

Report of: Director of Legal and Governance Services (Monitoring Officer)**Submitted to:** Corporate Audit and Affairs Committee, 31 March 2022**Subject:** Health and Safety: Annual Assurance Report 2021**Summary****Proposed decision(s)**

That the Committee notes the arrangements in place to manage health and safety within the Council, progress within the last year, and plans to further strengthen those arrangements.

Report for:	Key decision:	Confidential:	Is the report urgent?
Information	No	No	No

Contribution to delivery of the 2021-24 Strategic Plan**People****Place****Business**

Effective health and safety management ensures that as far as reasonably practicable the Council provides a safe working environment for its employees and relevant others affected by their acts or omissions, including customers.

Ward(s) affected

None.

What is the purpose of this report?

1. The purpose of this report is to outline the Council's approach to health and safety management, and summarise activity in the past year and planned activity for 2022, in order to provide the Committee with assurance that the Council has robust arrangements in place, as required by the Health and Safety Act 1974.

Why does this report require a Member decision?

2. To support the Committee in discharging its remit to seek assurance that the Council has good corporate governance practices, which includes health and safety management.

Report Background

3. Health and safety management is the collective responsibility of all elected members and officers of the Council, with key statutory responsibilities falling to the Chief Executive and management as the employer.
4. The Council's Health and Safety Policy:-
 - defines the Council's legal duty;
 - outlines the requirements of the health and safety management system;
 - details specific roles and responsibilities of members, managers, employees and the health and safety unit.
5. The policy sets out the framework for managing health and safety within the Council based on the cycle of 'Plan, Do, Check, Act':

Plan

6. A plan requires management to provide detail on how health and safety requirements are to be implemented within each directorate, service area and Council building in order to achieve compliance with relevant legislative and procedural requirements.
7. To support management in this process service area and premises health and safety plan templates have been developed to provide a standard framework of what is required and which can be amended to suit individual service areas and buildings as required.
8. Evidence of completed service area and premises health and safety plans are to be maintained for audit and inspection purposes by relevant management.

Do

9. This requires management to implement the requirements of their service area and premises health and safety plans in a timely manner in order to achieve compliance with relevant legislative and procedural requirements.
10. Once the requirements have been implemented, evidence of compliance is to be maintained within organised premises and service areas health and safety folders for audit purposes.

Check

11. This requires management to implement documented arrangements to regularly monitor the performance and progress of their service area and premises health and safety plans in order to achieve compliance with relevant legislative and procedural requirements.
12. Evidence of compliance checks carried out by management are to be maintained for audit and inspection purposes by relevant management.
13. The health and safety unit will carry out periodic service area and premises health and safety audits based on the requirements of the templates provided and provide recommendations as required in order to improve performance.

Act

14. This requires management to take action on performance issues within their service areas or allocated buildings in order to achieve compliance with legislative or procedural requirements.
15. They are also required to implement recommendations within service area and premises health and safety audits within a timely manner and escalate any issues which cannot be resolved.
16. Evidence to detail the completion of recommendations is to be maintained for audit and inspection purposes by relevant management.
17. As the above indicates, responsibility for health and safety lies with management and employees (who have duties to both themselves, and others). The health and safety unit supports individuals in delivering these responsibilities by providing policy and procedures, advice and guidance, undertaking audit activity and reporting overall progress.
18. Monitoring of the implementation of the policy and of health and safety performance is undertaken through a structured quarterly process, which includes a member working group that reports to full Council, and was significantly strengthened in 2021.

Progress in delivering the 2021/22 Health and Safety Action Plan

19. A health and safety action plan was developed in 2021/22. Progress on this plan is reported to Risk Management Group on a quarterly basis and is set out below.
20. A new online health and safety management application (My Compliance) was purchased in order to replace MIMS (the previous solution) and digitise a number of key functions carried out within the health and safety unit and the wider organisation to improve performance monitoring and audits, including:
 - incident reporting and investigation;
 - health and safety audits;
 - fire risk assessment; and
 - action tracking.

21. The following corporate health and safety procedures and associated documentation were produced during the year and uploaded onto the intranet:
 - Work at height procedure;
 - Ladder risk assessment template;
 - Roof work risk assessment template;
 - Display screen equipment (DSE) procedure;
 - New and expectant mothers risk assessment; and
 - Communication and Consultation procedure.
22. As part of the Communication and Consultation procedure governance arrangements for health and safety were strengthened, with the establishment of Joint Consultative Committees for each Directorate and a Leadership Team-led corporate Health and Safety Committee.
23. The health and safety unit continued to support the development and implementation of the Potentially Violent Persons Procedure throughout the Council.
24. A service area health and safety plan template was developed to support management and uploaded onto the intranet. Health and safety audits will focus more on service area requirements going forward.
25. The health and safety unit continued to support the organisation throughout the ongoing COVID-19 pandemic by amending risk assessment templates in line with Government guidance and supporting management in the implementation of control measures.
26. More detailed premises health and safety audits have now been fully implemented and actions assigned to relevant management to improve compliance. The new health and safety application allows the health and safety unit to benchmark performance and carry out trend analysis.
27. A selection of 'theme of the quarter' posters, providing information to staff on management on various health and safety topics have been produced with the aim of supporting directors in communicating key health and safety themes and initiatives to the wider workforce. The posters will be displayed on noticeboards alongside the statutory health and safety and statement of intent posters.
28. Several training courses were delivered during the year:
 - Manual handling videos were added to Middlesbrough Learns to replace the existing manual handling e-learning course. The manual handling risk assessment course has been revised, together with activity specific manual handling courses. The health and safety unit completed manual handling of objects and people handling training to upskill them in order to deliver training in future.
 - A permit to work course was delivered to relevant services to assist them in implementing robust arrangements for controlling high-risk non-routine work carried out by external contractors.
 - A face-to-face fire warden course and a risk assessment course was produced and will be rolled out this year, subject to COVID-19 restrictions. Both courses are designed for staff who are new to health and safety but will also provide up-to-date information on both topics.

Health and safety activities for 2022/23

29. During 2022/23, further work as set out below will be undertaken to build on progress made within the previous action plan as part of the Council's commitment to continual improvement in health and safety management.
30. The health and safety unit will continue to develop the My Compliance, digitising remaining manual processes and developing a business intelligence through which management can monitor 'real time' health and safety performance.
31. The single Potentially Violent Persons Register will be launched and the COSSH procedure will be reviewed and uploaded onto the intranet.
32. Detailed health and safety plans for each type of premises will be produced, incorporating both premises and service area health and safety requirements. Work will also start on service area specific health and safety plans for high-risk service areas. Health and safety audits will ascertain compliance with the revised plans with the aim of improving compliance and safety standards throughout the Council.
33. The health and safety unit will continue to support the organisation in dealing with the COVID-19 pandemic and the return to the office, including relocation to Fountain Court in summer 2022.
34. The health and safety training on Middlesbrough Learns and other bespoke face-to-face training will be reviewed and revised where appropriate to reflect new and updated corporate procedures. Leadership and Management Team will attend an accredited one day IOSH Leading Safety Course.

Conclusion

35. While COVID-19 has caused some disruption, good progress has been made in developing the Council's health and safety management system – in particular in respect of governance, records management and performance management.
36. Work has continued in developing health and safety unit team members in their new generic roles. Each advisor continued to learn new skills relating to permit to work, manual handling of objects and people handling. In the year ahead they will focus on revising training packages to reflect corporate procedures. The unit worked hard during the year to keep up-to-date with the completion of health and safety audits and fire risk assessments remaining in date.
37. Performance monitoring during the year identified a number of issues (reported to LMT and the member-led Steering Group) relating to incident underreporting and the timeliness of completing investigations and completing actions from both investigations and audits. Improved performance management arrangements should see these issues – partly attributable to COVID-19 – resolved during 2022/23.
38. Next year the health and safety unit will build upon work undertaken during the past year and move focus to improving the ownership of health and safety management across the Council, with the implementation of improved health and safety plans and the development of more in depth auditing arrangements.

What decision(s) are being asked for?

39. That the Committee notes the arrangements in place to manage health and safety within the Council, progress within the last year, and plans to further strengthen those arrangements.

Why is this being recommended?

40. To support the Committee to discharge its responsibility to maintain an overview of corporate governance within the Council, which includes business continuity management.

Other potential decisions and why these have not been recommended

41. Not applicable.

Impact(s) of recommended decision(s)

Legal

42. Health and safety management is a part of corporate governance, and the Council has a legal duty to ensure arrangements comply with the requirements of the Health and Safety Act 1974.

Financial

43. There are no new direct financial considerations in relation to health and safety management as a result of this report. By having robust plans in place, the Council will mitigate the reputational and financial risks from health and safety incidents as far as reasonably practicable.

Policy Framework

44. This report does not seek to amend the Council's Policy Framework.

Equality and Diversity

45. There are no direct implications from this report on equality and diversity.

Risk

46. Health and safety management positively impacts on the following risks within the Council's risk registers:

- The Council must comply with the Health and Safety at Work Act 1974 to ensure risks are appropriately managed to avoid accidents and HSE prosecutions (O7-026).
- The Council must also ensure all statutory maintenance requirements are complied with (O7-018).

Actions to be taken to implement the decision(s)

47. Following endorsement of the Council's approach actions will be taken during 2022/23 to further strengthen health and safety management, as outlined in the report.

Appendices

None.

Background papers

None.

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