

Corporate Health and Safety Annual Report 2020/21

For Cabinet on 29/07/2021

Summary

Lead Member: Councillor Matthew Bailey - Portfolio Holder for Sustainability

Lead Director: Paul Taylor – Director of Change and Communities

Head of Service: Gary Stevenson – Head of Housing, Health and Environment

Report Author: Mike Catling – Corporate Health and Safety Advisor

Classification: Non-exempt

Wards Affected: All

Approval Timetable	Date
Management Board	23/06/21
Portfolio Holder	01/07/2021
Finance and Governance	13/07/2021
Cabinet	29/07/2021

Recommendations

Officer / Committee recommendations as supported by the Portfolio Holder:

1. That Cabinet note the contents of the report, along with the work undertaken to secure a safe and healthy working environment.
2. That Cabinet approve priorities for 2021-2022.

1. Introduction and Background

- 1.1 The health and safety risk of Tunbridge Wells Borough Council (TWBC) is not only a reflection of the number of employees, or the range of people working within the organisation. It is also based on the range of property assets held and the volume of public using them. To give an example of this exposure within a usual year there could be 4 million visits to TWBC car parks, approximately 80,000 people visiting the Ice Rink and approximately 125,000 people visiting the Assembly Hall on an annual basis.
- 1.2 Due to the Covid-19 pandemic 2020/21 was a year with consistent changes to guidance on how to manage the safety of staff and third parties whilst either working on behalf of TWBC, or when visiting our sites. Important services had to be provided to the public with new ways of working having to be found to ensure safety.
- 1.3 In total there were 33 reported incidents (not including the Ice Rink) during the last financial year, a 69% decrease in incidents compared to the previous year and very much reduced from the average over the last few years. There was a total of 49 incidents (including all sites) over this year compared to 177 in the previous year.
The figures include 4 injuries to staff members, compared to 20 in 2019/20. There were 4 injuries to third parties (not including the Ice Rink) within this year, compared to 16 in the previous year. The total number of third-party injuries (including all sites) was 20 compared to 85 in 2019/20.
- 1.4 There were no third party or staff incidents that required reporting to the Health and Safety Executive (HSE) under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR). This is compared with one third party reportable incident in 2019/20 and 3 in 2018/19.
- 1.5 Following a road traffic accident and a separate incident leading to a fatality, there was a Police investigation and investigations by the HSE into incidents within the TWBC waste contractor practices this year, with no action taken against TWBC or the contractor at the time of this report.
- 1.6 TWBC's Health and Safety Committee meets quarterly and is chaired by the Director of Change and Communities, with representatives from staff, managers, Property, HR, Finance and Legal teams. Priorities set in the Corporate Health and Safety Work-plan have been met and issues raised by staff addressed. Quarterly incident data is discussed, with potential issues and trends highlighted and potential corrective actions authorised.

- 1.7 Work related ill-health is reported separately within the authority through the Human Resources (HR) department to Management Board. The Health and Safety Advisor has worked closely with the HR department to put procedures in place to reduce any negative effects of employees working from home for long spells, impacting on sickness absence within the authority. The staff Wellbeing Group supports staff with wellbeing tips and activities that proactively improve mental and physical health within authority staff.
- 1.8 There was 1 reported fire on TWBC property in 2020/21 compared to 2 in 2019/20. This included an incident at the Crematorium.
- 1.9 The required actions noted on the Corporate Health and Safety Work-plan are based on analysis of the overall risk to the organisation and the need to complete actions to reduce these risks. The focus will continue to be on reducing the risks of Covid-19, as well as reopening sites and recovering services to previous levels, ensuring the safety of staff and the public along the government Roadmap.
- 1.10 TWBC have a range of interventions to ensure that employees who work out in the community, whether for enforcement or advise during visits and inspections to sites and businesses are protected. These include service level risk assessment, training, use of technology for communication and emergency systems. Implementation of lone working and conflict management processes have ensured employees wellbeing and safety over the last year, but this continues to be an area to focus on.

2. Purpose of the Report and Executive Summary

- 2.1 The work of the Corporate Health and Safety Advisor during 2020-21 has focused on four main areas of work practice over the Covid-19 pandemic:
- Working from home,
 - Working from the office,
 - Working in the community,
 - Working from third-party buildings.
- First, reducing the risk to the organisation through support, training and advising management. Secondly, the investigation of incidents, identifying trends, causes and implementing changes to reduce future cases.
- 2.2 The Accident and Incident Data Analysis 2020/21 report in the appendices reviews the incident and accident data for 2020-21 and compares trends with previous years.
- 2.3 After reviewing this data the 2021-22 corporate health and safety priorities were agreed by the Health and Safety Committee (chaired by Paul Taylor, Director of Communities and Change) which are;
- Support in the reopening of TWBC sites and services after the Covid Lockdown. Carrying out the Governments stepped Roadmap.

- Support in the creation of new normal procedures for TWBC operations, as Covid-19 is managed more in the community, producing effective measures to reduce risk to staff, contractors and public.
- Take stock of any usual health and safety processes that would normally take place over a usual year, but may have been missed, or not able to be carried out to the usual standard, or frequency due to the Covid pandemic.
- Review the way health and safety is managed in TWBC corporate contracts and support in ensuring suitable systems are in place to reduce risks to persons and the authority.
- Monitor the implementation of any actions from the report to Management Board from the Urbaser fatality Task and Finish Group.

3. Options Considered

- 3.1 Note the information contained in the report and approve priorities for 2021-22.
- 3.2 Note information and not approve priorities for 2021-22
- 3.3 Refuse to note the information and not approve priorities for 2021-22

4. Preferred Option and Reason

- 4.1 The recommended option is that the Corporate Health and Safety Annual Report for 2020/21 and the work undertaken to secure a safe and healthy working environment is noted with any proposed health and safety actions approved.
- 4.2 This should ensure that TWBC continue to comply with the Health and Safety at Work Act 1974 and ensure that there is effective monitoring and review of health and safety management throughout the Council.

5. Consultation on Options

- 5.1 The content of this report has been discussed with the TWBC Health and Safety Committee with prospective priorities set for 2021-22.

Recommendation from Cabinet Advisory Board

The [committee name] Cabinet Advisory Board were consulted on [date of meeting] and agreed the following:

Insert text from Cabinet Advisory Board minute, or request text from Democratic Services Officer.

6. Implementation

- 6.1 To ensure that all levels within the authority are made aware of the findings within the report, the Accident and Incident Data Analysis document including an overview of performance will be communicated through internal staff communications. Including the Corporate Brief and 'On the Write Lines' along with the Member's newsletter.
- 6.2 Priorities will be added to the Corporate Health and Safety Work Plan, with progress monitored quarterly by the TWBC Health and Safety Committee.

7. Appendices and Background Documents

The following documents are to be published with and form part of the report:

- Appendix A: Accident and Incident Data Analysis 2020/21

8. Cross Cutting Issues

A. Legal (including the Human Rights Act)

The Health and Safety at Work etc Act 1974 imposes upon the Council statutory duties to ensure the health, safety and welfare of its employees and others. Failure to comply with the statutory duties and to adequately manage health and safety could lead to prosecution, under the Act, of the Council, Officers and /or individual employees. Annual reports to Cabinet that include an appraisal of the last 12 months' achievements and setting out the plans for the next 12 months assist in demonstrating compliance with the statutory duties and minimising the risk of prosecution.

Gary Rowland (Senior Lawyer – Corporate Governance)

B. Finance and Other Resources

Improvements in safety will reduce the likelihood of fines and insurance claims.

Mike Catling, (Corporate Health and Safety Advisor)

C. Staffing

No direct implications.

Mike Catling, (Corporate Health and Safety Advisor)

D. Risk Management

Corporate health and safety risks should feature on the Risk Register. As there are risks to sites and service provision if safety is not managed effectively within the authority.

Failure to adequately manage health and safety could have a financial impact and also affect the Council's reputation. Making the Council liable to compensation payments with this resulting in the potential for future increases in insurance premiums.

Mike Catling, (Corporate Health and Safety Advisor)

E. Environment and Sustainability

No direct implications.

Mike Catling, (Corporate Health and Safety Advisor)

F. Community Safety

No direct implications.

Mike Catling, (Corporate Health and Safety Advisor)

G. Equalities

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no apparent equality impact on end users.

Mike Catling, (Corporate Health and Safety Advisor)

H. Data Protection

No direct implications.

Mike Catling, (Corporate Health and Safety Advisor)

I. Health and Safety

The work completed and the set priorities provide for the effective management of health and safety. Minimising the risk of injury, financial loss or criminal legal liability under the Health and Safety at Work Act 1974.

Mike Catling, (Corporate Health and Safety Advisor)

J. Health and Wellbeing

The priorities contained within the report should contribute to increased wellbeing of staff as well as a positive impact on the health of those affected by council activities. As a large number of TWBC staff also live in the borough it should have a positive impact on the area as a whole.

Mike Catling, (Corporate Health and Safety Advisor)