

Audit Committee

25 September 2020

Annual 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:

All electoral divisions.

Purpose of the Report

1. To provide an annual report to the Health, Safety and Wellbeing Strategic Group (HSWSG) on health, safety and wellbeing (HSW) performance for 2019/20.

Executive Summary

2. The Council has achieved the Better Health at Work gold award status and is currently in pursuit of continuing excellence in 2020/21 which demonstrates the organizational commitment in this area. gold award status in 2019/20. Additional emphasis has been placed on employee health and wellbeing, particularly during the initial stages of COVID 19, mental health awareness and associated interventions and activities, whilst remaining focused on statutory health and safety related requirements.
3. A second employee health and wellbeing engagement survey was undertaken as a requirement of Better Health at Work award criteria. This had a high level of response and indicates good levels of employee engagement and further opportunities to gather organisational intelligence and subsequent actions.
4. A proactive approach to H&S audit and inspections was maintained in 2019/20. Almost 60% of H&S audit and inspection activity remains proactive, and in excess of 500 risk based proactive audits and inspections were undertaken. This approach has enabled early identification of non-compliance whilst also identifying best practice and improvement of risk control measures.

5. Accident and incident statistics for 2019/20 indicate a 6.2% increase overall for the year (1,528 in 2019/20 compared to 1,432 in 2018/19). A further breakdown of these figures indicates that minor injury and no injury account for 95% of all reported accidents with RIDDOR reportable accidents accounting for only 2.6%. There was again a low number of RIDDOR specified injuries (most significant injuries) with only 5 reported.
6. The Occupational Health Service successfully achieved the SEQOHS (Safe, Effective, Quality Occupational Health Service) accreditation by the faculty of occupational medicine. Access and usage of the employee assistance programme (EAP) has again increased in 2019/20 following a series of awareness and promotional activities which are proving to be successful in raising awareness of the offer. There has been an increase in counselling referrals and associated appointments during this period.
7. In terms of fire safety, there were 16 fire related incidents in 2019/20 across a range of Council buildings with no injuries reported as a result. There were 108 internal fire safety audits undertaken throughout the year at priority locations and these were further supported by five CDDFRS inspections.
8. It is positive to report that there has been no enforcement action from enforcing authorities during 2019/20 in the form of improvement or prohibition notices. Positive assurance was obtained via HSE following inspections of schools and scrutiny of asbestos management arrangements.
9. H&S and OHS services began to play a pivotal role in supporting services and employees working safely and remaining healthy during the initial stages of the COVID 19 pandemic. H&S collaborative working with public health and HR also assisted in the development of procedures and guidance critical to employee health and wellbeing.
10. The H&S service offer will be further enhanced during 2020/21 by introduction of an improved accident and incident reporting system and H&S audit and inspection system. This will provide improved data analysis and reporting whilst providing an improved customer experience for internal and external stakeholders.

Recommendation

11. That Audit Committee note the contents of the Annual HSW/OHS report for 2019/20.

Contact: Kevin Lough Tel: 03000 263381

Health, Safety & Wellbeing 2019/20 in Numbers

1528

Accidents, incidents and near misses reported. A 6.2% increase from 2019/20 (1434)

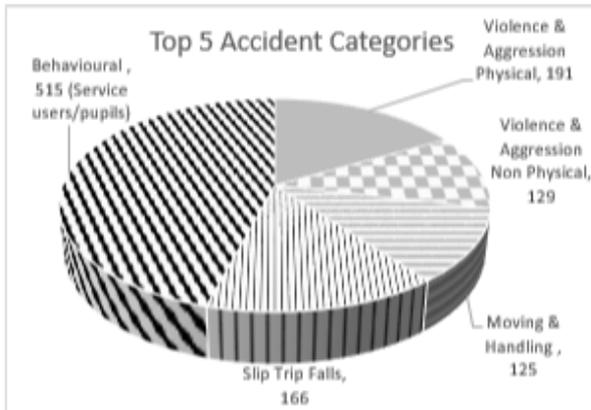


95%

Of all reported accidents are either no injury or near miss



Main Accident/Incident Causes 2019/20



Only 5 RIDDOR 'specified' injuries, Equates to 0.3% of all accidents

1,050 H&S audits, inspections and accident investigations



- Better Health at Work Gold Award Status
- Safe, Effective, Occupational Health Service (SEQOHS) Accreditation



- ✓ In excess of 130 mental health first aiders trained
- ✓ EMT, Tier 4/5 H&S awareness and mental health awareness training completed

16 fire related incidents



108 fire safety audits of council premises



19 Joint H&S/TU Safety Rep inspections

0

Enforcement notices from HSE/CDDFRS following inspections



463 employee counselling related activities via EAP

1,050+ employee appts following Mgt referrals

205 Health surveillance appts attended

473 employee physiotherapy sessions

Background

12. In line with statutory requirements, the Council produces an annual Health, Safety and Wellbeing (HS&W) and Occupational Health Service Reports which enables the Council to monitor and measure performance and prioritise areas of risk.
13. The Health, Safety and Wellbeing Strategic Group (HSWSG) continues to ensure that suitable priority is given to the management of HS&W within the Council. The group monitors the development and implementation of the Council H&S Policy to ensure that it is consistently applied throughout the Council and that performance standards are achieved and objectives met.
14. This report summarises the Council's HSW performance during 2019/20. It highlights the main achievements and outlines the main aims for 2019/20 and beyond. The Council's vision continues to be an exemplary employer in all matters relating to Health, Safety and Wellbeing and prevent injury and ill health to those at work and those affected by our work related activities.
15. In summary the Council's overall strategic aim is to demonstrate continued effective H&S management by:
 - (a) **Acting Together** – Promoting ownership of health, safety and wellbeing, encouraging a positive culture;
 - (b) **Tackling ill health** – Identifying the causes of ill health and tackling them proactively and effectively;
 - (c) **Promoting a positive culture** - Leading by example and ensuring health, safety and wellbeing is an integral part of everyday business;
 - (d) **Supporting and Enabling People** – Providing simple, straight forward support and advice to enable everyone to know what they have to do and do it well training, information, knowledge and instruction to safely fulfil their roles in the Council;
 - (e) **Ensuring Competence** – Providing employees and contractors with appropriate H&S and risks as the Council changes;
 - (f) **Keeping Pace with Change** – Anticipating and tackling new H&S challenges.
16. The H&S team and Occupational Health Service (OHS) have several service plan objectives which are to:

- ensure the Corporate Health and Safety Policy, supporting guidance and procedures remain reflective of statutory requirements. This will enable the Council to control risks and address current and future Health, Safety and Wellbeing (HSW) challenges and any legislative changes;
- ensure that proactive and reactive audit and inspection programmes are aligned and targeted towards strategic objectives and where evidence, statistics and intelligence indicate risks relating to HSW; and
- measure the effectiveness of the H&S interventions against RIDDOR performance targets and in line with Health, Safety and Wellbeing Strategy.

Council H&S Policy

17. The Council's H&S policy remains compliant with requirements and reflective of the organisational structure, responsibilities and arrangements for the management of HSW. This continues to be reviewed annually and has been amended to reflect organisational changes. It also describes the links between H&S and the key strategic plans of the Council. The policy states the commitment to HSW which has been personally endorsed by the Chief Executive and Leader of the Council.

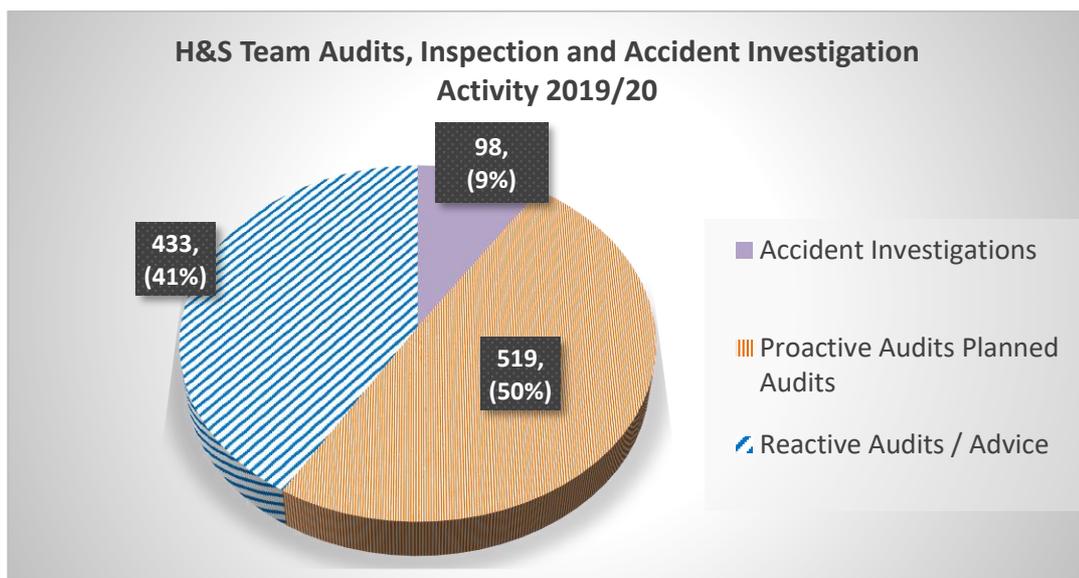
HSW Service Provision

18. [The Council H&S service](#) central corporate delivery model continues to provide an efficient and resilient H&S professional support service which has continued to professionally develop and improve service standards throughout 2019/20. Focus remains on provision of resources, advice and support to higher risk work related activities and associated foreseeable risks. It is imperative that there has been a continuation of sensible and proportionate approaches to risk management.
19. During 2019/20, in excess of 1,000 proactive/reactive H&S and fire safety audits, inspections and investigations were undertaken (Chart 1) in addition to those by operational employees.
20. In the latter part of 2019/20, the H&S service became a critical support and guidance provision during the initial stages of the COVID 19 pandemic. The H&S service supported all services in collaboration with other key professional support services such as Public Health and HR. Public Health England guidance was implemented across the Council to ensure that employees, service users and public remained as safe as possible. For those employees who remained at work providing essential services, risk

assessments and control measures were swiftly introduced to manage COVID related risks.

- 21. The H&S service have continued to support strategic aims and objectives of the Safe Durham Partnership relating to reducing harm in relation to public safety and open water safety both from a city centre and county wide perspective.
- 22. Progress continued in terms of service modernisation and development with the procurement of an electronic audit and inspection system and further internal development of the accident and incident reporting system. Both new systems are due to rolled out in the early part of 2020/21 and will enable increased efficiency, auditability and improved customer experience.

Chart 1- Proactive and reactive work undertaken by H&S team (including fire safety) in 2019/20.



- 23. Utilisation of resources to undertake proactive audits and inspections provide an essential method for early identification of hazards, non-compliance and driving forward improvements. This also enables provision of evidence in the defence of civil claims, particularly where audits have provided evidence of compliance.
- 24. In addition to H&S team auditing, joint audits with trade union employee safety representatives are also undertaken throughout the year. In total an additional 19 joint inspections were undertaken, involving higher risk work related activities. This collaborative working helps to ensure a consistent approach to health, safety and wellbeing is applied and trade union

colleagues appreciate the standards and expectation being placed upon their members.

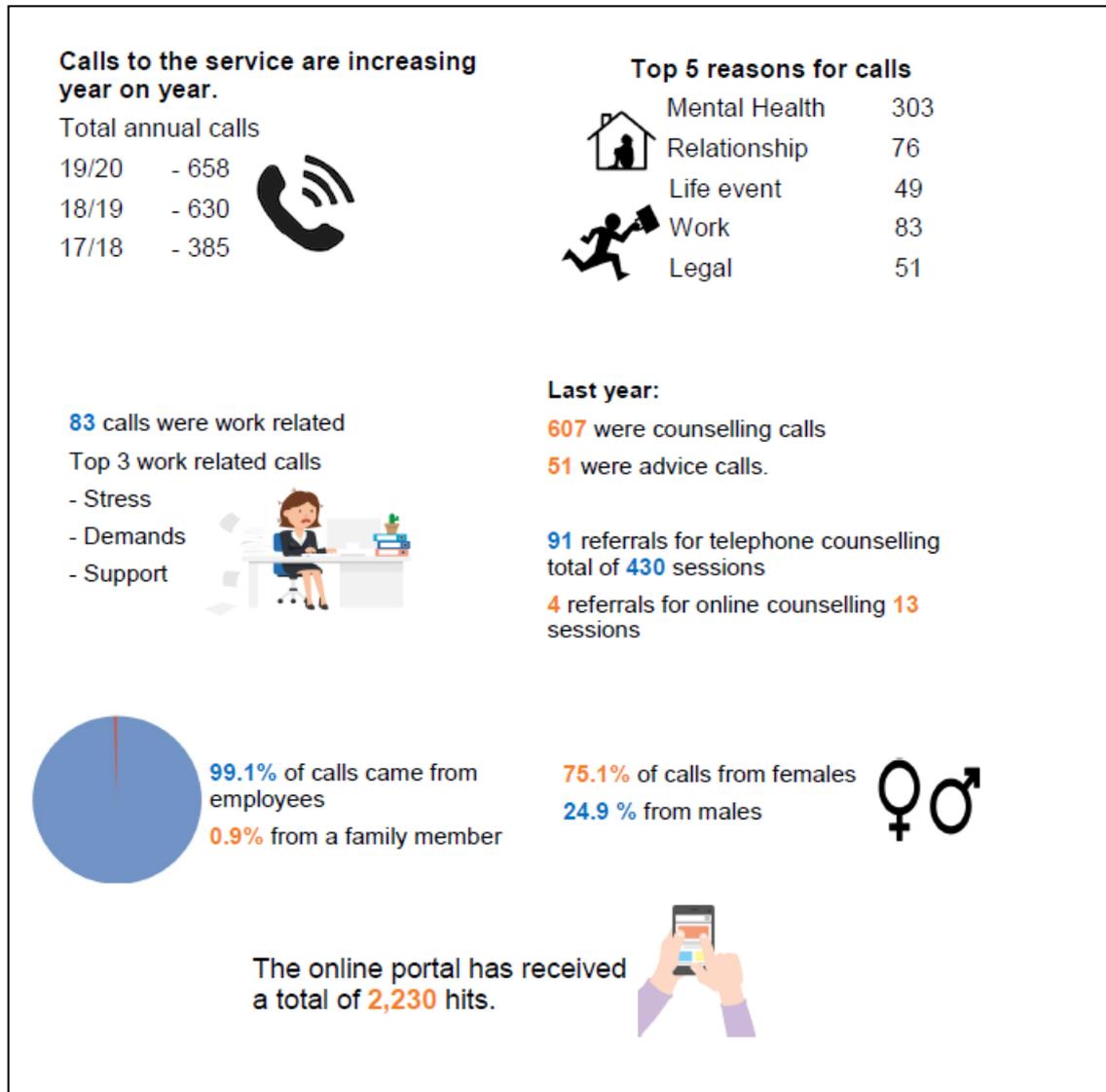
25. The H&S service has continued to retain the majority of service level agreement (SLA) buy back from academy schools and has also established various SLA's with parish and town Councils, community associations and schools from neighbouring authorities.

Occupational Health Service Provision

26. The Occupational Health Service (OHS) achieved the annual SEQOHS (Safe, Effective, Quality Occupational Health Service) reaccreditation. SEQOHS is a set of standards and formal recognition that an occupational health service provider has demonstrated that it has the competence to deliver services. Durham County Council is one of less than 200 OHS providers across the UK who have this accreditation standard. The scheme is managed by the Royal College of Physicians of London on behalf of the Faculty of Occupational Medicine.
27. OHS produce a specific annual report which indicates the contribution to supporting employees and their managers in addressing health issues that affect work. The data demonstrates the breadth of activity of the OHS and demonstrates the commitment of the OHS to pre-empt and pro-actively engage with health and work issues at an early stage. The usage of the employee assistance programme, which is provided via Health Assured, has again shown increased levels of access by employees following a range of promotional activities.
28. OHS have supported and enabled corporate and service grouping initiatives during the initial stages of the COVID 19 pandemic at the end of quarter four of 2019/20. In addition to providing COVID related clinical advice and guidance to employees and managers, OHS worked in collaboration with HR and Public Health to set up the internal employee COVID testing system and process. This has been successful in ensuring that employees who are symptomatic have prompt triage, access to a test where appropriate and have test results returned within 48 hours in most cases.
29. OHS supported and working with service groupings throughout 2019/20 in identifying proactive initiatives which can assist in targeting key risks and work activities. Specifically, this resulted in the continuation of a two year pilot of targeted physiotherapy services, education and awareness within Direct Services areas where musculoskeletal risks remain high and attendance management challenges exist.

30. An overview of EAP activity for 2019/20, obtained by OHS from Health Assured, is as follows:

Chart 2 EAP activity 2019/20



Fire Safety

31. Fire Safety advisers within the H&S team continue to assess and baseline the Council's compliance with the Regulatory Reform (Fire Safety) Order (RRFSO) as well as the Council's own fire safety procedures.

32. During 2019/20 there has been 16 fire related incidents which have occurred within Council premises and have been investigated by the fire safety advisers within the H&S team.

33. Whilst it is positive to report that there were no injuries to employees or others associated with any of the incidents, there was some property

damage. Full investigations were undertaken by fire safety advisers and managers from the respective premises following the incidents to ensure all corrective actions were identified and implemented. Where appropriate improvements have been made to internal procedures and liaison with County Durham and Darlington Fire and Rescue Service (CDDFRS) and the police has been undertaken where there has been criminal activity.

34. During the reporting period, 108 internal risk based internal fire safety audits were completed in a range of Council premises which provide a variety of services and activities. Audit and inspection priorities are given to higher risk premises and operational activities which continue to include residential schools, residential children's homes, Aycliffe secure unit, the four main service depots and the waste transfer stations. These premises are audited annually by the H&S team specifically in terms of fire safety. In addition, all supported housing schemes continue to be audited bi-annually.
35. In addition to the internal fire safety audits, CDDFRS safety officers have also undertaken five inspections of higher risk Council premises throughout the year. These inspections resulted in four premises being broadly compliant with fire safety legislation and one was deemed to have minor deficiencies and requiring minor improvements. The findings of these audits support the outcomes of the internal auditing in that the Council has good levels of fire safety standards in a range of workplace settings.

Open Water Safety

36. There remain two multiagency open water safety groups within County Durham. In terms of governance, both water safety groups report into the Safe Durham Partnership (SDP) and meet on a quarterly basis.
37. The City Safety Group (CSG) was chaired throughout 2019/20 by the Council's Director of Adult and Health Services and has representatives from the Council, emergency services and riparian landowners such as Durham University and Cathedral. Durham University student union is also a key member of the CSG. Chairing arrangements will change for 2020/21 with the corporate director for Neighbourhoods and Climate Change assuming this role.
38. From a County wide perspective, the open water safety group (OWSG) has a remit of reviewing the Council's internal open water safety policy and focusing on safety relating to areas of open water (e.g. lakes, rivers, reservoirs) other than in Durham city centre.
39. Table 1 below indicates the number of non-fatal and fatal water related incidents in County Durham since 2013/14. This data has been validated

using the national water accident & incident database (WAID), emergency services and Council incident reporting data. There was one recorded fatality for 2019/20 which involved a 13 year old male from Bishop Auckland. There were no suspicious circumstances and a file has been registered with HM Coroner.

Table 1- Open Water Incident Statistics 2013/14- 2019/20

Year	Durham City Centre			County Durham (Exc. Durham City centre)		
	Near miss	Injury	Fatality	Near miss	Injury	Fatality
2013/14	13	1	1	3	1	2
2014/15	5	1	4	5	2	3
2015/16	3	1	0	8	5	2
2016/17	2	1	0	1	2	1
2017/18	2	3	0	3	5	0
2018/19	3	6	1	1	1	2
2019/20	2	4	0	6*	3	1

*5 involved persons rescued from cars in flood conditions

40. Throughout 2019/20 the CSG has been monitoring the riverside development projects to ensure that any public safety issues and impacts were identified with the developers. A monthly cycle of inspection and monitoring continues in relation to the completion of all physical safety infrastructure works in the city centre. This provides the CSG with assurance that the control measures identified in 2016/17 remain effectively in situ and proactively identifies any further actions required.
41. The CSG has once again reviewed arrangements for student induction weeks to ensure that appropriate arrangements had been put in place and partners were working in collaboration. Extensive work was undertaken in quarter two of 2019/20 to ensure that safety related controls were in place for freshers week. This involved collaborative work with the police, university, business and licensed premises. The work particularly focused on the high footfall night time economy areas within the City and it was positive that the activities went safely and without incident.
42. The OWSG continues to manage and monitor County wide open water safety risks. A schedule of monitoring and reassessment of priority risk locations identified in the initial county wide assessment process continues to be applied in order to provide assurance. Specifically, reassessments of priority locations prior to the summer holiday periods are routinely completed to ensure that safety controls remain in situ.

43. The OWSG were responsible for planning and implementation of water safety educational campaigns throughout 2019/20. These included promotions of national drowning prevention weeks, safety carousels, launching of the national don't drink and drown campaign and the annual 'dying to be cool' cold water shock safety campaign. Secondary school assemblies promoting the dying to be cool campaign were provided in 2019/20 with Fiona Gosling takes a lead role in promotion along with the Councils H&S and one-point services. Approximately 2,500 pupils received the dying to be assembly in 2019/20.
44. Due to the COVID 19 pandemic, and restrictions particularly within schools, an alternative approach to the water safety campaigns will be taken in 2020/21. Key messages and awareness will still be issued as in previous years, but through a variation of social media and posters and alerts at high footfall open water sites across the county.

Employee Health and Wellbeing

45. The Council has successfully achieved its highest Better Health at Work status in terms of the gold award. Work has progressed towards the continuing excellence award status, particularly during the latter part of 2019/20 and throughout the start of the COVID pandemic, to further enhance employee health and wellbeing.
46. An employee health and wellbeing engagement survey was undertaken (pre COVID 19) in the first quarter of 2019/20. This survey enabled an improved level of intelligence in relation to a wide range of factors which affect the health and wellbeing of employees.
47. In total 2662 employees responded to the health and wellbeing survey (33% of workforce) compared to 2301 (27%) in 2017. Key areas where employees would like to be addressed in order to improve wellbeing were:
- Stress (65%)
 - Work life balance (54%)
 - Mental Health (54%)
 - Healthy eating (42%)
 - Physical activity (39%)
 - Back pain (37%)
 - Women's health (30%)
 - Cancer awareness (24%)
48. There were further positive results in that 76% of employees described their general health as being good or excellent. 79% of employees also rated their mental wellbeing as above average and responded that improved

workloads, less work, more staff, improved management and work environment would improve mental wellbeing.

49. Employee support was further enhanced by the training of an additional 130 mental health first aiders. This was further supplemented with additional Time to Change champions being introduced throughout the Council. Further promotions of Time to Talk day and Mental Health Awareness week also took place. Work was also undertaken with Durham Care and Support to run events associated with national carers week and provide support and information to employees who have carer type responsibilities.
50. Following the promotion of the employee assistance programme (EAP) during 2019/20, and particularly during the start of the COVID pandemic, there has again been in excess of 1,000 access hits to EAP online services. Calls have increased again in the reporting period in relation to access to counselling and various advisory services such as financial, bereavement, legal, health and relationship matters.

HS&W Safety Training and Development

51. In accordance with legislative requirements and key strategic objectives, the Council continues to identify and provide HS&W information, instruction and training to ensure that employees have the knowledge, skills, ability and confidence to take ownership and manage HS&W issues. HS&W related training continues to be identified by various means such as job descriptions, appraisals, and risk assessments and via proactive and reactive monitoring. The responsibility for the identification, organising and recording of HS&W training rests with the employing service grouping in accordance with the Councils H&S policy.
52. The H&S service provided extensive and intensive guidance regarding risk assessments and safe working procedures in accordance with government guidance during the initial stages of COVID 19. In particular for the essential services which continued to function and school settings which were facilitating key worker children and limited staff. H&S team members were also seconded into the PPE distribution cell at the end of quarter four and provided support in the infancy period of this new operational activity during initial impact of COVID 19.
53. Further H&S related training and awareness has been provided in the following key areas throughout service grouping in accordance with key risks and accident causes:
 - Musculoskeletal disorders;
 - Fire safety- use of extinguishers, risk assessment, fire marshal, evacuation chair operation;
 - Lone working;

- Violence and Aggression risk management;
- Asbestos awareness;
- Mental Health and wellbeing;
- Men's health;
- Manual handling/moving and handling of people;
- Work at height;
- Vibration, noise, skin cancer awareness;
- Educational visits

Risk Profiling

54. The Council continues to provide a broad range of services and subsequently is required to identify, control and manage some significant H&S related risks. If not managed appropriately, these risks may compromise performance and the ability to meet its statutory obligations.

55. The risk related focus during the latter stages of quarter four were targeted towards the new and emerging guidance regarding COVID 19. This required a swift and responsive approach to ensure that employees and service users remained safe. Pre COVID 19, a range of significant risk areas and activities continued to be a priority for the Council in line with national and regional sector intelligence. These being;

- Construction, Design & Management
- Asbestos Management
- Fire Safety
- Manual/Moving & Handling
- Workplace Transport
- Mental Health
- Open Water Safety
- Work at Height
- Refuse & Recycling
- Violence and Aggression

56. It remains crucial that the Council focuses on HSE fatality statistics as this emphasises the importance of continued focus on the above risk factors. The 2019/20 statistics indicate once again that construction related activities are most at risk followed by agriculture and waste and recycling sectors. The three most common causes of fatal injuries continue to be:

- workers falling from height;
- being struck by a moving vehicle;
- being struck by a moving object.

57. The above account for nearly 60% of fatal injuries in 2019/20. In terms of an ageing workforce, the new figures also continue to highlight the risks to older workers; 27% of fatal injuries in 2019/20 were to workers aged 60 or over, even though such workers made up only around 10% of the workforce.
58. The Council's potentially violent persons register (PVPR) remains a key mechanism for employee and elected members to access in order to view potential risks associated with their working activities. Where appropriate the Council has demonstrated that robust action will be taken to control risk and work with police to ensure safeguards are in place.
59. Throughout the year there have been planning related protests which have presented the potential for violence and/or aggression towards employees and elected members. Collaborative working has enabled protests to take place without incident and the safety of employees and elected has been maintained. Potential risks from violence and aggression remain on the strategic risk register.
60. The strategic risks are reviewed every quarter by HSWSG, in line with the Council's risk management strategy. A number of these risks may have an impact on HS&W if they occur, the Council's Risk and Governance Manager provides a quarterly update on these risks to the HSWSG. Service specific HS&W risks are monitored and managed via service H&S committee's/steering groups. Table 2 indicates the Corporate Risks that may have an impact on HS&W as of July 2019.

Corporate risks that may have an impact on Health and Safety

61. The below tables detail the Corporate risk that may have an impact on Health and Safety at the end of 2019/20. This also includes a COVID 19 related risk table.

Table 2 – Health and Safety Related Strategic Risks

Ref	Service	Risk	Treatment
1	AHS	Failure to respond to and recover from the COVID-19 pandemic, leading to delayed economic recovery and adverse impacts on the safety and welfare of the wider community.	Treat
2	CYPS	Failure to protect a child from death or serious harm (where service failure is a factor or issue)	Treat
3	REAL	Serious injury or loss of life due to Safeguarding failure (Transport Service)	Existing controls considered adequate
4	AHS	Failure to protect a vulnerable adult from death or serious harm (where service failure is a factor or issue).	Treat
5	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
6	RES	Serious breach of Health and Safety Legislation	Existing controls considered adequate
6	REAL	Potential 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
8	RES	Potential violence and aggression towards members and employees from members of the public	Existing controls considered adequate

Table 3 – Health and Safety Related Risks on the COVID-19 Risk Register

Ref	Risk
1	Shortage of PPE , potentially leading to a further escalation and serious, widespread harm to individuals.
2	Shortage of PPE for key DCC services and schools.
3	Spread of COVID-19 infection as a result of disruption to cleaning operations
4	Potential adverse impacts of COVID on employee health and wellbeing (infection).
5	Sickness absence of key staff - Crematoria (infection)
6	Potential virus transmission (infection) by contractors' employees, due to lack of clear Government guidance on COVID-19 safeguards.
7	Employee blames council for redeploying them to work in situations where they were more exposed to Coronavirus and therefore DCC failed in Duty of Care (infection)

8	Redundancies in recovery phase of the COVID-19 pandemic and impact on unemployment particularly in tourism, retail and suppliers in the automotive sector (health and wellbeing).
9	Increasing number of staff being attacked (violence and aggression) for practising social distancing when dealing with the public (highlighted by the Local Government Association)
10	Drug and Alcohol Recovery Service (DARS): Potential overdose by high-risk, vulnerable clients receiving the frequent (1-3 days) supervised consumption service, as a result of service withdrawal by pharmacy chains.
11	Failure of the HWC group to respond to the pandemic, leading to an avoidable increase in health inequalities .
12	If inspections of lifting and pressure equipment are suspended for a considerable period, then this increases the risk of an avoidable accident occurring (Lifting Operations and Lifting Equipment Regulations 1998).

Statistical Information and Performance Indicators

62. The Council continues to reactively record, monitor and review work related accidents, near miss, ill health data via internal reporting procedures by means of the H&S Accident Recording Database (HASARD). Quarterly reports are provided to the HSWG and service H&S committee's/steering groups.
63. Other than the above data, a range of other performance indicators have been used in this annual report to measure, monitor and manage the Councils H&S performance. These are:
- Proactive and reactive H&S Auditing (Internal & External);
 - Enforcement Action (Improvement/Prohibition notices and Fee for Intervention);
 - Employer Liability Claims;
 - Occupational Health Service data;
 - Employee engagement surveys;
 - H&S Training provision;
 - Health Surveillance and Management referrals.
64. A summary of the top-level HS&W performance data for 2019/20 is shown in the following tables with the 2018/19 data as a comparison. The Council employed an average total of 15, 910 employees throughout 2019/20 that equated to 12,729 full time equivalents (FTE).

Regulatory Interventions

65. There were no prosecutions, improvement, prohibition notices issued to the Council in 2019/20 by the HSE or County Durham and Darlington Fire and Rescue Service (CDDFRS). There were also no notification of contravention (fee for intervention where material breaches of H&S legislation had been identified) issued during 2019/20.

66. HSE inspectors visited three of the Council's maintained primary schools during 2019/20 to assess the management arrangements and control measures in relation to asbestos. The results of these inspections were very positive and inspectors were able to obtain all of the relevant assurances required to demonstrate robust arrangements being in place and a wider control system to support this.
67. From a fire safety perspective, there were five independent inspections of Council premises by CDDFRS during 2019/20. These resulted in either broad compliance or minor deficiencies in terms of fire safety management. All actions from the enforcement inspections have been closed out with the support of fire safety professionals within the H&S team. These were further supported by internal auditing by fire safety advisers within the H&S team.

Partnership Working

68. The Council continues to actively engage with a wide range of partners in a diverse range of H&S activities. Partnership approaches to addressing operational and community related risks play a pivotal role in harm reduction and risk control.
69. During the period 2019/20 several formal and informal partnerships focused on key H&S issues, examples include:
- In relation to the City Safety and County wide open water safety groups, the H&S team have worked closely with emergency services, regional and national local authorities, utilities companies, environmental organisations and recreational groups to address public safety issues. Work has also continued to be undertaken where required with industry experts in water safety such as the RoSPA, RLSS and RNLI.
 - Working closely with County Durham and Darlington Fire and Rescue Service to ensure fire safety standards are maintained and the outcomes of audit and inspection activities are implemented and monitored.
 - Working with Durham Constabulary regarding violence and aggression related risks in relation to individuals and protest groups presenting themselves at Council premises, community-based consultation events and public protests.
 - Work with wellbeing for life in the design and delivery of a managerial H&S and mental health awareness training sessions.

- Working in partnership with the Coal Authority in relation to coal mining legacy inspection outcomes and following incidents where old mining workings have collapsed or where construction work is required to secure and make safe structures on Council owned land.

Joint Consultation

70. The Council recognises the importance of effective arrangements for consultation and as a result appropriate structures have been established. Statutory consultation with employees takes place through trade union attended safety committees at both corporate and service grouping levels. There are many other methods of consultation including through employee groups such as focus and working groups, use of Council publications, intranet and email.
71. The HSWSG, chaired by Corporate Director of Resources, continues to monitor the development, implementation and review of the revised H&S Policy to ensure that it is consistently applied throughout the County Council and that performance standards are achieved.
72. HSWSG continues to meet on a quarterly basis and the core membership of the group continues to be made up of representatives from all Services Groupings, Trade Unions and specialist advisors i.e. H&S, Fire Safety, Occupational Health service and Public Health.
73. Each Service Grouping also has established H&S Committee /Steering Groups based on the HSWSG model and all met at least four times in 2019/20. Additional H&S committees were established during 2019/20 taking into account the new service structures.
74. Trade Union representatives actively participate in H&S service specific and corporate group meetings. Throughout 2019/20 there were 19 joint audit and inspections undertaken by the H&S team and Trade Union H&S representatives, mostly in higher risk activities within building services, highways operations and clean and green.

Monitoring H&S performance

75. Throughout 2019/20, periodic monitoring of the H&S performance within the Council included several tiers of monitoring which were integrated into the management of H&S both corporately and across services.
76. Specific monitoring and reporting arrangements included:

- Corporate and Service specific annual H&S performance reports presented to relevant management teams providing an overview of H&S management within DCC compared to the previous year, highlighting successes and areas for improvement.
- The HSWSG and Service H&S Committees/Steering Groups, chaired by Directors or Heads of Service met on a quarterly basis and monitored performance which included; progress against strategic objectives and significant risks, emerging H&S issues, incident statistics, development, investigation & audit findings and areas requiring improvement.
- Quarterly HSW reports presented to the overview and scrutiny and audit committees respectively.
- H&S Advisers and Trade Union Safety Representatives undertook planned joint inspections and audits of Council workplaces.

77. In addition to the above further monitoring of performance was undertaken and included accidents/incidents recorded on the Councils reporting system (HASARD) being reviewed by the H&S team; this included 1,528 to employees and 2,862 to non-employees.

78. Almost 100 formal accidents and incidents investigations, which included employees and non-employees, were undertaken by the H&S team with findings and recommendations passed to the relevant managers and parties concerned.

79. Continued monitoring activities of open water safety related assessments and control measures are being undertaken to ensure that they remain as safe as necessary.

80. H&S team supported Legal Services in the investigation of employer's liability claims made against the Council. Reviews of public liability and employee liability claims are undertaken on a quarterly basis to ensure that preventative risk measures and controls are identified and implemented.

81. A planned series of fire safety audits across a sample in excess of 100 Council occupied premises were undertaken along with fire risk assessments to ensure compliance with fire safety legislation.

82. H&S team have undertaken in excess of 950 pre-planned and un-announced audits and inspections of sites/premises to monitor the management of H&S, including Fire Safety.

83. Annual H&S/Fire safety audits in addition to external CDDFRS auditing, continue to be undertaken for priority risk premises such as Aycliffe secure centre, Woodlands School, children's residential schools/homes, waste transfer stations and service depots.

Main implications

Legal

84. 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

85. 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

86. 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

87. Priority and emphasis will continue throughout 2019/20 in relation to significant and foreseeable strategic and service specific risks. The rationale for prioritising is taken from national statistics for local authorities and occupational activities and services which the Council delivers. This was underpinned by in excess of 1,000 risk focused H&S and fire audits and inspections which were able to provide assurance and identify opportunities for improvement.

88. It became apparent in the latter part of the 2019/20 period that the potential impact of COVID 19 in terms of employee health and wellbeing would be significant. Proactive work was already commencing in terms of governance arrangements, planning and prioritising service delivery and associated safe working procedures and control measures. Demands on

H&S and OHS services were increased significantly as a result, whilst adapting to new ways of working and communicating with stakeholders.

89. Statistically it has been another relatively static year in comparison to previous years. There has been a similar number of RIDDOR specified injuries reported and these continue to equate to a significantly low proportion of overall accidents (0.3%). There was a positive statistic in relation to a 28% reduction in RIDDOR over 7 day reportable incidents. It is also positive to report that 95% of all accidents are either a near miss or no injury.
90. It was a positive year in terms of no enforcement action. There were several HSE and CDDFRS related enquiries following incidents and these did not lead to any further actions being taken. There was also a good outcome following a targeted review of asbestos managing within schools. This demonstrates compliance and high levels of assurance within this area.
91. In relation to the strategic aims and objectives there has again been progress across a range of areas which demonstrate improvements in relation to acting together, tackling ill health, promoting a positive culture, supporting and enabling people and ensuring competence of employees and those who may work on behalf of the Council.
92. Feedback from the latest employee health and wellbeing survey (pre COVID) produced positive results in the main. There are however some key public health related challenges such as diet, exercise and alcohol consumption which require further focus within the workforce. Whilst focus must always remain on statutory compliance, the emerging evidence base for a proactive approach to employee mental health reemphasises the positive impact this has on individuals and organisational performance and service delivery. From a broader public health perspective there are also clear benefits to families, communities and impact on health related services.
93. Achievement of the Better Health at Work Gold award status during this period and commencement of continuing excellence award status demonstrates the ongoing commitment to employee health and wellbeing.
94. In terms of governance there remains good levels of reporting and consultation from a service grouping and corporate perspective. Members of CMT and EMT chair and lead consultative forums and demonstrate health, safety and wellbeing as being a significant issue for the Council and ensuring actions are taken to reduce injury and ill health where required.

95. There will be a continued approach to take a sensible, proportionate approach to managing the hazards associated with our work activities. Continued work to place more emphasis on practical risk control, employees being accountable, taking responsibility and immediate action where necessary is essential to enable further cultural and performance improvements.

Other useful documents

96. Occupational Health Annual Report 2019/20.

97. Health, Safety and Wellbeing statistical reports 2019/20

Contact: Kevin Lough Tel: 03000 263381

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 health and wellbeing forums and trade union safety representatives 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.

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