

The Health and Safety Policy

Cabinet	19 October 2023
Report Author	Stewart Bundy, Health & Safety Compliance Officer
Portfolio Holder	Cllr Rob Yates, Cabinet Member for Corporate Services
Status	For Decision
Classification:	Unrestricted
Key Decision	Yes
Reasons for Key	Significant effect on the operation of TDC activities across the whole district
Previously Considered by	Overview & Scrutiny Panel - 26 September 2023 considered this report had no amendments/comments and confirmed its progress to the Cabinet Agenda on the 19th of October 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):

Cabinet is being asked to approve the Health & Safety Policy.

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 Cabinet as the current policy is out of date and requires a review under the current policy section 8.2; Monitoring and Reviewing of the Policy which state 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.

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 and by the Cabinet.

2.2 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.

2.3 I would like to present to Cabinet a comprehensive overview of our organisation's safety policy to ensure that we maintain a safe and secure environment for all employees, customers, and partners. Safety is our top priority, and with your support, we can continue to foster a culture of safety throughout TDC.

3.0 Options

3.1 Cabinet could approve the proposed Health and Safety Policy before the Corporate Management Team issues the policy to staff and publishes it.

3.2 Cabinet could propose further amendments to the proposed Health and Safety Policy attached as Annex 1 to the report.

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](#)

Annex 3: Links to Management Standards

[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](#)

Background Papers

[HSE Guidance](#)

Corporate Consultation

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

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