

Audit Committee

25 September 2020

Quarter 1 2020/21 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 the Audit Committee on the council's Health, Safety and Wellbeing (HSW) performance for Quarter one 2020/21.

Executive summary

3. H&S and OHS service provision during Quarter one 2020/21 has been significantly impacted upon due to COVID 19. Both service areas have been focused on providing COVID 19 specific advice and support, working in collaboration with a range in other internal service providers to ensure work activities remain as safe a reasonably possible and in accordance with PHE guidance.
4. Both H&S and Occupational Health services (OHS) have led on and implemented significant interventions and transmission related control measures throughout quarter one in order to support the organisation, its employees and others affected by work activities.
5. Interventions have included the employee testing process, including initial triage within OHS. The process and associated arrangements for employee testing was swiftly established and delivered through OHS. This has enabled an efficient and effective process for employees to be promptly triaged by OHS nurses and sent for testing via NHS services where appropriate. This has also provided organisation intelligence on transmission related statistics and risk controls.
6. Members of the H&S team also provided technical and administrative support to the new PPE distribution cell at Chilton depot which provided PPE to internal services but also external health and social care services throughout County Durham and Darlington. Support has also been

provided to the vast numbers of homeworkers during this period and the set-up of ICT and office related equipment to employees working remotely from office bases.

7. For those essential services and key workers who continued to provide services through the initial stages of the lockdown, the H&S and OHS services provided prompt support to enable employees to continue with their roles and responsibilities. This required significant work involving production of additional risk assessments, employee briefings and safe working guidance. For those services returning to work and buildings reopening, support and advice has been provided to ensure that they are COVID secure and following the very latest PHE related guidance to control transmission related risks.
8. Emphasis has been placed during quarter one on employee mental health and wellbeing during the dramatically different ways of working that has been enforced as a result of COVID 19. H&S have worked to ensure that employee engagement has been completed in quarter one and further work scheduled in quarter two to explore and understand the outcomes of the initial engagement.
9. Schools related H&S advice and support has been as proactive as possible throughout this period with risk assessments specifically for school premises and working environments being provided, throughout a backdrop of trade union negotiations and input. There has also been the completion of an initial supply of PPE to schools and academies and arrangements in place to obtain additional supplies thereafter.

Recommendation(s)

10. That Audit Committee note and agree the contents of this report.

COVID 19 H&S Update

11. As anticipated the demands on the H&S and OHS services during the initial stages of COVID 19 were significant. Much of this was driven by the frequent changes in PHE guidance via government and also changes to restrictions within workplaces and work activities. The focus remained primarily on keeping employees as safe as reasonably possible and reducing risks to others in the wider communities from COVID transmission.
12. The Occupational Health Services (OHS) service was continuing with provision of normal services which were being delivered remotely via telephone and video calling wherever possible. OHS worked collaboratively with HR and public health to establish the employee testing process which was set up in at the end of April 2020 and has been instrumental in ensuring that employees are provided with a test at local NHS sites where appropriate. OHS have been triaging employees at the initial point of entry into the testing process and establishing if they meet the criteria for testing. If this is evidenced, employees are then referred to the testing administrators who arrange a test directly with the employee. To date the results of COVID 19 tests have generally been provided with 48 hours and the process has proven extremely efficient. The OHS team then record the result of the test and provide statistical data a range of internal services. Full details of COVID 19 related support is detailed in the quarter one OHS report.
13. In addition to the additional demands on the H&S service, particularly regarding risk assessments, safe working procedures and toolbox talks, several members of the H&S were seconded into a new PPE cell distribution service based at Chilton. The five H&S team members worked collaboratively with CPAL, highways services and building and facilities management in the initial stages to set up the new PPE ordering process and ordering database. This was required for the ordering and distribution of PPE to council employees and also externally for the local resilience forum PPE stocks to be distributed to external health and social care providers in County Durham and Darlington.
14. The H&S team have supported other initiatives during the quarter including the production of risk assessments for schools and advice to various educational groups on opening of schools for key workers and reopening of in schools in June 2020. Support for service restoration and building reopening's has also been provided to ensure that these are COVID secure and in compliance with PHE guidance regarding risk assessments and safe working procedures.
15. Key work was undertaken to support employees who were required to work at home. It was identified that ICT related equipment was required to be provided to those employees who may not have had it at home to support a safe working environment. Work was undertaken with ICT to establish

the ICT drive through facility at Meadowfield depot and also to ensure that other equipment such as office chairs and desks could also be obtained via facilities management. A series of home working guidance was also produced and provided to employees which highlighted the key aspects of safe homeworking, workstation set up and further support for mental health and/or family related matters.

16. COVID 19 related risk assessments have been uploaded onto the Council website. This is in accordance with government guidance which stated that employers with more than 50 employees would be expected to place their COVID19 related risk assessments in the public domain. Risk assessments detailing the overarching approach to Council buildings, activities and people and schools have been uploaded, with guidance indicating that other more detailed risk assessments would sit beneath these.
17. The H&S co-ordinated the support for PPE to schools during the quarter. This involved the identification of supply chains for the PPE, delivery of PPE to County Hall for sorting and picking to in excess of 280 establishments and volunteer support to undertake picking, sorting and delivery.

Consultation/Communication

18. 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 April 2020. 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 NACC and REG.
19. During Quarter one, there were no joint inspections undertaken in NACC and REG.
20. A monthly consultative management and trade union representative meeting, supported by H&S and HR officers, has been established at Aycliffe Secure Centre. This follows some concerns being raised by employees at the centre and enables a collaborative approach to reviews and improvements to working practices. Two meetings have taken place to date.
21. An additional consultative forum has been established since the introduction of CPAL and this will reflect the revised service provisions within this area of Regeneration, Economic and Growth (REG).
22. Discussions are to take place regarding holding separate health and safety committee meetings for REG and NACC.

Fire Incidents

23. There were two fire related incidents at Council premises or staffed premises during Quarter one. These were at Mountsett Crematorium and Consett Junior School.
24. At Mountsett crematorium it was reported that at 16:30 hrs on 27 May 2020 Cremator one started to pressurise and a fault in the abatement plant flue appeared, then flames started to come out of the rake door and ash pan.
25. An operative from IFZW has attended site since the incident and inspected No1 cremator and the abatement system. This operative has confirmed a blockage in the abatement system that would lead to a back pressure and the possible release of flames and other products of combustion from the cremator and this is the most likely cause of the incident.
26. At Consett Junior School, it was reported that at 17:00 hrs on 4th June 2020 a summer house in the school grounds was on fire which resulted in the fire service attendance to extinguish the fire.
27. Consett Junior school is accessed off Beechdale Road, and is surrounded on three sides by housing, the fourth side faces Belle Vue Park Playing Fields. Between the School fence and the park playing fields runs a public footpath.
28. The fire service was called at approximately 17:00 by a member of the public, who upon arrival found the summer house well alight. The fire service has recorded on their incident report circumstances of ignition were suspicious due to reports of children in the vicinity of the school grounds.
29. The school have been given some advice regarding the palisade fencing to deter trespassers and cutting down some foliage in the school fields to give better lines of site and in the long term to consider the installation of CCTV.

Fire Inspections – County Durham and Darlington Fire and Rescue Service

30. There has been no Fire and Rescue Service inspections of Council premises during Quarter one.

Enforcement Body Interventions & Significant Incidents

31. There have been no HSE visits during Quarter one; however following a RIDDOR report in relation to a pool hoist failure at Consett Leisure Centre (the failure of the hoist did not cause any personal injury to user) the HSE have contacted DCC H&S asking for further information such as copies of LOLER certificates, confirmation of SWL of the hoist, how DCC ensure the hoist is not overloaded and what inspections are undertaken.

32. It is noteworthy of this report to detail the HSE advice regarding reporting work related COVID 19 related cases under RIDDOR. To date there have been no reported cases of employee exposure under RIDDOR. The initial advice has been updated to provide further clarity on when to report. The current guidance on reporting includes reporting where:

- an accident or incident at work has, or could have, led to the release or escape of coronavirus. This must be reported as a dangerous occurrence
- a person at work (a worker) has been diagnosed as having COVID-19 attributed to an occupational exposure to coronavirus. This must be reported as a case of disease
- a worker dies as a result of occupational exposure to coronavirus. This must be reported as a work-related death due to exposure to a biological agent

Health and Safety Training & Awareness

33. 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 one. These have included:

- PPE training for customer services staff working in the PPE hub at Chilton;
- COVID 19 related H&S awareness training for CMT, EMT and Tier four and five managers;
- COVID 19 related risk assessment training;
- COVID 19 toolbox talks production and training.

Open Water Safety

34. There were restricted activities of both the City Safety Group (CSG) and county wide Open Water Safety Group (OWSG) during Quarter one due to COVID 19.

35. The CSG have commenced planning for freshers week in latter parts of quarter 2 and will be looking to undertake similar arrangements for last year which resulted in a positive outcome. Collaborative work with police, university, Walkergate management services, security providers and licensed premises will be undertaken to ensure risks relating to freshers week are managed.

36. In the absence of being able to deliver the dying to be cool cold water shock water safety campaign to schools throughout county durham, the OWSG identified alternative ways to deliver the campaign. This was important due

to the relaxation of lock down measures coinciding with warm weather and the risk of increased use of open water across the county.

37. This year's campaign was associated with the five year anniversary of the death of Cameron Gosling and work was once again undertaken with Fiona Gosling, Cameron's mother, to record campaign videos, undertake media interviews, design and deliver social media messaging. There were also arrangements made to erect posters and information cards at prominent open water locations across the county to highlight the dangers to those who may be entering into cold water.
38. The H&S team also undertook assurance auditing during the quarter of high profile destination parks open water related locations across the county to ensure that safety related control measures previously installed, remain in situ.

Employee Health and Wellbeing

39. Despite COVID 19, The council has been continuing to progress with the better health at work award continuing excellence award submission following achievement of gold award status. There has been progress in relation to the production of a comprehensive strategy and action plan, which sets out workforce health and wellbeing as being a strategic priority for the council.
40. Significant work was undertaken to provide employees with health and wellbeing related information and awareness to support them during the COVID 19 pandemic.
41. Information and awareness were targeted to those workers who remained at work undertaking their normal activities in terms of essential services and those who were working differently such as at home rather than in office facilitates. Significant emphasis was placed on the role of managers to ensure that employees were supported and knew how to access the employee assistance programme and other external support services.
42. Virtual training was delivered to CMT, EMT, Tier four and five managers throughout the quarter and this was to reinforce the importance of employee support, detail and availability of support services, expectations of managers and ways to maintain health and wellbeing.
43. Intranet and social media health and wellbeing information and awareness was published frequently during the quarter and this was supported by ongoing FAQ's for managers and employees which were produced collaboratively between HR, H&S and public health colleagues.

44. Work was undertaken to provide equipment for employees working at home. A drive through facility was established at Meadowfield depot which enabled employees to place order through the ICT portal and safely pick up ICT related items. Facilities management also set up an ordering system for provision of other office type equipment such as chairs and desks.
45. Occupational Health Service (OHS) also continued to deliver employee related management referral services during the quarter and supported managers during the process. OHS also set up, in collaboration with HR and Public Health, the employee testing process during the quarter. This ensured that that council employees who were symptomatic were able to be triaged by OHS nurses and arrangements made for testing at local hospitals where appropriate. Test results were being returned within 48 hours for most cases and the process was very successful in supporting employees and managing transmission risks associated with COVID 19.

Occupational Health Service

46. During the quarter, 257 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 (LTSA/STSA)

Management Referrals – Employee Attribution

47. During Quarter, 117 employees were seen for LTSA of which 35% (n=43) stated to the OHS that they consider the underlying cause to be due to work related factors. Of the 43 employees, 88% (n=38) identified this was due to ‘psychological’ reasons, 12% (n=5) identified as ‘musculoskeletal’. See Charts 4 & 5 below.

Chart 4

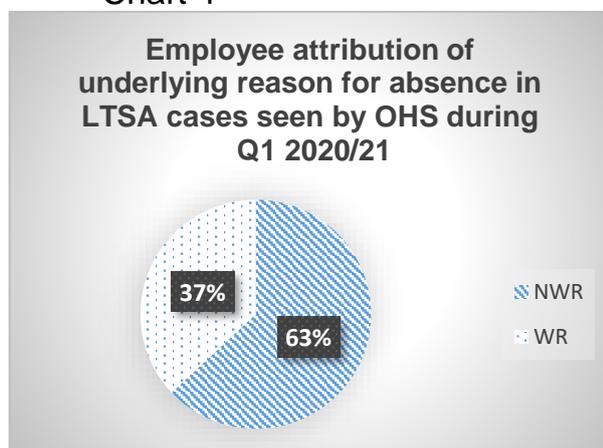
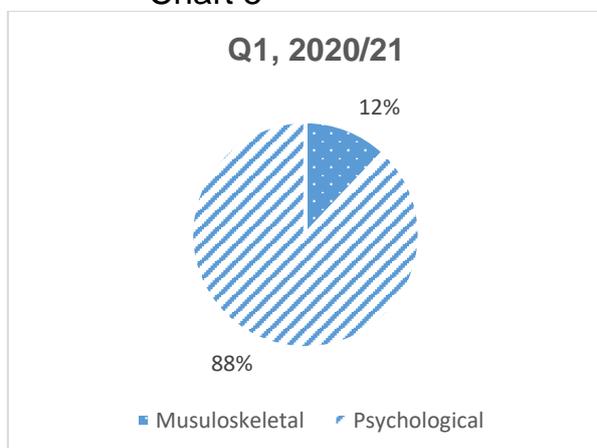


Chart 5



48. Routine physiotherapy clinics run one day per week in the OHS at County Hall under contract with the OHS, the clinics have been taking place remotely by telephone and some assessments carried out by video link. A change of process has been agreed and as a result providing consent is given by the employee, reports provided by the physiotherapist that include work related advice will be forwarded to the manager. At the time of preparing this report the waiting time for an initial assessment is 1 working day. The OHS will continue to monitor this waiting time and report to this group.
49. The OHS has arranged the introduction of the covid testing process for employees, elected members and their families liaising with public health and HR colleagues to achieve an efficient service. This ensured that that council employees and their families who were symptomatic were screened by OHS nurses and arrangements made for testing at local hospitals where appropriate. Test results were being returned within 48 hours for most cases and the process was very successful in supporting employees and managing transmission risks associated with COVID 19. This has been a challenging process due to the rapidly changing advice from the government.
50. Due to recruitment of temporary staff and redeployment into adults and childrens services to ensure adequate cover during the pandemic the OHS have fast-tracked pre-employment assessments in these areas and provided Hepatitis B immunisation to those being redeployed to areas where this risk has been identified.

Violence and Aggression – Potentially Violent Persons Register (PVPR)

51. At the close of Quarter one 2020/21, there were 83 live entries on the PVPR register. The 12 month rolling figures for PVPR live entries are as follows:

Year	Quarter	PVPR live entries
2020/21	1	83
2019/20	4	91
2019/20	3	83
2019/20	2	86

Corporate risks that may have an impact on Health and Safety

52. 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

12	If inspections of lifting and pressure equipment are suspended for a considerable period, then this increases the risk of an <u>avoidable accident</u> occurring (Lifting Operations and Lifting Equipment Regulations 1998).
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Main implications

Legal

53. 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

54. 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

55. 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

56. The impact of COVID 19 has been significant in relation of provision of H&S and OHS services. This has, as anticipated, impacted on business as normal activities in terms of changing the service delivery methods and also ceasing some aspects of proactive audit and inspection activity.
57. Nevertheless H&S and OHS services have been able to successfully deliver core statutory business functions and also adapt and be able to provide new and emerging COVID 19 specific guidance to council services and work activities. This has enabled employees to work safely whether that be at home or when delivering essential services.
58. Significant efforts have been made to ensure that COVID 19 related risk assessments and safe working procedures have been put in place across all service groupings during the various stages of the pandemic and

published guidance from central government and PHE. Key support was provided to the former REAL service areas, particularly where employees had been seconded onto unfamiliar duties in order to support essential service provision.

59. The H&S team have provided significant resources to schools in particular to enable them to support key workers in the initial stages of lockdown and also during the re-opening phases throughout June and also ahead of September 2020.
60. It was also positive that the H&S service was also able to support key initiatives during this period such as the PPE distribution cell for internal services and local resilience forum provision to the health and social care sector in County Durham and Darlington.
61. Employees have been provided with additional assurances via the testing process which was established with OHS. This has provided an efficient and effective process for employee triage, testing and result provision.
62. It was positive throughout this period that despite the restrictions due to COVID 19 the annual water safety campaign has also been delivered, albeit by alternative methods, during a key risk period in the calendar.

Other useful documents

63. Occupational Health quarter one 2020/21 Report
64. Health, Safety and Wellbeing statistical quarter one 2020/21 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