ABERDEEN CITY COUNCIL

COMMITTEE	Staff Governance
DATE	03 September 2018
REPORT TITLE	Corporate Health and Safety Improvement Plan
REPORT NUMBER	GOV/18/068
DIRECTOR	N/A
CHIEF OFFICER	Fraser Bell
REPORT AUTHOR	Mary Agnew
TERMS OF REFERENCE	5.2, 5.3

1.   PURPOSE OF REPORT

1.1   This report provides the principles that the Corporate Health and Safety Improvement Plan will be based upon for consideration by the Committee.

2.   RECOMMENDATION

2.1   That Committee endorses the proposed principles for the organisation's Corporate Health and Safety Improvement Plan.

3.   BACKGROUND

3.1   Corporate and Directorate Health and Safety Plans were previously developed in line with Local Outcome Improvement Plan (LOIP), implemented and presented at the Corporate Health and Safety Committee. Annual review and comparison of health and safety performance against the targets has been limited. This is owing to a combination of the organisation's restructure, changing personnel and difficulty in accessing the related data. To ensure meaningful benchmarking information on improvement areas the targets will be reviewed.

3.2   The aim of the Corporate Health and Safety Improvement Plan is to improve legal compliance, reduce injuries, reduce financial burden (improve use of resources) and enhanced service delivery.

3.3   Design principles and implementation

3.4   With the introduction of the new structure based on the Target Operating Model principles and the focus on the LOIP it is proposed that the Corporate Health and Safety Improvement Plan 2019/20 is implemented from 01 April 2019.

3.5   The previous Corporate Health and Safety Improvement Plan will be reviewed to ensure measurable targets (leading and lagging) linked to the LOIP outcomes, through which accountability and ownership of improvement areas will be managed and monitored ultimately by the Corporate Management Team (CMT) and the Staff Governance Committee. An annual report on performance containing relevant data will be produced for review to provide levels of outcome assurance.

3.6   The Corporate Health and Safety Improvement Plan requires to be supported and regularly reviewed by senior management to ensure resources are made available and target dates met. The Corporate Health and Safety Improvement Plan and any related actions, need to match the plans of the organisation and have Specific, Measurable, Accountable, Realistic, Timely (SMART) targets.

3.7   Sources of information

3.8   The identified improvement areas will be based on a range of health and safety performance metric data from both internal and external sources. When identifying what data to measure, a mindful approach will be taken to avoid 'information overload' and instead focus has been on the priority areas of service delivery; Prosperous Economy; Prosperous People, Prosperous Place and Enabling Technology. Legal compliance is critical to ensure that the organisation meets its statutory requirements under the Health and Safety at Work Act etc.1974 ensuring safe service delivery without risks to the health of employees and any third parties who may be affect by our undertaking.

3.9   The Corporate Health and Safety Improvement Plan will be outcome based and focus on addressing root causes. The core health and safety improvement areas will be evolved to meet the needs of the organisation, other measures may be included on a short-term basis to allow for improvements in a specific identified area. There is an opportunity for these to be addressed via thematic groups reporting to the Cluster / Function Health and Safety Groups to facilitate cross organisation discussion.

3.10   Consideration will be given to the Health and Safety Executive (HSE) - Sector Plan for Health and Safety in Public Services and the improvement areas from the organisation's qualitative and quantitative health and safety performance data. This will include but not be limited to the health and safety culture, incident and near miss trends and investigation, work related absence, and workplace monitoring findings e.g. audits, compliance monitoring and fire risk assessments. Health and wellbeing management information will be considered, such as occupational health and employee counselling statistics. Any HSE contact / intervention locally and nationally will also be considered as part of the gap analysis.

3.11   The Corporate Health and Safety Improvement Plan will include improvement themes with a range of targets and actions that will assist in strengthening the health and safety culture. As an organisation we need to continue to promote

a sensible, proportionate and responsible approach to health and safety while ensuring legal compliance.

3.12 Monitoring

3.13 Discussions have been held on the high-level health and safety metric data information that would be valuable to be included in Function / Cluster related dashboards and scorecards to assist in measuring performance. Linkages to this business data will contribute to determining the achievement of any identified outcomes set out in the Corporate Health and Safety Improvement Plan. More detail would be expected at local level meetings for scrutiny. Business Intelligence will provide such information for Health and Safety Groups and senior management meetings.

3.14 Functions will develop specific Health and Safety Improvement Plans and related actions, these will be managed and monitored via their related Health and Safety Groups. Performance against these plans would be fed back to their related Health and Safety Groups. These will reflect the improvement themes as appropriate to the related Function / Cluster. This will provide an opportunity to improve the organisation's health and safety maturity level.

3.15 Any significant health and safety improvement areas will be captured within the Cluster / Function risk registers for address. Depending on the severity these may require to be escalated to the Corporate Risk Register to prioritise actions to ensure compliance.

3.16 The Corporate Health and Safety Improvement Plan will be kept under review and updated to reflect changing health and safety priorities as required.

4. FINANCIAL IMPLICATIONS

4.1 There are no direct Financial implications arising from the recommendations of this report. By improving performance on those items that will be included in the Health and Safety Improvement Plan (addressing root causes and ensuring the correct processes are followed) this will improve the Function / Cluster leading and lagging health and safety performance indicators. This will improve legal compliance which will reduce financial exposure to the Council.

4.2 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.

4.3 There are financial benefits to be gained through reduced absence and related sick leave, reduced insurance premiums and potential legal costs. Studies show that good practice in health and safety makes sound business sense.

5.   LEGAL IMPLICATIONS

5.1   The Health and Safety at Work etc Act 1974 requires an employer to ensure the health and safety of their employees and those who may be affected by their undertaking. To comply with its duties, the Council must ensure that its safety management system is robust and reliable.

5.2   Failure to comply with legislation in ensuring a safe and healthy workplace may result in enforcement action (criminal) by the Health and Safety Executive (HSE). Such a prosecution could be raised against the organisation or senior managers; line managers and/or individual employees where it is found that there has been negligence by an individual (for example, knowingly allowing an unsafe act to continue). Potential penalties for material breaches includes fines, imprisonment and remedial orders in addition a to fee for intervention. There is also the possibility of employee claims (civil) these are more likely to succeed following a successful HSE prosecution.

5.3   Statistical evidence shows that HSE have been successful in prosecuting 94% of cases brought to court for health and safety breaches. Not only may the Council be liable to pay any fine or damages imposed, they may also be liable for the legal costs involved.

6.   MANAGEMENT OF RISK

6.1   The risks with the potential to impact the decision being sought from the Committee are categorised as:

	Risk	Low (L), Medium (M), High (H)	Mitigation
Financial	The risk is that health and safety is not robustly managed and could result in an incident or non-compliance. This has the potential to bring a reduction in the overall budget in place to provide service delivery.	M	Legal compliance is achieved through the identification and address of improvement areas as will be detailed in the Health and Safety Improvement Plan(s).
Legal	There is the risk that any health and safety non-compliance with statutory requirements is investigated by the HSE. Identification of a material breach could result in enforcement action in the	M	As above.

	form of notices or prosecution.		
Employee	The risk is that if hazards are not risk assessed and controlled there is the potential of incidents resulting in employee injury. This has the potential to temporarily or permanently affect either or both their employment or their life.	M	As above. If the task has been risk assessed; employees are trained, competent and supervised then there should be less likelihood of incidents.
Customer	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.	M	Ensuring legal statutory compliance and reducing the number of incidents will reduce the number of absences and the subsequent costs to the Council.
Reputational	Local and National press coverage of any incident and HSE prosecution 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 up to carrying out investigation of near misses to ensure controls are reviewed to consider whether remedial actions are required.

7. OUTCOMES

Local Outcome Improvement Plan Themes	
	Impact of Report
Prosperous Economy	As any other local authority, the Council has a key role in ensuring a prosperous economy. By ensuring legal compliance and effectively managing health and safety this reduces the likelihood of incidents, related injury and work-related ill health. This in turn means that the Council's and employees contribution to the local economy is not affected through lost resource eg absence, prosecution and associated costs. By taking a proactive approach to health, safety and wellbeing the "public pound" will be used effectively reducing lost resource through direct and indirect costs. Research shows that good health is good for business and better workplaces have better financial results.
Prosperous People	As an organisation the Council considers the health of its workforce to be paramount and a key element in service delivery. This focus is one key in having an engaged workforce and all the additional benefits associated with this.

The workplace is an environment in which most adults spend a substantial fraction of their time. It has the potential to have both positive and negative influences on their health and well-being. Where there are continuing trends of incidents there is the risk that employees become disengaged with the organisation as they feel that there is no concern for their safety. There are many additional strands from disengaged employees: poor customer service, increased absence rates and reduced productivity. |
| **Prosperous Place** | The Council promotes the health and well-being of employees, creating a safe and healthy workplace and a healthier workforce, which enhances its image and reputation as a good employer. An engaged workforce contributes to the local economy ensuring that resources are spent as intended on the delivery of high quality services. |

	This has a ripple effect on place in the wider community and links to economic development. Any detrimental effects caused through incidents or poor health of employees impacts on the provision of public services and as such a pro-active approach to the management of health and safety ensure that the "public pound" is used effectively.
Enabling Technology	The implementation of a system to monitor closing out actions will assist in achieving the identified targets. This along with other digital enhancements currently being explored will assist in the management of health and safety within the Council.

Design Principles of Target Operating Model	
	Impact of Report
Customer Service Design	No impact
Organisational Design	No impact
Governance	Committee support would provide a level of assurance that Functions are addressing identified health and safety improvement areas within the organisation. Monitoring of progress via the Committee, CMT and related Function Health and Safety Groups provides ownership and accountability.
Workforce	Approval of the recommendations would assist the Council in improving the current health and safety management system. It would help address the risk of lost resource through for example absence, enforcement action and potential claims. A pro-active approach has the potential to reduce impact on employees and the wider community reducing demands on other public-sector organisations.

Process Design	This can allow the committee to see where processes are failing to address health and safety risks. It provides an opportunity to focus on improvement process areas to improve legal compliance and the health and safety culture of the organisation.
Technology	No impact
Partnerships and Alliances	This allows Trade Unions, elected members and officers to collaborate on potential health and safety improvements.

8.   **IMPACT ASSESSMENTS**

Assessment	Outcome
Equality & Human Rights Impact Assessment	Not required
Privacy Impact Assessment	Not required
Children's Rights Impact Assessment/Duty of Due Regard	Not Applicable

9.   **BACKGROUND PAPERS**

N/A

10.   **APPENDICES**

N/A

11.   **REPORT AUTHOR CONTACT DETAILS**

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