

Audit Committee

28 February 2023

2022/23 Quarter 3 Health, Safety and Wellbeing Performance Report



Report of Amy Harhoff, Corporate Director of Regeneration, Economy and Growth

Electoral division(s) affected:

Countywide.

Purpose of the Report

- 1 To provide an update to Audit Committee on the council's Health, Safety and Wellbeing (HSW) performance for Quarter three 2022/23.

Executive summary

- 2 There were 502 work related accidents and incidents during quarter three which was an increase from the two previous quarters (386 & 306). Of these there was 17 RIDDOR reportable over 7 days incidents and 1 RIDDOR specified injury related incident. 12 of the over 7 day RIDDOR reportable incidents occurred IN quarter 3 were within CYPS.
- 3 There were 3 fire related incidents, all involving refuse vehicle fires at separate locations across the County. All three incidents were caused by the placing of batteries or other potential ignition sources into household or recycling bins. In all three incidents the crews acted accordingly and followed the safe working procedures for dealing with hot loads.
- 4 There were 119 H&S and fire safety audits and inspections of council premises and work activities during the quarter which resulted in an overall compliance rate of 94.55%. Once again, the majority of noncompliance issues were of a low priority and over 300 opportunities for improvement were identified during auditing as well as best practice being evidenced in many areas.
- 5 The second employee working well survey was completed and a total of 3,052 responses were received (3,033 electronically and 19 via hard copies). This represented 35.6% of employees in the survey population of 8,570. Initial headline results of the survey have been presented to

the Better Health at Work Group and these will be followed with detailed service grouping and Head of Service results in Quarter four.

- 6 The Council also made a further positive step for employee wellbeing by signing up to the workplace menopause pledge and commitment to actively supporting and informing employees affected by the menopause.

Recommendation(s)

- 7 Audit Committee is recommended to note and agree the contents of this report.

502

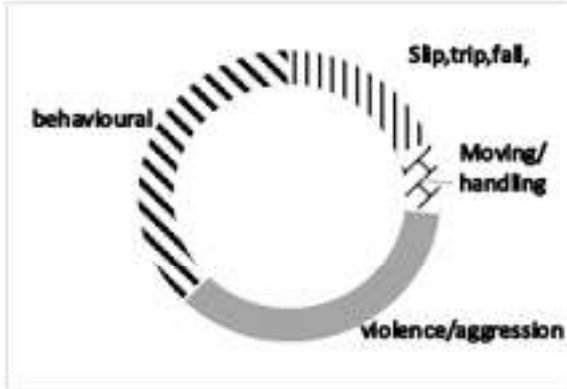
Accidents, incidents and near misses reported (306 Q2 and 386 in Q1 2022/23)



95%

Of all reported accidents are either no injury or near miss

Main Accident/Incident Causes



1 RIDDOR 'specified' injury, and 17 over 7 days absence RIDDOR injuries

Employee working well survey completed in Quarter 3 2022/23.



- Better Health at Work Maintaining Excellence Status and working towards ambassador status



47 psychological work-related incidents in Q3 2022/23 compared to 32 in Q2 and 30 in Q1 2022/23.

3 fire related incident



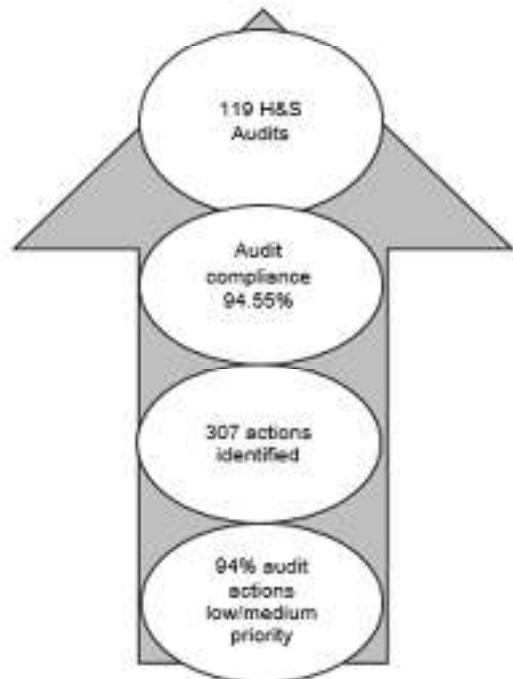
0 CDDFRS inspections of council premises



Workplace influenza vaccine delivered in Q3

0

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



Background

- 1 The corporate 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.

Consultation/Communication

- 2 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 meets on a regular basis. 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.
- 3 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 and HR.

Audits and Inspections

- 4 There were a total of 119 audits and inspections undertaken by the H&S team during quarter three.

Chart 1 – Audit and Inspection Activity for Quarter 3.



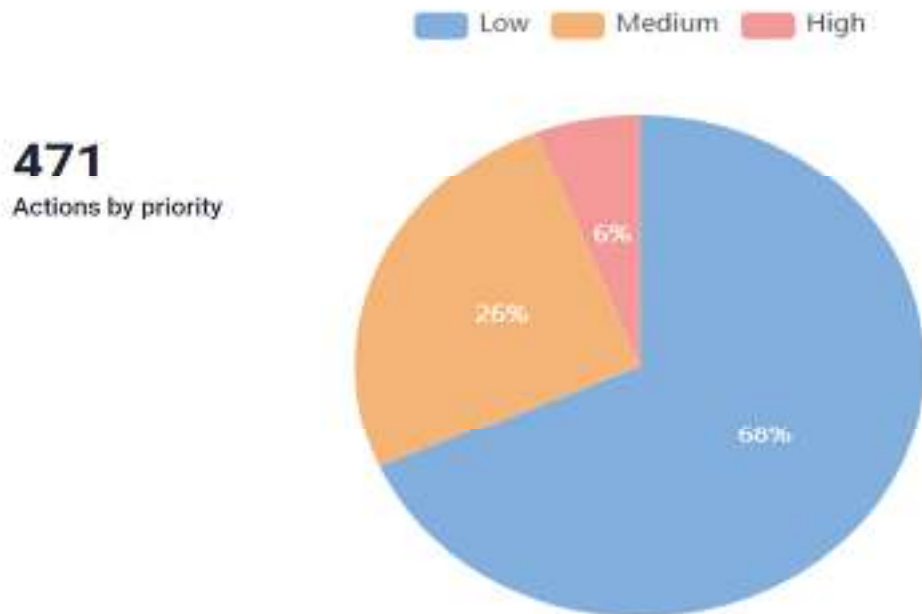
- 5 From the audits undertaken the following headline percentage compliance scores can be determined for each area:

Table 1 Compliance scores

TITLE	INSPECTIONS	SCORE (%)
	Total	Average
Civil Engineering and Construction Sites	17	84.28%
Clean & Green	3	94.32%
Crematoria	2	91.18%
CYPS	4	90.53%
Fire Safety	9	95.79%
Refuse and Recycling	11	90.12%
School Audits	53	96.40%
Waste Transfer Stations	2	92.74%

6 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



High Priority Action Areas

Site	High Priority Actions
Buildings Construction Site	6
Acre Rigg Infant School	4
Sherburn Primary School	4
Wingate Primary	3
Eskdale Academy	2
Building And Facilities Management	2
Wingate Primary School	2
Aycliffe Secure	1
Morrison Busty Compound and Nursery	1
Barbara Priestman Academy	1
Brandon Sure Start Children's Centre	1

Fire Incidents

- 7 There were 3 fire related incidents on board Durham County Council refuse vehicles. These were at Esh Winning, Woodstone village and Chapel Row, Middleton in Teesdale.

Esh Winning

- 8 It was reported that at 08:57 hours on 14 October 2022 that sparks could be seen in the back of a refuse vehicle NK20 XTS during a household waste collection. The driver informed supervision and he was informed to take the vehicle back to Annfield Plain waste transfer station as per the hot load procedure. The load was tipped in the hot load bay it was identified that some lithium batteries were the cause of the sparks and smouldering in the waste. The batteries were removed, and the load was monitored before being taken away as per the usual disposal methods. A site visit was to take place to potential business and residents in the area to inform them of the correct way of disposing of batteries.

Woodstone Village

- 9 At 13:20 hours on 25 October the driver of refuse vehicle NK67 WLU noticed flames and smoke coming from inside the hopper. He drove the vehicle a short distance to a safe layby and called the fire service. They attended a short time later and extinguished a small fire within the hopper and ensured that it was out by checking with thermal imaging equipment for any hot spots in the hopper. The refuse vehicle returned to Annfield Plain waste transfer station and the load was left and monitored, a check was made of the load and several flammable items

were found within the waste namely a multipurpose lighter and cigarette lighter. It is believed that these may have been the source of ignition within the waste. The load was taken away as per the usual disposal methods.

Chapel Row

- 10 At 09:30 hours on the 12 December 2022 two operatives were emptying recycling bins at the rear of refuse vehicle NJ71 BZG. They noticed smoke coming out of the top of the vehicle and the determination was made to drive the short distance to the local depot to deposit the load in a safe area rather on the street. When the load was deposited it was identified that an area of the load was on fire. One of the operatives used a fire extinguisher to put it out. On examination of the load, it was identified that batteries within a discarded torch were believed to be the ignition source. Once the hot load had been deemed safe to move it was collected and taken to Heighington waste transfer station where it was disposed of as household waste due to it being contaminated waste.
- 11 It is evident that all three incidents were caused by the placing of batteries or other potential ignition sources into household or recycling bins. In all three incidents the crews have acted accordingly and followed the safe working procedures for dealing with hot loads.

Fire Inspections – County Durham and Darlington Fire and Rescue Service

- 12 There was no Fire and Rescue Service inspections of Council premises during Quarter three.
- 13 Following the major deficiencies letter issued by the Fire Service regarding Hawthorn House, the remedial work to subdivide the main corridor to reduce the compartment size and upgrade the trunking within the main corridor to achieve a minimum of 30 minutes fire resistance has been completed. In addition, all the fire doors to the bedrooms have been fitted with new cold smoke seals and intumescent strips. The fire risk assessment and site-specific emergency plan has also been updated, which includes the evacuation strategy with sufficient staff levels to evacuate the largest sub - compartment.
- 14 The Senior H&S (fire) advisor has informed the Business Fire Safety Officer who issued the major deficiencies letter that the remedial work to the home has been completed. A visit is planned by the fire safety Officer on 20 February 2023 to ensure that issues highlighted in the letter have been addressed.

Occupational Health

- 15 During Quarter 3, 254 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 Q3 this year has decreased from the Q3, 2021/22, a decrease of 30 referrals which represents a 11% decrease.

Chart 1

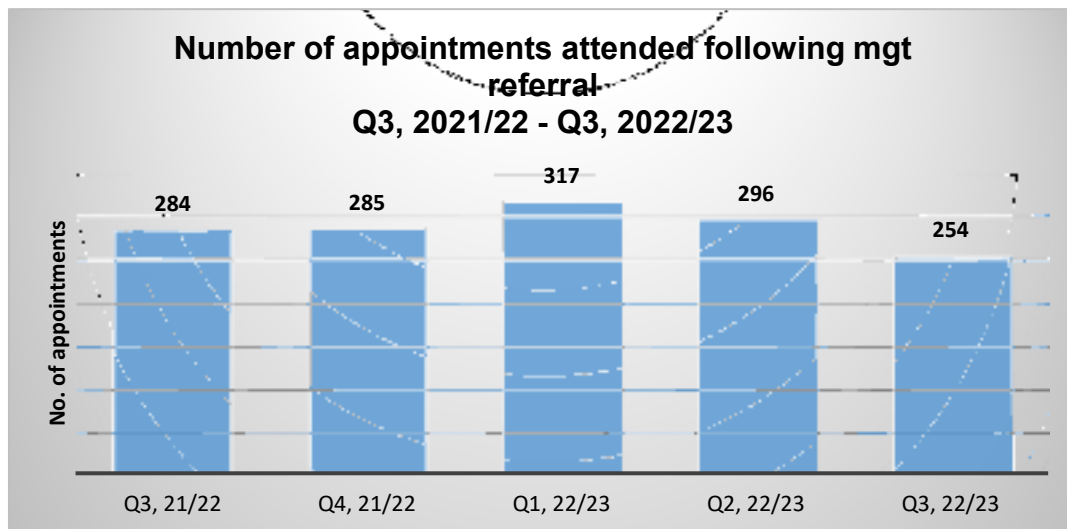
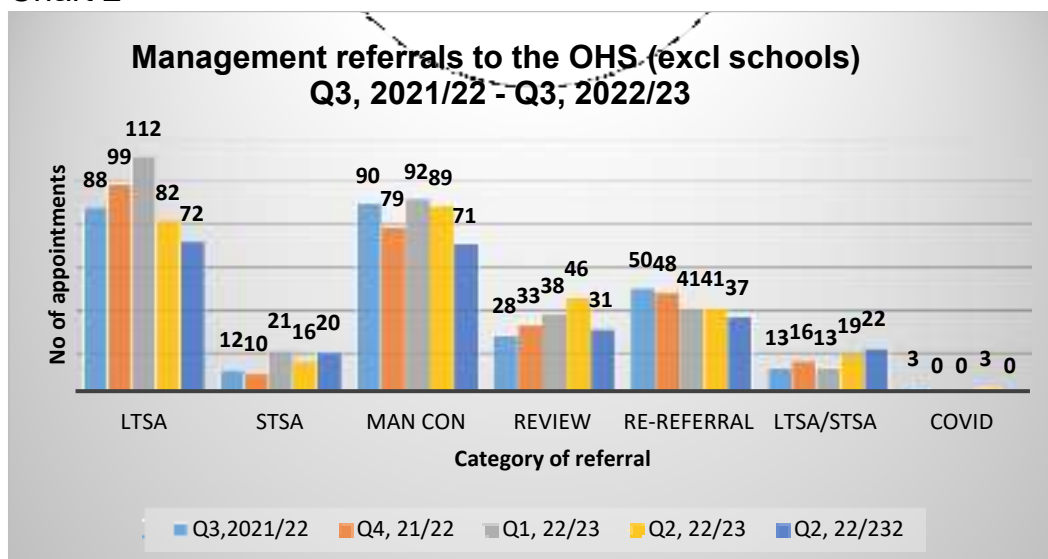


Chart 2 shows the categorisation of management referral appointments attended.

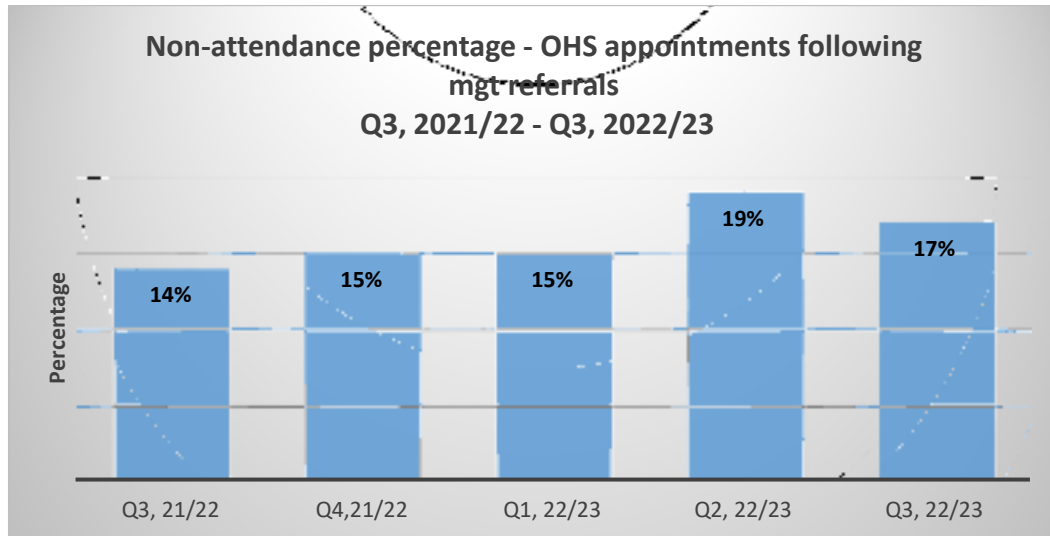
Chart 2



Management Referrals - Non Attendance

- 16 During Q3, 51 employees did not attend their allocated appointment following management referral. This represents a 17% non-attendance rate. See Chart 3

Chart 3



Management Referrals – Employee Attribution

- 17 During Quarter 3, 72 employees were seen for LTSA of which 24% (n=17) stated to the OHS that they consider the underlying cause to be due to work related factors. Of the 17 employees, 82% (n=14) identified this was due to 'psychological' reasons and 18% (n=3) identified as 'musculoskeletal' See Charts 4 & 5
- 18 Chart 6 shows the cause of absence categories for non-work related LTSA seen in the OHS, 27% (n=15) were due to psychological reasons; 27% (n=15) were due to musculoskeletal problems; and 46% (n=25) were due to other.

Chart 4

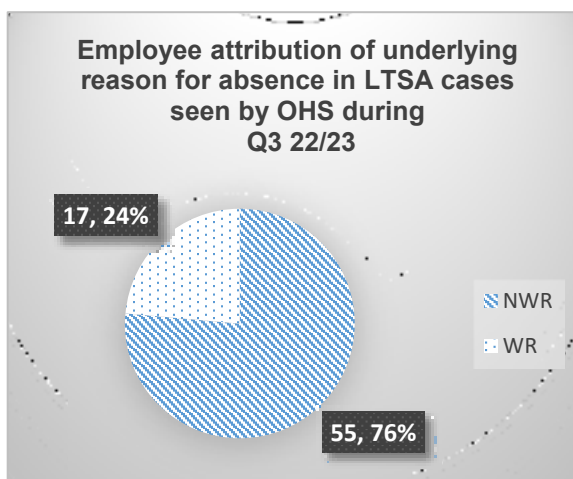


Chart 5

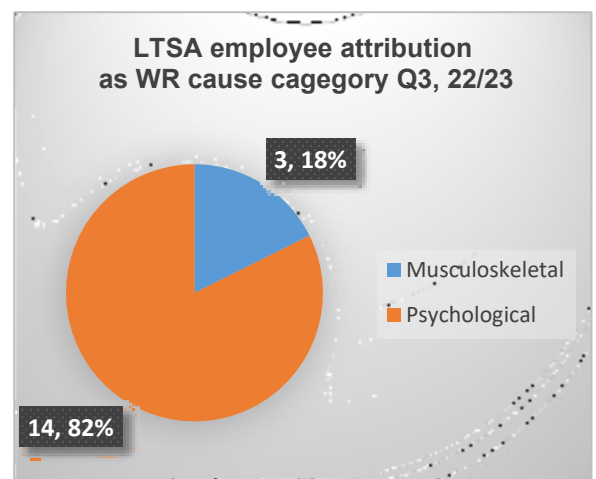
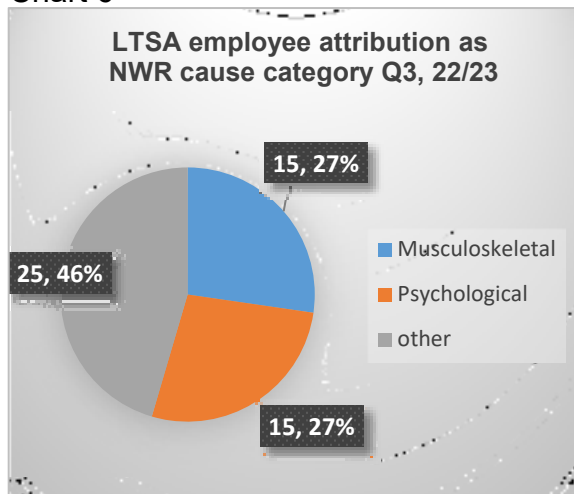


Chart 6



- 19 Management concern referrals are made when the employee is not absent from work and advice is required relating to work that is affecting the employees' health or their health is affecting their work.
- 20 During Q3, 71 employees were seen as a management concern, 14% (n=10) of these referrals stated to the OHS that they consider the underlying cause to be due to work related factors. (Chart 7) Of the 71 employees seen 80% (n=8) of the work related and 15% (n=9) 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 26% of non-work related and 20% 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.
- 21 Further analysis of the data relating to management concern referrals identified that 11% of the LTSA referrals received in Q2 were seen in the previous 12 months as a management concern referral.

Support Services

- 22 During Quarter 3, the OHS provided the following additional support services. See Table 1.

Table 1

Additional Support services accessed via the OHS	A&HS	CYPS	NCC	REG	Res	Cex	Service not detailed	Q3 22/23 Total	Q2 22/23 Total	Q1 22/23 Total	Q4 21/22 Total	Q3 21/22 Total
Number of routine physiotherapy referrals	10	9	9	12	12	0	-	52	60	65	57	59
Number of routine physiotherapy sessions	28	38	47	35	41	0	-	189	223	214	188	176
Number of 'face to face' counselling referrals	1	3	2	1	1	0	-	8	6	6	2	0
Number of 'face to face' counselling sessions	0	0	2	4	0	0	-	6	11	13	0	0
Total number of calls to the EAP	41	45	8	3	13	0	24	134	110	92	159	125
Telephone EAP structured counselling cases	3	0	0	0	0	0	0	3	7	0	0	77
Telephone EAP structured counselling sessions	0	0	0	0	0	0	0	0	38	0	0	62
Employees referred to online counselling	0	1	0	1	3	0	5	10	2	5	5	5
Online Counselling Sessions	1	4	0	0	1	0	1	7	11	7	9	10
Employees referred to online CBT	0	0	0	0	19	0	4	23	2	32	9	15
Online CBT sessions	3	13	0	5	2	0	8	31	0	22	72	46

Physiotherapy

- 23 Routine physiotherapy clinics 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.

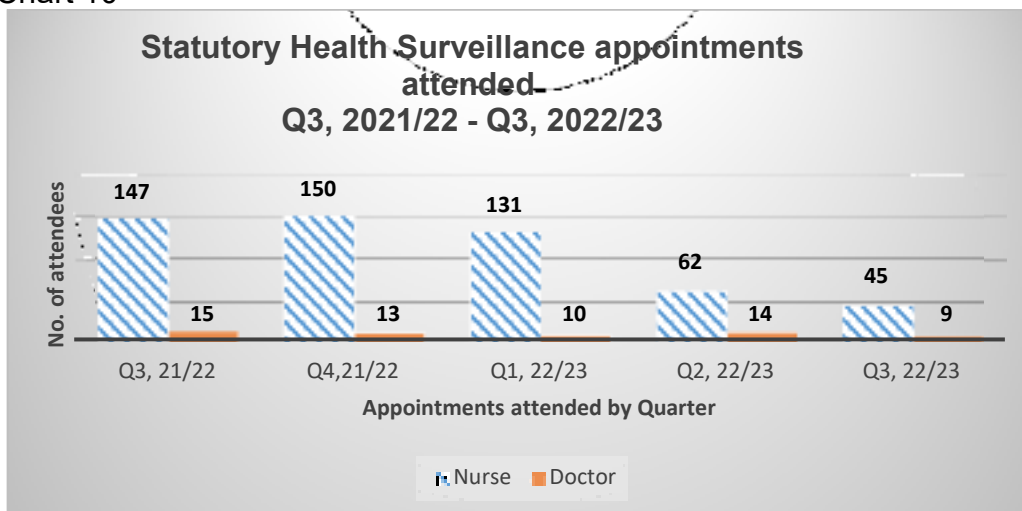
24 Q3 data provided by the contracted service has identified that 6% of the referrals for physiotherapy were related to work, it was also reported that 1 of the referrals was reported by the employee to be following a work accident. At the time of preparing this report (24/01/23) there was no waiting time for an initial assessment. The OHS will continue to monitor this waiting time and report to this group.

Health Surveillance

25 The OHS continues to provide statutory health surveillance programmes to employees in line with HSE guidelines. Some health surveillance clinics are carried out on site to minimise the effect on service delivery.

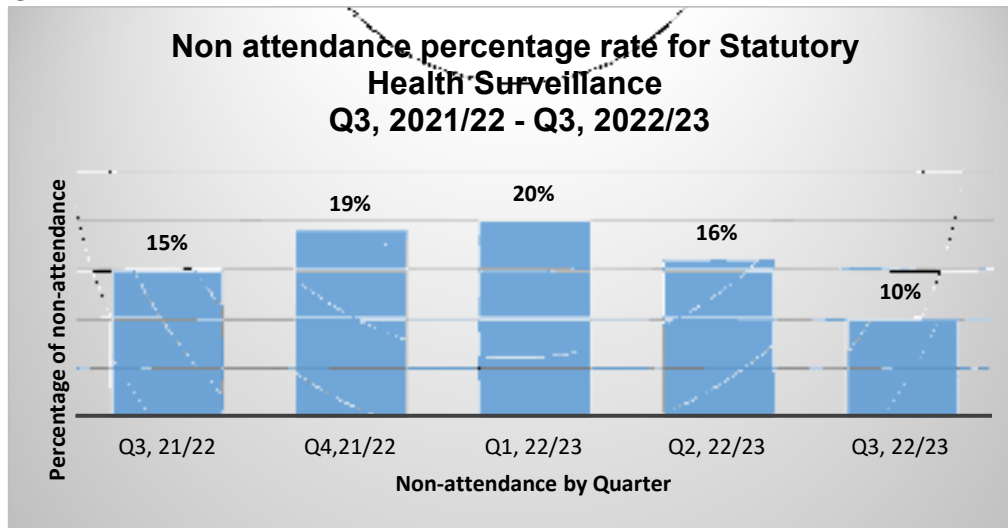
26 During Quarter 3, a total of 54 employees attended OHS appointments for routine statutory health surveillance, 45 with an Occupational Health Nurse and 9 with the Senior Occupational Health Physician.

Chart 10



27 During Quarter 3, 10% (n=6) employees failed to attend their appointment with the OHS in relation to statutory health surveillance. See Chart 11.

Chart 11



Immunisation

- 28 During Q3 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 30 vaccines. During Q3 there were 0 inoculation incidents
- 29 The Occupational Health Service delivered onsite flu vaccinations to employees who routinely provide up close and personal care to clients who are at risk of the complications of flu and provided additional clinics in the OHS, administering 342 flu vaccines during Q3.

Employee Health and Wellbeing

- 30 The employee better health at work group, chaired by Corporate Director Adult and Health Services, convened 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.
- 31 The second employee working well survey was undertaken during the quarter in order to collect information about the views of employees on a number of workplace wellbeing issues. These included family friendly policies and practices, flexible working, working conditions including control, demands, relationships, role and support, communication channel effectiveness, information, training, knowledge and awareness, willingness to speak up for the council and council benefits and networks. The survey also repeated a set of specific evidence-based questions on causes of work related stress as recommended by the Health and Safety Executive.

- 32 A total of 3,052 responses were received (3,033 electronically and 19 via hard copies). This represents 35.6% of employees in the survey population of 8,570.
- 33 The response rate was 3.8% lower than the equivalent survey undertaken in Spring 2017, which achieved a response rate of 39.4% (3,702 returns – 3,382 electronic and 320 hard copies. Of the total number of respondents, 13% of respondents came from AHS, 24% from CYPS, 13% from NACC, 20% from REG and 30% from Resources.
- 34 Overall, the findings from the second survey are broadly positive, and the survey response rate was high, particularly within the context of the amount of organisational change there has been since the last comparative survey in 2017. A summary of initial findings is provided in Appendix 2 of this report. In accordance with the post survey timeline agreed with CMT, additional analysis will be undertaken at the beginning of Quarter four to produce survey specific results at a Head of Service level across all service directorates.
- 35 The Council also signed up to the workplace menopause pledge which supports the Menopause Workplace Pledge campaign, led by the charity Wellbeing of Women, in partnership with Hello magazine and supported by BUPA. In signing the Menopause Workplace Pledge, the Council have committed to recognising that the menopause can be an issue in the workplace that needs support, talking openly, positively and respectfully about the menopause and actively supporting and informing employees affected by the menopause. The signing of the pledge supports ongoing work to promote the importance of looking after employee health and wellbeing.

Open Water Safety

- 36 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.
- 37 The City Safety Group continues to make progress with actions following the independent re-assessment of the city's river corridor by RoSPA in 2021. Relevant action owners and landowners have progressed additional infrastructure improvements as per assessment recommendations. Monitoring of recommendations progress will be undertaken via the quarterly City Safety Group meetings to ensure delivery.

- 38 There has been no further action required from a Council perspective following an incident in Durham City on 20 September 2022 where a body was recovered from the river in the city centre. Durham Constabulary confirmed that an investigation will be carried out before a file is prepared for the coroner.
- 39 Reassessments of previous open water safety risk assessments were completed during this quarter for the higher risk locations across the county to ensure that seasonal winter changes to locations are accounted for in risk assessments.
- 40 Work was completed in relation to Shotton pond location to address regular anti-social behaviour that has been affecting provision of public rescue equipment. Following a decision to install alternative vandal resistant equipment in the form of throw lines which are secured within metal cabinets, there has disappointingly been further deliberate attacks to destroy the new equipment. Work between the Council and CDDFRS has been undertaken to issue joint communications in local media to raise awareness of the impact of such attacks and removal of essential rescue equipment in an area where previous incidents have occurred.

Violence and Aggression – Potentially Violent Persons Register (PVPR)

- 41 At the close of Quarter three 2022/23, there were 100 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	4	75
2022/23	1	85
2022/23	2	89
2022/23	3	100
Number of Live Records		100
Number of Additions		35
Number of Removals		24
Number of Warning Letters Sent		11
Number of PVPR Appeals		3

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

- CYPS - 44 viewed 62 times
- AHS - 41 viewed 60 times
- N&CC - 53 viewed 38 times
- REG - 91 viewed 194 times
- RES - 77 viewed 619 times
- Members - 2 viewed 2 times

Corporate risks that may have an impact on Health and Safety

43 The below tables detail the corporate risk that may have an impact on Health and Safety at the end of January 2023.

Ref	Service	Risk	Treatment
1	CYPS	Failure to protect a child from death or serious harm (where service failure is a factor or issue).	Treat
2	REG	Serious injury or loss of life due to Safeguarding failure (Transport Service).	The current controls are considered adequate.
3	AHS	Failure to protect a vulnerable adult from death or serious harm (where service failure is a factor or issue).	Treat
4	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
5	RES	Serious breach of Health and Safety Legislation	The current controls are considered adequate.
6	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

7	RES	Potential violence and aggression towards members and employees from members of the public	The current controls are considered adequate.
8	NCC	Demand pressures on the Community Protection inspections and interventions arising from the UK exit from the EU may lead to an adverse impact on public health and safety in Co Durham.	Treat
9	NCC	Potential impacts of the spread of Ash Dieback Disease on the environment, public safety, and Council finances.	Treat

44 Since the last update, one new risk has been added, but it does not have significant health and safety implications (*Increased levels of demand combined with high inflation on transport costs may disrupt the provision of **Home to School Transport**, leading to a potential budget overspend and adverse impacts on children and families*).

45 Officers are working closely with partners to scale up preparedness for, and protection from, a potential terrorist attack and to ensure that the Council will be able to meet the new requirements of Martyn's Law, which follows campaigning after the Manchester Arena terror attack in May 2017 and is expected to come into force in August 2023.

Statistical Information

46 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.

Conclusions

47 Accident statistics in general for quarter showed an increase from previous two quarters. There was also an increase in RIDDOR reportable over 7-day absence related incidents, with 12 incidents were split between CYPS Service Areas and Schools. Four of these were in Aycliffe Secure and Coxhoe Children's Home. All four were related to physical intervention or V&A from the residents. A further eight were in schools – five in primary, three in nursery and special provision. Whilst

there appears to be no immediate trends all will be investigated by the Corporate H&S team.

- 48 The continued audit and inspection activity by the H&S team continues to provide opportunities for improvement in relation to the working practices and procedures, with 119 audits resulting in over 300 flagged items for improvement being identified during the quarter. The majority of items identified continue to be low priority which is positive.
- 49 Another spate of refuse vehicle load fires occurred during this quarter and this remains an ongoing risk for refuse crews to deal with. Another set of public awareness communications would be appropriate in order to reduce the risks from discarding hazardous materials in household waste and causing fires.
- 50 The initial results from the employee working well survey show a range of opportunities for improvement and some positive results. The response rate, whilst slightly below the previous survey in 2017, was positive in terms of in excess of 3,000 employees undertaking the survey. Further work in Quarter four will enable more detailed results to be provided at service grouping and Head of Service level.
- 51 Further proactive promotion and campaigns were undertaken which will support of employee health and wellbeing further. A further positive statement of intent was made in terms of signing of the workplace menopause pledge which further enhances and acknowledges health and wellbeing agenda across the council.

Other useful documents

- Occupational Health Quarter three 2022/23 Report
- Health, Safety and Wellbeing statistical Quarter three 2022/23 report

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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 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