

## **Audit Committee**

**27 February 2020**

### **Quarter 3 2019/20 Health, Safety and Wellbeing Performance Report**



---

## **Report of Resources Health, Safety and Wellbeing Strategic Group (HSWSG)**

Report of Kevin Lough, Occupational Health and Safety Manager, Resources.

### **Electoral division(s) affected:**

1. Countywide.

### **Purpose of the Report**

2. To provide an update to audit committee on the council's Health, Safety and Wellbeing (HSW) performance for Quarter three of 2019/20.

### **Executive summary**

3. Following attainment of the better health at work gold award, the council is progressing with the continuing excellence award submission in 2020.
4. Statistical data for Quarter 3 indicates continued trends as per previous quarters in relation to accidents and incidents with no outlying areas for focus. In particular, there are notable predicted decreases in relation to RIDDOR reportable over seven day related absences.
5. There have been 5 fire related incidents at various council premises during the quarter. Internal and external fires safety related auditing outcome are positive again.
6. Almost 300 investigations, proactive and reactive H&S audit related activities have been undertaken during the quarter. Internal and external enforcement fire safety auditing has again demonstrated good levels of compliance across a range of premise and service provision types.

### **Recommendation(s)**

7. That audit committee note and agree the contents of this report.

**385**

Accidents, incidents and near misses reported  
(361 in Q1 2019/20  
335 in Q2 2019/20)

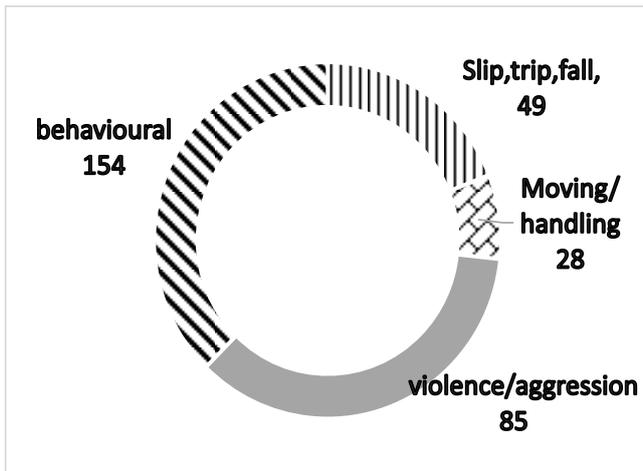


**96%**

Of all reported accidents are either no injury or near miss

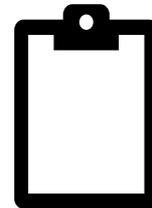


**Main Accident/Incident Causes**



4 RIDDOR 'specified' injuries, and 6 over 7 days absence RIDDOR injuries

**287 H&S audits, inspections and accident investigations**



• Better Health at Work Gold Award achieved



51 psychological work related incidents in Q3 2019/20  
(compared to 33 in Q2 2019/20, 39 in Q1 2019/20)

5 fire related incidents



18 internal fire safety audits of council premises

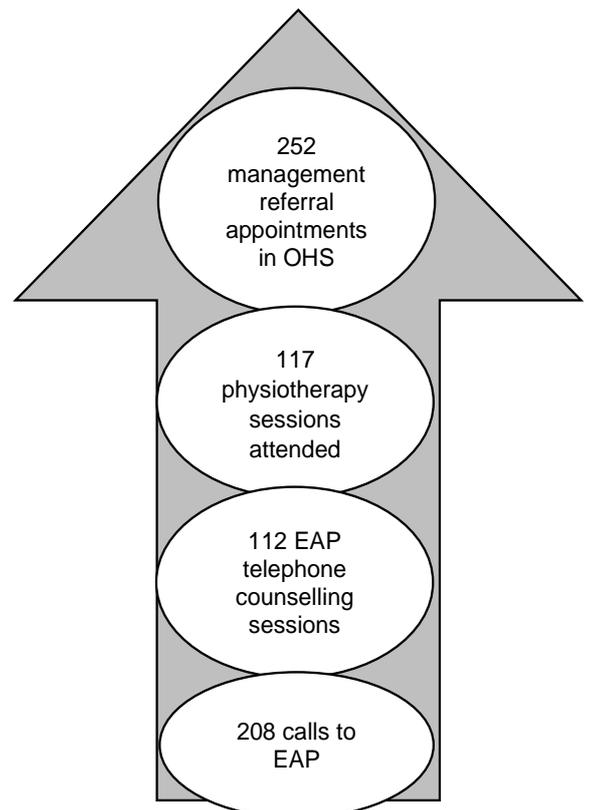
2 CDDFRS inspections of council premises with compliance outcome



7 Joint H&S/TU Safety Rep inspections

**0**

Enforcement related actions or advice from HSE/CDDFRS following inspections and audit activity



## **Consultation/Communication**

8. Trade Union H&S representatives continue to actively participate in the corporate and service specific H&S meetings. Each service grouping has an established H&S forum that has met since the last HSWSG meeting in October 2019. The H&S team continue to undertake a range of joint audit and inspection programmes in conjunction with trade union H&S representatives, particularly within Regeneration and Local services (REAL).
9. During Quarter 3 there were three joint inspections undertaken with trade unions employee safety representatives within REAL. Two inspections were undertaken within refuse and recycling and one within CPAL. There were also four joint audits undertaken alongside trade union representatives. All four joint inspections took place in Primary Schools.
10. An additional consultative forum has been established since the introduction of CPAL and this will reflect the revised service provisions within this area of REAL. Further consideration will be given to the requirement for additional consultative forums when the regeneration and economic growth and neighbourhoods and climate change service groupings are formed.

## **Fire Safety - Fire Audits (Internal)**

11. There have been 18 internal fire safety audits completed during Quarter 3. These were at a range of council premises such as Primary Schools, Hawthorn House, Net Park and Aycliffe Young Peoples Centre.
12. There were a number of positive findings which included fire risk assessments in place, housekeeping standards, regular fire drills and routine system checks being completed.

## **Fire Incidents**

13. There were five fire related incidents at Council premises or staffed premises during Quarter 3. These were at Epsom Court Woodham Village, Shotton Library, Aycliffe Secure Centre, Consett bus station and Riverside Park Chester le Street.
14. In relation to Woodham Village, the driver of a refuse vehicle realised that a fire had occurred inside the vehicle hopper. The driver used the portable fire extinguisher from the vehicle, but this did not extinguish the fire. While the use of the portable extinguisher by the RCV operative did not fully extinguish the fire, it did reduce the size of the fire. The fire service were called and applied water to the smouldering load and extinguished the fire in the load. The RCV and Fire Service appliance then proceeded to Heighington Waste Station where the load was dropped into the hot load bay and the fire service

confirmed that the load was fully extinguished. It is unknown what caused the fire, but it is believed to be a discarded battery.

15. At Shotton library the cleaner found the post-box open and the small fire extinguisher was found lying on the floor. It was believed that a suspected firework had been placed within the post box and had exploded within it thus displacing the extinguisher. The incident was investigated by the fire safety advisor who determined that it was not a firework that had been placed in the post box but was in fact an attempted burglary and the culprit had searched the post box and removed the extinguisher. The police were notified and confirmed that it was an attempted burglary and not an arson/fire incident. Police enquires are ongoing to identify the preparator.
16. One of the maintenance team at Aycliffe Secure unit reported that a towel had been thrown up onto a downlight in the pool area. After a while the towel had started to discolour and gave off a burning smell. A review of all the other light fittings in other areas used by young people revealed that other combustible items had been thrown onto the light fittings. These were removed and all staff have reminded to be vigilant regards this trend.
17. At Consett bus station a fire was started within a plastic refuse sack in one of the aluminium bins within the concourse. The fire itself was contained within the plastic bin bag and did not require fire service intervention. The bus station does have problems with anti-social behaviour, however it is monitored by CCTV which is linked to the control centre at Chilton depot, where staff can speak to youths via the tannoy system if they are identified engaging in anti-social behaviour. The police have been informed of the incident and regular checks of the bus station are now being carried out the local PCSOs.
18. An finally at Chester le Street Riverside Park it was reported that some youths who had been congregating within vicinity of the park pavilion had set fire to a plastic waste bin that was located near to a metal container and had set fire to the toilet roll and holders within the toilets. It is believed that the fire service was called to deal with the bin fire, however they have not yet confirmed this. It has been recommended that plastic bins be replaced with non-combustible bins and that they should be emptied regularly.

### **Fire Inspections – County Durham and Darlington Fire and Rescue Service**

19. There have been two CDDFRS inspections of Council premises during Quarter 3. These were at the Louisa Centre Stanley and Newton Aycliffe Leisure Centre. The outcome of these inspections were that the premises were deemed to be broadly compliant with Fire safety legislation.

## Health and Safety Team Audit, Inspection and Training statistics

20. During quarter three, the H&S team have undertaken a wide range of proactive and reactive activities across the Council as detailed in the table below.

Accident Investigations	Proactive/planned Audits	Reactive Audits/Advice
32	111	144

## Occupational Health Service

21. During Quarter 3, 252 employees participated in clinical consultations with the OHS, following management referral in relation to Long Term Sickness Absence (LTSA), Short Term Sickness Absence (STSA), Management Concerns (Man Con) Reviews, and Re referral appointments, Long Term Sickness Absence/Short Term Sickness Absence. The full OHS quarter 3 report is available at appendix 2 of this report.
22. During Quarter 3, 89 employees were seen for LTSA of which 30% (n=27) stated to the OHS that they consider the underlying cause to be due to work related factors. Of the 27 employees, 93% (n=25) identified this was due to 'psychological' reasons, 7% (n=2) identified as 'musculoskeletal'.

Additional Support services accessed via the OHS	A&HS	CYPS	ReaL	Res	TAP	Service not detailed	Q3, 19/20 Total	Q2, 19/20 Total	Q1, 19/20 Total	Q4, 18/19 Total	Q3, 18/19 Total
Number of routine physiotherapy referrals	6	5	14	5	4	-	34	29	31	26	34
Number of routine physiotherapy sessions	14	13	58	18	14	-	117	149	105	100	114
Number of 'face to face' counselling referrals	2	10	1	1	0	-	14	3	9	11	11
Number of 'face to face' counselling sessions	6	16	4	2	0	-	28	33	22	25	36
Total number of calls to the EAP	32	31	15	14	5	14	111	98	92	101	110
Telephone EAP structured counselling cases	13	16	7	10	4	10	50	14	11	8	11

Telephone EAP structured counselling sessions	28	13	12	10	0	0	63	62	58	54	47
Online hits	-	-	-	-	-	-	Not available	Not available	Not available	276	410

23. Routine physiotherapy clinics run one day per week in the OHS at County Hall under contract with the OHS. At the time of preparing this report (20/01/2020) the waiting time for an initial assessment is 6 working days. The OHS will continue to monitor this waiting time and report to this group.

### Health and Safety Training & Awareness

24. Various H&S training and awareness activities, some of which provided direct by the H&S team, have taken place across service groupings in Quarter three. These have included:
- Roadshows carried out for Technical Services, which included Violence and aggression and manual handling.
  - Go Home Healthy campaign carried out for drivers within Clean and Green.
  - Caretaker training session delivered.
  - Risk register training session delivered.
  - H&S awareness session delivered to fostering and adoption.
  - Fire marshal training sessions delivered.
  - Fire extinguisher training sessions delivered.

### Open Water Safety

25. The City Safety Group (CSG) and county wide Open Water Safety Group convened during Quarter 3.
26. It was positive to note that there were no reported water related incidents within the centre in the quarter three reporting period. The CSG has supported the festive 'be present at Christmas' public safety campaign which was led by CDDFRS and addressed a number of key safety topics including water safety, road safety and alcohol/drug consumption related risks. A review of licensed premise water safety related training and awareness has also been undertaken and it is envisaged that new training will be delivered in the first half of 2020.
27. In relation to antisocial behaviour within the city centre, a new multi-agency anti-social behaviour group has been formed to try and address some of the key issues within the city. Already there has been a positive response from

business and members of the public in relation to the provision of additional neighbourhood warden and police resources, work to support and reduce homelessness and application of enforcement actions.

28. From a County wide perspective, there were no reported open water related incidents during the reporting period. Planning has commenced in relation to prioritisation of actions required across the open water locations across the county ahead of the peak 2020 periods.
29. Work has commenced on the review of coastal risk assessments which were previously undertaken by the RNLI. Information has been shared with RNLI counterparts and an agreement has been made that county durham coastal locations and associated beaches will be re-assessed in 2020.

### **Employee Mental Health and Wellbeing**

30. The council has successfully achieved the better health at work gold award status following a final assessment of the evidence portfolio submitted in October 2019. Positive feedback was provided by the assessment body and this includes:
  - Production of a comprehensive strategy and action plan, which sets out that 'workforce health and wellbeing is a strategic priority for the council' and has corporate management team backing.
  - Recognition for achieving and exceeding the recommended 30% employee health and wellbeing survey completion which can be a difficult task for large organisations.
  - Successful delivery of five full and robust health and wellbeing campaigns comprised of multiple activities and with some good cross-topic links.
31. Following the completion and analysis of the better health at work award employee health and wellbeing survey in 2019, work continues to address key issues identified and communicate progress with employees across the council.
32. There is now progress being made towards achieving the continuing excellence better health at work award status. Amongst several requirements, continuing excellence status recognises the importance of organisations sustaining the progress they have made during their participation in the award and encourages them to use their experience to support others. It expects a continuation of raising health awareness with the workforce, through five local, regional or national health campaigns or events. At least some of these must have an element of sustainability (e.g.

will be repeated / has made a lasting difference to the organisation or groups of staff). There is an expectation to also provide a mentoring role to at least one other organisation taking part in the award and/or continue to actively promote the award to other organisations.

### **Violence and Aggression – Potentially Violent Persons Register (PVPR)**

33. At the close of Quarter 3 2019/20, there were 83 live entries on the PVPR register. The 12 month rolling figures for PVPR live entries are as follows:

<b>Year</b>	<b>Quarter</b>	<b>PVPR live entries</b>
2018/19	4	95
2019/20	1	89
2019/20	2	86
2019/20	3	83

Number of Live Records	83
Number of Additions	14
Number of Removals	14
Number of Warning Letters Sent	3
Number of PVPR Appeals	0

34. Breakdown by service of PVPR views in the last quarter is as follows:

- TAP - 17 people viewed 24 times
- CYPS - 100 people viewed 163 times
- AHS - 63 people viewed 109 times
- ReAL – 210 people viewed 657 times
- RES - 103 people viewed 1092 times
- Members- 8 people viewed 10 times

### **Corporate risks that may have an impact on Health and Safety as at 21/01/2020**

35. This is the current list, with a new addition since the last period.

Ref	Service	Risk	Treatment
1	CYPS	Failure to protect a child from death or serious harm (where service failure is a factor or issue)	Treat
2	REAL	Serious injury or loss of life due to Safeguarding failure (Transport Service)	Existing controls considered adequate
3	AHS	Failure to protect a vulnerable adult from death or serious harm (where service failure is a factor or issue).	Treat
4	T&P	Breach of duty under Civil Contingencies Act by failing to prepare for, respond to and recover from a major incident, leading to a civil emergency.	Existing controls considered adequate
5	RES	Serious breach of Health and Safety Legislation	Existing controls considered adequate
6	REAL	NEW RISK Serious injury or loss of life due to the Council failing to meet its statutory, regulatory and best practice responsibilities for property and land.	Treat
7	RES	Potential violence and aggression towards members and employees from members of the public	Existing controls considered adequate

### Statistical Information

36. The H&S team in conjunction with service H&S providers continue to record, monitor and review work related accidents, incidents and ill health. This data is captured through internal reporting procedures and the Corporate H&S Accident Recording Database (HASARD). It is important to note that when setting future performance targets this data should be utilised.

### Main implications

#### Legal

37. Compliance with statutory legislative requirements reduce risks of enforcement action and/or prosecution against the council or individuals. It will also assist in defending civil claims against the council from employees and members of the public, including service users.

## Finance

38. Compliance with legislative requirements will reduce increased service delivery costs, financial penalties associated with H&S sentencing guidelines 2016 and successful civil claims against the council. Financial costs may be insured to some degree and uninsured in some cases, with poor outcomes possibly leading to increased insurance premiums. Financial implications also include staff absence associated with physical and mental ill health, staff training, retention, recruitment and productivity.

## Staffing

39. In relation to impact on staffing due to employee absence from injury or ill health, attendance management, employee complaints and grievances, recruitment, selection and retention of employees.

## Conclusions

40. The Health and Safety team are proactively supporting revised service groupings to ensure that risks are assessed, controlled and managed accordingly. Training and awareness for managers and core employees is also being provided where required.
41. Striving for the better health at work continuing excellence award status will ensure employee support and awareness continues with pace. By the very nature of this award there will be ongoing opportunities and interventions to enhance and improve workforce health and wellbeing.
42. A number of fire related incidents occurred in quarter three and as in previous quarters, arson appears to be a recurring theme for several of the incidents. The outcomes of enforcement activity in this area remains to be positive and reflective of robust management standards being applied.
43. Statistical data indicates a positive outlook with only one quarter statistical data remaining for 2019/20. RIDDOR reportable over 7 day absence related incidents are on target for a significant reduction heading into the last quarter and specified injuries have remained relatively static.
44. It was positive to note that there were no reported open water related incidents within the city centre or county wide during the reporting quarter. Collaborative working continues in relation to risks associated with anti-social behaviour within the city centre and for other locality areas where this may be an issue. Further assurance regarding water safety in coastal areas will be obtained via RNLI risk assessments being undertaken in 2020.

## **Other useful documents**

45. Occupational Health quarter three 2019/20 Report
46. Health, Safety and Wellbeing statistical quarter three 2019/20 report

---

## Appendix 1: Implications

---

**Legal Implications** - Failure to comply with statutory legislative requirements may result in enforcement action and/or prosecution against the council or individuals. There are risks from civil claims against the council from employees and members of the public, including service users.

**Finance** – Failure to comply with statutory legislative requirements may result in enforcement action, including prosecution against the council or individuals. These enforcement actions may result in increased service delivery costs, financial penalties associated with H&S sentencing guidelines 2016 and successful civil claims against the council. Financial costs may be insured to some degree and uninsured in some cases, with poor outcomes possibly leading to increased insurance premiums.

**Consultation** - Service Grouping strategic managers and operational management staff have been consulted in the preparation of this report.

**Equality and Diversity / Public Sector Equality Duty** - Equality Act compliance ensures consistency in what the council and its employees need to do to make their workplaces a fair environment and workplace reasonable adjustments are required.

**Climate change**- None

**Human Rights** - The right to a safe work environment, enshrined in Article 7 of the International Covenant on Economic, Social and Cultural Rights, links with numerous human rights, including the right to physical and mental health and well-being and the right to life.

**Crime and Disorder** – None.

**Staffing** – Potential impact on staffing levels due to injury and ill health related absence, staff retention and replacement staff.

**Accommodation** – The report references H&S related risks associated with workplaces some of which may have impact on accommodation design and provision of safety systems and features.

**Risk** – This report considers physical and psychological risks to employees, service users and members of the public. Risks also relate to the failure to comply with statutory legislative requirements, which may result in civil action being brought against the council and enforcement action, including prosecution against the council or individuals. These enforcement actions may result in financial penalties, loss of reputation and reduction in business continuity.

**Procurement** – None