

Chichester District Council

Corporate Governance and Audit Committee 27 September 2021

Corporate Health & Safety and Business Continuity Management

1. Contacts

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2. Recommendation

- 2.1 **That the Committee considers and notes the Council's arrangements in place for monitoring and controlling the risks associated with health and safety and business continuity matters.**

3. Background

- 3.1. This report provides an update on the current position of Business Continuity (BC) management arrangements within the Council.
- 3.2. The report also covers a brief overview of the Council's performance in relation to the health, safety and welfare of its staff and anybody else affected by its undertaking.

4. Outcomes to be achieved

- 4.1. To ensure that the Council has a robust business continuity management system that is simple to use in the event of a business interruption, the aim being to ensure that as many services, particularly key services, can continue to operate with as little disruption as possible.
- 4.2. To ensure that the Council is assessing its performance for Health and Safety (H&S) adequately and is concentrating its H&S resources in the correct areas to make improvements.

5. Progress Report for Business Continuity (BC) Management

- 5.1 Plans covering business recovery for council activities that must be reinstated with the first 3-days and over 3-days, and the critical staff list, are stored on the Council's internal IT systems and also on Resilience Direct (Government website for emergency planning - hosted off site). There is a system in place for ensuring that these plans are reviewed on a 6-monthly basis and this continues to work well. BC plans were last reviewed in April 2021.
- 5.2 Clearly CDC is currently operating in one of the most significant business continuity events ever experienced. The key threats have been loss of staff (albeit we have been able to manage this well), lockdown both preventing the normal use of Council premises and social distancing measures preventing

normal capacity/occupancy in Council premises and interruption of normal service delivery. However, the key critical services and the majority of the 'business as usual' services have continued to operate effectively.

- 5.3 CDC's ability to reinstate IT functions after a major loss has always been the biggest challenge for the Council, as it is for many organisations. The project to create and commission our new duplicate server facility (located at the depot) is now in the final stages. Our IT team are creating and commissioning the new duplicate server facility. Current focus is on reconfiguring all (over 100) corporate servers, stretching their IP (Internet Protocol) ranges to include working from the new back-up facility at the depot. This work is scheduled to be completed on 25 September, ahead of a full test over the weekend of 9 October. Once fully functioning, the off-site IT disaster recovery will significantly improve the Council's ability to recover from a business interruption involving loss of IT.

On completion of the project, the off-site facilities will ensure continuation of the Council's key IT systems in the event of losing functionality of the servers at East Pallant House. Having the ability to switch over to back-up servers will put CDC in a much stronger position to recover quickly after a significant IT incident.

- 5.4 A business continuity exercise was due to take place this year – this is currently deferred due to the Covid-19 pandemic.

6. Health and Safety Management

Total accidents for each year

Year	No of incidents
2018 - 2019	106
2019 – 2020	155
2020 - 2021	82

- 6.1 Service areas are required to record and submit, to the Safety and Resilience team, all (including those that are minor) accidents, incidents and near misses. These are all included in the accident statistics in this report. It is important for all accidents, incidents and near misses to be recorded and reported to the Safety and Resilience team to enable trends to be identified. This can prevent significant accidents or incidents occurring in the future. There has been a significant decrease in the number of reported accidents and incidents in 2020/21 but this can probably be explained by the direct results of the Covid-19 pandemic including staff working from home and the lockdowns.

Total number of RIDDOR incidents for each year

Year	Total RIDDOR	>7 days absent	Public to hospital	Major	Dangerous Occurrence
2018 - 2019	3	2	0	1	0
2019 - 2020	9	7	0	2	0
2020 - 2021	6	4	1	1	0

6.2 RIDDOR (Reporting of Injuries Diseases and Dangerous Occurrences Regulations) are certain categories of accidents that are reportable to the enforcing Authority – HSE (Health and Safety Executive). These include:

- deaths at work
- specified injuries (broken bones etc.)
- over 7-day injuries (injuries that result in the person being unable to return to work within a 7-day period); and
- members of the public being taken from the scene to hospital due to an accident that was potentially caused by poor safety management or a physical defect with a building or equipment.

6.3 There were 6 RIDDOR reportable accidents in the 2020-21 period. One of these was an elderly member of the public who reported a laceration to her shin caused by sitting on a broken bench in Priory Park. The other five all affected members of staff at the Westhampnett Depot (mainly over seven day injuries with one “specified” injury).

- Streets operative suffered injury to lower back while removing a bag from a street litter bin
- Streets operative suffered back injury while removing dog waste bags from dog waste bin
- Streets operative was assaulted while he was waiting in his car about to start work
- Grounds Maintenance Operative had his leg trapped by his work vehicle which rolled back onto it trapping his leg against a bollard
- Waste & Recycling Loader tripped over trailing fuel hose at the depot and suffered fracture (specified injury)

6.4 These have all been investigated and discussed with CCS management and there are no common trends beyond the first two (lifting and handling task) that give rise to concern.

Accidents by Type

Accident Type	2018 – 2019	2019 – 2020	2020 – 2021
Burn/Scald	2	0	0
Exposed to, or in contact with, a harmful substance	1	3	0
Fell from a height	4	1	0
Hit by a moving, flying or falling object	14	16	8
Hit by a moving vehicle	4	2	2
Hit something fixed or stationary	14	17	8
Injured by an animal	1	3	2
Injured while handling, lifting or carrying	13	20	8
Near Miss	17	30	15
Not in connection with work activity	3	7	1
Other kind of accident	1	3	3
Pre-existing medical condition	-	0	1

Slipped, tripped or fell on the same level	13	25	15
Contact with electrical discharge	0	0	0
Contact with sharps	3	1	1
Contact with moving machinery or material being machined	3	2	2
Physically assaulted by a person	1	1	1
Stung by an insect	11	7	7
Verbal abuse and threats	1	7	4
Violence & Aggression Third Party (non-staff)	-	10	4

- 6.5 Slips, trips and falls remain the biggest cause of accidents this year but at a much reduced rate from last year and near misses have joined them again as the most recorded type of incident. This is encouraging as it remains an objective of the Safety and Resilience Team to ensure that near misses are recorded as a check for trends and to identify areas for audit and inspection or minor intervention to prevent future accidents/incidents. Directors and Divisional Managers have been asked to continue to encourage their teams to report near misses and this is highlighted in all induction training sessions.
- 6.6 A good proportion of near misses in previous years have been generated by the work of our traffic management team at CCS. To create the safest possible environment for litter picking activities, the team sets out signage, cones and uses stop/go boards, etc. on the highway. Unfortunately, some road users ignore these measures and create situations that result in a near miss incident. Despite our management team taking this very seriously, and the teams implementing appropriate safety measures (described in section 6.11 below), these incidents had been increasing to a concerning level over the last few years. Due to the pandemic, many of the traffic management crew have had to be redeployed in other more critical areas of CCS. This has resulted in fewer traffic management jobs. As we move out of lockdown and towards business as usual this will continue to be an area for close monitoring by the Safety & Resilience team.
- 6.7 The number of accident/incidents in the category of 'Injured while handling, lifting and carrying' have reduced significantly in 2020/21. The rising rate had been a concern last year and so the reduction this year was encouraging to see and testament to management training and vigilance in monitoring operative activities (which commonly include pushing, pulling, lifting and carrying) at the Westhampnett Depot.
- 6.8 All three of the categories which involve physical and verbal abuse and threats have reduced. It is likely that the Covid situation may have influenced this reduction. It should be remembered though that prior to Covid this was a growing area of concern particularly in the Housing area so we will need to retain a watching brief on these particular statistics. The Safety and Resilience team have attended Housing team meetings to reinforce the importance of reporting issues of concern.
- 6.9 The other categories with a higher rate of interest are 'Hit something fixed or stationary' and 'Hit by moving, flying or falling object'. These have reduced

compared with the previous 2 years but are still two of our main accident types. Most are attributable to CCS and none were particularly serious. These were typically accidents where refuse loaders had walked into stationary objects, e.g. lamp posts, bushes, contact with bins, etc. during refuse collection and resulted in a fairly minor injury. There were no common causes or trends that would be a cause for concern or require improvement work.

Accidents by location

	2018 – 2019	2019 – 2020	2020 -2021
Location	Total number of incidents	Total number of incidents	Total number of incidents
Novium	1	3	3
Car Park	5	3	5
Depot, Yard or Tip	10	15	8
External Building Feature	-	0	1
Foreshores	1	1	1
Internal Building Feature	1	0	0
Kitchen or Welfare Area	4	1	0
Office	2	9	0
Other	3	5	4
Parks & Open Spaces	2	12	1
Reception / Public Area	8	9	0
Third Party Premises	2	3	1
Vehicle, Roadside or Round	65	85	48
Westward House	0	0	6
Workshop	2	9	4
Total	106	155	82

- 6.10 As usual the highest figure relates to 'Vehicle, Roadside or Round' which is to be expected as it correlates to our highest risk work activities, closely followed by 'Depot, Yard and Tip' which also relate mainly to work activities at the Westhampnett Depot.
- 6.11 Dangers to operatives working on the highway is a national issue that authorities and private waste companies have run campaigns on to try to improve. This applies to operatives involved in waste collection as well as street cleansing. CDC takes appropriate action by reporting all cases that are captured on camera. Vehicles are fitted with CCTV cameras and body worn cameras are used by litter picking teams. All highway working is fully risk-assessed, our staff are fully trained in the dangers of highway working and we ensure operatives wear appropriate safety clothing for highway working. The Safety and Resilience Team work closely with CCS management to challenge the circumstances around each incident report that we receive.
- 6.12 The remainder of the locations are much as expected with fairly small numbers although it is noted that the incidents allocated to offices including kitchens, welfare areas and reception/public areas have reduced to nil as most of these types of locations have been closed throughout the whole of the year due to Covid-19.

Training Courses delivered in the 2020 – 2021 period

Course Title	Attendees
Health & Safety Induction	22
Asbestos Awareness	34
First aid – 2 day refresher	1
Risk assessment	2
Risk assessment Refresher	2
Conflict Management & Physical Intervention	33
Dealing with Difficult Situations	19
Legionella Awareness	6
Total Attendees	97

- 6.13 We provide a comprehensive range of health and safety training courses for CDC staff and operate an effective system for recalling staff for refresher training at the appropriate timescales. Training has been curtailed by Covid-19 during this last year due to lockdowns, following government guidance on home working and social distancing which meant it was difficult to bring groups of staff together. Courses that we are able to deliver effectively online have been delivered that way and where possible we have signposted staff to our H&S modules on Learning Pool as an interim measure. All training was up-to-date prior to the pandemic so this has meant that there is a minimal backlog of training to deliver once restrictions are fully lifted.
- 6.14 We have however taken the opportunity to refresh the offerings on Learning Pool and purchased a couple of DVD's for fire safety and COSHH (Control of Substances Hazardous to Health) which will ensure that a blended approach to learning is maintained going forward.

Health and Safety Compliance Monitoring – 'Safetywatch'

- 6.15 The overall purpose of the Safetywatch scheme is not only to monitor that the workforce at CCS is working in compliance with the procedures/work instructions/risk assessments but to promote engagement with the workforce on health and safety matters. In addition to Safetywatch, formal 'crew monitoring' is undertaken by the supervisors in the waste team. We continue to find it extremely successful in engaging with the workforce; working with them to recognise good practice and improve safety.
- 6.16 Despite covid lockdowns, we have continued to conduct one Safetywatch visit per waste/recycling crew although many of these have had to be conducted remotely by using CCTV. Grounds maintenance, street cleaning and minor-works maintenance crews have had a very limited number of Safetywatch visits in the year due to Covid disruptions and difficulties. We issue green coloured cards to the crews for the good practices seen, yellow cards for practices that need improvement and red cards for any serious poor practices seen. We issued a green card to crews in most cases and several yellow cards; no red cards were issued.

Covid-19

6.17 As stated throughout the report, the pandemic has impacted on the Safety and Resilience team's ability to carry out all of our normal team functions. As the team deals with H&S, business continuity and emergency planning our focus quickly had to change. We have been continually involved in advising management and staff, writing new procedures, conducting risk assessments, establishing temporary processes, devising new forms, etc. since March 2020. We continue to be heavily involved in this but have managed to re-establish many aspects of business as usual over the last few months.

7. Resource and legal implications

7.1 There could be legal implications for the Council of not having a robust business continuity management system in place. If the Council is not adequately prepared for a business interruption then some of its statutory functions may not be capable of being performed.

7.2 There are potentially serious legal implications for the Council of not complying with Health and Safety legislation, i.e. imprisonment of individuals, fines for the organisation and/or individuals.

8. Community impact and corporate risks

8.1 There is a corporate risk of not having a robust business continuity management system as there would be financial, reputational and legal implications of not being capable of continuing to provide a service to the public.

8.2 There is a corporate risk of not complying with H&S legislation due to a risk of legal action against the Council. This is a financial risk to the Council through potential prosecution, fines, increase in civil claims, increased insurance premiums, risk of personal and/or corporate liability and reputational damage.

8.3 The Health and Safety Executive (HSE) are the enforcing Authority for Local Authorities. The HSE charges for its inspector's time under the 'Fee For Intervention' scheme. The scheme started in 2012 and its aim was to recover costs incurred in dealing with businesses which fail to comply with their legal obligations, as defined in health & Safety law. The rate is under review but is currently at £160 per hour per officer and is justified by the HSE as necessary to cover its operating costs. Just as a reminder an inspector needs to find a "material breach" to allow the fee clock to start running. The violation has to be serious enough for the inspector to deem it necessary to write to the duty holder to inform them that they must take action to address the breach.

9. Other Implications

	Yes	No
Crime & Disorder:		✓
Climate Change and Biodiversity:		✓
Human Rights and Equality Impact:		✓
Safeguarding and Early Help:		✓

General Data Protection Regulations (GDPR):		✓
Health and Wellbeing		✓

10. Appendices

None

11. Background Papers

None