

Report of the Director of Communities and Neighbourhoods

## **Health and Safety Risk Management.**

### **Summary**

1. In 2009, the Health and Safety Executive published the strategy 'Health and Safety of Great Britain – Be Part of the Solution'. This report asks the Executive Member to pledge the council's support for the strategy.

### **Background**

2. The Health and Safety Commission and the Health and Safety Executive merged to form a single body, the Health and Safety Executive in April 2008.
3. This newly formed body is responsible for promoting the cause of better health and safety at work within Great Britain. It continues to work in close partnership with local authorities.
4. One of the first tasks that the newly formed HSE undertook, was to consider the direction of health and safety in Great Britain. As part of this work, the HSE published the strategy document – 'Health and Safety of Britain – Be Part of the Solution' (Annex A).
5. The HSE are seeking support for the strategy and are asking stakeholders, from the private and public sector, to 'become part of the solution'.

### **Sensible risk management**

6. The main purpose of the HSE strategy, is to promote the concept and application of sensible risk management.
7. The media often reports of everyday activities being stopped, such as conker fights or toothpicks in restaurants. Health and safety is often given the blame, but in reality it is often used as a convenient excuse.
8. Sensible risk management is about focusing on real risks that are still causing people to be killed, injured or made ill at work.
9. Applying sensible risk management has several benefits:

- It ensures that workers and citizens are properly protected;
  - It provides overall benefit to society by balancing benefits and risks, with a focus on controlling real risks – both those which arise more often and those with serious consequences;
  - It enables innovation and learning, not stifling them;
  - It ensures that those who create risks manage them responsibly and understand that failure to manage real risks responsibly is likely to lead to robust action;
  - It enables individuals to understand that, as well as the right to protection, they also have to exercise personal responsibility;
10. In contrast, sensible risk management is not about:
- Creating a totally risk-free society;
  - Generating useless paperwork mountains;
  - Scaring people by exaggerating or publicising trivial risks;
  - Stopping important recreational and learning activities for individuals where the risks are managed;
  - Reducing protection of people from risks that cause real harm and suffering;
11. It is important that the council supports the HSE strategy for a number of reasons:

#### Health and safety - City of York Council

The Corporate Health and Safety team is responsible for ensuring CYC meets its legal obligations as an employer in respect of Health and Safety legislation. This is achieved through a proportionate response to the risk the authorities employees face.

The team apply the approach of sensible risk management through their work activity, promoting the philosophy that health & safety management is about accepting risks exist in the course of CYC's work activities and the key aspect of health & safety is about managing those risk in a proportionate and sensible manner, not eliminating all risks.

We aim to achieve this through risk based approach to our work, concentrating our resources on the higher risk activates; reviewing paperwork to integrate into existing business processes as far as possible, and eliminating unnecessary paperwork/assessments whilst ensure that what is retained is the right quality to demonstrate we have taken the required measures.

We also promote the HSE's myth of the month through CYC's Safety News to try to ensure employees understand the true meaning of health & safety. Similarly, we challenge colleagues who may be taking an action in the name of health of safety when in actual fact no serious risk is present and they are carrying out the action under the banner of health & safety.

### Health and safety – external regulation

Officers from the council's food and safety unit regulate health and safety in over 5,000 premises in the city.

The team already applies the principle of sensible risk management when carrying out their work. Taking such an approach is beneficial to businesses, employees and also the council, as limited resources are focused on dealing with real risks, and not those that might be considered trivial.

Taking this approach also reduces the burden on those businesses that are subject to regulation, and avoids them having to spend unnecessary time and resources controlling meaningless or insignificant risks.

### **Pledging support**

12. Pledging support for the HSE strategy will confirm the council's commitment to the promotion and application of sensible risk management across all sectors.
13. A copy of the pledge that the HSE is asking companies and organisations to sign up to is below:

*"We, the undersigned:*

- *Agree to play our part in reducing the numbers of work-related deaths, injuries and ill-health in Great Britain.*
- *Call on employers to put health and safety at the heart of what they do and to take a common sense approach to health and safety.*
- *Commit to debunking myths around health and safety that trivialise the impact of injuries, ill health and deaths on individuals and their families.*
- *Recognise the importance of health and safety in difficult economic times and the dangers of complacency.*
- *Pledge to work with the Health and Safety Executive and its partners to Be Part of the Solution."*

14. Section 18 of the Health and Safety at Work Act 1974, places a duty on the HSE and the council's external health and safety team to have in place 'adequate arrangements' for health and safety enforcement.

15. The HSE recently reviewed what would be considered 'adequate arrangements' under Section 18. In response to this review, they produced the 'Section 18 Standard'. Local authority health and safety functions are required to comply with this new standard by March 2011.

16. The 'Section 18 Standard' requires the following from every local authority health and safety regulatory service:

To "make it happen" every service shall ...

- set out their commitment priorities and planned interventions.
- put into place the capacity, management infrastructure, performance management and information systems required to deliver an effective service and to comply with their statutory duties.
- operate systems to train, appoint, authorise, monitor, and maintain a competent inspectorate.

(ii) To "do it right" every service shall ...

- use interventions, including enforcement action, in accordance with their enforcement policy and within the principles of proportionality, accountability, consistency, transparency and targeting.

(iii) To "work together" every service shall ...

- work within their own organisation, in partnership with other EAs and with other regulators and stakeholders to make best use of joint resources and to maximise their impact on local, regional and national priorities.
- actively contribute to liaison, policy and governance arrangements at a local, regional and national level.

(iv) To "sell the story" every service shall...

- promote sensible risk management .

17. In relation to the requirement to "sell the story", the HSE is expecting local authorities to pledge their support for the strategy, and apply the principles of sensible risk management through the course of their work.

## **Consultation**

18. The council's Corporate Health and Safety team have been consulted on this report and their comments can be found at paragraph 11.

## **Options**

19. Members are asked to consider the following options:
  - (i) Pledge the council's support for the HSE's strategy document, 'Health and Safety of Great Britain – Be Part of the Solution'; OR
  - (ii) Not pledge the council's support for the above strategy.

## **Analysis**

20. If the council chose to pledge their support for the HSE strategy, this will send a strong message to members of the public, employees of the council and businesses that operate within the city, that the council is committed to the sensible risk management of health and safety.
21. Pledging support will also allow the council's external health and safety team to comply with the requirement of the Section 18 Standard.
22. Not pledging support for the strategy will mean the external health and safety team cannot fulfil the requirements of the Section 18 standard. Failure to meet the requirements of the standard may present a reputational risk for the council and may cause the team to come under unnecessary close scrutiny from the HSE.
23. Signing up to HSE Sensible Risk Management will support the risk based approach adopted by the Corporate Health & Safety team, which is designed around accepting risk exists and ensuring that the sensible proportionate management of risk are in place.

## **Corporate Priorities**

24. Implementation of the HSE strategy will support the following corporate priorities:
  - Thriving City
  - Safer City
  - Inclusive City
  - Healthy City
  - Effective Organisation

## **Implications**

### **(a) Financial**

There are no financial implications associated with this report.

### **(b) Human Resources (HR):**

There are no HR implications associated with this report.

### **(c) Equalities:**

There are no equalities implications associated with this report.

### **(d) Legal: (Contact – Head of Civic, Democratic & Legal Services)**

There are no legal implications associated with this report.

### **(e) Crime and Disorder:**

There are no crime and disorder implications associated with this report.

### **(f) Information Technology (IT):**

There are no IT implications associated with this report.

### **(g) Property:**

There are no property implications associated with this report.

### **(h) Other:**

There are no other implications associated with this report.

## **Risk Management**

25. There are no anticipated risks should the council pledge its support for the HSE strategy.

## **Recommendation**

26. That members pledge the council's support for the HSE strategy document 'Health and Safety of Great Britain – Be Part of the Solution'.

Reason: To demonstrate the council's commitment to sensible health and safety risk management and to allow the council's external health and safety team to comply with the requirements of the 'Section 18 Standard'.

## Contact Details

**Author:**

Sean Suckling  
Food & Safety Unit Manager  
X 1599

**Chief Officer Responsible for the report:**

Steve Waddington  
Assistant Director Housing and Public Protection

**Report Approved****Date** 20/10/10**Specialist Implications Officer(s)** There are no specialist officer implications.**Wards Affected: All****All**

For further information please contact the author of the report

**Background Papers:**

Nil

**Annexes**

Health and Safety of Great Britain – Be Part of the Solution (HSE)