

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF FULL COUNCIL ON 13 MARCH 2019

PART A : REPORT

SUBJECT: ADOPTION OF ARUN DISTRICT COUNCIL CORPORATE HEALTH & SAFETY POLICY

REPORT AUTHOR: Nat Slade, Group Head of Technical Services

DATE: 15 February 2019

EXTN: 37683

PORTFOLIO AREA: Technical Services

EXECUTIVE SUMMARY:

The Council has reviewed its arrangements for fulfilling its moral and statutory duties in relation to health and safety. Accordingly Full Council is requested to adopt the revised "Health & Safety Policy: Organisation and Responsibilities", and delegate authority to officers to keep it up to date.

RECOMMENDATIONS:

Full Council is requested to :

- 1) Adopt the "Health & Safety Policy: Organisation and Responsibilities"; and
- 2) Delegate authority to the Group Head of Technical Services to make future amendments to the policy taking account of changes to personnel, structures, legislation and best practice.

1. BACKGROUND:

- 1.1 The Council has a three part Health and Safety policy which sets out our approach.
- 1.2 The Chief Executive Nigel Lynn signed the Council's Health and Safety Policy Statement in April 2018 which sets out our aim and commitment to ensuring that we fulfil our moral and legal duties to provide safe systems of work and safe places for staff and others to use.
- 1.3 The policy sets out who has responsibility for fulfilling statutory health and safety duties and how the Council monitors to ensure these duties are fulfilled. The Organisation & Responsibilities section of the Health and Safety Policy sets out who does what in order to achieve the aim. This section had become outdated, reflecting the previous Council structure. This section of the policy has now been updated, see Appendix 1. The process of updating the policy has been undertaken in consultation with Corporate Management Team, Senior Management Team, the Staff Health and Safety Panel and the Formal Unison Staff Consultation Panel. Each of these two panels includes Member representation as well as officers and Unison. All the bodies

consulted have contributed to its development and support its adoption.

1.4 The Arrangements section of the policy was a collection of topic-specific policies. It is proposed that these be replaced by a series of template procedures for each service to complete for their activities.

1.5 If the policy is adopted by Full Council, the Safety Management Programme, which has been suspended in recent months whilst the policy has been updated, will be relaunched. This is a series of monthly tasks which prompt managers to for example, check their team's Personal Protective Equipment, condition of work equipment, update risk assessments etc. Topics relating to management of property will be separated out and targeted at those departments with relevant responsibilities. Initial Safety Management Programme tasks will be focussed on raising awareness of the H&S responsibilities outlined in the appended policy, and on completing the template procedures.

1.6 Training for the Senior Management Team on Health and Safety Responsibilities including this proposed policy has been arranged for April 2019. Training on risk assessment for service managers and other officers with these responsibilities will follow shortly after.

1.7 An external auditor will be engaged to assess our compliance with the new policy in order to identify areas in need of improvement. This will be undertaken in approximately one year from the adoption of the Health and Safety Policy: Organisation & Responsibilities.

2. PROPOSAL(S):

2.1 Full Council is requested to :

- 1) Adopt the "Health & Safety Policy: Organisation and Responsibilities".
- 2) Delegate authority to the Group Head of Technical Services to make future amendments to the policy taking account of changes to personnel, structures, legislation and best practice.

3. OPTIONS:

3.1 Amend the policy and adopt.

3.2 Not to adopt the policy.

3.3 Not to delegate authority to make subsequent amendments.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		X
Relevant District Ward Councillors		X
Other groups/persons (please specify)	X	
Corporate Management Team		
Senior Management Team		
Staff Health & Safety Panel (consists of		

Member/Officer/Union reps) Formal Unison Staff Consultation Panel (consists of Member/Officer/Union reps) All groups welcomed the proposed policy, and their feedback has been incorporated into the final version, Appendix 1.		
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	X	
Legal	X	
Human Rights/Equality Impact Assessment		X
Community Safety including Section 17 of Crime & Disorder Act		X
Sustainability		X
Asset Management/Property/Land	X	
Technology		X
Other (please explain)		X
<p>6. IMPLICATIONS:</p> <p>Financial: Sufficient resources need to be allocated to ensure that no unreasonable risks are posed to the health or safety of people as a result of the Council's activities. The proposal does not include a request for additional budget. The training and auditing associated with implementation of the policy will be obtained from within existing resources.</p> <p>Legal: Employers have a duty to ensure as far as reasonably practicable, the health, safety and welfare at work of all their employees, and of others, such as volunteers and members of the public. Employees have duties to take reasonable care for their own health and safety, and others who may be affected by their work, and to cooperate with their employer in ways that are necessary to allow them to fulfil their health and safety obligations.</p> <p>There are numerous legislative provisions relating to health and safety including common law duties regarding employees' safety, and statutory duties under the Health & Safety at Work etc. Act 1974, regulations made thereunder and the Occupier Liability Act 1957. Breaches of the statutory duties gives rise to criminal liability.</p> <p>Asset Management/Property/Land: The policy sets out where responsibilities lie for ensuring land and property which the Council owns is operated and maintained in such a way as to minimise risk to health and safety.</p>		

7. REASON FOR THE DECISION:

Policy adoption:

To ensure robust arrangements are in place to discharge our legal and moral responsibilities to take reasonably practicable steps to promote health and safety.

Delegation:

To ensure the policy is kept up to date so it remains relevant and allows for evolution in best practice to be quickly adopted.

8. BACKGROUND PAPERS:

H&S Policy Statement:

[Health and Safety Policy Statement](#)

Appendix 1: The "Health & Safety Policy: Organisation and Responsibilities"

<https://www.arun.gov.uk/download.cfm?doc=docm93jjjm4n13471.pdf&ver=13694c>