

**City of Wolverhampton Council**  
**Annual Health and Safety Management Report**  
**January 2023**

**1.0 Purpose of the Report**

- 1.1 To update members as to the progress and changes made with regard to managing health and safety since the last annual report in September 2021.

**2.0 Introduction and Background**

- 2.1 This report will focus on the achievements and work priorities of the health and safety team, and a view of planned objectives for the next 12 months.
- 2.2 Strategically the overall responsibility for health and safety remains with the Chief Executive and Directors of the Council. Delegated responsibility for health and safety remains with the Chief Operating Officer.
- 2.3 Operationally, the Council's specialist health and safety team sits within the Governance Directorate. The health and safety team provide strategic health and safety advice to the organisation to ensure that it meets its legal health and safety responsibilities under the Health and Safety at Work etc. Act 1974, and subordinate legislation. The team also provide operational advice across all services of the City Council. Health and safety advice is also provided to Wolverhampton Homes through a service level agreement.

**3.0 Executive Summary**

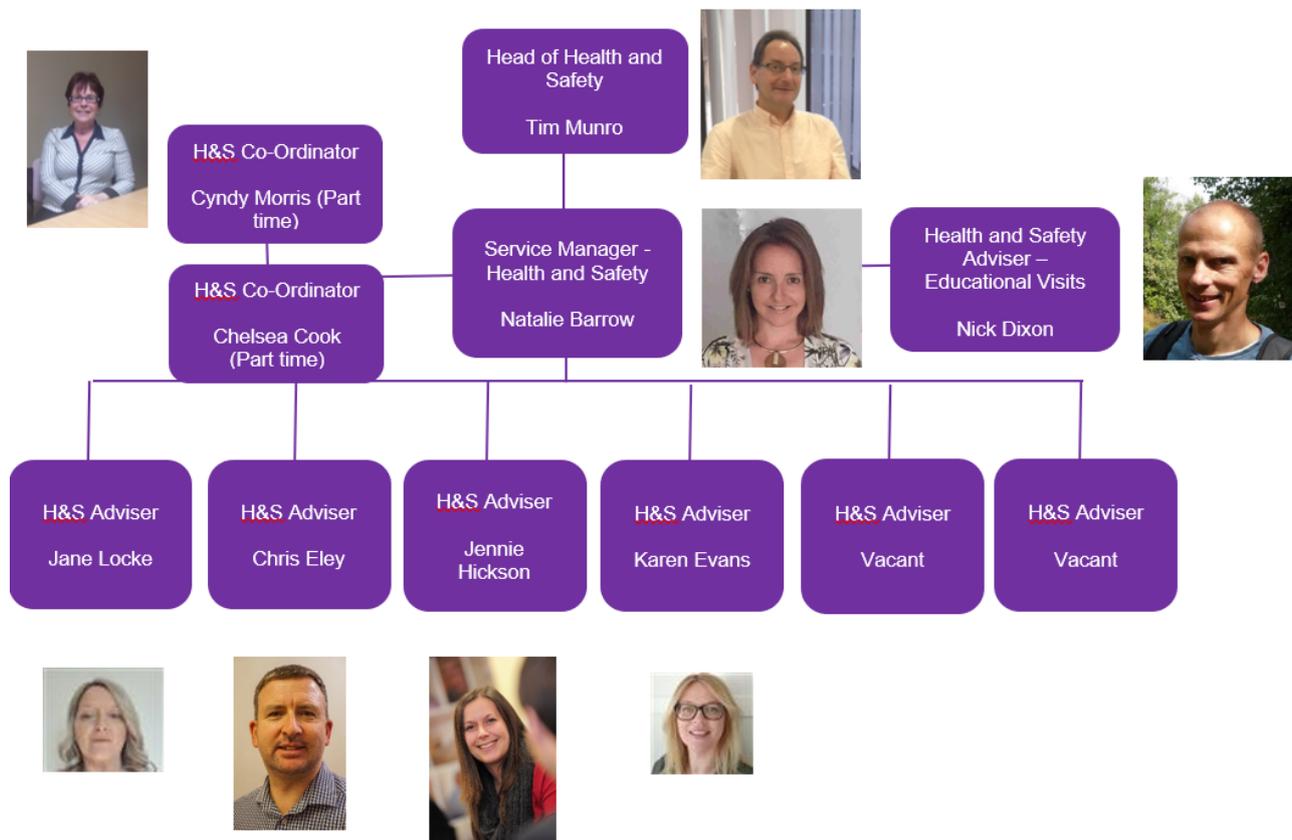
- 3.1 In summary the management of health and safety in the Council is in a good place with substantial progress having been made in 2022, in particular in relation to collection of health and safety data and ensuring that appropriate action is taken on the basis of that data.

**4.0 Discussion**

- 4.1 In the previous report information was provided on the changes to the structure and reporting arrangements to the health and safety team. Whilst the structure at that time was agreed and appropriate financial resource allocated, recruitment to all the posts had not been implemented.
- 4.2 During the intervening 12 month period a structured and robust process was implemented to securing recruitment of skilled, knowledgeable and experienced health and safety practitioners.
- 4.3 It is significant that the recruitment has brought into the team additional high quality, competent resource. Worthy of note are :

- a) 2 additional Health and Safety Advisers
- b) 1 additional Health and Safety co-ordinator, to take vacant hours in the existing postholders position
- c) 1 part time Health and Safety Adviser with specific responsibility for health and safety on educational visits from schools.

4.4 The current health and safety team :



4.5 As a direct result of this recruitment significant improvements in the delivery of the health and safety service have been evident, including but not limited to :

- a) Ability to be more responsive to service led requests for health and safety support
- b) Ability to provide more focussed and detailed investigations into health and safety related incidents
- c) Bringing to the organisation additional specialist health and safety skills and knowledge in areas where the team previously had limited resource

4.6 Regarding the remaining two vacancies, one of the remaining Health and Safety Adviser posts has been advertised and interviews took place on 8<sup>th</sup> November. A job offer has been made and it is hoped the successful candidate will start with the team early in 2023. Regarding the remaining vacancy approval has been granted to use the funding from this post to fund two Level 3 Health and Safety

Apprenticeships, supporting the City Councils strategic programme for training and development opportunities for our residents. It is anticipated that these two apprenticeship positions will be filled by early 2023.

- 4.7 The result of this recruitment is that the health and safety team will have an increased ability to deliver a high quality, competent and robust service for both the strategic and operational needs of the City Council, in terms of both its responsibilities to employees, but also its residents and communities.
- 4.8 This following sections of this report describe key areas of health and safety work during the previous 12 months. It describes the leadership required for health and safety and also, following the plan, do, check, act methodology for effective health and safety management, described and supported in Health and Safety Executive publication HS(G)65 '*Managing for Health and Safety*', provides an overview of recent work in progressing the health and safety agenda within the Council. The publication can be accessed [here](#) and relevant extracts are shown in *italics* in the following paragraphs.
- 4.9 *Protecting the health and safety of employees, partners or members of the public who may be affected by our activities is an essential part of risk management and must be led by the senior post holders in the Council. Failure to include health and safety as a key business risk in decisions can have significant business impact. Many high-profile safety cases have been rooted in failures of leadership.* Health and safety law places duties on organisations and employers, and directors can be personally liable when these duties are breached: members have both collective and individual responsibility for health and safety. Following effective systems and processes for managing health and safety will help the Council find the best ways to lead and promote health and safety, and therefore meet our legal obligations.
- 4.10 Plan Requirements : Senior leadership within the Council should set the direction for effective health and safety management. *They need to establish a health and safety policy that is much more than a document – it should be an integral part of our organisation's culture, of its values and performance standards. All members should take the lead in ensuring the communication of health and safety duties and benefits throughout the organisation. Directors must develop policies to avoid health and safety problems and must respond quickly where difficulties arise or new risks are introduced; other senior leaders must make sure that health and safety is properly addressed. Health and safety should appear regularly on the agenda for appropriate strategic meetings. The Chief Executive can give the clearest visibility of leadership, but organisations find it useful to delegate this responsibility to an appropriately positioned and responsible Director. The presence in the senior leadership team of a health and safety director can be a strong signal that the issue is being taken seriously and that its strategic importance is understood. An independent Cabinet member can act as a scrutineer – ensuring the processes to support organisations facing significant health and safety risks are robust.*

4.11 The submitted Corporate Health and Safety Policy make it clear that the Council is committed to ensuring the health, safety and welfare of employees and persons affected by our activities. It also reinforces the clear responsibilities at both strategic and operational level for leading, managing and implementing effective health and safety practice. The Chief Executive has delegated responsibility for health and safety to the Chief Operating Officer, who provides a regular update to the Cabinet Member with responsibility for health and safety. The Head of Service; Health and Safety, attends these meetings on a quarterly basis to provide a strategic overview on health and safety practice and also an operational perspective with regards to health and safety performance indicators.

4.12 *Do : Delivery of the health and safety agenda depends on an effective management system to ensure, so far as is reasonably practicable, the health and safety of employees, customers and members of the public. Organisations should aim to protect people by introducing management systems and practices that ensure risks are dealt with sensibly, responsibly and proportionately. In particular :*

- a) *Leadership is more effective if visible – Senior leaders can reinforce health and safety policy by being seen on the ‘shop floor’, following all safety measures themselves and addressing any breaches immediately.*
- b) *Consider health and safety when deciding senior management appointments.*
- c) *Having procurement standards for goods, equipment and services can help prevent the introduction of expensive health and safety hazards. The health and safety arrangements of partners, key suppliers and contractors should be assessed: their performance could adversely affect ours.*
- d) *Setting up a strategic committee, chaired by a senior executive, can make sure the key issues are addressed and guard against time and effort being wasted on trivial risks and unnecessary bureaucracy.*
- e) *Providing health and safety training to some or all of the senior post holders in an organisation can promote understanding and knowledge of the key issues.*
- f) *Supporting worker involvement in health and safety, above the legal duty to consult worker representatives, can improve participation and help show our commitment.*

4.13 With regards to the ‘doing’ phase of effective health and safety management there are a number of initiatives relevant to the points above which have been progressed during the last year :

- a) It is important and relevant to acknowledge that the health and safety team, as many other services from across the City Council, have been on a journey with regards to recovering from the effects of Covid on its working arrangements. The previous two years have seen a reactive relationship with other services in provision of health and safety advice responding to the ever changing Covid restrictions and arrangements, focussing on keeping employees safe from infection, whilst needing to continue delivering services to our residents and communities.

The last 10 months in particular has seen a return to a more proactive and planned approach to health and safety advice with the resumption of many aspects of the teams work including more detailed investigation of accidents and incidents, planned health and safety audits in schools, planned workplace inspections with trades unions and face to face meetings.

- b) The communication and consultation methods for health and safety continue to be followed as described in the Health and Safety Policy. Operationally this takes place through six Operational Health and Safety Groups, each chaired by an appropriate Head of Service. They each meet quarterly, approximately 4 weeks before each Strategic Health Safety and Wellbeing Board. Each meeting is supported by a member of the health and safety team, an HR representative, an equalities and diversity representative and one or more trades union representatives. These meetings were reconfigured in 2021 to ensure all services are represented and the process of setting each meeting’s agenda and reviewing action items given more assurance, with the Chair meeting with the health and safety teams representative prior to, and post meeting. Reports from each of the meetings are provided to the next Strategic Health Safety and Wellbeing Board. The Strategic Health Safety and Wellbeing Board meets quarterly and itself has agreed revised terms of reference and is now chaired by the Chief Operating Officer to provide the necessary strategic leadership on health and safety matters and a route for any significant risks to be raised with SEB/Councillors.

The effectiveness of these operational meetings in particular has continued to be monitored and improved and representation from services at these meetings has seen a significant improvement in attendance and the raising of relevant health and safety matters for discussion, and where appropriate escalation to Strategic Health Safety and Wellbeing Board. It has been pleasing to see increased ownership in these meetings from the respective chairs, the link Health and Safety Adviser, and attendees alike. Attendance is monitored as a standing agenda item at the Strategic Health Safety and Wellbeing Board meetings, and challenged where appropriate at the request of the Chief Operating Officer.

- c) A current and up to date knowledge of a pragmatic and proportionate approach to managing health and safety at a senior level is fundamental to ensuring that health and safety is taken seriously and receives appropriate senior level commitment. Following changes in the senior leadership of the organisation additional IOSH Safety for Senior Executives workshops have been delivered. These workshops are mandatory so that all postholders at Director and Head of Service level hold this qualification and have the tools to effectively integrate health and safety into their business as usual activities. Performance information for the last 12 months has shown the following attendance :

|   |    |
|---|----|
| CWC SEB/Heads of Service Attendance               | 50 |
| Total CWC SEB/Heads of Service Remaining          | 18 |
| Wolverhampton Homes SMT/Heads of Service Attended | 14 |
| Total Wolverhampton Homes SMT Outstanding         | 5  |

At an operational level, all managers and supervisors are required to attend an 'in house' managing health and safety qualification developed and delivered by the health and safety team. This programme is currently underway and has now returned to face to face delivery after being delivered virtually during Covid. One course is delivered each month. There will be further training sessions in early 2023 to ensure full compliance at Senior Executive level.

- d) Collaborative working between the health and safety team (on behalf of the organisation) and recognised trades unions continues to be instrumental to compliance with not only legal requirements but also the communication and consultation mechanism described in the Corporate Health and Safety Policy. This has taken place formally through Operational Health and Safety Meetings, the Strategic Health Safety and Wellbeing Board and Joint Consultative Panel meetings. Working relationships between the trade unions and health and safety team have improved in the previous 12 months, not only through these formal meetings but also on an ad-hoc basis where both parties have consulted and communicated outside of these meetings to discuss issues and agree approaches to health and safety issues. This collaborative approach should not be underestimated and has resulted in issues not requiring escalation as matters have been discussed and agreed at an early stage without the need for formal raising.
- e) Section 3 above describes the additions to the health and safety team. One new position created is that of the Health and Safety Adviser – Educational Visits. The benefit that this postholder has brought to the scrutiny of health and safety around school visits has been significant, particularly as schools start to resume their extra curricular activities and learning and development of pupils away from the school environment. This has undoubtedly led to additional assurances being required for some activities, meaning they are delivered in a safer and more assured way, protecting our young people in the process. A summary of the activity from January 2022 to July 2022 is summarised below.

- **183 trips approved** this *is probably less than would be in a normal year as we are still on reduced trips following Covid.*
- **47 trips questioned** advice given/ competency questioned or licencing questioned. Answered in a satisfactory way and subsequently approved.
- **13 trips denied**, where approval was not given to run a trip.

Of particular note in the figures above are the trips where permission has been denied, resulting in activities which did not have an acceptable degree of control of health and safety issues involved in the proposed activities, protecting our children and young people.

Ensuring that headteachers and schools have sufficient knowledge to adequately assess and agree controls for off site activities is also important. To facilitate this

specific health and safety training for those involved in arranging and agreeing activities has also been delivered by the postholder. In summary :

### **Courses delivered**

|         |   |
|---------|---|
| 5/9/22  | Visit Leader Training                                     |
| 23/6/22 | Educational Visits Co-ordinator Training - Update Course  |
| 22/6/22 | Educational Visits Co-ordinator Training - Update Course  |
| 21/6/22 | Visit Leader Training                                     |
| 6/6/22  | Visit Leader Training                                     |
| 10/2/22 | Educational Visits Co-ordinator Training - Update Course  |
| 9/2/22  | Educational Visits Co-ordinator Training - Initial Course |
| 8/2/22  | Visit Leader Training                                     |
| 4/1/22  | Visit Leader Training                                     |

### **Site visits**

Once approved, checking that the activities take place in accordance with submitted documentation and according to plans is important to check that expected controls are adequate and that unforeseen circumstances are adequately addressed during the activity. Provision of adequate 'supervision' from the health and safety team is a direct requirement of the Health and Safety at Work etc. Act 1974. The following assurance visits took place supported by the Health and Safety Team:

3/2/22 Wolf Mountain Visit 1 (competency of staff)

9/3/22 Wolf Mountain Visit 2 (competency of staff & H&S check

18/7/22 Chelmarsh visit and check (AALA licence)

The health and safety scrutiny of educational visits is in a good place, and we are happy to provide assurance that risks to employees and students are adequately controlled at this time.

- 4.14 Check : *Monitoring and reporting are vital parts of a health and safety culture. Management systems must allow the organisation to receive both specific (e.g. incident-led) and routine reports on the performance of health and safety policy. Much day-to-day health and safety information need be reported only at the time of a formal review. But only a strong system of monitoring can ensure that the formal review can proceed as planned – and that relevant events in the interim are brought to the organisations attention.* In particular :

- a) *“Effective monitoring of sickness absence and workplace health can alert the board to underlying problems that could seriously damage performance or result in accidents and long-term illness.”*

- b) Monitoring of workplace sickness absence take place through each of the Operational Health and Safety Groups and is also a standing agenda item at Strategic Health Safety and Wellbeing Board meetings. In summary for the year to date :

Sickness absence (including all non-covid and covid and self-isolation) has decreased overall in 2022-23 Q1 when compared to the previous quarter, however has increased when compared to the same quarter in the previous year. This is reflected in the total number of sickness absence days taken, the average number of days taken per employee and in the calculated sickness absence rates.

Over the five-quarter period from 2021-22 Q1, the highest sickness absence rate was reported in 2021-22 Q4. This appears to be a pattern recorded across the workforce as a whole, and in the majority of individual directorates, with most seeing a peak in sickness absence in quarters 3 and 4.

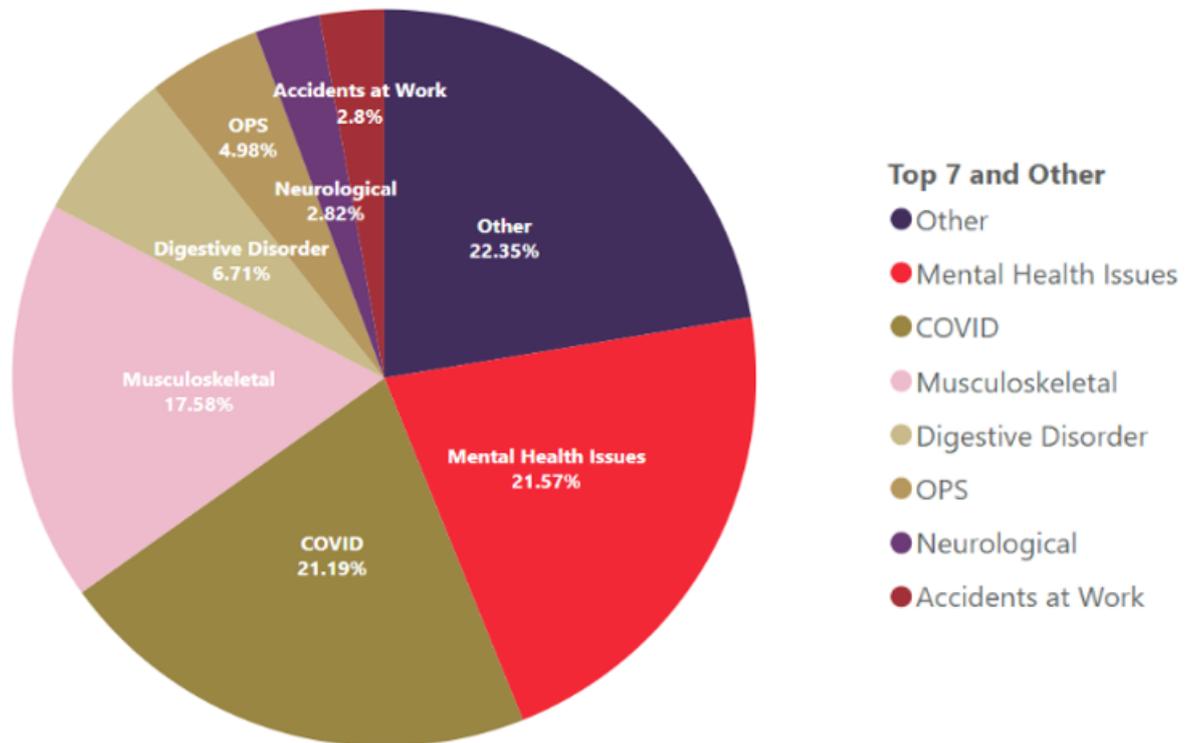
In 2021-2022, Mental Health sickness absence became the most common reason for sickness absence. This has continued into 2022-23 with Mental Health being the most common sickness absence reason (21.57% of all cases), closely followed by Covid (21.19%) and Musculoskeletal (17.58%).

There has been a decrease in the total number of sickness absence days taken due to covid & self isolation in 2022-2023 Q1 when compared to the previous quarter, however there has been an increase when compared to the same quarter in the previous year, following the pattern for sickness absence as a whole.

The rate of no sickness recorded has increased when compared to the previous quarter, however has decreased when compared to the same quarter in the previous year for both non-covid and covid and isolation.

In 2022-23 Q1 employees with a flexible-type working style took fewer non-covid sickness absence days in total with an average of 1.47 days per employee and a rate of 2.33%, compared to a rate of 5.06% for employees in a field-style positions, and 2.95% for employees in a fixed-style position. Employees with a flexible workstyle also had the lowest rate of absence (0.40%) and average number of days absence (0.25 days) in relation to covid and self isolation.

In 2022-23 the absence rate for female employees has remained higher than the absence rate for male employees. Employees in the 61 plus age group recorded the highest average number of sickness absence days lost. With regard to disability, the highest average number of sickness absence days were taken by employees who selected Unsure as their disability status.



The sickness absence data receive detailed scrutiny at Strategic Health Safety and Wellbeing Board meetings with trades unions involved in questioning and analysing the absence data. In addition to the data above analysis is also provided with regards to workstyle, short term/long term and gender.

Regarding the incidence of mental health issues, the City Council has both reactively and proactively continued to address these issues with employees. These have been delivered by the HR, Organisational Development and Health and Safety teams. Interventions include help and support to all employees with regard to health and wellbeing issues with a dedicated and comprehensive resource available on wellbeing@ work pages on the Our People Portal. It covers advice and sources of support which can be self-accessed on matters such as general wellbeing, working from home and balancing work life balance, supporting physical health, supporting mental health and financial support.

HR support managers throughout the Management of Attendance procedure providing comprehensive, tailored advice and guidance to managers on how to support employees that have been absent due to mental health (and other reasons). Support mechanisms are discussed in detail and management support plans are developed in conjunction with employees to support their individual mental health and well-being needs.

HR and Organisational Development are also working together to develop a mental health survey for employees to complete anonymously. This will help us to identify improvements we can make to support employee wellbeing proactively. The survey will prove useful to understand underlying reasons for mental health issues and provide targeted solutions to support our employees.

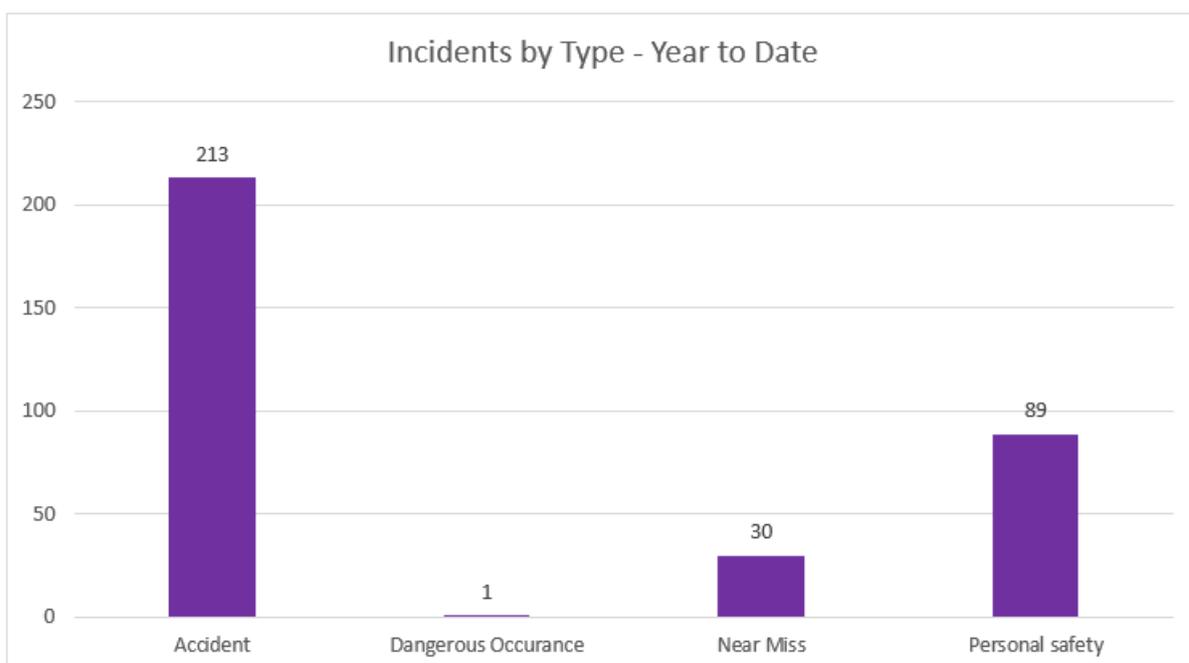
A procurement exercise is also being undertaken by HR to continue to provide an Employee Assistance Programme that is fit for purpose and provides value for money. The mental health survey will also help the council understand employee requirements associated with EAP. This will be fed into the development of requirements for the procurement project.

In addition, the Organisational Development team have introduced many initiatives over the Covid-19 period and beyond to support employee well-being. This includes our well-being pledges that were co-produced with employees, chatty cafés, yoga sessions, introduction and promotion of mental health first aiders, Able Futures scheme, webinars etc. In addition to this the OD team have coordinated 2399 different Health, Safety and Wellbeing training interventions with 19667 employee interactions. The team is also piloting the Head 4 Health scheme which include eight wellbeing workshops and gentle activity – the aim is to encourage individuals suffering from mental health issues to take positive steps to improve their well-being. If the pilot is successful, the scheme can be offered to our employees through referrals from HR, mental health first aiders and managers.

In addition, the HR team where they have identified that there is a higher incidence of mental health absence in a particular team, arrange for specific and focussed support to managers and supervisors in those teams. This includes delivering specific stress management training delivered by the health and safety team. The health and safety team also provide specific support to these managers on completing employee stress risk assessments. This is in addition to the regular stress risk assessment management training delivered by the health and safety team as part of the organisational development teams regular health and safety training courses. This training is supported and monitored by the trade unions at the Strategic Health Safety and Wellbeing Board meetings.

- c) *The collection of workplace health and safety data can allow the board to benchmark the organisation's performance against others in its sector. Appraisals of senior managers can include an assessment of their contribution to health and safety performance.*

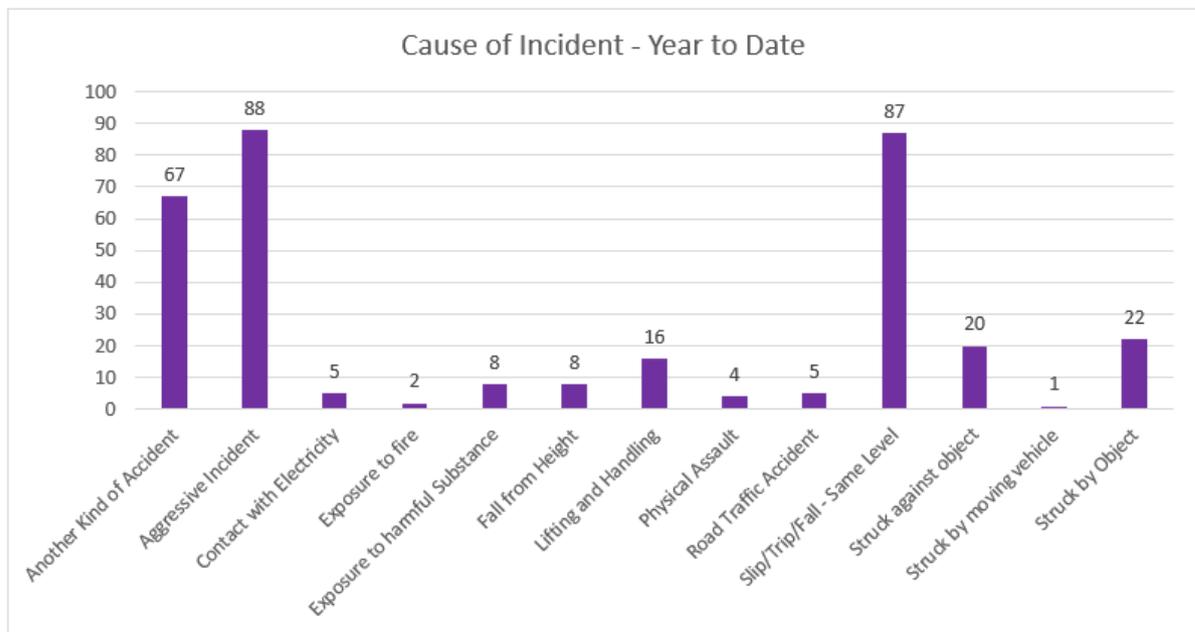
In addition to sickness absence/accident/incident data is also collected, reported on and discussed at operational and strategic health and safety meetings. A summary of key data for the last year shows :



At the end of 2021 the health and safety team changed and improved how health and safety incident data is recorded. This means that comparative data is not as valuable this year but will be in future years including emerging trends in the data recorded which can be used to inform health and safety interventions across the City Council.

Worthy of note in the data above are the reports of 'near misses'. Reporting these events is important as they indicate where preventative action can be taken, preventing more serious incidents occurring in the future. Whilst these reports are encouraging there is a piece of work to be carried out to maximise these type of reports for not only the reason stated above, but also as an indicator of a positive health and safety culture within the organisation.

All of the above incidents have received appropriate investigation by the health and safety team, often in conjunction with the employees involved and their manager. The purpose of these investigations is to identify any appropriate remedial action/preventative measures for implementation. These preventative measures are important not just for the service in which the incident has occurred, but also to disseminate across the organisation, in order to share learning.

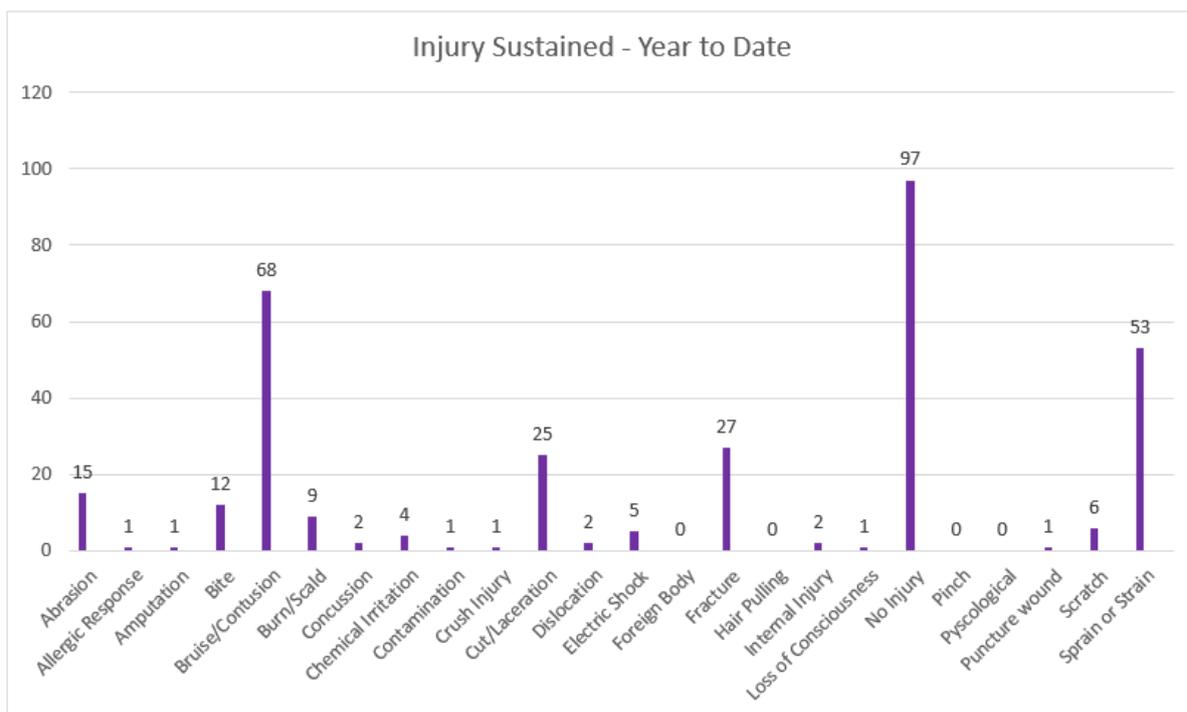


This data helps the organisation to direct health and safety resource in providing health and safety guidance to employees and managers in appropriate health and safety subject areas, with the aim of preventing the most common causes of workplace incidents.

With specific regard to the data in the 'cause of incident' graph, aggressive incidents appear to be high compared to other types of incident. Analysis of these incidents shows the majority of these incidents are in educational settings or children and adult social care. It needs to be noted that pupils and service users may have special educational needs, mental health issues or specific individual circumstances which have resulted in the incidents. As a preventative measure in these settings employees are provided with specialist training in dealing with pupils or service users with special requirements, and the number of incidents reported do not in themselves indicate a problem level of type of incident.

If the 'aggressive' incidents are looked at separately (where a perpetrator has shown or exhibited direct and possibly pre mediated aggression) towards employee these can be seen to be much lower in number and in line with what would be expected.

The other significant cause of incident to be noted is that of 'slips, trips and falls'. Whilst possibly of concern at first sight these incidents are in line with nationally reported incidents and in the latest national HSE data, similar incidents account for 33% of incidents. Slip trips and falls within City of Wolverhampton Council account for around 40% of incidents.



The City Council is under a legal requirement to report certain incidents to the Health and Safety Executive under Reporting of Injuries, Diseases and Dangerous occurrence Regulations 2013.

For the year to date the following numbers of reports have been made :

Specified Injury – 5 incidents

Over 7 days absence from work - 2 incidents

Dangerous Occurrence – 1 incident

As a result of the notifications made to the HSE, no punitive action has been instigated to date against the City Council.

Other comparative data when compared with published HSE data for 'Public Administration' is shown in the table below :

| Area of Data                        | HSE 'Public' Administration Data for 2021 | CWC Data for 2022 (to date) |
|-------------------------------------|---|-----------------------------|
| Incident rate per 100,000 employees | 5230                                      | 5222                        |
| Musculoskeletal Disorders           | 20%                                       | 17.5%                       |
| Mental Health absence               | 60%                                       | 21.5%                       |

At a high level this comparative reactive data indicates that the City Council is operating commensurate with published national data. However, further benchmarking on our health and safety performance data with other local authorities and year on year comparisons within the City Council will provide

additional indication and measurement of performance which can be used to direct health and safety resource and organisational involvement in addressing emerging issues.

- d) Boards can receive regular reports on the health and safety performance and actions of contractors. Some organisations have found they win greater support for health and safety by involving workers in monitoring. It is worth noting here that the Health and Safety Team actively engage with the recognised Trades Unions in carrying out joint workplace inspections and visits with their formally appointed Statutory Safety Representatives. These take place for both planned activities/routine inspections and other special purpose visits. An example of this is that during the last 12 months, 14 joint inspections have taken place to workplaces with trades unions.
- e) Another area of continued work the health and safety have progressed is that of personal safety of employees. This has been reviewed and progressed particularly in the light of changed workstyles for many employees.

Maintaining the personal safety of employees is a non specific legal duty placed on employers under the general duty of the Health and Safety at Work etc. Act 1974, to ensure so far as is reasonably practicable the health safety and wellbeing of employees. Notwithstanding this legal duty, as a responsible employer City of Wolverhampton Council will want to be seen and be able to evidence doing the right and proper thing for employees regardless of legal requirements.

Whilst at work we need to make sure that all employees whose work involves dealing with members of the public, in or away from the office, in person or over the phone or other non in person means is suitably and sufficiently risk assessed. This will ensure that City Council services have robust procedures in place which have been developed through a formal and agreed decision making process. Ultimately the risk assessment process should ensure that the City Council's duty to ensure employees health and safety is fulfilled.

In line with corporate Policies all services are required to have adequately risk assessed the services they deliver, as the risks will be different for every service and even within services delivering different services to different groups of people and in different ways. This process has been reviewed by the Health and Safety team to ensure there are robust controls in place.

The controls that services have the ability to introduce to control risks to personal safety and which have a greater or lesser degree of corporate control are predominately in the areas of :

**Risk Assessment** : City of Wolverhampton Council Aggression at Work Policy requires managers to include personal safety in their services risk assessment. These are required to be updated on a regular basis and when the manner of service delivery changes which may render current controls less effective.

**Personal Safety Incidents to date over last 12 months** : Recording data related to personal safety incidents it is important to provide tangible information relating to personal safety. Since January 1<sup>st</sup> 2022, 143 incidents have been reported in

line with reporting procedures and categorised as 'personal safety' related. This represents 29% of the total 496 incidents reported.

Each incident reported receives an appropriate level of investigation by the health and safety team, and any recommendations for improvement identified, together with any follow up support for employees involved in the incident.

**Personal Safety Devices** : The ability for employees to summon assistance when in situations causing concern quickly and easily, is essential from both the point of view that employees are able to summon assistance when needed, and also to provides confidence to employees that they are not at a high level of vulnerability whilst at work.

The City Council has procured a personal safety device through an external, and appropriately accredited provider. The City Council's contract currently provides for 1041 number of devices across all services.

**Personal Safety Training** : Allowing employees to become more confident in their conduct, and having knowledge of what procedures to follow to ensure their safety is integral to implementing a practical approach from the theory of personal safety at work.

The City Council has a number of different approaches to provide the necessary specific knowledge to employees so they can be more aware of issues around personal safety. In the previous 12 months the following training has been attended or completed by employees :

Personal Safety and Lone Working – in person training: 184

Personal Safety in Other People's Homes and Premises (eLearning): 22

Lone Worker Types and Typical Risks (eLearning): 59

Lone Working Hazards and Risks (eLearning): 55

The Council will continue to encourage and indeed require employees who may be at a risk to attend either online or face to face training. This would ensure that City of Wolverhampton Council can demonstrate that they actively ensure that employees are provided with suitable and sufficient information and training to safely perform their job roles.

### **Potentially Violent Persons Register (PVPR) Access**

Having prior knowledge of any potential health and safety risk is one of the best controls we can implement. If we know that something is likely to harm us we can ensure that we take appropriate preventative action.

The City Council maintains a potentially violent persons register where we identify properties or addresses where we have evidence that health and safety risks may exist. These are not just people (violence and aggression) related but include matters such as dangerous pets, discarded hypodermic needles etc.

All employees can request access to the register, where necessary as part of their role, and for new employees it is included as part of the managers health and safety induction checklist, so that so far as reasonably practicable, new employees who may need to check the register prior to visits have the ability to do so. There

is a responsibility incumbent on employees to check the register prior to visits, and on managers to ensure that employees are not only aware of the register and need to check, but are actively using the resource to support their health and safety.

One of the current weaknesses of this system is that it needs to be kept current and upto date with appropriate information. The system is maintained by the health and safety team who, add new entries, update existing entries and remove old or obsolete entries, in line with GDPR requirements. This process relies heavily on each service providing information to the health and safety team. One of the current weaknesses is that some services store information locally on their own systems which is not only potentially not GDPR compliant but does not share information across services, presenting a risk that some employees may visit a premises without knowing that a potential risk is present.

To address this, and also to reduce administrative burdens placed on the health and safety team, there is currently a PVPR review project being undertaken which is looking to develop more robust, accurate, compliant and efficient system to record and share the information.

**Guidance and Advice** : Provision of suitable and sufficient information to employees is fundamental to them being able to have sufficient awareness of personal safety issues and implement the necessary controls. Information for employees and managers is provided on the health and safety pages of City People. In particular specific information is provided on, how to obtain an Alertcom personal safety device, how to access the PVPR as well as a copy of the City Councils Personal safety Policy and procedures.

Some specific guides to personal safety have been produced, an example being the Councillors Guide to personal Safety, and it is pertinent that a similar guide for employees is also produced and brought to the attention of employees.

**Gender, Maternity and Paternity (GMP) Forum** : The Council has an active staff GMP forum. One aspect of their work that is being progressed is work to support the findings and actions which have come out of the staff safety survey undertaken last year. The health and safety team are supporting this work, in particular supporting carrying out safety surveys of our corporate sites where employees work or provide services. In particular the survey highlighted a need to ensure consistency at our corporate sites with regards to access to safe car parking or access routes to public transport, adequate lighting on access routes, removal of overgrown vegetation which creates 'concealed areas' and obscures natural and artificial lighting.

Surveys and reports have already been produced for the Strengthening Families Hubs, and the next scheme of visits are currently being planned with the Equality, Diversity and Inclusion team and has led to significant improvements on site.

- f) One area of potential significant impact on public liability for the City Council is around having effective tree safety management processes. Whilst the responsibility for this fall within the remit of Environmental Services its acceptability

and implementation has been further scrutinised by the Strategic Health Safety and Wellbeing Board and progress is monitored formally through these meetings.

Following several high profile cases involving other local authorities the City Council has embarked on a process of reviewing our arrangements and ensuring that they are commensurate with the ‘reasonably practicable’ judgements from legal cases.

Trees covered by the arrangements include those along public roads and footways, public parks and environmental sites, leisure sites, corporate sites and schools.

As a result of the review updated arrangements have been agreed (including financial requirements) for the inspection of trees within the City on a 2 yearly inspection programme, together with the associated remedial works required following the inspections.

Whilst this work is well underway it is still a work in progress and requires to be monitored on a regular basis and this will continue regularly to be checked and challenged and reported both to the Strategic Health and Safety and Well Being Board and through relevant Councillor meetings.

- g) Building Compliance Issues are a key area of health and safety performance with regards to legal responsibilities placed on the City Council.

City Assets are responsible for ensuring that the Council's corporate & community buildings are maintained in a safe and compliant condition and managed safely.

City Assets and colleagues in Education are responsible for working alongside Headteachers, Governors and key school staff to ensure that schools are maintained in a safe and compliant condition and managed safely.

### **Fire risk assessments (FRA)**

The Council is required under the Fire Safety Order 2005 to ensure that suitable and sufficient FRA's are in place and are reviewed on a periodic basis. The majority of FRA's are undertaken by external consultants.

| <b>Data reported</b>              | <b>Headline</b> | <b>Comments</b>  |
|-----------------------------------|-----------------|--|
| Number of assets                  | 176             | Operational Corporate, Community Buildings and Schools   |
| Number of assets with FRA         | 176 (100%)      |  |
| Number of assets with updated FRA | 149 (84%)       | FRA's needing review are predominantly for low-risk buildings (Park buildings, WC's, Cemetery buildings) – to be covered within next instruction to external |

|  |           |  |
|--|-----------|--|
|  |           | consultant or assessed in-house          |
| Number of Projects & Works (P&W) actions identified in FRAs (prior years)            | 648       | Covers years up to and including 2021/22 |
| Number of completed P&W actions (prior years)  | 592 (91%) | covers years up to and including 2021/22 |
| Number of West Mids Fire Service visits  | 20        |  |
| Number of enforcement / prohibition notices issued by WMFS within previous 12 months | Nil       |  |

### **Schools fire safety returns**

Maintained schools are required to submit a fire safety return each half term (six per school year). The fire safety return reports on regular fire safety checks e.g. fire alarm testing, as well as management arrangements and training. These are regularly reviewed to ensure compliance.

### **Asbestos Management**

The Council is required under the Control of Asbestos Regulations 2012 to ensure that a “suitable and sufficient assessment” is carried out as to whether asbestos is or is liable to be present in the premises or asset. Any asbestos identified must then be managed, which may include monitoring, encapsulation or removal.

| <b>Data reported</b>  | <b>Headline</b> | <b>Comments</b>  |
|---|-----------------|--|
| Number of assets within scope (ie pre 2000 building) – includes schools             | 201             | Operational Corporate, Community Buildings and Schools. Also includes voids and specific industrial units. |
| Number of assets with valid asbestos management survey (AMS) and Asbestos Register  | 201             | 100%   |
| Number of priority actions identified within AMS' which are outstanding             | 2               | Removals to external boiler / plant rooms with access currently restricted                                 |
| Number of improvement / prohibition notices issued by HSE within previous 12 months | Nil             |  |

### **Building Safety inspections**

Building Safety inspections are undertaken using existing resources within City Assets or an external consultant.

Progress to date with inspections is as indicated below. Building priorities were assessed considering;

- building location
- characteristics and construction of the building
- usage of the building

| Building priority | Number of sites | Number of initial inspections undertaken | % initial inspections undertaken |
|-------------------|-----------------|--|----------------------------------|
| High              | 21              | 21                                       | 100%                             |
| Medium            | 104             | 47                                       | 45%                              |
| Low               | 45              | 1  | 2%                               |

Actions identified from inspections are the responsibility of the maintenance budget holder (City Assets maintenance team, Facilities Manager, school etc) or the site management team.

All actions are recorded within Sharepoint, with progress updated by action owners, for measurement and audit purposes. Access has been provided for the Strategic Health Safety and Wellbeing Board to the Sharepoint site following requests made at the latest meeting.

### **Water Hygiene**

City Assets Maintenance Team currently manages water hygiene in 168 corporate buildings, community sites and schools. This management function excludes specialist equipment which certain services manage and operate direct. Examples of this service management are, swimming pools, paddling pools, flower watering tanks / equipment, water features and jet washing equipment.

The Site Responsible Person (SRP) duties are being reviewed by City Assets to define the role in respect of Building Safety Compliance. Building on the existing fire and asbestos SRP's roles the review is considering how it can be used to carry out the requirements of the Approved Code of Practice (ACOP) L8.

We have been using a dedicated external specialist contractor to carry out additional monitoring monthly sampling. Operationally our buildings have been using less water post pandemic, the impact of less water usage is the build-up of bacteria in the system, with a potential higher risk of Legionella. To mitigate the risk of legionella we have increased water sampling across the estate, this allows the team to focus on the water management activities.

4.15 *Act* : A formal strategic review of health and safety performance is essential. It allows the organisation to establish whether the essential health and safety principles – strong and active leadership, worker involvement, and assessment and review – have been embedded in the organisation. It tells us whether our systems are effective in managing risk and protecting people.

1. Performance on health and safety and wellbeing is increasingly being recorded in organisations' annual reports to investors and stakeholders.

Good health and safety performance should be celebrated at a central and local level.

As mentioned previously in this report health and safety features on the monthly meetings between the Chief Operating Officer and Cabinet member holding responsibility for that portfolio. These meetings include operational updates and any specific matters requiring attention.

In addition the Chief Operating Officer reports on the quarterly Strategic Health Safety and Wellbeing Board meetings to SEB.

It was noted at the previous report in September 2021 that previously there has not been an agreed formal reporting mechanism to Councillors on health and safety matters. This report is a continuation of this previous report and fulfils the requirements outlined in the organisation's Corporate Health and Safety Policy of having such a reporting mechanism.

An instrumental part of the 'Act' element is the identification of future activity, in response to both work undertaken and also emerging issues. Objectives for the management of health and safety in the coming 12 months include :

- Further embedding the health and safety teams routine audit and inspection programme to ensure that the review of health and safety arrangements across the organisation are effective.
- Ensuring that health and safety is effectively integrated into 'business change' discussions and models, following identification that during the last 12 months health and safety factors have not always featured to the extent that they should have done, and that the organisation would expect.
- Continue to progress the City Council's tree inspection and safety management programme.
- Further review and implement process and procedures to ensure the personal safety of employees and Councillors.
- Ensure that the judgement of the 'reasonably practicable' test with respect to health and safety is effective. The test ensures that organisations analyse the cost, time and effort elements of health and safety arrangements are appropriate. Linked to other corporate priorities this is particularly important in terms of the City Councils medium term financial strategy, to ensure that important organisational objectives and legal requirements continue to be met during challenging times in the provision of local authority services to our residents and communities.
- Continuing to develop the effectiveness, engagement and accountability from the Operational Health and safety groups.
- Continue to ensure that building compliance safety issues are adequately and appropriately implemented, monitored and addressed.

- Carry out further benchmarking of the City Council's performance with regards to health and safety particularly in the area of reactive health and safety performance data.
- Developing these and other health and safety objectives into a structured, and monitored corporate health and safety plan.

## **5.0 Conclusion**

- 5.1 The last 2½ years have seen significant changes in the personnel, structure and reporting arrangements of the health and safety team, together with the national and local pressures of the Coronavirus pandemic.
- 5.2 Further changes during the current year have seen this resource become increasingly effective in providing both reactive and planned health and safety interventions across the whole of the organisation.
- 5.3 Overall the health and safety team continue to react proportionally and pragmatically to the health and safety requirements of the City Council and our City's residents. It continues to be a challenge but as described recent recruitment and provision of non personnel resource have ensured that the competent health and safety advice required by the Management of Health and Safety at Work Regulations 1999 have ensured that the organisation continues to effectively address its health and safety responsibilities.
- 5.4 The demands on the health and safety team continue to be acknowledged by the senior management team in the organisation in supporting the provision of additional resources to ensure that the health and safety team will be in an excellent position to respond to both current and future demand.
- 5.5 As part of the preparation of this report for approval, colleagues in UNISON have been consulted and are pleased to support the content of the report. Dave Auger, Branch Secretary and Chris Cooper, Regional Health and Safety Officer, commented on the positive progression on health and safety over the last year. They noted the improvement in the visibility of senior management commitment to health and safety, and the development in the effectiveness of the health and safety consultation process through the Operational Health and Safety Groups. They were also pleased to see the acknowledgement and implementation for the expansion of the health and safety team which they feel has already started to yield results in promoting a better health and safety culture across the organisation.
- 5.6 It would be pertinent to highlight that whilst the overall assessment of the provision of a health and safety service is in a good place, there continues to be more that can and needs to be done with regards to embedding a constructive health and safety culture in all areas of the organisation and ensuring that health and safety risk is managed in the same business as usual way as other business and operational risks. These additional needs continue to be addressed on an as and when basis with the senior management team responding in an appropriate manner.

5.7 The previous report in 2021 concluded with a reminder about the approach to managing health and safety risk. It is appropriate that this report too, reminds members of the fact that there are potentially serious risks for 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. The key is sensible and pragmatic risk management namely:

- 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

5.8 The City Council is in a positive place in respect of the way in which it is meeting its Health and Safety duties and will continue to ensure that it takes these risks seriously and delivers on these duties.