

Agenda Item No: 7 **Report No:** 17/14
Report Title: Health and Safety Policy
Report To: Employment Committee **Date:** 13 January 2014
Report By: HR Manager

Contact Officer(s)-

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Purpose of Report:

To present a draft Health and Safety Policy Statement and Policy Arrangements document for agreement by the Employment Committee.

Officers Recommendation(s):

- 1 To accept the Health and Safety Policy Statement and Policy Arrangements, subject to any minor amendments which may be made by the HR Manager in consultation with Unison.
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Reasons for Recommendations

- 1 The Forum has discussed the need for a new Health and Safety Policy Statement and Policy Arrangements document for the Council because the current one has not been reviewed to two years, and the current focus almost exclusively on the employee needs updating to take contractors and partners into account.

Information

2

- 2.1 The Health and Safety Policy was last signed by the Chief Executive in December 2011. This should be reviewed and re-signed annually, and in reviewing the Policy it became obvious that a major update was needed.
- 2.2 A revised Policy Statement has been produced by the Forum, for agreement by the Employment Committee. It adheres to the Health and Safety at Work etc Act (1974) and the Management of Health and Safety at Work Regulations 1999, and follows recommendations made by the Health and Safety Executive (HSE). It has been agreed by Corporate Management Team and will reviewed at least annually or if there is a

material change to necessitate a revision whether for legislative reasons or to change health and safety arrangements .

- 2.3** If agreed by this Committee, the Policy will be signed by the Chief Executive, and will then come into effect. However, it would be sensible for any minor amendments which the HR Manager and Unison may have subsequently to be made without holding up the acceptance of the Policy until the next Employment Committee meeting in April. This report is therefore

Financial Appraisal

- 3** There are no new financial implications as a result of the revised policy; managers have and will continue to assign resources for health and safety management from their budgets.

Legal Implications

- 4** The draft policy will be sent to the legal department for comment. The draft Policy conforms to Health and Safety legislation (Health and Safety at Work Act (1974) and Management of Health and Safety at Work Regulations 1999).

Sustainability Implications

- 5** I have identified no impacts, either positive or negative, LDC 31501.

Risk Management Implications

I have completed a risk assessment LDC 31502.

The following risks will arise if the recommendations are not implemented, and I propose to mitigate these risks in the following ways:

- 1) The policy will be out of date – in particular the arrangements for managing health and safety. If we were to be investigated by the HSE the lack of an up to date policy and arrangements will be viewed negatively. It is best practice to review, at least annually, the policy to ensure its relevance.
- 2) It will be perceived by employees and the public that the council does not regard health and safety as of importance. To implement a safety culture it is important that the Council makes a clear and public a policy statement on health and safety showing its commitment to good health and safety practices. A revised and up to date health and safety policy shows this commitment.

No new risks will arise if the recommendations are implemented.

If the recommendations are not implemented, the residual risks that cannot be mitigated fully are:

- 1) The negative impacts of having an out of date Safety Policy on the safety culture in the council, its reputation, on legal compliance and the possible impact on the Council's employers liability insurance.

Equality Screening

- 6 AF 31505 Equality analysis has been carried out and the only impact is a positive one in that health and safety risks will be minimised.

Background Papers

- 7 There are no background papers; relevant details of the Act can be found at: <http://www.legislation.gov.uk/ukpga/1974/37/part/>

Appendices

- 8 Appendix 1: Draft General Statement of Health and Safety Policy and Draft Policy Arrangements

DRAFT GENERAL STATEMENT OF HEALTH AND SAFETY POLICY

Lewes District Council's General Statement of Safety Policy is issued in accordance with the requirements of Section 2(3) of the Health and Safety at Work etc. Act 1974

HEALTH AND SAFETY POLICY

Through the way we work and behave, Lewes District Council will, so far as is reasonably practicable, take the necessary steps to ensure the Health, Safety and Welfare of all our employees at work. We will conduct affairs in such a way as to protect from risks of injury or ill health, other people who may be affected by the Council's work, including contractors, suppliers, clients, visitors and members of the public.

1 COMMITMENT

- 1.1 It is our intention to demonstrate an ongoing and determined commitment to improving health and safety at work throughout our organisation, through awareness, competence and compliance.
- 1.2 We will ensure the health and safety at work of all our employees, and any other people who may be affected by our work activities as far as is reasonably practicable, striving for best practice. Contractors, suppliers and relevant others will be made aware of this policy and their role in its effective implementation.
- 1.3 This policy reflects our commitment to ensuring that health and safety at work is a high priority to the Council, and that an effective health and safety culture actively contributes to our success in achieving this commitment.
- 1.4 Adequate resources will be provided to ensure the health and safety of all our employees, and to fulfil our commitment to relevant others.

2 AWARENESS

- 2.1 All our employees, and contractors, suppliers and relevant others will have an awareness and understanding of health and safety risks that affect our business, in all those areas which are relevant to them.
- 2.2 There will be active open communication and consultation between the Council and our employees. Health and safety will be integrated into our

communications, wherever appropriate. This will also apply to relevant others such as contractors, suppliers and clients as appropriate to their roles.

- 2.3 Roles and responsibilities for health and safety will be defined in the 'Policy Arrangements' document attached to this Policy Statement. There will be a general statement added to job descriptions (jd) and person specifications (ps) as they are reviewed, which will cover the role's responsibility (jd) and ability (ps) requirements for Health and Safety. The Policy Arrangements will ensure that health and safety is adequately assessed, controlled and monitored, and that all our people are actively involved in managing health and safety.
- 2.4 We will continually strive to identify our workplace health and safety hazards, and will inform employees and others affected as appropriate. We will require our contractors and relevant others to inform us of identified health and safety hazards which may impact on our work activities. Systems will be in place to empower people to raise health and safety concerns with management.

3 COMPETENCE

- 3.1 Management will demonstrate leadership in health and safety matters. Managers will undertake tours to ensure that health and safety issues are being identified, assessed and managed. They will ensure that daily or weekly (as appropriate) and monthly inspections are carried out in addition to the formal annual Inspections.
- 3.2 We will take action to prevent, reduce and control identified risks to an acceptable level, and reduce the potential for incidents and accidents. We will require our contractors (and relevant others) to identify health and safety risks which may impact on our work activities.
- 3.3 We will ensure that all employees will have the competence to undertake their work with minimum risk to their own, and others', health and safety, as far as is reasonably practicable. We will demand evidence from contractors and relevant others that their work will also be carried out by competent people, and monitor this.
- 3.4 All employees will be adequately instructed and trained on the health and safety issues that affect them, and the safe working practices that should be followed.

4 COMPLIANCE

- 4.1 We will implement our health and safety management system to ensure that we comply with all relevant legislation and Approved Codes of Practice.
- 4.2 All our work activities will achieve compliance with legislation, and we will continually strive to improve our health and safety performance.
- 4.3 Our people are empowered to bring health and safety risks to the attention of managers who will take action to eliminate, minimise or control them, as far as is reasonably practicable.
- 4.4 We will actively and openly review and report on our health and safety performance against objectives and targets specified in annual health and safety plans. Where necessary, improvement plans will be developed in support of the delivery of these objectives and targets.
- 4.5 We will investigate accidents, incidents and near misses to drive improvement in our health and safety management. Any lessons learned from such events will be used to take reasonable corrective action to prevent recurrences.

5 DELIVERING OUR POLICY

- 5.1 Our policy will be delivered by generating a culture that seeks to minimise risk and threats to health and safety.
- 5.2 We will endeavour to ensure the real involvement of all our employees with this policy, as well as the relevant involvement of contractors and others.
- 5.3 We will set out our objectives and targets in an annual health and safety plan, which will be a corporate plan covering all departmental management health and safety plans.
- 5.4 This policy has immediate effect and replaces all previous versions. It will be reviewed and amended annually, or more often if there is any change in the risk environment in Lewes District Council, or legislation, which requires review.

Signed:

Dated:

Jenny Rowlands – Chief Executive

DRAFT POLICY ARRANGEMENTS – Who does what?

Lewes District Council

Statutory employer's responsibility for Health, Safety and Welfare of all its employees and those not in its employ who may be affected by its work - Delegated to Cabinet.

Employment Committee

This Joint Consultative Committee is composed of councillors, employer and employee representatives whose purpose is to advise Cabinet on Health and Safety policy and practices.

Chief Executive

Responsible for the Council's Policy on Health and Safety and the allocation of the resources required.

Director of Service Delivery

Delegated responsibility from the Chief Executive as the Council's nominated Health and Safety leader at the top of the organisation to co-ordinate and monitor policy implementation.

Head of Environment and Health

Will provide specialist consultancy advice on Health and Safety at Work legislation, and is responsible for advice on health and safety co-ordination, implementation and training.

Health and Safety Officer

The Council's Health and Safety Officer is responsible for providing professional advice on health and safety legislation and issues, organising workplace safety inspection programmes, accident investigations and monitoring of accidents, incidents and near misses.

Health and Safety Representatives

Within departments, Unison may appoint, or employees may elect or appoint, a health and safety representative who will take part in discussions with managers on Health and Safety matters. They will also accompany the Health and Safety Officer on safety inspections, and take part in accident investigations. They will be provided with facilities to enable these duties to be performed.

Managers/Supervisors

Individual Heads of Department are responsible for direct implementation of the Health and Safety Policy, and Council and Departmental Health and Safety Plans within their Departments. All those who manage other people, or areas of work, as part of their role with Lewes District Council are responsible for implementation of the Health and Safety Policy and relevant plan(s) in their designated area. Managers and supervisors will maintain and monitor arrangements for themselves and their staff, assessing performance, responding to accident, incident and near miss reports, carrying out daily or weekly checks, annual inspections and any necessary update of safe systems of work, risk assessments and COSHH assessments. Health and safety will be integral to everything managers do.

Employees – Duty of Care

Responsible for taking reasonable care whilst at work for the Health and Safety of themselves and other persons who may be affected by their work, employees must co-operate with the Council to ensure that the safety policy and plans are fully carried into effect, and that they do not interfere with anything the Council has put into place for Health and Safety purposes. They must follow safe working systems and use safety equipment and personal protective equipment provided.

Contractors, suppliers, relevant others

A contractor is a person or business which provides goods or services to us under terms specified in a contract. There are clear legal requirements about the health and safety information we need to check before allowing contractors to do the agreed work.

A supplier is a party which supplies goods or services to us or through us.

Relevant others include councillors and the public when they are on our premises or involved in work we are doing, and other clients, visitors or reporters to our places of work or projects.

Employee consultation

The Council believes that a safe working environment can only be achieved with the full participation of employees.

Employee consultation arrangements are as follows:

1. Across Departments – Joint consultation takes place between Management and Unison or Employee Representatives through the Joint Health and Safety Forum, which passes information on to the Employment Committee.
2. Within Departments – Consultation takes place between managers and employees at team briefing meetings where health and safety is a standard agenda item, and where employees are briefed on health and safety performance and development, and offered toolkit training sessions.
3. Individually – through reporting accidents, incidents and near misses to the person's manager who, in conjunction with the Health and Safety Officer takes appropriate action after further discussion with the individual.

Training

Health and Safety instruction and training will be given priority. Induction in health and safety is given to all new staff in their first week; specific safety training for the job is provided as and when necessary; and on-line and in-house courses provided for managers and employees to support competence. Training for new managers, new staff and when new legislation requires updated knowledge and competence is given. Refresher training is also given as appropriate.

Communication and Review

The Statement of Health and Safety Policy, and this Policy Arrangements document, are brought to the attention of every new employee, and are available for contractors and others on the Council's website. It will be revised as appropriate, and amendments will be brought to the attention of all employees.