

MIDDLESBROUGH COUNCIL	
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Report of:	Director of Legal and Governance Services (Monitoring Officer)
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Submitted to:	Audit Committee
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Date:	25 July 2024
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Title:	Health and Safety Annual Assurance Report 2023
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Report for:	Information
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Status:	Public
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Strategic priority:	Quality of service
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Key decision:	No
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Why:	Not applicable
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Urgent:	Not applicable
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Why:	Not applicable
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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.

Executive summary
This report sets out the arrangements in place to ensure the Council meets its legal obligations in relation to health and safety. The report sets out the Health and Safety governance framework, actions delivered during 2023 and planned actions for 2024.

Purpose

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 2024, 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.

Recommendations

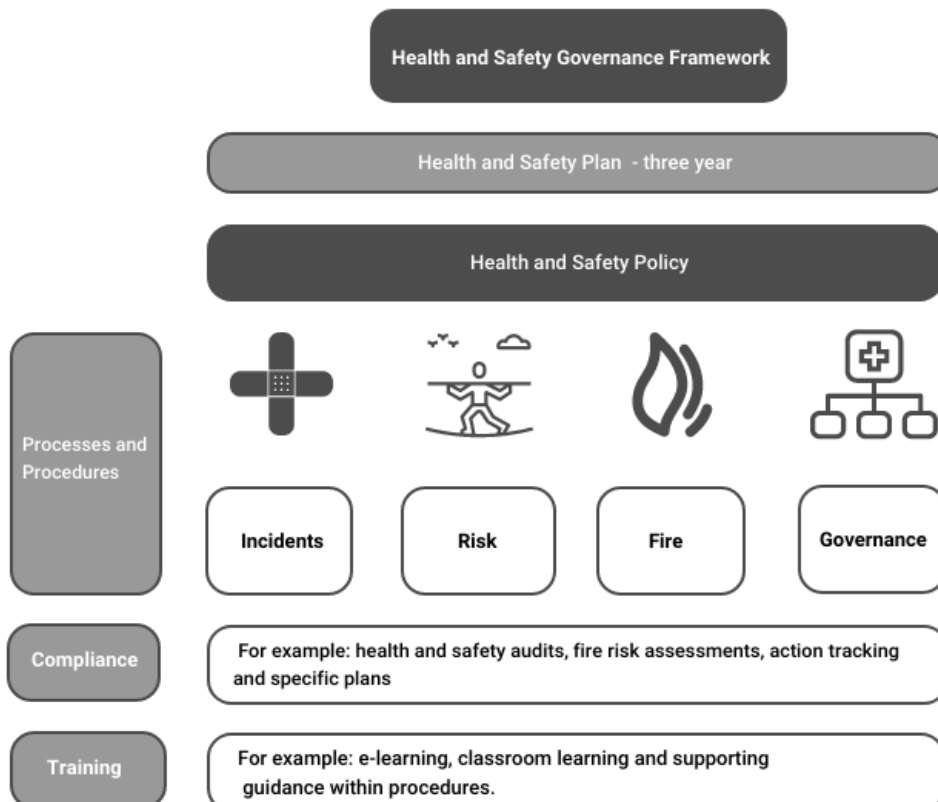
2. That the Committee notes the arrangements in place to manage health and safety within the Council, progress within the last year, and plans to further strengthen those arrangements.

Rationale for the recommended decision(s)

3. To support the Committee to discharge its responsibility to maintain an overview of arrangements in place to ensure good governance.

Background and relevant information

4. 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.
5. The Council has in place the following governance framework structure to oversee health and safety, ensure compliance with legal requirements and deliver ambitions in relation to Health and Safety.



Progress in delivering the Plan during 2023

6. The Health and Safety Plan within the above diagram sets out the Council's plans in relation for a three-year period and is supported by an action plan which is reviewed annually. Progress on these actions is set out below.
7. The digitised health and safety management application (My Compliance) has continued to be developed and its processes embedded within day-to-day risk management. The system also now has a built-in legal register which provides a detailed list of all relevant legal requirements applicable to the Council's health and safety management system, this is utilised by the health and safety team to provide advice and guidance to those service areas who need it.
8. As a significant level of data has been built up in the system it has enabled the Council to improve the intelligence it can develop from:
 - incident reporting and investigation;
 - health and safety audits;
 - fire risk assessment; and
 - action tracking.
9. This has been used to improve understanding of the impact of violent incidents, unblock systematic issues to improve compliance and increase Officer and Member visibility and oversight.
10. Regular reviews of underpinning documentation with the governance framework are undertaken. During 2023 the following procedures were implemented and or reviewed:
 - Legal Register implemented.
 - Health and Safety Policy reviewed.
 - 3-year strategic health and safety plan implemented.
 - Fire procedure and policy statement implemented.
 - Noise procedure implemented.
 - Vibration procedure implemented.
 - Personal Protective Equipment Procedure implemented.
 - Respiration Protective Equipment Procedure implemented.
 - Abusive, Persistent and Vexatious Policy implemented.
11. Reporting content for oversight of health and safety has also been refreshed, utilising the new capabilities of My Compliance and Power BI to enable reports to focus on the lessons to be learned, trends and areas of concern, while providing assurance as to the robust datasets in place to track health and safety compliance.
12. A key focus of the team during 2023 has been the implementation of the health and safety management system, this has ensured that there is a robust system in place to support staff and Members.
13. The Council continues to deliver training and support to staff to ensure compliance with health and safety obligations and understanding of roles and responsibilities.

In addition to the suite of eLearning materials that were already available to all staff, during 2023:

- Face-to-face incident investigation awareness, evacuation chair and fire warden courses were delivered to supplement e-learning.
- Face-to-face manual handling and people handling were delivered to support operational areas.
- eLearning resources were refreshed to enhance Manual handling training.
- Personal Safety Train the Trainer course completed by 8 personnel within the local authority in order to deliver a bespoke package in 2024 onwards.

14. A restructure of the health and safety unit occurred in May 2023 which resulted in the health and safety unit combining with risk management to create the Risk and Health and Safety team.
15. Current financial restraints within the local authority meant one post within the risk and health and safety team has not been filled. This resulted in ownership for delivery of fire risk assessments from January 2024 moving back to Asset Management to manage and maintain until such time the post can be filled.

Health and safety activities for 2024

16. During 2024, further work will be undertaken to implement the new strategic plan for health and safety. This ensures that the Council's commitment to continual improvement in health and safety management is delivered.
17. The health and safety unit will continue to monitor and assist in developing the digital solution linking Power BI and My Compliance in order to generate improved intelligence on health and safety incidents. Further work is also planned for the development of safety training information from Middlesbrough Learns and PowerBi to further develop business intelligence available to senior management.
18. The following policies and procedures will be produced, reviewed and uploaded onto the intranet in line with planned refresh cycles:
- Work at height procedure;
 - Incident management procedure;
 - Risk assessment procedure;
 - Manual handling procedure; and
 - Lone Working Procedure.
19. Service area health and safety audits will be completed in order to further strengthen the Council's health and safety arrangements.
20. Review of the management and documented inspections of fire doors within the Council in conjunction with Asset Management to ensure compliance with Regulatory Reform Fire Safety Order 2005, BS 9999 (2017) and BS 8214.
21. Development of bespoke Personal Safety training package, to be delivered by qualified trainers to members and officers to enhance own personal safety within the local authority.

22. Underpinning the procedures and training, as set out in the governance structure, are a series of audits that allow the Council to test compliance with health and safety good practice. These will continue to be delivered during the year, outcomes and actions tracked and used to shape future priorities.
23. Internal audit to complete audit in 2024 of Middlesbrough Council's health and safety team to check effectiveness of the health and safety management system which has been implemented throughout the local authority.

Member and Officer Oversight

24. In addition to this annual assurance report to this committee, information on health and safety compliance is reported on a quarterly basis to:
- Departmental teams.
 - Trade Union representatives.
 - The Leadership Management Team
 - The Corporate Health and Safety Steering Group which comprises Members, Officers and Trade Union representatives.

Other potential decisions and why these have not been recommended

25. Not applicable.

Impact(s) of recommended decision(s)

Financial (*including procurement and Social Value*)

26. 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.

Legal

27. 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.

Risk

28. Health and safety management positively impacts on the following risks within the Council's risk registers that relate to the management of health and safety in the workplace:
- SR-05 – Serious accident or death as a result of failure to comply with health and safety legislation and regulations.
 - HS01 – HS033 – Risks associated with the management of health, safety and fire within Middlesbrough Council.

Human Rights, Equality and Data Protection

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

Climate Change / Environmental

30. Not applicable.

Children and Young People Cared for by the Authority and Care Leavers

31. Not applicable.

Actions to be taken to implement the recommended decision(s)

32. Not applicable.

Appendices

None.

Background papers

Body	Report title	Date
Corporate Affairs and Audit Committee	Health and Safety: Annual Assurance Report 2022	31 March 2023

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