

The Health and Safety Policy

Overview and Scrutiny Panel 26 September 2023

Report Author Stewart Bundy, Health & Safety Compliance Officer

Portfolio Holder Cllr Rob Yates, Cabinet Member for Corporate Services

Status For Recommendation

Classification: Unrestricted

Key Decision Yes

Reasons for Key Significant effect on the operation of TDC activities across the whole district

Previously Considered by Presented to CMT on 1st August 2023

Ward: N/A

Executive Summary:

The policy has been presented for review as there has been a substantive change to the content of the policy, which requires approval by the Corporate Management Team as stated in the current policy.

The reason for the review is as follows:

- Chief Executive endorsement/signature
- Senior Management Restructure;
- Corporate health and safety responsibility changes,
- Corporate health and safety committee restructure; and
- Legal Compliance:
 - Ensure the policy complies with the latest health and safety legislation, regulations, and standards relevant to the organisation and location.
 - Identify any new legal requirements that have been introduced since the last policy review:
 - Legislative updates to management standards linked to the policy.

CMT recommended that the policy should go to the Overview and Scrutiny Panel for comment and recommendation to the Cabinet.

Recommendation(s):

Overview and Scrutiny Panel is being asked to comment on policy and recommend to Cabinet.

Corporate Implications

Financial and Value for Money

There are no direct budgetary implications arising from the approval of the updated policy. The implementation of the updated policy across the organisation will ensure the Council uses its resources efficiently and effectively and crucially manages its exposure to risk.

Legal

The Health and Safety at Work Act 1974, section 2 (3) places a duty on the Council as an employer to ensure that a Health and Safety Policy is in place for managing health and safety across the organisation and that this be documented and shared with employees to ensure understanding and compliance with the expectations set out within it.

The Management of Health and Safety at Work Regulations 1999 impose further responsibilities on organisations to have in place effective arrangements for the management of health and safety.

The production and implementation of a Health and Safety Policy is a statutory requirement. It is vital that such a Policy exists to ensure legislative compliance with all relevant health and safety legislation. The updated health and safety policy will enable the councils to comply with its legal obligations under the Act with clear benefits namely:-

- Keeping staff and service users safe.
- Demonstrates a documented commitment to ensure compliance with relevant legal requirements.
- Offers clarity of expectations placed on different member and officer cohorts across the Council.
- Provides a framework for setting and reviewing Health and Safety objectives.
- Ensures all employees understand their obligations.
- Ensures all those in a managerial or supervisory role understand their obligations.
- Enables participation, consultation and communication with officers and stakeholders alike.
- Sets the framework for continual improvement of health and safety across the Council.

Risk Management

The Health and Safety Policy review involved several steps to ensure a comprehensive assessment of the policy's effectiveness and compliance. Below is a general outline of the review procedure:

- Review the existing Health and Safety Policy in detail to understand its scope, objectives, and provisions.
- Identify any previous recommendations or action items that were not fully addressed.

- Ensure the policy complies with the latest health and safety legislation, regulations, and standards relevant to the organisation and location.
- Identify any new legal requirements that have been introduced since the last policy review.
- Consult with the health and safety committee, and management, to gather feedback on the current policy's strengths and weaknesses.
- Benchmarking other similar councils' health and safety policies to identify areas where the policy can be enhanced to align with leading practices.
- Clearly outline any changes made to the policy and the reasons behind them.
- Present the reviewed Health and Safety Policy to management and relevant stakeholders for approval.
- Implement the approved policy updates and communicate the changes to all employees and stakeholders.
- Regularly assess the policy's impact, make necessary adjustments, and schedule the next policy review.

Corporate

Health and safety is considered a fundamental aspect of the corporate priorities for TDC. When health and safety are integrated into corporate priorities, it can lead to significant benefits, including improved employee well-being, reduced accidents and incidents, increased productivity, and enhanced reputation.

Equality Act 2010 & Public Sector Equality Duty

The policy covers all employees across the organisation and aims to treat everyone fairly regardless of protected characteristics. It seeks to ensure that there are no barriers to anyone accessing and making use of the policy and related procedures.

[Equality Impact Assessment \(Corporate Health & Safety Policy\) 230718](#)

Corporate Priorities

This report relates to the following corporate priorities: -

- *Health & Safety and well-being of staff*

1.0 Introduction and Background

1.1 The report is being brought to the Overview and Scrutiny Panel to comment and forward recommendations to Cabinet for decision. The current policy is out of date and requires a review under the current policy section 8.2; Monitoring and Review of the Policy which states that:

- This policy will be refreshed on an annual basis and reviewed on a three-yearly cycle. Minor alterations to the policy can be approved by the Strategic Director of Communities, Operational & Commercial Services in consultation with the Council's Health and Safety Committee. Any substantive

alterations to the content of the policy will be approved by the Corporate Management Team;

- A further Equality Impact Assessment will be completed if there is a major revision of this policy, which requires it to go to CMT

2.0 The Current Situation

2.1 The policy has been presented for review as there has been a substantive change to the content of the policy, which requires approval by the Corporate Management Team as stated in the current policy.

2.3 The reason for the review is as follows:

- Chief Executive endorsement/signature
- Senior Management Restructure;
- Corporate health and safety responsibility changes,
- Corporate health and safety committee restructure; and
- Legal Compliance:
 - Ensure the policy complies with the latest health and safety legislation, regulations, and standards relevant to the organisation and location.
 - Identify any new legal requirements that have been introduced since the last policy review.

3.0 Options

3.1 The Panel could recommend that Cabinet approves the proposed Health and Safety Policy before the Corporate Management Team issues the policy to staff and publishes it.

3.2 The Panel could recommend further amendments to the proposed Health and Safety Policy attached as Annex 1 to the report before Cabinet makes a final decision.

Contact Officer: Stewart Bundy Health & Safety Compliance Officer
Reporting to: Mattew Sanham Head of Finance & Procurement

Annex List

Annex 1: Policy Document with amendments
Annex 2: EIA Document

Background Papers

[HSE Guidance](#)

TDCMS170115 Trees and Hedges
TDCMS170601 Suspicious Package/Terrorist Incident
TDCMS170801 Electrical Safety (Public Buildings)
TDCMS170801 Fire Safety

TDCMS180801 Lone Working
TDCMS190201 Health Surveillance
TDCMS190415 Memorial Stability
TDCMS191011 Playgrounds
TDCMS200801 Gas Safety (Public Buildings)
TDCMS201010 Noise at Work
TDCMS210505 Work-Related Stress
TDCMS211011 Asbestos
TDCMS211011 Legionella and Water
TDCMS220801 Hand Arm Vibration
TDCMS220906 Health & Safety Audit

Corporate Consultation

Finance: Chris Blundell (Director of Corporate Services - Section 151)

Legal: Sameera Khan, Interim Head of Legal & Monitoring Officer