

Health & Safety Annual Report

1 April 2019 – 31 March 2020



ORGANISATIONAL DEVELOPMENT DIVISION

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INTRODUCTION

The Health and Safety Executive recommend that public bodies summarise their health, safety and welfare at work performance (as Employers not Regulators) in the form of an annual report. This report is a summary of both Blaenau Gwent County Borough Council's Health and Safety and Fire Safety at work performance.

STRUCTURE

The Executive and the Managing Director

Along with the Managing Director the Authority's Executive has certain responsibilities as defined in the Health and Safety at Work Act 1974 and in the Regulatory Reform (Fire Safety) Order 2005. The corporate body of the Council is the Employer and the Managing Director is the individual with the ultimate responsibility for ensuring work related Health, Safety and Welfare and Fire Safety is managed in the Authority. Health and safety guidance recommends that an individual Executive member be given the responsibility for leading on health and safety performance and in BGCBC this role sits with the Leader of the Council.

N.B. the responsibilities of the Executive, lead executive member, Managing Director and all other levels of management are outlined in detail in the Authority's Corporate Health and Safety Policy.

Corporate Leadership Team

The Corporate Leadership Team (CLT) consists of the Managing Director, Corporate Directors, Chief Officer–Resources and the Chief Officer–Commercial. CLT are the driving force for the Management of Health and Safety and Fire Safety at work in the Authority. Whilst the Managing Director has ultimate responsibility all other members of the CLT have key responsibilities in the organisations Health and Safety Management structure.

Departmental Management Teams

Each Directorate has Departmental Management Teams where the various Heads of Service report on a variety of issues. Health and Safety issues regularly form part of the agenda at Departmental Management Team meetings and it is clear that Heads of Service are key to the Health and Safety Management Structure.

Corporate Health and Safety Advisors

The Authority employs two Corporate Health and Safety Officers who report to the Organisational Development Manager - Payroll and Health and Safety. The Officers are the Authority's competent persons as defined in the Management of Health and Safety at work Regulations and the Regulatory Reform (Fire Safety) Order.

The Officers guide the whole Authority (including school Governing Bodies who have a Service Level Agreement with the Corporate Health and Safety Advisors) on all aspects of occupational health, safety, welfare and fire safety. The Officers have excellent relationships with key partners such as the Fire Authority and insurers. In particular, the advisors liaise with the Health and Safety Executive (HSE) on a wide range of issues, including HSE Inspections and accident investigations that are relevant to BGCBC. This relationship has proved invaluable, particularly when the Authority has required advice and guidance from HSE.

The Officers also work closely with Organisational Development colleagues, particularly with regard to Occupational Health issues. There is also a close liaison with the Insurance/Risk Management team on liability issues.

N.B. The Corporate Health and Safety Officers also have a Service Level Agreement with the Aneurin Leisure Trust to provide both health and safety and fire safety advice and support. The statistics for their work provided to the trust, for example the number of Fire Risk Assessments completed or the number of accidents investigated, are not provided in this report.

Occupational Health

The Authority uses a contracted service for its Occupational Health Service. An Occupational Health Nurse provides a 2 day per month clinic service for medical referrals, pre-employment screening and health surveillance. An Occupational Health Practitioner provides a 2 day per month clinic service and is also able to provide appointments at alternative locations as and when required.

Safety Committees and Safety Representatives

The various Trade Unions representing employees of the Authority and Schools have accredited Health and Safety Representatives. The Head of Organisational Development has regular meetings with the various Trade Unions and Health and Safety issues are discussed. A Corporate Health and Safety Group made up of trade unions and senior managers has been established and will start meeting quarterly in the autumn.

KEY POINTS

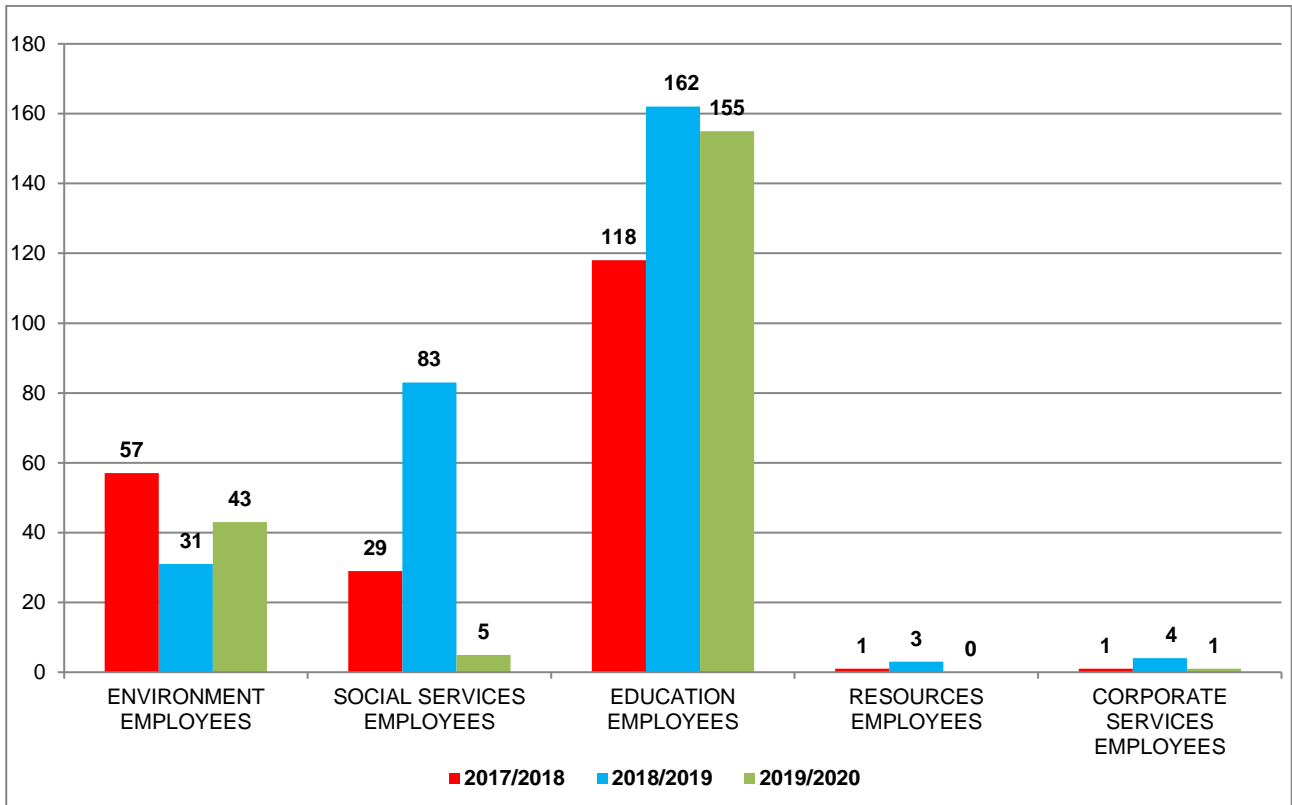
The details of specific Health and Safety issues are included in the “Specific Issues” section but the key points are as follows:

- The number of employee accidents/incidents has **decreased**.
- The number of employee accidents/incidents reportable to the HSE has **decreased**.
- The number of non-employee accidents/incidents reportable to HSE has **increased**.
- There were **three** interventions by the Fire Authority and **no** interventions by the HSE.
- The Health and Safety Officers carried out 30 health and safety inspections.
- The Health & Safety Officers delivered 25 Health and Safety and Fire Safety Training sessions with 311 staff and others in attendance.
- The Health and Safety Officers carried out 34 statutory Fire Risk Assessments.
- Staff absence has increased.
- There were no reportable diseases or dangerous occurrences.
- The Health and Safety Officers investigated 101 accidents/incidents.

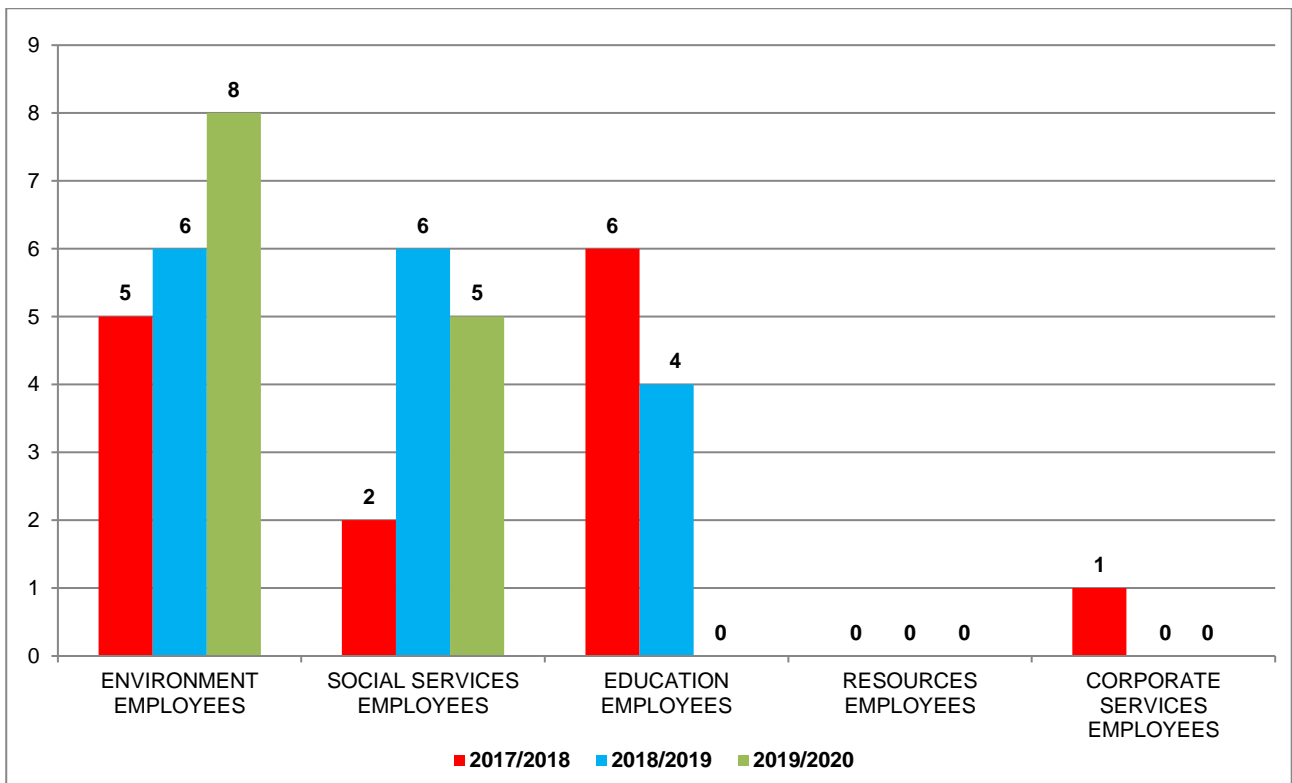
ACCIDENT/INCIDENT STATISTICS

All Services and schools report all accidents and incidents to the Health and Safety Officers. The Advisors record all these accidents/incidents and then decide what needs to be reported to the Health and Safety Enforcing Authority under the requirements of the Reporting of Incidents, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR). Briefly, accidents/incidents are reportable to the Enforcing Authority where an employee has a major injury and/or is absent or unfit for their normal work for more than 7 days, or where a non-employee requires immediate medical treatment at a hospital following a **work related** accident. For detailed information please see [Appendix 1](#). See the following charts for a 3 year trend:

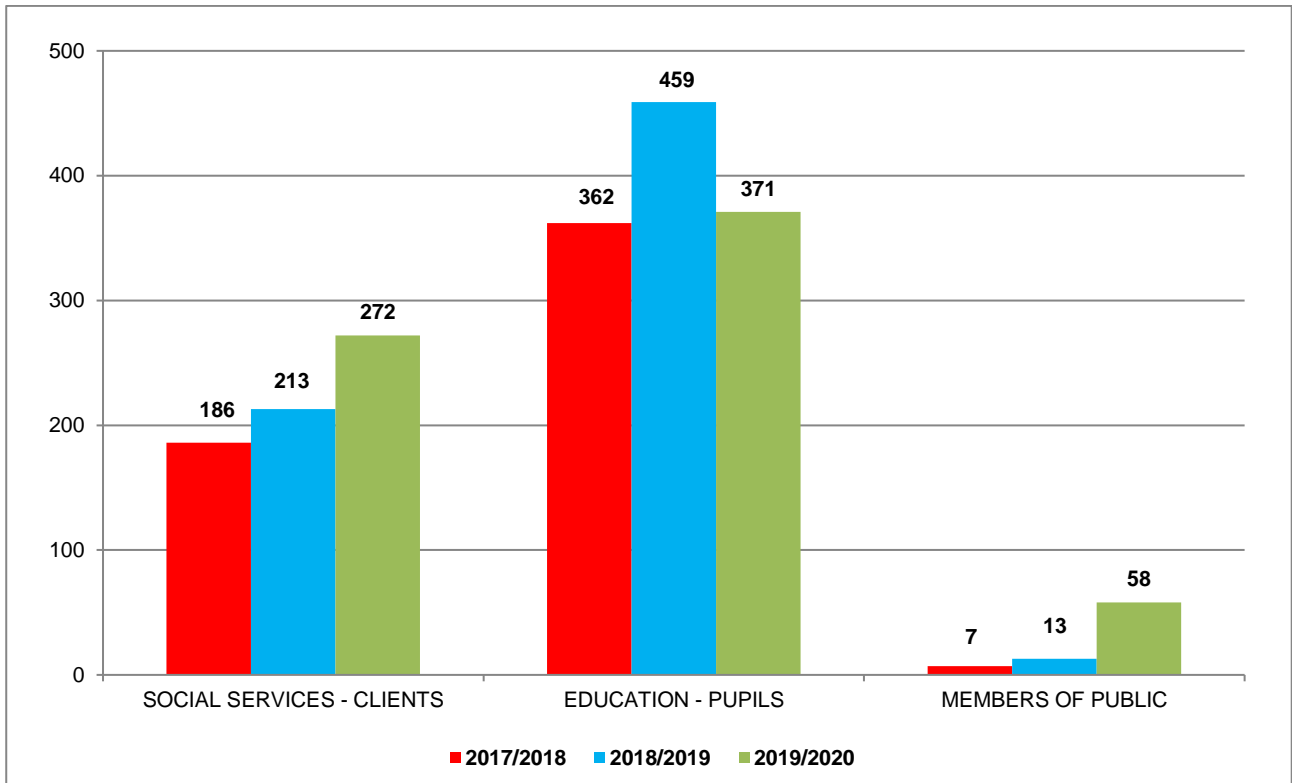
TOTAL NUMBER OF EMPLOYEE ACCIDENTS



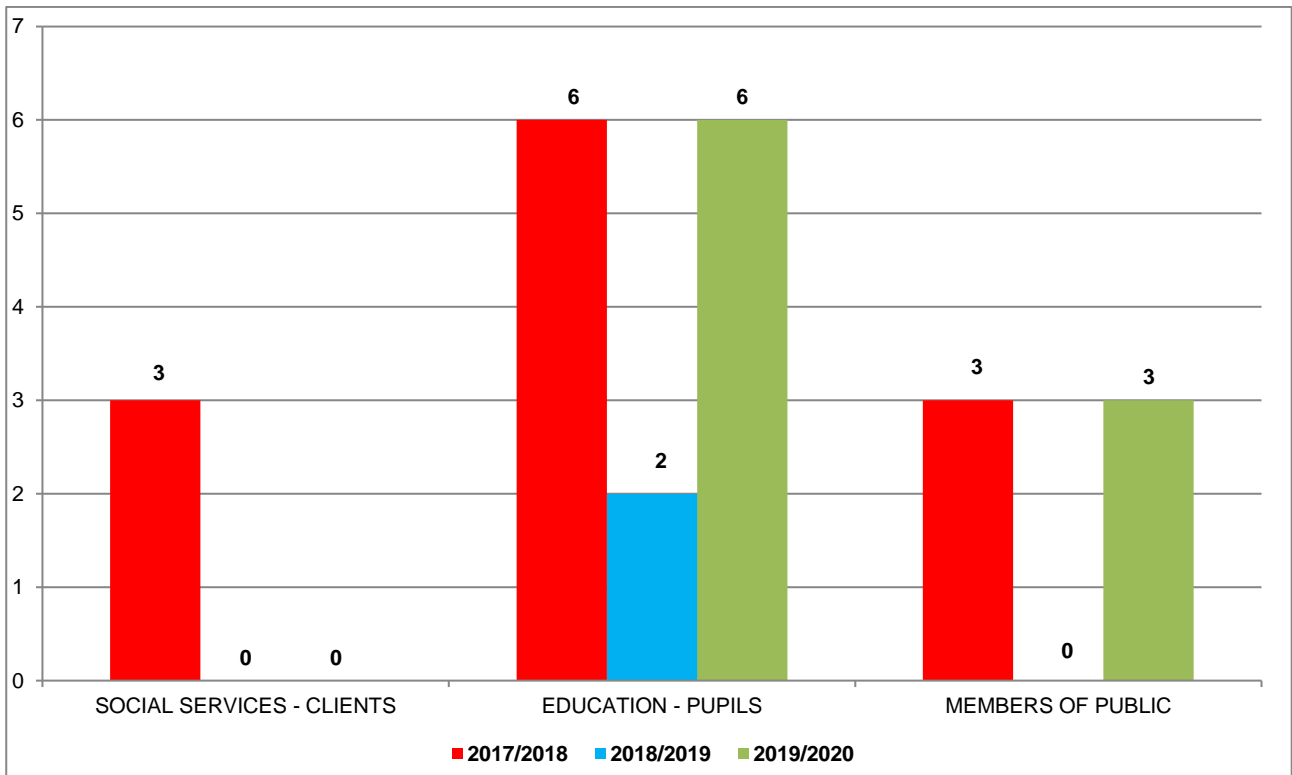
ACCIDENTS REPORTABLE TO HSE



TOTAL NUMBER OF NON EMPLOYEE ACCIDENTS



ACCIDENTS REPORTABLE TO HSE



Significant Points Regarding Accident Statistics

- A. The number of employee accidents/incidents has **decreased** from 283 in 2018/2019 to 204 in 2019/2020.
- B. The number of reportable employee accidents/incidents (13) has **decreased** from the total of 16 in the previous year.
- C. The number of reportable accidents/incidents to non-employees has **increased** from 2 in 2018/2019 to 9 in 2019/2020.
- D. There has been an **increase** in employee accidents/incidents in the Environment Department.
- E. There has been a **decrease** in employee accidents/incidents in the Education Department.
- F. There has been a significant **decrease** in employee accidents/incidents in the Social Services Department. This will require further analysis but it is possible that there are issues with the reporting of accidents.
- G. There had been a significant increase in school pupil accidents/incidents from 362 in 2017/2018 to 459 in 2018/2019. For 2019/20 this has decreased to 371. It should be noted that there is inconsistency in the reporting of pupil accidents/incidents by schools. For example some schools of similar size have very different number of accidents/incidents reported and there is a possibility that there may be both under-reporting (not reporting what procedures require) and over-reporting (relatively trivial incidents being reported).
- H. There has been an increase in the number of service user accidents/incidents from 186 in 2017/2018 to 213 in 2018/2019 and further to 272 for 2019/20. This could be due to a small number of service users whose health is failing and having more accidents.

Reportable diseases and dangerous occurrences

Certain diseases (e.g. hand arm vibration syndrome and occupational dermatitis) and dangerous occurrences (e.g. failure of lifting equipment, exposure to Asbestos Containing Material) are reportable under RIDDOR. There were no such reportable diseases or dangerous occurrences in 2019/2020.

Cost of Accidents/Incidents

There are no current methods of calculating the cost of accidents, the cost (in terms of lost wages and basic on-costs such as superannuation and National Insurance) of reportable (over 7 day injury) accidents or any other time lost accidents. However there has to be a significant financial pressure on the Authority as in addition to lost wages the following applies:

- Cost of temporary/seconded employees to cover long term absence.
- Overtime payments to cover absent employees.
- Administrative costs.
- Insurance costs.
- Possible loss of production.

SPECIFIC ISSUES

Attendance Management

Improving attendance remains a key priority for the Council as levels of absence continue to have a serious impact on service delivery. The outturn figure for 2019/20 of 13.48 days exceeded the annual target of 11 days and saw a further deterioration in performance year on year of 1 day.

The main cause of total days lost was due to mental health illnesses.

Given the continuing high levels of absence the Corporate Leadership Team identify sickness absence as a corporate risk ensuring measures to manage the risk are identified. During 2019/20 each Scrutiny Committee received a report on sickness levels for the services contained in the remit of the committee. Levels of sickness were provided alongside a narrative from the Director or Chief Officer describing the actions being taken to proactively manage the situation. As a further measure in 2020/21 information will be provided to all Directors and Chief Officers with a breakdown of the top 10 cases affecting their sickness levels along with the actions in place. Directors and Chief Officers will challenge the arrangements and push for more management actions to be put in place. The annual Review of Sickness Absence will be reported to the Corporate Overview Scrutiny Committee in the autumn.

A table showing the Council's performance is detailed at [Appendix 2](#).

Management of Work Related Stress

It is the expectation that managers refer all employee absences caused by stress to Occupational Health. Departments have been reminded of the need to risk assess (using a stress management toolkit) and manage work related stress during these challenging times. The Council has a newly engaged employee assistance programme and information on resources is published to the workforce on a weekly basis. The new Workforce Strategy will continue the focus on the wellbeing of the workforce. The Authority has implemented a programme of training mental health first aiders in the authority.

Legislation

There were a number of significant changes to Health and Safety Approved Codes of Practice and Guidance in 2019/2020. The relevant BGCBC policies and guidelines were amended to reflect the changes.

The minimum sentencing guidelines introduced in 2016 greatly increased the level of fines Local Authorities can receive in the event of a prosecution under Health and Safety and the Corporate Manslaughter legislation. The case law against Local Authorities in 2019/20 resulted in fines ranging from £20,000 to £750,000.

Review of Policies and Guidelines

All corporate health and safety policies and some guidelines were reviewed in 2019/20. The current suite of Policies and guidelines are as follows:

POLICIES:	
<u>Health & Safety Policies</u> <ul style="list-style-type: none">Asbestos PolicyDisplay Screen Equipment PolicyLone Working PolicySmoke Free PolicyStatement of Safety Policy	<ul style="list-style-type: none">Policy on Contractors working on Council Properties & ServicesViolence & Aggression PolicyWork Related Stress Policy <u>OD Policies</u> <ul style="list-style-type: none">Alcohol and DrugsAttendance Management
HEALTH AND SAFETY GUIDELINES:	
<ul style="list-style-type: none">Construction (Design & Management) RegulationsControl of ContractorsControl of Legionella Bacteria in Water SystemsCriteria for Eye ProtectionDisplay Screen EquipmentFirst Aid at WorkGlazingGritting of Council Work PlacesGuidance for Children not yet Toilet TrainedProvision and use of Work Equipment Regulations (PUWER) 1998Permits to WorkResponsible Person	<ul style="list-style-type: none">Use of Voluntary WorkersWorking Time RegulationsLifting Operations and Lifting Equipment Regulations (LOLER)Risk Assessment GuidelinesYoung People at WorkImmunisationsHand/arm vibrationNoiseSchool caretakersPreventing Finger EntrapmentPersonal Protective Equipment (PPE)Prevention of Arson in SchoolsNew and Expectant Mothers at WorkSpecial Educational Needs (SEN)Working at HeightsWorkplace Health, Safety and Welfare
PROCEDURES:	
<ul style="list-style-type: none">Accident/incident Reporting	<ul style="list-style-type: none">Generic Fire Drill (to be adapted by each premises Responsible Person)

Interventions by Enforcing Authorities

Health and Safety Executive (HSE)

There were no interventions by the HSE in 2019/20. This a significant achievement for a unitary authority with up to 3000 employees.

Fire Authority

There were three interventions by the South Wales Fire and Rescue Service (SWFRS) in 2019/2020. One was for a corporate building that had significant findings and the other two were schools with minor causes for concern. The Authority responded to the SWFRS approval.

Fire Risk Assessments

Corporate Health & Safety Officers carried out 34 statutory Fire Risk Assessments (FRA) in 2019/2020. Written replies were received to 25 of these and the outstanding replies are from:

- Tredegar recreation ground
- St marys Church in wales school
- Canolfan yr afon fach school
- Abertillery multi story car park
- Tredegar day centre
- BG community meals
- Waste transfer station
- Blaenau gwent workshops
- Bryn bach primary school

Health and Safety Inspections

The Corporate Health & Safety Officers carried out 30 inspections in 2019/2020. Written replies were received to 26 of these and the outstanding replies are from:

- Beaufort Hill primary school
- Bryn bach primary school
- Glyncoed primary school
- Canolfan yr afon fach school

Health and Safety Training

The need for training is identified in the risk assessment process, and as and when refresher training is required. All Services are committed to ensuring training is provided to comply with legislation and individual training needs. Health and Safety training is provided by external trainers, the Health and Safety Officers and other internal staff. The Health and Safety Officers alone delivered 25 sessions with 311 attendees. Examples of the training provided to BGCBC staff from all sources are:

- Risk assessment
- General health and safety
- Fire safety
- First aid
- Moving and handling
- Managing violence
- Banksman training
- Responsible person
- Asbestos awareness
- Hand/arm vibration and noise

In addition Senior Management training was provided by an external provider to senior managers (30) and executive members and chair/vice chair of corporate overview (7).

Insurance

During 2019/20 the number of Insurance claims received by the Authority in respect of all types of incidents involving employees and the public was 83 which is almost at the same level of claims received in 2018 2019 (84). 6 of these claims related to Employers Liability.

The number of public liability claims against the Council increased from 52 to 56 with the vast majority being for claims relating to alleged accidents on the Highway.

The Council are able to maintain a robust defence to the allegations made against it. The Insurance team invest significant effort into defending claims and relies on the cooperation of colleagues on the front line to maintain the policies and practices which allow claims to be defended.

In the current legal environment the establishment of Qualified One Way Costs Shifting (QOCS) means that the financial burden of defending claims rests with the Authority unless Fundamental Dishonesty is proven (the burden of proof being extremely high) against the Claimant.

Motor claims have fallen in 2019 /20 to 21 claims which is the third year claims have reduced (36 claims in 2017/2018 and 26 claims in 2018 2019).

The highest number of reported incidents resulting in claims are still for "hit stationary vehicle" and "reversing". (11 and 7 respectively).

	Employers Liability	Motor Vehicle	Public Liability
1/4/15 – 31/3/16	3	32	48
1/4/16 – 31/3/17	7	28	46
1/4/17 – 31/3/18	5	36	56
1/4/18 – 31/3/19	4	28	52
1/4/19 – 31/3/20	6	21	56

Capacity

As with previous years it is clear that there are capacity issues for some department's/services to carry out all the required Health and Safety and Fire Safety management regimes. The Health and Safety Officers, Human Resources Business Partners and sometimes the Insurance Team have regularly reported non-compliance to managers. One of the often cited reasons for any non-compliance is capacity. The Corporate Health and Safety Officers can audit compliance but as there are only two officers their capacity is also limited. Their capacity is further limited by taking on the role of the Asbestos Competent Person role.

Departments and services should regularly review their compliance standards and ensure any gaps in capacity are addressed. Corporate Health and Safety and Organisational Development can advise where possible but ultimately managers are responsible for managing any risks. The Council's response from the end of February to Covid-19 has further added to challenges with capacity. The newly formed Corporate Health and Safety

Group will review compliance with standards to understand any underlying issues and to promote increased compliance measures.

CONCLUSIONS

The headline positive features for the Authority's health and safety performance in 2019/2020 were:

- The decrease in the number of accidents to employees that were reportable to HSE.
- There were no reportable dangerous occurrences or reportable diseases.
- There were no interventions by the HSE.
- The decrease in staff and pupil accidents/incidents in the Education Department.
- Provision of health and safety/fire safety training including senior management and elected member training.

The headline areas of concern in the Authority's health and safety performance in 2019/2020 were:

- The three interventions by the SWFRS.
- Concerns around capacity reported by Directorates in managing health and safety.
- Increased staff absence.
- Increase in the number of non employee reportable accidents
- Increase in the number of Regeneration and Community Services Department accidents.
- Inconsistency in school pupil accident/incident reporting.
- No response to some health and safety inspections and fire risk assessments by some departments and services.

RECOMMENDATIONS

1. Each Corporate Director to ensure there is a timely response to all Fire Risk Assessments and Health and Safety inspections. This will be monitored through the Corporate Health and Safety Group.
2. Each Directorate Management Team to continue to review their health and safety management arrangements and ensure they have the capacity to comply with statutory duties. It is recommended that any strategic/operational decisions taken by services must be subject to a health and safety risk assessment within the wider impact assessments. Any identified risks should be managed through an implementation plan and identify leads. If there are capacity issues identified by service directorates that put the authority at risk then this may need escalation to the Corporate Risk Register and review at the Corporate Leadership Team to take action.
3. Each Corporate Director to review the lack of response to some Fire Risk Assessments and Health and Safety inspections.
4. Inconsistencies in school pupil accident/incident reporting to be investigated by the Corporate Health and Safety Advisors and the Education Directorate.
5. Health and safety/fire safety should continue to be a key consideration and included in corporate templates such as programme, project and Financial Efficiency Projects etc to ensure risks are identified and that compliance is considered throughout the project.
6. The significant decrease in Social Services employee accidents is investigated by the Department and the Health and Safety Officers.

APPENDIX 1: CORPORATE HEALTH & SAFETY MANAGEMENT INFORMATION REPORT (1 APRIL 2018 – 31 MARCH 2019)

	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	TOTAL
Number of Accidents – BGCBC Employees	10	25	27	19	11	29	43	23	20	26	23	27	283
283Number of Accidents – ALT Employees	0	0	1	0	0	1	0	0	1	0	0	0	3
Number of Accidents – Pupils	21	46	69	50	0	74	52	36	27	31	21	32	459
Number of Accidents – Members of the Public in BGCBC premises	3	1	1	0	1	2	0	2	0	1	1	1	13
Number of Accidents – Service Users (Social Services)	17	28	10	14	38	16	15	22	11	15	15	12	213
Number of Accidents – Members of the public in ALT premises	9	8	9	3	11	1	4	7	2	7	15	2	78
Total No. of Accidents	60	108	117	86	61	123	114	90	61	80	75	74	1049
No. of Reportable Accidents to BGCBC Employees	1	1	2	0	2	2	2	3	0	2	0	1	16
No of Reportable Accidents to ALT employees	0	0	0	0	0	1	0	0	0	0	1	0	2
No. of Reportable Accident to Non – Employees in BGCBC premises	0	0	0	1	0	0	0	0	1	0	0	0	2
No of Reportable Accidents to Non employees in ALT premises	0	0	0	0	0	0	0	1	0	0	1	0	2
Total No. of Reportable Accidents	1	1	2	1	2	3	2	4	1	2	2	1	22
No. of Reportable Diseases and Dangerous Occurrences	0	0	0	0	0	0	0	0	0	0	0	0	0
No. of Accidents/Incidents Investigated Op 2 & 3													
• Non Employee	3	11	2	3	0	2	5	3	2	3	7	3	47
• Employee	2	5	14	3	5	5	5	7	6	6	3	4	65
No. of Incidents of Violence & Aggression													
• Non Employee	3	9	4	10	0	12	7	13	8	4	2	6	78
• Employee	3	17	14	12	4	23	26	9	10	11	8	13	150
No. of New Litigation Claims referred to Safety Section	1	2	2	1	0	1	2	2	1	3	2	1	18
No. of Interventions by HSE	0	0	0	0	0	0	0	1	0	0	0	0	1
No. of Interventions by the Fire Authority	0	0	0	0	0	0	0	0	0	0	0	0	0
No. of BGCBC Premises Health & Safety Inspections	3	6	1	1	5	3	6	6	3	4	3	4	45
No of ALT Health and safety inspections	0	0	2	1	0	0	0	1	0	0	0	3	7
No. of BGCBC Fire Risk Assessments	6	3	1	1	4	4	1	5	3	2	3	4	37
No of ALT Fire Risk assessments	0	0	2	0	0	1	1	0	1	1	0	4	10
No. of health & safety/fire safety training Sessions Delivered	5	3	2	0	0	2	3	2	1	3	0	0	21
No. of Persons Given Health & Safety Training	80	22	16	0	0	26	51	47	6	90	0	0	338

APPENDIX 2: ATTENDANCE MANAGEMENT – SICKNESS ABSENCE PERFORMANCE (2019/20)

Rank	Category	Calendar Days	Number of Absences	Number of Employees
1	Psychiatric/Mental Health	22,792	444	371
2	Musculo-skeletal & Injuries	15,232	392	348
3	Cancer, malignancy	3,387	48	45
4	Gastro-intestinal	3,300	789	658
5	Cardiovascular	3,283	48	40
6	Gynaecological, obstetric, pregnancy related	3,159	138	114
7	Respiratory	1,967	156	129
8	Infectious diseases	1,933	387	343
9	Neurological	1,573	164	145
10	COVID19	1,455	166	155
11	Ear, Nose and Throat	1,212	160	141
12	Dermatological	880	36	29
13	Haematological	616	5	5
14	Genito-urinary	608	52	49
15	Debility	418	27	22
16	Ophthalmological	337	33	29
17	Endocrine/Metabolic	244	7	6
18	Dental	67	23	23