

Report title	Annual Health and Safety Update	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Paula Brookfield Governance and Equalities	
Key decision	No	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	David Pattison, Chief Operating Officer	
Originating service	Health and Safety	
Accountable employee	Tim Munro	Head of Health and Safety
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Report to be/has been considered by	Directorate Leadership Team	10 November 2022
	Cabinet Member Briefing	16 November 2022

Recommendation for decision:

The Cabinet is recommended to:

1. Approve the revisions to the Corporate Health and Safety Policy.

Recommendation for noting:

The Cabinet is asked to note:

1. The progress with regards to managing health and safety in the organisation.

1.0 Purpose

- 1.1 Protecting the Health and Safety of employees and members of the public who may be affected by our activities is an essential part of risk management and must be led by the controlling minds in the organisation. This is a delegated responsibility placed on the Chief Executive, who has delegated operational responsibility to the Chief Operating Officer.
- 1.2 Commitment to the health and safety agenda and a means to implement the agenda effectively within an organisation is demonstrated by the organisation having an agreed and signed Corporate Health and Safety Policy. This is a legal responsibility placed on the Council by Section 2(3) of the Health and Safety at Work etc. Act 1974.
- 1.3 Organisations should also require assurance that their commitment to health and safety is being appropriately implemented through the agreed organisational arrangements and that appropriate resources are allocated to ensure objectives are met.

2.0 Background

- 2.1 Health and Safety law places duties on organisations, employers and Directors who can be personally responsible when these duties are breached.
- 2.2 Having a written Health and Safety Policy is a legal requirement under Section 2 (3) of the Health and Safety at Work etc. Act 1974.
- 2.3 It is a subsequent requirement to revise and update an organisation's health and safety policy on a regular basis or as and when circumstances change.
- 2.4 City of Wolverhampton Council current Corporate Health and Safety Policy was last updated in 2021 when it had a substantial refresh.
- 2.5 The main changes in this revision are:
 - A. Updated structure within the organisation for managing health and safety.
- 2.6 Employers including the Council are legally responsible for ensuring that their activities do not create uncontrolled or unacceptable risks to employees or anyone affected by the delivery of services it provides.

3.0 Progress

- 3.1 The Report at Appendix 1 describes the progress during the last 12 months with regards to managing health and safety.
- 3.2 This report is the second received by Cabinet, the last one having been presented and discussed on 20 October 2021.
- 3.3 The report is presented in partial fulfilment of the legal requirement to ensure that health and safety within the Council is being effectively managed. It is important that the Council is transparent regarding the ways in which it meets its duties.

3.4 In summary the annual report believes it sets out that the Council is meeting its health and safety duties under the relevant legislation.

4.0 Evaluation of alternative options

4.1 There are no alternative options. Having a written Health and Safety Policy is a legal requirement under Section 2 (3) of the Health and Safety at Work etc. Act 1974

5.0 Reasons for decisions

5.1 There are potentially serious risks for the Council and its operations from inadequate consideration of health and safety issues. The punitive measures include not only enforcement powers of inspectors but can include both personal and corporate liability proceedings. As a significant presence in the West Midlands, City of Wolverhampton Council is a high profile case, particularly if things go wrong.

6.0 Financial implications

6.1 There are no financial implications associated with the recommendations in this report. [GE/06012023/X]

7.0 Legal implications

7.1 Legal implications regarding the Council's health and safety responsibilities are described above, the steps taken in the annual report ensure that the Council is meeting its obligations under the Health and Safety at Work Act 1974 and other related legislation. [DP/09012023/A]

8.0 Equalities implications

8.1 The Health and Safety Policy is a revision of an existing document. The equalities impact of the revision has been considered as part of its consultation through Governance Leadership Team. There are no additional equalities implications arising from this report.

8.2 Equalities implications arising through the operational implementation of health and safety procedures are included as part of operational delivery.

9.0 All other implications

9.1 There are no other known implications that require consideration as a consequence of this report.

10.0 Schedule of background papers

10.1 There are no additional background papers.

11.0 Appendices

11.1 Appendix 1 : Annual Health and Safety Management Report – 2022

11.2 Appendix 2 : Proposed Corporate Health and Safety Policy 2023