

# Chichester District Council

Corporate Governance and Audit Committee      17 July 2023

## 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 2023.
- 5.2      The Council'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. Over the past 2 years the IT team have been building an offsite disaster recovery IT solution for the Council. In July 2022, following extensive testing, the site

became fully operational. It is best thought of in terms of a new business and service resilience capability – that will provide access to key systems in the event of a failure across the existing East Pallant House (EPH) server and IT network estate. This will significantly improve the Council’s ability to recover from a business interruption involving loss of IT.

## 6. Health and Safety Management

### Total accidents for each year

Year	No of incidents
2020 – 2021	82
2021 - 2022	86
2022 - 2023	91

- 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. We saw a significant reduction in incidents (around 50% fewer incidents) in the last 3 years compared to 2019/2020. The number has increased very slightly in 2022/2023 but is not a cause of concern, particularly as we have seen an increase in near miss reports (see 6.6 below), which are included in the total figure. The significant drop in incidents during the pandemic was noted by a number of other Sussex local authorities (LA). However, a reason for the reduction wasn’t obvious. 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	Specified	Dangerous Occurrence
2020 - 2021	6	4	1	1	0
2021 - 2022	5	4	0	1	0
<b>2022 - 2023</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>

- 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 The number of RIDDOR reportable accidents are usually around 6 per year. We have seen a reasonable decrease in the 2022/23 period with only 2. Both were classed as 'specified injuries'.
- 6.4 There were 2 RIDDOR reportable accidents in the 2022-23 period. Both of these related to staff, one being an operative at the Westhampnett Depot who fractured a wrist which had become trapped between two bins during high wind, and one was a member of the Foreshores team who had suffered a small fracture to his foot as he had stepped off the path onto the verge while allowing a member of the public to pass.
- 6.5 Both accidents were investigated and there was no concern relating to systems of work or H&S management.

### Accidents by Type

Accident Type	2020 – 2021	2021 - 2022	2022 - 2023
Exposed to, or in contact with, a harmful substance	0	2	4
Fell from a height	0	1	2
Hit by a moving, flying or falling object	8	8	8
Hit by a moving vehicle	2	2	1
Hit something fixed or stationary	8	8	7
Injured by an animal	2	2	0
Injured while handling, lifting or carrying	8	9	9
Near Miss	15	19	29
Not in connection with work activity	1	2	0
Other kind of accident	3	5	3
Pre-existing medical condition	1	1	0
Slipped, tripped or fell on the same level	15	12	16
Contact with sharps	1	1	1
Contact with moving machinery or material being machined	2	2	0
Physically assaulted by a person	1	0	0
Stung by an insect	7	3	7
Verbal abuse and threats	4	6	3
Violence & Aggression Third Party (non-staff)	4	3	1

- 6.5 Slips, trips and falls remain the biggest cause of accidents this year but this is to be expected and in line with HSE/national statistics. These are mainly attributable to the depot work activities and are not unusual for the industry, considering the differences in terrain and miles walked per day.
- 6.6 Near miss reports have increased significantly over the past few years, which is encouraging as it remains an objective of the Safety and Resilience Team to ensure that near misses are recorded. They allow us to 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 and refresher training sessions.

- 6.7 The number of accident/incidents in the category of 'Injured while handling, lifting and carrying' have remained similar in this period. This is related to training and vigilance in monitoring operative activities (which commonly include pushing, pulling, lifting and carrying) particularly at CCS.
- 6.8 All three of the categories which involve physical and verbal abuse and threats remain fairly low and reduced even further in the 2022/23 period. We continue to provide excellent training, support and physical measures to protect our staff including provision of body worn cameras and monitored emergency contact devices in some departments.
- 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' and 'stung by an insect'. These first two have remained consistent in number over the last 3 years but are still two of our main accident types. All are attributable to CCS and none were particularly serious. These include accidents where refuse loaders have walked into stationary objects, e.g. lamp posts, bushes and contact with bins and items falling out of bins etc. during refuse collection and resulted in fairly minor injuries.
- 6.10 There were no other common causes or trends that would be a cause for concern or require improvement work.

### Accidents by location

	2020 - 2021	2021 - 2022	2022 – 2023
Location	Total number of incidents	Total number of incidents	Total number of incidents
Novium	3	1	8
Car Park	5	0	5
Depot, Yard or Tip	8	7	8
External Building Feature	1	0	0
Foreshores	1	1	2
Internal Building Feature	0	0	0
Kitchen or Welfare Area	0	0	0
Office	0	2	3
Other	4	1	2
Parks & Open Spaces	1	2	2
Reception / Public Area	0	2	5
Third Party Premises	1	3	2
Vehicle, Roadside or Round	48	60	51
Westward House	6	6	2
Workshop	4	1	1
<b>Total</b>	<b>82</b>	<b>86</b>	<b>91</b>

- 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 and the Novium although most of the latter incidents were 'near misses'.
- 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 There was an increase in accidents at the Novium. This included 3 which were near misses, and 2 were members of the public that walked into the glass window at the front whilst exiting. Decals were fitted to the glass window in order to prevent a recurrence.

6.13 The remainder of the locations are much as expected with limited numbers.

### Training Courses delivered in the 2022 – 2023 period

Course Title	No. of attendees
Display Screen Equipment Assessors	15
Display Screen Equipment Workshop	5
First Aid 2 Day Refresher Course	1
H&S Induction - Face to Face	66
Risk Assessment	6
First Aid at Work (3 Day)	10
Ladder Safety	7
Working at Heights	1
Emergency First Aid at Work Course	2
Electrical Safety Awareness	9
Conflict Mgt & Physical Intervention	35
NEBOSH Award in Health and Safety	11
NEBOSH Refresher 1 day	10
Site Designated Officer	25
Managing Challenging Behaviour	9
<b>Total Attendees</b>	<b>212</b>

6.14 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. We continue to offer a range of H&S courses on Learning Pool.

### 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 All waste/recycling crews, street cleansing crews and grounds operations were observed at least once throughout the 2022/23 period. 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. The forms and system used for recording SafetyWatch visits has been refreshed for the 2023/24 period onwards. We have also committed to increase observations of waste/recycling crews to 2 per year – 1 of these will be remotely using the live on-board cameras.

### Directorate Health and Safety Challenges

- 6.17 Every few years, the Safety & Resilience team assist SLT with undertaking H&S challenges for their directorates. This involves the team attending meetings between directors and their divisional managers where we work through a series of questions to assess H&S culture and performance. It provides an opportunity for directors to check the level of compliance within their directorate. It is a positive process that looks to identify areas where compliance can be further strengthened. Even though the H&S culture within the organisation and general compliance is extremely good, there were a few actions identified, e.g., staff induction is an area that has subsequently been refreshed.

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

- 6.18 Everyone Active perform a Gold Standard Health & Safety Audit on an annual basis. All three Chichester sites were assessed. All sites scored above 90% this year and received excellent feedback from the regional Health and Safety Team (The Grange being one of only three sites in the region to be awarded 100%).

Mark Sills was nominated and reached the last three for Health & safety coordinator of the Year (The Grange community and Leisure Centre) for small dry site. The Grange won the award for Health & safety small site of the year.

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 – only a few very minor points identified.

Site	Total accidents for 2021/2022	Total accidents for 2022/2023
Westgate Leisure Centre	56	94
Bourne Leisure Centre	8	6
The Grange Leisure and Community Centre	14	16
Accidents per 100,000 visits (all sites)	0.07	0.09

No trends were observed from the accidents.

No insurance claims have been lodged for 22/23.

## 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 £166 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
<b>Crime &amp; Disorder:</b>		✓
<b>Climate Change and Biodiversity:</b>		✓
<b>Human Rights and Equality Impact:</b>		✓
<b>Safeguarding and Early Help:</b>		✓
<b>General Data Protection Regulations (GDPR):</b>		✓
<b>Health and Wellbeing</b>		✓

## 10. Appendices

None

## 11. Background Papers

None