

Chichester District Council

Corporate Governance and Audit Committee 18 July 2022

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 within 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 2022.
- 5.2 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 very final stages of testing. Initial full testing commenced over the

winter and culminated in a full test in early May. This proved to be a resounding success, with a number of critical project deliverables signed off. Some further fine tuning of the site and capability will be undertaken over the summer of 2022, with a full Post Project Evaluation report going before Cabinet in September. Once fully commissioned, the off-site IT disaster recovery will significantly improve the Council's ability to recover from a business interruption involving loss of IT.

- 5.3 Due to the pandemic having been the Council's most significant business interruption, which thoroughly tested our continuity arrangements, a BC exercise has been put back to early 2023.

6. Health and Safety Management

Total accidents for each year

Year	No of incidents
2019 - 2020	155
2020 – 2021	82
2021 - 2022	86

- 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 slight increase in the overall number of incidents reported in the 2021/22 compared to the previous year. We saw a significant reduction in incidents in 2020/21 which we believed may have been related to the pandemic. The full breakdown of the types of incidents are explained in the 'Accidents by type' section of this report.

Total number of RIDDOR incidents for each year

Year	Total RIDDOR	>7 days absent	Public to hospital	Major	Dangerous Occurrence
2019 - 2020	9	7	0	2	0
2020 - 2021	6	4	1	1	0
2021 - 2022	5	4	0	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 5 RIDDOR reportable accidents in the 2021-22 period. All five of these related to operatives at the Westhampnett Depot (four were injuries that resulted in the employees being absent from work for seven days or more as a result. One was a “specified” injury). The details of these accidents are set out below:

Over seven-day accidents:

- Refuse loader walked into a cast iron gutter whilst collecting a wheeled bin.
- Bulky household waste collection operative jarred his wrist when it got caught in the handle of the sack trolley he was using to move a piece of bulky household waste.
- Green waste loader strained his lower back when attempting to move a bin containing heavy green waste.
- Refuse loader suffered strained muscles to his ribcage after moving a heavy bin.

Specified Injury:

- Workshop employee diagnosed with Hand Arm Vibration Syndrome (HAVS). Employee has worked with vibrating tools for a number of years – both before and during his employment with CCS. Additional monitoring and control measures have been identified and implemented. CCS have had a vibration management system in place for a good number of years. An element of this is to provide health surveillance to staff who use vibrating tools. This case was identified through the health surveillance programme.

6.4 These have all been investigated and discussed with CCS management and there are no common trends that give rise to concern.

Accidents by Type

Accident Type	2019 – 2020	2020 – 2021	2021 -2022
Exposed to, or in contact with, a harmful substance	3	0	2
Fell from a height	1	0	1
Hit by a moving, flying or falling object	16	8	8
Hit by a moving vehicle	2	2	2
Hit something fixed or stationary	17	8	8
Injured by an animal	3	2	2
Injured while handling, lifting or carrying	20	8	9
Near Miss	30	15	19
Not in connection with work activity	7	1	2
Other kind of accident	3	3	5
Pre-existing medical condition	0	1	1

Slipped, tripped or fell on the same level	25	15	12
Contact with sharps	1	1	1
Contact with moving machinery or material being machined	2	2	2
Physically assaulted by a person	1	1	0
Stung by an insect	7	7	3
Verbal abuse and threats	7	4	6
Violence & Aggression Third Party (non-staff)	10	4	3

- 6.5 Slips, trips and falls remain the biggest cause of accidents this year but we have continued to see a reduction in these over the last 2 years (last year seeing the largest reduction). Near misses are again the highest number reported. These have increased slightly since the previous year. 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 The number of accident/incidents in the category of 'Injured while handling, lifting and carrying' have remained similar in this period. This remains testament to training and vigilance in monitoring operative activities (which commonly include pushing, pulling, lifting and carrying) involved at CCS.
- 6.7 All three of the categories which involve physical and verbal abuse and threats remain fairly constant, although there was a slight increase in 'verbal abuse and threats'. There has been an increase in the number of cases (4) of verbal abuse and aggression towards refuse collection crews by other road users. The other 2 reported incidents related to users of CDC's Housing service who can be challenging, particularly when alcohol, drug or mental health related. We continue to provide excellent training, support and physical measures to protect our staff.
- 6.8 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 remained consistent in number over the last 2 years but are still two of our main accident types. All 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

	2019 – 2020	2020 - 2021	2021 - 2022
Location	Total number of incidents	Total number of incidents	Total number of incidents
Novium	3	3	1
Car Park	3	5	0
Depot, Yard or Tip	15	8	7
External Building Feature	0	1	0
Foreshores	1	1	1

Internal Building Feature	0	0	0
Kitchen or Welfare Area	1	0	0
Office	9	0	2
Other	5	4	1
Parks & Open Spaces	12	1	2
Reception / Public Area	9	0	2
Third Party Premises	3	1	3
Vehicle, Roadside or Round	85	48	60
Westward House	0	6	6
Workshop	9	4	1
Total	155	82	86

6.9 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.

6.10 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.

6.11 The remainder of the locations are much as expected with fairly small numbers.

Training Courses delivered in the 2021 – 2022 period

Course Title	Attendees
Asbestos Awareness	3
First Aid 2 Day Refresher Course	8
H&S Induction - Face to Face	35
Manual Handling Awareness	3
Risk Assessment	6
Risk Assessment Workshop	4
Post Handling and Suspicious Packages	9
Sharps Training	7
Evac Chair Training	5
First Aid at Work (3 Day)	2
Legionella Awareness Briefing	3
Emergency First Aid at Work Course	2
Conflict Mgt & Physical Intervention	44
NEBOSH Award in Health and Safety	7
Physical Intervention - VAR Team	10
Corporate Inspection Training	15
Total Attendees	163

6.12 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 remained slightly curtailed by Covid-19 during this period. However, face to face training was reinstated as soon as government guidance allowed it. This has almost returned to pre-pandemic levels. We continue to offer a range of H&S courses on Learning Pool.

Health and Safety Compliance Monitoring – ‘Safetywatch’

- 6.13 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.
- 6.14 Despite some remaining disruption in the 2021/22 period, due to covid lockdowns, we have continued to conduct one Safetywatch visit per waste/recycling crew. During covid these were largely carried out remotely using CCTV. As soon as it was possible under government guidelines, we reverted to face to face monitoring which is the most effective way of conducting Safetywatch. 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.

Everyone Active (Westgate, Bourne and The Grange) H&S Performance

- 6.15 Everyone Active (EA) perform a Gold Standard Health & Safety Audit on an annual basis. All three Chichester sites were assessed. All sites scored above 96% this year and received excellent feedback from the regional Health and Safety Team.
- 6.16 Jackie Williamson (Westgate Leisure Centre) was nominated and reached the last three for large Wet site safety coordinator of the year as was Mark Sills (The Grange community and Leisure Centre) for small dry site.
- 6.17 An annual visit was undertaken, by the Safety & Resilience team, to each site to conduct a H&S audit of two key areas. The audits cover Legionella and Fire Safety management. The result of these audits is generally very good with only a few very minor points identified.
- 6.18 The accident rate for the contract was 0.07 per 1,000 visits. This compares to 0.115 in 2019/2020.

Summary of accidents/incidents across the three Everyone Active sites:

Accident Type	Number
A natural causes event	24
A sporting injury	30

Another kind of accident	24
Site	Total Number
Westgate	56
Bourne	8
The Grange	14
Site	RIDDOR
Westgate	1
Bourne	0
The Grange	0
Site	Colleague Accidents
Westgate	7
Bourne	0
The Grange	1

6.19 The one RIDDOR (Specified injury) related to a member of Westgate staff and involved a stored mirror which fell onto their arm. This accident was reviewed both internally by EA and externally by CDC. Changes were made to storage plans and the mirrors were disposed of.

6.20 No trends were observed from the accidents.

6.21 No insurance claims have been lodged for 2021/22.

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 adequately.

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 in place as there would be financial, reputational and legal implications for the Council of not being capable of continuing to provide services 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. An inspector needs to find a "material breach" to initiate the charging of fees to the Council. 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