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Date 8th December 2020

Dear Member

Community PDG – 8th December 2020

I am now able to enclose, for consideration at the next meeting of the **Community Policy Development Group**, the following reports that were unavailable when the agenda was printed.

To add to your agenda for the meeting on **8th December 2020**

7 Corporate Health and Safety Policy (Pages 3 - 10)

Health & Safety Policy – Untracked Changes

To receive, in accordance with the Health and Safety at Works Act 1974, the Council's Health and Safety at Work Policy has been reviewed by the Health and Safety Committee.

Yours sincerely

Carole Oliphant
Members Services Officer

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COMMUNITY POLICY DEVELOPMENT GROUP 8 DECEMBER 2020

HEALTH & SAFETY POLICY REVIEW

Cabinet Member(s): Cllr Nikki Woollatt
Responsible Officer: Catherine Yandle, Group Manager for Governance, Performance and Data Security

Reason for Report: To advise Members that, in accordance with the Health and Safety at Works Act 1974, the Council's Health and Safety at Work Policy has been reviewed by the Health and Safety Committee.

RECOMMENDATION: That the Community PDG approves the revised Health & Safety Policy and recommend it for approval to Cabinet.

Relationship to Corporate Plan: Health and safety impacts across all aspects of the corporate plan as there is an obligation on the Council to ensure that its activities do not adversely affect the health and safety of employees, members of the public, contractors and others with whom we interact.

Financial Implications: Failure to meet the Council's obligations could lead to serious financial implications. The maximum penalties for failing to discharge its duties are unlimited. In addition, litigation costs could be imposed through any civil action.

Legal Implications: Failing to comply with health and safety legislation and regulations could result in the Council being issued with Improvement/Prohibition Notices and/or prosecution. The Council would also be at risk of potential civil litigation.

Risk Assessment: Ensuring the Council has robust health and safety policies and procedures, which are proactively monitored, will ensure the health and safety of employees and those who are affected by its actions and also reduce the potential risk of legal challenges and civil litigation.

Equality Impact Assessment: The policy covers all employees across the organisation and aims to treat everyone fairly regardless of protected characteristic. It seeks to ensure that there are no barriers to anyone accessing and making use of the policy and related procedures. The policy as a whole seeks to advance equality of opportunity for and between different protected groups. The organisation has a range of other policies, projects and actions to help bring people together, e.g. Equality Training, Dignity at Work, Harassment Policy.

Impact on Climate Change: There are no implications regarding climate change.

1.0 Introduction

- 1.1 The Health and Safety Policy was approved by JNCC on 4 September 2018.
- 1.2 The revised Health & Safety Policy was approved by the Health & Safety Committee on 22 October 2020.

2.0 Future actions

- 2.1 In accordance with the Health and Safety at Works Act 1974, the Safety Representatives and Safety Committee Regulations, Mid Devon District Council will continue to review the Health and Safety Policy on an annual basis.

3.0 Conclusion

- 3.1 That the Community PDG approves the revised Health & Safety Policy and recommend it for approval to Cabinet.

Contact for more Information: Chris Hodgson, Health and Safety Officer, chodgson@middevon.gov.uk

Circulation of the Report: Members of Community PDG, Cllr Woollatt, Leadership Team



Health & Safety Policy

Version Control

Title: Mid Devon District Council Health and Safety Policy

Purpose: Health and Safety

Owner: Stephen Walford, Chief Executive

Date: 2021

Version Number: v4.0

Status: Draft

Review Frequency: Every three years

Next review date: January 2024

Consultation

This document obtained the following approvals:

Who	Date	Version Approved
Leadership Team		4
JNCC		4
H&S Committee	22/10/2020	4
Community PDG	17/10/2020	4
Cabinet		4

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1. Introduction

- 1.1 Mid Devon District Council (MDDC) has a duty under the Health and Safety at Work etc. Act (1974) to prepare, implement and revise as necessary a health and safety policy. MDDC's Health and Safety Policy sets out how the Council will discharge its duties in relation to the management of occupational health, safety and wellbeing of all staff.

2. Scope

- 2.1 The Health and Safety Policy sets out the arrangements for management of health and safety at MDDC. This policy statement has been agreed by the Leadership Team, Joint Negotiation Committee (JNCC), Health and Safety Committee, Community PDG and Cabinet.

3. General Statement of the Policy

- 3.1 MDDC is committed to providing an environment where the health, safety and welfare of all staff, contractors and visitors are maintained. MDDC commits to keeping up to date with safety legislation and best practice in all areas of health, safety and welfare and will review arrangements, with the aim to drive towards continuous improvement. We recognise that the best performing management systems have good arrangements for employee engagement and will consult with employees and/or their representatives on health and safety issues to ensure that they are able to raise and resolve, as far as is reasonably practicable, such issues with senior management.
- 3.2 MDDC will comply with the requirements of the Health and Safety at Work, etc. Act (1974) and other statutory provisions.
- 3.3 MDDC will provide and maintain safe and healthy working conditions, equipment and systems of work and will provide appropriate training, information, instruction and supervision for staff, contractors and visitors.

- 3.4 MDDC will make arrangements for the provision of an occupational health service appropriate for the risks faced by employees and to provide them with services to promote health and wellbeing.
- 3.5 MDDC will discharge its duty of care to any person who may be affected by the work of the Council. It will ensure that there are appropriate measures to control risk to the health and safety of the employees, contractors, visitors and members of the public and that these are acted upon.
- 3.6 MDDC will ensure that there appropriate arrangements in place for dealing with incidents such as fire or medical emergencies.
- 3.7 MDDC will encourage a positive health and safety culture through securing the commitment and involvement of all employees and those we work with through effective consultation and communication.

4. **Organisation**

4.1 Elected members:

- 4.1.1 Will ensure that there is suitable organisational structure and adequate resources to implement this policy and to operate effective risk control systems.

4.2 The Chief Executive:

- 4.2.1 Has responsibility for the management of health and safety and will sign the policy.
- 4.2.2 Will delegate implementation of the policy through the line management structure.
- 4.2.3 Shall make arrangements for the provision of competent advice on matters of health and safety policy, guidance and monitoring.
- 4.2.4 Will delegate, with the assistance of competent advice, the preparation of a Health and Safety Strategy that will include key safety performance indicators.
- 4.2.5 Will ensure that the attention of Councillors is drawn to information regarding health, safety and welfare where this has a bearing on their decisions.

4.3 Individuals

- 4.3.1 It is the responsibility of Council employees, visitors and contractors to ensure that their activities or behaviour do not knowingly create hazards for themselves or others. Failure to comply with the requirements of any part of the Health and Safety Policy is a disciplinary matter.

- 4.3.2 In particular they will be required to:

- take reasonable care for the health, safety and welfare of themselves and of other persons who may be affected by their acts or omissions at work;
- cooperate with management to enable the employer to carry out their legal duties or any requirements as may be imposed;
- not intentionally or recklessly interfere with or misuse any item provided in the interest of health and safety;
- bring any deficiencies in health and safety arrangements to the attention of their employer;
- report all accidents, incidents and near-misses through the Council's accident reporting system and additionally ensure that their line management are aware of any such events.

4.4 Managers and Supervisors

4.4.1 In addition to the responsibilities of Individuals, managers and supervisors will:

- foster safety awareness by personal interest and example and encourage a 'Safe Working' ethos and actively work towards a positive safety culture;
- supervise the implementation of any safety policies or procedures where responsibility has been delegated through the line management structure;
- ensure their staff understand the Council's Health and Safety Policy and that they comply with the associated rules relating to their work;
- ensure that all their staff are competent and trained to do their work and have sufficient information, instruction and training to be fully aware of the hazards and risks associated with their work;
- ensure that the appropriate risk assessments for their work activities are prepared and reviewed as necessary;
- ensure that safety practices and procedures are observed and that suitable measures and protective equipment is worn or used where appropriate;
- ensure that deficiencies found during inspections, reviews and audits are corrected, reviewed, repaired or replaced;
- continually develop and monitor safety practices and procedures;
- consult with their employees on all matters relating to health and safety and be responsible for bringing H&S information to their attention;
- set meaningful health and safety objectives for themselves and their team members through the annual appraisal process.

4.5 Senior Management

4.5.1 Senior Managers and Directors will be fully aware of the general duties under the Health and Safety at Work etc. Act 1974 and will ensure that in all functions under their control the Council's Health and Safety Policy is effectively implemented.

4.5.2 In addition to the responsibilities of managers and supervisors they will:

- foster safety awareness by personal interest and example and encourage a 'safe working' ethos and actively work towards a positive safety culture;
- cooperate with the corporate health and safety officer during safety inspections, reviews and audits;
- endorse the findings of such inspections, reviews and audits and prioritise corrective actions;
- where appropriate, review reports of accidents, incidents and near misses, and ensure corrective action has been taken to prevent or reduce the probability of reoccurrence;
- ensure that, in consultation with HR, sufficient personnel are nominated for safety roles within their area. These include First Aiders, Fire wardens and Service Area Health and Safety advisors.

5. Arrangements

5.1 Risk Assessments

5.1.1 MDDC will ensure risks are assessed across all activities of the Council. The Chief Executive will delegate responsibility for the completion of risk assessments through the line management structure.

5.1.2 The risk assessments will be recorded SharePoint and, where they meet the criteria, SPAR.

5.2 Consultation with employees

5.2.1 MDDC recognises Unison as the union that represents employees for consultation on Health and Safety under the Safety Representatives and Safety Committee Regulations 1977 (as amended) and the Health and Safety (Consultation with Employees) Regulations 1996 (as amended).

5.2.2 MDDC will consult with employees routinely on health and safety matters as they arise and formally at the review of this policy

5.3 Training

5.3.1 MDDC will ensure there are Health and Safety inductions for all staff and contractors and will provide appropriate health and safety training.

5.3.2 MDDC will support training provision through HR and the Council's Learning and Development Officer. Training records will be maintained by HR and reviewed by the Health and Safety Officer and internal audit.

6. Monitoring

6.1 The Council, will through the Corporate Health and Safety Officer:

6.1.1 Carry out regular workplace inspection.

6.1.2 Investigate any accidents or reports of ill health.

6.1.3 Regularly review policies and procedures whenever necessary.

7. Emergency procedures – fire and evacuation

7.1 Group Managers, Supervisors and Team Leaders with responsibility for the buildings they are operating in must ensure that:

7.1.1 There are emergency plans in place to deal with any potential emergency.

7.1.2 Emergency evacuation procedures are developed and implemented.

7.1.3 All fire safety checks are completed in accordance with the fire risk assessment.

7.1.4 Emergency evacuation procedures are tested from time to time.