

# RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PERSONNEL COMMITTEE

Agenda Item No.

meeting date: WEDNESDAY, 1 JUNE 2011  
title: HEALTH & SAFETY  
submitted by: HEALTH AND SAFETY ADVISOR  
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## 1 PURPOSE

1.1 This report presents a review of the health and safety performance of the Council during the period April 2010 to March 2011.

1.2 Relevance to the Council's ambitions and priorities:

- Council Ambitions – Effective management of health and safety risks supports the Council's ambition to make people's lives safer and healthier for staff as well as for the community.
- Community Objectives – Effective risk control systems for staff, contractors and members of the public supports the Community Strategy theme to promote health and well-being within the community.
- Corporate Priorities – Health and safety reports provide the information needed by people in the Council who have particular responsibilities within the health and safety management system, these people include directors, senior managers, managers, supervisors, health and safety professionals and employees/safety representatives.
- Legal – To ensure legal compliance with all Health and Safety Acts, Regulations and Approved Codes of Practice and in particular the Management of Health and Safety at Work Regulations 1999, Regulation 5, (health and safety arrangements).

## 2 OVERVIEW

2.1 Senior management have, once again, shown a positive attitude to Health and Safety and the overall culture is now one of continuous improvement and commitment. Health and Safety continues to be an agenda item at CMT and staff meetings and features appear regularly in Backchat. The Chief Executive attends Health and Safety Committee meetings, which serve as a forum for consultation with employees, the meetings are well attended and effective.

2.2 Effective management of health and safety risks helps the Council to:

- maximise the well-being and performance of its employees;
- stop people getting injured, ill or killed by their work;
- prevent damage to its reputation in the eyes of customers, suppliers, other stakeholders and the wider community;
- encourage better relationships with contractors, and more effective contracted activities; and

- minimise the likelihood of prosecution and consequent penalties.

2.3 The Ribble Valley Borough Council Health and Safety Management System utilises the model provided in HS(G)65, see Figure 1, this is a framework for directors, managers, health and safety professionals and employee safety representatives all of whom will be involved in the implementation of the Health and Safety Management System (HSMS).

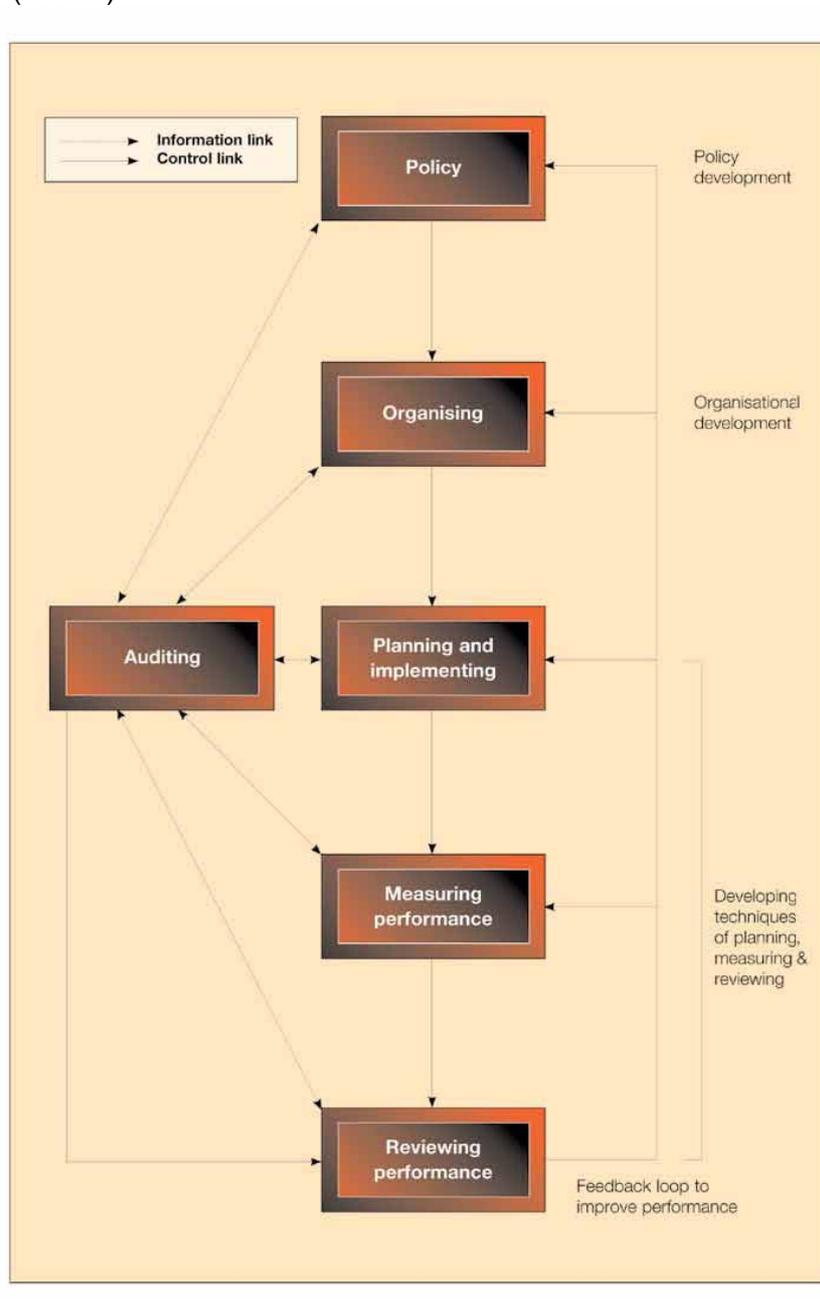


Figure 1. HSG65.

2.4 The Health and Safety Management System comprises three levels of control:

- **Level 3** - effective workplace precautions provided and maintained to prevent harm to people at the point of risk (guards, ventilation, instructions and systems of work).
- **Level 2** - risk control systems (RCSs): the basis for ensuring that adequate workplace precautions are provided and maintained (policies and procedures).

- **Level 1** - the key elements of the health and safety management system: the management arrangements (including plans and objectives) necessary to organise, plan, control and monitor the design and implementation of RCSs.

In addition, a positive health and safety culture supports each level.

### 3 POLICY DEVELOPMENT

- 3.1 The Council's Fire Safety Policy was revised, updated and approved by CMT, Personnel Committee and Unison, and has now been adopted. The new policy was communicated to staff at staff meetings and in Backchat and is freely available to view on the intranet site.
- 3.2 Twenty one Fire Marshals have been trained in the Council's Emergency Plans and the practical use of fire extinguishers in line with the Fire Safety (Employees' Capabilities) (England) Regulations 2010.
- 3.3 Staff briefings on the Emergency Plans have been carried out and virtually all office staff have now been briefed, the briefing will also be presented at the Depot.

### 4 THE COUNCIL'S SIGNIFICANT HAZARDS

- 4.1 Construction – this covers a range of operations including property maintenance and management, refurbishment, demolition and excavation, as well as specific hazards such as asbestos and legionella.
- 4.2 Transport – this includes waste transfer station and depot management, occupational road risk and vehicle operations and maintenance; in 2009/10 17 claims were made in respect of our general motor vehicles - 14 settled in favour of claimants with a total cost of £14,000, 3 are still being negotiated. In 2010/11 6 claims were made in this respect – 2 settled in favour of the claimants, 1 claim was made for damage at the depot with a total cost of £2,369, 1 case is ongoing.
- 4.3 Fire – this is an important area due to the potential severity of any incidents and the size of the authority's property portfolio.
- 4.4 Mental health problems – these are the biggest cause of sickness absence in local government. Stress, anxiety and depression are the main issues, 222 working days were lost at Ribble Valley during this period due to stress.
- 4.5 Musculoskeletal injuries – bad backs, muscle damage and sprains are not just caused by lifting or moving heavy things, repetitive tasks such as intensive keyboard use can also be to blame along with slip or trip accidents, 606 working days were lost at Ribble Valley in this period due to this type of injury.
- 4.6 Waste Management – nationally this activity continues to cause fatal accidents to Council staff and members of the public, there have been no fatalities at Ribble Valley although several near misses have occurred which continue to be monitored and investigated. This activity remains a high priority for the HSE who have a 3 year programme of inspections and interventions for in-house and contracted waste collection services, during this period the HSE will visit and audit every Council nationally, RVBC can therefore anticipate an audit in the near future.
- 4.7 Following the Lord Young Report into Health and Safety and a 35% cut in their budget, the Health and Safety Executive has reviewed its strategy for the future, details have been published in the DWP Chris Grayling document "Good Health and

- 4.8 Part of the new strategy proposes that the HSE will recover all costs of an inspection/investigation at which a serious, material breach in standards is diagnosed and a requirement to rectify is formally made, together with the cost of any follow-up work.
- 4.9 There were no prosecutions, improvement notices or prohibition notices issued to RVBC by the HSE during 2009/10.

## 5 SUMMARY OF ACHIEVEMENTS

- 5.1 The Council's Health and Safety Policy clearly sets out how the Council will manage the Health, Safety and Welfare of all employees and others who may be affected by its undertakings, therefore the health and safety goal of the Council is to effectively implement all sections of the Policy.
- 5.2 Overall, 2010/2011 was a positive year in terms of health and safety management and achievements include:
- 5.2.1 Adoption of the new Fire Safety Policy setting out the Council's commitment to effectively manage Fire Safety and setting the goals and arrangements for putting the policy into effect.
- 5.2.2 Provision of Asbestos Awareness Training for all staff who are likely to come into contact with, or disturb asbestos containing materials while carrying out their normal everyday work, this is in line with Regulation 10 of the Control of Asbestos Regulations 2006.
- 5.2.3 A new working system was introduced at the Waste Transfer Station which meant that a large number of visiting drivers would be entering the Station on a daily basis. All such drivers were required to be trained on the Site Rules and Traffic Management Plan; to date approximately 30 drivers from JWS Churngold Ltd have received the training.
- 5.2.4 Two members of the Grounds Maintenance Team have attended, and passed, the I.O.S.H. Managing Safely Course. Additionally, four members of the team have achieved a City & Guilds Level 2 Award in the Safe Use of Ride On Self Propelled Mowers and General Grounds Maintenance Equipment, in line with the Provision and Use of Work Equipment Regulations 1998
- 5.2.5 The Event Management Plan was produced, in cooperation with the Police and the Duke of Lancaster's Regiment, for the Freedom March by the Regiment. Crowd safety was managed by the use of trained Stewards who were volunteer Council employees. The event was a great success, with no reported Health or Safety incidents. The Health and Safety Advisor is now taking a proactive role in the management of event safety.
- 5.2.6 The Health and safety Advisor has carried out Manual Handling Training to the Amenity Cleansing Department along with the Legal Services Section. Further training is to be provided to the Refuse Collection Service and all other relevant sections of the Council.

5.2.7 The East Lancashire NHS carried out a second workplace health screening intervention programme for depot staff.

The intervention had a number of key aims:

- The first of those was to identify subjects in the workplace who are at risk of developing a cardiovascular event eg heart attack over the next ten years.
- The next aim was to make sure that those people within the workplace who are identified with a high-risk score were referred to a GP for treatment so as to reduce that risk.
- Where individuals in the workplace were not registered with a GP they were offered a list of surgeries at which to register.

The intervention was well received by Depot staff and will hopefully result in reduced risks and better health for the future.

5.2.8 Joint Workplace Inspections with Safety Representatives from Unison have taken place regularly throughout the year. Any issues raised were speedily resolved and a positive working relationship with the union continues.

5.2.9 Significant proactive and reactive work has been undertaken providing a wide range of support both corporately and operationally.

## 6 ACCIDENT AND INCIDENT STATISTICS

6.1 In the 2010 – 2011 period there have been 38 accidents, 8 of which were reportable to the HSE, compared with 23 accidents in 2009 – 2010, 5 of which were reportable to the HSE under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 as their injuries made them unable to work for 3 days or more. (See Appendix 1.) The increase is due, in part, to an improved reporting system which includes accidents and incidents involving members of the public at the swimming pool and market. The Health and Safety Advisor will continue to investigate accidents and incidents, along with managers and safety representatives in order to prevent reoccurrence and further losses.

6.2 The total number of incidents (near misses) reported by employees was 10, 3 of which involved incidents of aggressive or abusive behaviour towards employees, a significant reduction from the previous year.

## 7 TARGETS FOR 2011/2012

### 7.1 Construction

7.1.1 Monitor the implementation of the Policy for the Health and Safety Management and Control of Contractors and Consultants to ensure compliance at procurement stage and during works on site.

7.1.2 Continue to implement the Council's Control of Asbestos and Legionella Bacteria Policies and carry out monitoring, sampling and testing as appropriate.

7.2.3 Ensure the duties imposed by the Construction (Design and Management) Regulations 2007, are carried out for all applicable design and construction works.

## 7.2 Transport

- 7.2.1 Develop a Council Policy for the Management of Occupational Road Risk, (MORR), and review and revise the Council's risk assessments for driving vehicles, both cars and goods vehicles, at work.
- 7.2.2 Continue to monitor the number of incidents resulting in damage to refuse collection vehicles and implement an initiative to reduce the number of incidents and lower the burden of repair costs for vehicles and property.

## 7.3 Fire

- 7.3.1 Implement the new corporate policy for Fire Safety identifying roles and responsibilities for those employees with duties in the event of Fire and Emergency in accordance with the Regulatory Reform (Fire safety) Order 2005.
- 7.3.2 Carry out basic fire safety refresher training for employees and further specific Fire Safety training for all Fire Marshals in accordance with the Fire Safety (Employees' Capabilities) (England) Regulations 2010.
- 7.3.3 Ensure fire alarm testing and practice evacuations of public buildings are carried out regularly and liaise with the Fire and Rescue Service during statutory inspections and audits.

## 7.4 Mental Health Problems

- 7.4.1 Monitor instances of work related stress symptoms including anxiety and depression and assist Managers and Personnel Section in the risk assessment process for individual cases.
- 7.4.2 Work alongside the Personnel Section in developing strategies for reducing the number of working days lost due to work related stress through implementation of the Health and Safety Executive's Management Standards and the Ribble Valley Borough Council Policy on the Management of Stress at Work.

## 7.5 Musculoskeletal Injuries

- 7.5.1 Continue to assist employees in setting up their workstation in accordance with Health and Safety (Display Screen Equipment) Regulations 1992 (as amended in 2002).
- 7.5.2 Conduct Advanced Display Screen Assessments where musculo-skeletal disorders have been identified and ensure ergonomic adjustments are carried out and monitored.
- 7.5.3 Continue to monitor manual handling activities carried out by Council employees and where necessary conduct risk assessments where appropriate.
- 7.5.4 Provide in-house manual handling training for all employees where appropriate and in particular to the Refuse Collection operatives to reduce the number of working days lost due to musculo-skeletal and work related upper limb disorders.

## 7.6 Waste Management

- 7.6.1 Waste collection and recycling continues to be one of the highest risk activities undertaken by the Council. The new strategy of the HSE is one of targeting and reducing inspections, however waste and recycling is one of the comparatively high risk areas where proactive intervention will be retained, these interventions will include both in-house and contracted collection services.
- 7.6.2 The information required for route specific risk assessments has now been collected and this information now requires assessing to ensure that the control measures in place are adequate and being maintained. These assessments are carried out as a result of best practice guidelines published by the HSE, "Safe waste and recycling collection services". Failure to conduct these assessments will result in improvement notices, prohibition notices or prosecution dependant on the level of non-compliance.
- 7.6.3 As the route specific risk assessments are completed they will need to be issued to the collection teams to identify the safe working procedures to be adopted at each location.
- 7.6.4 The teams operate on a "Group Task and Finish" basis. This type of system is recognised by the HSE as requiring a greater level of management and supervision as it may encourage workers to rush the job and take dangerous short cuts, robust monitoring of the service, in-house and contracted, must therefore be carried out with instances of non-compliance reported to supervisors, managers and contract managers and appropriate enforcement action applied.
- 7.6.5 It should be noted that the first company to be convicted of corporate manslaughter under the Corporate Manslaughter and Corporate Homicide Act 2007 received a relatively lenient fine of £385,000 at Winchester Crown Court. Justice Field said the fine had to "send out a clear message that it is essential that health and safety guidance and good practice is strictly adhered to", a recent appeal was rejected. The grossness of any breach of duty may take the offence to Corporate Manslaughter level, most especially where poor practices and systems are "tolerated". The most recent fatality occurred at South Lakeland Council in March 2011 involving a loader in the Waste and Re-cycling Service.

## 7.7 Professional Development

- 7.7.1 The Health and safety Advisor will be attending the Institution of Occupational Safety and Health, IOSH, Environmental Practitioner 2 – Waste Management, Contaminated Land and Planning course in September.
- 7.7.2 The Health and Safety Advisor continues to Chair the Lancashire Local Authority Health and Safety Advisor's Forum and regularly attends evening meetings of the Manchester and District IOSH Branch and Public Services Section.

## 8 RISK ASSESSMENTS

- 8.1 The production of risk assessments is progressing with Legal Services and Personnel Sections holding risk assessment sessions where staff are able to get involved in the production of their own risk assessments and where any necessary

training can be carried out by the Health and Safety Advisor. It is intended that other sections will follow on from this in the coming period.

- 8.2 All managers need to remain aware of the importance of their personal behaviour in supporting positive health and safety performance and act accordingly. Encouraging supervisors and staff to take ownership of the risk assessment process and to actively implement the control measures identified.

## 9. CONCLUSION

- 9.1 The Health and Safety Executive's new strategy shifts the focus of their regime to a lighter touch approach, concentrating efforts on higher risk activities and on tackling serious breaches of the rules. Those organisations which pose a lesser risk and which do the right thing for their employees will be free of unwarranted scrutiny, however, the HSE will recover costs, likely to be expensive, incurred in helping organisations falling short to put things right.
- 9.2 Health and Safety leadership must continue at the top; the example of leadership at Chief Executive and Director level must continue to permeate throughout the management and supervisory levels of the workforce fundamentally altering the corporate ethos so that doing health and safety right remains "the way we do business around here".

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For further information please contact Phil Dodd on 01200 414526.

# Appendix 1.

