

# FAREHAM

## BOROUGH COUNCIL

### Report to the Executive for Decision 2 September 2013

<b>Portfolio:</b>	Public Protection
<b>Subject:</b>	<b>Health and Safety Performance 2012/13</b>
<b>Report of:</b>	Director of Regulatory and Democratic Services
<b>Strategy/Policy:</b>	
<b>Corporate Objective:</b>	A safe and healthy place to live and work

**Purpose:**

This annual report is presented to the Executive as evidence of the work that is undertaken on behalf of the Council to ensure the Council meets its responsibilities under health and safety legislation.

**Executive summary:**

Health and safety law (e.g. Health & Safety at Work etc Act 1974) requires the Council to monitor the arrangements for controlling health and safety risks but does not require the inclusion of health and safety information in published reports. However, within the Council it is considered good practice that information relating to health and safety performance is presented annually to members.

This report is presented to the Council's senior management - the Chief Executive's Management Team (CXMT) and, as the Council's Health and Safety responsibility comes under the Public Protection Portfolio, it has also been presented to the Public Protection Policy Development and Review Panel before being considered by the Executive. The Panel considered the report at its meeting on 23 July 2013 and commended it to the Executive.

This report is primarily concerned with highlighting how the Council as an employer and provider of services works to continually monitor and improve health and safety performance for the benefit of all concerned by summarising the Council's health and safety performance for the period 2012/13.

**Recommendation:**

The Executive is asked to note:

- (a) the work undertaken by all employee's to maintain health and safety standards and, where necessary, improve health and safety performance for the benefit of all concerned during 2012/13, and
- (b) that the Council as an employer continues to achieve a standard of health and safety management within its activities that meets statutory requirements and demonstrates competence in health and safety management.

**Reason:**

This report reflects the importance the Council puts on health and safety both as an employer and a provider of services.

**Cost of proposals:**

This work is contained within existing budgets.

**Appendices:** None

**Reference Papers:**

Health & Safety at Work etc Act 1974

Management of Health & Safety at Work Regulations 1992

HSE Publication HS(G) 65

**Background papers:** None

# FAREHAM

## BOROUGH COUNCIL

### Executive Briefing Paper

**Date:** 2 September 2013

**Subject:** Health and Safety Performance 2012/13

**Briefing by:** Director of Regulatory and Democratic Services

**Portfolio:** Public Protection

#### INTRODUCTION

1. Protecting the health and safety of employees is governed by health and safety laws which place duties on the Council in its capacity as an employer and on the Chief Executive, Directors and managers in particular, all of whom have collective and individual responsibility for managing health and safety - including both criminal and civil liability should these duties be breached.

#### PURPOSE OF THE REPORT

2. Within Fareham Borough Council it is established good practice that health and safety is integrated into the main governance structure and that the Chief Executive's Management Team and members are kept informed of health and safety performance on an annual basis.
3. In itself, this is a positive initiative demonstrating both the Council and its senior management's alertness to the need to continually monitor and improve health and safety standards; that the issue is being taken seriously and its strategic importance is understood.
4. This report provides a summary of Fareham Borough Council's health and safety performance during 2012 (1 April 12 - 31 March 13).

#### MANAGEMENT OF HEALTH & SAFETY

5. The need to manage health and safety is well recognised by elected members, the Chief Executive Officer, Directors and all managers who, via management systems and practices, continue to pursue the control of health and safety risks in order to support the Council:
  - Comply with its responsibilities as an employer
  - Implement the Council's Health and Safety Policy
  - Maximise the well-being and productivity of its employees
  - Prevent injury, ill health or worse to its employees and others
  - Avoid damage to the Council's reputation in the eyes of its customers
  - Minimise the likelihood of enforcement actions by the enforcing authorities

(e.g. Health & Safety Executive (HSE) and Fire Authority) whilst at the same time avoiding consequent penalties, and

- Provide a safe and healthy place for its employees to work.

6. Measuring performance is one of the key tasks of effective safety management and monitoring accident data is one method that gives an indication of performance as well as providing the opportunity to learn from mistakes and to improve both risk management systems and the control of particular health and safety risks.

## **INTERNAL ACCIDENT REPORTING PROCESS**

7. An accident (defined as an unexpected, unplanned event in a sequence of events that occurs through a combination of causes) can result in physical or mental harm, damage to property or any combination of these effects and includes 'near misses' - that is something with the potential to cause harm or damage but neither of which actually occurred.
8. When an accident occurs, whether to an employee, member of the public or contractor, Council policy requires the details to be notified using the e-work reporting system. The purpose of recording the details is that:
  - All accidents are investigated with the aim to discover information and identify what, if any, action can be taken to prevent its recurrence;
  - The information will provide identification of trends and areas in need of attention and/or investigation;
  - There is a legal requirement to report certain types of accidents/incidents to the HSE (enforcing authority);
  - Details are readily available should criminal or civil actions arise.
9. Following initial completion of the accident/incident details on the e-work reporting system, the manager is required to confirm the details and state the intended remedial action to prevent a recurrence. At this stage the Health and Safety Advisor receives notification of the accident and the manager's proposed remedial actions which, if not satisfactory, result in the Health and Safety Advisor responding to that effect to the manager and the Director. A response is required within 14 days.
10. The manager is also prompted to review the relevant risk assessment or if this has not been completed, to do so immediately. Should a manager omit to undertake an action, an automatic reminder is generated by the system every 14 days (and copied to the Health and Safety Advisor) - the latter taking appropriate action to have the assessment completed. The whole process is monitored by the Health and Safety Advisor who, using the system, is able to identify trends/patterns etc linked to accident types, employees, causes, work groups, etc. The system also allows for ease of collating statistics for presentation at meetings of the Health and Safety Committee, CXMT, and as part of annual reports.

## **REPORTING OF INJURIES, DISEASES & DANGEROUS OCCURRENCES REGULATIONS**

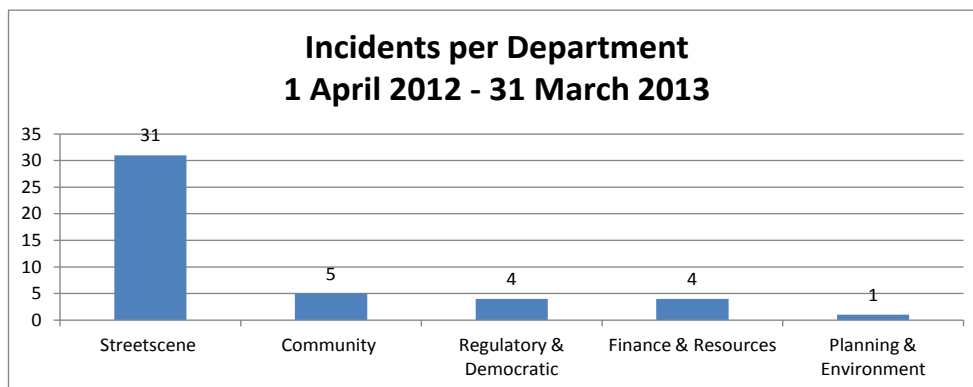
11. In addition to the internal reporting of accidents, the Council has legal obligations under the Reporting of Injuries, Diseases & Dangerous Occurrences Regulations (RIDDOR), to report to the Health & Safety Executive any of the following events that arise 'out of or in connection with work':
- the death of any person as a result of an accident at work;
  - someone suffers a major injury as a result of an accident (major injuries are listed in Schedule 1 to the Regulations);
  - someone who is not at work (e.g. a member of the public) suffers an injury as a result of an accident and is taken from the scene to a hospital;
  - one of a list of specified dangerous occurrences takes place (listed in Schedule 2 to the Regulations). Note: Dangerous occurrences are events, which do not necessarily result in a reportable injury, but have the potential to cause significant harm.
  - someone is incapacitated\* to the extent that they are unable to do the full range of their normal duties for more than seven days as a result of an injury caused by an accident at work;
  - the death of an employee if this occurs some time after a reportable injury which led to that employee's death, but not more than one year afterwards;
  - a person at work suffers one of a number of specified diseases, provided that a doctor diagnoses the disease and the person's job involves a specified work activity. (The specified diseases and corresponding work activities are set out in Schedule 3 to the Regulations).

\*Incapacitation means that the worker is absent or is unable to do work that they would reasonably be expected to do as part of their normal work. The deadline by which the over-seven-day injury must be reported to the HSE is fifteen days from the day of the accident.

12. There was only one incident occurring within the Council that necessitated a report to the HSE under RIDDOR. This is referred to later in the report.

### **ANNUAL ACCIDENT REPORT**

13. Excluding reported near-miss and miscellaneous events (referred to later in the report), there were 45 injury-causing accidents involving employees during the period 1 April 2012 - 31 March 2013.
14. This is a reduction of 7 on the total for the same period in 2011/12 (52).
15. The 45 injury-causing accidents occurred within Council departments as shown in this chart:



16. In 2012 the Department of Community & Streetscene Services was divided into two new separate departments - the Department of Community Services and the Department of Streetscene Services each with its own Director and management structure. There were 31 accidents to employees of the Department of Streetscene Services and 5 within the Department of Community Services.
17. However, in order to compare performance against that in 2011/12 the Department of Community Services and the Department of Streetscene Services' incidents were combined for 2012/13. This provided a total of 36 which when compared to the figure for 2011/12 highlights a significant decrease in the total of 47 for the then Department of Community & Streetscene Services.
18. The Departments of Regulatory & Democratic and Planning & Environment Services' accident numbers for 2012/13 (4 and 1 respectively) equal that of 2011/12.
19. The Department of Finance & Resources, having recorded nil incidents in 2011/12, had 4 in 2012/13 with the Department of Community Services showing a decrease from 8 in 2011/12 to 5 in 2012/13.
20. Details of the individual departmental accidents are described as follows:

#### **DEPARTMENT OF STREETSCENE SERVICES**

21. The Department of Streetscene Services witnessed most accidents (31). This figure represents approximately 26% of the (average) workforce of 120 employees, which, at first glance may appear to be excessively high. However, this total should be considered in terms of this department's services which entail the council's highest risk operational activities including (among others) the collection and disposal of all forms of waste, vehicle maintenance and repair, street cleansing and grounds and open spaces maintenance. Taking this into account, it is pleasing to note the total this year represents a reduction of 8 on the previous year's number (39).

22. Examination of this department's accident data reveals that of the 31 incidents:
- 17 involved operatives carrying out various waste collection activities.
  - 6 " " " " " street cleaning activities.
  - 6 " " " " " grounds maintenance activities, and
  - 2 " " " " " vehicle maintenance activities,

details of which are as follows:

Waste Collection

23. In respect of the 17 waste collection accidents in 2012/13, it is very encouraging to note that this figure represents a marked reduction of 10 on the number of accidents within this work group during 2011/12 (27).
24. Further analysis of the waste collection services data identifies the work operations involved and the primary cause of injury to be as follows:

<b>WASTE</b>	Struck by moving object	Lifting, Handling, Pushing, Pulling	Slips, Trips, Falls on same level	Contact with fixed object or machinery	Contact by spilled hot liquid	Attack by animal	Trapped by equipment	<b>TOTAL</b>
Recycling	1	2	-	-	-	-	-	3
Refuse	-	2	1	3	-	-	-	6
Special	1	1	-	-	-	-	-	2
Garden	-	1	1	-	-	-	1	3
Bin Delivery	-	1	-	-	-	-	-	1
Trade waste	2	-	-	-	-	-	-	2
<b>TOTAL</b>	4	7	2	3	-	-	1	<b>17</b>

25. Virtually all waste related operations involve the lifting, handling, pushing, pulling of loads (wheeled bins, Euro bins, waste bags etc). For example, there are approximately 48,000 waste handling actions per week and some 20,000 lifting actions per fortnight associated with refuse/recycling and garden waste collections alone. Over a twelve-month period the number of lifting and handling operations is, to put it mildly, substantial. It is, therefore, a reflection of good training and systems of work that there were only 7 injury-causing accidents associated with this cause in 2012/13. This also represents a further significant reduction on the 15 similar accidents in 2011/12.
26. One of the 'trip, slip, fall' incidents occurred when an (agency) operative lost his footing traversing a grass verge. Attempting to arrest the fall he put out his arm which took the full force of impact with the ground. Resulted in a hairline fracture of the forearm. This injury was reported to HSE under RIDDOR and this is the only accident that needed to be statutorily notified to the Health and safety Executive (HSE).

### Street Cleansing

27. The Street Cleansing section recorded 6 accidents as shown in the chart. This is an identical number to that which occurred in 2011/12.

<b>STREET CLEANSING</b>	Struck by moving object	Lifting, Handling, Pushing, Pulling	Slips, Trips, Falls, same level	Contact with fixed object or machine	Contact by spilled hot liquid	Attack by animal	Trapped by equipment	<b>TOTAL</b>
Compact Sweeper	2	-	-	-	-	-	-	2
Exiting Vehicle	-	-	1	-	-	-	-	1
Depot Yard Cleaning	-	1	-	-	-	-	-	1
Loading Vehicle	-	1	-	-	-	-	-	1
Handling road sign	-	1	-	-	-	-	-	1
<b>TOTAL</b>	2	3	1	-	-	-	-	<b>6</b>

28. There were three primary causes attributed to the six incidents but the consequences were not serious and all resulted in only minor injury. No additional measures or controls had to be implemented that were not already in place.

### Grounds Maintenance

29. Six incidents were recorded within the Grounds Maintenance services as shown. This is an increase of three on the previous year's total.

<b>GROUND MAINT</b>	Struck by moving object	Lifting, Handling, Pushing, Pulling	Slips, Trips, Falls, same level	Contact with fixed object or machine	Contact by spilled hot liquid	Attack by animal	Trapped by equipment	<b>TOTAL</b>
Hedge Trimming	2	1	-	-	-	-	-	3
Pruning	1	-	-	-	-	-	-	1
Tidying Store	-	1	-	-	-	-	-	1
Strimming	1	-	-	-	-	-	-	1
<b>TOTAL</b>	4	2	-	-	-	-	-	<b>6</b>

30. None of the incidents resulted in serious injury. The existing guidance in respect of manual handling was brought to the attention of employees as was the need to utilise personal protection most appropriate to the task/risk. E.g. Full face visor rather than goggles.

### Vehicle Repair

31. Two incidents were recorded for the Vehicle Repair services as shown. This is the same number of incidents as occurred in 2011/12.



<b>VEHICLE REPAIR</b>	Struck by moving object	Lifting, Handling, Pushing, Pulling	Slips, Trips, Falls, same level	Contact with fixed object or machine	Contact by spilled hot liquid	Attack by animal	Trapped by equipment	<b>TOTAL</b>
Workshop	1	-	-	1	-	-	-	2
<b>TOTAL</b>	1	-	-	1	-	-	-	<b>2</b>

32. Only minor injury resulted from the two incidents and no additional measures or controls had to be implemented that were not already in place.

#### **DEPARTMENT OF COMMUNITY SERVICES**

33. The Department of Community Services witnessed a reduction of accidents from 8 in 2011/12 to 5 in 2012/13. All five Injuries sustained were of a minor nature and no additional measures or controls had to be implemented that were not already in place.

#### **DEPARTMENT OF REGULATORY & DEMOCRATIC SERVICES**

34. There are 4 recorded accidents to employees of this department - the same as in the previous year. None of the incidents resulted in serious injury. No additional measures or controls had to be implemented.

#### **DEPARTMENT OF FINANCE & RESOURCES**

35. The Department of Finance & Resources, having recorded nil incidents in 2011/12, had 4 in 2012/13. Three of the four involved employees of the Building Services Maintenance section. None resulted in serious injury and no additional measures or controls had to be implemented.

#### **DEPARTMENT OF PLANNING & ENVIRONMENT**

36. Only one none serious injury causing accident is recorded for the Department of Planning & Environment (same as last year).

#### **EMPLOYEE NEAR-MISS & MISCELLANEOUS INCIDENTS**

37. During the year a number of additional incidents (14) were reported and recorded. Of these, 5 are classified as near-miss incidents (i.e the potential to cause harm but harm didn't actually occur) ranging from a simple act of grabbing hold of a desk to arrest a fall, to a refuse vehicle driver's prompt reaction to avoid striking a cyclist who suddenly turned into the vehicles path without signal or warning; 3 others resulted in property damage only. Five incidents were reported for which a definitive work-related cause could not be identified and one incident was recorded as a dangerous occurrence. The latter involved collection of a trade waste bin from a sailing club. Unknown to the operatives, the bin contained two flares which ignited in the vehicle hopper. Prompt action by the crew and sailing club staff prevented a potentially serious incident. The opportunity was taken to highlight to the sailing club the importance of correct disposal of flares and similar equipment/material.

## **VIOLENT INCIDENT REPORTS**

38. A total of five incidents were reported; four of which involved verbal abuse and aggressive behaviour toward employees in the course of their employment. None of the incidents resulted in any physical injury to employees. One external police report advised a cautionary approach when dealing with a potentially violent resident.

## **INCIDENTS INVOLVING MEMBERS OF THE PUBLIC & CONTRACTORS**

39. The Council's primary concern is directly associated with accidents to employees. However, in the current economic and 'conditional fee' climate, where incidents involving members of the public or contractors carrying out work on Council premises are reported they are investigated and recorded for insurance purposes. Ten such reports were received but none of the incidents was attributed to any fault or negligence related to the Council's undertakings.

## **POLICIES AND SYSTEMS REVIEWS**

40. An internal review of the corporate approach to the filing and storage of health and safety systems etc aimed at assisting managers and employees with ease of access to departmental computerised health and safety information was completed during the year. Following this review all departments completed a health and safety audit and where shortcomings were identified these were used to create departmental action plans for implementation during 2013/14. The Council's Health and Safety Adviser is working with all Heads of Service to ensure that these action plans are being progressed and this is reported to the Chief Executives Management Team during the year.
41. Action taken by the Information Commissioner against a neighbouring authority for a breach of the Data Protection Act prompted a review of the internal violence reporting system. The system was renamed the Visiting Officers Safety List and as well as making it simpler to use, inclusion on the list and officer access to it is strictly controlled.
42. In the interests of maintaining the health and safety of employees dealing with the public at reception and on the ground floor, a pc based warning system has been installed in all ground floor meeting rooms and booths which can be activated in the case of any aggressive or violent behaviour.
43. As part of the review of health and safety, a programme of quarterly workplace H&S inspections is being developed in conjunction with UNISON representatives. Workplace inspections will involve the Head of Service and the matters highlighted will be discussed with them prior to any report being finalised and issued to the Director and subsequently reported to the Health & Safety Committee.

## **CONSULTATION**

44. Under health and safety law, the Council has a duty to consult union appointed health and safety representatives and within the Council this is achieved on a quarterly basis via the Council's Health and Safety Committee which acts as the formal platform for dealing with all matters affecting employee health and safety.

45. The Committee consists of departmental managers and trade union representatives under the chairmanship of the Director of Regulatory & Democratic Services with Member participation by Councillor Cartwright.
46. Over the course of the year, the Committee considered and dealt with a range of issues, examples of which related to the following:
- Health and safety training
  - Analysis of accidents
  - Revised or new health & safety legislation
  - Vaccinations for 'at risk' work groups
  - Risk assessment
  - First aid
  - Premises health & safety risks
  - Development of internal audit & inspection processes
47. The Committee recognised and acknowledged the hard work undertaken by the Streetscene Services & Parking Services in maintaining Council services in inclement weather during the Winter period. Indeed a number of services such as refuse and recycling, street cleansing and parking services were suspended on a number of days during the severe weather on health and safety grounds. The staff resource was redeployed to undertake and support the delivery of other critical services/duties such as clearing snow and supporting HCC. Any disruption the severe weather caused to services was then quickly caught up when it was safe to reinstate normal duties.
48. Minutes of meetings are publicised using the Council's 'intranet' with hard copies made available to the Depot and other work groups without direct access to electronic communication.

## **HEALTH & SAFETY TRAINING**

49. The provision of health and safety training aids employees' competence and performance as well as assisting them to contribute to their colleagues' health and safety and to the development of a positive safety culture within the Council.
50. Whilst 'Conflict Management', 'Lone Worker', 'First Aid Refresher' and 'Lift Release' training was provided for a number of employees during the year, the training programme focused on those employees engaged in the Council's highest risk activities - employees of the Department of Streetscene Services. The benefit of this training programme is evidenced by the reduction in accidents within this departments work groups as highlighted in this report.
51. In addition to the Council's senior managers, elected members also have a duty to maintain an awareness of health and safety especially in terms of the implications of the decisions they take. To improve members awareness of health and safety training sessions were held in 2011 and further training will take place in December 2013. This will be promoted nearer the date.
52. During the latter part of 2012 the development of an e-learning system (Skillgate) progressed. Included in the vast array of on-line courses are a number of Regulatory eLearning packages covering topics such as Data Protection, Safeguarding and Health & Safety. These courses will be able to be sent to employees to complete as required and the management system running in the background will be able to record when those employees have completed their

registered courses. The Council will be launching the eLearning suite to all employees in July 2013 and this will supplement face to face and hands on training.

## **EMPLOYEE HEALTH**

53. Promoting and raising awareness of health related issues to employees can benefit the Council by reducing absenteeism and increasing productivity and motivation. During the year health checks, which aim to help employees understand their health and identify any future health risks, were undertaken by a qualified nurse. 118 Civic Office employees & 32 Depot employees attended. In addition, over 130 employees took advantage of the provision of flu vaccination.
54. A new Health & Well Being Policy (and guidance) covering the Council's approach in respect of health and well being was developed and introduced following consultation with the Health & Safety Committee, Equality Officer, the Joint Consultative Committee and approval by CXMT. This policy aims to assist employees and managers whenever a health related problem is encountered.

## **HIGH LEVEL RISKS - COUNCIL PREMISES**

55. Legislation exists (e.g. Health & Safety at Work etc Act and Occupiers Liability Acts) that require owners or occupiers of all Council premises to ensure they are operated and managed in such a way to prevent the higher level risks associated with fire, asbestos and Legionnaires' disease etc occurring.
56. The Council's Corporate Premises Health & Safety Group oversees the management of the health and safety risks associated with Council properties. During the course of the year this group continued to deliver a co-ordinated approach to ensure the controls implemented by relevant duty holders to minimise the risks were maintained in all Council properties or appropriate actions taken for compliance in the future
57. With regard to Council owned premises (excluding leased properties) the control measures included the following:

### **a) Asbestos Management**

All communal areas of the housing stock have an asbestos register detailing all elements where asbestos containing materials (ACMs) are located. In addition, a typical 20% of the housing stock has been surveyed, records held in a database and relevant residents informed.

All elements which were recommended for removal have been completed. Remaining ACMs are managed and resurveyed on a periodic basis.

The asbestos register information is passed to contractors employed to work on the housing stock with instructions to report any suspicious material immediately to the relevant contract administrator.

Council owned properties other than housing, are subject to the same periodic surveys. Again the asbestos register information is passed to contractors employed to work on the Council owned properties with instructions to report any suspicious material immediately to the relevant

contract administrator.

In both cases there have been no highlighted areas that require more frequent inspections and any remedial actions that have been highlighted have been immediately addressed. There are no current actions or issues to report.

**b) Legionella Management**

In the housing stock, all communal water services have been independently risk assessed by specialists and managed by in-house employees and a specialist contractor.

Risk assessments were renewed last year and are subject to a formal review every subsequent 2 years. The risk assessment identifies remedial works (where necessary) and outlines a site specific management plan to prevent the growth and proliferation of the harmful legionella bacteria.

In-house staff are designated specific weekly and monthly tasks to ensure the water systems do not become stagnant and that temperatures are maintained within certain tolerances. In addition, a specialist external contractor (Clearwater Ltd) is commissioned to undertake higher level tasks such as chlorinating shower heads, hot and cold water storage tank checks and water clarity inspections. Building Services undertake a bi-annual audit of each site in order to ensure systems are being maintained in accordance with the requirements of the approved code of practice.

For premises other than housing stock, routine low level checks are carried out by FBC staff with the higher level checks carried out by Clearwater as per the maintenance contract on a weekly, monthly etc basis as required by legislation. Additionally the Civic Office building cooling towers (when running) has daily checks carried out by Building Services.

Currently there are no issues to report in respect of the housing stock or other premises.

**c) Fire Precautions and Risk Assessments**

Fire risk assessments, identifying remedial works to improve the safety of occupants and others in the event of a fire, are held for communal areas of all housing sites and for all other properties. Remedial works were progressed with the in-house Building Services Direct Service Organisation (DSO) and Comserv (UK) Ltd through the responsive repairs contract. A service agreement is held with a local company for the annual service requirements and breakdown attendance for fire detection and alarm installations where installed. The main fire alarms at the Civic Offices & Ferneham Hall are serviced by Honeywell with those at the Depot undertaken by Chubb.

Fire drills were not carried out at the Civic Offices during 2012 due to the fact that two actual incidents (3 April & 25 June) necessitated evacuation of the building. On both occasions the Councils evacuation procedures worked well - although the event on the 3 April led to the introduction of a contingency plan to cater for inclement weather. A problem with an alarm in the basement transformer room also resulted in a double response by the fire service on 29 May (00.30 and 03.19).

Fire drills, requiring evacuation of staff and public, were held at Ferneham Hall on 31 July and 5 November. Nominated staff carried out their functions efficiently and there were no major concerns following both exercises.

No physical evacuation drill was carried out at the Depot but six-monthly reminders of the arrangements to follow in the event of fire have been brought to the attention of all staff. A schedule of evacuation exercises is in place for 2013.

All extinguishers are serviced annually by Chubb. Weekly inspections and alarm testing is carried out by FBC staff. Fire risk assessments are reviewed annually and new assessments are being commissioned from specialist consultants during 2013/14.

### **Leased Properties**

58. A number of properties are maintained and managed on a day to day basis by leaseholders who are required to comply with their obligations under the terms of the leasing agreement and legislative requirements.
59. For all properties in the Leisure and Community portfolio, an annual process is followed to obtain the assurance that they are being managed in accordance with the relevant legislation and the terms of the lease.
60. For those properties previously classified as *high risk*, the process involves the sending of a letter outlining the tenants' responsibilities, a meeting with the tenant to determine compliance with legislation and the terms and conditions of the lease, a written request for additional information (if required) and a series of follow up letters and meetings, where required, to progress the outstanding issues.
61. For those properties previously identified as *low risk*, a letter outlining the tenant's responsibilities is sent together with a request for any documentation that had become out of date since the previous visit.

Note: In terms of classification into high and low risk, this is largely subjective. For example, if a tenant does not have a gas safety certificate but is aware of the requirement and is working to address the issue, then this would be considered low risk. However a tenant without a gas safety certificate who argues whether it is required or not, or over who is responsible for it would be considered high risk.

62. The relevant documentation is inspected for the following areas:
  - Asbestos management (asbestos register on site, evidence of annual inspections, contractors viewing register)
  - Fire Safety - evidence of progress on fire risk assessments, record of fire evacuations, servicing and testing of alarms
  - Electrical safety - Is there an up to date periodic inspection and evidence that serious defects have been addressed.
  - Gas safety - are up to date gas safety certificates in place.

- Air conditioning - verification that this is being serviced as evidenced by a service contract being in place
  - Water systems - evidence that there is a Legionella Management Programme in place.
  - Emergency lighting - evidence that is this subject to monthly functional and annual discharges tests.
63. On conclusion of the annual checks a summary report is prepared for the Director of Community Services detailing the outcomes with particular reference to those buildings where the required assurance has not been provided.
64. In 2012 the assurance check for leased premises showed that the majority of tenants have the relevant health & safety documentation and up to date records in accordance with legislation and the terms and conditions of the tenancy agreements. A small number of tenants failed to comply and this gave cause for concern. Council officers are working with those tenants to implement systems to ensure compliance.

#### **HEALTH AND SAFETY EXECUTIVE (HSE)**

65. The Health and Safety Executive (HSE) is the Government body with responsibility for a varied range of activities; from shaping and reviewing regulations, producing research and statistics and enforcing health and safety law. It is the latter which is of primary concern to the Council.
66. There was no workplace intervention or visit by HSE Inspectors during 2012/13. An incident involving an employee of the Refuse & Recycling Services resulting in a fracture was reported to the HSE who acknowledged the report and took no further action. There was no other reportable accident or incident requiring HSE involvement.

#### **ZURICH MUNICIPAL INSURANCE (The Council's Insurers)**

67. Zurich Municipal Insurance (ZM) completed a risk improvement survey of the current risk management policies and practices specific to the transport, combined liability and property management operations of all District Councils in Hampshire. The purpose of the survey was to identify the existing control measures and establish ability to reduce insurance based losses to Councils.
68. Fareham Borough Council is meeting the required standards and ZM acknowledged the ongoing work that is being done within the Council in managing these risks.
69. Officers of Fareham Council recognise that inspection is embodied in legislation such as the Health & Safety at Work Act and Occupiers Liability Acts and officers have improved and further developed existing procedures so that effective proactive inspection regimes backed up by prompt repair and recordkeeping systems are in place.

#### **INTERNAL AUDIT - DELOITTE & TOUCH**

70. The Council's Corporate Health & Safety procedures and controls were subject to

an internal audit by Deloitte & Touch in accordance with the 2012/13 Internal Audit Plan. The audit was designed to provide assurance that management have implemented adequate and effective controls for Corporate Health & Safety.

71. The audit specifically covered the following areas:
- Regulatory, Organisational and Management Requirements;
  - Health & Safety Framework;
  - Health & Safety Awareness;
  - Health & Safety Checks;
  - Risk Assessments;
  - Reporting Concerns; and
  - Performance Management Reporting.
72. The audit identified a few minor areas for improvement but overall concluded there are basically sound procedures and controls in place to manage the Corporate Health & Safety risks.

## **RISK ASSESSMENT**

73. Failure to comply with health and safety law may have serious consequences for the Council, members and all individual employees. Sanctions may include fines, imprisonment, or both. Addressing health and safety issues likely to affect employees is not viewed as a regulatory burden, but an opportunity to reduce risk to the Council, members, and its employees from potential sanctions whilst at the same time benefitting from reduced costs associated with lower employee absence/turnover rates, fewer accidents and the lessening of the threat of legal action.

## **OBSERVATIONS**

74. Analysis of accident reports established that not all 'accidents' were attributable to a specific work-related cause. In reality, the total figure for actual injury causing accidents at work was 45 - a decrease of 7 on the previous year's total of 52. It is important to note that apart from one incident (fracture) all accidents were of a minor nature with no serious injury attached.
75. It is encouraging to note the continuing fall in the number of accidents within the Department of Streetscene Services, particularly the Waste Collection section which witnessed a substantial decrease from 27 in 2011/12 to 17 in 2012/13. The concentrated programme of training held over the course of 2012/13 for this particular work group has improved employee awareness of the health and safety aspects of their work and in so doing contributed to accident prevention and a clear trend in accident reduction.
76. The Winter Contingency Plan worked well and reflected the professional and conscientious approach by employees particularly of Streetscene and Parking Services all of whom are to be congratulated on a job well done in maintaining the Council's services during the adverse weather.
77. Both the management of Corporate Health & Safety Systems and the high level risks associated with Council properties continue to be monitored by CXMT, the Corporate Premises Health & Safety Group and the Health & Safety Committee to ensure the associated health and safety risks are adequately controlled by



relevant managers/owners/occupiers.

78. The ongoing work that is being undertaken in managing these risks has been positively acknowledged by both Zurich Municipal Insurance (property/combined/motor risks) and Deloitte & Touche Public Sector Internal Audit (H&S Management Systems) following their respective audits of the Council's health and safety risk management processes.

## **CONCLUSIONS**

79. The need to be aware of workplace health and safety issues and the ability to manage it sufficiently is very much embedded in the Council, as evidenced by the reduction in overall accident numbers and the positive responses received following the internal auditors and insurers reports referred to in this document.
80. The Council can be assured that much has and will continue to be achieved by its managers to encourage a proactive approach to managing health and safety during 2013/14 so that the Council, its managers and employees achieve a standard of health and safety that not only continues to meet statutory requirements but also demonstrates competence in health and safety management.