
Report of Corporate Management Team

Report of Kevin Lough, Occupational Health and Safety Manager.

Electoral division(s) affected:

All electoral divisions.

Purpose of the Report

- 1 To provide an annual report to Audit Committee on Health, Safety and Wellbeing (HSW) performance for 2020/21.

Executive Summary

- 2 Health and Safety (H&S) and Occupational Health Services (OHS) have played a pivotal role in supporting services and employees working safely and remaining healthy during the various stages of the pandemic. H&S and OHS led and supported in several key area such as the PPE distribution cell at Chilton Depot, employee PCR and LFD testing and setting up vaccination hubs for health and social care staff. Collaborative working with a range of internal and external stakeholders ensured that these interventions were successfully established and delivered.
- 3 There has been an ongoing requirement to adapt and change risk control and mitigation measures associated with COVID which have seen regular changes to risk assessments and safe working procedures for services and schools, vulnerable persons guidance and changes to COVID PPE requirements. Through the reporting period there has been good levels of compliance and assurance evidence both internally and externally by the H&S team and the Health and Safety Executive(HSE).
- 4 The Council has achieved the Continuing Excellence Better Health at Work award which demonstrates the organisational commitment in this area. Additional emphasis has continued to be placed on employee health and wellbeing, particularly mental health awareness and associated interventions, support mechanisms and activities.
- 5 Despite the pandemic and restrictions there continued to be a provision of proactive H&S audit and inspections across services. Almost 200 audits and inspections were undertaken with an overall compliance rate

of 93.09%. Of these audits and inspections, those undertaken specifically to review COVID premises compliance, resulted in a 96.25% compliance rate. This approach has enabled early identification of non-compliance whilst also identifying best practice and improvement of risk control measures.

- 6 Accident and incident statistics for 2020/21 highlight a significant decrease of over 50%. In particular there was a reduction in non-injury and minor injury category accidents, with RIDDOR over seven day and specified injuries remaining similar to 2019/20. 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 approximately 5%. There was again a low number of RIDDOR specified injuries (most significant injuries) with only four reported.
- 7 The OHS successfully achieved the SEQOHS (Safe, Effective, Quality Occupational Health Service) accreditation by the faculty of occupational medicine. There has been a good level of access and usage of the employee assistance programme (EAP) following a series of awareness and promotional activities which are proving to be successful in raising awareness of the offer.
- 8 In terms of fire safety, there were fifteen fire related incidents in 2020/21 across a range of Council buildings with no injuries reported as a result. There were thirteen internal fire safety audits undertaken throughout the year at priority locations, and these were further supported by five CDDFRS inspections.
- 9 It is positive to report that there has been no enforcement action from enforcing authorities during 2020/21 in the form of improvement or prohibition notices. Positive assurance was obtained via HSE following general H&S and COVID inspections of schools and other Council services and premises.
- 10 The H&S service offer has been enhanced during 2020/21 via the introduction of an improved accident and incident reporting system and a H&S audit and inspection system. The systems 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 Health, Safety and Wellbeing performance report for 2020/21.

Health, Safety & Wellbeing 2020/21 in Numbers

749

51% annual decrease in Accidents, incidents and near misses reported (1528 in 2019/20 & 1434 in 2018/19)

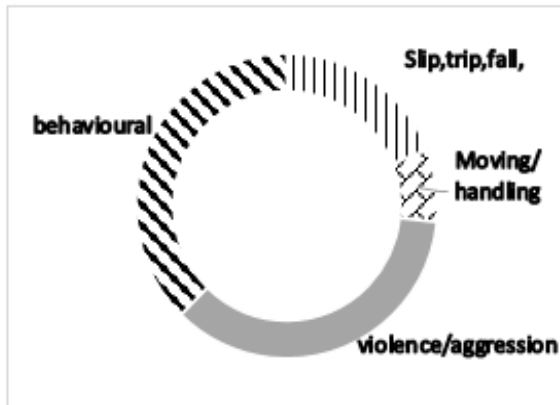


95%

Of all reported accidents are either no injury or near miss



Main Accident/Incident Causes



4 RIDDOR 'specified' injuries, and 33 over 7 days absence RIDDOR injuries (5% of all accidents)

1556 accidents involving non-employees (46% decrease on previous year)



104 psychological work related incidents in 2020/21 (183 in 2019/20, 141 in 2018/19)

• Better Health at Work Continuing Excellence Award achieved

15 fire related incidents



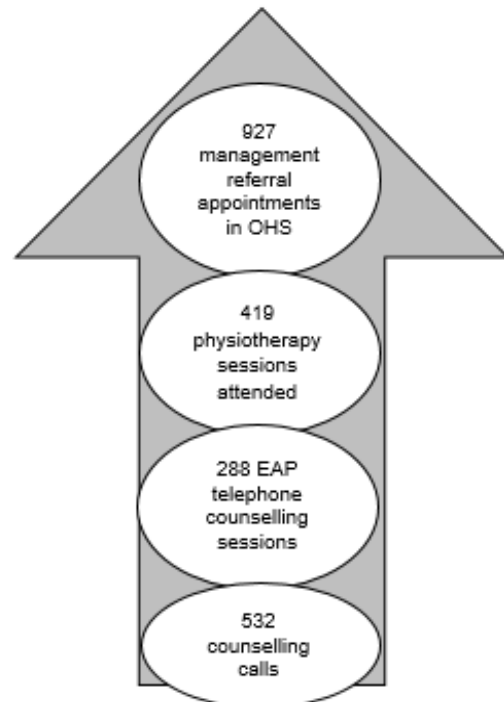
5 CDDFRS inspections of council premises with compliance achieved



5 Joint H&S/TU Safety Rep inspections

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



Background

- 12 In line with statutory requirements, the Council produces an annual Health, Safety and Wellbeing (HS&W) and Occupational Health Service report which enables the Council to monitor and measure performance and prioritise areas of risk. The 2020/21 report is produced against a backdrop of the COVID pandemic and significant challenges to service provision and reprioritisation of HSW activities.
- 13 The Health, Safety and Wellbeing Strategic Group (HSWSG), chaired by Corporate Director Resources, continued to meet remotely throughout 2020/21 and ensured 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 2020/21 and additional activities in relation to the COVID pandemic. It highlights the main achievements and outlines the main aims for 2021/22 and beyond. The Council's vision continues to be an exemplary employer in all matters relating to HS&W 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, due to be revised in 2021/22, 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:
- (a) 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 HSW challenges and any legislative changes;
 - (b) 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
 - (c) measure the effectiveness of the HSW interventions against RIDDOR performance targets and in line with HSW Strategy.

Council H&S Policy

- 17 The Council's H&S policy remains compliant with statutory requirements and reflective of the organisational structure, responsibilities and arrangements for the management of HSW within the Council. This continues to be reviewed annually and has been amended throughout 2020/21 to reflect organisational changes, including recent political changes, and management arrangements. 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.

H&S and OHS Service Provision

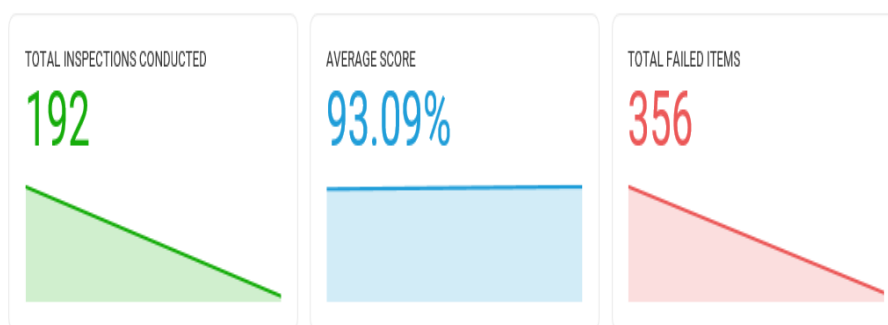
- 18 [The Council H&S service](#) and [Occupational Health Service](#) corporate delivery model continues to provide an efficient and effective professional support service to internal and external stakeholders. Whilst focus remains on provision of resources, advice and support to higher risk work related activities this reporting period has seen change in direction of service resources towards the COVID pandemic. There has continued to be a continuation of sensible and proportionate approaches to risk management during this period.
- 19 Both corporate services have diversified significantly during the reporting period, assuming new responsibilities and services functions in addition to previous statutory service provision. Additional service provision includes:
- (a) leading on initial set up of the PPE distribution cell at Chilton Depot;

- (b) leading on set up of vaccination centres at county hall and employee training and awareness;
- (c) providing nursing resources and vaccination centre leads for the vaccination centres ;

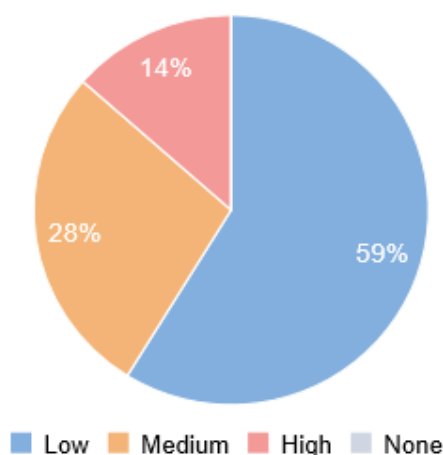
provision of employee PCR testing process, working in collaboration with CDDFT OHS services;
- (d) leading on set up of lateral flow device testing within schools;
- (e) leading on H&S arrangements for elections;
- (f) supporting service groupings on COVID secure risk assessments and COVID secure compliance.

- 20 As a result of the pandemic, several statutory services have been paused or delivered in different ways, under the guidance of regulatory bodies such as HSE. These include provision of health surveillance, pre-employment checks, audits and medical checks.
- 21 Development and implementation of two new H&S related critical systems was progressed significantly during 2020/21. A new H&S audit and inspection system was introduced which provides an electronic capability and improved efficiency for both auditors and auditees. This system has also been adopted in other service groupings of the council. A new H&S accident, incident and near miss reporting system was also developed to the point of implementation during this reporting period. This is house solution, delivered via ICT services, has utilised internal resources and specialisms and has reduced costs from procuring and managing an external system provider. This development also has produced an improved potentially violent persons register for use by council employees and members.
- 22 During 2020/21, the ability to deliver the scheduled risk based proactive audit and inspection programmes has been significantly impacted. This has been as a result of national lock downs, localised restrictions and working from home guidance. Nevertheless, the H&S team have continued to provide targeted audits and inspections in relation to COVID and other higher risk work activities which have continued to function throughout the pandemic.

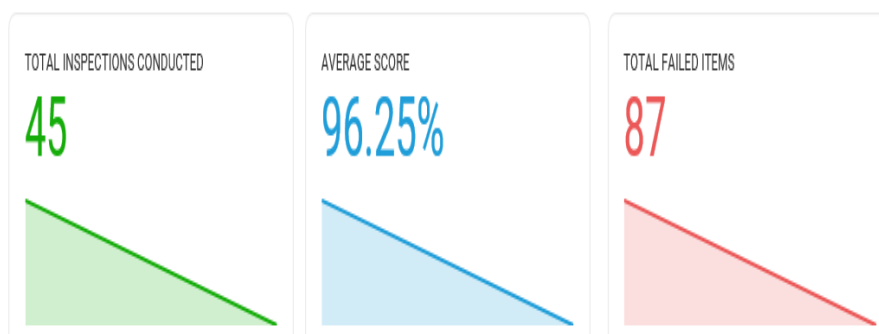
23 A summary of audit and inspection activity for the reporting period is as follows:



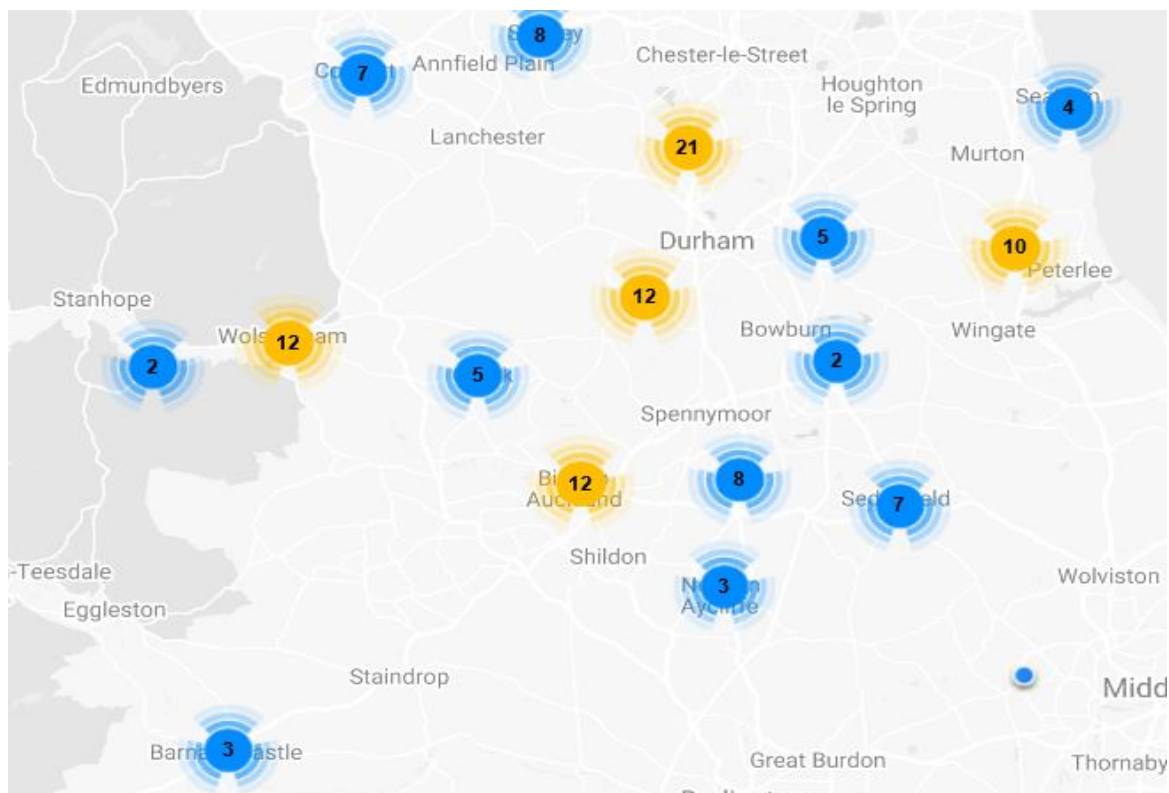
24 From the 192 audit and inspections throughout the reporting period, a total of 356 failed items were recorded. These were predominantly low. Non-conformities and all those identified have been resolved with auditees. Failed item classification and priority is detailed below.



25 A further subset of the 192 audit and inspections undertaken is provided below. This relates to COVID specific audits undertaken using the Government 'COVID secure' standards as the benchmark. As can be seen below from the 45 individual premises audits against governments standards there was a 96.25% compliance rate, with 87 non-compliance related issues, mainly related to use of screens, floor markings and information posters within premises. Follow up advice and support were provided to ensure that all actions were resolved where appropriate.



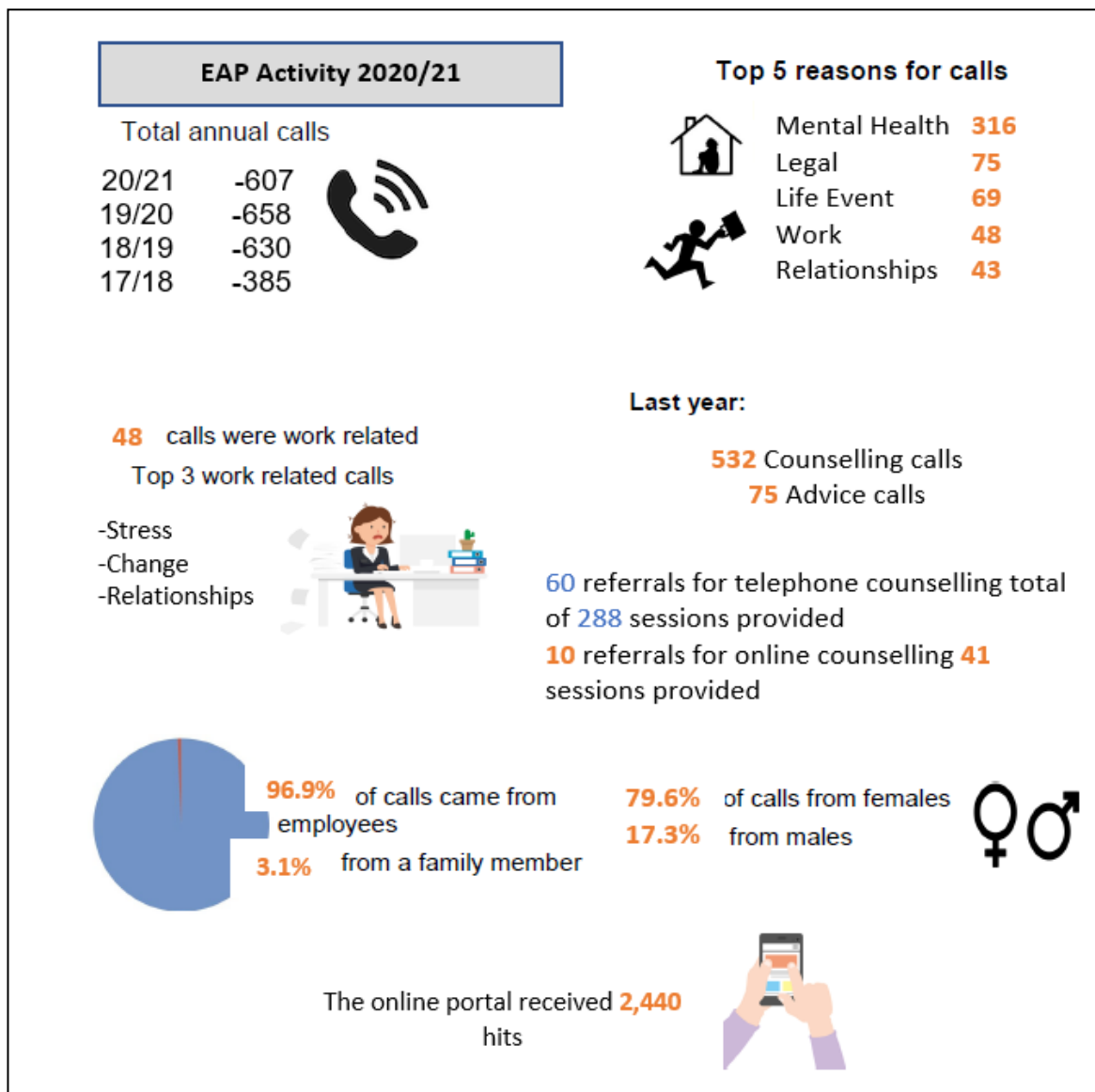
Locations of H&S audit and inspection activity



- 26 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.
- 27 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.
- 28 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 2021/22 and will enable increased efficiency, auditability, and improved customer experience.

- 29 In addition to H&S team auditing, joint audits with trade union employee safety representatives were undertaken where safe to do so during the pandemic period. H&S committees and consultative forums continued to be held during the reporting period. 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.
- 30 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.
- 31 The 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.
- 32 OHS produce a specific annual report (Appendix 2) 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.
- 33 OHS have supported and enabled corporate and service grouping initiatives during 2020/21. 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. Whilst it is known that employees now mainly utilise the national 119 service this internal testing service remains in place to provide additional support and resilience.
- 34 An overview of EAP activity for 2020/21, obtained via EAP provider annual report is as follows:

EAP activity 2020/21



Fire Safety

- 35 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.
- 36 During 2020/21 there has been fifteen fire related incidents which have occurred within Council premises and have been investigated by the fire safety advisers within the H&S team.
- 37 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.

- 38 During the reporting period, thirteen 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 inspections resulted in a 92.59% compliance rate, with no high priority issues identified.
- 39 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

- 40 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. Due to the pandemic, the activities from these groups have changed in terms of delivery of interventions, particularly awareness and information.
- 41 The City Safety Group (CSG) was chaired throughout 2020/21 by the Council's Director of Neighbourhoods and Climate Change and continued to have representation 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.
- 42 From a County wide perspective, the open water safety group (OWSG) has a remit of reviewing the Councils internal open water safety policy and focusing on safety relating to areas of open water (eg. lakes, rivers, reservoirs) other than in Durham city centre.
- 43 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. CDDFRS were involved with two searches and body recoveries in Derwentside and Teesdale areas, with coroner's inquest outcomes unknown. There were

also four incidents where suicide attempts were made or intended to be made and emergency services were able to intervene accordingly.

Table 1- Open Water Incident Statistics 2013/14 - 2020/21

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
2020/21	2	0	0	8	3	2

- 44 Throughout 2020/21 the CSG has been continuing to monitor 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. Further work is scheduled in relation to engaging ROSPA independent consultants to review the riverside developments when they are nearing completion and are accessible to the public.
- 45 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. A specific student induction task and finish group was established and work was undertaken in quarter two of 2020/21 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. COVID related restrictions were in place during the fresher's week period and this impacted on footfall levels and license premise activity.
- 46 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. Despite COVID restrictions, reassessments of priority locations prior to the summer

holiday periods are routinely completed to ensure that safety controls remain in situ.

- 47 The OWSG were responsible for planning and implementation of water safety educational campaigns throughout 2020/21. Whilst these were significantly impacted during the reporting period in terms of not being able to deliver assemblies and undertake some promotional activities, there remained a range of awareness activities delivered. These included promotions of national drowning prevention weeks and once again the annual 'dying to be cool' cold water shock safety campaign through a variation of social media, posters and alerts at high footfall open water sites across the county.

Employee Health and Wellbeing

- 48 The Council has successfully achieved its highest Better Health at Work status in terms of the continuing excellence award. Work has already commenced in terms of progression towards the maintaining excellence award status. As part of this award assessment the Council will be required to undertake an employee health and wellbeing engagement survey, similar to that which was undertaken in 2019/20. This survey will provide further intelligence and opportunities in relation to a wide range of factors which affect the health and wellbeing of employees.
- 49 There were further positive results in that 76% of employees described their general health as being good or excellent. A total of 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.
- 50 Further promotions of Time to Talk day and Mental Health Awareness week also took place and 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. Members of CMT and senior management teams continued to champion mental health and wellbeing support and ensure that employees were aware via various forms of communication via intranet, VLOG's, payslip messaging, buzz and general employee communications.
- 51 Briefings were undertaken with managers to ensure all managers with line management responsibility have undertaken a general assessment capturing issues which may be affecting work in 1:1's of staff who are working from home. Where significant numbers of staff are working remotely, promotion of regular contact between employees through virtual team meetings, supervision/management catch ups and informal team get togethers.

- 52 Following the promotion of the employee assistance programme (EAP) during 2020/21, and particularly during the start of the COVID pandemic, there has again been in excess of 2,400 access hits to EAP online services. Calls numbers have plateaued and have been similar to previous years 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

- 53 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.
- 54 The H&S service provided extensive and intensive guidance regarding risk assessments and safe working procedures in accordance with changes to government guidance during COVID pandemic. 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 during quarter one and provided support in the infancy period of this new operational activity during initial impact of COVID 19.
- 55 Many H&S training and development activities such as first aid, fires safety and food hygiene, have been temporarily paused as a result of the pandemic. The corporate training team have been assessing guidance throughout the reporting period and identified, following detailed analysis, the essential training which was still a requirement to be delivered. Where possible alternative means of safe delivery have been identified to ensure that employees retain certification, competence in their roles and enable the Council to control risks.

Risk Profiling

- 56 The Council has continued to provide a wide range of essential front line service throughout the reporting period and in accordance with 'key worker' status. Despite the pandemic there has been a requirement to identify, control and manage significant H&S related risks. If not managed appropriately, these risks can compromise performance and the ability to meet its statutory obligations.

57 Whilst the risk related focus during 2020/21 were targeted towards COVID 19, The Council's business as usual risks also required risk assessment, management and control. 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 are:

- (a) Construction, Design & Management;
- (b) Asbestos Management;
- (c) Fire Safety;
- (d) Manual/Moving & Handling;
- (e) Workplace Transport;
- (f) Work Related Stress/Anxiety;
- (g) Work at Height;
- (h) Refuse & Recycling;
- (i) Violence and Aggression;
- (j) Open Water Safety.

58 It remains crucial that the Council focuses on HSE's serious injury and ill health sector statistics as this emphasises the importance of continued focus on the above risk factors. The 2020/21 statistics indicate once again that construction related activities are most at risk followed by agriculture, manufacturing, transport and storage sectors. The three most common causes of fatal injuries, which account for nearly 60%, continue to be:

- (a) workers falling from height;
- (b) being struck by a moving vehicle;
- (c) being struck by a moving object.

59 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. The H&S team continue to manage the PVPR and ensure that all risk related information remains current and accurate and in accordance with GDPR requirements.

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 2021.

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 2020/21.

Table 2 – Health and Safety Related Strategic Risks

Ref	Service	Risk	Treatment
1	AHS	Failure/inability to respond to and recover from the COVID-19 pandemic, leading to high levels of staff absence, overwhelming pressure on services, and impacts on the safety and wellbeing of the wider community and economy.	Treat
2	CYPS	Failure to protect a child from death or serious harm (where service failure is a factor or issue)	Treat
3	REG	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	NCC	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

7	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
9	NCC	Demand pressures on the Community Protection inspections and interventions arising from the COVID-19 pandemic and a potential Brexit may lead to an adverse impact on public health and safety in Co Durham.	Treat

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

Ref	Risk
1	<u>Shortage of PPE</u> , potentially leading to a further escalation and serious, widespread harm to individuals.
2	<u>Shortage of PPE</u> for key DCC services and schools.
3	Redundancies in recovery phase of the COVID-19 pandemic and impact on unemployment particularly in tourism, retail and suppliers in the automotive sector (<u>health and wellbeing</u>).
4	Drug and Alcohol Recovery Service (DARS): Potential <u>overdose by high-risk, vulnerable clients</u> receiving the frequent (1-3 days) supervised consumption service, as a result of service withdrawal by pharmacy chains.
	Inability of the LRF Community Cell group to respond to the pandemic, leading to an avoidable increase in <u>health inequalities</u> .
5	Potential adverse impacts on employees' <u>mental health and wellbeing</u> of changes to ways of working enforced as a result of COVID19.

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 HSWSG and service specific 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:
- (a) Proactive and reactive H&S Auditing (Internal & External);

- (b) Enforcement Actions (HSE/CDDFRS Improvement/Prohibition notices and Fees for Intervention);
- (c) Employer Liability Claims;
- (d) Occupational Health Service data;
- (e) Employee engagement surveys;
- (f) H&S Training provision;
- (g) Health Surveillance and Management referrals.

64 A summary of the top-level HS&W performance data for 2020/21 is shown in the following tables with the 2019/20 data as a comparison. The Council employed an average total of 15,219 employees throughout 2020/21 that equated to 12,201 full time equivalents (FTE).

Table 4- Employee work related accidents/near misses

Employee work related accidents and near miss reports.	2019/20	2020/21	+/-% Difference
Number of FTE employees	12,729	12,201	-4.15
Fatalities	0	0	0
RIDDOR reportable 'specified' injuries	5	4	-20.00
RIDDOR reportable accidents (more than 7 day injury).	34	33	-2.94
Non RIDDOR reportable accidents	1108	503	-54.60
Near miss reports	381	209	-45.14
Total accidents and near misses	1528	749	-50.98
Rates per 1000 FTE employees.	2019/20	2020/21	+/-% Difference
RIDDOR reportable 'specified' injuries	0.39	0.33	-15.38
RIDDOR reportable accidents (more than 7 day injury).	2.68	2.71	+1.12
All accidents	120.07	64.77	-46.06

**Table 5 – Employee Work Related Ill Health by Service Grouping
2014- Present**

Service	Year	Physical	Psychological	*RIDDOR Reportable Diseases
Regeneration, Economy & Growth *	2014/15	n/a	n/a	n/a
	2015/16	n/a	n/a	n/a
	2016/17	n/a	n/a	n/a
	2017/18	n/a	n/a	n/a
	2018/19	n/a	n/a	n/a
	2019/20	2	19	0
	2020/21	0	9	2
Children and Young People's Services	2014/15	0	80	0
	2015/16	1	98	0
	2016/17	4	175	0
	2017/18	1	110	0
	2018/19	0	92	0
	2019/20	0	111	0
	2020/21	0	58	31
Adult and Health Services	2014/15	0	18	0
	2015/16	0	29	0
	2016/17	0	15	0
	2017/18	2	22	0
	2018/19	0	13	0
	2019/20	0	16	0
	2020/21	0	16	0
Neighbourhoods & Climate Change *	2014/15	n/a	n/a	n/a
	2015/16	n/a	n/a	n/a
	2016/17	n/a	n/a	n/a
	2017/18	n/a	n/a	n/a
	2018/19	n/a	n/a	n/a
	2019/20	0	14	0
	2020/21	1	4	7
Resources	2014/15	1	8	0
	2015/16	1	18	0
	2016/17	0	11	0
	2017/18	2	13	0
	2018/19	0	7	0
	2019/20	0	9	0
	2020/21	1	17	1
TOTAL	2014/15	2	124	3

Service	Year	Physical	Psychological	*RIDDOR Reportable Diseases
	2015/16	2	169	2
	2016/17	7	227	1
	2017/18	5	174	0
	2018/19	3	141	0
	2019/20	2	183	0
	2020/21	2	104	41*

*All cases of RIDDOR reportable Disease were related to workplace outbreaks of COVID-19 during 2020/21.

65 In terms of employee ill health table 4 indicates that work related psychological ill health incidents have decreased in 2020/21. It is apparent that psychological ill health incidents involving employees are most prevalent within Children and Young Peoples Services. All 41 cases of reportable disease were attributed to COVID transmission in workplaces, including schools.

Table 6- Non Employee Accidents/Incidents

Accidents/incidents/involving Non-employees (Clients, pupils, contractors, members of the public etc.)	2019/20	2020/21	+/-% Difference
Incident (no injury)	930	684	-26.45
Minor Injuries (includes Non RIDDOR reportable incidents)	1886	868	-53.98
Taken to Hospital (RIDDOR reportable)	1	4	+300.00
TOTAL	2862	1556	-45.63

66 In relation to all employee accidents the majority of reports, 61% of total reported, emanate from Children and Young Peoples Service grouping. In terms of severity of accidents reflected within the HSE RIDDOR reportable section REAL account for 51% followed by CYPS 38%. These statistics are almost identical to previous reporting years. This is depicted in Table 6.

Chart 3– Top 5 Accident Causations 2020/21

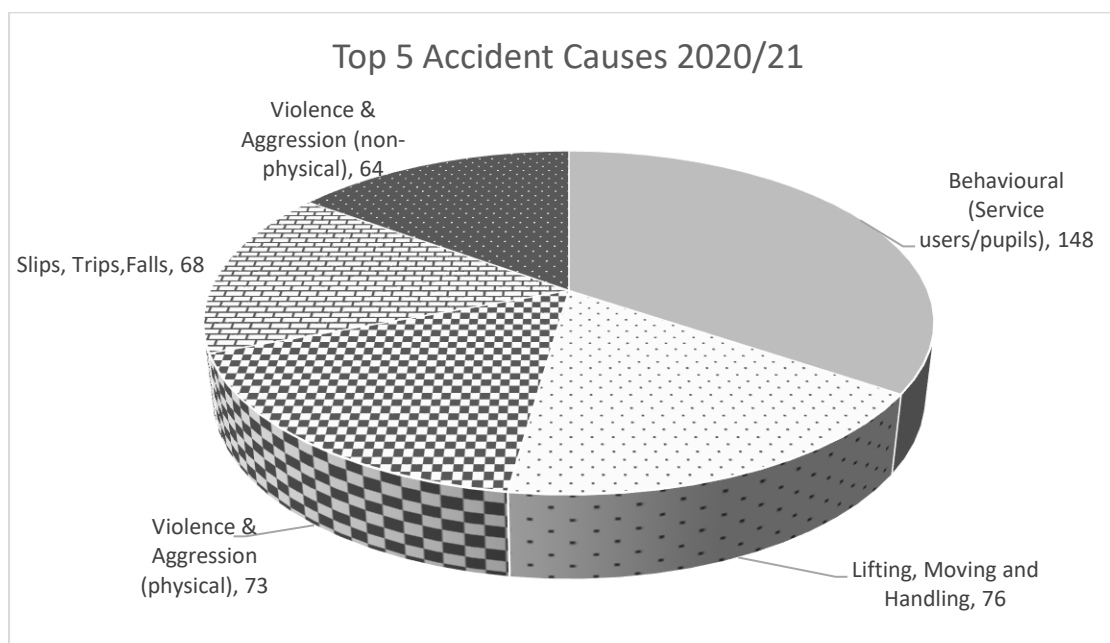


Table 6 – Employee Accidents by Severity and Service Grouping 2014- Present

Service	Year	Non RIDDOR			HSE RIDDOR Reportable			Total
		Minor Injury	No Injury	Injury with 7 day or less absence	Over 7 Day injury	Specified Injury	Sub-Total RIDDOR Reportable	Total
N'bourhoods & Climate Change *	2014/15	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	2015/16	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	2016/17	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	2017/18	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	2018/19	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	2019/20	77	63	14	13	1	(14)	168
	2020/21	68	49	5	18	1	(19)	141
Children and Young People's Services	2014/15	780	171	15	18	9	(17)	983
	2015/16	775	159	23	25	8	(33)	990
	2016/17	679	131	18	24	11	(35)	863
	2017/18	719	97	13	13	7	(20)	849
	2018/19	689	129	13	19	3	(22)	853
	2019/20	805	177	20	13	4	(17)	1,019
	2020/21	336	96	12	11	3	(14)	458
	2014/15	123	97	4	3	1	(4)	228

Adult and Health Services	2015/16	98	91	2	3	1	(4)	195
	2016/17	92	77	1	5	1	(6)	176
	2017/18	146	54	1	3	1	(4)	205
	2018/19	104	45	2	4	0	(4)	155
	2019/20	90	32	1	3	0	(3)	126
	2020/21	28	21	0	1	0	(1)	50
Regeneration, Economy & Growth *	2014/15	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	2015/16	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	2016/17	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	2017/18	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	2018/19	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	2019/20	74	72	6	5	0	(5)	157
2020/21	43	37	5	3	0	(3)	88	
Resources	2014/15	11	34	1	2	0	(2)	48
	2015/16	11	25	3	2	0	(2)	41
	2016/17	9	20	3	2	0	(2)	34
	2017/18	15	19	0	0	0	(0)	34
	2018/19	6	34	0	0	0	(0)	40
	2019/20	9	27	0	0	0	(0)	36
	2020/21	4	6	2	0	0	(0)	12
Totals	2014/15	1,172	452	46	46	13	(59)	1,729
	2015/16	1,072	435	47	51	14	(65)	1,619
	2016/17	973	380	40	51	16	(67)	1,460
	2017/18	1,034	302	34	32	10	(42)	1,412
	2018/19	967	385	31	47	4	(51)	1,434
	2019/20	1067	381	41	34	5	(39)	1,528
	2020/21	479	209	24	33	4	(37)	749

67 Accident and Incidents statistics indicate that in 2020/21 the main causes of employee reporting were in relation to, behavioural (service users and pupils), violence and aggression incidents (physical and non-physical), slips, trips and falls, and moving and handling. Accident statistics and causes correlate with HSE statistics for local authority incident data across the UK.

68 Accident reports for the year have, as expected, decreased significantly with an overall reduction of almost 51%. It is positive to report that there has been only four RIDDOR specified injury related incidents during the reporting year, in comparison to five in the previous year. There was a further reduction in RIDDOR over seven-day related absence reporting also. Despite the pandemic these RIDDOR figures are a reflection of essential front line, higher risk services still being provided throughout the year.

Regulatory Interventions

- 69 There were no prosecutions, improvement, prohibition notices issued to the Council in 2020/21 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 2020/21.
- 70 HSE inspectors visited several council workplaces during the reporting period. A number of schools received visits from HSE inspectors or remote reviews of COVID related risk assessments and outcomes were all positive in relation to risk assessments and control measures taken.
- 71 A range of other unannounced HSE enforcement visits were undertaken at all of the council waste transfer stations and large construction projects such as Durham bus station. Feedback from inspectors following these visits was positive and provides assurance that activities taking place are compliant with relevant legislative standards.
- 72 From a fire safety perspective, there were five independent inspections of Council premises by CDDFRS during 2020/21. 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

- 73 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.
- 74 During the period 2020/21 several formal and informal partnerships focused on key H&S issues, examples include:
- (a) working with public health/public health England regional and national colleagues to ensure that COVID related control measures are in accordance with latest guidance;
 - (b) in relation to the City Safety and County wide open water safety groups, the H&S team have worked closely with all 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;

- (c) 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;
- (d) working with Durham Constabulary regarding violence and aggression related risks in relation to elected members, individuals and protest groups presenting themselves at Council premises, community-based consultation events and public protests;
- (e) work with wellbeing for life in the design and delivery of a managerial H&S and mental health awareness training sessions;
- (f) 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

- 75 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.
- 76 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.
- 77 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 ie. H&S, Fire Safety, Occupational Health service and Public Health.
- 78 Each Service Grouping also has established H&S Committee /Steering Groups based on the HSWSG model and all met at least four times in 2020/21. Meetings were held remotely and in accordance with COVID guidance and restrictions. Additional H&S committees were established during 2020/21 taking into account the new service structures.

79 Trade Union representatives actively participate in H&S service specific and corporate group meetings. Throughout 2020/21 there were 5 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. Numbers of joint inspections were reduced in comparison to previous years however this was due to COVID restrictions.

Monitoring H&S performance

80 Throughout 2020/21, 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.

81 Specific monitoring and reporting arrangements included:

- (a) 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;
- (b) The HSWSG and Service H&S Committees/Steering Groups, chaired by Directors or Heads of Service met remotely 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;
- (c) Quarterly HSW reports presented to the overview and scrutiny and audit committees respectively;
- (d) Reports submitted to cabinet in relation to COVID interventions such as testing and vaccinations;
- (e) H&S Advisers and Trade Union Safety Representatives undertook planned joint inspections and audits of Council workplaces.

82 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 749 to employees and 1,556 to non-employees.

83 During the pandemic, the H&S team continued to undertake formal accidents and incidents investigations, which included employees and non-employees. Findings and recommendations were passed to the relevant managers and parties concerned.

- 84 A total of 192 audit and inspections throughout the reporting period, a total of 356 failed items were recorded. These were predominantly low. Non-conformities and all those identified have been resolved with auditees.
- 85 Continued monitoring activities of open water safety related assessments and control measures are being undertaken to ensure that they remain as safe as necessary.
- 86 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.
- 87 A planned series of fire safety audits across a number of higher risk council occupied premises were undertaken along with fire risk assessments to ensure compliance with fire safety legislation.
- 88 The Occupational Health service monitored and managed employee COVID related triage and testing, with regular reporting on progress and close working with CDDFT colleagues.
- 89 H&S team have undertaken in excess of 120 audits and inspections of sites/premises to monitor the management of H&S, including Fire Safety. Proactive audit and inspections was still a key assurance activity and reflective of the council delivering essential front line service during 2020/21.
- 90 H&S team provided advice and support to COVID outbreak control teams and service managers throughout the reporting period to ensure that transmission related risks were controlled and COVID secure guidance adhered to.

Main implications

Legal

- 91 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

- 92 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

- 93 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

- 94 The impact of COVID pandemic on H&S and OHS services has been significant and challenging. Both services have had to adapt to new and emerging demands throughout various stages of government restrictions and guidance, as well as continuing to deliver business as usual statutory services and interventions.
- 95 The introduction of key interventions such as employee PCR testing, workplace and schools LFD testing and providing a facility to provide COVID vaccinations have been significant interventions achieved during this reporting period. Leading on the set up and introduction of the Councils PPE distribution cell early in quarter one of 2020/21 was also another achievement not only in terms of County Durham but also Darlington care providers also.
- 96 Employee communications regarding support available were constant through the year and this paid dividends in terms of access statistics to the employee assistance programme (EAP) which had in excess of 2,400 online access hits, 500 counselling calls and 600 general calls to the service. As well as the EAP service a wide range of other services and activities were promoted which ensures that employees were supported during the pandemic.
- 97 Achievement of the Better Health at Work Continuing Excellence award continues to demonstrate the Councils commitment to employee health and wellbeing. There has been more focus on this risk during the pandemic and the Council has shown clear supportive strategies and interventions and continues to demonstrate this via ongoing progress toward the maintaining excellence award in 2021/22.

- 98 As well as remaining focused on any COVID related risks, priority and emphasis will continue throughout 2021/22 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.
- 99 Statistically it has been a year like no other in terms of the reduction in minor injury or no injury accidents, incidents and near misses. With a significant number of employees working remotely, high footfall workplaces have been unoccupied for long periods and this has primarily resulted in a significant decrease in excess of 50%. Nevertheless, most of the Councils higher risk work activities continued throughout the pandemic, such as construction, refuse and recycling, highways, to name a few and this resulted in RIDDOR statistics being similar for specified injuries and over 7 day absence related incidents.
- 100 It was a positive year in terms of no enforcement action. There were several HSE visits to Council premises, including schools, and work activities which focused on COVID secure compliance and these resulted in positive feedback and assurance outcomes. CDDFRS also reviewed workplaces in terms of fire safety following incidents and these did not lead to any further actions being taken.
- 101 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. The low number of workplace COVID transmissions generally throughout the year are reflective of good risk assessments, control measures and employees understanding their roles and responsibilities.
- 102 In terms of governance and despite the restrictions regarding meetings, there remains good levels of reporting and consultation from a service grouping and corporate perspective. Members of CMT and EMT continued to chair and lead remote 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. New governance meeting were established throughout the year, specifically in relation to COVID risks and control measures. These meeting were held at least weekly and enabled a continued focus on keeping employees and member of the public safe.
- 103 Positive actions were taken regarding open water safety throughout the year, particularly coinciding with easing of restrictions and the general public being able to visit and utilise areas where open water may be present and a risk. The city safety group and county wide open water

safety group continued to convene throughout the year and delivered interventions at peak times to ensure public safety.

- 104 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

- Occupational Health Annual Report 2020/21.
- Health, Safety and Wellbeing statistical reports 2020/21

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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