

# Health & Safety Annual Report

**1st April 2023 – 31st March 2024**



**ORGANISATIONAL DEVELOPMENT**

## **CONTENTS**

1.	Report Summary .....	3
2.	Introduction .....	4
3.	Responsibilities .....	4
3.1	The Cabinet and the Chief Executive .....	4
3.2	Corporate Leadership Team .....	4
3.3	Departmental Management Teams .....	4
3.4	Corporate Health and Safety Advisors .....	5
3.5	Service Level Agreement with Aneurin Leisure Trust .....	5
3.6	Silent Valley .....	5
3.7	Occupational Health .....	6
3.8	Safety Committees and Safety Representatives .....	6
4.	Accident/Incident Statistics .....	7
4.1	Employee Accidents .....	7
4.2	Employee Accidents Reportable to HSE .....	8
4.3	Accidents to Non employees .....	8
4.4	Accidents to Non employees reportable to HSE .....	9
4.5	Reportable diseases and dangerous occurrences .....	9
4.6	Covid 19 Cases .....	9
4.7	Cost of Accidents/Incidents .....	10
4.8	Incidents of Violence and Aggression .....	10
5.	Specific Issues .....	12
5.1	Attendance Management .....	12
5.2	Management of Work Related Stress .....	12
5.3	Updated Legislation .....	13
5.4	Review of Policies and Guidelines .....	13
5.5	Interventions by Enforcing Authorities .....	14
5.6	Fire Risk Assessments .....	14
5.7	Health and Safety Inspections .....	14
5.8	Health and Safety Training .....	14
5.9	Insurance Claims .....	15
5.10	Capacity and Competency .....	17
6.	Conclusions .....	18
7.	Recommendations .....	18
	Appendix 1: Corporate Health and Safety Management Information Report (1 April 2023 – 31 March 2024) .....	19

# 1. Report Summary

The summary of the report for 2023/2024 is as follows:

- The number of employee accidents/incidents has **increased** from 162 in 2022/2023 to 304 in 2023/2024.
- The number of non-employee accidents has **decreased** 325 in 2022/2023 to 299 in 2023/2024.
- The number of employee accidents/incidents and diseases reportable to the HSE has **increased** from 9 in 2022/2023 to 19 in 2023/2024.
- The number of non-employee accidents/incidents reportable to HSE has **decreased** from 9 in 2022/2023 to 7 in 2023/2024.
- There were 0 interventions by the Fire Authority and 1 intervention by the HSE.
- 25 health and safety inspections were carried out between 1.4.23 and 31.3.24.
- 30 statutory Fire Risk Assessments were carried out between 1.4.23 and 31.3.24.
- 15 Health and Safety training sessions were held between 1.4.23 and 31.3.24 with 180 staff trained.
- Staff absence has decreased from last year however is still above target.
- There were no cases of reportable diseases or dangerous occurrences.
- The Health and Safety Advisors investigated 57 accidents/incidents.
- 1 referral from the Occupational Health Department was made to the Health and Safety Advisors. Recommendations were provided to the managers of the referred persons by the Health and Safety Advisors on reasonable adjustments for the affected individuals.
- There were 9 cases investigated following insurance claims being made.
- The departmental referrals to the Occupational Health service fell from 456 to 432.

## Key Issues/Risks

- Sickness absence which impacts on the Authority's ability to deliver services.
- Increase in violence and aggression incidents in schools.
- Increase in the number of reportable accidents to employees.
- The transfer of Silent Valley Waste services has significantly increased health and safety at work risks for BGCBC as the employer. The waste industry is statistically (fatalities and workplace injuries) one of the highest risk UK industries and this is particularly the case with Waste Transfer Stations and Household Waste Recovery Centres.

## 2. Introduction

The Health and Safety Executive believe that it is essential that public bodies summarise their health, safety and welfare at work performance (as Employers not as Regulators) in the form of an annual report in order to develop a continuing improvement approach to health and safety and develop a corresponding action plan for the next period.

This report details statistics on proactive and reactive health and safety activities that have been undertaken. Proactive indicators include inspections and training. Reactive indicators include accident reporting and investigations.

This report is a summary of Blaenau Gwent County Borough Council's Health and Safety and Fire Safety proactive activities and the incidents and accidents that have occurred between April 1<sup>st</sup> 2023 and March 31<sup>st</sup> 2024.

## 3. Responsibilities

### 3.1 The Cabinet and the Chief Executive

The Chief Executive and the Authority's Cabinet has 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 Chief Executive 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 Cabinet 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 Cabinet, lead Cabinet member, Chief Executive and all other levels of management are outlined in detail in the Authority's Corporate Health and Safety Policy.**

### 3.2 Corporate Leadership Team

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

### 3.3 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.

### **3.4 Corporate Health and Safety Advisors**

The Authority employs two full time equivalent Corporate Health and Safety Advisors who report to the OD Manager Payroll and Health and Safety. The advisors 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 advisors 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 advisors 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 advisors also work closely with Organisational Development and Human Resources colleagues, particularly with regard to Occupational Health issues. There is also a close liaison with the Insurance/Risk Management team on liability issues.

This year Silent Valley Waste Recycling Centre and the Household Waste Recycling Centres have been brought back into the Authority and the Health and Safety advisors have worked with these areas.

### **3.5 Service Level Agreement with Aneurin Leisure Trust**

The Corporate Health and Safety advisors also support the Aneurin Leisure Trust (ALT) through a Service Level Agreement. This includes:

- Health and Safety advice.
- Reviewing ALT accidents and incidents.
- Reporting ALT accidents and incidents under RIDDOR.
- Undertaking investigations.
- Undertaking health and safety inspections.
- Undertaking fire risks assessments.
- Providing training including Hand Arm Vibration, Fire Awareness and Fire Warden, Manual Handling, Managing Violence and Aggression.

The Service Level Agreement covers all Libraries and Learning Action Centres in the Borough, Leisure Centres, Bryn Bach Park and Bedwellty House. The data for the work by the Health and Safety Advisors for the trust is not included in this report.

### **3.6 Silent Valley**

The recycling sector is inherently dangerous due to the type of work undertaken in that sector. The Health and Safety Department along with other areas of the Authority are working closely with the management of Silent Valley to ensure that the activities and systems within Silent Valley are integrated into the Authority.

It has been found over the transition and integration period that the standard of Health and Safety Management at Silent Valley is very good and that the Managers of Silent Valley are engaged with Health and Safety and are very proactive.

During the year covered by this report the advisors have been supporting the transition of Silent Valley into the Authority. This has included:

- health and safety induction training
- review of the recycling baler
- health and safety inspections of the offices
- health and safety inspections of the household waste recycling centres
- health and safety inspection of the waste transfer station
- fire risk assessments of Canteen and Welfare Building

There has also been discussions and support provided around specific issues such as the management of bioaerosols and segregation of vehicles and people at Household Waste Recycling Centres.

### 3.7 Occupational Health

The breakdown of the departmental referrals to the Occupational Health service can be seen in Table 3.1. For context the figure of 480 in 2023/24 is for first time appointments but in addition there were 33 reviews.

The Authority uses a contracted service for its Occupational Health Service. An Occupational Health Nurse provides clinics approximately 7 clinics per month for medical referrals and pre-employment screening. An Occupational Health Technician provides approximately 5 clinics per year health surveillance. An Occupational Health Physician provides appointments as and when required. The majority of appointments are undertaken via telephone but alternative arrangements are available if required.

Directorate	Referrals 21/22	Referrals 22/23	Referrals 23/24
Corporate Services	59	34	38
Education	46	31	13
Regeneration & Community Services	157	98	103
School Based	163	127	168
Social Services	225	166	158
<b>Total</b>	<b>656</b>	<b>456</b>	<b>480</b>

**Table 3.1:** Departmental Employee Referrals to Occupational Health

### 3.8 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 with specific terms of reference and meets quarterly.

The Corporate Health and Safety Group review latest incidents and accidents in the Authority and any relevant prosecutions that have occurred in other organisations. Health and safety training is discussed alongside any policy changes or legislation updates.

## 4. Accident/Incident Statistics

All Services and schools report all accidents and incidents to the Health and Safety Advisors. It is a legal requirement that all incidents and accidents are recorded and that they are reviewed with consideration of action that would reduce the risk of a recurrence.

The Advisors record all these accidents/incidents and then evaluate 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 such as broken bones (not fingers).
- is absent or unfit for their normal work for more than 7 days due to an accident at work.
- a non-employee requires immediate medical treatment at a hospital following a work related accident.

For detailed information please see [Appendix 1](#) which contains the data relating to the incidents and accidents for the Authority.

57 accidents/incidents were further investigated by the Health and Safety Advisors to ensure that details were correct and/or any required mitigations were carried out.

### 4.1 Employee Accidents

The 3-year trend for accidents in the Authority by department is shown in Figure 4.1.

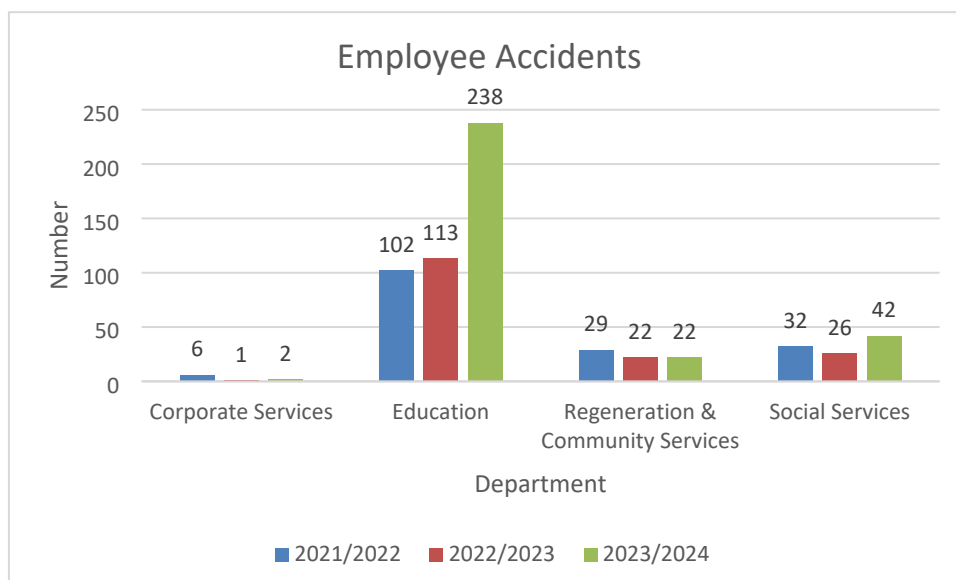
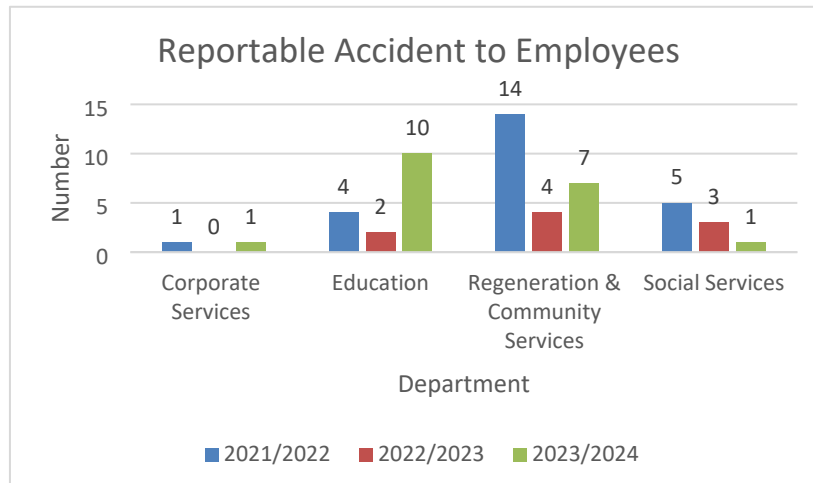


Figure 4.1: Accident by Department – 3 Year Trend

The total number of employee accidents/incidents has **increased** from 162 in 2022/2023 to 304 in 2023/24. Social Services accidents has increased from 26 to 42 however the main area where employee accidents occurred was in the Education sector which increased from 113 incidents to 238.

## 4.2 Employee Accidents Reportable to HSE

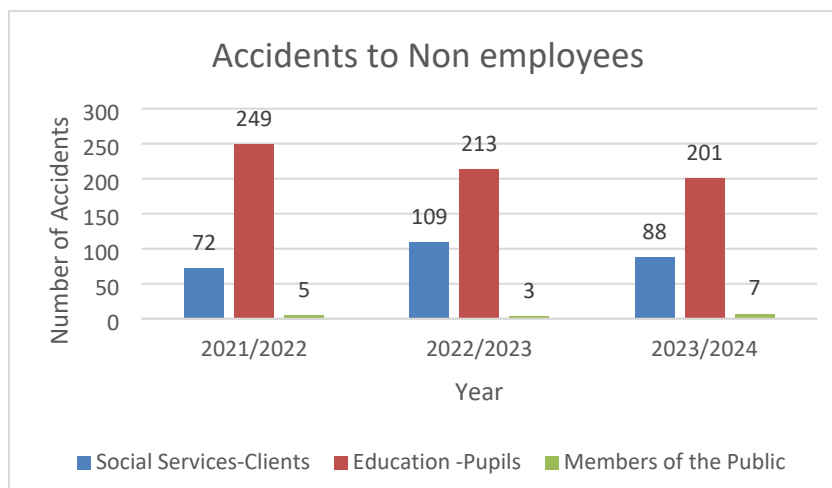
Figure 4.2 shows employee accidents that were reportable to HSE (these would be accidents where employee have had a serious specified injury or 7 days or more from work/unfit for normal duties. There was an increase in employee reportable accidents from 9 in 2022/23 and to 19 in 2023/24. The main area where there was an increase in reportable incidents was in the Education sector where the reportable injuries increased from 2 to 10.



**Figure 4.2: Employee Reportable Accidents – 3 Year Trend**

## 4.3 Accidents to Non employees

Figure 4.3 shows the 3 year trend of number of accidents to non-employees.



**Figure 4.3: Accident by Category for Non employees – 3 Year Trend**

The overall number of accidents has decreased from 325 in 2022/2023 to 299 in 2023/2024 with no significant changes between the sectors.

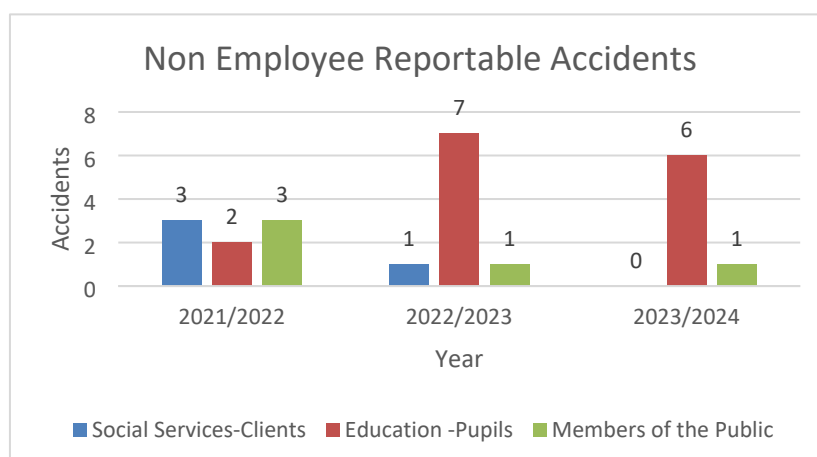
It should be noted that there is inconsistency in the reporting of pupil accidents/incidents by schools. For example, some schools of similar size have very different number of accidents/incidents reported and there is a possibility that there may be both under-reporting (not reporting what procedures require) and over-reporting (relatively trivial incidents being reported) however this is improving.



The number of accidents to the clients of social services has fallen with the majority of the 88 accidents to clients of the social services can be attributed to clients in care homes and this related to the health of individuals. Many of these 88 accidents can be attributed to the frailty of some of the clients and where clients have fallen.

#### 4.4 Accidents to Non employees reportable to HSE

Figure 4.4 shows non-employee accidents that were reportable to the HSE.



**Figure 4.4: Reportable accidents to Members of the Public**

The total number of reportable accidents to non employees has decreased from 9 in 2022/2023 to 7 in 2023/2024. The number of reportable accidents to school pupils has seen a slight decrease from 7 to 6. The majority of the reportable incidents to school pupils were falls which resulted in broken bones or hospital treatment.

#### 4.5 Reportable diseases and dangerous occurrences

Certain diseases (e.g. hand arm vibration syndrome, occupational dermatitis) and dangerous occurrences (e.g. failure of lifting equipment, exposure to Asbestos Containing Material) are reportable under RIDDOR. There were no reportable diseases in 2023/2024.

#### 4.6 Covid 19 Cases

Covid 19 cases that were recorded in 2021/22 to 2023/24 are shown in Table 4.1. There were a total of 162 recorded staff absences due to Covid 19. This has decreased from 970 employee absences due to Covid 19 during 2022/2023. Absences due to Covid 19 in 2023/2024 represented 8.22% of the workforce.

There were 140 cases of Covid 19 recorded in 2023/24 for school based staff which is a decrease on previous years. This represented 10.92% of the school based staff which is a decrease of 23.31% on last year. This decrease may be due to fewer cases but it should also be noted that there is no formal testing now in place and this would affect the ability to distinguish Covid from other issues such as influenza and hence the majority of cases will be self-diagnosed.

Service	Number of cases 21/22	Percentage of workforce 21/22	Number of cases 22/23	Percentage of workforce 22/23	Number of cases 23/24	Percentage of workforce 23/24
Employees in total	824	27.8%	970	30.6%	162	8.22%
School based employees	426	33.3%	443	34.23%	140	10.92%

**Table 4.1:** Reported Employee Covid Cases in the Authority 2021/22 to 2023/24

It should be noted that there is no requirement in place to be absent from work or self-isolate due to Covid as Covid is now managed in the same way as all other communicable diseases and hence staff should be absent from work only when they are feeling unwell.

#### 4.7 Cost of Accidents/Incidents

There are no current methods of calculating the cost of accidents within the Authority. However, the Authority will be affected by an invisible 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.

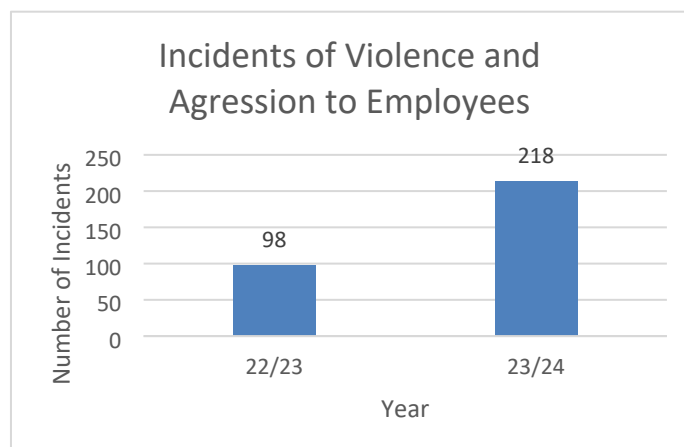
There has to be a significant financial pressure on the Authority as in addition to lost wages the following costs may apply:

- Cost of temporary/seconded employees to cover absences.
- Overtime payments to cover absent employees.
- Administrative costs.
- Insurance costs.
- Possible loss of services/production.
- Investigation costs.

#### 4.8 Incidents of Violence and Aggression

Figure 4.8 shows the numbers of incidents of violence and aggression in 2022/23 and 2023/24 to employees which has increased on the previous year.

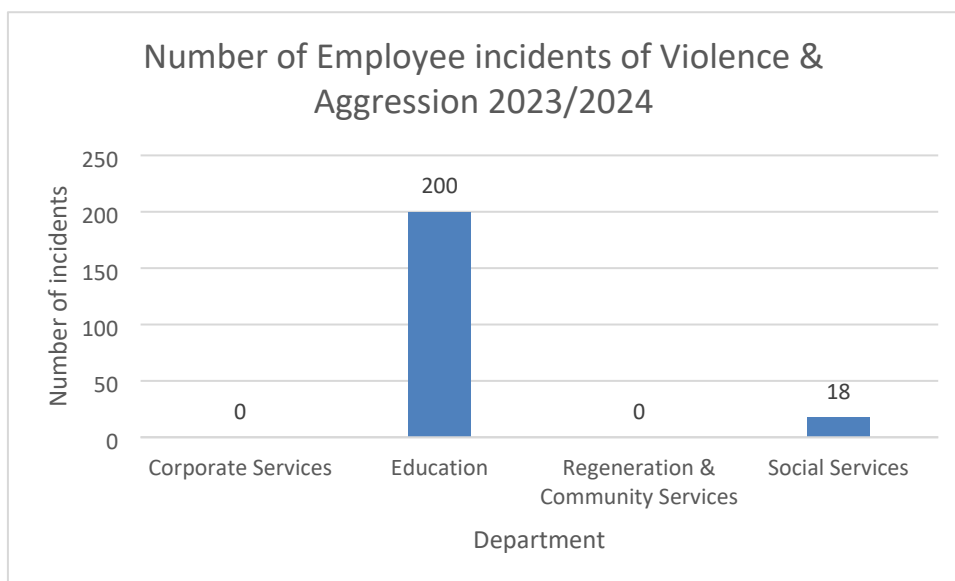
There was an increase in the number of incidents in violence and aggression to employees from 98 to 218.



**Figure 4.8:** Incidents of Violence and Aggression to Employees

All these incidents occurred in two settings which were schools and care homes. 92% of these incidents, 200 in total, occurring in schools and the figure for the previous year was 86. 89% of the aggression and violence issues that occurred in schools occurred in the special education needs (SEN) schools and learning resources base settings. 70% of the school-based incidents occurred in the two SEN settings. A breakdown of the school's that reported violence and aggression incidents is as follows:

School	Number of incidents
ALC – Six Bells Campus	11
ALC – Tillery Street Campus	16
Brynmawr Foundation School	1
Coed y Garn Primary School	1
Deighton Primary School	1
Glanhowy Primary School	24
Glyncoed Primary School	3
Pen y Cwm School	61
St Illtyd's Primary School	1
The River Campus 3-16	79
Willowtown Primary School	2
TOTALS	200



**Figure 4.9: Incidents of Violence and Aggression to Employees by Department**

## 5. Specific Issues

### 5.1 Attendance Management

Improving staff attendance remains a key priority for the Council. The outturn figure for 2023/2024 was 11.82 (which includes Covid cases) which is an improvement on the 2022/2023 value of 15.45 (which is including Covid cases) however this is above the annual target which is 10 days.

These figures give a year-on-year improvement of 3.63 days.

Table 5.1 shows the top 5 reasons for sickness absence in 2023/2024. The main cause of total days lost was due to psychiatric/mental health illnesses as in previous years and as shown in table 5.1.

20.38% of sickness absence was due to psychiatric/mental health illnesses which was the main cause of sickness absence in the previous year however this figure has fallen by 10.61% from 2022/2023 which is a great improvement.

The other reasons were musculoskeletal issues and injuries, Covid 19 and gastro-intestinal problems. These were similar to last year.

The number of absences due to musculoskeletal issues and injuries has fallen from 23.08% to 17.86%.

There is a rise in infectious disease (this includes chicken pox, glandular fever, cold/flu, impetigo, measles, mumps, hepatitis, meningitis) and this may be due to the fact that testing for Covid19 is no longer required. Infectious diseases was not in the top 5 reasons in 2021/22, 2022/23.

Rank 2023/24	Category	% Sickness			Rank 2022/23
		2021/22	2022/23	2023/24	
1	Psychiatric / Mental Health	28.01%	30.99%	20.38%	1
2	Musculo-skeletal & Injuries	21.46%	23.08%	17.86%	2
3	Gastro-intestinal	6.99%	6.37%	13.16%	4
4	Infectious Disease	-	-	9.58%	-
5	COVID19	12.75%	9.90%	6.91%	3

**Table 5.1:** Percentage Reasons for Employee Absence 2023/2024

### 5.2 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 carry out risk assessments (using a stress management toolkit) and manage work related stress during these challenging times.

The Council has an employee assistance programme and information on resources is published to the workforce on a weekly basis via a Wellbeing Wednesday email. The Workforce Strategy will continue the focus on the wellbeing of the workforce.

With agile working it is important that Managers maintain regular contact with staff to ensure that employee mental health is monitored and acted upon. A review of agile

working started in autumn 2022 engaging with the workforce on views and areas for improvement. The outcome of this review showed no significant health and safety issues arising with in the main mental health seen as the same or improved by agile working. The recommendations were to ensure that one to one meetings and team meetings with good communication identified as the key to managing this issue.

### 5.3 Updated Legislation

The Fire Safety Act 2021 was brought in by the Welsh Government to provide guidance on those responsible for fire safety in buildings. The Fire Safety Act 2021 clarifies the parts of a premises that are covered by the Regulatory Reform (Fire Safety) Order 2005 (or “the Fire Safety Order” or “FSO”). The Fire Safety Order applies to all non-domestic premises in England and Wales. These include buildings with two or more domestic premises such as blocks of flats, although individual flats themselves are excluded. The updated information provides detail on the responsibilities of the Duty Holder and the Responsible Person. Responsibility for complying with the Fire Safety Order largely falls on the ‘Responsible Person’ as described in the Order.

### 5.4 Review of Policies and Guidelines

The current suite of Policies and guidelines are shown in Table 4. The policies and guidelines that were reviewed in 2023/24 are highlighted in red.

POLICIES:	
<p><u>Health &amp; Safety Policies</u></p> <ul style="list-style-type: none"> <li>Asbestos Policy</li> <li>Display Screen Equipment Policy</li> <li>Driving at Work</li> <li><b>Fire Safety at Work</b></li> <li>Lone Working Policy</li> <li>Smoke Free Policy</li> <li>Statement of Safety Policy</li> </ul>	<ul style="list-style-type: none"> <li>Policy on Contractors working on Council Properties &amp; Services</li> <li><b>Violence &amp; Aggression Policy</b></li> <li>Work Related Stress Policy</li> </ul> <p><u>OD Policies</u></p> <ul style="list-style-type: none"> <li>Alcohol and Drugs</li> <li>Attendance Management</li> </ul>
HEALTH AND SAFETY GUIDELINES:	
<ul style="list-style-type: none"> <li>Construction (Design &amp; Management) Regulations</li> <li>Control of Substances Hazardous to Health</li> <li>Control of Contractors</li> <li>Control of Legionella Bacteria in Water Systems</li> <li>Criteria for Eye Protection</li> <li>Fire Safety and Displays</li> <li>First Aid at Work</li> <li>Glazing</li> <li>Gritting of Council Work Places</li> <li>Guidance for Children not yet Toilet Trained</li> <li>Provision and use of Work Equipment Regulations (PUWER) 1998</li> <li>Permits to Work</li> <li>Responsible Person</li> </ul>	<ul style="list-style-type: none"> <li>Use of Voluntary Workers</li> <li>Working Time Regulations</li> <li>Lifting Operations and Lifting Equipment Regulations (LOLER)</li> <li>Managing the Risk of Ice and Snow in Workplaces</li> <li>Risk Assessment Guidelines</li> <li>Young People at Work</li> <li>Immunisations</li> <li>Hand/arm vibration</li> <li>Noise</li> <li>School caretakers</li> <li>Preventing Finger Entrapment</li> <li>Personal Protective Equipment (PPE)</li> <li>Prevention of Arson in Schools</li> <li>New and Expectant Mothers at Work</li> <li>Special Educational Needs (SEN)</li> <li>Working at Heights</li> <li>Workplace Health, Safety and Welfare</li> </ul>
PROCEDURES:	
<ul style="list-style-type: none"> <li>Accident/incident Reporting</li> </ul>	<ul style="list-style-type: none"> <li>Generic Fire Drill (to be adapted by each premises Responsible Person)</li> </ul>

**Table 5.2:** Policies and Guidelines

## **5.5 Interventions by Enforcing Authorities**

### **Health and Safety Executive (HSE)**

There was 1 intervention to Blaenau Gwent premises during 2023/2024 by the Health and Safety Executive. This was a visit to New Vale Household Waste recycling to look at the interaction between people and vehicles. The required action was taken with no further action by HSE. A fee for this intervention of £415 was incurred.

### **South Wales Fire and Rescue Service(SWFRS)**

There were no interventions in the form of audits in Blaenau Gwent care premises by the South Wales Fire and Rescue Service (SWFRS) in 2023/2024.

## **5.6 Fire Risk Assessments**

The Corporate Health and Safety Advisors carried out 30 statutory Fire Risk Assessments (FRA) in 2023/2024. There were no outstanding responses for FRAs.

## **5.7 Health and Safety Inspections**

The Corporate Health and Safety Advisors carried out 25 inspections in 2023/2024. Written replies were received to all of these inspections.

## **5.8 Health and Safety Training**

The need for health and safety/fire safety training is a legal requirement and is identified in the risk assessment process, and as and when refresher training is required (generally at a minimum of 3-year intervals).

All Services are committed to ensuring training is provided to comply with legislation and individual training needs. Examples of the training provided to BGCBC staff from all sources are:

- Risk assessment
- General health and safety
- Fire safety
- First aid
- Manual handling
- Evacuation chair
- Ladder safety
- COSHH awareness
- Managing violence and aggression
- Restrictive intervention
- Banksman training
- Responsible person
- Asbestos awareness
- Hand/arm vibration and noise
- Stress awareness
- Legionella

Whilst departments and schools externally source training and Social Services have the dedicated workforce development team (provides both in-house and externally sourced training) the health and safety advisors also provide in-house training. During 2023/24 there was a significant amount of training delivered by the health and safety advisors as shown in table 5.3.

Training	Number	Type of Staff
Evacuation chair	19	BGCBC and school staff
Fire safety	57	BGCBC and school staff
Health and Safety Induction	15	BGCBC
Manual handling	33	BGCBC and school staff
Responsible Person	30	BGCBC and school staff
Total	134	

**Table 5.3:** Training during 2023/24

## 5.9 Insurance Claims

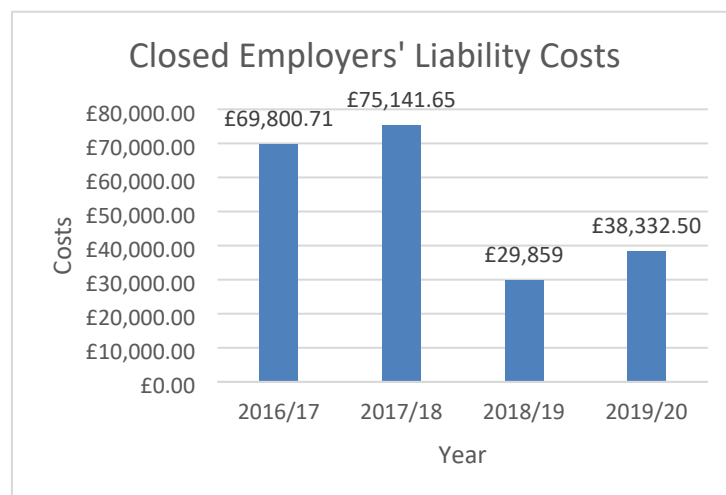
During 2023/2024 the number of Insurance claims received by the Authority in respect of all types of incidents involving employees and the public was 111 which is a slight increase from 109 claims which were received in 2022/2023. 4 of these claims related to Employers' Liability while 7 were received in 2022/2023.

It is important to note that the claims received for public and employers liability in 2023/2024 includes claims relating to incidents in previous years as there is often a delay in claims being brought as individuals have up to 3 years to submit a claim following an incident.

### ***Employer's Liability***

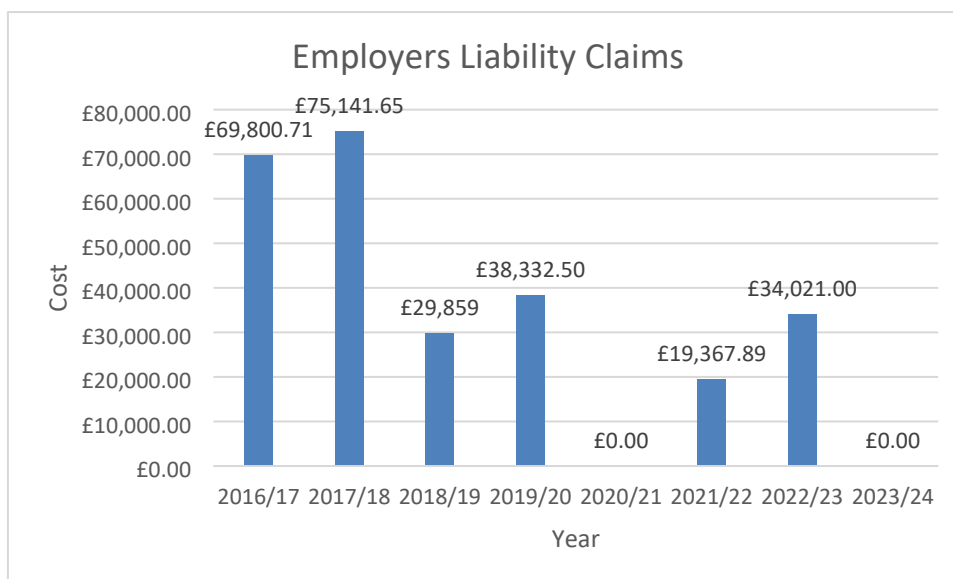
With regards to the 4 Employers' Liability claims received in 2023/2024, 1 has an incident date in the 2020/2021 policy year with 2 relating to policy years 2022/2023 and the remaining 1 relating to the policy year 2023/2024. These 4 incidents include 1 claim for stress.

Figure 5.1 shows the costs incurred for Employers' Liability (EL) claims over the 4-year period 2015/16 to 2019/20. Data is shown for this period as generally there will be no further claims covering this period as the majority of claims have to be within 3 years of the incident. Hence there is always a lag in this information as claims can take up to 3 years to be submitted and time to be closed.



**Figure 5.1:** Closed Employers' Liability Costs

Figure 5.2 shows all the claims closed in the last 8 years. It should be noted that claims may still be received for incidents from 2021/2022 onwards and that claims are still unsettled from 2020/2021 onwards and hence the costs may increase.



**Figure 5.2: Employers' Liability Claims**

As can be seen from figure 5.2 there appears to have been a reduction in the value of the claims over the last 8 years however there are several claims still open as detailed in Table 5.5 and hence the costs between 2020 and 2024 may rise.

### **Public Liability**

Table 5.4 details the insurance claims against the Authority over the last 6 years. The number of Public Liability (PL) claims against the Council increased from 80 to 90 with the vast majority being claims relating to alleged accidents on the Highway. Breaking this down further shows almost exclusively, vehicle damage as a result of potholes in the carriageway or personal injury due to trips on defective paving. The reason for this noticeable increase in claims, is possibly due to the introduction of an online claim form allowing members of the public to claim for damage or injury in a simpler, more efficient and customer friendly way.

Year	Current Costs	Number of Claims Open
2020/2021	£0.00	1
2021/2022	£19,367.89	3
2022/2023	£34,021.00	3
2023/2024	£0.00	1

**Table 5.4: Employers' Liability Claims Still Open**

### **Motor Claims**

These are generally issues where employees of the Authority have had an accident in an Authority owned or leased vehicle and are in the main claims for damage to third party vehicles or property and or third-party injury.

Motor claims have decreased in 2023/24 to 17 claims which is the lowest number of claims in the last 7 years as can be seen in Table 5.5. An analysis of these shows a large percentage were as a result of a reversing manoeuvre (6) or hitting a stationary vehicle (7). Out of these 17 claims, 5 have been paid at a total cost of £20,558.34 with



the remaining 12 claims having an estimated outstanding cost of £40,502.52 giving a potential cost of motor vehicle claims of £61,060.86 in 2023/2024.

	Employer's Liability	Motor Vehicle	Public Liability	Total
2017/2018	10	36	64	110
2018/2019	4	26	75	105
2019/2020	6	21	56	83
2020/2021	4	39	53	96
2021/2022	6	37	54	97
2022/2023	7	22	80	109
2023/2024	4	17	90	111

**Table 5.5:** Number of Insurance Claims

Motor claims are the only class of cover where there is less likely to be a delay between the incident and the claim being brought and therefore the most likely of the policies to show accurate settlements in the same year. EL and PL claims are less likely to be settled in the same year due to their more complex nature. Whilst a claim reserve can be allocated, this, together with payments made, can fluctuate as more detail is established during investigation of the claim.

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 financial burden of defending claims rests with the Authority unless Fundamental Dishonesty is proven (the burden of proof being extremely high) against the Claimant. This results in a financial cost, in terms of legal fees and employee time, to the Council even when a claim is successfully defended.

### 5.10 Capacity and Competency

As with previous years there are capacity issues for some departments/services to carry out all the required Health and Safety and Fire Safety management regimes.

The Health and Safety advisors, Human Resources advisors and sometimes the Insurance Team have regularly reported non-compliance to managers. One of the often cited reasons for any non-compliance is capacity.

It is imperative that Departments and services should regularly review their compliance standards and ensure any gaps in capacity are addressed. Corporate Health and Safety and HR can advise where possible but ultimately managers are responsible for managing any risks.

It is also important to note that the Health and Safety advisors are there to support managers and staff however it is vital that managers and supervisors have a consistent and appropriate level of training with regard to health and safety. This would include managers and staff having appropriate training and refresher training with regard to health and safety responsibilities.

## 6. Conclusions

**The headline positive features for the Authority's health and safety performance in 2022/2023 were: for discussion**

- No interventions by the SWFRS.
- 100% response to the health and safety inspections.
- 100% response to fire risk assessments.

**The headline areas of concern in the Authority's health and safety performance in 2023/2024 were: for discussion**

- The one intervention by HSE.
- The substantial increase in the overall number of reportable employee accidents/incidents.
- Increase in incidence of violence and aggression in schools.
- Increase in the number of employee reportable accidents to HSE in schools.

## 7. Recommendations

Recommendations for discussion:

1. That this report is reviewed by the Corporate Health and Safety Group and CLT.
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. Also to ensure that the individuals that are aware of their responsibilities and have received the appropriate information and training.
3. 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. This would include change of use of buildings, additions to building and purchases. Any identified risks should be managed through an implementation plan and identified leads. If there are capacity and/or competency 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.
4. Each Corporate Director to continue to review and put in place appropriate training requirements for staff. A training needs analysis of all departments and schools should be undertaken by the management of the relevant departments and schools to identify required training (including refresher and prioritise a calendar of training for 2024/25. Identified training may be undertaken by the Health and Safety Advisors or external providers as required.
5. An urgent analysis of how and why the number of incidents of violence and aggression has increased substantially since 2022/2023.
6. 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.

### Appendix 1: Corporate Health and Safety Management Information Report (1 April 2023 – 31 March 2024)

	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	TOTAL
Number of Accidents – BGCBC Employees	7	28	27	22	5	50	26	36	31	17	30	25	304
Number of Accidents – Pupils	9	27	18	6	0	30	34	23	9	16	17	12	201
Number of Accidents – Members of the Public in BGCBC premises	1	0	1	2	0	1	0	0	1	2	2	0	10
Number of Accidents – Service Users (Social Services)	5	8	7	5	8	7	6	5	8	10	9	10	88
<b>Total No. of Accidents</b>	<b>22</b>	<b>63</b>	<b>53</b>	<b>35</b>	<b>13</b>	<b>88</b>	<b>66</b>	<b>64</b>	<b>49</b>	<b>45</b>	<b>58</b>	<b>47</b>	<b>603</b>
No. of Reportable Accidents to BGCBC Employees	0	2	0	2	0	4	2	3	0	2	2	2	19
No. of Reportable Accident to Non – Employees in BGCBC premises	0	2	2	0	0	1	0	0	0	1	1	0	7
<b>Total No. of Reportable Accidents</b>	<b>0</b>	<b>4</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>5</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>26</b>
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													
• Non Employee	2	1	4	0	0	3	2	2	1	2	2	1	20
• Employee	1	3	0	3	0	9	6	5	2	2	2	4	37
No. of Incidents of Violence & Aggression													
• Non Employee	1	2	1	0	0	1	1	1	3	0	1	2	13
• Employee	4	19	22	10	2	36	19	28	27	9	26	16	218
No. of Interventions by HSE	0	1	0	0	0	0	0	0	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	1	4	2	1	4	2	4	3	0	1	1	2	25
No. of BGCBC Fire Risk Assessments	4	4	2	2	2	0	4	4	1	1	1	5	30
No. of health & safety/fire safety training Sessions Delivered	0	2	1	1	1	1	0	2	1	2	1	2	14
No. of Persons Given Health & Safety Training	0	11	6	19	3	14	0	14	8	21	18	20	134