating to health and safety functions at Appendix 2 (L1-L4) are approved.

3 Alternative Options

- 3.1 Not to present an annual Health and Safety report, in which case Executive members will not be updated on H&S activity across the Council and understand whether the Council's commitment to the management of H&S risks are being managed effectively.
- 3.2 To not approve the officer delegations proposed. The Council could continue to operate without the approved delegations in place. However, this means that potentially dangerous work activities could be allowed to continue without the ability to immediately stop work on behalf of the Council. This could potentially result in non-compliance with health and safety legislation and result in the Council being liable for fines and prosecutions from the Health and Safety Executive. In addition, it would mean that amendments to operational documents would need to be made by Members.

4 Financial Implications

- 4.1 There are no financial implications directly arising from this report.

5 Legal Implications

- 5.1 The Council must comply with a number of statutory obligations in the Health and Safety at Work etc. Act 1974 and other H&S legislation, Health and Safety Executive Guidance, Approved Codes of Practice and other industry best practice.

6 Equalities Implications

- 6.1 There are no equalities implications directly arising from this report.

7 Carbon Reduction/Environmental Sustainability Implications

- 7.1 There are no carbon reduction/environmental sustainability implications directly arising from this report.

8 Appendices

- 8.1 Appendix 1. Corporate Health and Safety Annual Report 2019/20

8.2 Appendix 2. Health & Safety and Emergency Planning delegations

8.3 Appendix 3. Risk definitions and assurance ratings

9 Background Papers

9.1 None identified.

10 Reasons for Recommendations

10.1 To ensure the Executive is updated in respect of Health and Safety activity across the Council in order to provide assurance of the Council's commitment to the management of health and safety and associated risks are being managed effectively.

10.2 To allow for smooth day-to-day operational management and avoid the Executive being burdened with operational decisions.

Statutory Officer approval

Approved on behalf of the Chief Financial Officer

Date: 29 October 2020

**Approved on behalf of the
Monitoring Officer**

Date: 22 October 2020