



# **Health and Safety**

## **Annual Report**

**1<sup>st</sup> April 2017 - 31<sup>st</sup> March 2018**

## Summary

1. This report covers the council's financial reporting period 1<sup>st</sup> April 2017 to 31<sup>st</sup> March 2018.
2. There has been quite a bit of change over the last 12 months as the Health & Safety (H&S) teams of City of York Council (CYC) and North Yorkshire County Council (NYCC) merged and launched on the 1<sup>st</sup> July 2017 to form one cohesive team delivering health and safety advisory support to both councils.
3. The main driver, for the council's improvements in health and safety management, continues to come from the commitment of the Chief Executive, supported by the Corporate Management Team and Heads of Service. Integral to this is the hard work undertaken by colleagues across the council to ensure services are delivered in a safe and healthy manner. Elected Members also consider the management of health and safety to be essential with significant oversight undertaken by the Portfolio holder for the Environment, with major reports in April, July and October 2017 and a formal interim report on health and safety performance in January 2018. This was also supported by the Audit and Governance Committee who received reports in July 2017 and February 2018 following ongoing Internal Audit reports.
4. Fundamental to the work of improving and managing health and safety across the council are those actually delivering the services so our employee representatives have a clear role in ensuring this support. The main mechanism of achieving this is through representation on the formal quarterly Joint Health and Safety Committee (JHSC) where safety reps from the relevant trade unions attend along with Assistant Directors, Heads of Service and members of the Health and Safety Service. Key achievements of this committee over the past year include the agreement of a Substance Misuse Policy and revised Asbestos and Water Hygiene (which includes legionella control) arrangements. All of these new initiatives will be launched in 2018. The committee has also considered lone working which is has been a major project over the past 12 months.
5. Following the deployment of H&S advisors, to their respective areas, and agreement of directorate plans it is apparent that there are some gaps in the health and safety culture of the council at the front line which is currently being addressed in specific service areas to focus of improving health and safety performance. It can be particularly problematic to monitor activities of staff who are generally field based and their role is peripatetic.

## Key areas of Health and Safety Work in 2017/18

6. A major piece of work over the past 12 months has been the successful creation of the Shared Health and Safety Service which resulted in some changes in the roles of some advisors. This included, as part of a fundamental restructure, the deployment of specialists into roles covering both organisations to make best use of their specialist knowledge. It is a testament to the team that they continued to deliver to the clients which includes all the departments of CYC whilst this restructure was ongoing. The capacity and organisational resilience created has already proved invaluable following the leaving and a sudden unplanned long term illness of two key members of the team at the same time.
7. In addition a Client Officer Group was created to monitor the service performance - the most significant achievement to date has been to ensure an appropriate joint operational budget was agreed. This also included agreeing a budget and specification of a proposed Health and Safety Management Information Technological solution which is to be used by both councils and other traded service clients. This will, subject to finding the correct solution, ensure the approach to managing health and safety is consistently applied.
8. A key area of work across the council for a number of years has been the management and reduction of risk from fire. The risks from which was brought to stark reality over the past 12 months with over 70 people losing their lives in the Grenfell Fire in June 2017 and the subsequent Liverpool Arena fire which damaged some 1300 cars in December 2017.
9. The CYC approach has been the regular undertaking and reviewing of fire risk assessments and implementing the associated findings and recommendations. In the case of Grenfell the issues were particularly related to "High Rise" properties which relates to those over 4 storeys or roughly 18m of which CYC only have a limited number. CYC reviewed these incidents and gap analyses were undertaken, and in the case of the CYC housing stock this involved arranging and implementing a further 300 fire risk assessments in communal blocks.
10. The second major project which was already ongoing was a fire safety review of The Shambles which is approximately 70% owned by CYC. There are a number of key elements to this review; all tenants were requested to submit their latest electrical testing and inspection reports which were then checked. A member of the Shared Health and Safety Service undertook a fire safety assessment of all the CYC owned property and those owned by third parties. Where significant concerns were noted, these issues have been highlighted and work ongoing to address them. This complex work is being undertaken in partnership with the other owners and the North Yorkshire Fire & Rescue Service.

11. Other key areas of work have been in relation to asbestos, legionella and alcohol and substance misuse management arrangements through revised Compliance Notes and policies which will be launched in 2018. In particular those arrangements in relation to asbestos and the substance misuse policy have been major pieces of work. In relation to the latter the Human Resources Team and the Shared Health and Safety Service are now finalising the procedures to ensure the policy can be practically implemented in a proportionate and timely manner.
12. The Construction (Design and Management) Regulations 2015 significantly revised the roles and responsibilities for managing construction work which still remains one of the council's highest risk activities and still causes numerous accidents nationally which are notifiable under the provisions of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (known as RIDDOR).
13. CYC not only undertakes a number of these activities directly through the work of the Hazel Court based delivery teams but commissions and designs this work. Consequently following the creation of the Shared Health and Safety Service, far more health and safety support is being provided to CYC when it acts as Client when commissioning or designing projects. Each project going forward from 2018 should have a named Health and Safety Advisor to support where this is appropriate due to project size and/or risk. This is a major commitment of CYC to trying to mitigate this significant risk.
14. Following the tragic murder of an Member of Parliament and a number of other high profile incidents nationally a review of the CYC lone working arrangements has been undertaken with each directorate being tasked to look specifically at their lone working arrangements which has then been considered at Corporate Management Team (CMT). This approach has significantly raised its profile and the need to ensure control measures are robust. This work is ongoing and includes developing a risk assessment for Councillors.
15. To drive long term health and safety improvement and ensure this remains embedded in the organisation, each Directorate has at least one lead Health and Safety Risk Advisor to support them and has each developed a health and safety improvement plan.
16. As indicated above a significant number of specific projects have been undertaken or are currently ongoing. However the service also continues to provide a monitoring role in relation to individual premises and activities through targeted inspections and/or audits. Table 1 provides a summary of this work. As this is the first year of the Shared Health and Safety Service it is not possible to compare this with previous years as the structure, organisation and resources

have significantly changed. However going forward this will form one of the key reporting areas for the service.

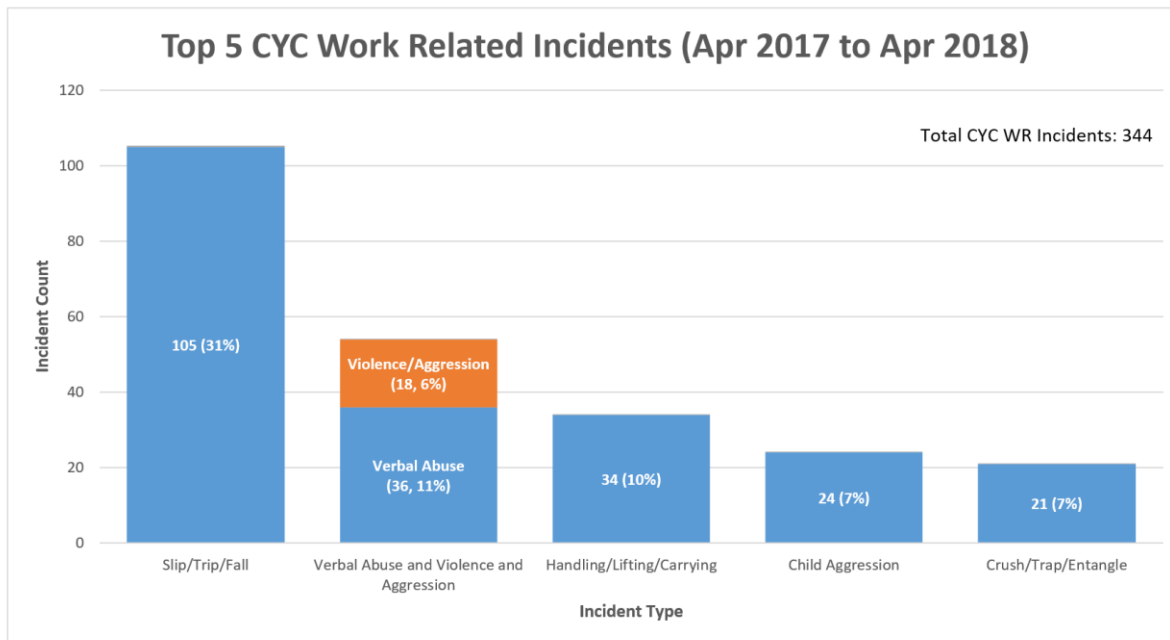
**Table 1 - Summary of inspections and audits of CYC Properties**

<b>Type of Visit</b>	<b>Number of Visits</b>
School H&S Inspections	<b>39</b>
School Fire Risk Assessment Review	<b>43</b>
Asbestos Management Inspections/ audits	<b>35</b>
Corporate formal H&S visits	<b>12</b>
Corporate Formal Fire Risk Assessments	<b>4</b>

## **Accidents and Incidents**

17. Outlined in this report are a number of activities being proactively undertaken to mitigate risk. Accidents and incidents, however, do occur and when they do they are monitored and investigated. Table 2 below shows the top 5 accidents by cause across CYC over the last financial year. Verbal and violent aggression still continues to be issue with an increase in the number of incidents from 68 to 78 from the previous year (with an increase of 4 the number of incidents involving violence). As indicated in last year’s report child aggression is now reported separately. This has been a priority and taken seriously for clear and proactive management action, and staff informed that this behaviour is not acceptable and encouraged to report issues as soon as they arise, whether internal or from members of the public.

**Table 2**



18. Slips, trips and falls continue to cause the highest number of accidents and there has been an increase in the number of incidents from 78 to 105. Short term increases such as this can occur due to initiatives to encourage reporting, which has been an ongoing campaign over the past year, but they do identify areas of concern which need to consider over the next 12 months. Unfortunately violence and aggression, as they reflect wider social issues, can be very difficult to manage. However we continue to challenge this behaviour and in some cases may result in specific action being taken.
19. In the case of slips, trips and falls we will be running an awareness raising campaign to ensure services are maintained, and kept free from obstacles and that monitoring arrangements are robust particularly during poor weather.
20. There was a slight decrease from 48 incidents to 32 related to moving and handling injuries. Manual handling training and the use of lifting aids where appropriate has been a priority for a number of years so we will continue to monitor this to see if this is a long term trend.
21. There were 12 accidents notifiable to the Health and Safety Executive (HSE) under the provisions of the RIDDOR. 10 of which involved CYC staff, 3 of these accidents were specified major injuries which involve a significant bone break or similar injury and 7 resulted in the injured person being off for more than 7 days. The major cause of the RIDDOR notifiable accidents were slips and trips which was the cause in 4 of the accidents with the other major cause being manual handling which again caused 4 accidents.

## National Issues

22. As outlined above there have been some major tragic events in the past year with the Manchester Arena Bombing in May 2017, the Grenfell fire in June 2017, and the Liverpool Arena Car Park in December 2017. In the case of Grenfell this is currently subject to a major police investigation, an ongoing public enquiry and an independent Review of Building Regulations and Fire Safety which identified that the regulatory system for safely designing, constructing and managing buildings is not fit for purpose.
23. In relation to the latter, the current system is highly complex and there is confusion about the roles and responsibilities at each stage. In many areas there is a lack of competence and accreditation. The author, Judith Hackitt, has therefore made a number of recommendations - the most significant of which is a new regulatory framework focused, in the first instance, on multi-occupancy higher risk residential buildings (HRRBs) that are 10 storeys or more in height. In addition a new Joint Competent Authority (JCA) comprising Local Authority Building Standards, fire and rescue authorities and the Health and Safety Executive (HSE) to oversee better management of safety risks in these buildings (through safety cases) across their entire life cycle.
24. Following the Grenfell and Liverpool Arena Fires there are a number of fire authorities actively lobbying to install sprinkler/misting systems in a wide variety of buildings including schools, multi-storey accommodation, car parks and in some cases domestic dwellings. With regard to CYC any project needs to be considered on its merits as regards risk versus potential benefits, and to ensure that residents are listened to and advised in this process.
25. In relation to the car park fire, the car parks at Fossbank and the Piccadilly had fire risk assessments undertaken by Chubb a number of years ago and have been recently reviewed by council officers. These car parks do not have sprinklers.
26. Any formal lessons learnt from the Liverpool Arena Incident which was said to have been caused by an accidental fire within a vehicle, will need to be considered within any new proposals, eg for a multi storey on St. Georges Fields, however there have been no formal reports or lessons learnt issued to date.
27. The Building Research Establishment reported in 2009 that there were about 260 fires in car parks each year, although most did not spread to other vehicles. It found that “the effectiveness of sprinklers in limiting fire to a single car has been demonstrated” and that multivehicle fires could cause structural damage. In 2015

a Building Research Establishment project funded by the government found it was not cost-beneficial to install sprinklers in multistorey car parks.

28. Civil engineers have in the technical press been reflecting on the cause. Fuel tanks have increased, cars are bigger and therefore closer together aiding the spread of fires. Modern cars also have plastic fuel tanks and the car park floor in the Liverpool case had deflections in the surface which meant fuel could form a standing pool.
29. It is too early to tell if the government will formalise changes to legislation arising from these events, but there is certainly significant pressure to address concerns. One thing is clear though it is essential that organisations manage significant health and safety risk to fulfil their statutory obligations. As identified in previous reports, this can be demonstrated through the changes to the sentencing guidelines for health and safety offences, resulting in substantial increases in the level of fine. In the first year since the introduction of the guidelines, the increase in the level of fines across the country was 80% which means that fines of up to and over £1 million are not now uncommon.

### **Looking forward to the Year 2018 – 2019**

30. The key projects for the coming year will include the joint procurement of a comprehensive health and safety information management system for CYC and NYCC councils to include accident/incident reporting, risk assessment, audit and inspection and activity reporting. This will help bring a number of disparate H&S processes into one solution. This will be rolled out not only to both councils but schools and other traded service clients.
31. There will be a continued focus on Construction, Design and Management (CDM) and fire related risks, paying particular attention to any formal outputs from national enquiry reports. There will continue to be focussed work with front line construction and waste teams in particular to ensure a robust Health & Safety culture is in place.
32. In light of the national terrorism threats the council is considering how this impacts on emergency plans, event safety and highway restrictions and will continue to be the focus of high level discussions at city level.
33. Schools have a difficult task in balancing risk and education priorities, for example the recent email threats which have resulted in school closures in some areas and risk managed approaches in others. As such a schools health and safety conference is planned for July 2018 and will include a health and safety training session for headteachers followed by a session with particular emphasis



on known risks experienced such as the email threats, educational visits and transport.

34. The asbestos, water hygiene and substance misuse arrangements developed over the last year will be implemented including awareness raising and training.