

Classification	Item No.
Open	

Body:	Employment Panel
Date:	26 th January 2022
Title of report:	Health & Safety Policy
Report by:	Cllr. Tahir Rafiq; Cabinet Member for Corporate Affairs & HR
Decision Type:	Non Key Decision
Ward(s) to which report relates	All

Executive Summary:

In accordance with the Health and Safety at Work Act every business must have a policy for managing health and safety at work. The Council’s current policy was drafted in 2017 and has been reviewed in the context of current working arrangements (including Agile Working) and the latest guidance provided by the Health and Safety Executive. A new policy has been developed and is appended to this report for the Panel’s approval.

Recommendation(s)

The Employment Panel is asked to approve the revised Health and Safety Policy appended below.

Key considerations

1. Health and Safety Policy

- 1.1 A health and safety policy sets out the organisation’s general approach to health and safety. It explains how, as an employer, the Council will manage health and safety in who does what, when and how.
- 1.2 The policy appended has been developed in accordance with guidance provided by the HSE. It sets out the Council’s overarching approach to Health and Safety specifically that the Council:

Recognises the importance of maintaining Health and Safety standards and the human, financial and service costs that can result from failings or poor application of occupational health and safety systems

- 1.3 The policy also confirms the responsibilities of key individuals, the associated governance and engagement arrangements and details of the organisation's overarching health and safety management system and arrangements for training and development. Appended to the policy are links to a comprehensive suit of guidance documents which are regularly updated. (These documents sit on the Council intranet and the links are available to staff).
 - 1.4 The policy sets out Members' responsibilities in providing leadership and scrutiny of health and safety arrangements and carrying out Council roles and duties in line with the standards, arrangements and guidance agreed by the Council. Members' Safety is currently being reviewed by an all-party Members group led by the Mayor, this review covers all aspects of Members safety. A draft policy is currently with party groups for comment.
 - 1.5 The draft policy has been developed in consultation with the Trade Unions and endorsed through the Council's newly reconvened Health and Safety Joint Consultative Committee (JCC).
 - 1.6 Once agreed, a programme of communications and engagement will take place to share the Policy with staff and confirm expectations of both individual employees and managers. This will form part of a wider programme of communication and engagement in relation to health and safety planned for the coming months.
 - 1.7 In line with guidance from the HSE the policy will be subject to annual review with any changes presented to this Committee for their agreement.
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Community impact/links with Community Strategy

The policy provides an important component to the Council's overall management system and arrangements for delivering a robust set of health and safety arrangements which will support our community to remain safe and well when engaging with Council services or on Council preemies.

Equality Impact and considerations:

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

Equality Analysis
A Equality Assessment of the proposed policy has been undertaken and no negative impacts identified.

Assessment of Risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
The lack of a robust Health and Safety Policy which aligns with HSE guidance poses a risk to staff safety as well as legal challenge	Policy approval, communication and continuous review
Lack of compliance with the organisation's Health and Safety Policy	Engagement and training to be rolled out following policy communication.

Consultation:

The draft policy has been developed in consultation with the Trade Unions and endorsed through the Council's newly reconvened Health and Safety Joint Consultative Committee (JCC). It has been shared with and agreed by the Council's Executive Team.

Legal Implications:

The Health and Safety at work Act 1974 places duties on employers to protect the health, safety and welfare of their employees and those who might be effected by their business, the Act requires employers to take steps that are reasonably practicable to protect manage risks this includes having a good system for the assessment of management of risk. This report set out how risks will be managed and regularly reviewed.

Financial Implications:

There are no direct financial consequences as a result of this policy. There are however, costs of delivering health and safety standards and training across the organisation.

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Background papers:

None

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
HSE	Health and Safety Executive
JCC	Joint Constitutive Committee

BURY COUNCIL

HEALTH AND SAFETY POLICY

Document Control

Title	Bury Council – Health & Safety Policy
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1. Policy Statement

Bury Council recognises the importance of maintaining Health and Safety standards and the human, financial and service costs that can result from failings or poor application of occupational health and safety systems

As far as is reasonably practicable, we will:

- Identify and control significant health and safety risks which arise from our work activities
- Provide information, instruction and supervision to employees, volunteers, contractors, and agency personnel
- Consult with employees and others on matters which affect their health and safety
- Provide and maintain premises and work equipment.

In doing this, we will:

- Ensure compliance with the relevant health and safety legislation as a minimum standard
- Consider occupational health and safety whenever political, managerial and operational decisions are taken
- Ensure that no decision is made, or operation undertaken, unless appropriate occupational health and safety standards are assured
- Interpret health and safety management in its widest context, including wellbeing, rehabilitation, physical and mental health
- Make available necessary resources, both financial and practical, to ensure appropriate health and safety standards are delivered
- Cooperate with everyone who has an interest in Health & Safety: identifying hazards in the workplace, assessing risks related to them and implementing appropriate protective measures
- Ensure sound health and safety management practices across all areas of activity and influence – including roles as an employer, service provider, client organisation, commissioner, owner and controller of land and premises, and partner within partnership arrangements

Bury Council expects our employee's, agency workers, consultants, contractors, partners, suppliers, and Elected Members to:

- Take personal responsibility for their own safety and the safety of those around them, considering risks and highlighting concerns through the management line or to the Council Health and Safety team.
- Undertake relevant health and safety training as required by the Council
- Cooperate in adhering to the standards and expectations laid out in this policy
- Ensure that they carry out their work, so far as is reasonably practicable, without putting themselves or others at risk

- Ensure any tools, materials, and equipment which they may use are safe and free from defects
- Co-operate with any health and safety investigation and prioritise the delivery of identified actions
- Report any hazards that they become aware of; any shortfalls in health and safety management arrangements; any accidents that happen at work and any illness that they believe has been caused or made worse by work.
- Assist in the development, implementation and maintenance of health and safety management arrangements when asked to do so

This statement applies to everyone working in and on behalf of Bury Council and at all Council sites. The principles extend to the working conditions of staff who are agile workers, including working from their home.

This policy does not apply to those working in maintained schools, which are responsible for the development and approval of their own policies. The Council will provide schools with a template policy which reflects the specific responsibilities of schools and aligns with the approach set out within this document.

2. Responsibilities

Everyone in the Council is responsible for the health and safety of themselves and others who may be affected by their work activities. – The above section sets out responsibilities for all those who work for the Council in any capacity, our partners and Elected Members.

Specific health and safety roles and responsibilities are outlined below.

Elected members are responsible for providing leadership on issues of health and safety and ensuring the provision of adequate resources.

A member of the Cabinet will have specific responsibility for the occupational health and safety portfolio and will ensure this policy is promoted and that occupational health and safety issues are brought to the attention of Cabinet when appropriate

Elected Members are responsible for:

- Providing leadership on issues of health and safety
- Adoption of policies, strategies and plans that are within the spirit of this policy and which allow it to be implemented in practice
- Provision of adequate resources to enable the implementation of occupational health and safety policies, plans and strategies
- Scrutiny
- Carrying out Council roles and duties in line with the standards, arrangements and guidance covered by this policy.

Chief Executive

The Chief Executive is the Officer with overall responsibility for implementation and maintenance of the policy and is responsible for:

- Ensuring that systems are in place and are properly resourced to manage significant risks
- Showing leadership in health and safety and sending clear messages about the need to manage health and safety risk.

Designated (Occupational Health and Safety) Director

The Deputy Chief Executive (Corporate Core) is the Designated Occupational Health and Safety Director, with responsibility for:

- Promotion of health and safety at a strategic level
- Monitoring of the implementation of corporate systems and standards
- Overseeing the delivery of the health and safety responsibilities of the Council representatives on the Executive Team.

The Executive Team has overall responsibility for health and safety compliance and performance. This includes:

- Promotion of health and safety at a strategic level
- Monitoring of the implementation of corporate systems and standards
- Overseeing the delivery of the health and safety responsibilities within their service/department
- Ensuring that each service completes a risk assessment needs checker annually
- Ensuring health and safety incidents are appropriately reported and investigated and that any follow-up actions are implemented.

Managers have operational responsibility for applying this policy including:

- Managing the risk of accidents and reporting them if they do occur
- Managing the risk of occupational ill health and reporting it if it occurs
- Ensuring that employees have access to and follow this Health and Safety Policy, risk assessments and other relevant health and safety documentation
- Ensuring that relevant training is completed by staff and health and safety conversations are undertaken and tools completed via one-to-one discussions and the Employee Review process
- Escalating risks and issues which are outside of their immediate control
- Ensuring timely and accurate reporting of incidents and the delivery of follow-up investigations and actions as required

- Managers of contracts and any other Council officers who manage the delivery of services through alternative provisions including, partners, third parties, volunteers, agencies, etc. must ensure that:
 - Health and safety risks and potential risks to the Council are considered
 - Appropriate steps are taken to manage the risks
 - Those responsible for service provision implement appropriate health and safety management arrangements

The Health and Safety Team

The Council's Health and Safety team is responsible for:

- Leading on the development and monitoring of organisational standards, strategies, policies, and arrangements and ensuring these continue to reflect national legislative and best practice standards as they develop
- Carrying out independent auditing, monitoring and investigation of organisational and departmental standards; arrangements and complex risks and accidents
- Advising managers and employees, including the Chief Executive, to enable them to meet their health and safety responsibilities, including the provision of training and practical advice
- Preparing quarterly reports to the Council's Executive Team and Health and Safety Joint Consultative Committees (JCC's), including an assessment of key health and safety risks and statistics on work-related and workplace incidents; health and safety training, and other proactive and reactive work

The Corporate Landlord

The Council is in the process of fully establishing a corporate Landlord Function. This function will ensure that:

- Buildings related risk assessments are completed in line with statutory or locally agreed requirements
- Preventative and protective measures (including maintenance activities) are developed, applied, maintained, and recorded in order to achieve appropriate levels of control over any significant risks that are identified through the buildings risk assessment process
- Health and safety site-based arrangements are applied in practice and records are kept (including those in relation to fire and first aid)
- All relevant building users and service providers participate, cooperate and coordinate in the buildings risk assessment process, the development of preventative and protective procedures, and the application of procedures, protective measures and maintenance activities.

Until the Corporate Landlord Function is fully established, all building responsibilities including the above, rest with individual Departments and their nominated owners.

Occupational Health

The Council's Occupational Health function is responsible for providing professionally independent advice and support to employees and managers on issues relating to the impact of work on the health of individuals and individual's health on their ability to work.

Trades Union Safety Representatives

The Council respects the Safety function of the Trades Unions in managing health and safety at work. The Functions of a Trade Union Safety Representative are set out fully in The Safety Representatives and Safety Committees Regulations 1977 and include:

- Investigating potential hazards and dangerous occurrences at the workplace; and to examine the causes of accidents at the workplace
- Investigating complaints by employees he/she represents concerning their health, safety and welfare at work
- Making representations to the employer on the above or on general matters relating to their Health & Safety at work
- Carrying out inspections (this does not negate manager's legal responsibility to perform inspections or tours to support their risk assessments or H&S planning.)
- Representing members of staff during consultations at their workplace with Health and Safety Executive (HSE) inspectors
- Receiving information from HSE Inspectors; following and inspection of their workplace
- Attending meetings of the appropriate H&S committee

The Director of People and Inclusion will liaise with the Trade Union Branch Secretary to determine the appropriate discharge of the safety role and ensure any necessary paid time off from their regular job to enable them to perform their union duties is agreed in line with The Safety Representatives and Safety Committees Regulations (1977) reg 4(2)(a)(b).

3. Arrangements

The Council aims to meet its health and safety objectives by focusing on three key areas:

- Governance, consultation, and communication
- Robust safety management systems, and
- Effective training and development.

An overview of these arrangements is below. These methods are supported by several key documents and procedures which are highlighted.

Governance, consultation, and communication

Governance, consultation, and engagement arrangements are in place for Health and Safety at the highest level of the organisation. These arrangements include the following:

Governance

- The Council's Cabinet receives an annual Health and Safety Report and takes ultimate responsibility for agreeing the annual priorities set out within this report and assuring its delivery through the annual reporting cycle
- A formal Health and Safety Joint Consultative Committee which is led by Elected Members and the Trade Unions meets quarterly and receives a formal report setting out key health and safety risks and details of accidents and incidents
- The Council's Executive Team will also consider Health and Safety, at least quarterly, reviewing health and safety reports and taking operational decisions and actions where needed. This role is also supported by regular review of the Corporate Risk Register and direct escalation of any significant new health and safety risks or concerns by the Director of People and Inclusion
- Departmental Management Teams will consider Health and Safety at least quarterly via a formal agenda item and a review of the latest health and safety report, accident, incident, and work-related ill health information and other key data pertaining to the Department
- Departmental Joint Consultative Committees: (DJCCs), which are led by Executive Directors, will ensure that Health and Safety is a regular agenda item for discussion and engagement with Trade Union colleagues at a departmental level

Consultation and Communication

- The Corporate and Departmental JCC process provides the formal route for consultation with the Trade Unions on all health and safety matters.
- Consultation will cover:
 - Introduction of any measure which may substantially affect health and safety at work, e.g., the introduction of new equipment or new systems of work
 - Arrangements for getting competent people to help the organisation comply with health and safety laws (a competent person is someone who has the necessary knowledge, skills, and experience to help an employer meet the requirements of health and safety law)
 - The information that is given to employees on the risks and dangers arising from their work, measures to reduce or get rid of these risks and what employees should do if they are exposed to a risk
 - Planning and organisation of health and safety training, and
 - The health and safety consequences of introducing new technology
- Health and Safety will be a regular theme within corporate communications and local managers will be encouraged to include health and safety as a discussion point within team meetings.

Robust health and safety management systems

The following systems are available and used by managers to ensure that health and safety is managed across the Council to a consistent and satisfactory standard:

- Completion of suitable and sufficient risk assessments of all work activity, service provisions and facilities, to identify any factors that may foreseeably present a significant risk of harm
- Assessment of any additional support or preventative and protective measures for individuals who have a recognised vulnerability which makes them more susceptible to harm at work
- Procurement arrangements that ensure the safety of materials and equipment is always considered
- Assessment, before engagement, of the competence of contractors and other service providers to carry out any work that they will do on behalf of the Council in a safe manner; monitoring their health and safety performance during the delivery of services; and taking appropriate action when health and safety performance falls below acceptable standards
- Provision and use of preventative and protective guidance, measures, equipment, and management systems to achieve appropriate levels of control over factors identified through the risk assessment process
- Maintenance of safe places of work, safe systems of work, safe plant, safe equipment, healthy working environments, safe means of access to and egress from all places of work, and safe arrangements for use, handling, storage and transport of articles and substances
- Provision of suitable occupational health and medical services, including health surveillance where employees may be exposed to hazards that can harm their health
- The recording of all accidents/incidents and subsequent investigation as necessary and delivery of agreed response actions. If, because of injury or illness, employees are incapable of making an immediate report, their manager or attending first-aider must do so. If the injury is reportable under RIDDOR, the HSE must be informed
- Monitoring and review arrangements to ensure that health and safety management arrangements are effective and opportunities to improve arrangements are identified.

Training and Development

Training is provided to ensure competence in identifying and managing risks at work as applicable to individual roles, for example the use of machinery, medication, manual handling and driving. A central record will be maintained of all training records to ensure competence is maintained through a proportionate refresher skills programme.

Advice and training on key areas of the management system is provided through the Health and Safety Team.

Managers must carry out health and safety training and development needs assessments through supervision and employee review processes. These assessments must confirm that relevant and/or required general health and safety training and development has taken place or is arranged and that any training and development that is specific to the job roles or working circumstances of individuals and teams is identified and delivered.

Several methods are used to communicate and reinforce learning in relation to health and safety:

- Local Induction
- Health and Safety Induction
- Corporate Health and safety training based on common Council wide risks
- Bespoke training aimed at risks relevant to service areas
- E learning
- Shadowing, mentoring, supervision, instruction
- Health and Safety Tools

4. Monitoring and Review

On-going monitoring of this policy will include proactive and reactive measures, incorporating spot checks, accident investigations, statistical analysis, and audits of Departments. Results of monitoring activities will be reported via the governance channels described above.

Departments must monitor their own guidance documents, procedures and risk assessments to check their effectiveness.

This policy will be subject to review on at least an annual basis in the context of the annual Health and Safety report. Reviews and revisions will take place more regularly in the case of any significant changes, including where:

- Legislation has been introduced or revised
- Guidance has been introduced or revised
- Incident investigation suggests that a review may be required
- Research, monitoring or audit suggests that a review may be required
- Changes in organisational structures, arrangements, etc.

Minor amendments of a routine nature will be agreed with the Cabinet Member for Corporate Affairs following Trade Union engagement.

The appendix, which details arrangements and guidance for the management of specific areas of risk will be updated in 'real time' as areas of guidance emerge and evolve.

Appendix: Specific arrangements

Arrangements and guidance for the management of specific areas of risk can be accessed through the following links. All managers and employees are expected to apply the arrangements and guidance as relevant to them and the work that they perform or manage. The arrangements and guidance are updated as national guidance and the local risk profile change, the intranet should always be accessed either directly or through these links to ensure that the most up to date information is used.

Please use the topic links below. After opening, each topic area will have more detailed guidance forms and relevant information.

- [**Anti-Social Behaviour**](#)

This covers considerations and management arrangements for threats, acts of violence and stalking of employees by members of the public and service users. The guidance is currently under review, but it should continue to be used in the meantime.

- [**Asbestos**](#)

We have a legal duty to prevent the exposure of employees, contractors and visitors to asbestos.

- [**Auditing \(health and safety\)**](#)

Arrangements for the effective planning, organisation, control, monitoring and review of health and safety management systems.

- [**Construction \(Design and Management\) Regulations**](#)

Construction work, whether a small, short duration job or a large project is regarded as potential high risk in respect of health and safety.

- [**Control of Substances Hazardous to Health \(COSHH\)**](#)

COSHH applies to a wide range of substances and preparations which could be used in the workplace.

- [**Display Screen Equipment, workstations and lighting**](#)

H&S requirements for users when working with display screen equipment (computers, laptops, eye tests, etc.) and office ergonomics.

- [**Driving**](#)

Driving as part of a work activity (driving in between sites, driving on behalf of the council) is no different to any other work activity.

- **Electricity**

Procedures of applying sound health and safety principles.

- **Electromagnetic fields**

Regulations requiring employers to take reasonable steps to prevent harm from exposure to magnetic fields at work.

- **Facilities Management (FM): Building & Premises**

Responsibility of sites, with constant vigilance of all site matters including welfare of staff and clients, safety, security and crime prevention.

- **Fire safety**

Fire safety guidance, fire risk assessments and information about evacuating a building on the activation of a fire alarm.

- **First aid**

Ensuring that a workplace has the necessary first aid requirements.

- **Health and safety reporting**

What to do about reporting accidents and near misses.

- **Inductions (Health and Safety)**

Induction checklists and questionnaire for new starters.

- **Infection control**

Infection control policies, procedures and guidance.

- **Inflatables**

Checklist and guidelines for the safe use of play inflatable devices.

- **Inspections**

Guidance and checklists for workshop, site, and office inspections.

- **Legionella**

Identify and assess sources of risk for legionella and take steps to prevent or control the risk.

- **Lifts and lifting equipment**

Guidance on lifting equipment and safe use.

- **Lone working**

Many employees will spend some, most, or all their time working alone (home visits, meetings, working in isolation, etc.).

- **Managing health, safety and welfare**

General health and welfare, stress management, management of work related ill health risks and ill-health at work.

- **Manual handling and lifting people**

Any activity that requires an individual to lift, move or support a load will be classified as a manual handling task.

- **Mobile telephones and driving**

Guidance on the use of mobile phones when driving.

- **Noise**

Guidance to help to identify whether there may be problems with noise at work

- **Office health and safety**

Offices are generally considered low risk environments (with the possible exception of stress related risks).

- **Personal Protective Equipment (PPE)**

PPE is supplied and used at work wherever there are risks to health and safety that cannot be adequately controlled in other ways.

- **Pregnancy and new mothers**

Guidance for pregnant women, those who have given birth within the previous six months or are breastfeeding.

- **Procurement (Health and Safety)**

Client / contract duties under health and safety law. Applies to contracted operational works, and provision of services or goods.

- **Risk assessment**

A risk assessment is about looking at what, in the workplace, could cause harm to people.

- **Skin**

Those working in health care, hairdressing / beauty industry, printing, cleaning, catering, construction, and metalworking are at greater risk

- **Slips and trips**

Preventing slips, trips, and falls in the workplace.

- **Training (Health and safety)**

The Council is committed to providing relevant, appropriate and adequate health and safety training to all staff.

- **Vibration - Whole body vibration and Hand Arm Vibration Syndrome (HAVS)**

Whole body vibration and hand arm vibration is a widespread hazard for employees in many industries and occupations.

- **Volunteers**

In general, the same health and safety standards apply to voluntary workers as they would to employees exposed to the same risks.

- **Safe working in the sun**

Information about the risks of too much sunlight, what the harmful effects are and how to protect yourself.

- **Work equipment and safe working**

Items as diverse as office photocopiers, forklift trucks and woodworking machines are all classed as work equipment.

- **Working at height**

Work at height applies where there is a risk of falling which is likely to cause personal injury.

- **Young persons**

There is a requirement for a risk assessment to be carried out when young persons are employed or carry out work experience, these assessments consider issues such as vulnerability due to stage of physical and mental development, limited experience and knowledge of workplaces, etc.