

REPORT TO: Corporate Services Scrutiny Committee
Date of Meeting: 28 June 2018

REPORT TO: Executive Committee
Date of Meeting: 10 July 2018

REPORT TO: Council
Date of Meeting: 24 July 2018

Report of: Director of Communities, Health, Wellbeing and Licensing

Title: The Council's Health and Safety at Work Policy

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

- 1.1 The Council's Health and Safety at Work policy has been revised to reflect changes to the council structure, legislation and best practice. This report highlights the main revisions that have been made. A copy of the proposed revised policy, is provided at Appendix A.

2. Recommendations:

- 2.1 Corporate Scrutiny Committee supports the recommendation to approve the proposed Corporate Health and Safety Policy.
- 2.2 Executive supports the recommendation to Council to approve the proposed Corporate Health and Safety.
- 2.3 Council adopts the Corporate Health and Safety Policy

3. Reasons for the recommendations:

- 3.1 The Council is responsible for ensuring there is an effective overall policy for the health, safety and welfare of its employees and others as defined under the Health and Safety at Work etc. Act 1974 (Chapter 37).
- 3.2 It is a requirement that the Council ensures that the Policy is reviewed every three years, or sooner if there is a need due to changes in law, changes in guidance or changes in the Council's activity.

4. What are the resource implications including non financial resources:

- 4.1 The revised policy provides clearer guidance for Service Managers on the role of Workplace Safety Representatives and the duties required and expected of these

representatives, particularly to undertake safety inspections of their workplaces and working practices during normal working time.

- 4.2 The revised policy provides clearer guidance for Premises Managers on their responsibilities under health and safety and is aimed to aid them in resource planning for this requirement.
- 4.3 The policy has been through consultation with employee representatives and trade union representatives.

5. Section 151 Officer Comments:

There are no financial implications for the Council to consider in this report.

6. What are the legal aspects?

- 6.1 This report informs Members of the Council's organisation and arrangements for health and safety at work. This is required in order to comply with the Health & Safety at Work etc. Act 1974 and Regulation 5 of the Management of Health and Safety at Work Regulations 1999. The Council is required to have a Health and Safety Policy as a matter of law. There is a further requirement to review the policy every three years. Earlier reviews must be carried out as a result of changes in the law, changes in guidance or changes in the scope of the Council's activities.

7. Monitoring officer Comments:

The Monitoring Officer notes that Exeter City Council's Health and Safety at Work Policy has been revised and incorporates changes designed to further improve the Council's approach to health and safety in the workplace.

8. Report Details:

- 8.1 The Council's Health and Safety at Work Policy has been revised. The Policy reflects a new organisational structure and better emphasises the Council's corporate aim to be an exemplar of health and safety at work.
- 8.2 The Policy provides details on the Council's organisation and arrangements for health and safety at work, as required by law. To this has been added more detailed information for Premises Managers, Elected Members of the Council, Contractors (including agency workers), Volunteers, Contracts Managers and Commissioning Officers.
- 8.3 The Policy gives terms of reference for a new Health and Safety Committee and a new Safety Representatives Committee, both of which replace the former 'Key Partners for Health and Safety Group'.
- 8.4 A new role of Safety Responder is identified. A Safety Responder will be an employee trained to the First Aid at Work qualification or an employee trained as a Fire Warden, or both combined. Where possible, both the 'First Aider' and Fire Warden roles will be combined into a single employee 'Safety Responder'. Provision and allocation of First Aiders and Fire Wardens is achieved through an assessment of needs within Council premises and for Council tasks across the city.

9. How does the decision contribute to the Council's Corporate Plan?

- 9.1 The Corporate Health and Safety Policy contributes to the delivery of active and healthy communities and excellent service delivery.

10. What risks are there and how can they be reduced?

- 10.1 Failure to effectively manage health and safety risk increases the likelihood of injury and ill health to staff and others during council activities. Significant failure may lead to a catastrophic event that causes multiple injuries or fatalities to staff and the public.
- 10.2 Failure to comply with statutory obligations increases the risk of prosecution. Any work practices that result in ill health or injury could result in legal action against the council, financial loss and negative publicity leading to reputational damage.

11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

- 11.1 The council's Corporate Health and Safety Policy aims to ensure the protection of employees and anyone else who may come into contact with our activities and services. This includes people at particular risk, for example people with disabilities, pregnant women and vulnerable service users. The policy helps to enhance Exeter City Council's reputation as a good place to work and live, and aims to protect employees and service users taking regard of age, disability, ethnicity, faith/belief, gender, and sexual orientation.
- 11.2 The policy also supports the council in meeting its statutory public sector equality duties and compliance with the range of employment (equality) regulations.

12. Are there any other options?

- 12.1 The Corporate Health and Safety Policy is required by law and will be reviewed every three years, or sooner if there is a need due to changes in law, changes in guidance or changes in the Council's activity.

Author: P Barton, Principal Health and Safety Officer

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

- Health and Safety at Work etc. Act 1974
- Management of Health and Safety at Work Regulations 1999 (Regulation 5)
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