

Cabinet – 15 July 2009

Annual Health and Safety Performance Report 2008/9

Portfolio: Councillor C Towe – Finance and personnel

Service: Human Resources and Development (HRD)

Wards: All

Key decision: No

Forward plan: No

1. Summary of report

- 1.1 This report provides information on health and safety performance within Walsall Council over the last year (**Appendix 1**), the successful closure of the Safety and Health Improvement Plan (SHIP) in response to the Health and Safety Executive's (HSE) routine inspection of 2006/7; and the Corporate Health and Safety Plan 2009/10 (**Appendix 2**).
- 1.2 The Government's "Revitalising Health and Safety" strategy document requires all public bodies to summarise their health and safety performance plans in annual reports.

2. Recommendations

- 2.1 That the report and its appendices be noted.
- 2.2 That Cabinet approves and endorses the corporate health and safety plan 09/10.

3. Background information

- 3.1 This public report is a requirement under the Government's "Revitalising Health and Safety" strategy. **Appendix 1** is structured using the headings of the Local Government Employer's template for health and safety annual reporting.
- 3.2 In 2006/7 and again in 2007/8, the Health and Safety Executive (HSE) carried out a number of routine inspections at multiple sites within the council as part of a national inspection programme in local authorities, focussing on management control of health and safety risks. They made 50 recommendations for improvement that the council responded to with a 400 item safety and health improvement plan (SHIP). HM Inspectors of Safety monitored progress throughout the year, and observed the completion of the improvement plan in December 2008.

- 3.3 A dedicated Corporate Safety Plan was first developed in 2007/8 as part of the SHIP improvement work and HSE see this as the key vehicle for continued health and safety improvements in coming years.

4. Resource considerations

- 4.1 **Financial:** Continued improvements to our health and safety management and monitoring will reduce employee absence as well as criminal and civil claims against the Council. Following the HSE inspections, we continue to receive quarterly scrutiny, principally through HSE sending an inspector observer to our Corporate Health and Safety Board. There remains one active statutory improvement notice, served on the North Walsall Depot and it is likely to remain open until the depot completes its planned refurbishment in 2009/10.
- 4.2 **Legal:** Failure to comply with health and safety legislation is a serious criminal offence which can lead to the authority, members, senior managers or individual officers being prosecuted. Fines may be unlimited and prison sentences are possible. It is not possible to indemnify individuals against fines. New health and safety regulations were introduced in January 2009 to increase fines and the number of safety offences for which imprisonment is possible.
- 4.3 **Staffing:** This report presents no staffing resource considerations. All staff must remain aware of their obligations under health and safety legislation and the Council's policy and standards for safety management.

5. Citizen impact

No citizen accidents were reported to the council as a direct result of the council working near or with citizens. Citizen injuries on council premises occur but are not part of our occupational health and safety performance unless directly caused by an employee; there were no such accidents reported in 2008/9. We will continue to improve service quality as our employee accidents reduce and there is reduced time off for staff to recover from injuries.

6. Community safety

Use of our buildings, especially schools and other community buildings and spaces, out of hours and at weekends, exposes members of the wider community to safety and health risks. Continued focus on health and safety management will continue to protect the community enabling them to safely enjoy our facilities.

7. Environmental impact

None

8. Performance and risk management issues

The Safety and Health Improvement Plan (SHIP), has been successfully discharged to the satisfaction of HM Inspector of Safety at the HSE.

8.1 **Risk:** The risk of failure to embed a culture of health and safety has been elevated to the Corporate Risk Register. The Corporate Management Team's (CMT) risk management action plan is to form part of the Corporate Health and Safety Plan (**Appendix 2**).

8.2 **Performance management:** Each directorate Performance Board continues to scrutinise the directorates safety performance quarterly, reviewing safety plans, number of staff safety training events conducted, records of incidents and their management, types of referral to Occupational Health and types of calls to the Employee Assistance Programme.

9. Equality implications

None

10. Consultation

Managers at all levels, staff groups and trades unions are routinely consulted in the development and application of health and safety plans and policies. This report was formally considered by the Corporate Health and Safety Board in March 2009, there were no trade union responses received for inclusion in **Appendix 1**.

Background papers

None

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Rory Borealis
Executive Director
22 June 2009



Cllr C Towe
Cabinet member
22 June 2009

2008/9 ANNUAL HEALTH AND SAFETY REPORT TO CABINET**1. Annual Report Context**

- 1.1 The Government's "Revitalising Health and Safety" strategy document requires all public bodies to summarise their health and safety performance plans in annual reports, and that Government (including local government) be exemplars of best health and safety practice. This report provides information on last year's performance and is structured using the headings of the Local Government Employer's organisation template for health and safety reporting. This is to enable future benchmarking with other authorities.
- 1.2 The Health and Safety at Work etc Act 1974 requires employers to obtain competent safety advice, which in Walsall is provided by officers within SHAW, an in-house service. Key achievements for the service included:
- Complete review and simplification of the written Safety Management System
 - Successful discharge of 16 statutory improvement notices from HSE
 - CMT's completion of the Institution of Occupational Safety and Health (IOSH) training: "Safety for the Senior Executive"
 - Representation on European Commission technical panel on psycho-social risk
 - Participation in HSE research programme on Occupational Health Risk in refuse collecting services

2. Corporate management

- 2.1 The 400 item SHIP plan was successfully discharged to the satisfaction of HM Inspectors of Safety at HSE.
- 2.2 Corporate governance arrangements for our Occupational Health and Safety Management System have been maintained. All directorates have a directorate level H&S committee/board. Members and chief officers are actively involved in health and safety management and scrutiny, providing visible leadership for managers and staff.
- 2.3 All staff have received written communication from the Chief Executive outlining their responsibilities and accountabilities and encouraging 'near miss' reporting (reporting accidents that, other than for chance, didn't result in injury).
- 2.4 All managers and staff have been challenged to include a safety target in their individual performance management targets in 2009. Executive directors piloted this with their own targets in 2008.

3. Statistical information

3.1 Regulatory interventions – Health & Safety Executive (HSE)

- 3.1.1 There have been no statutory notices or prosecutions this year.
- 3.1.2 HSE have a further duty to investigate employers where complaints have been made or where serious injury has occurred. Two such complaints were received this year. On both occasions HSE asked officers in the Safety, Health and Wellbeing (SHAW) team to investigate on their behalf. One related to welfare facilities (toilets and hand-wash basins), the other to lighting levels and is a demonstration of the confidence HSE has in the internal advisory service.

3.2 Regulatory interventions - The West Midlands Fire Service

- 3.2.1 There has been much less inspection activity from the fire service this year as part of an agreement to suspend activities following the recruitment of two fire safety advisers to the authority last year, and no statutory notices.

3.3 Accident reports

- 3.3.1 The categories used for recording accidents are defined by the HSE. The commonest reasons for accident reports are:

- violent incidents (both physical and verbal abuse), 248 reports; and
- slips and trips, 72 reports.

These are the same top two incident categories as 2006/7 and 2007/8 and are consistent with data for public sector workers across the UK.

- 3.3.2 In 2008/9 the council has reported 557 accidents across all its services. This remains a very small number of incidents given the number of staff employed and the number of physical work locations and is down 18% on last year.
- 3.3.3 Year on year comparators are given below:

Year	Total number of accidents	% Change
2008/09	557	- 18%
2007/08	687	+18%
2006/07	583	- 11%
2005/06	656	- 18%
2004/05	804	- 12%

3.4 Auditing Activity

- 3.4.1 During 2008/9, and in support of the new corporate governance arrangements for safety management, auditing activity was redesigned. Each Head of Service makes an electronic return self-assessment of performance, each building is subject to a physical inspection (and starting in 2009/10 each Head of Service will attend a one day audit interview and inspection of their services' activities).

4. Partnerships

- 4.1 There have been no active partnerships this year.

5. Joint consultation

- 5.1 The Corporate Health and Safety Board, chaired by the Chief Executive continues to meet quarterly and acts as the conduit between the 'reactive monitoring' carried out by performance boards and the 'proactive monitoring' of directorate safety committees and management teams.

6. Occupational health provision

- 6.1 Referrals to this in-house service (a part of SHAW) run at 115-120 per quarter in accordance with the sickness absence policy.
- 6.2 The employee assistance programme continues to receive calls related to both home and work issues. The commonest work issue was workload and stress, although there has been a marked increase in the financial and debt advice service.
- 6.3 "Stress, depression, anxiety, mental health and fatigue syndromes" is the commonest cause of sickness absence in all five directorates. (This group of illnesses is laid down nationally to assist sickness absence monitoring), but the commonest cause of referral to Occupational Health is musculo-skeletal problems.
- 6.4 SHAW provide a council wide stress risk assessment programme which started in Social Care and Inclusion in 2007/8. An anonymous HSE approved survey provides useful data on the demands and support staff face, together with measures of their understanding of role and change within the authority. Staff focus groups refine this data and provide suggested improvement to working practices. Managers are required to deliver risk reduction action plans.
- 6.5 HSE have reviewed this process and find it best in class within the region. They have asked SHAW to support the local acute hospital trust in their stress reducing activities.
- 6.6 Continued focus in this area is required for 2009/10 if significant impact is to be seen in reducing sickness absence.

7. Safety training and development

- 7.1 A full range of health and safety courses are offered quarterly. There has been an increase in manager and supervisory safety courses. There were 1,248 recorded staff attendances at health and safety training courses.

8. Monitoring health and safety performance

- 8.1 In addition to this annual report, the Corporate Management Team receive a quarterly update report of major issues at a dedicated H&S CMT meeting. This has been reinforced by making better use of directorate performance boards, the CIPFA Good Governance Standard for Public Services adapted for Health and

Safety and the Corporate Health and Safety Board. It is anticipated that the Corporate Health and Safety Board will assume this function in 2009/10. The Board have also accepted that they will be required to focus on 'softer' health and safety issues that contribute significantly to the sickness absence picture for the authority, prioritising actions that will have direct measurable impact on improving attendance and staff efficiency.

9. Strategic action plan - (long term corporate)

- 9.1 Given the strong development of health and safety management over the past two years, our strategic aim is to consolidate the progress to date with a priority on auditing activity to proactively monitor compliance with the council's management system and with our statutory obligations to maintain our progress on physical workplace safety.
- 9.2 Focus areas for the plan are slips, trips and falls and violence to staff.
- 9.3 There needs to be a concerted effort by the authority to focus on work related ill health, recognising that "setting targets and implementing actions in this area is complex" (HSE, 2009). Causes of ill health are not solely work related or their seriousness may be exacerbated by non-work related factors. In order to set health priorities for the council and to positively impact on attendance and reduce sickness absence, collaboration is required to establish who will deal with specific issues.
- 9.4 An overarching corporate direction will be established for the robust proactive management of health to improve effectiveness as part of the Occupational Health and Safety Management System.

10. Conclusion

Commitment from CMT is strong. Substantial progress has been made in delivering the SHIP in response to the challenges identified by the HSE inspection. However, the risk to the authority of further regulatory intervention is strong, given the robust focus by both regulators anticipated in 2009/10.

Corporate Health and Safety Plan 2009/10

Contents

Introduction by the Leader of the Council and the Chief Executive

Purpose of the document

Last Year's pledges and achievements

Corporate risk register

Managing health and safety in our schools

Comprehensive auditing programme

Continued focus on stress risk reduction

Managing health to improve effectiveness

Conclusion

1 Setting the scene

Introduction by the Leader of the Council and the Chief Executive

We are pleased to introduce Walsall Council's corporate safety plan for 2009/10 and to report on our achievements from last year's plan. In last year's plan we made 11 pledges to improve the health and safety experience of our staff, customers and stakeholders.

In an environment of constant change it is important to keep a clear focus on our safety improvement agenda. If we are to achieve this ambition, we need to address the challenges of health and safety, but recognise that we are in a changing global environment, where there are other equally important pressures on us to succeed, not least the financial challenges affecting our citizens, businesses and consequently, us.

The last two years have seen intensive safety activity and we were challenged to improve in 11 areas throughout 2008/09. We achieved all of those in year or have progressed them to the satisfaction of our internal scrutineers or the external regulatory bodies to which we are accountable.

Our corporate health and safety plan for 2009/10

- focuses the efforts of all the employees of the council on the issues that matter to both their and to our citizens' safety and health, encouraging safer working, reducing accidents, work related sickness absence and other losses to people, premises and service delivery; and
- builds on the previous two years' achievements and delivers further challenges through a shorter, more focused number of pledges, including
 - a risk management action plan led by the Corporate Management Team;
 - stronger focus on managing health to improve effectiveness; and
 - robust monitoring of the Education Contract Service Level Agreement for safety management.

Mike Bird
Leader of the Council

Paul Sheehan
Chief Executive

2 Purpose of the document

The annual Corporate Health & Safety Plan sets out how the council is going to achieve continued safety improvements, demonstrating its commitment and intent, and thereby providing community leadership and an example for others to follow.

The plan is a key element of the occupational health and safety management system and as a response to the challenges and direction set by Cabinet following the publicly accessible annual safety report.

The plan sets out the council's vision for safety and health improvement in the coming year, its aims and objectives, and the key safety and health priorities for the year ahead, both corporately and within each directorate.

It gives a firm indication of the Council's plan for the forthcoming year, provides the safety and health agenda for service planning, management teams, performance boards and the network of health and safety consultative committees headed by the Corporate Health and Safety Board.

3 Last year's pledges and achievements

No.	Walsall Council Pledges to	Owner	Status
1	Deliver the remaining items within SHIP to the satisfaction of the Health and Safety Executive	S Homer	● COMPLETE
2	Actively encourage our employees' positive health choices through a series of staff health fairs.	L Visentin	● COMPLETE
3	Actively support employees who experience ill health and sickness absence with the aim to reduce time off sick through a positive rehabilitation strategy that minimises absence and promotes early return to work	P Smith	● GREEN
4	Maintain the Corporate Health and Safety Board, and actively monitor the activities of our management teams, performance boards and health and safety consultative committees to make sure that we embed the corporate governance framework for safety and health	P Sheehan	● COMPLETE
5	Design a rolling programme of safety auditing activity to comprehensively assess the adequacy of our managers safety control measures.	S Homer	● COMPLETE
6	Deliver that programme on time, on budget and in a format acceptable to our leaders and manager to deliver continuous health and safety improvements.	S Homer	● COMPLETE
7	Further improve a Violent Incident Perpetrator Early Reporting (VIPER) email distribution network, whilst simultaneously exploring other ICT solutions to speedy communications across the council.	M Sadler	● GREEN
8	Continue to improve the physical work environment for our staff focusing specifically on replacing or refurbishing carpets and floor coverings to reduce slip and trip risks	All HoS	● GREEN
9	Introduce better housekeeping through a programme of workplace inspections (audits)	SHAW	● COMPLETE
10	Positively confirm that each service area has a health and safety action plan and a series of appropriate risk assessments, through the annual safety return.	P Sheehan	● COMPLETE
11	Require SHAW to improve quarterly reports to Directorate Performance Boards on safety activity, incidents reported, auditing and training volumes, and usage rates of the Employee Assistance Programme.	L Visentin	● COMPLETE

4 Corporate Risk Register

As part of the close out of the Safety and Health Improvement Plan (SHIP), it became increasingly evident that, when challenged to complete a piece of work, directorates, services and individual teams were exemplary in completing the task; however CMT considered that this was not a deeply embedded practice and recognised a corporate risk, summarised as:

28 (92) “Health and Safety Culture is Not Embedded”

A risk management action plan has been developed and this risk elevated to the Corporate Risk Register, the highest risk register in the council’s risk management framework. Each element within the plan has been tasked to an Executive Director and its delivery is actively managed by CMT within its risk management activities, active occupational health and safety management becoming an embedded piece of our strategic management. Elements within this plan include:

- Member scrutiny by Resources Scrutiny Panel
- Corporate H&S Board monitors directorate proactive and reactive activity quarterly
- Continued focus on safety committees as local safety management board
- EDs to carry out 6 safety inspection accompanied visits
- Every IPM to include a safety target
- Safety training programme provided from an all council training needs analysis
- Development of a single, unified “Wellbeing and Effectiveness Strategy”

Walsall Council pledges to

Deliver each element of the Corporate Risk Management Action Plan in response to corporate risk 28(92) Health and Safety Culture is not Embedded

5 Management Control in our Schools

The Health and Safety Executive identified that occupational health and safety management control in our schools was disjointed during their inspections in 2007/8. We accepted their findings and as our education management is delivered through our partners in Walsall Children’s Services – Serco, but our health and safety management was not, together we wrote active health and safety management into the new Education Contract (section 6.2).

Through its active delivery, in partnership, we will deliver continued improvement in the management of health and safety in schools across

Walsall Council pledges to

Monitor the service level agreement related to health and safety within the Education Contract and to report progress quarterly to the Corporate Health and Safety Board and annually to the Resources Scrutiny Panel and Cabinet.

6 Comprehensive Safety Auditing Programme

Auditing is a key feedback mechanism within both HS(G)65 and ISO 18001 (these are the recognised national and international frameworks for safety management systems) and it is instrumental in recognising the existing achievements and outstanding challenges to further improve health and safety management.

There is also a statutory obligation (Management of Health and Safety at Work Regulations) to monitor and review the protective measures put in place for health and safety at work.

We have redesigned our safety auditing activities to recognise the changes to our management system made last year, to enable appropriate, speedy and summary auditing activity that builds on our achievements, recognises and shares best practice across the council as a whole and is challenging in its approach.

We must continue to deliver the level of independent internal scrutiny by our professional safety advisers in the Safety, Health and Wellbeing team.

Walsall Council pledges to

Deliver a programme of safety auditing activity across our buildings and people, including an annual self assessment by our services, an annual face to face audit of management activity with each head of service and a bi-annual inspection of every council workplace.

7 Continued focus on stress risk reduction

Walsall has made strong inroads into quantifying the stress risk within our directorates and schools by adoption of the HSE's Stress Management Standards and the Teacher Support Network's Wellbeing Programme.

This work has been recognised as best in class by the Health and Safety Executive, Council officers speak nationally and internationally on this subject and have been asked by HSE to informally support advisers to the local NHS acute trust.

However, sickness absence for a wide ranging category "Stress, anxiety, depression, mental health and fatigue syndromes" continues to be the number one cause of sickness absence across all directorates.

Walsall Council pledges to

develop and deliver stress risk reduction action plans in every council team, with proactive monitoring of delivery by directorate safety committees, under the direction of the existing Executive Director champion; in order to positively drive down stress risk, reduced performance and related absence.

8 Managing health to improve effectiveness

Great progress has been made in the last two years on traditional aspects of health and safety management. The time has come to maintain pressure on management teams to continue this improvement, while resetting the direction.

Walsall Council has never been safer, but our sickness absence remains a challenge. Clearly maintaining the status quo is morally, legally and financially unacceptable.

We need to redesign the direction of all those who have a role to play in reducing sickness absence, managing staff health with the objective of delivering robust, proactive, yet supportive staff health management with the goal of improving effectiveness of individuals, teams and by default service delivery.

We will learn from the many public sector organisations that have proactively managed health and delivered consistent, sustainable improvement in staff health and attendance.

Walsall Council pledges to

initiate a high-level discussion on managing health and improving effectiveness by a combination of supportive working practices that have been shown to deliver improvements and a strong approach to monitoring and investigating the causes of sickness absence.

This will enable the development of a one council approach to consistent improvement in managing staff health and deliver a significant improvement in attendance by year end.

9 Conclusion

Taken together these five pledges will continue to deliver improvements in the health and safety management of our people and our workplaces through a more structured framework.

It will reposition us to comply with the new national direction of the HSE to reset and reaffirm the future direction of health and safety in the UK, with a focus on softer health and safety issues, namely health.

The move away from a high number of safety pledges reinforces our commitment and belief in active safety management through our existing management processes and not through the more isolated project management approach used in the past.