

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PERSONNEL COMMITTEE

Agenda Item No. 6

meeting date: WEDNESDAY, 12 JUNE 2019
 title: HEALTH & SAFETY – ANNUAL REVIEW 2018/19
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1 PURPOSE

1.1 This report presents a review of the management of Health and Safety by the Council during the period April 2018 to March 2019.

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 promotes 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 the Health and Safety at Work etc. Act, 1974, applicable Regulations and Approved Codes of Practice and, in particular, the Management of Health and Safety at Work Regulations 1999, Regulation 3, (Risk Assessment) and Regulation 5, (Health and Safety Arrangements).

2 OVERVIEW

2.1 Heads of Service have now successfully completed the Institution of Occupational Safety and Health, (IOSH), "Managing Safely" training and have an understanding of everyone's safety and health responsibilities in the workplace. The three key moral, legal and financial reasons for managing safely, and manager's responsibility and accountability for safety and health, are the foundations of a positive health and safety culture ensuring the effective implementation of the councils Health and Safety Management System.

Senior managers, managers and supervisors must maintain attention on the council's significant risks and on implementation of adequate controls by taking ownership of the management of the safety and health of their staff. The perception employees have of senior managers and manager's commitment to their safety and health is reflected in their behaviour and attitude towards implementing safe systems of work, most especially when they are not being observed.

A good health and safety culture is one where employees behave naturally in a safe and risk aware manner. Without a positive culture, instruction and training is ignored and safe procedures violated.

Senior managers, managers and supervisors must demonstrate their commitment by their attitude and actions and by challenging unsafe behaviour in a timely and effective manner. They must understand their roles and those of others and measure performance, (monitor), to check that operatives are following procedures and training to verify controls are working and standards are being maintained.

The role of managers is crucial in driving a positive safety culture. Managers are important role models, and if they reinforce negative behaviour or are seen to be disengaged in matters of health and safety, employees will mimic this approach. The organisation must be united in its approach, from top to bottom.

The legal requirements for consultation and involvement of the workforce include engaging in consultation with all employees, this creates a culture where relationships between employers and employees are based on collaboration, trust and joint problem solving. Employees should be involved in assessing workplace risks and the development and review of workplace health and safety policies and procedures in partnership with the employer.

The Management of Health and Safety within Waste Services nationally continues to be a priority in the Health and Safety Executives programme of interventions aimed at reducing the incidence of work-related accidents and occupational ill-health within the industry. This extends not only to employees, but also to members of the public during such manoeuvres as reversing. It is therefore important that current best practice guidance and standards in the management and monitoring of this service are maintained.

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

- maximise the well-being and performance of its employees;
- stop people being killed, injured or suffering ill-health 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 1997, POPMAR, (Policy, Organising, Planning, Measuring performance, Auditing and Review). This guidance was refreshed and simplified in December 2013 and explains the Plan, Do, Check, Act approach showing how a balance between the systems and behavioural aspects of management can be achieved.

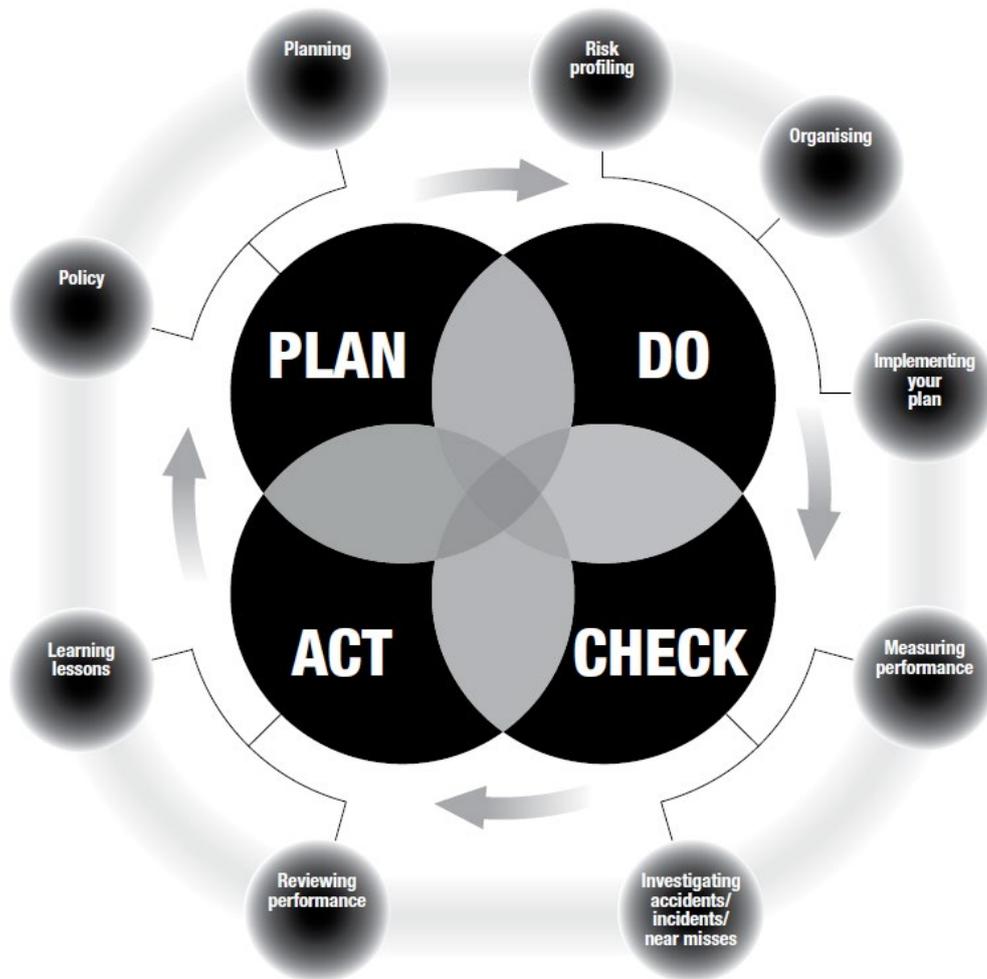


Figure 1. HSG65, 2013

- 2.4 The simpler “Plan, Do, Check, Act” approach treats health and safety management as an integral part of good management generally, rather than as a stand-alone system. However, Ribble Valley Borough Council will continue with the POPMAR model of managing health and safety as this system is still appropriate for the risk level and complexity of the organisation and already incorporates the core elements identified in the refreshed guidance.
- 2.5 HSE encourages a common sense and practical approach as part of the everyday process of running an organisation and an integral part of workplace behaviours and attitudes, as does Ribble Valley Borough Council. The core elements, underpinned by an understanding of the profile of risks the organisation creates or faces links back to wider risk management and is pictured below.



The keys to effectively managing health and safety are:

- leadership and management
- a trained/skilled workforce;
- an environment where people are trusted and involved.

Success hinges on the attitudes and behaviours of the people in the organisation.

3 POLICY AND PROCEDURE DEVELOPMENT

3.1 The Ribble Valley Borough Council Health and Safety Policy has been reviewed and updated in line with changes in legislation and guidance. The Policy is set out in three sections:

- **The statement of general policy on health and safety at work** sets out the council's commitment to managing health and safety effectively.
- **The organisation section** sets out who is responsible for specific actions.
- **The arrangements section** contains the detail of what will be done in practice to achieve the aims set out in the statement of health and safety policy and includes information on how the risk of hazards will be eliminated or reduced.

4 THE COUNCIL'S SIGNIFICANT HAZARDS

4.1 Construction - The Construction Design and Management (CDM) regulations 2015 came into force on 6 April, 2015. The main changes were the replacement of CDM co-ordinators by "Principal Designers", (appointed by Clients for projects involving more than one contractor), full inclusion of domestic projects and an overall attempt to reduce bureaucracy and communicate the key roles and responsibilities in a clearer manner. The Regulations are applicable to all construction work including the works carried out by the General Works Department and Contractors and will be particularly applicable during the construction of The Clitheroe Sports Complex. The Construction Skills Certification Scheme, (CSCS) is the leading skills certification scheme within the UK construction industry. CSCS cards provide proof that individuals, at all levels, working in construction have the required training and qualifications for the type of work they carry out and this scheme should be implemented at the council to ensure the competence of this section of the workforce.

- 4.2 Transport – this includes Salthill Depot and Waste Transfer Station management, occupational road risk and vehicle operations and maintenance. More than a quarter of all road traffic incidents may involve somebody who is driving as part of their work at the time (Department for Transport figures), in 2017 there were 1793 reported road fatalities. Health and safety law applies to work activities on the road in the same way as it does to all work activities and the risks to drivers must be managed.

Health and safety law does not apply to people commuting (i.e. travelling between their home and their usual place of work), unless they are travelling from their home to somewhere which is not their usual place of work. Vehicles at work continue to be a major cause of fatal and serious injuries. Transport risks at the council include drivers of Refuse Collection Vehicles, Depot plant, vans and pick-ups, casual vehicle and lease car drivers, all involved in driving for work.

Reversing continues to cause a disproportionately large number of moving vehicle accidents in the waste and recycling industry, Ribble Valley Borough Council have concluded that they will always use reversing assistants unless it is not safe to do so, in such cases 2-way radios are used by loaders to communicate “Stop” instructions to the driver.

In 2018/19, 8 claims have been made in respect of Own Damage (5 settled for a total of £1,882 and 3 claims still outstanding with estimated costs of £2,500). 12 claims have been submitted in respect of Third Party Damage (5 settled for a total of £7,281 and 7 claims still outstanding with estimated costs of £3,800).

For comparison in 2017/18, 10 claims were made in respect of Own Damage (settled for a total of £14,091) and 8 claims were made in respect of Third Party Damage (settled for a total of £8,429).

- 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. Following the Grenfell Tower fire the Fire Risk Assessments for all the council’s buildings were reviewed to ensure that appropriate fire safety measures are established. The Dame Judith Hackitt Review into Building Regulations and Fire Safety made important recommendations including clearer relevant regulations, guidance and enforcement and improved fire-safety competence for all involved. Training for newly appointed Fire Marshals and refresher training for existing Fire Marshals continues. The training includes instruction on the Emergency Evacuation Plan and Fire Extinguisher identification and use. The fire alarm detection system in the Council Offices is tested every Thursday at 10.00 hours and full testing of the Emergency Evacuation Plan, for the council offices, should be carried out annually.
- 4.4 Mental health problems – these are the biggest cause of sickness absence in local government. Stress, anxiety and depression are the main issues, 519 working days were lost this year due to work and home related stress compared to 275 lost working days in the 2017/18 year.
- 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, 351 working days were lost this year due to this type of injury compared to 931 lost working days in the year 2017/18.
- 4.6 The estimated costs to the council of these absences is £87,000 based on a conservative cost of £100/day, compared to £120,600 in 2017/18. It is clear that considerable cost savings could be made through effective preventive and protective measures for managing and controlling these types of ill-health.

- 4.7 Waste Management – Refuse collection personnel and members of the public continue to be killed by reversing refuse collection vehicles, there were 12 fatalities nationally in 2017/18. It is therefore imperative that safe systems of work are implemented by competent operatives and supervisors, sufficiently monitored by senior managers, managers and supervisors, and that robust corrective action is taken where activities fall short of identified standards. The recommendations from the Glasgow Bin Lorry inquiry should be implemented where practicable. There were 1778 non-fatal RIDDOR reportable injuries in the waste sector in 2017/18.

One of the core elements of effective health and safety management is to check that policies and procedures are actually being followed. Effective monitoring in the waste and recycling industry is important because of the constantly changing environment particularly during refuse and recycling collection activities. All drivers and loaders (including agency staff) should be advised about monitoring arrangements and why they are in place i.e. to ensure they are following the procedures that they have been trained in and a system should be in place to manage the feedback to crews about areas of non-compliance, this applies equally to the council's cleansing, grounds maintenance and general works operations.

CCTV systems are in place on Refuse Collection Vehicles, (RCVs) and therefore real time monitoring is readily available to senior managers and managers. CCTV is also available for monitoring of activities in the Depot and Waste Transfer Station. Those that are being monitored should be clear about how non-compliance will be dealt with and the results of monitoring should be reviewed, analysed and reported to senior management to assist with improving the health and safety climate at Salthill Depot.

- 4.8 There were 420 Improvement Notices and 117 Prohibition Notices Enforcement notices issued by HSE to businesses in this Sector in 2017/18. In addition to these enforcement notices, 29 prosecution cases were brought, the resulting fines from these prosecutions totalled around £2.8M in 2017/18, with an average fine per case of £104,000.
- 4.9 The HSE continue to implement their Fees for Intervention (FFI) scheme which places a duty on the HSE to recover its costs for carrying out its regulatory functions. Inspectors who identify material breaches at the sites they visit and are required to intervene charge organisations £154.00 an hour for the time they spend investigating and resolving the breaches, a rise of 20% on last year. A material breach is where a Health and Safety law has been broken and an inspector judges this is serious enough for them to notify the organisation in writing. This will either be a notification of contravention, an improvement or prohibition notice, or a prosecution.
- 4.10 There were no contraventions, prosecutions, improvement notices or prohibition notices issued to RVBC by the HSE during 2018/19 and therefore no Fees for Intervention were applied.
- 4.11 On 1 February 2016, the new sentencing guidelines for health and safety offences came into force. They direct the courts to consider the sentencing of offending organisations by way of a step-by-step approach, primarily examining culpability, the seriousness of harm risked and the likelihood of harm, which are divided into a number of different levels to reflect the scale within each category. A feature of these guidelines is that the fine is related to the turnover of organisations and, as a result, large organisations convicted of offences are receiving larger fines than seen prior to these guidelines

There are similar guidelines for the sentencing of individuals for health and safety offences, with a stronger focus on the risk of a custodial sentence for those found guilty of serious breaches.

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 The Health and Safety Advisor continues to provide information, advice and guidance to all sections of the council to ensure they understand their legal duties for working, managing and directing health, safety and welfare for all staff, and others, who may be affected by our undertaking.

5.2.1 Maintaining a proportionate approach to Event Safety Management on council property for the Food Festival, Longridge Field Day, the Clitheroe Bonfire, Fairgrounds and the Christmas Markets. The Health and Safety Advisor continues to play a proactive role in advising event organisers in the management of event safety and the production of Event Safety Management Plans and the training of Stewards and Marshals.

5.2.2 The Health and Safety Advisor attended an IOSH "Modern CoSHH, (Control of Substances Hazardous to Health), Management Course" The aim of the course was to develop an understanding of the requirements of modern legislation and of the practical application of a CoSHH Compliance Management Programme..

5.2.3 The Health and Safety Advisor attended Confined Space Access Course which allows staff to risk assess and enter low risk confined spaces such as the sump pump area under Ribblesdale Pool for inspection and maintenance.

5.2.4 There have been 3 HSE reportable accidents under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations, 2013, (RIDDOR), 2 involving refuse collection personnel and 1 involving a member of the public.

5.2.5 The Health and Safety Advisor continues to Chair the Lancashire Local Authority Health and Safety Advisors Forum and the RVBC Health and Safety Committee and continues to update his CPD through membership of the Institution of Civil Engineers, (ICE), The Institution of Occupational Safety and Health, (IOSH) and The International Institute of Risk and Safety Management, (IIRSM).

5.2.6 Safety and Health inductions have been carried out for new and temporary staff and contractors, and training courses have taken place for, Work at Height, Manual Handling, Fire Marshals and Refuse collection operations including reversing assistants.

5.2.7 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 Accidents

In 2018/19 year there were 69 accidents, 19 involving staff and 50 involving members of the public. This compares with the 2017/18 year where there

were 85 accidents in total. Of the 50 accidents involving members of the public 46 of these were at the Pool, mainly due to slips, trips and falls. The Health and Safety Advisor will continue to investigate accidents, incidents and ill health, along with senior managers, managers, supervisors and safety representatives in accordance with the Policy and Procedure for the Reporting and Investigation of Accidents and Incidents in order to prevent reoccurrence and further lost time incidents and associated losses. The causes of unsafe ways of working, accidents, incidents and ill health do not always stop with the worker. The problem can often be traced back to less obvious causes such as decisions made by management and the wider organisation.

6.2 Incidents

There were 3 incidents of aggressive or abusive behaviour towards council officers, one involving a serious physical assault, 3 incidents of staff being bitten by dogs and 4 near misses.

7 TARGETS FOR 2019/2020

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.

7.1.3 Monitor compliance with the duties imposed by the Construction (Design and Management) Regulations 2015, (CDM 2015), are carried out for all applicable design and construction works.

7.2 Transport

7.2.1 Implement the Council Policy for the Management of Occupational Road Risk, (MORR), reviewing and revising the Council's risk assessments for driving vehicles including, the "grey fleet", and carry out driving assessments where appropriate.

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 corporate policy for Fire Safety which identifies 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 Review workstation risk assessments for all users of display screen equipment 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 training and refresher sessions for all employees where appropriate and in particular in the Refuse Collection and General Works Service's to reduce the number of working days lost through poor lifting and carrying practices.

7.6 Waste Management

- 7.6.1 Waste collection and recycling continues to be one of the highest risk activities undertaken by the Council. Transport operations associated with collection activities (municipal and commercial) and at a range of waste management and recycling sites represent the most significant risk of serious or fatal accidents to workers and members of the public. 'Struck by moving vehicle' accounts for about only 4% of all reported accidents, however, over 40% of all fatalities fall within this category.
- 7.6.2 Continue to liaise with the HSE and monitor the progress of the WISH (Waste Industry Safety and Health Forum) strategy, guidance development.
- 7.6.3 The teams continue to 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 must therefore be carried out with instances of non-compliance with safe systems of work reported to senior managers and appropriate enforcement action applied.

7.7 Events

Provide Health and Safety support and input for events on council owned land including the Clitheroe Food Festival and the Clitheroe Community Bonfire in accordance with the "Purple Guide".

7.8 Accidents and Incidents

Monitor the implementation of the RVBC Policy and Procedure for the Reporting and Investigation of Accidents and Incidents at appropriate levels and advise on decisions and recommendations for additional control measures and action plans.

7.9 First Aid

Provide staff refresher briefings for emergency use of defibrillators at the council offices and at Salthill Depot.

7.10 Professional Development

7.10.1 The Health and Safety Advisor continues his professional development by attending courses and seminars arranged by the Institution of Occupational Safety and Health, IOSH, The Institution of Civil Engineers, ICE, both of which he holds Graduate Membership and the International Institute of Risk and Safety Management of which he is a full member.

7.10.2 The Health and Safety Advisor undertakes Continuing Professional Development, CPD, with the above organisations and continues to Chair the Lancashire Local Authority Health and Safety Advisor's Forum, regularly attending evening meetings of the Manchester and District IOSH Branch and Public Services Section.

8 RISK ASSESSMENTS

8.1 Senior Managers are accountable to their Director for implementing the Council's Health and Safety Policy, encouraging and assisting in developing safe procedures and ensuring that risk assessments are produced, with the involvement of the staff who carry out the activities. They must also ensure that Supervisors are properly trained and receive the support they need to perform their duties and challenge unsafe behaviour in a timely way.

8.2 Senior Managers and Managers need to remain aware of the importance of setting good examples in their own behaviour to promote positive health and safety performance by others and to nurture a positive health and safety culture by active involvement, including on the shop floor visibility. The active involvement of Senior Management in the Health and safety Management System is important. Senior Managers, Managers, supervisors and staff must take ownership of the risk management process and proactively implement the control measures which have been identified.

9. **CONCLUSION**

9.1 A fall in the number of accidents this year was recorded; however there was a serious assault on a member of staff who required hospital treatment.

9.2 The Department for Work and Pensions, Job Centre Plus, have collaborated proactively with the council in identifying and dealing with potentially violent or aggressive persons.

9.3 The waste management and recycling industry has grown rapidly over the past decade in response to the environmental challenge. Unfortunately, it remains an industry with a poor health and safety performance – with fatality rates reaching over ten times the all industry average – second only to agriculture.

- 9.4 Local authorities continue to have a major role to play in reducing these high rates of fatal injury, and the high rates of other injuries which accompany them. They are the clients for this work if it is contracted out, and are the direct employers if the service is delivered in-house. HSE is very aware of the competing pressures on local authorities. One key principle is that there is no need for this to be seen as a trade-off – meeting recycling targets and achieving improvement in health and safety performance remain compatible and complimentary goals.
- 9.5 Effective management and monitoring of safe working practices is essential in maintaining standards. The in-house collection and disposal of paper waste re-introduced manual handling of sacks to our systems and close supervision is key in managing this risk.
- 9.6 Effective leaders and line managers know the risks their organisation faces, ranks them in order of importance and takes action to control them, risk profiling. The range of risks goes beyond health and safety risks to include quality, environmental and asset damage, but issues in one area could impact in another.
- 9.7 Competence is the ability to undertake responsibilities and perform activities to a recognised standard on a regular basis. It combines practical and theoretical skills, knowledge and experience. The competence of individuals is vital, whether they are employers, managers, supervisors, employees or contractors, especially those with safety-critical roles and the application of National Occupational Standards can ensure they recognise the risks in their activities and can apply the right measures to control and manage those risks. The council should strive to ensure these standards are upheld through the recruitment, selection and training process, a suitable training needs matrix is included at Appendix 1.
- 9.8 A positive safety culture comes from those at the top of the organisation, this will permeate throughout management and supervisory levels to front line staff and operatives, maintaining and continuously improving health, safety and welfare standards and controlling the Council's risks at a legally and morally acceptable level.

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