

Corporate Health and Safety Annual Report 2022/23

For Cabinet on 21st September 2023

Summary

Lead Member:	Councillor Ellen Neville - Portfolio Holder for Environmental Services
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	21 st August 2023
Portfolio Holder	15 August 2023
Finance and Governance	5 th September 2023
Cabinet	21 st September 2023

Recommendations

Officer recommendations as supported by the Cabinet Member:

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 corporate priorities for 2023-2024.

1. Introduction and Background

- 1.1 Tunbridge Wells Borough Council is committed to maintaining a healthy and safe place of work for all its employees. It will take all reasonable steps to ensure that the public and contractors who may be affected by its work, are exposed to the lowest practicable level of risk.
- 1.2 Systematically reviewing performance is an important part of health and safety management as it enables an organisation to learn from experience and apply improvements, using data from monitoring and audits across the whole health and safety management system.
- 1.3 Best practice suggests organisations produce and publish an Annual Health and Safety Report. As such, this report summarises key aspects of health and safety that occurred across Tunbridge Wells Borough Council. The report deals with the period from the beginning of April 2022 to the end of March 2023. The report also provides supporting statistical information in Appendix 1.

Health and Safety Aims

- 1.4 The Council's aims are based upon the Health and Safety Executives guidance HSG 65 - Managing for Health and Safety, which urges organisations to secure a positive health and safety culture by ensuring that staff are involved and committed to good health and safety. Tunbridge Wells Borough Council's Health and Safety Policy sets out both general and specific relevant roles and responsibilities for health and safety.

To ensure all aspects of HSG (65) are implemented, a system of "PLAN / DO / CHECK / ACT" is used within the Safety Management Program.

The "plan" stage includes:	• Policy • Planning
The "do" stage includes:	• Risk profiling • Organising • Implementing your plan
The "check" stage includes:	• Measuring performance • Investigating accidents, incidents and near misses
The "act" stage includes:	• Learning lessons • Reviewing performance

Summary of Performance for 2022 - 23

- 1.5 The work of the Corporate Health and Safety Advisor during 2022-23 has focused on four main areas of staff work practice:
 - 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, with the investigation of incidents, identifying trends, causes and implementing changes to reduce future cases.

	Completed Actions(s)
Regular standing actions	Annual update and review of the data stored on the Cautionary Contacts Database.
	Health and safety training provision based on departmental need.
	Provision of adequate personal safety capability, including for Lone working.
	Quarterly report produced for the HS Committee including: <ul style="list-style-type: none"> • Recent incidents within TWBC, comparing data and highlighting potential trends. • Recent relevant court cases and any learning points for TWBC. • Progress on actions noted on the corporate priorities. • Communications from enforcement bodies. • Risk assessment database non-compliance. • Any serious outstanding risks.
	First Aiders and Facilities provision. Ensuring that each site and department has adequate first aiders and first aid supplies.
	Annual Corporate Health and safety report to Cabinet noting performance on set priorities, incident statistics as well as recommending priorities for following year.
Policy	Annual review of relevant health and safety policies noting priorities.
	Managing Contractors' policy reviewed, implemented through manager training.
	Violence Against Staff Policy reviewed and implemented.
	Continual review of TWBC internal health and safety forms and support documentation, noting priorities.
Monitor, Inspect and Audit.	Events App and working with the Safety Advisory Group to reduce risks to the authority from events held on Council land.
	Inspection of all main operational sites where risk to the authority exists. Reports provided and actioned with Site Managers and Property Services.
	Audits of main corporate contracts: waste, leisure centres and grounds maintenance.
	Monitor and updating of Site Safety Folders to prove adequate legal compliance for all TWBC operational sites.
	Monitor the Risk Assessment Database to support Site and Departmental Managers in providing required risk assessments in place.
Project Actions	Review of Corporate Contracts processes and management, to ensure suitable systems reduce risks to persons and the authority.
	Adequate advice and support for changes to office space in the Town Hall. Support for home workers with new flexible ways of working.
	Fire safety and evacuation of TWBC operational sites.

	Completed Actions(s)
	Proactive health: <ul style="list-style-type: none"> • Working from home and new ways of working. Monitoring instances of staff requiring extra support regarding Workstation Assessments, tracking trends, offering guidance, and providing training. • Supporting the Wellbeing Group in staff communications. • Support TWBC Health Team with Kent Healthy Business award standards.
	Improvements in vehicle and pedestrian segregation in TWBC operational sites.

2022-23 Incidents Trends and Comparisons

- 1.6 2022/23 is the first full year without Covid restrictions since 2019/20. As expected, the incident figures have increased from previous years, although lower than pre-Covid numbers. These figures may increase further towards pre-Covid figures, although with changes to working practices, the 'new ways of working' could influence incident trends for the better.
- 1.7 Conflict / Threats of Violence/Actual Violence continues to feature in reported incidents, showing a slight increase on the previous year. Of these cases, there were 6 actual violence incidents compared to 5 the previous year. All are shared with the Police, investigated and suitable measures implemented to reduce the chance of reoccurrence. Already within 2023/24 whilst writing this report, a number of incidents at our operational sites has highlighted this as an area to continue to prioritise for staff safety.
- 1.8 Slips, Trips and Falls incident numbers have also increased slightly, although anticipated with increased numbers of the public attending our sites post Covid and the Amelia Scott site opening.
- 1.9 As of the end of March 2023 there has been an increase in TWBC directly employed staff with 335 now being employed, with a number of Casual Workers and a range of contractors working on the Council's behalf on a regular basis. This is compared to 320 staff employed in the previous year. The increase is due to TWBC having a much larger operation at the Amelia Scott site compared to the Museum and Art Gallery previously, as well as filling vacancies. There would be an expectation of increased incident figures with more staff being employed within the Authority.
- 1.10 There was an increase in recorded incidents at the Ice Rink compared to 2021-22, although the number of those advised to seek further medical attention was similar, being 23 compared to 24 the previous year, 3 required ambulance assistance this year, the same as the previous year. This is compared with around 43,000 skaters using the Ice Rink.
- 1.11 The number of recorded incidents reflect the higher number of visits to all our sites (car parks, parks, Assembly Hall, Ice Rink and Amelia Scott), as well as officers dealing with vulnerable persons and enforcement activities.

- 1.12 The figures show that we continue to have a good reporting culture, with each incident investigated and actions taken to reduce the chance of reoccurrence.

Incidents requiring RIDDOR notification

- 1.13 An incident involving a member of the public was reported to the Health and Safety Executive (HSE) under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) over this time. The individual fell down a small number of steps in the Amelia Scott external Courtyard. Although not classed as work related, a RIDDOR report was made as the injured party was taken directly to hospital from site for treatment. No follow up communication has been received from the HSE regarding this incident, at the time of writing this report. This incident was investigated fully, with adequate mitigating measures put in place to reduce the chance of reoccurrence.
- 1.14 Additionally, one incident to a staff member was reported to the Health and Safety Executive (HSE). The staff member was injured whilst working at the Ice Rink and as a result was away from work, or unable to perform their normal work duties, for more than seven consecutive days due to their injury. To date, no follow up communication has been made by the HSE regarding this incident. This incident was investigated fully, with adequate mitigating measures put in place to reduce the chance of reoccurrence.
- 1.15 TWBC contractors must report any work-related deaths, and certain work-related injuries, cases of disease, and near misses involving their employees wherever they are working directly to the HSE. These cases will be investigated by TWBC contract monitoring officers, to be assured that incidents have been investigated adequately and appropriate mitigation has been taken.
- 1.16 TWBC contract managers are aware that any incidents on TWBC property reported by contractors to the HSE should be reported to the Health and Safety Advisor to investigate as required.

Enforcement Action

- 1.17 TWBC were contacted by the HSE following a visit by a HSE Inspector to the Cemetery Depot where our Grounds Maintenance contractor works. Information was provided following their enquiries; to date, no follow up communication has been received from the HSE.

2023-24 Corporate Health and Safety Priorities

- 1.18 These have been agreed by the Health and Safety Committee (chaired by Paul Taylor, Director of Communities and Change).
- Consistency of management compliance across all operational sites and processes within the authority.
 - Review of Personal Protective Equipment provision within TWBC, ensuring that staff have access to the correct equipment required.

- Review of departmental Lone working procedures and equipment within TWBC, ensuring that staff have access to the correct equipment and procedures are in place.
- Monitor site and departmental risk assessments within the Authority, to ensure adequate provision is in place.

In addition, further to paragraph 1,7 there will be a continued prioritisation of staff safety whilst working from our operational sites. Policies and procedures are in place but will be reviewed and improvements made where necessary.

2. Purpose of the Report and Executive Summary

- 2.1 To inform Management Board and Cabinet of the range of work completed under corporate health and safety, plus provide a summary of accident/incident data and notable issues. Furthermore, to be assured that incidents have been investigated and appropriate mitigation has been taken, in line with our aim to minimise risk of injury, financial loss or legal liability under the Health and Safety at Work Act 1974.

Priorities for 2023-24

- 2.2 The corporate health and safety work plan for 2023-24 is agreed, along with the proposed priorities provided in section 1.18 by the Health and Safety Committee (chaired by Paul Taylor, Director of Communities and Change). These will be implemented together with the processes usually in place to ensure a safe working environment.

3. Options Considered

- 3.1 To note the summary information provided for 2022-23 contained in this report and approve priorities for 2023-24.
- 3.2 Not to approve priorities for 2023-24.

4. Preferred Option and Reason

- 4.1 The recommended option is that the Corporate Health and Safety Annual Report for 2022/23 and the work undertaken to secure a safe and healthy working environment is noted with any proposed health and safety actions approved.
- 4.2 The proposed work plan will ensure that TWBC continue to comply with the Health and Safety at Work Act 1974 and effective monitoring and review of health and safety management is in place.

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 2023-24.

Recommendation from Cabinet Advisory Board

The Finance and Governance Cabinet Advisory Board were consulted on 5 September and agreed that the recommendations set out in the report be supported.

6. Implementation

- 6.1 To ensure that all levels within the authority are made aware of the findings within the report it will be communicated through internal staff communications. Including being available on the TWBC Intranet, noted in '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

Appendix 1

Accident and Incident data

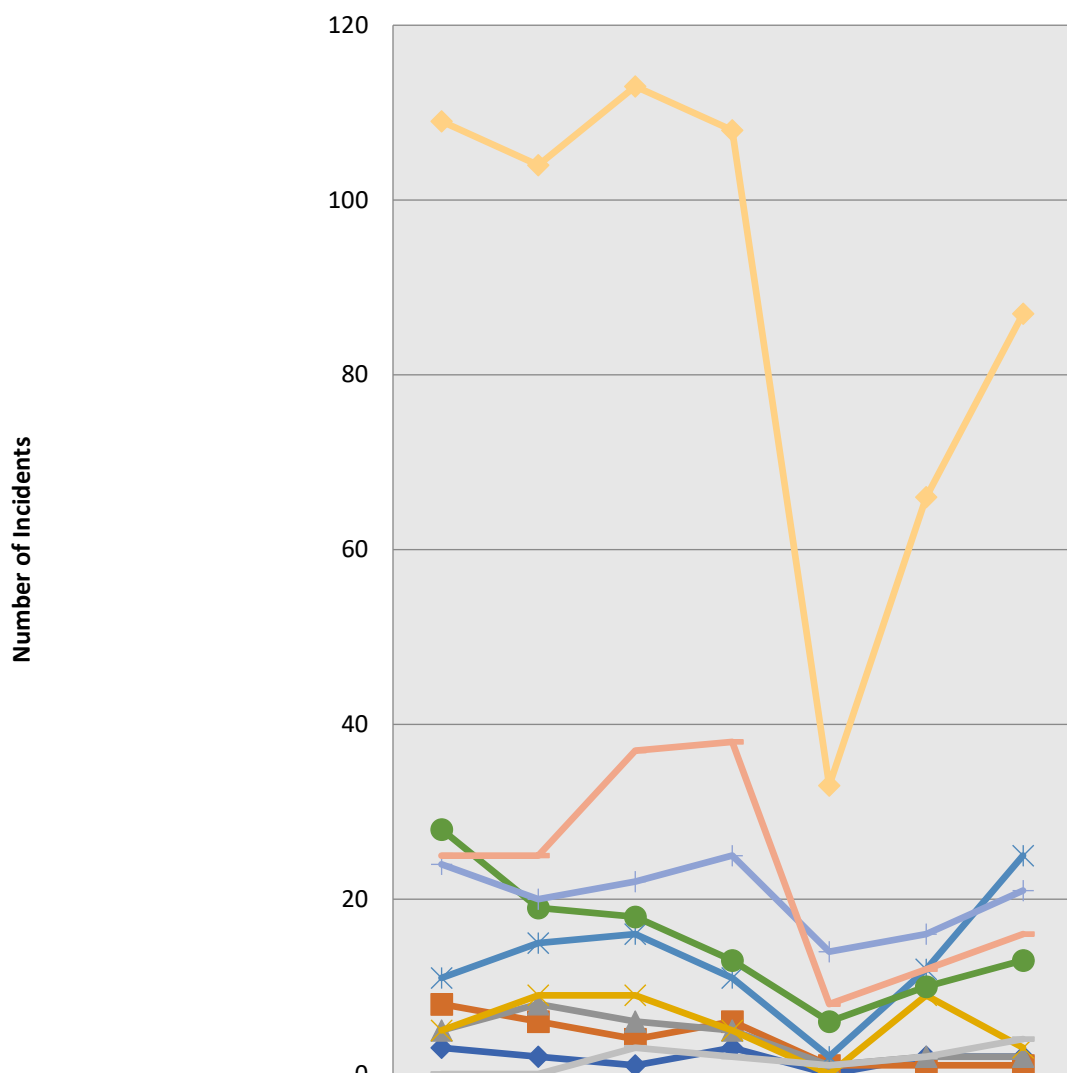
Incident data is monitored with trends fed back to the Health and Safety Committee quarterly by the Health and Safety Advisor, issues can then be actioned and/or escalated prior to increasing in severity or frequency. All reports are investigated to identify causative themes and to ensure that corrective action is taken where necessary.

There were 87 recorded incidents during this time compared to 66 the previous year. N.B- Excluding members of the public slipping on the ice at the Ice Rink.

There was a total of 48 injuries to staff and third parties, with an additional 50 injuries at the Ice Rink to third parties.

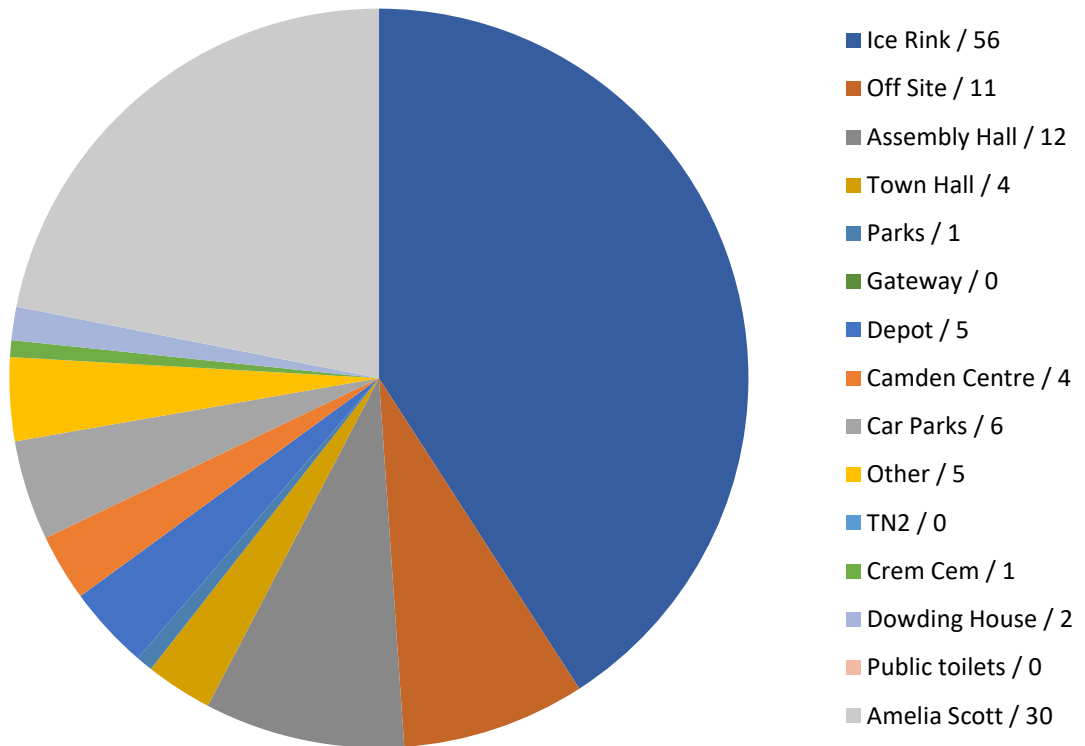
Incidents by Year								
	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	% Increase decrease on last year
Total (not including slips on the ice at the Ice Rink)	109	104	113	108	33	66	87	24% increase

Figure 1: Number of incidents (not including slips on the ice at the Ice Rink).



◆ Musculoskeletal	3	2	1	3	0	2	2
■ Property Damage	8	6	4	6	1	1	1
▲ Collapsed/Panic attack/Allergic reaction	5	8	6	5	1	2	2
✂ Other	5	9	9	5	0	9	3
✱ Impact Injury	11	15	16	11	2	12	25
● Trips/Slips/Falls (not including the Ice Rink)	28	19	18	13	6	10	13
✚ Dangerous Occurrence, Near Miss	24	20	22	25	14	16	21
— Conflict /Threats of Violence and Actual Violence	25	25	37	38	8	12	16
— Fire			3	2	1	2	4
◆ Grand Total	109	104	113	108	33	66	87

Figure 2: Total number of incidents per site 2022/23



	Incidents by year							
Site	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	% Increase / decrease on last year
Car Parks	8	5	5	11	4	7	6	-14%
Assembly Hall	19	26	20	17	2	9	12	+33%
Gateway	7	5	7	7	0	2	0	-
Town Hall	9	8	16	11	3	3	4	+33%
Other TWBC sites	0	4	3	6	6	3	5	+67%
Ice Rink	65	99	55	69	16	41	56	+37%
Depot	7	4	6	6	0	7	5	-29%
Parks	10	5	9	5	3	3	1	-67%
TN2	2	2	2	5	0	4	0	-
Camden Centre	5	3	5	5	1	3	4	+33%
Public Toilets	1	0	0	2	0	0	0	-
Cemetery / Crematorium	4	9	2	2	4	8	1	-88%
Amelia Scott	-	-	-	-	-	-	30	-
Off site	27	25	31	30	7	12	11	-8%
Dowding House	-	-	2	1	3	4	2	-50%
Total	168	196	162	177	49	106	137	+29%

Ice Rink incident data:

The Ice Rink site was only operational for just over a week in 2020 so limited data is available when comparing to previous years.

	2015	2016	2017	2018	2019	2020	2021	2022
Numbers of paying customers	34,199	39,214	39,827	38,070	46,400	6,139	49,872	43,004
Slips injuries on the ice	57	59	92	51	69	16	40	50

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 Legal Adviser – 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)