

Report to:	Joint Staff Advisory Committee
Date:	10th July 2023
Title:	Annual review of the Councils' Health and Safety Policy
Report of:	Health and Safety Manager
Ward(s):	All
Purpose of report:	To ensure compliance with the Councils' statutory duty under the Health and Safety at Work etc Act 1974.
Officer recommendation(s):	(1) That the Committee consider and comment on the revised Health and Safety Policy as set out in Appendix 1, which will be recommended for approval in its final form by the Chief Executive and Leaders of each Council.
Reasons for recommendations:	To ensure the Councils meet their statutory duty under section 2(3) of the Health and Safety at Work etc Act 1974 and enable the Chief Executive and Corporate Management Team to present the final report to the Leader of Lewes District Council and the Leader of Eastbourne Borough Council for adoption.
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1 Introduction

- 1.1 Section 2(3) of the Health and Safety at Work etc Act states that all employers must prepare a written statement of their general policy with respect to the health and safety at work of his employees and the organisation and arrangements for carrying out that policy. Section 2(3) also requires employers to revise their policy "as often as may be appropriate". The Councils' approach is to review their policy annually.
- 1.2 The Health and Safety Policy set out in Appendix 1 demonstrates the Councils' commitment to protecting the health, safety and welfare of all its employees and others affected by its activities, for example residents, visitors and contractors.

2 Additions and amendments

- 2.1 In the 2023 review, a number of changes have been made to update the policy in line with the current ways of working.

- HR responsibilities have been added, as HR look after policies and activities that protect the wellbeing and health of the Councils' employees.
- Corporate Landlord responsibilities have been added as they monitor the compliance of the Council owned buildings.
- An organisational chart has been added to demonstrate how the responsibilities for health and safety are delegated.
- An index of guidance that demonstrate the Councils' guidance and policies for managing the various areas covered by health and safety regulations. These are all available on the intranet or by request.
- The corporate action plan has been added as an appendix to the policy.

3 Financial Implications

- 3.1 There are no direct financial implications from the recommendation(s) within this report. Where appropriate, analysis of the incidents and resultant improvements to prevent reoccurrences can reduce the financial exposure of the council.
- 3.2 The Council's revenue budget makes appropriate provisions for professional advice and guidance to be provided by the Council's Health and Safety Team and for relevant training to be provided. An effective health and safety management policy, in which risks are identified and either eliminated or reduced will result in a reduction in costs to the Councils.

4 Legal implications

- 4.1 This report and draft policy, with its recommendation for referral to CMT and subsequent adoption by the Chief Executive and the LDC and EBC Leaders is consistent with the obligation placed on the Councils by section 2(3) of the Health and Safety at Work etc Act 1974.

Keeping the policy fully up to date is a significant element of the Councils' duty of care to its employees.

Legal advice provided 24.05.23

Legal ref: 012094-JOINT-OD

5 Risk management implications

- 5.1 Strategic, departmental, operational, project
 The Health and Safety policy is a strategic document designed to demonstrate the Councils commitment to managing health and safety risks within the organisation. It sets out what the Council will do to manage these risks and how responsibilities for safety risk management will be delegated. It also provides an index for documents that provide guidance on how to manage specific health and safety risks.
 Failure to act in accordance with the policy could put staff, departments and projects at risk.

Financial

Failure to comply with the policy could cause damage to property, injury or disruption to services resulting in claims and loss of financial resource.

People/customer

Accidents and poor safety management can result in injuries that can leave people unable to work. Customers, service users and contractors may also be affected.

Regulatory

Failure to have a policy and failure to implement the policy is a breach of section 2.3 of the Health and Safety at work act.

Reputational

Poor safety management, injuries, damage and service disruption can affect the reputation of the council both as an authority, business and an employer.

6 Equality analysis

6.1 No specific implications with regard to equalities but the Councils continue to their moral and legal obligations around safety and wellbeing.

7 Environmental sustainability implications

7.1 No implications.

8 Appendices

8.1 Appendix 1 - Draft Health and Safety Policy

9 Background papers

9.1 None.