

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Staff Governance Committee
<b>DATE</b>	23 November 2021
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Corporate Health and Safety – July – September 2021
<b>REPORT NUMBER</b>	COM/21/264
<b>DIRECTOR</b>	Gale Beattie
<b>CHIEF OFFICER</b>	Fraser Bell
<b>REPORT AUTHOR</b>	Colin Leaver
<b>TERMS OF REFERENCE</b>	3.3

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### 1. PURPOSE OF REPORT

- 1.1 The report summarises statistical health and safety performance information for the 3-month reporting period July - September 2021 to provide the Committee with the opportunity to monitor compliance with health and safety legislation.

### 2. RECOMMENDATIONS

- 2.1 That the Committee note the report and provide comment on the health, safety and wellbeing policy, performance, trends and improvements.

### 3. BACKGROUND

- 3.1 This report contains a review of health and safety activities for the three-month reporting period July - September 2021 and the appendix to the report contains statistical information of the same period. The statistical information is now provided as a series of charts in the appendix, which also contains an analysis of these figures at the foot of each page.

The Reporting of Injuries, Diseases and Dangerous Occurrences 2013 (RIDDOR) puts duties on employers, the self-employed and people in control of work premises (the Responsible Person) to report certain serious workplace accidents, occupational diseases and specified dangerous occurrences (near misses) to the Health and Safety Executive (HSE). This reporting duty includes incidents which result in an employee being absent from work for 7 days or longer, which have historically been the main reason for Aberdeen City Council's reports to HSE.

This report addresses the following matters:

1. Process for making Aberdeen City Council Covid-secure
2. All incidents involving employees and members of the public (serious and minor)
3. HSE Reportable Incidents
4. Reportable Diseases

5. Near Miss Information
6. Enforcement Interventions
7. Fire Risk Assessment
8. Health and Safety Audits
9. Compliance Monitoring
10. Health and Safety Policies and Guidance

### 3.2 **Covid-Secure**

In this reporting period Aberdeen City Council has continued to follow Scottish Government guidance to prevent the risk of coronavirus outbreaks in the workplace. During this period staff who could work from home have been encouraged to continue doing so. The Government vaccination programme has continued to be rolled out, which will provide an additional control within the process we already have developed. As restrictions have been relaxed compliance checks have continued to ensure that those controls required are still in place. Risk assessments remain in place for staff who cannot work from home to ensure their safety; and these are reviewed regularly as any guidance is updated by Scottish Government. The need for 1 metre social distancing between staff in Council buildings has been preserved despite the restrictions being removed within guidance.

### 3.3 **Incidents (Jul-Sep 2021)**

All incident and near miss information in this report has been provided to Cluster level in the appendix. However, within the Operations Function these have also been reported to Service area level.

#### **Incident information:**

- 3.4 The figures are reported to Cluster level for both employee and third-party incidents. Causation figures are also included within the report in the appendix. The comparison period mentioned is July-Sep 2020.
- 3.5 There is still an increase in most reported figures from the corresponding period last year. This difference would be explained as further Services have started to return following the period during the pandemic where most Services were working remotely. This understanding is reached as pre- pandemic the figures in 2019 were similar to previous years. However, since early 2020 the figures reduced at a time when most Services were stood down and working from home and remotely from service users was more prevalent. These figures have gradually increased as Services have started to return to work with service users, with correct covid controls in place.
- 3.6 Page five of the report details the breakdown of incidents within the Operations function which shows that 76% of incidents within Operations occur within the Education Service. The large majority of these are because of distressed behaviours displayed by some children with additional support needs. Following every incident, a review of the relevant risk assessment is carried out to consider any actions which can be taken to prevent or reduce the risk of reoccurrence. In

third party incidents there have been a large number of sports activity injuries which did not arise out of or in connection with work.

- 3.7 When an incident is reported the corporate system generates an investigation report which the reporting officer is required to complete. This report highlights categories of criteria which require to be considered including root cause, actions identified and completion dates. Figures on the completion of these investigation reports are provided to the Functional Health and Safety groups with actions raised there against chief officers and service managers to ensure any issues are closed out effectively. Any outstanding issues are also escalated to the Performance Board for their assistance in achieving compliance.

### **HSE Reportable incidents (Jul-Sep 2021)**

- 3.8 The table in the Appendix also shows the number of RIDDOR reportable incidents. During this reporting period one incident involving an employee required to be reported to the Health and Safety Executive, all incidents occurred between Jul-Sep 2021. The one report was required as the employee was absent from work for a period of more than 7 days due to a work-related incident.
- 3.9 All RIDDOR incidents are followed up by the Corporate Health and Safety Team to get assurance that the correct causation and remedial actions have been identified; also, that any remedial actions have been implemented.

### **Incident (reportable employee) frequency rates**

<b>Period – Quarterly</b>	<b>Reportable Incidence rate</b>	<b>Reporting period</b>
July- September 2021	0.15	2021/22

- 3.10 The above figures are calculated using the formula:

$$\text{Incidence rate} = \frac{\text{RIDDOR injuries per period} \times 1000}{\text{Number of employees}}$$

- 3.11 The figure for the corresponding period last year (Jul-Sep 2020) was one RIDDOR reportable incident and a reportable incident rate of 0.12.

### **Reportable Diseases**

- 3.12 There were no reportable diseases reported under RIDDOR; which was also the case in the corresponding reporting period last year.

### **Near Miss Information**

- 3.13 Many safety activities are reactive, that is, they occur after an injury incident. By reporting near-miss incidents this promotes proactive safety, thereby raising awareness of potential hazards and mitigation strategies before an injury occurs. Recognising and reporting near-miss incidents can significantly improve employee safety and enhance the safety culture by allowing processes and systems to be altered before an incident occurs.

- 3.14 The appendix shows information on the number of near miss figures for the reporting period and again a comparison with July-Sep 2020. Again, as with incidents in most areas the figures are increased due to the changes in work processes last year because of the coronavirus pandemic.
- 3.15 Page eight of the report gives a breakdown of near misses within the Operations function. As with incident the majority (88%) are within the Education services. Similar to incident figures these are mainly as a result of distressed behaviours evident in some children with additional support needs. Risk assessments are reviewed after every near miss to consider any actions which can be taken to prevent or reduce the risk of reoccurrence.

### **Three-year comparison**

- 3.16 The annual comparative figures still show a large decrease in reporting in comparison with 2019/2020 which can be attributed directly to the coronavirus pandemic, which resulted in changed work processes, remote working and virtual interventions with service users.

### **Regulator interventions (HSE / SFRS)**

- 3.17 There are occasions where HSE and Scottish Fire and Rescue Services (SFRS) contact Aberdeen City Council to request further information or ask for action to be taken with regard to the way Aberdeen City Council undertake their legal duties.
- 3.18 There were no interventions with HSE in this reporting period. 3 site visits from SFRS were made as part of their annual audit of social care properties. Any issues identified have since been remedied and closed out in the audit compliance process.

### **Fire risk assessments**

- 3.19 Fire risk assessments have been recommenced and are completed on a rolling 5-year programme. A total of 24 fire risk assessments, including 15 Bon Accord Care sites, were completed during this reporting period. The overall average compliance score was 90%.
- 3.20 An identified Officer within Corporate Landlord manages a database of required actions to close out. It is their role to monitor progress of actions and report compliance issues. The Corporate Health and Safety Team also audit this process to ensure actions are closed out on time.

### **Health and Safety Audits**

- 3.21 Covid 19 Compliance - 50 visits have been undertaken at various premises within the ACC estate with an overall compliance score of 96%. All action points raised are included in an action log, which is reviewed weekly and reported to both relevant Chief Officers and the Workforce Planning and Protection Group when actions go beyond the agreed compliance date. Managers are given access to

the action log to record the action taken by them and the date completed. Follow up visits are also carried out to ensure actions have been completed and that controls continue to be suitable and sufficient and are being followed.

3.22 Where actions in any audit or compliance process are not closed out on time these are initially raised with the relevant Chief Officer and reported through the relevant Function Health and Safety Group and the Risk and Performance Boards.

### **Health and safety policies and guidance**

3.23 There were no policies or procedures reviewed or revised this quarter.

## **4. 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**

<b>Category</b>	<b>Risk</b>	<b>Low (L) Medium (M) High (H)</b>	<b>Mitigation</b>
<b>Strategic Risk</b>	N/A	N/A	N/A
<b>Compliance</b>	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	All tasks are risk assessed and the controls implemented and supervised by line managers. All employees are trained to a level where they are competent to carry out the work. Analysis of the causes of the incidents, near misses and work-related absences and resultant improvements to prevent, where possible, reoccurrences, can reduce

			<p>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>
<b>Operational</b>	<p>The risk is that any health and safety incident can lead to an injury to an employee which 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>	<p>M</p> <p>M</p>	<p>If the task has been risk assessed; employees are trained, competent and supervised then there 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>
<b>Financial</b>	The risk is that any incident has the	M	As per Compliance above

	potential to bring a reduction in the overall budget in place to provide service delivery.		
<b>Reputational</b>	Local and National press coverage of any incident can present reputational damage to the organisation.	M	Each Function should have 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.
<b>Environment / Climate</b>	N/A	N/A	N/A

## 7. OUTCOMES

<b><u>COUNCIL DELIVERY PLAN</u></b>	
<b>Impact of Report</b>	
<b>Aberdeen City Local Outcome Improvement Plan</b>	
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 Civil and Law 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.

<b>UK and Scottish Legislative and Policy Programmes</b>	The Health and Safety at Work etc Act 1974
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## 8. IMPACT ASSESSMENTS

Assessment	Outcome
<b>Impact Assessment</b>	Full impact assessment not required
<b>Data Protection Impact Assessment</b>	Not required

## 9. BACKGROUND PAPERS

N/A

## 10. APPENDICES

Quarterly staff governance Health and safety report July – September 2021

## 11. REPORT AUTHOR CONTACT DETAILS

Colin Leaver  
 Corporate Health and Safety Lead  
 Email: Cleaver@aberdeencity.gov.uk  
 Tel: 01224 523092