

ABERDEEN CITY COUNCIL

COMMITTEE	Staff Governance Committee
DATE	3 October 2022
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Corporate Health and Safety Policy
REPORT NUMBER	COM/22/214
DIRECTOR	Gale Beattie
CHIEF OFFICER	Vikki Cuthbert
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 4th October 2022 will replace the previous policy.

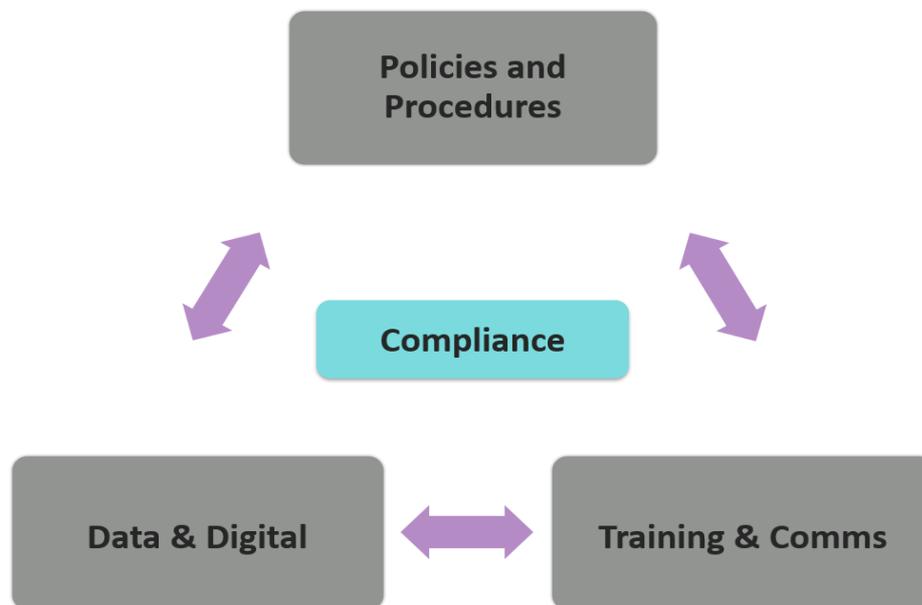
3. CURRENT SITUATION

- 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 on 12th April 2021 and has been reviewed in accordance with the requirement for an annual review. The changes are summarised below:

- 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.
- The policy sets out the positions and duties of those within the organisation who have specific responsibility for health and safety. This section is largely unchanged, but some additions have been made, covered below.

- The visuals within the policy at section 3.1 have been altered to include the Function Health and Safety Groups with section 3.3. outlining the role of these groups in the safety management system.
- The role of health and safety champions has been included, to recognise the need to support Chief Officers in meeting their responsibilities. These are informally in place within a number of Clusters, and provide a conduit between the Chief Officer and the Corporate Health and Safety Team. The main elements of this role are set out within section 3.12 of the policy. No previous experience or training would be required for the role as the Corporate Health and Safety Advisors would meet regularly on a one-to-one basis to review progress and give guidance. This all helps to build a healthy culture around health and safety, with responsibilities shared across the organisation.
- The responsibilities of the Premises Responsible Person at section 3.7 have been altered to be aligned to the Corporate Landlord's proposed procedure for this role.
- The Corporate Health and Safety Team's responsibilities have been amended at 3.10 to set out their three key activity areas, which will act as the framework for the safety management system:



- The final clarification within the Policy is at 4.2. Clusters are responsible for monitoring that their own Safety Management System is managing their risks as the Health and Safety Policy and Corporate Procedures requires. The Corporate Health and Safety Team has a responsibility for monitoring Cluster compliance with their own high risk local procedures, as well as their own corporate procedures which across the workforce act as an additional source of assurance to that which should be provided by Chief Officers.

3.3 There has been consultation with Clusters and Trade Unions through attendance at both Function health and safety groups where the above changes were explained and the opportunity to provide comment and feedback given.

The reviewed Policy document was also shared following that meeting to allow the groups further opportunity to provide feedback.

3.4 The Assurance Manager and Corporate Health and Safety Lead also attended the Director Union Engagement (DUE) meeting to provide an explanation on the 3 lines of defence model used for risk management within the Council and how this is represented in health and safety. This also included a brief update on the health and safety policy and provided a further opportunity for feedback and comment from trade union colleagues.

3.5 As part of this review of the health and safety policy, work has been undertaken to provide further explanation to all levels of staff. To assist managers, checklists for each level have been developed setting out practical guidance on actions required, which supports the current e-learning course on safer management which is mandatory for all managers to complete.

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. ENVIRONMENTAL IMPLICATIONS

6.1 There are no direct environmental implications arising from the recommendations of this report.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	There are no strategic risks identified.		L	Yes
Compliance	There is the risk that any injury or	All tasks are risk assessed and the controls	L	Yes

	<p>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.</p>	<p>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	<p>The risk is that any health and safety incident can lead to an</p>	<p>If the task has been risk assessed; employees are trained, competent and supervised then there should be less likelihood of incidents.</p>	L	Yes

	<p>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>Reducing the number of incidents will reduce the number of absences and the subsequent costs to the Council.</p>		
Financial	<p>The risk is that any incident has the potential to bring a reduction in the overall budget in place to provide service delivery.</p>	<p>As per compliance above.</p>	L	Yes
Reputational	<p>Local and National press coverage of</p>	<p>Should be provided by each Function having a robust safety management system in place. There are</p>	L	Yes

	any incident can present reputational damage to the organisation.	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.		
Environment / Climate	There are no environmental risks identified.			Yes

8. OUTCOMES

COUNCIL DELIVERY PLAN	
Impact of Report	
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.
UK and Scottish Legislative and Policy Programmes	The Health and Safety at Work etc Act 1974

9. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	Full impact assessment not required

Data Protection Impact Assessment	Not required
Other	None

10. BACKGROUND PAPERS

N/A

11. APPENDICES

Appendix A – Corporate H & S Policy

12. REPORT AUTHOR CONTACT DETAILS

Colin Leaver Corporate Health and Safety Lead
Email: Cleaver@aberdeencity.gov.uk
Tel: 07825 827140