

<b>Report title</b>	Revised Corporate Health and Safety Policy and Health and Safety Update	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Paula Brookfield Governance and Equalities	
<b>Key Decision</b>	Yes	
<b>Wards affected</b>	All Wards	
<b>Accountable Director</b>	David Pattison, Chief Operating Officer	
<b>Originating service</b>	Health and Safety	
<b>Accountable employee</b>	Tim Munro Tel Email	Head of Service, Health and Safety 07976751442 Tim.munro@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>	Strategic Health Safety and Wellbeing Board Cabinet Member Briefing	17 March 2021 14 July 2021

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**Recommendation for decision:**

The Cabinet is recommended to:

1. Agree the adoption and implementation of the revised Corporate Health and Safety Policy.

**Recommendation for noting:**

The Cabinet is asked to note:

1. The progress with regard 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.
- 1.2 Commitment to the health and safety agenda of an organisation is demonstrated by the organisation having an agreed and signed Corporate Health and Safety Policy.
- 1.3 Organisations should also ask for 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 organisations 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 2018.
- 2.5 The main changes in this revision are:
  - A. clearer demarcation and sections on, the Statement of Intent, Organisational Responsibilities and Organisational Arrangements, as stipulated in Health and Safety Executive guidance.
  - B. updates with regards to the Chief Operating Officer having delegated responsibility for health and safety on behalf of the Chief Executive.
  - C. removal of duplicated responsibilities.
  - D. updates on the 'health and safety arrangements' to reflect the 'Plan, Do, Check, Act' methodology adopted by City of Wolverhampton Council for managing health and safety.
  - E. clear reference to a commitment to work with and involve Trades Unions in all aspects on maintaining health and safety standards, and the methods of consultation on health and safety matters, in particular, through Operational Health and Safety Groups, and the Strategic Health Safety and Wellbeing Board.

## **3.0 Progress**

- 3.1 The report at Appendix 2 describes progress during the last 12 months with regards to managing health and safety.

3.2 The report is the first received by Cabinet from the Health and Safety team but as described in the report, it is proposed to present an annual health and safety report going forward.

#### **4.0 Reasons for decision(s)**

4.1 There are potentially serious risks for City of Wolverhampton 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. However, Sensible risk management **is** about:

- Ensuring that employees and the public are properly protected
- Providing overall benefit to society by balancing benefits and risks, with a focus on reducing real risks – both those which arise more often and those with serious consequences
- Enabling innovation and learning not stifling them
- Ensuring that those who create risks manage them responsibly and understand that failure to manage real risks responsibly is likely to lead to robust action
- Enabling individuals to understand that as well as the right to protection, they also have to exercise responsibility

Sensible risk management **is not** about:

- Creating a totally risk-free society
- Generating paperwork mountains
- Scaring people by exaggerating or publicising trivial risks
- Stopping important recreational and learning activities for individuals where the risks are managed

#### **5.0 Financial implications**

5.1 There are no direct financial implications to the Council as a result of the recommendations of this report.

[MH/12102021/P]

#### **6.0 Legal implications**

6.1 Legal implications and the relevant legislation regarding the City Councils health and safety responsibilities are described above.

[TC/121021/D]

#### **7.0 Equalities implications**

7.1 As 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 and Strategic Health Safety and Wellbeing Board. There are no additional equalities implications arising from this report.

## **8.0 All other implications**

8.1 There are no other known implications that require consideration.

## **9.0 Schedule of background papers**

9.1 There are no additional background papers.

## **10.0 Appendices**

10.1 Appendix 1: Proposed Corporate Health and Safety Policy

10.2 Appendix 2: Health and Safety Management Report September 2021