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Dear Sir/Madam

EMPLOYMENT COMMITTEE

A meeting of the Employment Committee has been arranged to take place **WEDNESDAY 15th JULY 2015 at 6.00 PM IN THE COMMITTEE ROOM** District Council House, Lichfield to consider the following business.

Access to the Committee Room is via the Members' Entrance.


Yours faithfully



Strategic Director

To: Members of Employment Committee

Councillors Powell (Chairman), Mrs Constable (Vice-Chairman), Mrs Banevicius, Mrs Barnett, Mrs Eagland, Miss Hassall, Humphreys, Mosson, Smedley, Mrs Stanhope MBE and Strachan.

- 
1. Apologies for Absence
 2. Declarations of Interest
 3. To approve as a correct record the Minutes of the Meeting held on the 30th March 2015 (copy attached)
 4. Role of Employment Committee (discussion item)
 5. Approval and Adoption of the Health & Safety Policy (copy attached)
 6. Health & Safety Annual Report (copy attached)

EMPLOYMENT COMMITTEE

30 MARCH 2014

PRESENT:

Councillors Powell (Chairman), Leytham (Vice-Chairman), Bacon, Mynott, Pearce and Smedley

(**APOLOGIES FOR ABSENCE** were received from Councillors Constable and Taylor).

236. MINUTES

The Minutes of the Meeting held on 24 July 2014, as printed and circulated, were taken as read, approved as a correct record and signed by the Chairman.

237. DECLARATIONS OF INTEREST

There were no declarations of interest.

238. PAY POLICY STATEMENT

Members received a report on the Council's duties under Section 38 of the Localism Act 2011 regarding the preparation of a Pay Policy Statement applicable for the 2015/16 financial year.

It was reported that the policy statement was refreshed year on year but there had been no substantial changes for the 2015/16 statement.

RESOLVED: That the contents of the Pay Policy Statement as set out in the report be noted and it be recommended to Council for approval.

239. DISCRETIONARY PAYMENTS POLICY

Members received a report on policies on discretions to be exercised under the LGPS Regulations in relation to members of the Career Average Revalued Earnings (CARE) Scheme. The report also informed Members of the Committee on the Council's policies on discretions for Scheme members who left prior to 1 April 2014, and of the Council's discretionary compensation policies.

It was reported that the Council was part of the Staffordshire Pension Fund and as an employer, has some discretion over certain issues. Some of the discretions are applied consistently in all cases but it was noted that there are situations where the business needs of the Council would be the priority. It was noted that where decisions were taken on a case by case basis these were determined through business cases. Decisions are not influenced by protected characteristics and therefore there were no equality issues arising from discretions being applied.

When asked, it was reported that the policies had been considered by the Employee Liaison Group which includes Union representatives.

RESOLVED: (1) That the policies on discretions to be exercised under the LGPS Regulations in relation to active Scheme members and member who cease active membership after 31 March 2014 be approved; and

(2) That the policies for Scheme members who left prior to 1 April 2014 be approved along with the discretionary compensation policies.

240. EXCLUSION OF PUBLIC AND PRESS

RESOLVED: "That as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted, the public and press be excluded from the meeting for the following items of business, which would involve the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972"

IN PRIVATE

241. VOLUNTARY REDUNDANCY IN THE INTEREST OF EFFICIENCY OF THE SERVICE

Members considered an application for voluntary redundancy received as part of the Council's Fit for the Future Programme.

Some Members had concerns as to whether this redundancy would put pressure on retained staff however reassurances were given that this had been considered carefully in the business case for the VR and managers were confident there was capacity to absorb the remaining elements of the role

RESOLVED: That the application for Voluntary Redundancy as detailed in Appendix A to the report be approved.

242. VOTE OF THANKS

RESOLVED; That the sincere thanks be accorded to the Chairman, Vice-Chairman and Committee Members for their work over the past year.

(The Meeting closed at 6.45p.m.)

CHAIRMAN

EMPLOYMENT COMMITTEE

**15 July 2015
Agenda Item: 5**

**Contact Officers: Steve Langston
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REPORT OF THE HEALTH AND SAFETY MANAGER

APPROVAL AND ADOPTION OF THE HEALTH & SAFETY POLICY

1. PURPOSE OF REPORT

- 1.1 The report seeks the approval and adoption of the Council's Health and Safety Policy. Legal requirements state that the Council's Health and Safety Policy must be reviewed and updated at regular intervals. The Health and Safety Policy has been updated to take account of legislative and organisational structure changes.

2. RECOMMENDATION

- 2.1 It is recommended that Employment Committee approves the Health and Safety Policy (attached at **Appendix A**), to take effect from 16 July 2015.

3. BACKGROUND

- 3.1 It is a requirement of the Health and Safety at Work Act 1974 that every employer prepares, adopts and updates a Health and Safety Policy. This Health and Safety Policy ensures that the Council is fully compliant with the law.
- 3.2 The Health and Safety Policy must define the roles played by everyone within the organisation. All employees have a responsibility to look after themselves and others and must be aware that failure to do so may result in disciplinary action being taken.
- 3.3 The current policy was last reviewed in 2011. The Health and Safety Team have revised and consulted upon a number of changes to the document to take account of any organisational or legislative changes over the period.

4. Consultation

- 4.1 Leadership Team and managers have been fully consulted during the revision of the Health and Safety Policy and their comments fully incorporated into the policy.
- 4.2 The Employee Liaison Group, which includes union representatives, considered the policy at its meeting in June 2015. The union provided subsequent comments to the draft which have been incorporated.

5. Financial Implications

- 5.1 There are no financial implications arising from this report or the adoption of the policy. The costs of operating in accordance with the policy are incorporated within current service budgets.
- 5.2 Failure to adopt the policy may result in the Health and Safety Executive taking enforcement action against the Council which could include criminal prosecution and criminal sanctions.

6. Human Rights Issues

- 6.1 None identified from this report.

7. Risk Management Issues

- 7.1 The risks are identified below.

Description of Risk	likelihood / impact	Risk Status	Countermeasures
Failure to have an updated appropriate Health and Safety Policy	Low / High	Legal, Financial, Reputation,	Employment Committee is asked to approve the Health and Safety Policy.
Failure to communicate the Policy to employees	Low / High	Legal, Financial, Reputation,	A communications plan will be implemented.

Background Documents:

- (1) Health and Safety At Work Act 1974
- (2) Successful Health and Safety Management (HSG65)
- (3) Management of Health and Safety at Work Regulations 1999

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Health, safety and welfare at work policy

July 2015

How Lichfield District Council delivers its commitment to health, safety and welfare to employees and others

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Approved by Leadership Team / Employee Liaison Group / Employment Committee

Revision History

Revision Date	Version Control	Summary of changes
July 2015	01	New Document (Final)

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1 Policy Statement

Foreword

This policy demonstrates the duty of care owed by the Council to its employees and others that it will go about its business in a way that will not put people at risk of harm.

Employees are the Council's most valuable resource and as such we are committed to ensuring their health, safety and welfare.

People work best when they are fit, healthy and feel safe and well. Therefore protecting their health and safety can enhance the performance of the Council.

I expect ownership of health and safety by everyone, regardless of their seniority, their directorate or their role. We will do this by promoting its importance, by consulting and listening, and by nurturing a culture that allows people to raise issues and concerns without fear of recrimination or blame.

I expect all employees to play their part in achieving the highest possible standards of health and safety, to ensure as managers they are taking necessary steps to protect people, and as individuals to take personal responsibility for such issues.

Please read this Policy as it highlights how the Council will meet the challenges and explains the important role everyone will play in achieving the objectives and keeping people in our workplaces safe.

Diane Tilley
Chief Executive
July 2015

1.2 Health, Safety and Welfare Policy Statement

- 1.2.1 This General Policy Statement underlines our belief that an excellent council is a safe council. Since we are committed to successful management of health and safety, it follows that minimising risk to people, property, service continuity and our reputation is inseparable from all our other priorities.
- 1.2.2 A high standard of health and safety management is expected of us by our stakeholders, whether they are our employees, service users, customers, the government and its enforcing agencies or society generally.
- 1.2.3 The Council recognises and accepts its statutory responsibilities as an employer and will strive to secure the health, safety and welfare of its employees and others affected by its activities (for example, members of the public, service users, visitors, contractors, etc). We will do this by assessing the possible risks and establishing suitable and adequate risk control measures.
- 1.2.4 The Council is committed to complying with all relevant health and safety legislation. The Council does, however, recognise that compliance with legislation is only a minimum requirement, and therefore we strive to improve to achieve higher standards.
- 1.2.5 The Council is committed to continuous improvement that will include the setting of objectives and targets. Health and safety objectives are regarded as being of equal importance to other corporate objectives. The management of health and safety is regarded as an integral part of the Council's business activities.
- 1.2.6 The Council acknowledges that the Policy and what it represents, can contribute to the organisation's performance and reputation by:
- Protecting our staff and service users
 - Improving the quality of services delivered;
 - Reducing losses (including accidents, violence, ill health, sickness absence) and liabilities;
 - Protecting the environment;
 - Making continuous improvements in health and safety performance; and
 - Encouraging all employees to think about how they can do their jobs more safely
- 1.2.7 Sufficient financial and physical resources will be provided to implement this policy. It is the duty of management to ensure that all processes and systems of work are designed to take account of health and safety.
- 1.2.8 The Council is committed to the development of a climate in which a positive health and safety culture can develop. The Council will achieve this by:
- Maintaining effective systems of communication on health, safety and welfare matters;
 - Ensuring that there is sufficient competency within the organisation in terms of health and safety management including support and advice;
 - Establishing and maintaining control by setting clear health, safety and welfare objectives and providing strong leadership; and

- Securing co-operation between individuals, trade unions, employee safety representatives and working groups.
- 1.2.9 Steps will be taken to take a risk assessment approach to activities to avoid accidents, work-related ill health and dangerous occurrences paying particular attention to the provision and maintenance of:
- a safe place of work including safe access to it and safe egress from it;
 - a healthy working environment;
 - plant, equipment and systems of work that are safe;
 - safe arrangements for the use, handling, storage, and transport of articles and substances.
- 1.2.10 The Council promotes a 'no blame culture' as this is an essential part of this policy and is supportive of individuals who participate in hazard or near miss accident reporting.
- 1.2.11 It is recognised that accidents, ill health and incidents may result from failings in management control and are not necessarily the fault of an individual employee.
- 1.2.12 All employees, however, are expected to accept their responsibility to work safely, adhering to safety rules and work procedures, using safety equipment provided, and generally to contribute to the maintenance of safe and healthy working conditions.
- 1.2.13 The Council is committed to making sure that any work carried out on its behalf, is done so with the risks to the health, safety and welfare of employees and others reduced to as low a level as is reasonably practicable. As site occupier and client, the Council will plan, co-ordinate, control, monitor and review the activities of contracted organisations to effectively minimise the risks presented by contract work.
- 1.2.14 Our contractors and their subcontractors must co-operate with us to enable the requirements of this policy and our statutory duties to be met. We will ensure that contractors selected are competent to manage the safe execution of the work, and that our contractors and their sub-contractors have systems in place to ensure that risk control measures are identified before work commences and that their activities are monitored appropriately during work.
- 1.2.15 The Council will co-operate and co-ordinate with other employers to secure a safe and healthy workplace and work environment for our employees in the case of shared workplaces. In joint ventures/partnership arrangements, managers and staff appointed by the Council are required to encourage the other partner to work to the Council's health and safety standards. As a minimum, the joint venture/partnership arrangement must comply with relevant legislation and have access to competent health and safety advice.
- 1.2.16 The capabilities of employees as regards health and safety will be taken into account when entrusting work to them. Appropriate health and safety training will be provided to employees to enable them to meet the required standards of performance.
- 1.2.17 All managers and employees have a legal duty to take reasonable care of their own health and safety, and for the safety of other people who may be affected by their acts or omissions. Every employee must co-operate with the Council to enable all statutory duties to be complied with.

- 1.2.18 The Council is committed to effective communication and consultation on Health, Safety and Welfare matters with all relevant parties and will report on its health and safety performance on an annual basis.
- 1.2.19 The Council's Health and Safety Management system is based on The Management of Health and Safety at Work Regulations and the HSE Guidance HSG 65 'Successful Health and Safety Management'. (see Appendix 1 for detailed information)
- 1.2.20 The Health, Safety and Welfare Policy and its accompanying health and safety policies & procedures apply to all Council activities and workplaces. Compliance with this range of policies and related standards is mandatory and subject to periodic audit.
- 1.2.21 This policy will be reviewed and amended at least every two years or as required. A copy of all health and safety policy and procedures are available on the Councils intranet.
- 1.2.22 "Whilst we are each responsible for health, safety and welfare, we do much better when we work as a team. Protecting people's health and safety and promoting welfare matters to us all".
- 1.2.23 This Health, Safety and Welfare Policy Statement has the support of the Directors and their Management Teams and will be adopted within all Directorates.

Diane Tilley
Chief Executive
July 2015

2. The Organisation of Health and Safety

2.1 Devolvement of Health and Safety Management

- 2.1.1 The Council has a system of devolved management. In line with this, health, safety and welfare functions are delegated to managers to enable, wherever practicable, health, safety and welfare issues to be addressed at a local level.
- 2.1.2 Whilst management is devolved for practical purposes, the ultimate responsibility for health and safety of people, rests with the employer and its senior managers, i.e. Council Members, and its Leadership Team comprising the Chief Executive and Directors.
- 2.1.3 Health and safety arrangements, and performance, will be monitored by Members through Employment Committee in conjunction with the Chief Executive and Directors.
- 2.1.4 Leadership Team will ensure that health, safety and welfare is a primary consideration in policy development and resource planning. Leadership Team will also ensure adequate monitoring and will review the effectiveness of health and safety strategies across the Council.
- 2.1.5 Service Managers, line managers and supervisors play a key role in managing and supervising health and safety, and in maintaining and improving health and safety standards. To support this function, the Council will provide through its Health and Safety personnel competent advice on health, safety and welfare matters. The provision of a Health and Safety team does not detract from the primary responsibility of managers and supervisors to ensure safe conditions.
- 2.1.6 The Council also recognises the key role played by all managers and employees in effective health and safety risk management. They have a crucial part to play in maintaining and improving health and safety standards, therefore they will be made aware, via appropriate training and information, of their legal and moral obligations in respect of health, safety and welfare.
- 2.1.7 The Council will ensure that occupational health facilities are provided and will identify and control work-related ill health. Further, the Council will make sure that the work environment is monitored as necessary to encourage co-operation, partnership and joint consultation between Trade Unions' appointed Health and Safety Representatives/Employee Representatives and Management on matters of health, safety and welfare.

2.2 Individual Responsibilities

Member Champion

2.2.1 A Cabinet Member will be identified as being responsible for corporate health and safety matters. In the first instance, the Cabinet Member for Leisure will act as the Member Champion for Health and Safety. In this capacity they will promote and encourage a positive safety culture with other Members.

2.2.2 In addition all Elected Members must:

- Ensure that the health, safety and welfare implications of decisions are properly considered.
- Ensure that legal requirements in relation to health, safety and welfare are appropriately resourced to ensure no breach of law. This will be particularly important when setting budgets.
- Ensure that appropriate health, safety and welfare measures are properly incorporated within all Council activities.

Health and Safety Champion

2.2.3 The prime responsibility for health, safety and welfare and the prevention of accidents, violence and ill health rests with line managers, but the ultimate responsibility for health and safety within the organisation remains with the Chief Executive. To ensure that that this responsibility is managed effectively and consistently across the Council, the operational management has been delegated to the Director of Leisure and Parks, to act as the Council's Champion.

2.2.4 The Council's Health and Safety Champion has a critical role to play in ensuring that health and safety risks are properly managed and will have the support of the other Directors in order to carry out this function.

2.2.5 The role of the Council's Health and Safety Champion does not, however, diminish the responsibilities of the other Directors, and of Leadership Team, as a group with regards to the management of the health and safety risks.

Directorate Health and Safety Champions

2.2.6 Each Director will act as their Directorate Champion. They shall ensure that health and safety is given proper consideration by senior managers and more widely within teams, when developing Council policy and services.

2.2.7 The Health and Safety Manager will provide professional advice and support to the Health and Safety Champions to allow them to fulfil their responsibilities.

2.3 Allocation of General Responsibilities

2.3.1 The duties and responsibilities for health and safety are allocated as follows:

Policy Makers

2.3.2 Policy Makers are those who are responsible for devising and adopting policy on health, safety and welfare matters at a strategic level. They devise, preserve, develop, approve, promote and maintain the Council's health and safety management system. Policy makers also make sure that health and safety matters are taken into account when organisational decisions are made. The Council's Health and Safety Champion has overall responsibility for policy formulation and development.

Planners

2.3.3 Planners are those who develop detailed local plans to achieve corporate health and safety objectives. They contribute to the Council's health and safety management system by concerning themselves with management arrangements for the identification, elimination and control of hazards and risks within their area of responsibility.

Implementers

2.3.4 Implementers are those within the organisation who make sure that the workplace precautions and safe systems of work are developed in order to control hazards and risk control measures are in place and put into practice.

Assisters

2.3.5 Assisters are those that have the authority, independence and competence to advise, Directors, Management and Employees (or their representatives). They will normally be a member of the Health and Safety Team. They may also be technical or specialist employees who have achieved a certain level of health and safety competency within their specialised field.

Employees

2.3.6 Employee responsibilities described within this policy apply to all employees regardless of position.

Health and Safety Responsibilities	Who does this include:
Policy-makers (the people that make the Council Policies)	Members, Employment Committee, the Chief Executive, Directors, Health and Safety Champions, Leadership Team
Planners (the people who need to plan how health and safety is effectively managed)	Service Managers, Designers, and Employee Liaison Group
Implementers (those who have a day to day responsibility and can positively influence how a job is completed)	Managers, Supervisors, Premises Managers, Contract Supervising Officers
Assisters (those who are available to provide advice and guidance on how to comply with requirements)	Health and Safety Officers, Occupational Health Professionals, Specialist Technical Staff, Strategic Partners.
Employees (All employees, at any level have responsibilities)	Permanent, casual, temporary, work placement students, agency, contract and voluntary workers

2.3.7 In addition to the above categories there are some employees who will have specific health and safety responsibilities allocated to them within specific Health and Safety policy and procedural arrangements. For instance officers may be responsible for Construction, Design and Management arrangements, Fire Safety, Asbestos Management, First Aid etc.

2.4 Policy Makers

2.4.1 Policy Makers will devise, preserve, develop, approve, promote and maintain the Council's Health and Safety Management System by:

1. Ensuring that their decisions reflect the commitment of this policy and provide a positive culture towards health, safety and welfare issues.
2. Specifying a structure for health and safety planning, measuring performance, reviewing performance, auditing and monitoring the Health and Safety Systems;
3. Establishing structures and strategies to implement policy and integrating these into general business activity;
4. When making policy decisions or considering organisational change, making sure that any relevant health, safety and welfare issues are fully addressed;
5. Setting targets to improve health and safety performance as part of the business planning process;
6. Making sure that sufficient resources are available for the implementation of this Policy and its supporting arrangements;
7. Ensuring that responsibilities for safety, health and welfare are properly assigned, understood and implemented;
8. Agreeing plans for improvement and reviewing progress of the Health and Safety Policy, the development of the health and safety management system and the strategic approach to corporate health and safety strategy;
9. Ensuring that Members and Cabinet understand and consider the council's obligations and the resource needed to the implement the Health and Safety Policy;
10. Ensuring that health and safety is an integral part of the procurement process, and that the Council makes legitimate and relevant health and safety requirements a significant factor in its procurement decisions;
11. Ensuring sufficient competent persons (Health and Safety Advisers) are appointed to assist in undertaking measures necessary to comply with statutory requirements and that such persons receive adequate cooperation and communication and are provided with the resources necessary to fulfil their functions.
12. Seeking advice from the Health and Safety Team and ensure that they are aware of any relevant health and safety matters as and when necessary;
13. Receiving reports from the Health and Safety Team as appropriate, and taking action as necessary;
14. Ensuring that the performance of the Council in the field of health and safety is audited and take whatever action may be required;

15. Completing an annual review of health and safety performance, with the outcomes implemented into Directorate Service Plans.

2.5 Planners

2.5.1 Planners will contribute to the Council's health and safety management system, by identifying, eliminating and controlling hazards and risks within their area of responsibility by:

1. Ensuring that responsibilities for safety, health and welfare are properly assigned, understood and implemented by employees;
2. Informing the Policy Makers of the resources (including financial) required to meet their Service's obligations for health and safety matters, including the provision of equipment, clothing and training;
3. Establishing management arrangements, risk control options and workplace precautions together with associated performance standards;
4. Supporting the Policy Makers in promoting the Health and Safety Management System;
5. Ensuring that health and safety is embedded within and fully addressed by their plans prepared as part of the Council's business planning process;
6. Setting targets to improve health and safety performance as part of the business planning process;
7. Seeking advice from the Health and Safety Team (and other specialists) to ensure effective planning and implementation of policy, and make the Health and Safety Manager aware of relevant health and safety matters as and when necessary;
8. Developing and monitoring the effective implementation of the Health and Safety Policy ensuring that it reflects the aims and objectives of the Policy;
9. Making sure that action plans, produced as a result of audit processes are drawn up and monitored;
10. Ensuring that where local policies/procedures are required, due regard is given to relevant corporate requirements and that the local documents reflect and adhere to the corporate framework;
11. When making policy decisions or looking at organisational change, making sure that any relevant health, safety and welfare issues are fully addressed;
12. Ensuring the production of comprehensive health and safety procedures and risk assessments specific to their service area are monitored, reviewed and updated on a regular basis and brought to the attention of employees under their control;
13. Carrying out regular health and safety inspections to demonstrate their commitment to health and safety;

14. Facilitating the setting up of Health and Safety Committees to promote the participation and involvement of Trade Unions/Employee Representatives and Management on all aspects of health and safety;
15. Making sure that sufficient service area support is provided for health and safety groups, set up to promote health and safety both locally and at corporate level;
16. Ensuring that a named Premises Manager is appointed for each Council workplace and building;
17. Keeping up to date with changes in health and safety legislation, standards and good practice;
18. Ensuring that the implications of any health and safety directives issued by Policy Makers are implemented within their area of control.

2.6 Implementers

2.6.1 Implementers contribute to the Council's health and safety management system by ensuring that safety precautions and systems of work are developed, adopted and implemented by:

1. Maintaining an understanding of the health and safety policy and procedures and an awareness of relevant current health and safety legislation, and operating within these requirements;
2. Demonstrating their commitment to the Health and Safety Policy and promoting a positive health and safety culture by:
 - a. setting a good example;
 - b. promoting good practice;
 - c. challenging poor perceptions or attitudes towards health and safety;
 - d. encouraging people to identify problems before they result in accidents/incidents;
 - e. ensuring regular two way communication with employees about health, safety and welfare matters.
3. Being accountable for the implementation of the Policy, management arrangements, safe systems of work, workplace precautions and performance standards within their area of control;
4. Ensuring that responsibilities for safety, health and welfare are properly assigned, communicated and understood by employees and are referenced within job descriptions within their area of control;
5. Making sure that sufficient information and resources are available;
6. Ensuring that individuals are held accountable for their health and safety responsibilities.
7. Ensuring that health and safety performance is taken into account in performance appraisals, and that corrective action is taken in the case of deviation from health and safety standards/rules etc.

8. Ensuring that hazards are identified, control measures implemented and that Risk Assessments are up to date. Making sure that the review, monitoring and re-issue of Risk Assessments is carried out as and when necessary e.g. change in work practices, the introduction of new processes, machinery or people and so on, and at least annually;
9. Assessing work activities for risk, planning work activities in order to minimise the risk of accident or ill health to people. Highlighting hazards to employees and detailing/explaining preventive measures;
10. Providing employees and non-employees with the necessary information, instruction and training to remain safe;
11. Making sure that there is communication and participation at all levels in health and safety activities;
12. Supervising work activities adequately to ensure good health and safety standards are maintained;
13. Receiving reports from and responding as appropriate to health and safety reports received from Trade Union appointed Health and Safety Representatives/Employee Representatives;
14. Making sure that those employees with specific roles/responsibilities for health and safety, e.g. Premises Managers, are competent and receive training as necessary to enable them to perform effectively;
15. Where risks cannot be protected by other means, ensuring that personal protective clothing and equipment (PPE) appropriate to the risk is available and used;
16. Ensuring active monitoring of health and safety matters for example by undertaking health and safety inspections to ensure compliance with health, safety and welfare legislation;
17. Ensuring that targets set on health and safety are being achieved with feedback to the Planners regarding both successes and failures in relation to performance, and advise of any deficiencies in plans, arrangements, systems or precautions;
18. Supporting the Planners in achieving targets set by action plans produced as a result of the auditing process;
19. Consulting with employees and their representatives on health, safety and welfare matters and ensuring adequate facilities and information are available to them;
20. Motivating all employees in the promotion of safe and healthy working conditions and ensuring adequate information, instruction training and supervision is provided;
21. Ensuring timely reactive monitoring takes place such as investigating all hazard reports by employees, accidents, near misses, incidents of violence and occupational illness (via referral to Occupational Health where appropriate), in order to identify causes, to establish the facts and put in place measures to prevent a recurrence;
22. Supporting individuals who report hazards, accidents, ill health, problems with work related stress etc.

23. Making sure that records of accidents/occurrences and ill health, are kept and examined so that trends can be monitored and targets set;
24. Monitoring health and safety standards at local level, to identify patterns and trends and address issues of concern;
25. Seeking advice and liaising with the Health and Safety Team on health and safety matters and best practice where necessary;
26. Informing relevant persons of issues which are beyond their control, or where resources are insufficient to enable compliance with the Health and Safety Policy, and to ensure that extra resources are identified to maintain compliance;
27. Ensuring that appropriate people are designated as competent persons / coordinators, to co ordinate health and safety matters at a local level;
28. Ensuring that health and safety policies/procedures are implemented within their area.

2.7 Premises Managers

- 2.7.1 In addition to the Implementers' responsibilities above, officers appointed as Premises Managers have the following additional health and safety responsibilities:
1. To maintain an understanding of the Health and Safety Policy and procedure arrangements and the premises manager responsibilities within them, and an awareness of relevant premises related health and safety legislation, issues and procedures and operating within these requirements;
 2. To control contractors working on the premises, and ensure that hazard information has been exchanged and suitable risk control measures implemented;
 3. Ensuring adequate security arrangements are maintained;
 4. Ensuring the general cleanliness of the premises and that adequate welfare facilities are provided;
 5. Arranging for regular inspection of the areas of the premises for which they are responsible to monitor that workplace health and safety standards are effective and that a safe means of access and egress is maintained;
 6. Ensuring that adequate fire safety arrangements and emergency procedures are implemented and maintained;
 7. Ensuring that plant and equipment is adequately maintained;
 8. Arranging for the regular testing and maintenance of electrical equipment;
 9. Maintaining records of plant and equipment maintenance, tests, fire evacuation drills, fire officer inspections and fire extinguisher maintenance;

10. Ensuring adequate first aid requirements for the premises are formally assessed and adequate provision is made;
11. Ensuring that all premises related hazards are identified, assessed and effective control measures implemented and monitored;
12. Undertaking thorough investigations of all premise related accidents/incidents. Ensure the availability of accident records at each premises;
13. Ensuring an adequate number of relevant health and safety notices and warning signs are prominently displayed and comply with the Health and Safety (Safety Signs and Signals) Regulations;
14. Ensuring that an up to date copy of the Health and Safety Law Poster and Employers' Liability Certificate is displayed in an accessible location;
15. Maintaining a health and safety file on the premises in relation to any construction work covered by *the Construction (Design and Maintenance) Regulations* and make this available to contractors upon requests;
16. Ensuring that adequate systems are in place for the management of asbestos and control of legionella and excessive water temperatures.

2.8 Assisters

- 2.8.1 Assisters are competent persons appointed to support the Council in meeting its statutory duties. Where appropriate, other specialists will be appointed from outside the Council to provide expert advice. The health and safety assisters will normally be the Health and Safety Team. It may also be technical or specialist employees who have achieved a certain level of health and safety competency within their specialised field.

The Health and Safety Team

- 2.8.2 They have the authority, independence and competence to advise Directors, Management and Employees (or their representatives), and will:
1. Promote a positive health and safety culture;
 2. Plan for health and safety, and support the setting of realistic targets, deciding on priorities and establishing adequate systems and performance standards;
 3. Monitor the implementation of the Health and Safety Policy, review performance, and report thereon to the Policy Makers, Planners and the Implementers;
 4. Assist, monitor and formulate the Council's Health and Safety Policy through consultation with management, Trade Unions' appointed Health and Safety Representatives/Employee Representatives;
 5. On behalf of the Planners, exercise executive powers, which may include the cessation of work activities, where there is a imminent risk of injury to people;

6. Report, as necessary, to appropriate groups, management teams and committees of the Council on Health and Safety matters;
7. Liaise with the Health and Safety Executive and other appropriate bodies as necessary;
8. Support managers in the assessment of risks, and in the identification of controls;
9. Investigate accidents, violent incidents, near misses, work related ill health, health and safety complaints and liability claims;
10. Formulate, develop and gain acceptance to health and safety policy;
11. Provide advice and guidance on the practical risk control strategies the Council needs to implement to effectively manage health, safety and welfare hazards;
12. Manage and communicate health, safety and welfare information as appropriate
13. Assist in the Council to encourage its employees to lead more healthy lifestyles, by involvement in health education/promotion activities;
14. Interpret the law in the context of the Council, and provide pertinent and meaningful guidance, information and advice on health and safety issues;
15. Co-ordinate through design, delivery (where appropriate), implementation and monitoring appropriate Health and Safety training for Managers and Supervisors or other employees as necessary to ensure compliance with statutory legislation and this Policy.

The Occupational Health Unit

- 2.8.3 The council retains the services of an Occupational Health Team, which will:
1. Assist in the development of Health, Safety and Welfare Policies which have an Occupational Health element;
 2. Provide Occupation Health advice to Managers and Employees;
 3. Plan and assist the Council to develop occupational health strategies and targets;
 4. Complete Health Surveillance as required by the Legislation;
 5. Assist the Council in encouraging its employees to lead healthy lifestyles by involvement in health education/promotion activities;
 6. Undertake the delivery of a range of occupational health activities.

2.9 Employees

2.9.1 Employees have an important role to play in achieving a healthy and safe work environment and maintaining and improving health and safety standards, so all employees will:

1. Take reasonable care for the health and safety of themselves and of other people who may be affected by what they do, or neglect to do, whilst at work;
2. Co-operate with their manager enable that tasks, duties or requirements to be performed or complied with;
3. Use machinery, equipment, plant, substances, transport in accordance with training and instruction provided;
4. Not intentionally or recklessly interfere with or misuse anything provided in the interests of Health, Safety and Welfare;
5. Draw the attention of their line manager, without delay, to any work situation which might present a serious and imminent danger to themselves/others;
6. Ensure that they familiarise themselves, and work in accordance, with guidance given in risk assessments, protective measures, health and safety policy arrangements, safe systems of work, and safety rules with regard to their working practices;
7. Conform to all instructions whether verbal or written, given to ensure personal safety and the safety of others;
8. Be appropriately dressed for the particular working conditions and activities;
9. Conduct themselves at all times in an orderly manner in the workplace and refrain from horseplay;
10. Report all accidents, near misses, incidents of violence, work related ill health, diseases and dangerous occurrences whether injury is sustained or not, to their line manager as soon as possible;
11. Enter the details of any injury or ill health sustained at work into the accident report book that is available at each workplace;
12. Co-operate fully in the reporting and investigation of any accident/near miss, dangerous occurrence and incident of violence, and the completion of any health surveillance activities;
13. Attend health and safety training courses to further their knowledge and understanding of health and safety as required;
14. Acquaint themselves with all processes, materials and substances used by them, using those substances in accordance with guidance/information provided e.g. COSHH assessments, hazard data sheets;

15. Make themselves aware of and participate in the fire evacuation procedure for their premises and become aware of the position of fire exits, alarms and equipment. Ensure that escape routes/exits are not blocked;
 16. When operating in a work environment outside the direct control of their immediate supervisor, identify and report to the person controlling the site so as to be informed of site safety rules or special requirements e.g. protective clothing;
 17. Not use equipment or materials which have been provided by their employer for purposes other than that for which they have been provided;
 18. Promptly report unsafe conditions, methods of work, practices, tools, plant, premises or equipment to their line manager/trades union representative/ Health and Safety Representative/employee representative and/or the Health and Safety Team as appropriate;
 19. Wear/use personal protective equipment as specified;
 20. Maintain high standards of site tidiness/good housekeeping;
 21. Seek advice on health and safety responsibilities and best practice where necessary.
- 2.9.2 All employees have a duty to co-operate at all times in the furtherance of the Policy objectives. The Council insists on safe working methods and employees disregarding safety rules and procedures drawn up for their and others' benefit will be liable to disciplinary action not excluding dismissal.

NOTE

- 2.9.3 During any periods of absence by employees, whether absence be because of leave, sickness or other reason, their duties and responsibilities for health and safety will be undertaken by the person conducting that person's general operational duties, thereby ensuring a continuation of health and safety focus.

2.10 Trade Union Safety Representatives

- 2.10.1 The Trade Union Safety Representatives must:

1. Represent employees in consultation with employers.
2. Co-operate effectively in promoting and developing health and safety measures;
3. Make representations to the employer in writing on general matters affecting the health, safety and welfare of other persons employed at the workplace.
4. Carry out safety inspections.
5. Represent their members in consultation with officers of the enforcement agencies.
6. Receive information from Inspectors.
7. Attend meetings of safety committees in their capacity as a safety representative.

3. Health and Safety Management

3.1 Arrangements for Applying the Policy

- 3.1.1 This Health and Safety Policy sets out a framework for the organisation and arrangements for health and safety across the Council. To support this policy and to effectively manage the health and safety risks and issues within the organisation, developed a series of topic-based health, safety and welfare policies and procedures have been developed and adopted. These policies provide the detailed arrangements for effective management of specific health, safety and welfare risks.
- 3.1.2 The policies and procedures are based on the legislative requirements and current industry best practice; they are formulated in accordance with the HSE management model HS (G) 65. The aim of the policies is to define the minimum knowledge needed to meet legal and corporate standards, and provide Planners, Implementers and Employees with effective guidance and support on how to manage the risks effectively and the specific responsibilities they need to comply with.
- 3.1.3 All corporate health and safety information will be available via the Council's Intranet site and / or Directorate Health and Safety Manuals.
- 3.1.4 Where appropriate safe-working procedures will be supported by health and safety training, instruction or information.

3.2 Procedures for Identifying and Dealing with Priorities

- 3.2.1 Managers will prioritise and deal with safety matters within their own area of responsibility and make arrangements to rectify matters relating to health and safety. Where the matter cannot be dealt with locally then the issue must be reported to their line manager immediately.
- 3.2.2 Leadership Team will prioritise health and safety issues of a general nature that potentially have a corporate effect and which involve policy decisions. It is recognised that Leadership Team may not be able to resolve some health and safety issues and as such will refer them to the elected Members (Cabinet or Employment Committee) for consideration and prioritising.

3.3 Accident & Incident Reporting

- 3.3.1 All accidents, health and safety related incidents, work related ill health, violent incidents or dangerous occurrences that occur at, or as a result of, work for the Council must be reported immediately following the Accident & Incident Reporting Procedure.
- 3.3.2 All incidents, accidents, ill health or dangerous occurrences will be reported verbally to their line manager and confirmed by the completion of an Accident & Incident Report Form and a copy forwarded to the Health and Safety Advisor. The forms are available on the Council Intranet site or from the Health and Safety Advisor.

3.4 Consultation

- 3.4.1 The responsibility placed on employers to provide employment that is safe for employees, clients and visitors can only be achieved with the co-operation of everybody involved in the organisation.
- 3.4.2 In order to facilitate this agreed consultation arrangements have been established to act as a forum for the exchange of views between employers and employees. Where there are difficulties that cannot be resolved at local level between supervisors and employees the issues will be brought to the attention of senior managers who will look to resolve by a wider consideration.

3.5 Occupational Health

- 3.5.1 The Council offers an Occupational Health Service to all employees. The service includes an immunisation programme, health surveillance and specialist medical advice.
- 3.5.2 To make use of these services please contact a member of the Personnel Services Team.

3.6 Reference & Information

- 3.6.1 All information regarding health, safety and welfare procedures and the necessary accompanying information can be found in the Council's Health, Safety & Welfare Manual, on the Council's Health and Safety Intranet site. Other relevant information will also be displayed on the health and safety notice boards.
- 3.6.2 The Health and Safety Advisor will be responsibly for distributing any updates to policies or procedures.

3.7 Risk Assessments

- 3.7.1 The Council will ensure that risk assessments are completed and reviewed for all hazards arising out of or in connection with the activities undertaken by the Council. Managers will be responsible for ensuring that risk assessments as required under Health and Safety Regulations have been undertaken, and that the hazards identified together with the preventative and precautionary control measures have been considered and recorded. The findings of the risk assessment will be passed to employees to safeguard their health, safety or welfare.
- 3.7.2 The Council will take account of the competence of relevant employees when conducting risk assessments. This will help in deciding what level of information, instruction, training and supervision is required.
- 3.7.3 Full details are contained within the Risk Assessment Procedure.

3.8 Training, Instruction & Supervision

- 3.8.1 Each employee who joins the Council must be fully trained in all aspects of Health & Safety as required by their job role and be able to demonstrate that they are fully competent to

conduct the tasks required of them. Training will be undertaken upon induction, upon assignment of a new role and at regular intervals.

- 3.8.2 Each employee will need to be competent to undertake their role. The Council considers that Competence is a combination of training, skills, experience and knowledge that a person has and their ability to apply them to perform a task safely. Other factors, such as attitude and physical ability, can also affect someone's competence
- 3.8.3 The Council will take account of the competence of relevant employees when conducting risk assessments. This will help in deciding what level of information, instruction, training and supervision is required.
- 3.8.4 Health and safety training will consist of
- correct safe systems of working on all equipment they are expected to use and tasks they are expected to do,
 - the correct use/storage of any personal protective equipment provided for them
 - The risks posed by tasks and equipment they are expected to use and the safety measures in place to eliminate or reduce these risks
 - The emergency and evacuation procedures
 - Their responsibilities towards health and safety
- 3.8.5 The health and safety training needs and competence of individual employees will be assessed by their line manager. Where a specific need is identified by managers they will make a written request as part of the PDR process.

4 Health and Safety Arrangements

4.1 Asbestos

- 4.1.1 The Council has a duty to comply with the Control of Asbestos Regulations. These Regulations prohibit the importation, supply and use of all forms of asbestos. They continue the ban of blue, brown and white asbestos and the use of second hand products such as asbestos sheets and asbestos boards. The ban only applies to new use of asbestos. If existing asbestos containing materials are in good condition, they may be left in place, their condition being monitored and managed to ensure they are not disturbed.
- 4.1.2 The council has a "duty to manage" asbestos. The council as the duty holder will:
1. take reasonable steps to identify if there are materials containing asbestos in non-domestic premises, and if so, its amount, where it is and what condition it is in;
 2. presume materials contain asbestos unless there is strong evidence that they do not;
 3. make, and keep up-to-date, a record of the location and condition of the asbestos containing materials and materials which are presumed to contain asbestos; A record of this information will be located at each premises.
 4. assess the risk of anyone being exposed to fibres from the materials identified;
 5. prepare a plan that sets out in detail how the risks from these materials will be managed;

6. take the necessary steps to put the plan into action;
7. periodically review and monitor the plan and the arrangements to act on it so that the plan remains relevant and up-to-date; and
8. provide information on the location and condition of the materials to anyone who is liable to work on or disturb them.

4.2 Contractor Safety

- 4.2.1 The Council recognises the need to ensure the health and safety of people other than its own employees who may be affected by its work activities. All reasonable effort will be made to liaise with contractors to ensure that everyone is complying with the same standards of health and safety.
- 4.2.2 All Contractors and sub- contractors, whilst working for the council will abide with all relevant health and safety legislation and follow all relevant procedures/working practices.
- 4.2.3 Premises managers will, where appropriate, ensure that proper arrangements are made to control contractors entering their premises or onto their site by referencing the Council's Contractor Safety Procedure.
- 4.2.4 If major work is to be undertaken then the Health and Safety Advisor must be notified in writing, prior to any procurement exercise being undertaken so that any technical health and safety information, which is required, can be included within the specification.
- 4.2.5 The Health and Safety Advisor must be advised when bids for major works are to be considered to ensure that any technical health and safety information is properly appraised.
- 4.2.6 Managers must ensure that any contractors' works being conducted within their work area are carried out in a safe manner. It is the aim of the Council to promote co-ordination and co-operation of health and safety arrangements between the two employers sharing the workplace.
- 4.2.7 All employees, and contractors, will ensure that every effort is made to protect service users/members of the public from the contractors' activities and further to ensure a courteous approach with the minimum possible disruption as far as is possible.
- 4.2.8 All employees, including contractors, will be advised of their legal duty to carry out their work operations in a safe manner, and to co-operate with the Council.
- 4.2.9 All contractors will be advised that under no circumstances will they be permitted to allow untrained, inexperienced or uncertified (where applicable) persons to work on the Council's sites unless they are properly supervised or undergoing appropriate training.
- 4.2.10 The Council's employees will be made aware of any work operations or processes by contractors which may affect their health, safety or welfare and be given adequate warnings, notification and instruction of any likely hazards which contractors operations may create.

- 4.2.11 Wherever practicable all operations carried out by contractors will be securely isolated by fencing or barriers and appropriate warning signs will be displayed.

4.3 Control of Substances Hazardous to Health (COSHH)

- 4.3.1 The Council is required to examine the workplace with a view to ensuring that neither the employer, employees nor any other person (whether at work or not) are exposed to any substance that may be hazardous to their health arising from any of the practices carried out or any substances used.
- 4.3.2 In order to do this an assessment of the risks to health must be made. Full details are contained in the Control of Substances Hazardous to Health Procedure.

4.4 Display Screen Equipment and Workstations

- 4.4.1 All reasonable steps will be taken by the Council to secure the health and safety of employees who work with display screen equipment (DSE). Full details are contained in the Council's Display Screen Equipment Procedure.

4.5 Drugs and Alcohol

- 4.5.1 Working under the influence of alcohol or drugs can seriously inhibit an employee's judgement and capabilities to undertake tasks in a safe manner. Employees are reminded to inform their manager if they are taking any prescribed or over-the-counter medication that could impair their judgement or ability to undertake tasks.
- 4.5.2 Further guidance on dealing with drugs and alcohol use can be found in the Managing Alcohol in the workplace procedures. Employees are able to gain support from the Council's Human Resource Services Team who can refer employees to Occupational Health services for counselling and support, if required.

4.6 Electricity at Work

- 4.6.1 The Council will ensure that the electrical installation at all Council premises/establishments are maintained and tested at appropriate intervals to ensure safety and a certificate of satisfaction is provided by a competent electrician at least once every five years or following any alterations etc. to the electrical installation.
- 4.6.2 All contractors engaged by the Council to carry out any electrical or electrically related work will be duly recognised by the electrical industry and only permitted to carry out such work if they are competent to do so.
- 4.6.3 For any operation that requires a permit to work then the instructions as laid down by such a permit will be strictly adhered to and never deviated from unless the issuer of the permit agrees and gives written consent.
- 4.6.4 Records of any maintenance or inspection to the electrical installation or portable appliances will be kept at the premises/establishment to which the electrical maintenance relates.

4.6.5 Portable electrical appliances will only be used for the purpose for which they were intended and in the environment for which they were designed and constructed.

4.6.6 Any faults to electrical appliances must be reported to the management and the equipment taken out of use immediately. Appropriate steps should be taken to prevent the equipment from being used again until a competent electrician repairs it.

4.7 Event Safety

4.7.1 The event manager will ensure an appropriate event safety plan, risk assessment and event layout is documented and that the plans are put into practice for the duration of the event. The Health and Safety Adviser should be informed of all events and, as a minimum, a copy of the documents should be sent to the Health and Safety Advisor for review.

4.7.2 Where external bodies co-ordinate events but use Council land it is important that there are appropriate contractual arrangements in place and an event booking form and terms and conditions of hire are accepted by the hirer.

4.8 Fire Precautions

4.8.1 The Council will ensure that a full and proper fire precautions procedure is operated at all its premises and fire risk assessments have been completed. The Council will liaise with the County Fire and Rescue Service and seek their assistance in establishing adequate measures for fire precautions at all its premises.

4.8.2 Attention will be given to the prevention of the outbreak of the fire and training will be given to all employees at regular intervals. An evacuation procedure will be established for all premises and employees will be provided with the precautions operating at their place of work and in its operation.

4.8.3 Fire drills will be held annually at all premises. A record of the drill will be kept on site at all premises.

4.8.4 The Council will ensure that adequate fire fighting equipment is made available in all its premises as required by the fire certificate, or as recommended by the County Fire Officer. A competent contractor will adequately maintain all such equipment. All other fire precautions equipment (e.g. fire alarms, emergency lighting) will also be maintained at the required intervals.

4.9 First Aid Provisions

4.9.1 The Council shall assess its requirements to provide first aid at each premises to ensure it meets the requirements of the First Aid at Work Regulations 1981 and Health and Safety (Miscellaneous Amendments) Regulations 2002.

4.9.2 The outcome of the assessment shall ensure that the number of qualified first aid personnel, appointed people and first aid facilities are appropriate for each premises. Full details are contained in the First Aid Provisions Procedure.

4.10 Gas Installations and Appliances

4.10.1 The Council shall ensure that all gas installations and appliances are inspected at suitable periods by a Gas Safe registered engineer. Any faults identified shall be rectified or the equipment taken out of use until a suitable alternative is identified.

4.11 Home Working

4.11.1 Home working provides a form of flexible working that can, in certain circumstances bring benefits to employees and the Council. However the success of home working depends on whether all the elements (i.e. the job, the person, remote facilities and the home) are suited to this type of working practice.

4.11.2 The Council is committed to the ongoing management, development and welfare of its staff and the use of home working, where possible, is viewed as a contribution to that commitment.

4.11.3 Managers may find that from time to time it is mutually beneficial to allow employees to work for an agreed temporary period of time from home.

4.11.4 Working from home is usually a short-term arrangement, which must be authorised by a Manager. However, before authorising home working, Managers must, alongside any contractual arrangements, consider the health and safety arrangements for the employee.

4.11.5 Full guidance on home working is contained within the home working procedures.

4.12 Legionella

4.12.1 Legionellosis is an infection caused by the bacterium *Legionella pneumophila*. The disease has two distinct forms:

- Legionnaires' disease, the more severe form of infection which includes pneumonia, and
- Pontiac fever, a milder illness.

4.12.2 Legionnaires' disease acquired its name in 1976 when an outbreak of pneumonia occurred among people attending a convention of the American Legion in Philadelphia. Later, the bacterium causing the illness was named Legionella.

4.12.3 The Council will take steps to Identify and assess of the risk of legionella infection, manage the risks by assigning management responsibilities, providing training, prevent or control the risk of exposure to legionella bacteria and maintain appropriate records.

4.13 Lifting Equipment

4.13.1 Lifting Equipment is identified in the Lifting Operations and Lifting Equipment Regulations 1998, as any equipment used for lowering loads including attachments used for anchoring, fixing or supporting it. These regulations include a wide range of equipment including cranes, forklift trucks, lifts, hoists, mobile elevating platforms and vehicle inspection platform hoists. The definition also includes lifting accessories such as chains, slings and eyebolts.

4.13.2 The Council has a duty to provide lifting equipment that is:

- Strong and stable enough for the particular use and marked to indicate safe working loads
- Positioned and installed to minimise any risks
- Used safely, for example work is planned, organised and performed by a competent person
- Subject to ongoing thorough examination (six monthly for passenger carrying lifting equipment and 12 monthly for non passenger carrying lifting equipment).
- Lifting equipment will be inspected and maintained by a competent person

4.14 Lone Working

4.14.1 The Council employs a number of people who work most or part of their day by themselves. It is the intention of the Council that where practically possible, lone workers should not be exposed to significantly more risks than employees who work together, that they are safe at all times and they can be traced back to their last visit in case of an accident or illness.

4.14.2 Lone Working and Personal Safety Awareness courses are essential for employees who may be “at risk” of violence and aggression. These courses are available by contacting the Health and Safety Team

4.15 Manual Handling

4.15.1 The Council will ensure that the Manual Handling Operations Regulations 1992 are complied with by ensuring that:

- Suitable and sufficient assessments are completed,
- Hazardous manual handling operations are avoided so far as is reasonably practicable,
- The risks of injury are reduced so far as is reasonably practicable, and
- All employees who carry out manual handling operations have received suitable training.

4.16 Needle Stick Injuries

4.16.1 The Council is committed to the highest possible standard of health, safety and welfare for all of its employees. It acknowledges the health hazards arising from needle stick injuries and shall take all reasonable steps to protect those employees that come into contact with needles and syringes.

4.16.2 When a hypodermic punctures the skin, cross contamination can occur between the user of the needle and the person pricked or cut with the needle. The Council will provide advice, guidance and support to any employee who suffers from a needle stick injury.

4.16.3 A risk assessment under the Management of Health and Safety at Work Regulations 1999 will be carried out to assess if there is a risk of needle stick injury. If there is found to be a risk then the Council will implement suitable control measures.

4.17 New & Expectant Mothers

4.17.1 Many women work while they are pregnant and may return to work while they are still breastfeeding. Some hazards in the workplace may affect the health and safety of new and expectant mothers and of her child. Therefore, working conditions normally considered acceptable may no longer be so during pregnancy and while breastfeeding. Full details are contained in the Council's New and Expectant Mother Procedure.

4.18 No Smoking / Passive Smoking

4.18.1 Since July 2006 it has been illegal to smoke in any enclosed public place, enclosed work place or vehicle used for work.

4.18.2 To promote better health and reduce passive smoking among employees the Council has had a no smoking policy since April 2002.

4.19 Noise

4.19.1 The Control of Noise at Work Regulations requires the Council to prevent or reduce risks to health and safety from exposure to noise at work. Employees have duties under the regulations too.

4.19.2 The Council will:

- Assess the risks to employees from noise at work
- Take action to reduce noise exposure that produces those risks
- Provide employees with hearing protection if noise cannot be reduced by using other methods
- Make sure the legal limit on noise is not exceeded
- Provide employees with instruction, training and supervision
- Carry out health surveillance where there is a risk to health

4.20 Personal Protective Equipment

4.20.1 Employees will be provided with any protective clothing and equipment identified as being necessary to protect their health and safety.

4.20.2 Managers/Supervisors will ensure that their employees make proper use of the protective equipment made available to them and provide replacement equipment when circumstances require. It is the responsibility of all employees to use protective equipment provided to them and to report to their line manager any loss or defect of such equipment.

4.20.3 Further details are contained in the Council's Personal Protective Equipment Procedures.

4.21 Petrol and Diesel Use & Storage

4.21.1 Some services store quantities of petrol and diesel fuel within the workplace. This could be for vehicles, plant and equipment such as mowers, strimmers and the like. These can be highly flammable substances and the Council must ensure that this is done safely and the correct equipment/storage facilities, precautions and controls are put in place.

4.21.2 Risk assessments for the storing, transporting and use of petrol/diesel must be completed.

4.22 Safety Signs

4.22.1 Safety signs are covered by the Health and Safety (Safety Signs and Signals) Regulations. To comply with these regulations the Council is required to provide specific safety signs whenever there is a risk that has not been avoided or controlled by other means, for example safe systems of work or engineering controls. Where a safety sign would not help reduce the risk or where the risk is not significant there is no need to provide a sign.

4.22.2 The regulations require road traffic signs to be used within workplaces to regulate road traffic.

4.22.3 The Council will maintain all safety signs that have been provided by the Council.

4.22.4 The Council will identify any signs that are unfamiliar to employees and tell them what to do when they see a safety sign.

4.23 Slips, Trips and Falls

4.23.1 Through its risk assessment process the risks of slips, trips and falls shall be assessed and action taken to reduce its risks to a reasonably practicable level.

4.24 Stress

4.24.1 The Council understands that from time to time employees can be affected by stress and not everyone deals with it in the same way. If it is intense and goes on for some time it can lead to mental and physical ill health and is fast approaching one of the top reasons for absenteeism in the workplace.

4.24.2 With good management the Council can help to reduce work related stress where it is already occurring, and can prevent it in the first place.

4.24.3 The Personnel Services team should be contacted for help with dealing with work related stress and along with the Health and Safety Adviser will seek to help and support employees as appropriate.

4.25 Suspect Packages

4.25.1 The Council could receive a suspect package in many forms. Whilst a suspect package received from a terrorist could have serious consequences the likelihood of it occurring is low.

4.25.2 The Council does however occasionally receive packages that are "suspect" in their nature and require dealing with extreme care. Such packages may be sent by local or regional activists or from members of the community who use it as a way of protest. Unpleasant items such as animal waste, dead animals, bodily fluids or sharp objects could all cause risks if employees came into contact with them.

4.25.3 The Council will ensure that appropriate procedures, advice and guidance is available to ensure the threat of suspect packages is effectively managed

4.26 Tree Management

4.26.1 The Council owns a substantial number of trees and recognises it has a duty to ensure that its stock is maintained in a way that reflects good practice, minimises the risks of trees failing or growing in such a manner that threatens people's health and property and which ensures that the tree stock is protected.

4.26.2 The Council's Tree Management Policy sets out the procedures in place to manage its tree stock.

4.27 Vibration

4.27.1 The Council has a responsibility to protect our employees from the effect of Vibration. Full details are contained in the Council's Vibration Management Procedure.

4.28 Violence at Work

4.28.1 The Council recognises that some employees are at potential risk of violent and / or threatening behaviour at work. This is particularly true of front line services dealing with members of the public, where the public may be in a heightened emotional state. Examples include; withdrawal/reduction of benefit payments, enforcement action, anti social behaviour around premises, difficulty in resolving homelessness issues etc.

4.28.2 The Council will not tolerate any act of violence and/or aggression towards its employees and will take action. Personal Safety Awareness courses are essential for employees who may be "at risk" of violence and aggression. These courses are available by contacting the Health and Safety Team.

4.29 Work Equipment

4.29.1 The Council has a legal responsibility under the Provision and Use of Work Equipment Regulations to ensure that the equipment we provide is fit for purpose and is regularly serviced and maintained.

4.29.2 All equipment needs to be checked regularly to ensure it is working correctly, does not pose a risk to people who may come into contact with it and that all safety related features are functioning.

4.29.3 The frequency and type of checks and maintenance will depend on the type of machinery, the frequency of use, the risks posed by the equipment and the environment it is used in. Maintenance on equipment may be planned preventative (e.g. servicing), internal upkeep or as a response to breakdown. Safety checks can range from a simple users visual check to an Insurance Report or Written Scheme of Examination.

4.29.4 The Council will ensure that all plant and equipment is maintained in a safe condition and without defects likely to cause a risk to the health and safety of any employee.

- 4.29.5 All work equipment which is subject to a statutory inspection, such as lifts, hoists, pressure systems, abrasive wheels etc. will be maintained on a planned basis and also inspected by the Council's Insurance Engineer to comply with the Provision and Use of Work Equipment Regulations 1998 and the Lifting Operations and Lifting Equipment Regulations 1998.
- 4.29.6 All plant and equipment will be maintained in accordance with the manufacturers' instructions to ensure its safe operation.
- 4.29.7 The Council will only purchase work equipment that meets the minimum required standards laid down by the European Union and which is marked with CE logo and/or the appropriate British Standard.
- 4.29.8 All employees will receive the necessary information, instruction, training and supervision to ensure the safe operation of work equipment in line with procedures and safe working practices.

4.30 Working at Heights

- 4.30.1 The Council has a duty to comply with the Working at Heights Regulations. In order to comply the Council will ensure:
- Where possible working at height will be eliminated
 - All work at height is properly planned and organised and risk assessments completed
 - All work at height takes account of weather conditions that could endanger anyone's safety
 - Those involved in work at height are trained and competent
 - The place where work at height is done is safe
 - Equipment for work at height is appropriately inspected
 - The risks from fragile surfaces are properly controlled
 - The risks from falling objects are properly controlled

4.31 Working Time

- 4.31.1 The Council recognises that control of working hours is an essential part of promoting health at work, but it is accepted that there is also a need to balance this with the requirement to provide high quality services.
- 4.31.2 The Council will ensure that it remains compliant with the requirements of the Working Time Regulations.

4.32 Workplace and Welfare Facilities

- 4.32.1 The Council shall ensure that all workplaces meet the health, safety and welfare needs of all members of the workforce.
- 4.32.2 This will include providing
- Sufficiently ventilated enclosed work areas
 - A reasonable comfortable temperature in work rooms without the need for special clothing
 - Suitable lighting
 - Adequate space for employees within workrooms

- Suitable floor and traffic routes free from uneven and slippery surfaces
- Sufficient number of sanitary conveniences and washing facilities
- A supply of drinking water
- Provision of accommodation for clothing to store workers own and work clothing
- Facilities for changing to/from work clothes
- Facilities for rest and to eat meals

4.33 Workplace Transport

4.33.1 Workplace Transport means any vehicle that is used on council business. This can include but not limited to forklift trucks, compact dumpers, mowers, quad bikes, tractors, mobile cranes, cars, vans and large goods vehicles when these are operating on or off the public highway.

4.33.2 The Council will through its risk assessment process consider the risks of workplace transport activities both on and off Council sites. Procedures will ensure that employees are competent to carry out workplace transport tasks.

4.34 Young People

4.34.1 Young people, especially those new to the workplace, will encounter unfamiliar risks from the jobs they will be doing and from the working environment.

4.34.2 Key risks for young people when starting work may arise because of their lack of experience or maturity and not having the confidence to ask for or knowing where they can get help

4.34.3 The Council will ensure that:

- A suitable risk assessment is completed
- They are suitable trained in the area they are in
- They will have a supervisor responsible for their training and available to answer any question or queries they may have

5. Measuring Performance

- 5.1 Directors will ensure that managers and supervisors of their respective services will carry out active monitoring of health and safety by regular inspection and checking to ensure that standards are being maintained and appropriate controls are working. Any items for remedial action should be reported to the Director. Health and Safety will be a standing item on team briefs.
- 5.2 Reactive monitoring will also take place if things go wrong, which will include investigating injuries, cases of illness, property damage and near misses. The Health and Safety Advisor will arrange this.
- 5.3 The Health and Safety Advisor will produce reports as required on health and safety issues including performance, actions from risk assessments and safety inspections and progress on a health and safety plan. This will be discussed at Leadership Team via the Corporate Champion.
- 5.4 The following key performance indicators will be reported. The results of these indicators will be provided to Policy Makers and Planners annually and published in the Annual Report

Employee Indicators

- Number of accidents to employees
- Number of accidents to employees that are to be reported under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR 1995)
- Accident rate per 1000 employees
- Days lost due to accidents at work to employees
- Number of violent or threatening incidents reported
- Number of training days delivered
- Number of health and safety audits completed

Public Indicators

- Number of accidents to the public

Additional indicators

- Number of Liability claims received
- Costs of liability claims settled

6. Monitoring and Review

6.1 Monitoring of the Policy

- 6.1.1 This Policy will be monitored actively through health and safety auditing systems carried out by the Health and Safety Team, and also through the role and functions of Trades Union appointed Health and Safety Representatives / Employee Representatives. It will also be reactively monitored by the continued collation of accident, near miss, violent incident and ill health, statistics produced on a regular basis.

6.2 Review and Communication

- 5.2.2 This policy will continually be developed, reviewed and updated, as necessary (at least every two years). Any changes will be brought immediately to the attention of all managers and employees through communication channels, Health and Safety Committees, employee newsletters, employee notice boards, employee briefing meetings, training courses etc.
- 5.2.3 A copy of this Health and Safety Policy, which is a declaration of the Authority's commitment to health, safety and welfare, will be made available to all employees.

6.3 Supporting Information

- 6.3.1 The Council's Health and Safety Policy is supported by other policies and procedures covering many aspects of health and safety.
- 6.3.2 The Council may add to, delete or amend procedures from time to time in the interest of continuous improvement of the health and safety management system. Each new or amended Policy/Procedure will, following the relevant consultation process, be brought to the attention of all employees.
- 6.3.3 The Health and Safety Policy is also supported by various health and safety training courses. The Health and Safety Advisor should be contacted for a current list of courses.

7. Auditing

6.1 Auditing

6.1.1 One of the priorities of our business is to ensure that everyone who visits our premises, whether customers, suppliers, contractors or colleagues, do so in a safe environment. To meet both the Council's legal obligations and customer expectations, the following checking procedures are completed:

- Site Health & Safety Inspections – completed by the Service Area Management team
- Internal Health & Safety Audit – conducted by the Health & Safety Advisor
- Support Visits – conducted by the Health & Safety Advisor

6.1.2 In addition to these, but not managed by the Health & Safety Team, are Internal Financial and Technical audits, both of which contain a health and safety element.

6.1.3 The findings of these audits will be made available to Policy Makers and Planners and the action plans to address any issues will be implemented as soon as reasonable. Any findings which have the potential to result in serious injury will be reviewed by the Health and Safety Team along with remedial actions implemented to control the risk so far as is reasonably practicable.

6.1.4 The findings of any HSE audits will be shared with Policy Makers and Planners to ensure that a consistent approach is taken across the Council to resolve any issues identified. The findings and details of the actions being taken will be documented in the annual report.

Directorate Audits

6.1.5 The Health and Safety Team will complete an audit of each lower risk service at least once every 3 years. Services with greater health and safety risks (e.g. Leisure, Parks, Joint Waste, Ground Maintenance etc) will be audited on at least an annual basis. The findings will be made available promptly to the relevant managers/premise managers, Director and trade union and employee representatives

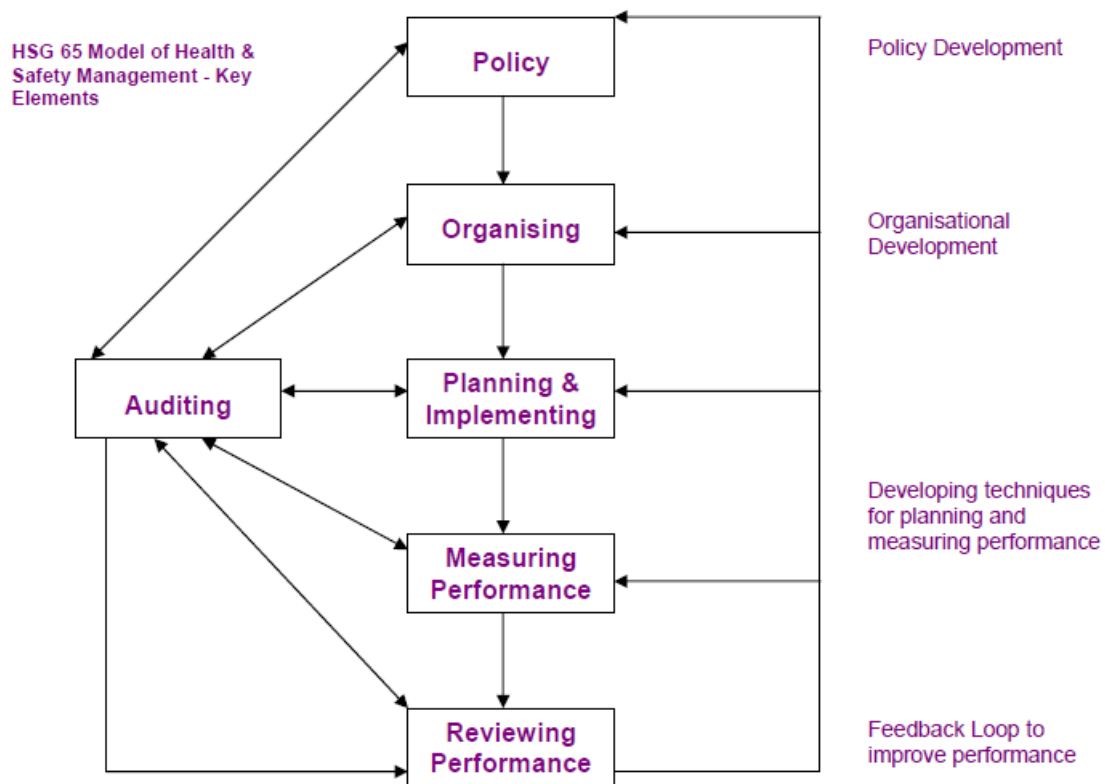
6.1.6 In addition to the internal audits, some of the Council's workplaces may also receive an external audit by an approving body or enforcing Authority such as HSE, Fire and Rescue Service, Environment Agency, OFSTED etc, which incorporates a review of the workplaces health, safety and welfare management arrangements. The findings of these audits will be considered and acted upon accordingly.

8 Appendices

Appendix 1

8.1 The Health, Safety and Welfare Management System Model

- 8.1.1 The Council has adopted the Health and Safety Performance Management model produced by the Health and Safety Executive HSG65. The model also incorporates elements of the international environmental management systems standard, ISO 14001, and the Occupational Health and Safety Management Systems specification, OHSAS 18001.
- 8.1.2 The Council's Health and Safety Management System allows a common approach to be adopted across all Directorates. The key elements are outlined below and are supported by the fundamental requirement for 'Leadership, Commitment and Involvement'.



EMPLOYMENT COMMITTEE

15 July 2015

Agenda Item: 6

Contact Officers: Steve Langston

Telephone: 308107

REPORT OF THE HEALTH AND SAFETY MANAGER

HEALTH & SAFETY ANNUAL REPORT

1. PURPOSE OF REPORT

- 1.1 To inform the Employment Committee of the number of health & safety related incidences in the year 2014/2015, to describe key actions to improve the council's health & safety performance and to outline the number of claims made against the council for injury or damage.

2. RECOMMENDATION

- 2.1 It is recommended that the Employment Committee notes the contents of the report.

3. BACKGROUND

- 3.1 The Council is required to monitor its performance in relation to health and safety.
- 3.2 The draft Health and Safety Policy (July 2015) states that:
- Health and Safety arrangements, and performance, will be monitored by Members through Employment Committee in conjunction with the Chief Executive and Directors.*
- 3.3 A set of initial performance information is included with the report which describes the number of incidents and accidents. This is the first such report to be considered by this committee.

4. Consultation

- 4.1 This report has been shared with Leadership Team and with the Employee Liaison Group which includes representatives of the union.

5. Financial Implications

- 5.1 There are no financial implications arising from this annual report. However, it is recognised that there is always a cost to the council in dealing with incidents and accidents.

6. Human Rights Issues

- 7.1 None identified from this report.

8. Risk Management Issues

8.1 The risks are identified below.

Description of Risk	Likelihood/ impact	Risk Status	Countermeasures
Failure to monitor performance leading to risks not being managed effectively.	Low / Medium	Legal Personnel Financial Reputational	The Health and Safety Policy is updated and service risk assessments regularly reviewed. Regular performance reports provided for service managers, Leadership Team and Employment Committee

Background Documents:

- (1) Successful Health and Safety Management HSG65 (HSE guidance document)

working together } for a safer workplace

Lichfield
district Council
www.lichfielddc.gov.uk

Tamworth
Borough Council



Health, Safety and Insurance Report

Lichfield District Council

July 2015

Introduction

As part of the Council's monitoring arrangements for health, safety and insurance this report has been produced to provide Employment Committee with an overview of Council performance over the previous 8 years. A copy of this report was considered at Leadership Team in June 2015.

Background and Information

The Health and Safety at Work Act requires the Council to have appropriate procedures in place to ensure that health, safety and welfare risks are appropriately controlled. The requirement extends to ensure Directors and Senior Managers monitor the systems and procedures in place. The purpose of this report is to provide Employment Committee with an overview of performance through statistical analysis, a snapshot of current policy and procedure priorities and information on new or developing legislative pressures / impacts. The report also includes statistics relating to the Insurance function which is also a responsibility of the team.

Statistical Analysis

Accidents and incidents

Accident and incident statistics, measured over an annual cycle (April to March), are demonstrated on **Appendix 1**.

The statistics within these graphs relate to all incidents where first aid treatment was administered. As such the statistics include "accidents" where no fault could be identified. This could be for first aid treatment for fainting, sports related injuries, application of plasters for blisters, swimmers bumping into each other etc. Only a small minority of incidents require further investigation and subsequent action to control the risks. The level of reporting across the Council is considered good with a strong understanding of the accident reporting procedures being demonstrated.

Notes relating to Appendix 1

Employee Accidents

- The number of accidents involving employees continues to show a downward trend and is considered in line with local Authorities with similar services.
- Employee accidents show a downward trend across all service areas. As expected Joint Waste continues to report the greatest number of accidents largely because of the manual type of activity that is conducted and an ageing workforce in this area. Trends and individual incidents are reviewed and action taken as necessary
- The number of incidents reported to the Health and Safety Executive remain low and in line with other Local Authorities with similar services.

Public Accidents

- The number of accidents involving members of the public remain relatively static and in line with other Local Authorities with similar services.
- The vast majority of accidents reported to members of the public is as a consequence of the services provided within Leisure and Parks.
- Accidents to members of the public generally show a downward trend across most service areas. The number of accidents within parks and open spaces shows an increase over the period from 2010. It is felt that this increase is down to an improvement in reporting of incidents as most incidents reported are of a very minor nature.
- The number of incidents reported to the Health and Safety Executive remain low and in line with other Local Authorities with similar services.

Insurance

Insurance related statistics, measured on an annual cycle (April to March), are provided on Appendix 2

*Notes relating to **Appendix 2***

This graph identifies annual trends in the number of claims being made against the Council across its 3 main policy areas (Employers Liability, Public Liability and Motor Fleet).

- The number of public liability claims made against the Council remains relatively static and in line with local Authorities with similar services.
- The number of employers liability claims made against the Council remains relatively static and is slightly lower than Local Authorities with similar services.
- The number of Motor Vehicle Fleet claims made against the Council appears to have peaked in 2011 (when Lichfield and Tamworth formed the Joint Waste Service) and is showing signs of decreasing.
- The number of claims successfully defended is high on both public liability and employers liability policies.

Motor Vehicle Fleet insurance is the largest value policy in terms of premiums paid. It remains the area where most claims are made against the Council with the majority coming within the Refuse and Recycling service. The greatest cause of Motor Vehicle accidents is reversing. This is a priority action area for the team to work with the joint waste service. A graph showing the number of reversing accidents is shown within Appendix 2.

A reduction on premiums has been achieved for the 2015/16 insurance year following another successful tendering exercise. These savings were achieved by demonstrating that fleet risks were under control, employees were competent to undertake their roles, the value of claim pay-outs were declining etc.

Training Courses

A significant number of health and safety training courses have been delivered over the period. The courses have been aimed at raising awareness of employees at all levels both from a personal awareness and skills updating point of view. The courses have resulted in around 200 people attending a session. Courses have included:

- Health and safety for managers (9 attendees)*
- Health and safety risk assessment (18 attendees)*
- Fire marshal (31 attendees)*
- COSHH assessments (4 attendees)*
- Health and safety awareness (43 attendees)*
- Personal safety (8 attendees)*
- First aid (21 attendees)
- Defib Training (36 attendees)
- Display Screen Assessor training (8 attendees)*
- IOSH Managing Safely (26 employees)
- Accident Investigation training (20 employees)

*these courses are delivered by the health and safety team

Enforcing Authority Correspondence

There have been no visits, requests for information, correspondence or enforcement action from the Health and Safety Executive.

Staffordshire Fire and Rescue have not undertaken any enforcement action.

Issues for Resolution / additional information

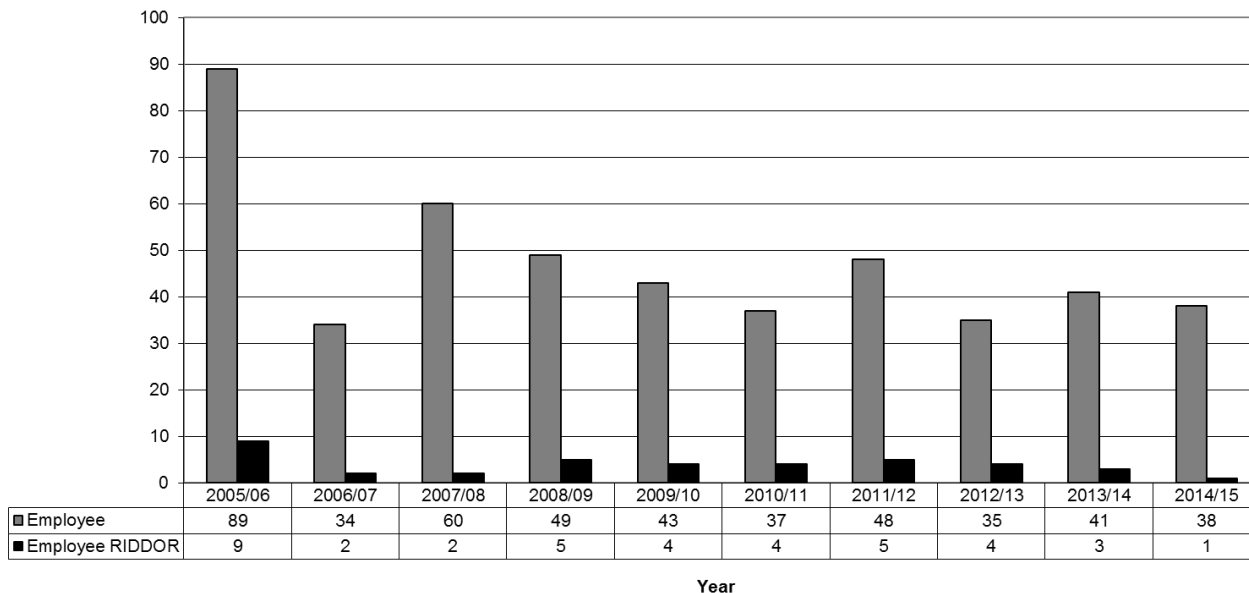
Over the next 12 months the team intend to continue to develop / review procedures (Workplace Transport, Violence and Aggression) and develop and deliver new training courses across the council.

It remains apparent that although the number of proactive HSE safety inspections is less in local government than in previous years there is a greater emphasis on self-management / peer compliance checks. HSE interaction is targeted at specific service areas particularly Refuse and Recycling, and investigation of serious accidents. There is a suggestion that there will be a national audit programme of all theatre type premises over the next 18 months looking at working at height issues.

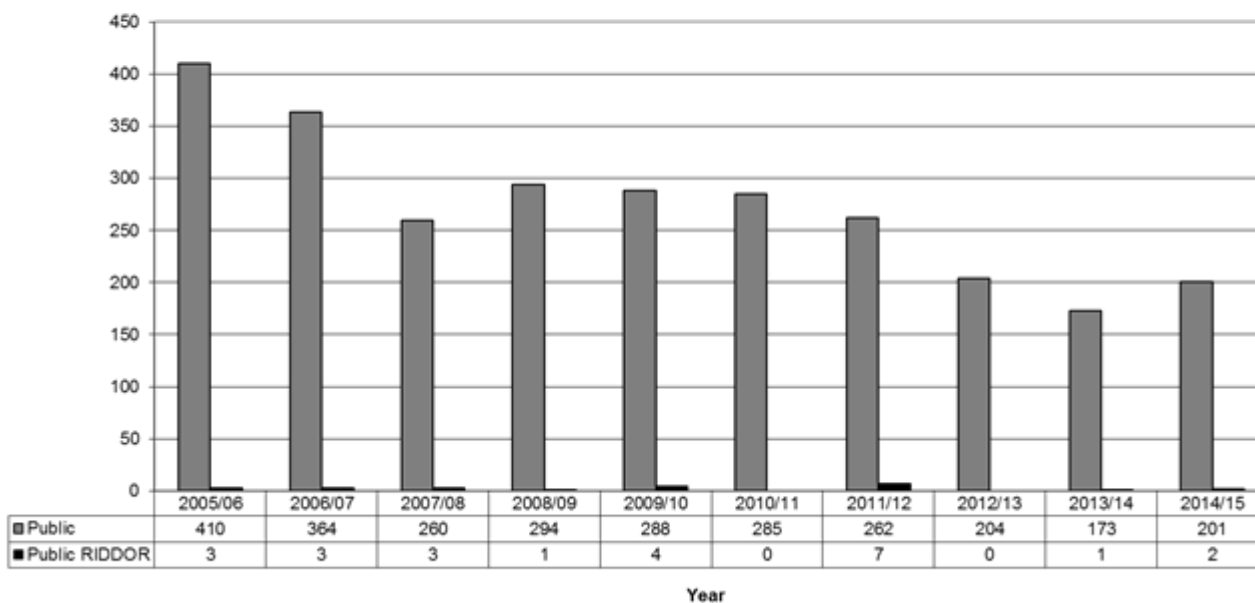
It is likely that there will be a HSE audit of the Joint Waste Service over the next 18 months as part of a national audit programme. The last audit of this service was undertaken in 2011 where the Council was deemed to have a good level of compliance with minor recommendations being made. The requirement for round risk assessments is one area that is currently being targeted by the HSE and it is noted that at the time of writing this report that Joint Waste have strategies in place to undertake these assessments.

Signed: _____ **Date: July 2015**
Steve Langston, Health & Safety Manager

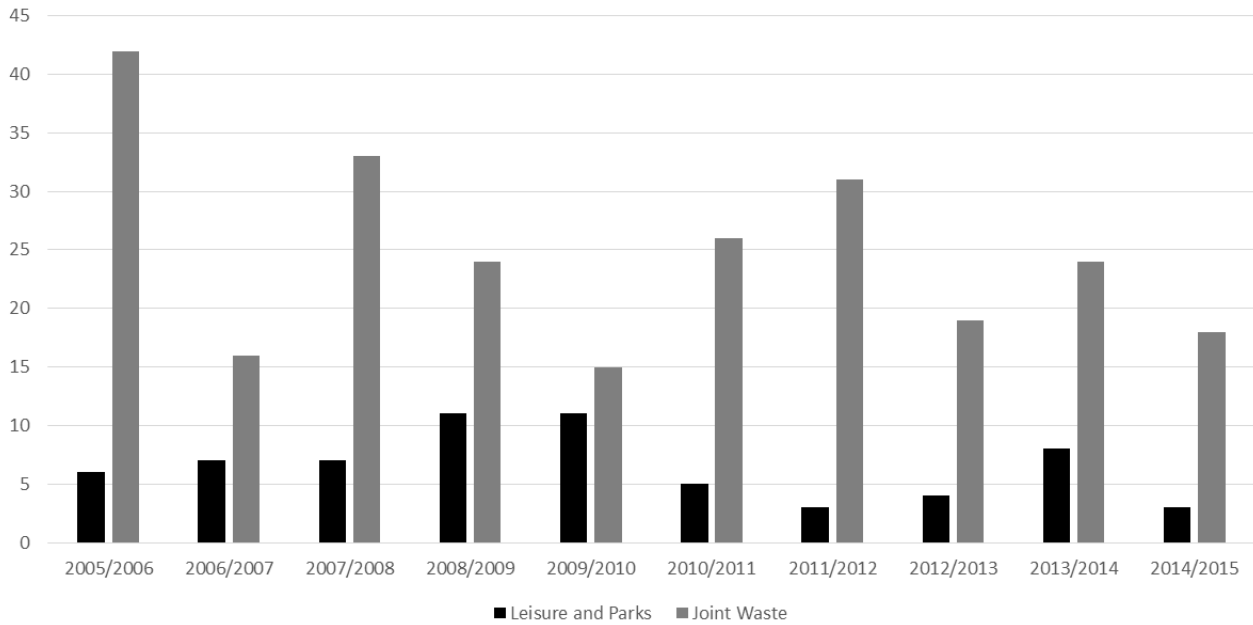
Reported Accidents to Employees by Year
April 2005 to March 2015



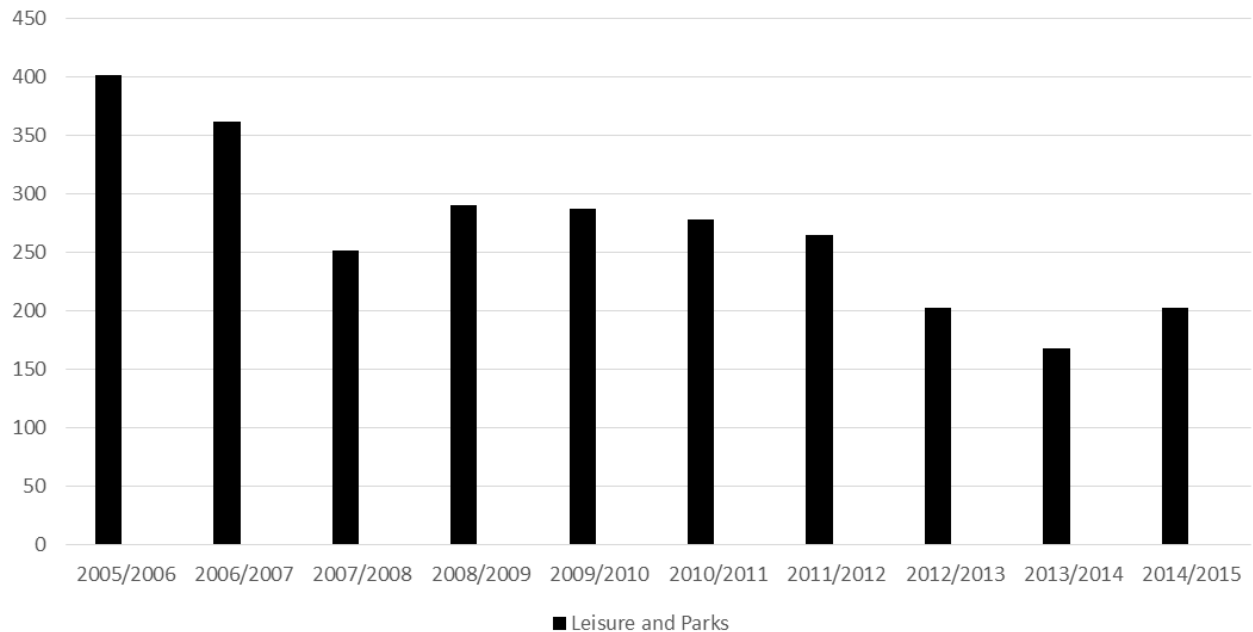
Reported Accidents to Members of the Public by Year
April 2005 to March 2015



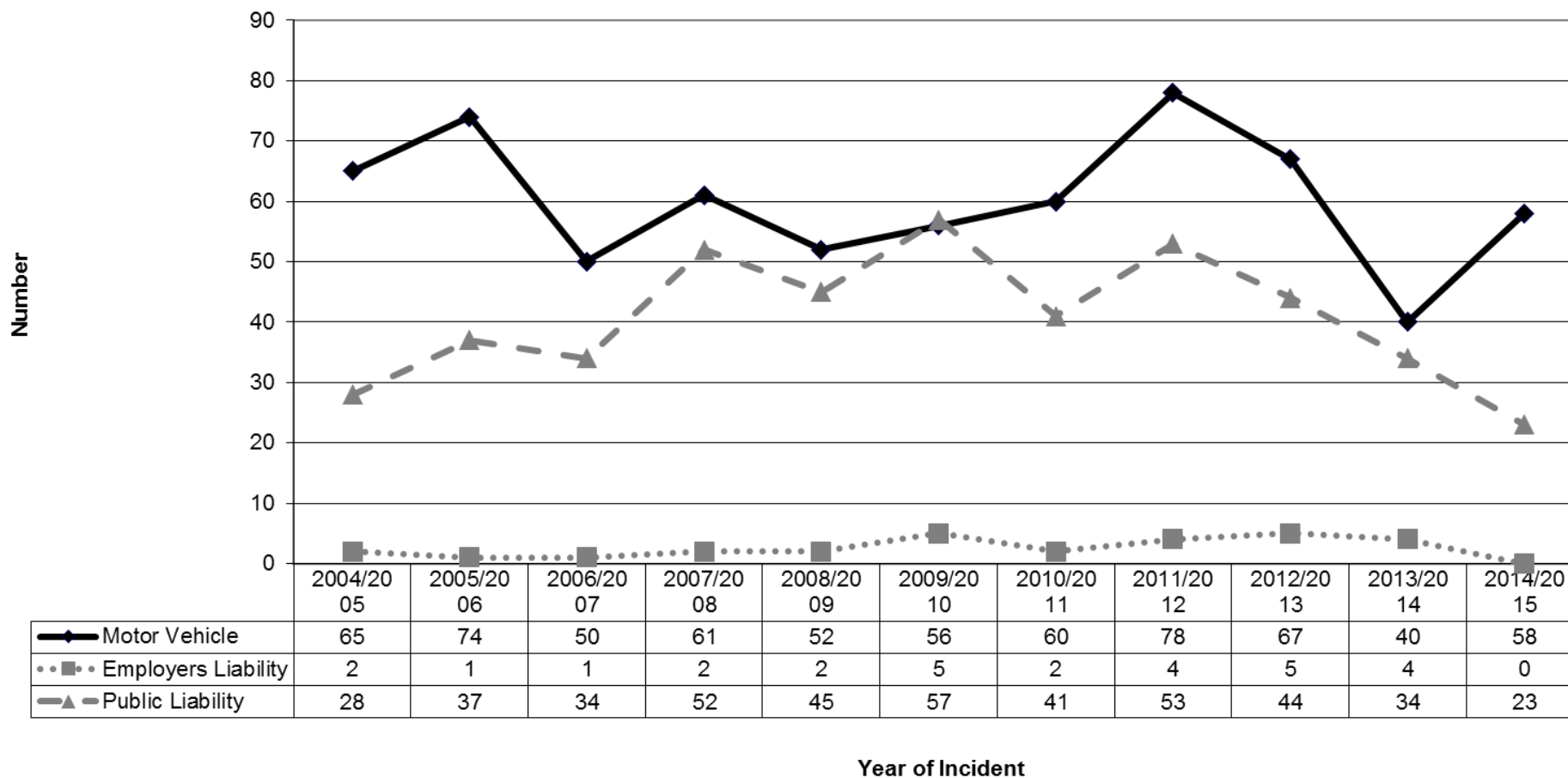
Reported Accidents to Employees by Main Service Area
April 2005 to March 2015



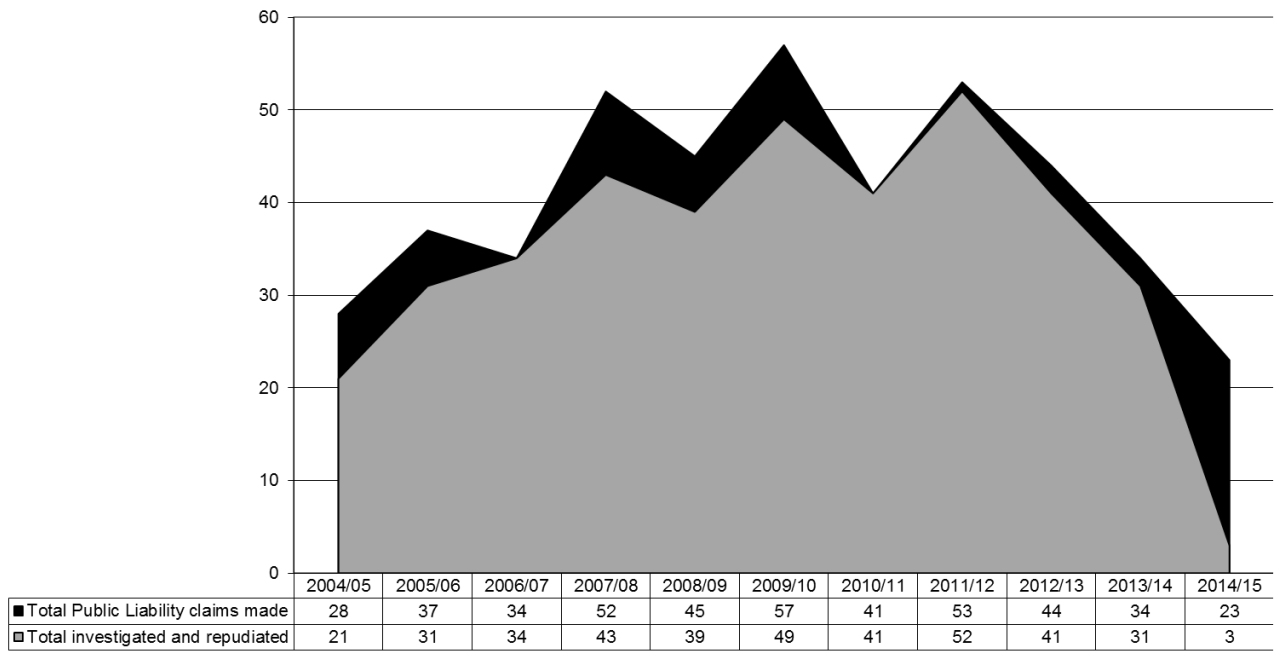
Reported Accidents to Members of Public
by Main Service Area
April 2005 to March 2015



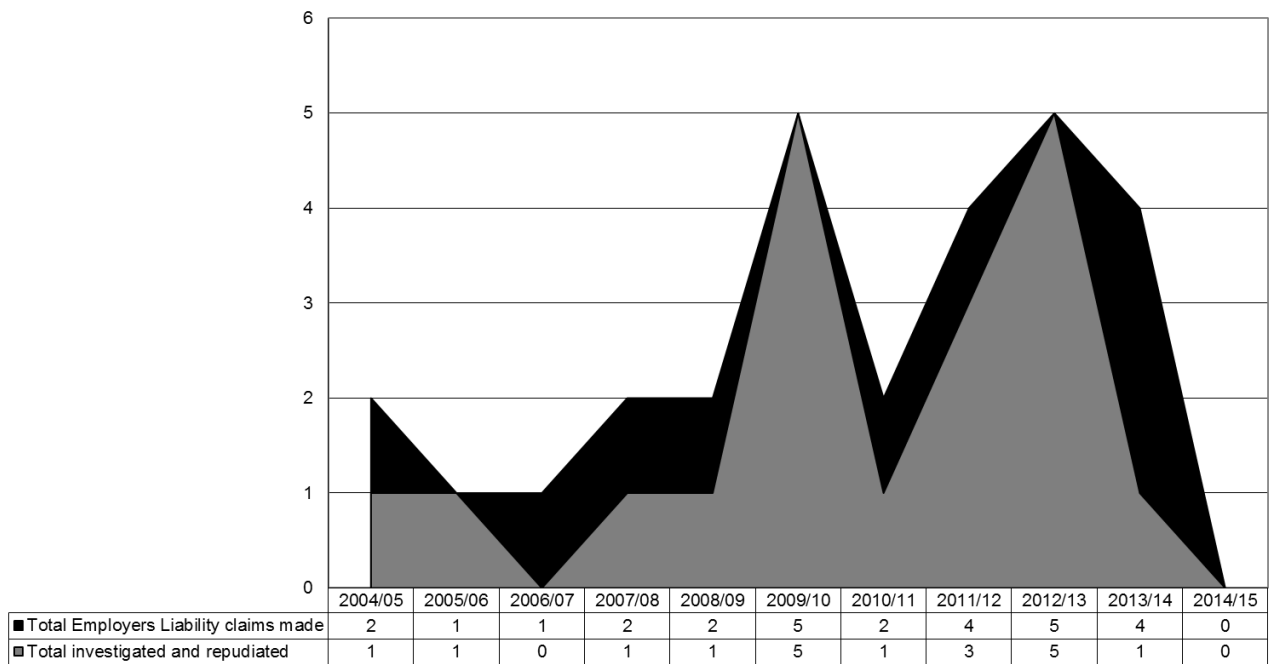
Number of insurance claims received (By Incident Date)



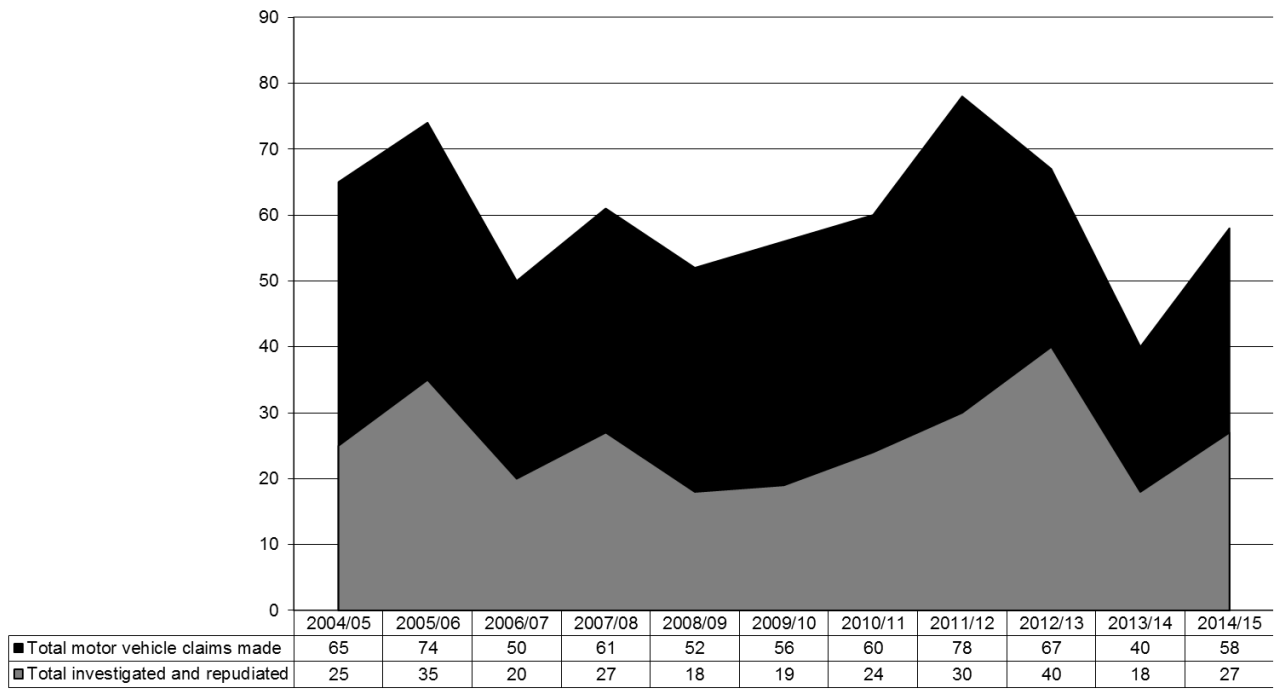
Public liability claims made versus defence of claim



Employer liability claims made versus defence of claim



Motor vehicle claims made versus defence of claim



Insurance claims where reversing was the cause

