

FINANCE AND PERFORMANCE PORTFOLIO (HEALTH & SAFETY CONSULTATIVE GROUP) DECISION SCHEDULE



Monday, 19 April 2010

**at 10.30 am or immediately following the Finance and Performance Portfolio
which is being held at 10.00 am whichever is the later**

in Committee Room C, Civic Centre, Hartlepool

Councillor R Payne, Cabinet Member responsible for Finance and Performance,
Councillors Gibbon and Sutheran will consider the following items:-

1. KEY DECISIONS

No items

2. OTHER ITEMS REQUIRING DECISION

No items

3. ITEMS FOR INFORMATION

- 3.1 Accident/Incident Report - *Chief Customer and Workforce Services Officer*
- 3.2 Health And Safety Consultation Arrangements - *Chief Customer and Workforce Services Officer*
- 3.3 Health And Safety Risk Management Arrangements - *Chief Customer and Workforce Services Officer*

4. REPORTS FROM OVERVIEW OF SCRUTINY FORUMS

No items

**FINANCE AND PERFORMANCE PORTFOLIO (HEALTH AND
SAFETY CONSULTATIVE GROUP)**
Report to Portfolio Holder
19 April 2010



Report of: Chief Customer and Workforce Services Officer

Subject: ACCIDENT/INCIDENT REPORT

SUMMARY

1. PURPOSE OF REPORT

To advise the Portfolio Holder of the accident and incidents which have occurred during the last financial year.

2. SUMMARY OF CONTENTS

The report provides details of the numbers of accidents and incidents which have occurred during the last financial year.

3. RELEVANCE TO PORTFOLIO MEMBER

Corporate Issues.

4. TYPE OF DECISION

Non Key.

5. DECISION MAKING ROUTE

Portfolio meeting only.

6. DECISION(S) REQUIRED

To note the report.

Report of: Chief Personnel Officer

Subject: ACCIDENT/INCIDENT REPORT

1. PURPOSE OF REPORT

- 1.1 To advise the Portfolio Holder of the accident and incidents which have occurred during the last financial year.

2. BACKGROUND

- 2.1 The Council as an employer is under a statutory obligation to record accidents arising out of or in connection with the activities of the Council. Where the injury is serious then under the provisions of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) then these must be reported to the Health and Safety Executive (HSE).
- 2.2 The Council has collected accident data for a number of years but to improve the level of reporting, the procedures and associated recording forms for reporting accidents and incidents was revised in March 2009. To coincide with the new arrangements staff were encouraged by e-mailing all Council employees via the e-mail system to report accidents, incidents and near misses. In addition managers and trade union safety representatives encouraged their teams and TU members to report any accidents, incidents and near misses. This e-mail was also sent to schools to encourage reporting which was also successful. A summary of the accidents for 2009-10 is contained in Table 1
- 2.3 Whilst there is a statutory responsibility to record accidents the main benefit is to identify any trends and implement improvements to reduce the number of accidents.

3. FINDINGS

- 3.1 This year has seen the numbers of accidents reported significantly rise from 538 to 710 primarily due to the campaign at the beginning of the year to improve reporting. This is evidenced by the fact that although there was a significant increase in the number of minor incidents recorded, the number of accidents of a more serious nature was very similar. However it should be noted that a significant proportion of the RIDDOR notifiable accidents were associated with reporting people with a work related medical condition from exposure to vibration as a result of occupational health checks.

- 3.2 In order to comply with the Control of Vibration at Work Regulations 2005 a health surveillance programme was established from 1st April 2009 for those workers who work with vibratory tools. This has resulted in some Council employees being diagnosed as suffering from Hand Arm Vibration Syndrome (HAVS) which is reportable to the HSE under RIDDOR. The health effects of exposure to vibration take a long time to come into effect and can only be formally diagnosed by a doctor with specialist skills. In the past year the programme has been aimed at 161 staff who regularly use vibratory tools and as a result a number have been diagnosed as suffering from HAVS and reported to the HSE; this is reflected in the statistics.
- 3.3 Three HSE inspectors have visited the Council to investigate the systems in operation and are satisfied as to how the situation is managed but a further visit is planned in May to undertake further checks.

4. RECOMMENDATION

- 4.1 That the contents of the report are noted.

5 CONTACT OFFICER

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Table 1 Health and Safety Accident Statistics April 2009 – March 2010

Accident Type	RIDDOR	Near Miss	Lost Time	Over 3 days	Specified Major Injury	Fatalities	Minor	Fire
Another kind of accident		2					43	
Contact with electricity or an electrical discharge		2					2	
Exposed to fire							1	1
Exposed to or in contact with harmful substance							7	
Fell from height	5		2			2	50	
Hit by a moving flying or falling object	3				1		65	
Hit by something fixed or stationary		2					87	
Injured by an animal							7	
Injured while handling lifting or carrying	7	1	1	3	1		43	
Physically assaulted by a person						1	107	
Slipped tripped or fell on the same level	10		2			7	199	
Medical related	20					1	27	
Verbal Abuse							66	
RTA							2	
Contact with moving machinery or material being machined							1	
Hit by a moving vehicle							2	
T rapped by something collapsing								
Drowned or asphyxiated	1						1	
Grand Total	46	7	5	4	12		710	1

**FINANCE AND PERFORMANCE PORTFOLIO (HEALTH AND
SAFETY CONSULTATIVE GROUP)**
Report to Portfolio Holder
19 April 2010



Report of: Chief Customer and Workforce Services Officer

Subject: HEALTH AND SAFETY CONSULTATION
ARRANGEMENTS

SUMMARY

1. PURPOSE OF REPORT

To advise the Portfolio Holder of the changes to staff health and safety consultation arrangements.

2. SUMMARY OF CONTENTS

The report provides details of revised health and safety consultation arrangements following consultation with the local trade union representatives.

3. RELEVANCE TO PORTFOLIO MEMBER

Corporate Issues.

4. TYPE OF DECISION

Non Key.

5. DECISION MAKING ROUTE

Portfolio meeting only.

6. DECISION(S) REQUIRED

To note the report

Report of: Chief Customer and Workforce Services Officer

Subject: HEALTH AND SAFETY RISK MANAGEMENT
ARRANGEMENTS

1. PURPOSE OF REPORT

- 1.1 To advise the Portfolio Holder of the changes to the staff health and safety consultation arrangements within the Council and obtain the Portfolio Holder's support for these changes.

2. BACKGROUND

- 2.1 Under the Safety Committees and Safety Representatives Regulations 1977 and Health and Safety (Consultation with Employees) 1989 each employer is under a legal obligation to consult with employees on health and safety matters. This legislation allows for this consultation to be with representatives of the workforce and as such the Council has a number of safety committees where issues relating to health and safety are discussed.
- 2.2 Safety committees have been meeting for a number of years and have been successful in the past for example by encouraging the use of the Employee Protection Register. This is a software database of people who are violent or aggressive to Council staff which allows staff to put in appropriate control measures to reduce health and safety risks when dealing with these customers. To reflect corporate and department structure changes as a result of the Business Transformation Programme it is now an appropriate time to review the frequency, number and areas covered by the safety committees to ensure they are effective.

3. CONSIDERATION OF ISSUES

- 3.1 It has become apparent that attendance at some safety committees has been reducing and consequently the meetings are cancelled. In some cases this has been because some staff representatives believe issues of concern have been addressed and that the meetings are no longer required but this has not been formally acknowledged.
- 3.2 Formal discussions have been held with trade union representatives as to how best to freshen up the safety committees to ensure they are relevant, well attended and raise health and safety issues and concerns but also suggest ways to deal with these issues. A flow chart is attached (**Appendix 1**) showing how the safety committees

would feed in to the relevant department and Council structures. Where there are shared issues it is proposed to set up specific committees to discuss these issues with a view to coming to a consensus which would apply across the whole Council.

- 3.3 Where agreement cannot be reached at a safety committee or the issue is of sufficient concern the matter can be escalated through the structure and if necessary brought to the attention of Finance and Performance Portfolio Holder.

4. RECOMMENDATION

- 4.1 To support the Health and Safety Committee structure arrangements to ensure that there are an appropriate number of forums for health and safety matters to be raised and discussed in accordance with statutory requirements.

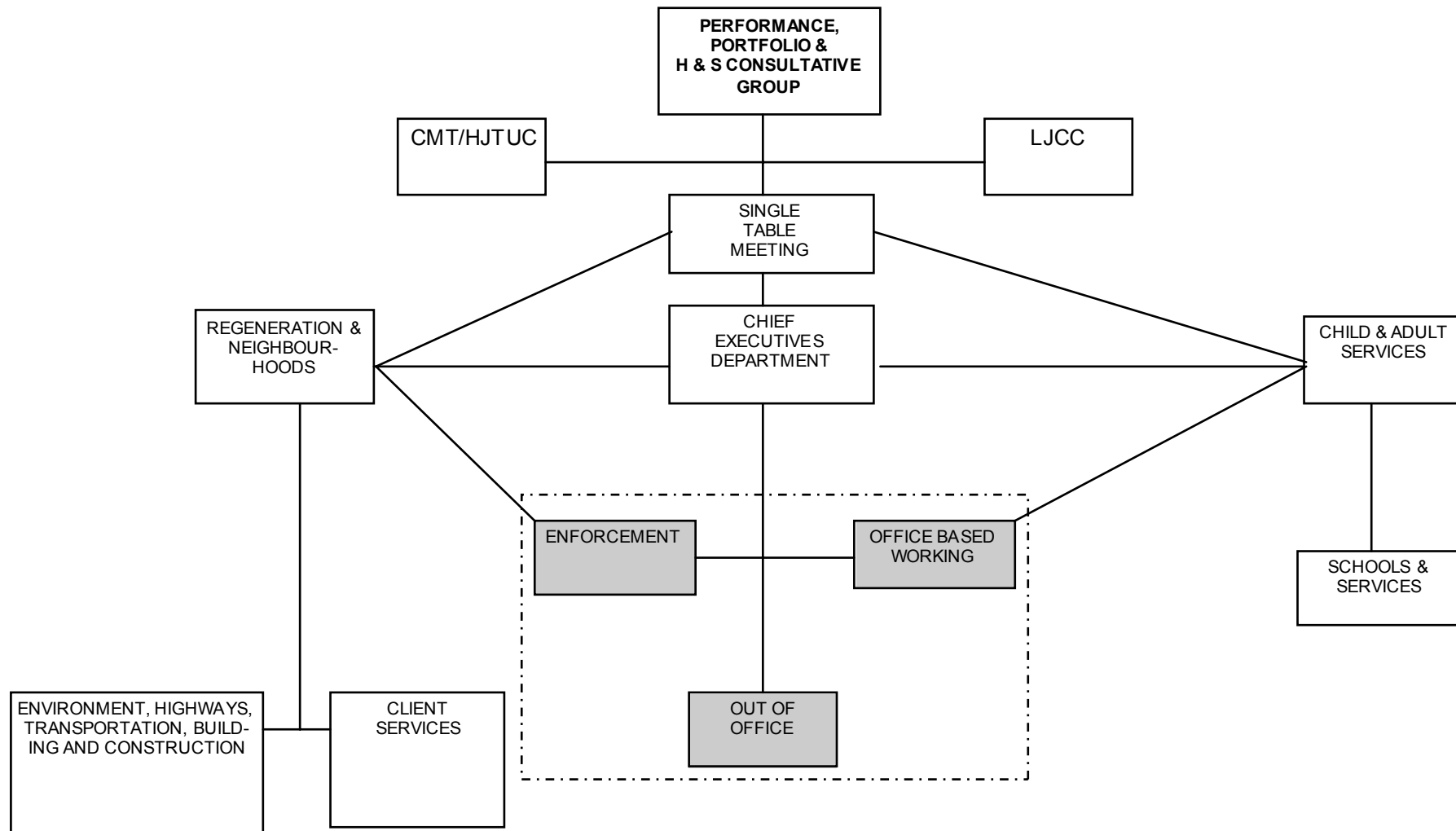
5. REASONS FOR RECOMMENDATIONS

- 5.1 To coincide with the Business Transformation Programme it is an appropriate time to review the safety committee structure to ensure it remains relevant for the new staffing structure.

6. CONTACT OFFICER

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Proposed Trade Union Health and Safety Committee Structure



**FINANCE AND PERFORMANCE PORTFOLIO (HEALTH AND
SAFETY CONSULTATIVE GROUP)**
Report to Portfolio Holder
19 April 2010



Report of: Chief Customer and Workforce Services Officer

Subject: HEALTH AND SAFETY RISK MANAGEMENT
ARRANGEMENTS

SUMMARY

1. PURPOSE OF REPORT

To advise the Portfolio Holder of the changes to the health and safety risk management arrangements and obtain the Portfolio Holder's support for these changes.

2. SUMMARY OF CONTENTS

The report provides details of the policy agreed by the Corporate Management Team Support Group as regards how health and safety risk management will operate within the Council.

3. RELEVANCE TO PORTFOLIO MEMBER

Corporate Issues.

4. TYPE OF DECISION

Non Key.

5. DECISION MAKING ROUTE

Portfolio meeting only.

6. DECISION(S) REQUIRED

To note the report and support the principles contained with the policy.

Report of: Chief Customer and Workforce Services Officer

Subject: HEALTH AND SAFETY RISK MANAGEMENT ARRANGEMENTS

1. PURPOSE OF REPORT

- 1.1 To advise the Portfolio Holder of the changes to the health and safety risk management arrangements and obtain the Portfolio Holder's support for these changes.

2. BACKGROUND

- 2.1 There have been two recent major developments in health and safety legislation the Corporate Manslaughter and Corporate Homicide Act 2007 and the Health and Safety (Offences) Act 2008. Whilst the impact of this legislation remains to be seen, due to the lack of relevant case law, it raises the potential that organisations who are found to have negligently caused death or serious injury may be significantly fined or managers may be imprisoned for up to two years.
- 2.2 To address some of the issues raised by the changes in law, described above and the Business Transformation Programme, the Corporate Health and Safety Policy was revised and endorsed at the Portfolio Holder's meeting on 3rd November 2009. The policy has subsequently been circulated across the Council (including Schools). This policy clearly identified roles and responsibilities for all tiers within the organisation.
- 2.3 In order to advise managers of their legal responsibilities and follow up the implementation of the policy all managers were invited to a series of briefings on their roles and responsibilities regarding the protection of staff and others such as the public and /or partners who are affected by the activities of the Council.

3. CONSIDERATION OF ISSUES

- 3.1 It has become apparent during inspections, accident/incident investigations and discussions with managers and other staff that whilst the Council puts significant effort into minimising health and safety risks these arrangements are not always recorded or escalated when a decision cannot be made locally e.g. due to the cost implications. This has significant implications when justifying decisions after an event such as a serious accident which may be subject of a detailed investigation by the regulatory authorities.

- 3.2 In order to ensure that the Council can demonstrate that it has robust arrangements and that decisions and actions are recorded a Health and Safety Risk Management Policy has been adopted and this is attached as **Appendix 1**.
- 3.3 This Policy requires Council managers to make use of the Council's computerised risk management system to record risks and actions to control these risks. These risks are to be reviewed annually and escalated where they cannot be adequately controlled. Where the risks are significant, decisions may need to be taken by the most senior managers of the Council and where appropriate flagged to the relevant Portfolio Holder or to Cabinet.

4. RECOMMENDATION

- 4.1 To endorse the Health and Safety Risk Management Policy to ensure that health and safety risks within the Council are appropriately managed.

5. REASONS FOR RECOMMENDATIONS

- 5.1 The changes to health and safety legislation have made it critical that the Council manages risk and records decisions so that the Council can demonstrate a robust approach to health and safety management.

6. BACKGROUND PAPERS

Finance and Performance Portfolio report 3 November 2009

7. CONTACT OFFICER

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3.3 Appendix 1



Health and Safety Risk Management Policy

3.3 Appendix 1

POLICY ON HEALTH AND SAFETY RISK MANAGEMENT

POLICY

Hartlepool Borough Council recognises and accepts the financial and legal responsibilities and duties which it has for the health, safety and welfare of its employees and others affected by the activities of the Council. In order to fulfil these responsibilities the Council aims to continually improve health and safety performance by promoting healthy working and minimising where practicable the risk to people's health and welfare which may be affected by the activities of the Council.

As part of this commitment managers are expected to undertake suitable and appropriate risk assessments in relation to their areas of responsibility and ensure that suitable control measures are put in place where necessary to reduce risks to the health, safety and welfare of people who work on behalf of, or are affected by the activities, of the Council

Scope and Purpose

It is recognised that the activities undertaken by Hartlepool Borough Council may give rise to risks to the health, safety and welfare of persons who either work on behalf of or in connection with the Council. The purpose of this policy is to describe the Council's approach to minimising where practicable the risk to people's health, safety and welfare which may be affected by the activities of the Council and the arrangements for dealing with such matters.

This policy applies to all employees and to others engaged in the work of the Council including students, volunteers or people who carry out work on behalf of the Council. The policy complements the Council's approach to risk management by following the principles contained within the Corporate Health and Safety Policy and should be read in conjunction with that Policy.

This Policy also covers non routine activities such as emergencies, maintenance activities and other unusual activities such as one off entertainment events.

This Policy is limited to health, safety and welfare risks unless other risks such as financial or reputational risk management arrangements are directly related health and safety issues and consequently would form part of the risk assessment process.

The Corporate Health and Safety Policy makes clear the Council's commitment to provide, as far as is reasonably practicable:

- A safe and healthy working environment for all its employees;

3.3 Appendix 1

- The necessary training, advice, guidance and support to prepare employees to avoid, prevent and if need be respond to such situations to health and safety issues
- Arrangement to escalate where appropriate health, safety and welfare concerns in order for the issues to be appropriately dealt with or managed.

Roles and Responsibilities

Chief Executive

As indicated within the Corporate Health and Safety Policy ultimate responsibility for compliance with legal requirements and with this Policy rests with the Chief Executive.

All Strategic and Operational Managers

Managers have delegated responsibility to ensure they protect the health, safety and welfare of those who are affected by the activities undertaken by the Council. It is therefore the responsibility of those managers to;

“Ensure that suitable and sufficient assessments of risk are carried out, in relation to their operation, activities and premises and premises and that the control measures which they identify are adequately communicated and implemented and that a written record of these assessments is maintained and that the assessments are periodically reviewed.”

Oversight and Co-ordinating Role

As a part of the responsibilities imposed by the Corporate Health and Safety Policy, the implementation of this Policy and associated working arrangements will be reviewed at appropriate intervals by representatives of the relevant department and the Workforce Services Department. Any amendments are communicated to relevant managers.

Supervisors and Employees

All supervisors and employees will ensure that they:

- comply with safe systems of work;
- Familiarise themselves, comply and assist with the implementation of this Policy and the associated Corporate Health and Safety Policy;
- Attend training made available to them;
- Report any potential or actual incidents or threat to health and safety to their appropriate line manager in accordance with Council policies.

Assessment of Risk

All strategic and operational managers in consultation with their staff and appropriate colleagues will;

- Identify the hazards associated with the activities under their control;

3.3 Appendix 1

- Identify the methods by which these hazards are controlled;
- Assess the residual likelihood of these incidents occurring;
- Identify any additional control measures which may reduce the risk further;
- Advise the relevant people of the contents of this assessment of risk.
- Identify any training which may be necessary to mitigate this risk.
- The risk assessments should be reviewed annually or if there has been an accident, change in working practices or any other reason to suspect the assessment may no longer be valid.

In order to record this assessment form

(http://hbcintranet/downloads/RISK_ASSESSMENT_FORM_NOV_08.doc) should be completed.

Recording and Reporting Risks

The Council will maintain an adequate system (currently Covalent) for the recording significant risks (after control measures have been introduced) and escalating those risks to the appropriate level within the organisation for action.

As a minimum all risks identified in Covalent as high or extreme after the relevant control measures have been incorporated must be reported to the Divisional manager. The

This internal system will be used to capture information about a wide range of risks and also provide a central record as to how those risks are managed. This information will be used by managers, supervisors, health and safety committees and others to monitor the level of risk, the effectiveness of risk management arrangements and the precautions put in place to mitigate risk.

Note - The risk assessment form is used to rate the risk of each hazard based upon a simple high medium or low assessment process. The overall assessment for an activity is what is recorded on Covalent.

Risk Management

The 4 Ts of Risk Control

	NOTES
Terminate Stop the activity altogether	· Rarely an option in local government, though this may be possible for some non-core activities
Tolerate Accept the risk and live with it	· Applies to risks within the tolerance threshold or those where the costs of treatment far outweigh the benefits. · Should be backed up by appropriate contingency plans,

3.3 Appendix 1

	business continuity plans and recovery plans
Transfer To a third party or through insurance	<ul style="list-style-type: none"> · Can transfer all or part of the risk. · Beware - although responsibility can be transferred, accountability rarely can, so it requires close monitoring.
Treat Take action to control the likelihood and/or impact	<ul style="list-style-type: none"> · This is where the bulk of the risk management action falls.

Any high or extreme risks which are tolerated must be discussed at the appropriate Department Management Team. Where appropriate they should also be brought to the attention of the Corporate Management Team Support Group who will escalate to Corporate Management Team if appropriate. Where appropriate or necessary it will be brought to the attention of executive members of the Council.

Information about high or extreme risks will be shared with the Performance and Risk Management Group to inform their assessment of trends and emerging risk which could impact on the delivery of council aims and objectives.

Where appropriate risk management decisions should be recorded against the risk on the Covalent system.

Appendix A shows the assessment matrix and associated values for Covalent.

Monitoring, Review and Audit

At department level, systems will be in place to monitor the effectiveness of risk management systems and the mechanism for minimising the Council's health, safety and welfare risks.

For these purposes, **active monitoring** will be used to check that systems and processes are working, without waiting until something goes wrong.

Similarly, **reactive monitoring** will be used to look at incidents after the event, to facilitate learning from the experience.

All employees will note that effective monitoring relies on full and timely reporting and recording of incidents and employees are therefore reminded of their responsibilities in these respects.

In order that monitoring is effective, Directors or appropriate deputy, within their own department, will ensure that the officers delegated to carry out monitoring:

3.3 Appendix 1

- Are clearly identified and adequately resourced;
- Understand the details of what monitoring is required;
- Know what form reports on the monitoring should take;
- Are aware of how frequently monitoring reports are required.

As the officer with an oversight and co-ordinating role in this respect, the **Chief Personnel Officer** will ensure that this Policy and the associated guidance is kept under review, including periodic formal review and, if required, revision and reissue.

Using, in part, the results of monitoring carried out for and provided by Directors and other Senior Managers, the **Chief Personnel Officer** will report periodically to the Corporate Management Team, Finance and Performance Portfolio Holder and Cabinet on the operation corporately of this Policy, including when relevant on the following matters:

- Compliance with the Policy and its associated guidance;
- Achievement of any planned objectives;
- The maintenance and performance of risk management systems;
- Revisions made to this Policy and its associated guidance.

3.3 Appendix 1

APPENDIX A

HARTLEPOOL BC RISK ASSESSMENT MATRIX AND VALUE GUIDES

		IMPACT			
LIKELIHOOD		1 Low	2 Medium	3 High	4 Extreme
Almost certain	4	AMBER 4	RED 8	RED 12	RED 16
Likely	3	GREEN 3	AMBER 6	RED 9	RED 12
Possible	2	GREEN 2	AMBER 4	AMBER 6	RED 8
Unlikely	1	GREEN 1	GREEN 2	GREEN 3	AMBER 4

Use the following suggested value guides to help rate the level of the **controlled risk**.

IMPACT

Extreme	Total service disruption / very significant financial impact / Government intervention / sustained adverse national media coverage / multiple fatalities.
High	Significant service disruption/ significant financial impact / significant adverse Government, Audit Commission etc report / adverse national media coverage / fatalities or serious disabling injuries.
Medium	Service disruption / noticeable financial impact / service user complaints or adverse local media coverage / major injuries
Low	Minor service disruption / low level financial loss / isolated complaints / minor injuries

LIKELIHOOD

Expectation of occurrence ***within the next 12 months*** -

- **Almost certain**
- **Likely**
- **Possible**
- **Unlikely**