

Audit Committee

24 May 2022

2021/22 Quarter 4 Health, Safety and Wellbeing Performance Report



Report of Resources Service Grouping

Report of Kevin Lough, Occupational Health and Safety Manager.

Electoral division(s) affected:

1. Countywide.

Purpose of the Report

2. To provide an update to Audit Committee on the council's Health, Safety and Wellbeing (HSW) performance for Quarter four 2021/22.

Executive summary

3. The government announced further key dates in relation to easing of restrictions and movement towards the 'living with COVID' plan. These significant national changes, particularly around use of face coverings, testing, isolation and contact tracing resulted the Council having to change its workplace COVID control measures. A move to a COVID considerate approach was implemented which was based on choice and personal responsibility.
4. The development of a post COVID revised Health, Safety and Wellbeing strategy which is ready for consultation and implementation will enable the council to refocus on reset priorities for the next three-year period.
5. There were 479 accidents and incidents during quarter four which was increase from 372 in quarter three. The figures for the four quarters indicate a return to previous H&S incident figures pre COVID.
6. There were 3 fire related incidents at Council premises or staffed premises or on-board Council vehicles during Quarter four. These were at Willington Library, Stanley Bus Station and Shildon Leisure centre and Sports Stadium. There were no injuries and limited property damage and actions have been taken following investigations into these incidents. In terms of enforcement activity there was one CDDFRS inspection of Wingate Infants School which resulted in compliance with fire safety legislation.

7. Following an inspection of Durham bus station construction works, the Health and Safety Executive issued an improvement notice. This was in relation to inspection regime for site hoarding and structural calculations not being able to be provided and information regarding being able to withstand foreseeable loads. An immediate response to the notice was provided, including the required structural information and confirmation was given that the notice had been complied with fully and the matter was resolved.

8. There was a positive response to the employee health and wellbeing survey, with 2,486 responses in total. Detailed survey outcomes were presented to CMT and service senior management teams and an action plan developed in response to the survey outcomes. The action plan will be delivered through the employee health and wellbeing group.

Recommendation(s)

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

479

Accidents, incidents and near misses reported
(372 in Q3, 271 in Q2 2020/21 and 329 in Q1 2020/21)

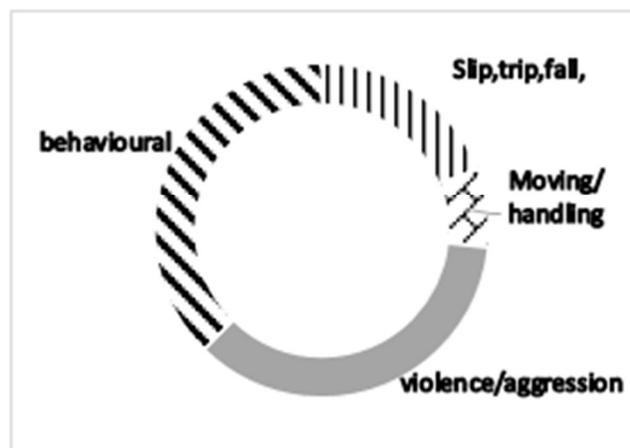


95%

Of all reported accidents are either no injury or near miss



Main Accident/Incident Causes



2 RIDDOR 'specified' injury, and 10 over 7 days absence RIDDOR injuries

163 Employees attended statutory Health Surveillance



55 psychological work-related incidents in Q4 2020/21, compared to
- 45 in Q3 2020/21,
- 36 in Q2 2020/21,
- 48 in Q1 2020/21.

• Better Health at Work Maintaining Excellence Status

3 fire related incidents



1 CDDFRS inspections of council premises



588 pre-employments/ placement assessments with OHS

1

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

285 clinical consultations in OHS

188 physiotherapy sessions attended

81 EAP telephone counselling sessions

159 calls to EAP

Background

10. The HSWSG has been established to ensure that suitable priority is given to the management of HS&W within the council. The group monitors the development, implementation and review of the Corporate H&S Policy to ensure that it is consistently applied throughout the council and that performance standards are achieved. Key reporting topics, including COVID, are detailed below.

Health, Safety and Wellbeing Strategy Development

11. A revised Health, Safety and Wellbeing strategy for 2022-2025 has been developed and ready for consultation. This strategy replaces the previous 2017 strategy and focuses on six key areas which are control, compliance, culture, cooperation, competence, and communication. A series of key milestones for each of the indicators has been proposed and subject to consultation will be implemented and monitored through the HSWSG group.

COVID 19 H&S Update

12. During Quarter four, the government announced the 'living with COVID' plan which was aimed at further progression from mandated restrictions to personal choices and safe behaviours, whilst acknowledging that the global pandemic was far from over.
13. A series of key dates were announced in terms of changes to guidance and restriction which led up to the 1 April 2022 and in summary these were:

21 February:

- Removing the guidance for staff and students in most education and childcare settings to undertake twice weekly asymptomatic testing.

24 February:

- Remove the legal requirement to self-isolate following a positive test. Adults and children who test positive will continue to be advised to stay at home and avoid contact with other people for at least 5 full days and then continue to follow the guidance until they have received 2 negative test results on consecutive days.
- No longer ask fully vaccinated close contacts and those aged under 18 to test daily for 7 days and remove the legal requirement for close contacts who are not fully vaccinated to self-isolate.

- End self-isolation support payments, national funding for practical support and the medicine delivery service will no longer be available.
- End routine contact tracing. Contacts will no longer be required to self-isolate or advised to take daily tests.
- End the legal obligation for individuals to tell their employers when they are required to self-isolate.
- Revoke The Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations.

24 March:

- Remove the COVID-19 provisions within the Statutory Sick Pay and Employment and Support Allowance regulations.

1 April:

- Remove the current guidance on voluntary COVID-status certification in domestic settings and no longer recommend that certain venues use the NHS COVID Pass.
- Update guidance setting out the ongoing steps that people with COVID-19 should take to minimise contact with other people. This will align with the changes to testing.
- No longer provide free universal symptomatic and asymptomatic testing for the general public in England.
- Consolidate guidance to the public and businesses, in line with public health advice.
- Remove the health and safety requirement for every employer to explicitly consider COVID-19 in their risk assessments.
- Replace the existing set of 'Working Safely' guidance with new public health guidance.

14. As a result of these key changes a series of ongoing communications were provided across the workforce and workplace settings to reflect general guidance changes and any other specific sector guidance changes. The council held a series of strategic manager update sessions to ensure that the government guidance was being understood and implemented.
15. As throughout the previous stages of the pandemic, the Council's approach to risk assessments and safe working practices were reviewed and revised to ensure that risk control measures in workplaces and for work activities remained proportionate and effective. Co2 monitoring continued to be undertaken across a range of Council

workplaces to provide further evidence of effective ventilation control measures and further action where appropriate.

16. Work also commenced in relation to planning for a safe return to workplaces during quarter four and continued with the approach that had been previously proposed during quarter three before the new variant and increased infection rates had halted progress. It was agreed that a corporate approach to a 'COVID considerate' return to workplaces for staff who were not front-line staff and had been working predominantly at home during the pandemic.
17. New hybrid proposals were progressed for a return to workplaces and employee guidance produced during employee consultation ahead of implementation on 28 February 2022. This return model enabled a return of and improved employee interaction, collaboration and engagement whilst maintaining lower levels of occupancy in the majority of workplaces and providing ongoing COVID control measures as a result. A 'COVID considerate' approach was implemented which meant that employees could continue to take a range of COVID related control measures if they chose to, including use of face coverings, hand hygiene, testing and distancing themselves whilst at work where this was achievable.

Consultation/Communication

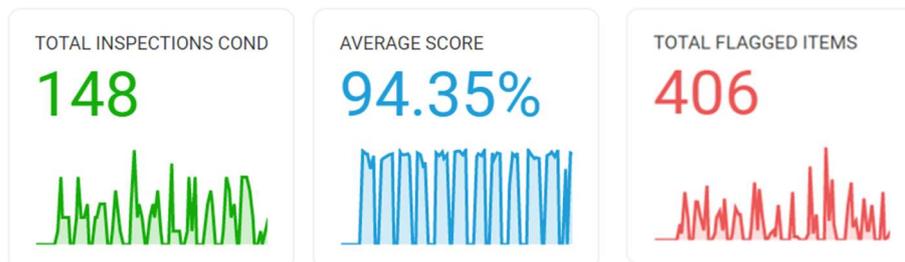
18. Trade Union H&S representatives continue to actively participate in the corporate and service specific H&S meetings. Each service grouping has an established H&S forum that has met since the last HSWG meeting in February 2022. The H&S team continue to undertake, on a priority basis, a range of joint audit and inspection programmes in conjunction with trade union H&S representatives, particularly within NACC and REG.
19. The revised Corporate Health, Safety and Wellbeing strategy and action plan is going through consultation exercises with a view to being implemented in Quarter one of 2022/23. A proposal to undertake a repeat of the 2017 working well survey is also being presented to the Better Health and Work Group and CMT in May 2022.
20. A schools trade union consultation meeting continues to be held on a monthly basis. This meeting is attended by H&S representatives along with officers from CYPS. Whilst the focus of this consultation group has been to ensure the approach to COVID related educational controls are applied, the group will continue to function on non-COVID related educational specific matters going forward.

- Further consultation regarding the welding activity action plan took place during the quarter in response to the revised guidance which was published by the Health and Safety Executive. Biological monitoring was arranged and completed for officers undertaking welding operational activities and arrangements for environmental monitoring put in place.

Audits and Inspections

- There were a total of 148 audits and inspections undertaken by the H&S team during quarter four.

Chart 1 – Audit and Inspection Activity for Quarter 4.



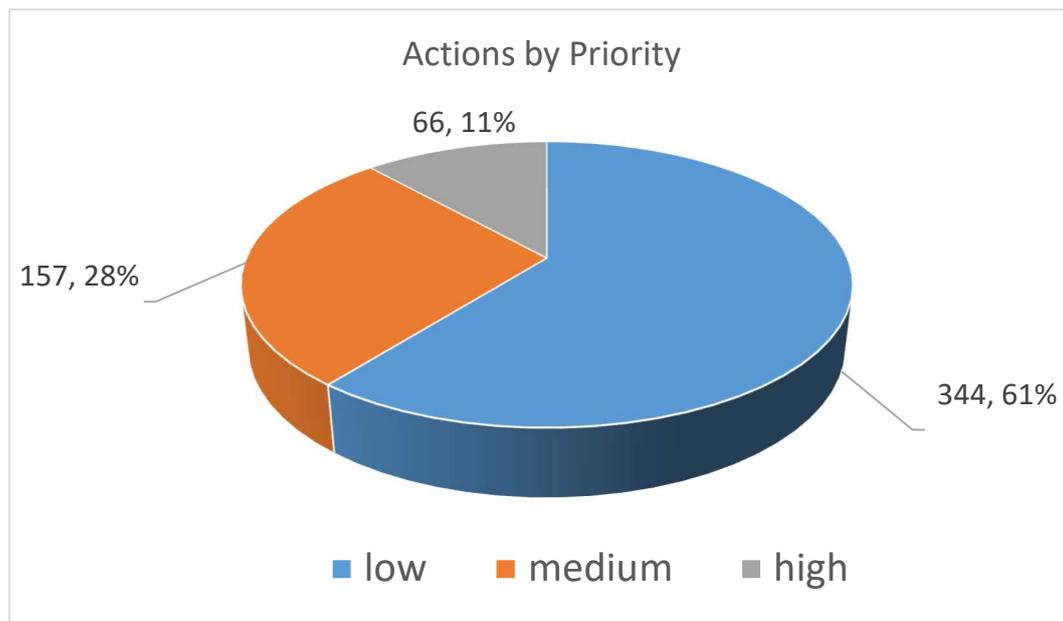
- From the audits undertaken the following headline percentage compliance scores can be determined for each area:

Table 1 Compliance scores

Civil Engineering and Construction Sites	85.80%
Culture and Sport- leisure	95.66%
DCC Fire Safety Audit	94.59%
DCC Schools audits	95.44%
Waste Transfer Stations	98.51%

- From the compliance scoring it must be noted that the majority of non-compliance related issues identified were low to medium low as per below chart 2.

Chart 2 Compliance Actions by Priority



Fire Incidents

25. There were 3 fire related incidents at Council premises or staffed premises or on-board Council vehicles during Quarter four. These were at Willington Library, Stanley Bus Station and Shildon Leisure centre and Sports Stadium.

Willington Library

26. It was reported that between 19:00 and 20:00 hours on Sunday 16 January two youths brought bags of rubbish to the rear of the building and set fire to them. The remains of the fire were evident when staff arrived for work the following day. They reviewed the CCTV footage which showed the incident in full. A similar incident also occurred on Sunday 9 January involving a group of youths setting fire to combustible items. On this occasion a member of the public called the fire service who attended and extinguished the fire.
27. Enquiries with the fire service revealed that they have experienced a high number of secondary fires in the Willington area. They have been engaging with local football teams in the area and discussed the implications of starting secondary fires with them as part of an arson reduction campaign in the area. Both above incidents have been reported to the Police who reviewed the CCTV footage and they identified at least two of the perpetrators. Police enquiries are ongoing.

28. The building has roller shutters to all windows and the front door which are lowered when the building is unoccupied. The library has recently been fitted with exterior CCTV which gives full coverage of the building. However, it was discovered that the picture definition quality of the camera covering the rear of the premises was poor and it's believed that the youths have interfered with this camera possibly by covering the lens with some form of liquid. The DCC security engineer is looking into this problem. It was also identified that a large tree to the northeast corner of the building had branches that had grown allowing youths to gain access to the roof. Arrangements were made to have these branches cut back.

Stanley Bus Station

29. It was reported that there were two incidents caught on CCTV on 22 and 24 February of female youths igniting the contents of two metal bins which resulted in small fires occurring resulting in minimal damage to the bin liner. No other damage occurred, and the fires were extinguished by bus operators staff pouring water onto them. There were no reported injuries, and the bus operations were not interrupted.
30. The bus station has been the subject of repeated anti-social behaviour by local youths for a considerable time and thus the west wing of the building is closed to the public after 8pm. In addition, the bus concourse is fitted with metal seats and bins. DCC operations staff are present from 7am to 5pm and one of their duties is to regularly empty the bins (at least three times a day) to reduce the number of combustible items in the bins. This practice has resulted in this instance of anti-social behaviour not becoming a more serious fire.
31. The police have been provided with the CCTV footage of the incident and they have identified the persons involved and have spoken to them and their parents. In addition, PCSOs are now patrolling the bus station regularly to monitor and prevent further anti-social behaviour.

Shildon Leisure Centre and Sports Stadium

32. It was reported that there were two incidents of fires occurring at the above venue on the 21 and 22 March. The first incident occurred out of hours on 21 March at the grass embankment of the sports stadium ground. The second incident occurred on 22 March at 3.30pm when some children informed leisure centre staff that of a fire at the back of the building. Two members of staff investigated and discovered a small

fire in the dry grassed area within the grounds. One member of staff attempted to extinguish the fire with an extinguisher whilst a 999 call was made to the fire service. The fire service attended within 15 minutes and extinguished the fire by drenching the area with water. No services were affected, and members of the public were kept away from the ground floor of the building whilst the fire was extinguished.

33. It is believed that the first fire was started by youths engaging in fire play at the top pitches of the playing fields next to the stadium which spread into the stadium grounds and scorched the grassed embankments, before burning itself out. It is unclear if the second incident was deliberately started by the youths who alerted the staff that there was a fire at the rear of the centre or had been started by others. As a result of this incident grounds maintenance staff have cut back ivy that was growing up the side of the sports hall as it was identified that this can be fuel for a fire if further instances of fire occurred in this area. In addition, the premises fire risk assessment has been updated to include the fire incidents and staff have been asked to be vigilant regarding anti-social behaviour.

Fire Inspections – County Durham and Darlington Fire and Rescue Service

34. There was one Fire and Rescue Service inspection of Council premises during Quarter four. This was at Wingate Infants School. The outcome of the inspection was that the premises were deemed to be broadly compliant with fire safety legislation.

Employee Health and Wellbeing

35. The employee better health at work group, chaired by Corporate Director Adult and Health Services, met again during this quarter and identified ongoing interventions and communications which were again aimed at raising awareness of support and interventions available and ensuring employees were able to access this where required.
36. Progression with the action plan which was formulated following the completion of the employee health and wellbeing engagement survey which was undertaken as part of the Better Health at Work award. Several campaigns are planned, linking to areas of health and wellbeing including mental wellbeing, physical activity, alcohol awareness, healthy eating, men's, and women's health.
37. The results of the survey were presented to CMT and other service grouping management teams during the quarter. A summary of survey results were:

- A comparable response rate to previous years, with this year being 31% (n =2486). It is a requirement of the BHAWA that an employee wellbeing survey is undertaken biennially with the previous survey being completed in May 2019.
 - Identified the three main areas staff wanted to be addressed this year were Work-life balance (67%), Stress (65%) and Mental Health (54%), which is the same as identified in the previous staff survey in May 2019. Around three quarters of staff (73%) rate their mental wellbeing as 6 or higher, with 1 being the lowest and 10 the highest.
 - 29% report meeting the minimum NHS guidelines for physical exercise in the last seven days (150 minutes or more) and one in four staff report that they eat the minimum recommended amount of fruit and vegetables a day (28%). Just over three quarters of staff (75%) said that they consume alcohol and over half (52%) are aware of the of the lower risk weekly alcohol consumption limit. Around one in fifteen (6%) of responding employees' smoke.
 - During the pandemic, 76% of respondents who worked from home stated that their health and wellbeing was supported. 24% stated that these needs were not supported, citing issues such as support from managers/upper managers, improved workloads, and more welfare checks/1-2-1's, would have improved their health and wellbeing. Those who remained in their usual place of work during the pandemic (12% of total survey respondents) identified areas that would have improved their health and wellbeing as increased managerial contact/support, mental health support time off/leave/staff and workload issues.
38. In preparation and in the lead up to the implementation of the hybrid ways of working there was further promotion of the employee wellbeing portal and employee assistance programme during this quarter to continue to ensure that all employees were aware of support available. As per previous quarters there were a range of senior management led communications promoting safe actions and behaviours and acknowledging the importance of employee health and wellbeing.
39. A proposal to repeat the 2017 employee Working Well survey is being put forward to the better health at work group and CMT in Quarter one 2022. This survey will see a repeat of the HSE's stress management standards 35 question survey in which six key areas of researched causes of work-related stress are focused on and detailed analysis provided. If agreed this survey will be completed and analysed by the end of 2022.

Occupational Health Service

40. During Quarter 4, 285 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) and Covid. The number of appointments attended in Q4 this year has risen from the Q4, 2020/21 an increase of 68 referrals which represents a 31% increase.

Chart 1

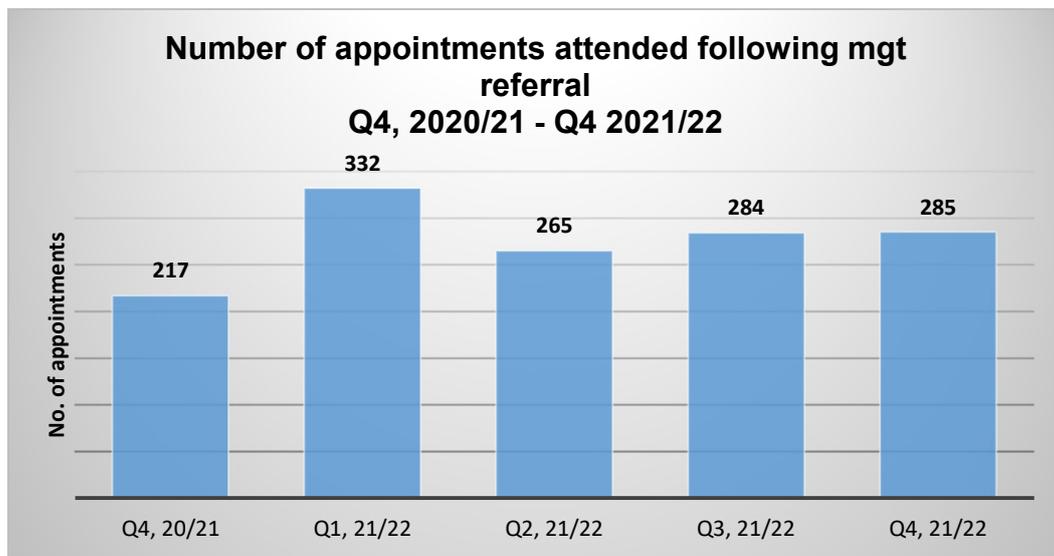
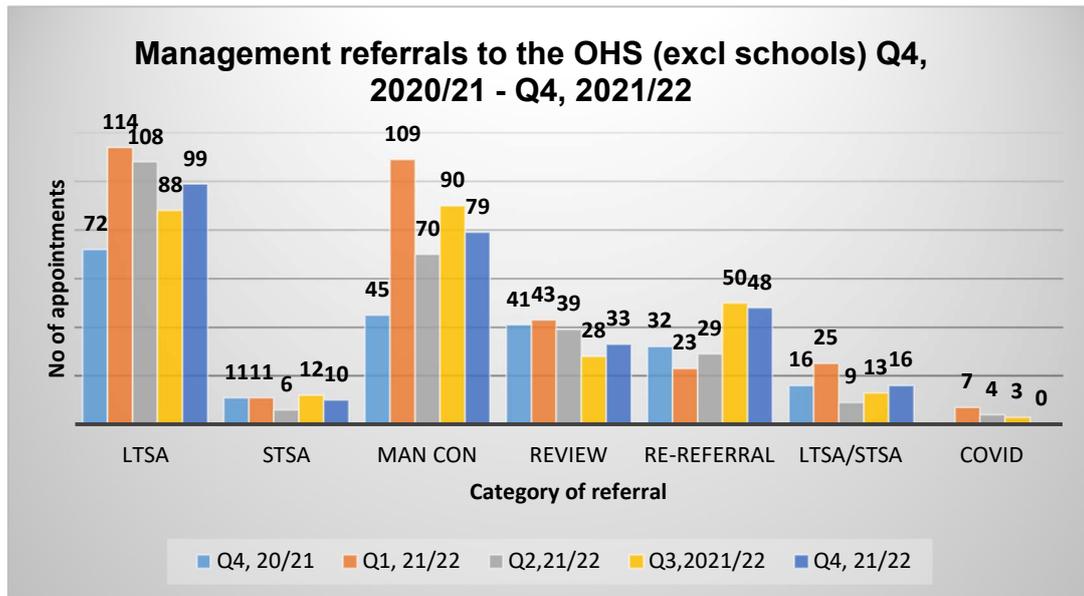


Chart 2 shows the categorisation of management referral appointments attended.

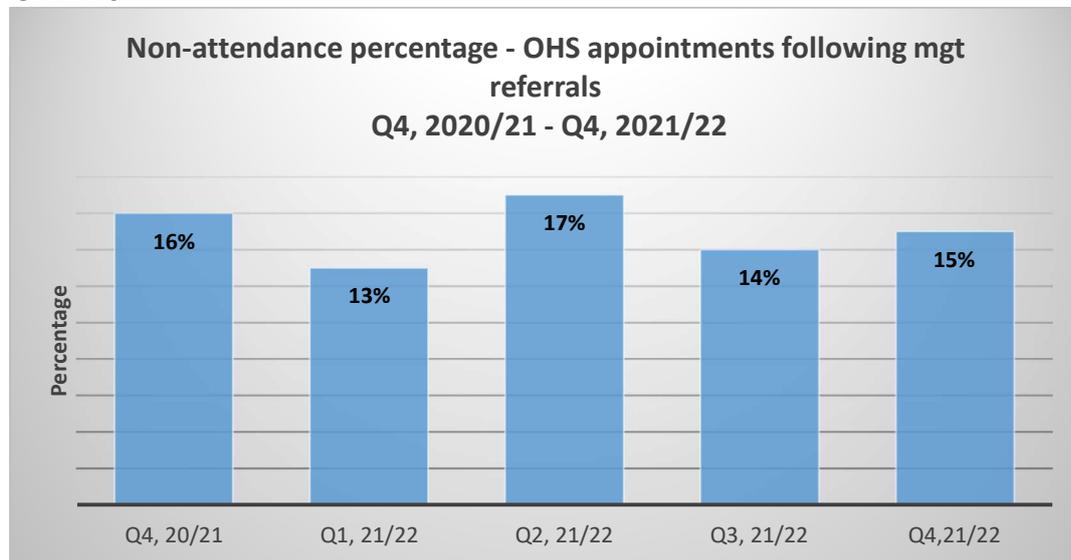
Chart 2



Management Referrals - Non Attendance

41. During Q4, 53 employees did not attend their allocated appointment following management referral. This represents a 15% non-attendance rate. See Chart 3

Chart 3



Management Referrals – Employee Attribution

42. During Quarter 4, 99 employees were seen for LTSA of which 17% (n=17) stated to the OHS that they consider the underlying cause to be due to work related factors. Of the employees, 94% (n=16) identified

this was due to 'psychological' reasons and 6% (n=1) identified as 'musculoskeletal' See Charts 4 & 7

43. Chart 6 shows the cause of absence categories for non-work related LTSA seen in the OHS, 33% (n=27) were due to psychological reasons; 26% (n=21) were due to musculoskeletal problems; 1% (n=1) was due to respiratory problems and 40% (n=33) was due to other.

Chart 4

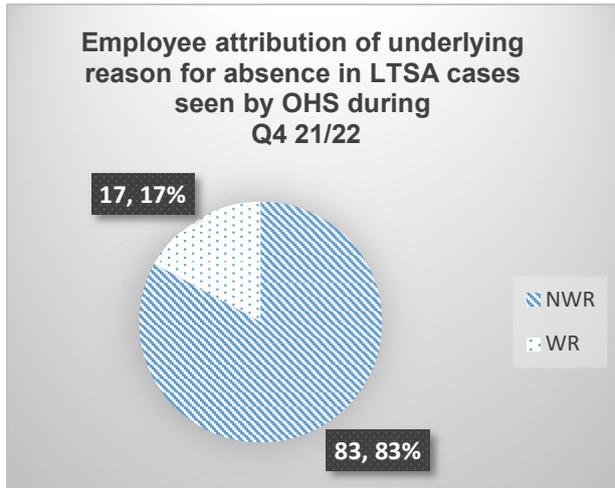


Chart 5

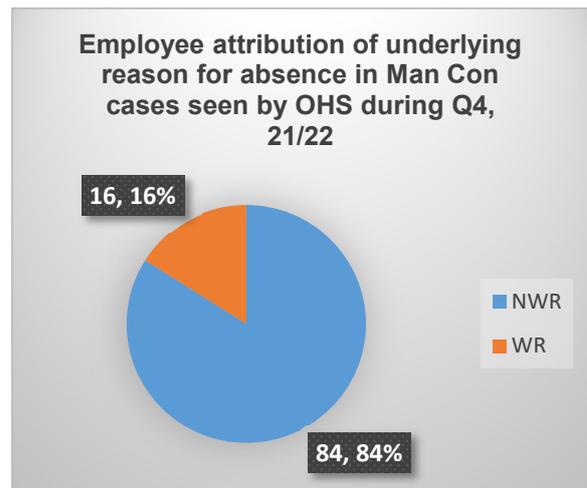


Chart 6

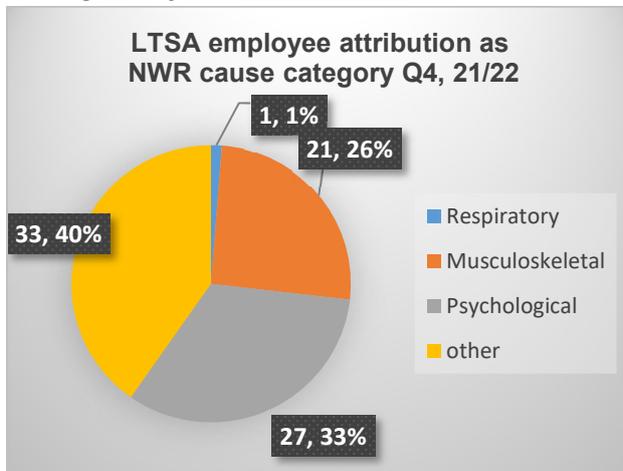
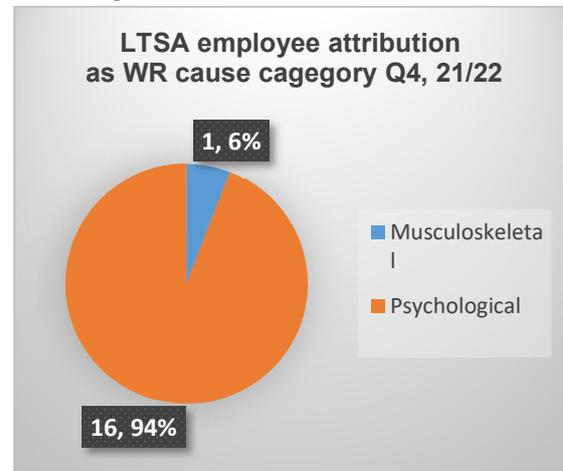


Chart 7



44. During Q4, 79 employees were seen as a management concern, 15% (n=12) of these referrals stated to the OHS that they consider the underlying cause to be due to work related factors. Of the 79 employees seen 58% (n=7) of the work related and 9% (n=6) of the non-work related were due to psychological reasons, by referring to the OHS support, advice and signposting to EAP can be given at an early stage and hopefully prevent an absence from work. Musculoskeletal problems accounted for

27% of non-work related and 25% of work-related management concern referrals, identifying these issues before they result in an absence from work and allow early intervention which could include referral to physiotherapy. Although not all absences are work related, they can have an impact on work and the wellbeing of employees.

Chart 8

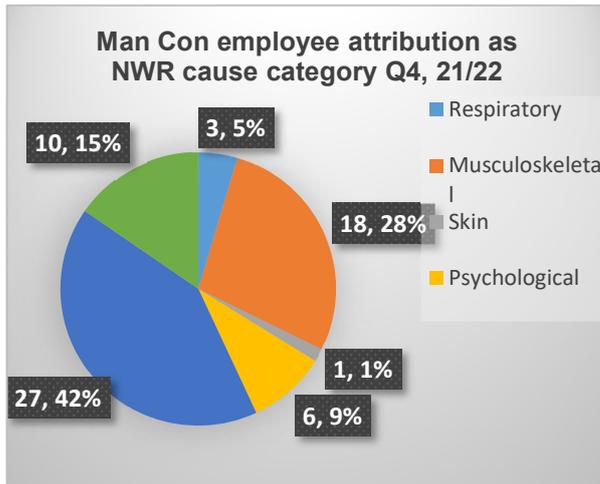
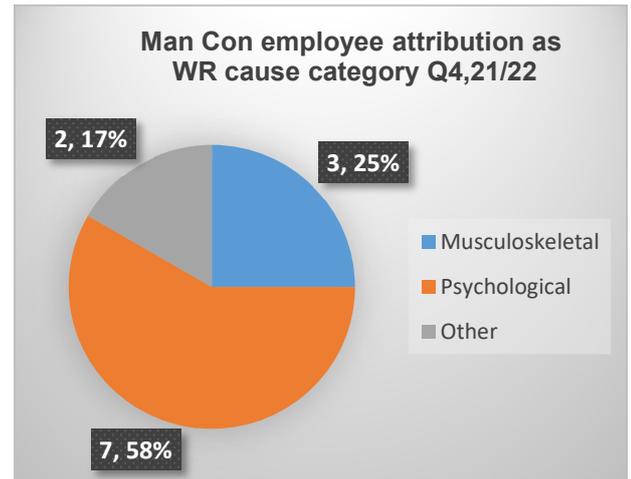


Chart 9



Support Services

45. During Quarter 4, the OHS provided the following additional support services. See Table 1.

Table 1

Additional Support services accessed via the OHS	A&H S	CYP S	NCC	REG	Res	CM	Service not detailed	Q4	Q3	Q2	Q1	Q4
								21/22	21/22	21/22	21/22	20/21
								Total	Total	Total	Total	Total
Number of routine physiotherapy referrals	12	15	15	7	8	0	-	57	59	46	37	40
Number of routine physiotherapy sessions	35	35	54	35	29	0	-	188	176	126	121	111
Number of 'face to face' counselling referrals	0	0	1	1	0	0	-	2	0	1	1	0
Number of 'face to face' counselling sessions	0	0	0	0	0	0	-	0	0	5	0	0
Total number of calls to the EAP	29	29	9	1	13	0	78	159	125	114	144	128
Telephone EAP structured counselling cases	0	0	0	0	0	0	0	0	77	15	22	18
Telephone EAP structured counselling sessions	0	0	0	0	0	0	0	0	62	29	90	50
Online Counselling Sessions	3	1	0	0	0	0	5	9	10	93	25	-
Online CBT sessions	23	9	0	0	0	0	40	72	46	0	0	-

Physiotherapy

46. Routine physiotherapy clinics now operate two days per week in the OHS at Annand House under contract with the OHS, the clinics are a

combination of telephone assessments and face to face physiotherapy appointments, should following the physiotherapy initial assessment by telephone the physiotherapist deem this to be clinically required. The physiotherapist has also carried out a workplace assessment to assist with the individual risk assessment for an employee.

47. Q3 data provided by the contracted service has identified that 40% of the referrals for physiotherapy were related to work, it was also reported that 7 of the referrals were reported by the employee to be following a work accident. Going forward further information on any referrals relating to work accidents is to be collated and if any 'hotspot' areas are identified, targeted advice sessions for employees by the physiotherapist can be facilitated.

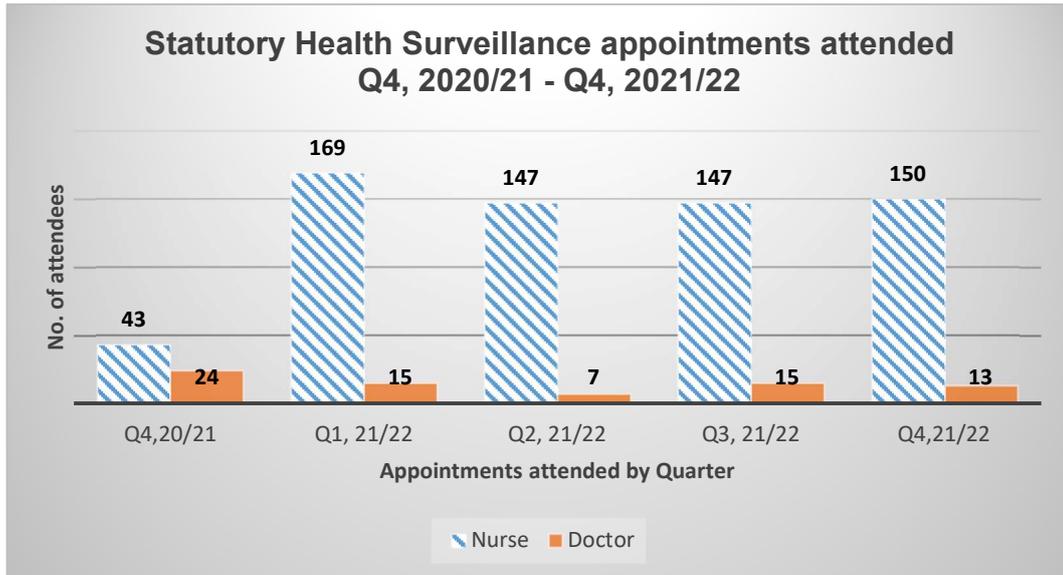
Health Surveillance

48. The OHS continues to provide statutory health surveillance programmes to employees in line with HSE guidelines. The OHS continues to address the backlog of health surveillance created by the pandemic and good progress is being made on this. Some health surveillance clinics have been carried out on site to minimise the effect on service delivery.

Welding

49. New guidance was published by the Health and Safety Executive in February 2020 regarding welding operations, this has led to a DCC Health and Safety Service driven project to revisit risk assessments for areas of the Council undertaking welding activities. The OHS have attended visits to a number of work sites to undertake walkthrough surveys, with a Health and Safety Officer. Biological monitoring is being arranged and a schedule of respiratory health surveillance for those employees identified by the risk assessment is to be arranged.
50. During Quarter 4, a total of 163 employees attended OHS appointments for routine statutory health surveillance, 150 with an Occupational Health Nurse and 13 with the Senior Occupational Health Physician.

Chart 10



Immunisation

51. During Q4 the OHS have continued to provide Hepatitis B immunisation to employees whose job role has been identified via risk assessment as requiring an offer of Hepatitis B immunisation, administering a total of 46 vaccines.
52. During Q4 there were 2 inoculation incidents, one human bite and one needlestick injury. Appropriate action was taken to support the employees involved including immunisation, follow up blood tests, advice and signposting to the EAP.

Occupational Health Activity Data DCC related activity (note this data does not include Local Authority Maintained Schools).	Q4 2021/22 Total	Q3 21/22 Total	Q2 21/22 Total	Q1 21/22 Total	Q4 20/21 Total
Appointment category					
Pre-Employment/Pre-Placement assessments	588	443	529	464	307
Management referrals seen – Long Term Sickness	99	88	108	114	72
Management referrals seen – Short Term Sickness	10	12	6	11	11
Management Referrals seen -Long/Short Term Sickness	16	13	9	25	16
New Management Concern referrals seen	79	90	70	109	45
Review appointments seen	33	28	39	43	41
Re-referrals seen	48	50	29	23	32
Covid	0	3	4	7	-
Statutory Health Surveillance Assessments Attended (Nurse)	150	147	147	169	43
Music Service	0	0	1	0	0
School Crossing Patroller Routine Medicals	40	7	2	2	17
Driver Medicals (DVLA Group 2) e.g. HGV	14	33	20	13	1
Night Worker assessments (Working Time Regs 1998)	2	0	0	4	5
Immunisations against occupationally related infections	46	8	5	40	29
'Flu' Immunisations	0	415	0	0	0
Inoculation injury OHS Assessments – where injury has been reported to the OHS	2	2	0	0	0
HAVS Postal Questionnaires sent	163	175	52	146	245
HAVS Postal Questionnaires returned percentage rate	42%	50%	50%	40%	67%
Did Not Attend (DNA) for statutory health surveillance appointment (Nurse)	37	29	19	19	11
Music Service DNA	0	0	0	0	0
DNA – Management Referral appointments with the OHS (excluding health surveillance)	53	46	53	51	31

Open Water Safety

53. The City Safety Group and county wide Open Water Safety Group both met during the reporting period. Both groups were supported by multi agency attendance and reviewed plans for risk assessment and controls for open water across the county, including the city centre.
54. The City Safety Group made further progress against its action plan and there was delivery of the independent RoSPA river corridor safety report to the group for consideration following previous assessments in 2015 and 2018. An annual city safety report was produced also which details the work and progress of the group during 2021/2022.
55. The County wide open water safety group also met during Quarter four to review work undertaken across the County in 2021 and plan for future activities and interventions in 2022. A number of open water safety related campaigns and awareness raising initiatives were identified at a national level which are to be utilised by the group across the county by partners in 2022.
56. Further interventions, particularly regarding education and awareness for young people in the Chester-Le-Street riverside complex area were progressed. A further meeting was convened at the request of local councillors and residents group leaders and plans were finalised to provide all schools in this area with the opportunity to have open water safety assemblies, delivered by emergency services and featuring the Councils dying to be cool campaign in which Fiona Gosling presents the educational campaign.
57. Plans were also put in place to ensure that reassessments of priority open water safety sites across the county would be undertaken prior to the peak periods of footfall and seasonal warmer weather. These reassessments will ensure that control measures remain in place from previous assessment outcomes and if any further interventions are required then these will be actioned accordingly.

Violence and Aggression – Potentially Violent Persons Register (PVPR)

58. At the close of Quarter four 2021/22, there were 75 live entries on the PVPR register. The 12 month rolling figures for PVPR live entries are as follows:

Year	Quarter	PVPR live entries
2021/22	1	55
2021/22	2	47
2021/22	3	66
2021/22	4	75
Number of Live Records		75
Number of Additions		24
Number of Removals		14
Number of Warning Letters Sent		8
Number of PVPR Appeals		1

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

- CYPS - 33 viewed 60 times
- AHS - 64 viewed 420 times
- N&CC - 37 viewed 65 times
- REG - 77 viewed 160 times
- RES - 54 viewed 349 times
- Members - 3 viewed 4 times

60. The below tables detail the corporate risk that may have an impact on Health and Safety at the end of April 2022.

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 delayed economic recovery and adverse impacts on employee resilience and the health and wellbeing 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	REG	Serious injury or loss of life due to Safeguarding failure (Transport Service)	The current controls are

			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.	Treat
6	RES	Serious breach of Health and Safety Legislation	The current controls are considered adequate.
7	REG	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	The current controls are considered adequate.
9	NCC	Demand pressures on the Community Protection inspections and interventions arising from the COVID-19 pandemic and the UK exit from the EU may lead to an adverse impact on public health and safety in Co Durham.	Treat

Statistical Information

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

Main implications

Legal

62. 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

63. 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

64. 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

65. Planning and preparation for the transition to the removal of COVID mandated restrictions was successful in terms of a structured and safe return to workplaces for employees who had been predominantly working at home throughout the pandemic.
66. The continued resumption of services and activities inevitably meant that accident rates have steadily returned to previous pre COVID levels. Only 2 RIDDOR specified injuries were reported which, in addition to previous quarters, resulted in 5 in total for the year.
67. Whilst concerning to see COVID infection rates increasing across the county and several workplace outbreak control teams being put in place, the health impacts were significantly less and reiteration of the importance of COVID controls was a proportionate and appropriate approach.
68. The development of a revised Corporate Health, Safety and Wellbeing strategy and action plan will enable the council to focus on strategic non COVID related matters and objectives and refocus on this key area during the next three years, syncing with the wider joint strategic needs assessment.
69. The H&S team undertook a positive number of proactive audits and inspections during the quarter and subsequently identified opportunities for improvements and compliance assurance.
70. The council has continued to be proactive in its approach to mental health and wellbeing. Completion of the employee health and wellbeing survey during this quarter enables further insight and intelligence which will be acted upon in 2022.

Other useful documents

71. Occupational Health Quarter four 2021/22 Report
72. Health, Safety and Wellbeing statistical Quarter four 2021/22 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