

ABERDEEN CITY COUNCIL

COMMITTEE	Staff Governance Committee
DATE	12 April 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Corporate Health and Safety Policy
REPORT NUMBER	COM/21/079
CHIEF OFFICER	Fraser Bell
REPORT AUTHOR	Colin Leaver
TERMS OF REFERENCE	3.1

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek approval of the Corporate Health and Safety Policy.

2. RECOMMENDATIONS

That Committee:-

- 2.1 approves the Corporate Health and Safety Policy as attached at Appendix A which from 1st May 2021 will replace the previous policy; and
- 2.2 notes that the policy will be used as a training and development tool during the remainder of 2021.

3. BACKGROUND

- 3.1 Section 2(3) of the Health and Safety at Work etc Act 1974 requires every employer “to prepare and as often as may be appropriate revise a written statement of his general policy with respect to the health and safety at work of his employees and the organisation and arrangements for the time being in force for carrying out that policy”.
- 3.2 The Corporate Health and Safety Policy is set out to meet those three requirements of the 1974 Act within the sections on policy statement, responsibilities and supporting procedures and documentation. The policy was last approved by the Committee in 2018 and has been reviewed to comply with the requirements for a new template. Some sections have been worded differently and other additional detail, outlined below, added but no significant changes are included.
- 3.3 At the start of the document, the Policy Statement sets out how the Council intends to manage health and safety issues and meet health and safety requirements.
- 3.4 The policy sets out the positions and duties of those within the organisation who have specific responsibility for health and safety. In this review, the health and

safety responsibilities are set out to follow the three lines of defence model as part of the Council's overall approach to improving the effectiveness of risk management. This helps to clarify the boundaries between each group of responsible individuals which is crucial to a safe system of health and safety management.

- 3.5 Each of these three 'lines' plays a distinct role within the organisation's wider governance framework and it looks like this:
- Functions that own and manage risks – i.e. operational managers.
 - Functions that oversee risks – e.g. corporate health and safety team.
 - Functions that provide independent assurance – e.g. internal/external audit.
- 3.6 Finally, the policy identifies the arrangements the Council has in place to manage and control the risks to the health and safety of people carrying out activities or who might be affected by them. This includes:
- A single corporate policy defining the overall approach, responsibilities and arrangements.
 - Corporate procedures which apply to a number of services and are led by the Corporate Health and Safety Team
 - Service specific procedures which apply to individual service areas and are led by the Chief Officers in those services, with support from the Corporate Health and Safety Team.
 - Specific systems which support implementation of the overarching policy.
- 3.7 In this review it shows the relationship and responsibility for each layer of those documents from corporate to Cluster to Service. At each level there will be a process of periodic review to ensure that each document is suitable and sufficient and ensures legal compliance.

FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

- 5.1 Health and safety legislation requires that an organisation has a suitably robust safety management system to ensure the health safety and welfare of their employees. Where any incident is of sufficient seriousness there is the potential that the Enforcing Authorities will become involved and carry out their own investigation into the circumstances of the incident. Any investigation could result in prosecution of the organisation and in some cases prosecution of managers and/or employees.

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic	N/A		N/A
Compliance	There is the risk that any injury or serious health and safety incident could result in focus from the Health and Safety Executive which could result in enforcement action in the form of notices or prosecution.	M	<p>All tasks are risk assessed and the controls implemented and supervised by line managers.</p> <p>All employees are trained to a level where they are competent to carry out the work.</p> <p>Analysis of the causes of the incidents, near misses and work-related absences and resultant improvements to prevent, where possible, reoccurrences, can reduce the financial exposure to the Council.</p> <p>An effective health and safety management system in which risks are identified and either eliminated or reduced will result in a reduction of costs to the organisation.</p> <p>If the Enforcing Authorities take a case to court against Aberdeen City Council for breaches of legislation then it could leave the Council liable to pay any fine or damages imposed and also for the expenses of any subsequent civil claim, which follows where an individual has suffered personal injury.</p>
Operational	The risk is that any health and safety incident can lead to an injury to an employee which	M	If the task has been risk assessed; employees are trained, competent and supervised then there

	<p>could have the potential to temporarily or permanently affect either or both their employment or their life.</p> <p>The risk to our citizens is that we are unable to provide the same level of service delivery due to staff absences from illness and injury sustained during their work. Also, there is the possibility of a reduced budget due to the associated financial costs.</p>	M	<p>should be less likelihood of incidents.</p> <p>Reducing the number of incidents will reduce the number of absences and the subsequent costs to the Council.</p>
Financial	The risk is that any incident has the potential to bring a reduction in the overall budget in place to provide service delivery.	M	As per Compliance above
Reputational	Local and National press coverage of any incident can present reputational damage to the organisation.	M	Should be provided by each Function having a robust safety management system in place. There are many facets to this which are important starting from ensuring employees are trained and competent, every hazard is risk assessed and employees are up to carrying out investigation of near misses to ensure controls are reviewed to consider whether remedial actions are required.
Environmental / Climate	N/A		N/A

7. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
	Impact of Report
Aberdeen City Council Policy Statement	N/A
Aberdeen City Local Outcome Improvement Plan	
Prosperous Economy Stretch Outcomes	A healthy and safe workplace assists the overarching principles of the stretch outcomes within the LOIP by ensuring that resource is directed at the services required by the city. Removing the level of lost resource to the financial penalties incurred through the Courts and from the Regulators will allow the available resource to be best used to ensure funding of the growth sectors of the local economy.
Prosperous People Stretch Outcomes	The areas reported on within this report allow Clusters a further opportunity to recognise areas which when acted upon can assist with engagement of staff and service users to support the meaningful educational progress of children and young people.
Prosperous Place Stretch Outcomes	N/A
Regional and City Strategies	N/A
UK and Scottish Legislative and Policy Programmes	The Health and Safety at Work etc Act 1974

8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	Full impact assessment not required
Data Protection Impact Assessment	Not required

9. BACKGROUND PAPERS

N/A

10. APPENDICES

Appendix 1 – Corporate Health and Safety Policy

11. REPORT AUTHOR CONTACT DETAILS

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