CABINET MEETING – 12ᵗʰ October 2023

EXECUTIVE SUMMARY SHEET – PART I

Title of Report:
Annual Health and Safety Report 2022/23

Author(s):
Director of Finance

Purpose of Report:
To enable Cabinet to review the management of health and safety at work within the Council during 2022/23.

Description of Decision:
Cabinet is requested to note the content of the Annual Health and Safety Report 2022/23.

Is the decision consistent with the Budget/Policy Framework?   Yes

If not, Council approval is required to change the Budget/Policy Framework

Suggested reason(s) for Decision:
A summary health and safety report is produced for Cabinet every year to provide an overview of the management of health and safety at work within the Council.

The provision of an annual report is a key measure in reviewing the management of health and safety at work within the Council and the Council's compliance with its legal obligations in relation to health and safety at work.

Alternative options to be considered and recommended to be rejected:
There are no alternative options recommended.

Impacts analysed;

Equality N/A   Privacy N/A   Sustainability N/A   Crime and Disorder N/A

Is the Decision consistent with the Council's co-operative values?   Yes

Is this a "Key Decision" as defined in the Constitution?   No

Is it included in the 28 day Notice of Decisions?   No

ANNUAL HEALTH AND SAFETY REPORT 2022/23

Report of the Director of Finance

1.0   Purpose of Report

1.1   To enable Cabinet to review the management of health and safety at work within the Council during 2022/23.

2.0   Description of Decision (Recommendations)

2.1   Cabinet is requested to note the content of the Annual Health and Safety Report 2022/23.

3.0   Introduction

3.1   This report details Health and Safety priorities and achievements, significant health and safety events, incidents reported to the Health & Safety Executive, Council-wide initiatives to improve health and safety performance as well as information from formal health and safety audit/inspection reports used to maintain and challenge the Council's health and safety management system.

4.0   Health and Safety Priorities and Achievements 2022/23

Health and Safety Management System (HSMS) and action monitoring

4.1   The Council's Health and Safety Management system is based on a Plan-Do-Check-Act principle, meaning that ongoing review is undertaken to not only maintain compliance but to go beyond compliance and create an effective health and safety system which improves our health and safety performance, improves legislative awareness and compliance, and has a positive impact on employee morale.

4.2   The aim is to achieve a balance between the systems and behavioural aspects of health and safety management and continue to embed health and safety awareness as an integral part of the organisational culture and management systems.

4.3   All directorates have started implementing the HSMS review, with some fully integrated and receiving ongoing monitoring, others are at various stages however it is anticipated that all services will be fully embedded in 2023/24.

4.4   In conjunction and supporting this implementation process, SharePoint sites are being created by Corporate Support Service colleagues for each directorate and services to hold their own documentation in a consistent format and location. These documents include specific legal registers, risk assessments, safe working procedures, training

matrices, etc. The purpose of these sites is to have all relevant and service specific H&S information in a user friendly and easily accessible place.

4.5   In addition, a reporting system of automated actions from H&S audits, fire risk assessments and certain incident reports are sent to responsible persons with agreed timescale for remedy is now embedded across all areas of the organisation. These actions are tracked and reported to Chief Officers and Assistant Directors monthly with any overdue actions escalated. H&S Advisers also meet with Assistant Directors on at least a quarterly basis to assist with development of action plans and closure of actions identified via the reporting dashboards.

4.6   Our goal for 2023/24 is to work with managers and Assistant Directors to ensure no actions become overdue thereby giving the organisation greater assurance or legal compliance.

Fire Risk Assessment (FRA) process

4.7   The five-year fire risk planner is up to date and to avoid future spikes in workloads some of the FRA's earmarked for assessment in busy years have been brought forward into quieter periods ensuring an even dispersal across the coming years.

Health and Safety Training for Senior Leaders and managers

4.8   Leading Health & Safety - Mock Investigation was developed and delivered to senior leaders and it complemented the IOSH Leading Safely course some managers had already undertaken. This session (delivered by a Barrister) gave attendees a good understanding of not only what happens in the aftermath of a serious incident, but their responsibilities and consequences under health and safety law.

Learning Management and training assurance

4.9   Competency of all our staff is fundamental to ensure they undertake their work activities with minimum risks to health and safety of themselves and others who may be affected by these activities. Section 3 of the Council's Health and Safety Policy Statement of Intent specifically refers to competence and how we will demonstrate this across the organisation and the commitment of the Chief Executive Leader and Managers, and Key Officers to achieve it.

4.10   The Council's Learning Management System (LMS) mainly in use during 2022/23, which is managed and maintained by the Workforce Development team, had some inherent limitations which impacted the organisation's ability to robustly record H&S training and outcomes. Not all H&S training was recorded on this central system, some of it being held by service managers, and some of the training was not recorded at all. Sometimes these records became difficult to locate where a manager left the organisation.

4.11   The former system did not automatically send out reminders to managers (or staff) advising that staff training is due to expire or requires refresher, the responsibility to

manage and monitor this relies on the manager having an up to date and separate training matrix in place.

4.12   The Health and Safety Manager has worked with the Learning and Development (L&D) Manager to review and where necessary develop new H&S training courses. The L&D Manager and Workforce Development Team have overhauled the Learning Hub and created a new platform called iLearn Sunderland which was launched October 2022.

4.13   The iLearn platform has made eLearning more engaging to the users and has a notification tool which automatically emails a manager and staff member alerting that training is due to expire and combined with back-office data analysis means that required training should not be missed in future.

4.14   The development of a robust training matrix is part of the HSMS, and most services now have a comprehensive training matrix in place with work ongoing in those areas that require updating. Overall, for the organisation collectively, the assurance would be regarded as Substantial.

4.15   The continued roll-out / implementation of the Health and Safety Management System will ensure any residual matters are addressed, which shall also be reviewed as part of the planned H&S audits.

Employee Protection Register (EPR) policy and procedure review

4.16   The EPR was first introduced across the Council in January 2020. Since then, it has been extremely well used by staff with 6,412 searches carried out during the reporting period.

4.17   Following the 3-year anniversary the EPR Board agreed to review the policy and procedures to ensure they remained up to date and fit for purpose. All updated documentation has been uploaded to the hub.

5.0   Significant Health and Safety Incidents during 2022/23

Environmental Services - Ride-on Mower 04/04/2022

5.1   A ride-on mower, whilst travelling down an incline on the road in Springwell and not cutting grass, had a prop shaft failure resulting in loss of control and it then hit a wall. Fortunately, no-one was injured. The subsequent investigation found that it was not an operator error but a design fault. All similar machines were modified by the Council and approved by the manufacturer to ensure it could not happen again.

Environmental Services - Sweeper Overturn 14th September 2022

5.2   A road sweeper overturned on Parkway, a short section of dual carriageway, leading from Washington Galleries roundabout to the A1231 Dual Carriageway. The driver was uninjured but did attend hospital for a check-up.

5.3   This type of Sweeper is designed to collect debris and materials from road and footpath surfaces. It carries debris removed from paved surfaces as well as fresh water used for cleaning those surfaces in separate tanks. Fully laden, the machine can weigh up to 3.4 tonnes and there is the potential for the load to move, dependent on how the vehicle is driven.

5.4   The cause of the incident is determined as excessive speed through the roundabout, which, combined with camber change of the road surface, exacerbated movement of the load within the sweeper, resulting roll and overturn. Under inflation of 3 tyres by 10 psi and 1 tyre of 22 psi was also noted. However, the manufacturer's service agent does not regard this as a significant contributory factor.

5.5   To help prevent reoccurrence, the following control measures have been recommended; re-training and toolbox talks of drivers on pre use checks and use of the machine (training to emphasise the correct tyre pressures and the requirement to reduce speed and avoid sudden steering movements, especially during cornering), and periodical monitoring of vehicles speed.

6.0   Council wide Health and Safety initiatives and priorities for 2023/24

Procurement and vetting of suppliers and contractors

6.1   Current processes for health and safety vetting of suppliers and contractors can be time consuming for council officers as well as for the bidders, therefore a review of the processes will help give greater assurance that our processes are fit for purpose.

6.2   The health and safety team are working with procurement colleagues to produce a more streamlined process. This will include a process of safety performance review / end of contract review completed by the Client.

Review of the Health and Safety Management System and action monitoring

6.3   As mentioned previously in 4.1 above, the Plan-Do-Check-Act principle means that ongoing review is essential to maintain compliance and go beyond compliance and develop an effective health and safety management system to improve our health and safety performance, legislative awareness and compliance and therefore has a positive impact on employee morale. This work shall continue within 2023/24.

Fire Risk Assessment (FRA) annual review process

6.4   FRAs identify compliance with legal obligations to fire safety, identify areas of good practice and those where remedial measures are required. They also determine a priority rating which identifies a review period. For the interim periods and to keep the FRA compliant, the responsible person (RP) for the building must carry out an annual review. Currently this review relies on the RP completing a word document template and saving it in the fire safety file onsite. Experience shows that this is not always done and could mean that an FRA could become invalid as a result.

6.5   Our goal for 2023/24 is to develop and implement an interactive online form that the RPs complete annually which is trackable thereby ensuring all FRA's remain valid for the whole of the review period.

7.0   Incident Reporting and Statistics

7.1   Of all major incidents reported, the percentage of incidents that are defined as incidents which are reportable to the HSE under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) were 1.9% (14 in number) for 2022/23.

7.2   The total number of reports to the HSE in 2022/23 were 14, a significant reduction from 2021/22 figures of 42.

7.3   There were a total of 6,412 searches on the Employee Protection Register (an increase from 4,915 last reporting period), which is very positive and shows that the EPR is now widely used across all areas of the organisation (including SCAS and TfC).

7.4   There were a total of 88 Audits carried out with and average compliance score of 92.78% (an increase from 88.66% for the previous reporting period). A score of 85% or over demonstrates good to best practice and provides assurance that the health & safety management system is robust.

8.0   Reason for Decision

8.1   A summary health and safety report is produced for Cabinet every year to provide an overview of the management of health and safety at work within the Council.

The provision of an annual report is a key measure in reviewing the management of health and safety at work within the Council and the Council's compliance with its legal obligations in relation to health and safety at work.

9.0   Alternative options considered

9.1   There are no alternative options to consider.

10.0   Other Relevant Considerations/Consultations

(i)   **Financial Implications** – Any costs associated with the priority actions for 2023/24 will be considered at the appropriate time.

(ii)   **Risk Analysis –** It is not considered that a separate risk analysis is necessary. The assessment of risk is inherent in the management of health and safety and the identification of priorities for further action.

(iii)   **Legal Implications –** The provision of an annual report is a key measure in reviewing the management of health and safety at work within the Council and the Council's compliance with its legal obligations in relation to health and safety at work.

(iv) **Implications for Other Services –** All services of the Council have responsibility for ensuring safe working environments and work collaboratively through the management system in place to achieve this.

11.0 Background Papers

11.1 None