Agenda No

AGENDA MANAGEMENT SHEET

Name of Committee	**Corporate Services & Community Safety Overview and Scrutiny Committee**
Date of Committee	**3rd March 2010**
Report Title	**Health & Safety Annual Report 2008/09**
Summary	The Corporate Health, Safety and Wellbeing Manager has compiled this report in order to provide an annual position statement on the management of health and safety within the County Council. The report summarises the health and safety activities within the Authority from 1st April 2008 to the 31st March 2009.
For further information please contact:	Ruth Pickering Corporate Health, Safety & Wellbeing Manager Chartered Safety & Health Practitioner Tel: 01926 412316 ruthpickering@warwickshire.gov.uk
Would the recommended decision be contrary to the Budget and Policy Framework?	No.
Background papers	None

CONSULTATION ALREADY UNDERTAKEN:-   Details to be specified

Other Committees   ☐

Local Member(s)   ☐

Other Elected Members   ☒   For Information;
- Councillors Appleton,
- Councillors Davis,
- Councillors Gittus and
- Councillors Moss

Cabinet Member   ☒   Councillor Timms,
                                  Councillor Stevens

Chief Executive   ☐

Legal   ☒   Jane Pollard

Finance   ☐

Other Strategic Directors ☐

District Councils ☐

Health Authority ☐

Police ☐

Other Bodies/Individuals ☐

FINAL DECISION

SUGGESTED NEXT STEPS: Details to be specified

Further consideration by
this Committee ☐

To Council ☐

To Cabinet ☒

To an O & S Committee ☒

To an Area Committee ☐

Further Consultation ☐

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Corporate Services & Community Safety Overview and Scrutiny Committee - 3rd March 2010.

Health & Safety Annual Report 2008/09

Report of the Strategic Director of Customers, Workforce & Governance

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Recommendation

This report was tabled at the Audit and Standards Committee on the 23rd November 2009. It was agreed that this report would be tabled at the Corporate Services & Community Safety Overview and Scrutiny Committee for committee members to review and comment upon the Health and Safety Annual Report for 2008/09 and endorse the priorities recommended in the report.

Contents:

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Health and Safety Annual Report 2008/09

1.0 Introduction

1.1. The Corporate Health, Safety and Wellbeing Manager has compiled this report in order to provide an annual position statement on the management of health and safety within Warwickshire County Council. The Corporate Health, Safety and Wellbeing Manager came into post July 2009, therefore this report refers to the previous post holder who was titled the Corporate Health and Safety Officer, as this report summarises the health and safety activities within the Authority from 1st April 2008 to the 31st March 2009.

Please note that each Directorate Health and Safety Officer has prepared an annual report on the management and performance of health and safety within their respective Directorate. Each report has been presented to the Strategic Director and management teams prior to this report being prepared. This report therefore provides the corporate position statement based on the Directorate information. For Directorate specific information, a copy of the individual reports will be provided by the Corporate Health, Safety & Wellbeing Manager upon request.

1.2. The Governments "Revitalising Health and Safety" strategy document requires all public bodies to summarise their health and safety performance plans in annual reports, and that Government (including local government) be exemplars of best health and safety practice.

2.0 Management of health and safety in Warwickshire County Council

2.1 The Health and Safety at Work etc Act 1974 and The Management of Health and Safety at Work Regulations require employers to appoint competent persons to ensure strong health and safety practice. Within Warwickshire this is achieved in-house through the competent leadership of the Corporate Health and Safety Officer and the 21 Directorate health and safety staff. Each Directorate health and safety team are qualified to provide the required health and safety advice for their Directorate. The health and safety function also includes the County COSHH (Control of Substances Hazardous to Health) Officer who provides a support and advisory service county wide.

Within each Directorate health and safety team there is a competent lead officer for health and safety with a reporting line to their own Strategic Director; and with professional guidance from the Corporate Health and Safety Officer.

2.2 The County Council has delegated operational responsibility for health & safety to the Corporate Health and Safety Officer. This responsibility includes reviewing and interpreting new legislation to determine its effect on corporate policy and co-ordinating the management of good health and safety practice through the Directorate leads.

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2.3   The Corporate Health and Safety Officer chairs a health and safety co-ordinators meetings with all competent staff on a bi-monthly basis.   This ensures a corporate approach to health and safety, a shared approach to policy development and the exchange of good practice.

2.4   In addition to the health and safety co-ordinators meeting, a number of key development groups have been set up to provide a focus on key policy and performance issues. Firstly, a health and safety policy group is held monthly with a lead health and safety staff member from each Directorate. This group coordinates and approves the development of corporate policies to ensure legal compliance and County Council best practice. The following sub-groups support this policy group by focusing on key policies, procedures and implementation to ensure health and safety performance:
- Health and safety training
- Health and safety communication
- Health and safety updates
- Inspection and audit
- Stress and mental wellbeing
- WorkRite (reviewing, planning and implementing the AssessRite package)
- Accident reporting and recording
- COSHH

2.5   All corporate policies apply to all Directorates. How these policies are implemented is detailed within the Directorate arrangements. The corporate policy group has a 3 year rolling programme for developing, reviewing and introducing health and safety policies. Policies are developed/ reviewed, produced/amended following any new legislation, HSE or industry guidance.

2.6   The County Council have a well established Health and Safety Joint Consultative Committee (JCC) to share information with representatives of the recognised trade unions. Membership includes the lead health and safety staff from each Directorate, a Unison representative, Teachers Union representative, and GMB representative. The group continues to be effective in relation to the development of corporate policies and the management of joint health and safety workplace inspections.

2.7   An important part of the management of health and safety is the process of cross Directorate auditing. A lead Health and Safety Officer from one Directorate audits the health and safety management arrangements of another. The recommendations then inform the action plan for that appropriate Directorate. The process of cross Directorate auditing takes place on a bi-annual basis.

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3.0 Summary of developments during 2008/2009

The health and safety staff across all Directorates have continued to work towards the 'one Warwickshire' approach by streamlining policies and procedures into a more corporate format where appropriate. Excellent progress has been made within this area, and will continue.

There has been a reduction in the total number of accidents reported for seven consecutive years (see section 4.4).

3.1 New Legislation that applies to Warwickshire County Council

The HSE implements legislative changes that arise from within the UK on only two dates each year, the 6th April and the 1st October.

3.1.1 New legislation - During 2008/2009 the following came into force:

Corporate Manslaughter & Corporate Homicide Act 2007

The Corporate Manslaughter & Corporate Homicide Act 2007 came into force on the 6th April 2008. It enables a corporation to be convicted of corporate manslaughter when someone is killed as a result of the way the organisation is managed or organised and the failings by senior managers add up to a gross breach of the 'relevant duty of care' owed to the deceased person. This Act applies to local authorities, and the duty of care we not only owe to employees, but also the duty of care we owe to our clients and service users as occupiers of land and suppliers of services.

In order for a jury to decide what is a gross breach of the 'relevant duty of care'; the jury will decide amongst other things whether the organisation failed to comply with health and safety legislation, how serious any breach was; and how much of a risk of death it posed.

In response to this new Act, the County Council has undertaken an assessment of our processes for managing health and safety within each Directorate. This assessment measured our existing processes and procedures against OHSAS 18001 which is the internationally recognised management standard. See section 4.6.1 for the findings and action following this assessment.

In-house auditing programmes and workplace inspections are also undertaken to ensure we systematically examine our health and safety management system and the arrangements therein.

3.2 Increased focus on performance

Over the last two years a series of health and safety performance standards and targets have been introduced. The targets relate to health and safety training, accident investigations, risk assessments and outcomes from workplace inspections. The health and safety officers have collated the first year's statistics during 2007/8 and have set subsequent targets for the next five years. This year's targets and status is set out in section 4.3.

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4.0 Health and Safety performance during 2008/2009

4.1 Regulatory interventions – Health & Safety Executive (HSE)

4.1.1 There have been no statutory notices or prosecutions this year.

4.1.2 The HSE has a further duty to investigate employers where complaints have been made or where serious injury has occurred. One such complaint occurred within the children, young people and families' Directorate. This involved a parent contacting the HSE over concerns of medium density fibreboard (MDF) dust extraction within a schools design and technology workshop. The Directorate health and safety team investigated on behalf of the HSE, and identified recommendations. The HSE were informed of the investigation, recommendations and actions, and were satisfied with the feedback and outcome.

4.2 Regulatory interventions – Fire & Rescue Service enforcement officers

With the introduction of the Regulatory Reform (Fire Safety) Order 2005, Fire and Rescue Authorities and other bodies ("enforcing authorities") now have a duty to enforce fire safety in non-domestic premises.

The fire & rescue service has been undertaking inspections of Warwickshire County Council's premises, however there have been no statutory notices or prosecutions this year.

4.3 Performance against key performance indicators

In 2006/7 the Health and Safety Policy Group agreed a series of targets and standards to guide general health and safety performance. The following table provides detail on the 2008/09 target and the average achieved status for all Directorates.

Performance indicators	Target 2008/09	WCC % Performance 2008/09
New managers to attend health and safety management training within 6 months of start date	96%	**85%**
Reduction in the number of employee F2508 accidents reported	10%	**+1%**
Accident investigations carried out for all of above and copy to Corporate Health & Safety Officer.	100%	**98%**
Reduction in relevant accident category within each Directorate (Directorate to identify category)	16%	**9%**
List of risk assessments to be completed in each Directorate	100%	**100%**
Risk assessments to be completed in each Directorate	50%	**60%**
Scheduled workplace inspections completed	95%	**83%**
Outcome of workplace inspections to be set out in Directorate health and safety action plans	100%	**100%**
Action of recommendations from workplace inspections (within 12 months)	90%	**90%**

The achieved status only demonstrates areas where further improvement and resources need to be targeted in order to improve performance.

The +1% increase in F2508 reports under RIDDOR is due to the 50% increase within the Resources Directorate.

Amongst health and safety staff it has been agreed that these targets will be reviewed for 2009/10 so as to ensure continual health and safety performance. This will also ensure that our performance at the Council can be adequately measured.

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4.4 Accident Statistics

There were a total of 1877 reported accidents across all Directorates. A breakdown of the employee and non-employee (members of the pubic, service users, pupils, customers) accidents per Directorate are as follows:

Directorate	2006/7	2007/8	2008/09
Children's, Young Peoples and Families	1390	1384	1272
Adult Health and Community Services	408	325	344
Environment and Economy	103	115	111
Customers, workforce and Governance	26	13	22
Resources	61	58	71
Fire & Rescue Service	77	58	57
Total	2065	1953	**1877**

Year on year comparators are given below:

Year	Total number of accidents	% change
2006/07	2065	/
2007/08	1953	- 5%
2008/09	1877	- 4%

There has been a 4% reduction in accidents compared to last year's figures.

4.4.1 Accident causation:

Accident statistics are recorded against the HSE categories. The commonest reason for accident reports for employees and non-employees, in ranked order, are:

1. Slips, trips and falls on the same level, n = 682 reports
2. Hit by moving, flying, or falling object, n = 299 reports
3. Violent incidents (both physical/ verbal assault), n = 201 reports
4. Hit something fixed or stationary, n = 168 reports
5. Manual handling (lifting, carrying, pushing and pulling), n = 111 reports

These 5 commonest reasons for accidents are the same top 5 categories as 2006/07 and 2007/08.

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4.4.2 Employee accident reports:

The number of accident reports for our employees only, are as follows:

Directorate	2008/09
Children's, Young Peoples and Families	437
Adult Health and Community Services	206
Environment and Economy	53
Customers, workforce and Governance	20
Resources	70
Fire & Rescue Service	50
Total	836

Of all our reported accidents 44.5% (n=836) relates to our employee incidents. Therefore 55.5% (n=1041) relates to accidents to non-employees.

4.4.3 HSE RIDDOR reportable incidents for employees:

Of the 836 employee accidents reported, a total of 117 were reported to the HSE on the F2508 form as required under the Reporting of Injuries, Diseases and Dangerous Occurrence Regulations (RIDDOR).

The breakdown of the 117 RIDDOR reports per Directorate is as follows:

Directorate	2007/08	2008/09
Children's, Young Peoples and Families	49	41
Adult Health and Community Services	37	37
Environment and Economy	8	10
Customers, workforce and Governance	0	1
Resources	10	15
Fire & Rescue Service	17	13
Total	121	117

There has been a 3% decrease in the number of employee accidents that were RIDDOR reportable to the HSE compared to last year.

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4.5   Staff Survey Results

The results of the 2008 staff survey indicate an improvement in employee confidence levels for the implementation of health and safety for the 4th consecutive year. This is measured by question 38 of the survey "*health and safety is taken seriously in the County Council?*". Although this is only a 'shapshot' of respondent's opinion, rather than a complete measure of health and safety performance and implementation, it is still a satisfying result as employees are recognising health and safety commitment.

% of respondent across the Council – over last 4 years			
2005	**2006**	**2007**	**2008**
77%	**78%**	**81%**	**83%**

% of positive respondents per Directorate					
AH&CS	**CYP&F**	**F&RS**	**E&E**	**CW&G**	**RE**
84%	**78%**	**77%**	**85%**	**90%**	**87%**

4.6   Auditing activity

4.6.1 Health and safety management system - OHSAS 18001:

The County Council currently works to the health and safety management system recommended by the HSE, known as HS(G) 65. This provides a clear management system that is widely used by employers, including other local authorities.

The Council has nevertheless sought to measure its performance against a better, internationally recognised and accredited management system specification – OHSAS 18001. This management system is compatible with ISO 14001 (environmental management system) and ISO 9001 (quality management system).

As an initial step, the Council carried out a self-assessment, followed by an external analysis conducted by British Standards Management Systems (BSI) to assess our performance against OHSAS 18001.

The main findings confirmed that there were no major deficiencies in our health and safety management system, and that we were already meeting the OHSAS 18001 standard to a large extent. The main areas identified as needing to be assessed in order to achieve accreditation were:

* Our policies and documents would require amendment to link specifically to the OHSAS 18001 standard.
* We would need to formally document the applicable health and safety legislation and how the Council complies with the relevant requirements.

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- Policy on safe management of contractors should define and include a section on 'permit-to-work' for high risk activities.
- Some changes should be made to document control procedures.
- Procedures and systems for dealing with communication from external parties needs to be clarified.

The cost of formalising our accreditation to OHSAS 18001 are high - approximately £40,000 initially and approximately £20,000 annually thereafter.

Accordingly, it has been decided not to pursue formal accreditation at this stage, but instead work towards the principles of the OHSAS 18001 standard as 'best practice', while remaining within the existing HS(G) 65 management system. This will help to improve our current management system, thereby strengthening a corporate approach to health and safety management.

4.6.2   Warwickshire Audit:

The health and safety function for three Directorates was audited by Warwickshire Audit in February 2008. All findings have been action apart from one. This outstanding action refers to the bi-annual audit requirement to be stipulated within the corporate health and safety policy. The policy is due for review in October 2009, so this will be actioned then.

4.6.3   In-house bi-annual audit:

The in-house bi-annual cross Directorate audit was undertaken in September 2008 for all Directorates. All findings have now been actioned.

4.7   Display Screen Equipment (workstation) assessments

The AssessRite System was introduced in 2005 following an audit by the HSE. This system was introduced to ensure that the County Council could meet the legal obligation under the Health and Safety (Display Screen Equipment) Regulations. The AssessRite system is being launched within CW&G, F&RS and RE Directorates in April 2009 (phase 1). The plan for 2009/2010 is to implement this system within the remaining 3 Directorates (phase 2).

4.8   Health and Safety training

All Directorate Health and Safety staff have been involved in the planning and delivery of various health and safety courses within their Directorate. The mandatory health and safety training course for managers, and the mandatory risk assessment course, have been reviewed with the revised courses now being delivered. Other specific health and safety training (such as manual handling, first aid, personal safety, managing employee stress, etc…) is being carried out within each Directorate based on the service area/ team/ employee requirements.

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4.9   Health & Wellbeing – developing a healthy and safe workforce

In accordance with the sickness absence statistics, work has continued to focus on the areas with higher absence figures by providing a range of interventions that are tailored to the specific issues that have been identified. Such interventions include employee lifestyle and health checks, health awareness events, workshops (on wellbeing and positivity), and wellbeing facilitation. All of which focuses on improving the health and wellbeing of staff. The MyTime information is still available on the intranet site, and it continues to provide useful up-to-date advice on health and wellbeing initiatives.

5.0   <u>Occupational health</u>

From the 1st April 2009 Team Prevent start their contract as the occupational health provider for WCC. This follows a tendering exercise, and replaces Heales who previously provided this service.

The occupational health service provides pre-employment health assessment, management referrals, medicals, vaccinations, health promotion events, and health surveillance and monitoring where necessary. This is a proactive service to ensure that our employees are protected against risks of work-related ill health, to assist with reducing sickness absence, and to get people back to work sooner (through early intervention and rehabilitation). To assist with this proactive approach, Team Prevent will work within the same function as the newly appointed Corporate Health, Safety and Wellbeing Manager, health and safety staff; staff care; and the healthy workforce co-ordinator.

Future reports will include occupational health referral data.

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6.0 Last years corporate priorities

As identified in last years report, the following priorities and target dates were assigned. As of March 31st 2009 the status against priorities is given below:

Priorities 08/09	Date	Status
Provide an ongoing Health and Safety training programme tailored to individual Directorates.	Jan 2009	Complete
The corporate health and safety officer will continue to ensure that wherever possible a uniform approach is taken to the management of health and safety within all departments	On going	Ongoing
Implement the finding of the Warwickshire Audit of Health and Safety function	Sept 2009	Complete
Directorates will be continuing to improve on the numbers of specific risk assessments being undertaken	Dec 2009	On target
To launch the intranet pages for Health and Safety which will include all completed Directorate risk assessments and all Corporate Policies	Oct 2008	On going (Corporate policies complete. Risk assessment to be completed 09/10)
Complete the new accident recording project which will provide more detailed data analysis and statistical information	April 2009	Incomplete (to be launched Jan 2010)
Launch WorkRite (AssessRite) into three Directorates in phase one and county wide in phase 2	Nov 2008	Incomplete at deadline – phase 1 completed April 2009
To establish a stress and mental well-being group to develop a corporate strategy and undertake a county wide employee health needs and stress survey	Sept 2008	Complete *

* A stress and wellbeing policy has been produced and it is currently available on the intranet. However, a further review needs to be undertaken to identify/address the stress survey and risk assessment requirements and implementation options for the Council.

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7.0   Corporate priorities for 2009/2010

The Corporate priorities for the forthcoming year will ensure continuation of last years efforts, including the work to be undertaken by the newly appointed Corporate Health, Safety and Wellbeing Manager:

Priorities 2009/10	Date
The new Corporate Health, Safety and Wellbeing Manager post will supersede the Corporate Health and Safety Officer post. With the inclusion of wellbeing within this new post, it will improve the links between the health & safety function, with the staff care service, the healthy workforce agenda, and occupational health. This approach will enable a more proactive and standardised approach to health and safety management and performance. Therefore the integration of these services will be actioned.	From August 2009 onwards
The Corporate Health, Safety and Wellbeing Manager will continue to ensure that wherever possible a uniform approach is taken to the management of health and safety within all Directorates	Ongoing
To review the content of the health and safety information available on the intranet to ensure the required breadth of information is available (for example, all corporate policies, Directorate risk assessment, wellbeing and occupational health information); it is up-to-date; easily accessible and user-friendly.	Ongoing
Review the Corporate health and safety policy to include wellbeing and the OHSAS 18001 audit findings; and the Warwickshire Audit findings.	Nov 2009
Develop and review corporate polices as necessary based on legislative changes; HSE/ industry guidance; and in accordance with the policy groups 3 year rolling-programme. New policies will be developed as necessary.	Ongoing
Start to implement a corporate health and safety training programme which will also provide specific training for Directorates and service areas as necessary.	Ongoing
Due to the revised first aid training guidance being provided by the HSE in October 2009, this training requirement and provision will be the first to be reviewed/ implemented within the corporate framework.	Mar 2010

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Priorities 2009/10	Date
Complete the new accident reporting and recording project which will provide more detailed data analysis and statistical information. A policy to support the implementation of the incident reporting and investigation requirements will be developed. Supporting guidance and forms will also be produced.	Jan 2010
Launch AssessRite into the remaining 3 Directorates (phase 2)	Mar 2010
To re-establish the stress & wellbeing policy working party to review the content of the policy against HSE guidance to ensure a corporate approach to stress management	Nov 2009
Develop an auditing policy (and accompanying audit template forms) to support the corporate health and safety policy. This will identify how we assess the adequacy of the Council's health and safety management system and risk control strategies in accordance with HS(G)65.	Feb 2010
In conjunction with the Fleet Manager, the health and safety policy group will advise on the content of the occupational road risk policy.	Proposal to SDLT Dec 09 Implementation Mar 2010

8.0   Conclusion

The health and safety priorities for 2009/10 will continue the corporate approach to health and safety management. The newly appointed Corporate Health, Safety and Wellbeing Manager will further enhance the corporate approach by integrating and improving the lines of communication, consultation, cooperation, procedures and processes between the health & safety function, the staff care service, the healthy workforce agenda, and occupational health. This approach will enable a more proactive, standardised and enhanced approach to health and safety management and performance.

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November 2009

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