ABERDEEN CITY COUNCIL

COMMITTEE	Staff Governance
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REPORT TITLE	Corporate Health and Safety April - June 2018
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DIRECTOR	N/A
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TERMS OF REFERENCE	5.2; 5.3

1. PURPOSE OF REPORT

1.1 The report summarises statistical health and safety performance information for the three-month reporting period April – June 2018 to provide the Committee with the opportunity to monitor compliance with health and safety legislation.

2. RECOMMENDATION

It is recommended that the Committee:

2.1 review, discuss and comment on the issues raised within this report; and
2.2 scrutinise and review health, safety and wellbeing policy, performance, trends and improvements.

3. BACKGROUND

3.1 This report contains statistical information on the three-month reporting period (April – June 2018) and a review of health and safety activities for the same period. This reporting period is the first to follow the new interim functional structure approved by Full Council in December 2017. This report does not therefore have comparison figures for the corresponding period as this period was reported under the previous Directorate structure. Future reports will initially be able to report on the previous quarter's reporting period.

3.2 Incidents (April – June 2018)

3.3 An Incident is an unplanned, uncontrolled and/or unintentional event, which causes death, ill health, injury, or other harm.

3.4 The incident reporting and near miss reporting systems are set up to comply with Health and Safety and Employment Laws. The Reporting of Incidents, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) puts

duties on employers, to report certain serious workplace accidents, occupational diseases and specified dangerous occurrences (near misses) to the Health and Safety Executive (HSE). There is also a requirement to report an injury if an employee is incapacitated for more than seven days. There is no longer a requirement to report occupational injuries that result in more than three days of incapacitation, but a record must still be kept of such injuries.

3.5   Incident information:

The following table gives a breakdown of incidents across all Functions in Aberdeen City Council.

	1. RIDDOR Reportable employee (including absences over 7 days)	2. Non-RIDDOR reportable employee (absences of 4 to 7 days)	3. Non-RIDDOR reportable employee (absences of 0 to 3 days)	4. RIDDOR Reportable 3rd party	5. Non-RIDDOR reportable 3rd party
AHSCP	1	-	9	-	10
Commissioning	-	-	-	-	-
Customer	-	-	3	-	3
Governance	-	-	1	-	0
Operations	3	4	101	-	44
Place	-	-	1	-	1
Resources	-	-	-	-	-
Total	4	4	115	-	58

3.6   77 of the total of 123 incidents in the three relevant categories (total of columns 1, 2 and 3 in table) were as a result of physical assault of an employee by a service user. The organisation offers various training modules, depending on the Function, on dealing with challenging behaviours, but these are not mandatory.

3.7   It is not possible to simply look at the available statistics and understand what the root causes were of any one incident or group of incidents. This would require an in-depth study of every incident and this is the line managers' and Clusters' role.

3.8   Employers have a legal obligation to protect their health and safety and that of their workforce. Regulation 3, of the Management of Health and Safety at Work Regulations 1999, requires, among other things, that all employers assess the risks to the health and safety of their employees while they are at work. There is a legal requirement to carry out a review of a risk assessment when "there is reason to suspect that it is no longer valid". One of these reasons would be when there has been a physical injury. To assist in this an investigation would need to be carried out to determine what, if any, of the controls which were in place had not worked as expected; had not been followed in the work practice; or whether a new unidentified risk had become apparent.

3.9 This level of investigation will allow further controls to be put in place to prevent reoccurrence of a similar incident; to better improve the safety management system of the Council this improvement would be shared across the Council to other areas who face the same risks; perhaps by the use of safety alerts through Clusters.

3.10 Reportable employee incidents (April – June 2018)

3.11 During the last three months 4 employees were injured in incidents, which required to be reported to HSE either because of the seriousness of the injury or that it prevented the employee from working for 7 or more days. 2 of these incidents were attributed to moving and handling, 1 employee being assaulted and 1 other.

3.12 Incident (reportable employee) frequency rates

Period – Quarterly	Reportable Incident rate	Reporting period
April – June 2018	**0.59**	2018/19

The above figures are calculated using the formula:

Incidence rate = RIDDOR injuries per year   X 1000
                           Employment

3.13 This figure has decreased from 0.87 from the last quarter last year when there was 7 RIDDOR reportable incidents with 4 from this corresponding period. The figure varies every quarter depending on the number of RIDDOR incidents (those which require to be reported to the HSE). The reasons for incidents tend to be similar quarter on quarter where they are incidents which require an employee to be absent from work for a period of more than 7 days.

3.14 Reportable Diseases (April – June 2018)

3.15 There were no diseases reportable under RIDDOR; as was the case in the corresponding reporting period last year.

3.16 Dangerous Occurrence and Dangerous Gas Fittings (April – June 2018)

3.16 There were no dangerous occurrences or reports of dangerous gas fittings in the period April – June 2018.

3.17 Near Miss information (April – June 2018)

3.18 A Near Miss is an unplanned event that did not result in an injury or property damage, but had the potential to do so. Given a slight shift in time or position, damage or injury easily could have occurred.

3.19 Identifying and investigating near-misses is a key element to finding and controlling risks before workers are injured. The information gathered through

near-miss reporting is evaluated to determine root causes and hazard mitigation strategies.

3.20 Many safety activities are reactive, that is, they occur after an injury incident. By reporting near-miss incidents this promotes proactive safety. "Proactive" means raising awareness of potential hazards and mitigation strategies BEFORE an injury occurs. Recognizing and reporting near-miss incidents can significantly improve employee safety and enhance the safety culture.

3.21 The table below shows relevant near miss information for April to June 2018. HSE report that many near misses can become events with more serious consequences. All the events (not just those causing injuries) can represent failures in control, so are potential learning opportunities. HSE's theory is that for every 189 near misses there will be 7 minor incidents and 1 major incident so identifying the remedial actions at the near miss stage can have a direct effect on the number of incidents a company has.

3.22 Within the information input by the reporting managers 31 near misses involving employees reported by line managers have no identified root cause recorded and 17 were recorded as having no investigation carried out post incident. The reporting line managers reported that there was no risk assessment review carried out in 150 of the 246 occasions where there was a near miss. This review of the risk assessment is an important part in providing assurance that the risks and controls have been identified to prevent other incidents which may result in injury. 121 showed that the level of risk of reoccurrence was unknown; the risk assessment process will identify the likelihood of reoccurrence. Overall the number of near misses reduced on the same period last year.

3.23 A solution to reducing the number of near misses is the same as with incidents: plan; train; organise and control.

3.24 Near Miss information:

	Near Misses Apr - Jun 2018	Employee at risk Apr - Jun 2018	No risk assessment review Apr - Jun- 2018
Total Number of Near Misses	123	83	87
AHSCP	21	11	11
Commissioning	-	-	-
Customer	21	14	14
Governance	0	0	0
Operations	76	56	37
Place	2	1	-
Resources	3	1	1
Total	**246**	**166**	**150**

3.25 Occupational health and wellbeing

3.26 Occupational Health Provider – A report is provided separately for the relevant reporting period. During this period a Wellbeing kiosk was provided in different locations until the end of June to enable employees to have their health statistics assessed. The employee is provided with the results of their session at point of source along with additional health and wellbeing information.

3.27 Employee Assistance Provider – A report is provided separately for the relevant reporting period.

3.28 Enforcement interventions (HSE / SF&R)

3.29 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. HSE interventions are usually to request further information on work tasks following a complaint or to investigate a serious incident which has been reported. SFRS interventions usually follow an audit visit they have carried out of Aberdeen City Council properties where they have found fire safety issues.

3.30 During this reporting period there was no HSE intervention or SFRS interventions. There was still an HSE intervention, from the previous reporting period which is still ongoing during this reporting period. However, we have subsequently been advised that this has now been completed and that no material breaches of legislation were discovered. This compares to the corresponding period last year where there were 3 HSE and 1 SFRS interventions.

3.31 Health and safety training

3.32 A selection of training has been delivered over this quarter through the health and safety development programme.

Course – face to face (April - June 2018)	Number of courses	Number attended
First Aid (EFAW) 1 day	13	106
First Aid (FAW) 3 day	4	4
First Aid (FAW) 2 day Requalification	3	3
Evac chair	1	3
Personal resilience	2	22
Personal Wellbeing	5	55

Course – eLearning (April – June 2018)	Number of completions within the period April, May, June 2018
Basic Health and Safety Awareness	71
Asbestos awareness	21
Fire safety awareness	264

Fire warden responsibilities	52
Food hygiene L2 certificate	59
Moving and Handling Module 1- object handling	14
Moving and Handling Module 2 - object handling	9
Moving and Handling Module 3 – People handling	2
STEP – Preventing slips and trips at work	31
Stress Awareness for Managers	38
Display Screen Equipment E-Learning	57

3.33   At this time the organisation is unable to provide a report on the percentage of training completed against the number of employees who have been identified as needing training to be able to do their jobs safely. This involves identifying the compulsory skills and training required for each job role. This has been included as an action in the Directorate health and safety improvement plans.

3.34   Fire risk assessment

3.35   Fire risk assessments are completed on a rolling 5-year programme. A total of 26 fire risk assessments were completed during this reporting period. The overall average compliance score was 86% with the main areas where improvements are needed being housekeeping and limiting spread of fire. This overall compliance figure for the same period last year was 90%. Four fire risk assessments were carried out on multi-storey domestic blocks in this reporting period and the average compliance score was 66%.

3.36   Health and Safety Audits

3.37   The new audit plan and question template started on 1 April 2017. The overall average audit score for this reporting period was 63%.

3.38   The average figure has remained constant over the last four reporting quarters; being between 60% and 66%. There is a need for the remedial actions identified in each audit to be implemented by the auditee. However, it is equally important that the message is shared with other managers within the Cluster to ensure that they are also compliant. This should allow the safety management performance to improve and therefore the average figure to increase as the same issues would not reoccur.

3.39   Compliance Monitoring

3.40   A process of compliance visits has been carried out over the period looking at risk topics such as work at height, premises security, personal protective equipment, driver checks, workplace inspections, etc. The average score was 87% over all topics covered. Again, the lessons need to be implemented and shared to ensure that employees and members of the public's safety is not being endangered. The average score for the same period last year was 84%.

3.41   Health and safety policies and guidance

3.42   There were no policies or procedures reviewed this reporting quarter.

3.43   Work-related absence

3.44   The sections below detail the absence levels for both work-related injury and stress. These figures have not changed in the period.

3.45   Mental health

3.46   The percentage of employees by headcount who were absent for this period reported as being for mental health issues is 1.2%; however, each absence tends to be for longer periods than other absence reasons and this accounts for 0.2 days per employee by headcount. The completion of Quality of Working Life risk assessments by all line managers who have teams or employees who are likely to be pressured in their jobs would be the starting level. This should especially be the case where employees are absent for this reason to potentially prevent others from being similarly affected.

3.47   Physical Injury

3.48   The percentage of employees who are absent following a work-related injury is very low at slightly over 0.15% of the headcount workforce and slightly over 0.012 days per employee.

3.49   The number of absences is mainly related to musculoskeletal injuries. Functions should investigate if there are areas of the jobs where the work involves tasks where musculoskeletal injuries are a risk, which would allow the Council to identify where changes in work method could reduce the risk; such as removing manual handling tasks. This learning could be shared across areas with similar issues.

4   FINANCIAL IMPLICATIONS

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

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.

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. Where an incident is of

sufficient seriousness there is the potential that the Health and Safety Executive (HSE) will become involved and carry out their own investigation into the circumstances of the incident. Any HSE investigation could result in prosecution of the organisation. There is also the risk that prosecution could be raised against the senior managers; line managers and in some cases individual employees if it is ascertained that the individual has been negligent, (for example, knowingly allowing an unsafe act to continue).

5.2 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. Experience shows that civil claims are usually delayed until the criminal HSE investigation and court case are concluded.

6 MANAGEMENT OF RISK

	Risk	Low (L), Medium (M), High (H)	Mitigation
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	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
Legal	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	As above.
Employee	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	M	As above. If the task has been risk assessed; employees are trained, competent and supervised then there should be less likelihood of incidents.

	or both their employment or their life.		
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	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 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	Local Authorities play a key role in local economic growth, e.g. investment in local infrastructure. Any detriment to this investment would have a detrimental effect on this investment. Therefore any financial burden placed on the organisation in the form of legal costs and punishment; staff absence which affects service provision can lead to a lesser level of funding for investment. The aim should be to be an organisation who considers the health and safety 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; it will also reduce the likelihood of legal challenges and their associated costs.
Prosperous People	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	An engaged workforce is best-placed to provide good service delivery to the residents of the City. Any financial penalties imposed by poor health and safety practices impacts on the provision of public services, especially in an environment of reducing budgets. The provision of good service to the residents would result in good public opinion, which would benefit the City, which can extend outwardly to visitors and businesses seeking to inwardly invest.
Enabling Technology	Each Function conducting an exercise where they conduct a skills and training analysis of their workforce with the results populating a skills and training matrix would benefit the organisation and give assurance that they have a workforce who have the competence levels to continue to provide Services in a safe manner.
	The current electronic reporting system can be utilised to assess where trends are apparent and resource placed there to improve safety management systems.

Design Principles of Target Operating Model	
	Impact of Report
Governance	This report gives the committee the opportunity to gain assurance that the Functions are managing health and safety effectively. This can be done by scrutinising the level of incidents as a trend and being allowed the opportunity to question relevant managers. Figures on audits, compliance monitoring and training which will allow the committee to gauge the effectiveness and suitability of the safety management system.
Workforce	The report gives the committee the opportunity to improve the health and safety management system, which would in turn reduce the risks to employees of being involved in an incident.
Process Design	This can allow the committee to identify where processes are failing to address safety risks.
Partnerships and Alliances	The report to committee allows Trade Unions, elected members and officers to collaborate on potential improvements to the Council's health and safety arrangements.

8 IMPACT ASSESSMENTS

Assessment	Outcome
Equality & Human Rights Impact Assessment	EHRIA 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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