

PERSONNEL COMMITTEE

24 November 2008

MANAGEMENT OF HEALTH AND SAFETY - UPDATE

REPORT OF HEAD OF ORGANISATIONAL DEVELOPMENT

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RECENT REFERENCES:

PS339 - Internal Audit End of Year Report for 2007/08 – 9 June 2008

PS342- Health and Safety Update – 14 July 2008

EXECUTIVE SUMMARY:

This report provides an update on Health and Safety reporting and monitoring processes that are required following the Internal Audit End of Year Report for 2007/08 (Report PS339 refers) and the results of an inter authority audit. It sets out the roles and structure necessary to deal with health and safety matters to ensure that the Council meets its obligations towards the management of health and safety for staff, property and contractor management.

The report identifies the key areas of action that are required and detailed action plans will be further developed and progress reported on to a future committee.

RECOMMENDATIONS:

That the contents of the report be noted and the approach be endorsed.

PERSONNEL COMMITTEE24 November 2008MANAGEMENT OF HEALTH AND SAFETY - UPDATEREPORT OF HEAD OF ORGANISATIONAL DEVELOPMENTDETAIL:1 Introduction

1.1 In response to an inter authority audit of Health and Safety and an internal audit report which identified a number of health and safety management issues and highlighting inconsistencies at divisional level the Council has reviewed its approach to Health and Safety management to ensure good practice and consistent high standards across the organisation.

2. Course of Action

2.1 The Chief Executive has overall responsibility for Health and Safety working with the Head of Organisational Development (with delegated authority) and the Corporate Management Team.

2.2 Corporate Management Team has agreed to the establishment of the roles and structures necessary to ensure the Council meets its obligations towards staff on health and safety matters. There is also a wider need to ensure there are robust arrangements in place for health and safety dealing with the Councils managed or owned property and through its Contractors

2.3 The implementation of a process for managing health and safety has been established as shown in the table below.

Structure	Role	Lead Members / Officers	Reporting
Member Champion	Ensure an effective overview and regular monitoring is conducted and to act as a Councillor Health and Safety Champion.	Portfolio holder for Performance and Organisational Development	Cabinet and relevant committees
Corporate Health and Safety Management Group	Oversee action planning and delivery on Health and Safety Matters across the Council.	Head of Organisational Development working with Group representatives, Health and Safety Advisor, Risk	Quarterly meetings reporting to Corporate Management Team

		Management and Insurance Officer and with Union safety representatives.	
Contract Management	Work on identified aspects of Health and Safety management of Contract Management. Linked to other aspects of Contract Management work	Corporate Director (Operations) working with Head of Organisation Development	Corporate Health and Safety Group
Property Management	Work on identified aspects of Property Management. Linked to other aspects of Property Management work	Head of Estates, Head of Contracts and Property Services and Head of Organisational Development	Corporate Health and Safety Group
Health and Safety Committee (Internal)	Monitoring and co-ordinating role at a Divisional level highlighting any gaps or shortcoming in current arrangements which need to be addressed.	Health and Safety Advisor working with identified Divisional Health and Safety Reps.	Quarterly meetings reporting back to the Corporate Health and Safety Group

- 2.4.1 The Corporate Health and Safety Group has been established and Appendix 1 shows the Terms of Reference for this Group. Appendix 2 sets out the proposed prioritised work programme for this Group as approved by Corporate Management Team.
- 2.4.2 Members are asked to consider the terms of reference and the key areas of work and endorse this approach to ensure that the Council meet the Health and Safety duties placed upon the Council.
- 2.5 Subject to this endorsement the Corporate Health and Safety Group will develop a detailed action plan to implement the identified improvements needed. Progress upon this action plan will be reported back to Personnel Committee on an annual basis. Any issues arising which require Member consideration shall be reported to the Corporate Management Team and subsequently to the Corporate Governance Group and relevant Committee(s) or Cabinet as considered appropriate.

OTHER CONSIDERATIONS:

3. CORPORATE STRATEGY (RELEVANCE TO):

- 3.1 Relates to the Corporate Strategy's statement on the requirement to deliver our service in the most cost efficient manner and making the best use of all available resources.

4 RESOURCE IMPLICATIONS:

- 4.1 Staff time will be provided from within existing resources. There are no additional financial resources required.

BACKGROUND DOCUMENTS:

Documents held within Human Resources

Appendix 1 - Corporate Health and Safety Management Group - Constitution, Aims and Functions

Appendix 2 - Corporate Health and Safety Management Group – Priority Actions

Appendix 1

WINCHESTER CITY COUNCIL – CORPORATE HEALTH & SAFETY MANAGEMENT GROUP

CONSTITUTION, AIMS AND FUNCTIONS

Membership

- Head of Organisational Development
- Representative(s) from the Corporate Groups
- Unison Safety Representatives
- Health and Safety Advisor
- Risk & Insurance Advisor
- Performance & Organisational Development Portfolio Holder
(Corporate Health and Safety Champion)

Other officers may be co-opted as required for set periods or to support specific projects or activities.

The Group can require individuals to attend meetings to provide information and reports on any health and safety related topics.

Chairman

The Chairman of the Group will be the Head of Organisational Development who will provide a link to the Corporate Management Team (CMT).

Agenda / Minutes

The Organisational Development Division will be responsible for administration i.e. room bookings and minute taking.

The Health and Safety Advisor will be responsible for the compilation of the agenda in consultation with the Chair of the Group for the meetings and for distribution to the Group members.

Agenda items must be submitted 10 working days in advance of any meeting and must be referred to the Health and Safety Advisor. Urgent items can be submitted at any time during this period.

Minutes of the meetings will be forwarded to members of the Internal Health and Safety Committee. Minutes will also be available to all employees via the intranet. Items of a confidential nature will be excluded.

Any issues arising from the meeting which require Member consideration shall be reported in the first instance to the Corporate Management Team Corporate, Health and Safety Champion and subsequently to the Corporate Governance Group and relevant Committee(s) or Cabinet as considered appropriate.

Frequency of Meetings

The group will meet during working hours at three monthly intervals, at a time and date in accordance with a calendar of meetings agreed by members.

Any additional meetings will be by agreement of the Chairman.

Aim

The aim of the Corporate Health and Safety Management Group is to have a strategic overview of health and safety management and performance within the City Council and to promote effective monitoring, reviewing and the instigation of measures to ensure the health and safety at work of all employees and those people who may be affected by the Councils undertakings. This will include the selection and monitoring of contractors providing services for and on behalf of the Council.

In so doing, to fulfil the legal requirements set down in the Health and Safety at Work etc Act 1974 and supporting legislation, and to manage health and safety in accordance with recognised best practice outlined in HSG65 'Successful Health and Safety Management'.

Roles and Functions

In meeting this aim, the group shall have the functions of keeping under review the measures taken to ensure the health and safety of employees, members of the public and contractors which will include:

- Acting as the designated advisory body on all matters affecting employee health and safety. This does not detract from the duties and responsibilities of the Health and Safety Advisor.
- To promote co-operation between employer and employees in investigating, developing and carrying out measures to ensure the health safety and welfare of employees and also those persons included under Section 3 and 4 of the Health and Safety at Work etc Act 1974.
- To advise the Corporate Management Team and Health and Safety Champion on matters of health, safety and welfare at work and for subsequent dissemination to the Corporate Governance Group, Heads of Divisions and other groups as considered appropriate.
- To consider the health and safety ramifications of events held on Council owned land and events funded or part funded by the City Council.
- Reviewing accidents, dangerous occurrences and incidents of occupational ill health statistics and trends, together with recommendations for corrective actions so that reports can be made to the Corporate Management Team and advising the Health and Safety Champion.
- Review and assess occupational health and safety audit reports, whether internal or external, on a similar basis.

- Consider current and proposed health and safety legislation and the ramifications for the Council.
- The co-ordination of the corporate health and safety action plan.
- Consideration of reports and factual information provided by inspectors of the enforcing authorities such as the Health and Safety Executive and Hampshire Fire and Rescue Service.
- Monitoring and reviewing and making recommendations to the continuing development of the Council's corporate policy and divisional policies in respect of maintaining employee health, safety and welfare. This may include the establishment of working groups to consider and advise on specific occupational health, safety and welfare issues.
- To consider and respond to issues referred from other corporate groups and Divisional Management Teams and make recommendations as necessary to the appropriate Group and / or Head of Division.
- To promote good health and safety practice in the community in line with the Council's corporate risk strategy (SR0010).

None of the functions referred to above should take the place of the Council's management responsibility for ensuring the health and safety of employees. The work of the Group supplements and augments these arrangements but should not serve as a substitute for them.

Reporting arrangements

The Chairman will report on the work of the Group to the Corporate Management Team on a quarterly basis and to the Corporate Governance Group and Health & Safety Champion as required.

A progress report will be submitted to the Personnel Committee on an annual basis with supplementary ad hoc reports as required.

Appendix 2

CORPORATE HEALTH AND SAFETY MANAGEMENT GROUP – Priority Actions

Terms of Reference

The terms of reference for the newly established corporate health and safety management group were drafted and circulated to group members for comment and subsequently submitted to the Corporate Management Team for consideration.

Strategic Health and Safety Risks

At the last Corporate Health and Safety Management Group meeting, the members identified the key potential occupational health and safety risks facing the council. This was based on the Health and Safety Advisors action plan as submitted to the Personnel Committee as an information report in June 2008. The key topics, with a short resume, are listed below:

Use of Contractors

With regards site based contractors, the potential for inconsistent contract monitoring arrangements post reorganisation was raised by the Director of Operations. A working party was set up to identify the use of contractors on a site by site basis and to confirm the monitoring arrangements and the client officer for each contract. Primarily due to changes in personnel progress has been limited and it is recommended that the working party be reconvened.

Inconsistencies in the monitoring of service contracts and associated record keeping was identified in a number of audits, both internal and external, including the assessment of the waste collection contract by the Health and Safety Executive (HSE). As a starting point, the divisional health and safety co-ordinators will identify the significant contracts in terms of health and safety risks, the client officer and monitoring arrangements. This will primarily involve the Estates, Environment and Landlord Services Divisions.

Asbestos Management

Exposure to asbestos is an HSE priority as it is responsible for in excess of 4000 deaths a year. The Control of Asbestos Regulations imposes duties on the controller of premises to identify and manage asbestos in non domestic premises. Considerable work has been carried out by Estates and Property Services since the management element was introduced a few years ago and as working with asbestos containing materials and accidental exposure thereto is a major risk, it is appropriate to review the current arrangements.

Legionella

Following the well publicised Barrow case, this is recognised as a significant health risk, particularly for vulnerable groups in the community such as the elderly, and is also considered to be a priority occupational health issue by the HSE. Considerable work has been completed by Property Services but there needs to be a written management strategy and appropriate guidance for other divisions who have responsibility for maintaining and operating water systems.

Stress Management

Stress management is also a priority occupational health issue for the HSE and stress is responsible for more occupational related ill health absence at the City Council than any other condition. A staff stress survey is planned before the end of the financial year using the HSE's stress management standards so that comparisons can be made with the previous staff survey.

Fire Risk Assessments

Enforced by Hampshire Fire & Rescue Service, a recommended strategy was put forward following a major change in fire safety legislation as the onus has shifted to site fire safety management as opposed to the provision of alarm systems and fire fighting equipment. Fire safety legislation now covers all buildings to which the public has access and / or people are employed and this can include temporary structures.

Events on Council owned land

Although not on the aforementioned work programme, it is important that the Council has clear guidance and lines of responsibility for authorising events on Council owned land. This is particularly topical as the joint HSE / Police investigation following the 'Dreamspace' inflatable structure fatality has concluded and the intention is to prosecute the artist, the promoter, Chester-le-Street District Council and their Director of Development Services as the site was owned by the Council. Protocols are in place for large out door events that are subject to licensing but there needs to be robust procedures in place for small and non licensed events that can still have a high risk potential.

Health and Safety Training

The need to provide suitable and sufficient training is, to a greater or lesser degree, linked to all occupational health and safety issues both from a legal requirement under Section 2 (2) (c) of the Health and Safety at Work etc Act and from a general managerial standpoint so that senior officers are aware of the roles and responsibilities with regards health and safety in the workplace.

Priority Topics

Following a Group discussion, the three priority topics are:

1. The completion of the fire risk assessment programme, which from a risk management standpoint is an outstanding internal audit requirement.
2. Contractor selection and monitoring both in terms of site based contracts and the provision of services on behalf of the Council.
3. To monitor and review the planned staff stress survey and to compare the findings with the previous survey; stress being the major causative factor in work related ill health absence in the Council.

The Corporate Management Team has endorsed the work programme and the Health and Safety Management Group's terms of reference.