

REPORT TO:	Executive Board
REPORT NO:	COFI/47/19
DATE:	10 September 2019
LEAD MEMBER:	Councillor Mark Pritchard (Organisation - Finance, Performance, Health and Safety and Governance)
CONTACT OFFICER:	Nigel Lawrence (Tel 292565)
SUBJECT:	Health and Safety Policy
WARD:	N/A

1. PURPOSE OF THE REPORT

To consider an updated Health and Safety Policy.

2. EXECUTIVE SUMMARY

- 2.1 Wrexham CBC (the Council) has a legal duty to put in place suitable arrangements to manage health and safety. These form part of the everyday process of running the Council and should be an integral part of workplace behaviours and attitudes.
- 2.2 The Council has a legal requirement to prepare a written Health and Safety Policy (the Policy) that sets out the Council's commitment to health and safety and describes how health and safety will be managed.
- 2.3 The existing Policy was approved by the Executive Board on 14 November 2017 (HF/106/17). Further amendments are required to enhance Health and Safety governance arrangements and to improve awareness and understanding of managers' responsibilities and the role of the Corporate Health and Safety team.
- 2.4 The updated Policy (Appendix 1) takes account of recommendations made by the Health & Safety Executive (HSE) as part of their audit of the Council's Health & Safety Policy. It includes a Health & Safety Policy Statement which has been signed by the Leader of the Council, the Chief Executive, all Lead Members and all Chief Officers to demonstrate their personal commitment to a positive health and safety culture.
- 2.5 Both the Policy and the Statement are supported by¹:

¹ Copies of all documents are available to all Elected Members and staff on Sam.

- The Safety Management System (SMS) which sets out the roles and responsibilities of all individuals involved in ensuring that the Council is able to meet its legal responsibilities in respect of health and safety.
- The Corporate Health and Safety Charter (CH&SC)
- The Health and Safety Governance Framework (H&SGF).
- Health & Safety policies and procedures including Safe Systems of Working, Risk Assessments and Corporate Standards etc.

3 RECOMMENDATIONS

3.1 That the Executive Board approves the updated Health and Safety Policy.

REASONS FOR RECOMMENDATIONS

- (i) To meet the requirements of health and safety legislation.

4. BACKGROUND INFORMATION

- 4.1 Wrexham CBC (the Council) has a legal duty to put in place suitable arrangements to manage health and safety. These form part of the everyday process of running the council and should be an integral part of workplace behaviours and attitudes.
- 4.2 Section 2(3) of the Health and Safety at Work etc. Act 1974 places a duty on the Council to prepare and, as often as is appropriate, revise a written statement of general policy with respect to the health and safety at work of Council employees and the organisation and arrangements in place for carrying out the policy. The policy and any revision of it must be brought to the notice of all employees.
- 4.3 The Policy was last approved by the Executive Board on 14 November 2017 (HF/106/17). The updated Policy takes account of the new Senior Management structure, which took effect on 1 April 2019 and also recommendations made by the HSE as part of their recent audit of the Council's Health and Safety Policy. The HSE have advised that they will carry out a follow-up review, provisionally scheduled for June 2021 to assess whether their recommendations have been implemented.
- 4.4 The Policy sets out a clear direction for the Council to follow in terms of meeting its legal obligations. It will be shared throughout the workforce, so that all those affected by it will understand how health and safety will be managed. This includes:
- All Council employees;
 - Agency workers, trainees including work-experience students and volunteers acting under the direction of WCBC employees²
 - Elected Members and Lay Members appointed to serve on Committees.
 - School employees, including those deployed at the school e.g. catering staff and where the Council is classed as the "employer" following the HSE's guidance.

² All references to employees from this point shall refer to the individuals covered under this section.

- 4.5 The Health & Safety & Fire Policy Statement (the Statement) (Appendix 1 - Annex 1) sets out what the Council will do to keep a safe and healthy environment for its employees and anyone else who could be affected by its work activities. The Statement is signed by the Leader of the Council, the Chief Executive, all Lead Members and all Chief Officers to show the high level commitment at Lead Member / Senior Leadership Team (SLT) level to effectively manage health and safety and fire safety risks and also to promote a positive health and safety culture.
- 4.6 The Statement demonstrates that health and safety is a key objective in achieving the Council's in-year priority of ensuring a "modern and resilient Council". This includes an underpinning activity to:
- "Deliver improvement from our Health and Safety Action plan, including services taking a visible lead on this agenda"**
- 4.7 Both the Policy and the Statement are supported by³:
- The Safety Management System (SMS) which sets out the roles and responsibilities of all individuals involved in ensuring that the Council is able to meet its legal responsibilities in respect of health and safety.
 - The Corporate Health and Safety Charter (the Charter) sets out Corporate Health & Safety's roles and responsibilities and is approved by the Senior Leadership Team. The Charter also includes the agreed work programme which provides assurance to Elected Members and management that arrangements to manage health and safety are effective and operating in line with the Safety Management System
 - The Health and Safety Governance Framework which allows Elected Members and management to assess whether the Policy is being implemented effectively at an early stage;
 - Health & Safety policies and procedures including Safe Systems of Working, Risk Assessments and Corporate Standards etc.
- 4.8 The Policy includes a clear distinction between the accountabilities and responsibilities of managers (Plan / Do / Check / Act) and Corporate Health and Safety (Supporting / Advising).
- 4.9 The Policy also contains a commitment to promoting and sustaining a 'fair culture' with regard to health and safety matters. This means placing the emphasis on learning from our experiences in a fair and consistent way and focusing on the underlying reasons for health and safety incidents and unsafe behaviours.
- 4.10 To implement the Policy effectively and sustain a 'fair culture' the Council will also need to develop the skills, knowledge, capacity and capability of managers to enable them to manage health and safety fairly and effectively.
- 4.11 Robust monitoring arrangements have been put in place to ensure that the Policy is being implemented effectively:
- a) Quarterly reports to SLT during 2019/20;
 - b) Quarterly Health & Safety Challenge meetings with the Lead Member;

³ Copies of all documents are available to all Elected Members and staff on Sam.

- c) Monthly Health & Safety Oversight meetings with the Chief Executive;
- d) The out-turn CH&SAP 2019/20 will be considered by Lead Members / SLT as part of the Health and Safety Governance Framework Annual Report 2019/20;
- e) Monitoring of the Annual Governance Statement Action Plan 2019/20 which contains the action “Ensure that all the actions contained in the Corporate Health & Safety Action Plan, 2019-20 are implemented

4.12 The policy will be reviewed every three years. The Chief Officer Finance & ICT is able to make minor changes within that period, as described in the Policy.

5 IMPLICATIONS

5.1 **Policy Framework** – The Health & Safety Policy supports the Council Plan 2019 – 2022, Corporate Theme: Organisation, O2 – Supporting a resilient council.

5.2 **Budget** – Any budgetary implications will be met from within Departmental cash limited budgets and existing arrangements for the management of risk.

5.3 **Legal** – The Policy has been prepared and updated in order to satisfy the requirements of the Health and Safety at Work etc. Act 1974 and the Regulatory Reform (Fire Safety) Order 2005. There are also other specific legal requirements that the Council must comply with in terms of specific health and safety risks e.g. legionella etc. and these will be managed as part of the Safety Management System.

5.4 **Staffing** – Any additional responsibilities will be undertaken within existing staffing resources.

5.5 **Equality/Human Rights** – Members are advised of their duty to consider the full Equality Impact Assessment which is available at <http://vmwinqld/equalityisalive/Menu.aspx> report number FIN/EIA00113/2017. Members of the public can request a copy of the full Equality Impact Assessment from the Contact Officer named in the header box of this report. A summary of the Equality Impact Assessment is attached as Appendix 2.

5.6 **Risks** – The Council’s Principal Risk Register includes the risk that “PR01 There is a risk that those to whom the Council owes a duty of care suffer a preventable death, serious injury or serious abuse. The Health and Safety Policy and related documents are key measures to control this risk.

6. CONSULTATION

6.1 The Council has a legal duty to consult employees and employee safety representatives on health and safety matters and the updated Policy has been reviewed by non-teaching trade union representatives. It is intended to share the updated Policy with schools in September to commend it as an exemplar H&S standard/policy for schools/ Governing bodies to adopt/use if they wish to.

6.2 There will be ongoing consultation with employees, through risk assessment processes, the Staff Survey and department Health & Safety Committees and Trade Unions through the Joint Health & Safety Committee. These will allow employees to raise concerns and make suggestions. It is recognised that there is a need to ensure that all feedback and suggestions are considered and that prompt responses outlining the actions taken are provided.

7. EVALUATION OF OPTIONS

- 7.1 **Option 1** - Agree the changes to the updated Health and Safety Policy. The revisions to the Policy are necessary to ensure the continuing effectiveness of the Health and Safety Policy and arrangements. Accepting the revisions will help to ensure the Council complies with its legal duties and has implemented the HSE's recommendations.
- 7.2 **Option 2** - Not to agree to these changes. The revisions to the policy have been made to implement actions identified as necessary. As the Council is legally obliged to revise its Health and Safety Policy as often as is appropriate, not accepting these revisions is not an appropriate option.

BACKGROUND PAPERS	LOCATION	WEBSITE INFO
Managing for health and safety	HSE website	http://www.hse.gov.uk/managing/index.htm