



Private and Confidential

Update to Health and Safety Review

Prepared for: East Hertfordshire District Council

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1. Introduction

This report was commissioned by East Hertfordshire District Council in recognition of its legal obligations and the need for effective health and safety arrangements.

A health and safety review was carried out in September 2008. The objective of this report is to assess the updated position as of October 2009 with regard to the health and safety standards of the Council.

Since the original health and safety review East Hertfordshire District Council have become more involved in a major initiative, C3W – 'Changing the Way We Work'. The council are due to move out of their office in Bishops Stortford and, therefore, are looking at rationalising office space, assessing jobs and teams, implementing home working and assessing document storage.

On the 20th October 2009, discussions of relevant matters were held with the following people and their assistance is acknowledged.

Name	Position
Sharon Clayton	Safety Liaison Officer
Roy Crow	Facilities and Property Manager
Peter Dickinson	Health and Safety Officer
Simon Drinkwater	Director of Neighbourhood Services
Helen Farrell	Human Resources
Sue Gray	Unison representative
Philip Hamberger	Director of Programme Change
Marianne McWhinnie	Safety Liaison Officer
Graham Mully	Risk Assurance Officer
Jane Sharp	Unison representative
Steve Whinnett	Principal Building Surveyor

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Throughout this report, recommendations appear in **bold print**.

NOTE: Where information is given on legislation, this is in the form of brief notes only, and is not intended as a comprehensive guide.

2. Executive summary

This update on the health and safety systems and procedures at East Hertfordshire District Council identified a good improvement from the review carried out in September 2008. Commitment from senior managers has improved with resources and time being given to health and safety.

A large amount of work has been carried out to improve the risk assessment process and this is commended. The appointment of Safety Liaison Officers and Display Screen Equipment Assessors is also commended.

It is disappointing that the system for inspections of the council's assets has not improved; in particular the recording element of inspections regimes has not been addressed. It is also concerning that the issues of lone working and driving at work have not been progressed.

2.2 Benefits

East Hertfordshire District Council will continue to benefit by implementing these further recommendations, as it will provide them with a targeted approach to health and safety. This will enable them to identify where they are most at risk and therefore where resources are required.

Knowledge on the condition of the Council's assets will enable them to provide resources to the areas that are most in need and not waste resources where their equipment, facilities and premises are in a good condition.

Ultimately, the Council should be able to prevent accidents and incidents. However, as unforeseeable accidents will still occur they will be in a good position to show that they have carried out all that was reasonable.

3. Observations and recommendations

An action plan was produced after the original review and the following table shows the update to these actions and any subsequent recommendations or actions required. (Please note that the 'recommendation' and 'updated actions' columns are taken from the East Hertfordshire District Council 'Health and Safety Audit – Action Plan/Timetable' document).

It is recommended that priority is given to implementing the recommendations relevant to the following areas:

Health and safety policy.

Driving at work.

Lone working.

Inspection regimes.

	Recommendation	Updated Actions	Further Recommendation
1	Provide members with health and safety awareness training so that they are aware of the impact of their decisions.	Slide added to risk management presentation for members on 4th March 2009. Training on new health and safety policy and member's responsibilities scheduled for 11th March 2010 before full Council.	Ensure that health and safety updates are given to members when appropriate. New members should receive information on their health and safety responsibilities.
2	Provide induction training for all new staff. Identify subsequent training needs through risk assessment and PDR's.	A health and safety quiz is held at induction covering all main issues. The Health and Safety Officer sometimes attends the induction and gives a brief presentation. Workstation assessment, location of risk assessments and manual handling instructions has been added to the new starter checklist for use by managers. Health and safety issues are already picked up within PDR's.	There was conflicting information on the health and safety information sent to a new starter prior to their first working day. Establish the information that is being sent and ensure that it is up to date. If this information is out of date consider creation of a new document. HR are looking into the feasibility of e-learning options, where policies, etc are uploaded onto the intranet and questions are set. This method of training is supported and if this method is feasible it is recommended that a variety of training courses are developed, with specific roles required to complete. Ensure that the performance management process incorporates requirements regarding the successful completion of relevant health and safety training.

3	Staff should be issued with a copy of the Health and Safety Policy and required to sign a statement to the effect that they have read and understood the information provided. Encourage them to query any points that they do not understand.	Safety Committee agreed that we would not issue a paper copy. Refer to the policy on the intranet via Update, Team Brief and / or payslips at the time of relaunch, and when significant alterations are made.	Ensure that every member of staff has easy access to the intranet. If any member of staff has no access or it is difficult to access consider provision of a paper copy of the health and safety policy.
4	Maintain training records. (Date, attendee, trainer and course content. Obtain signed declaration from attendee e.g. register). Complete evaluation form and post training interview.	Training records are currently held by HR on an Excel spreadsheet. There is no training function set up on current HR system but this will be a requirement for the new HR system. The pre-evaluation form and process has been re-launched. End of year evaluation is carried out on corporate training as part of end of year management statistics.	Ensure that suitable records are kept for the training organised by the Health and Safety Officer.
5	Retain records of training provided by equipment suppliers.	As above.	
6	Link health and safety training to the Corporate Training Plan. Ensure that there is liaison between HR and the Health and Safety Officer to ensure that training is compatible.	The Corporate Training Plan includes health and safety needs which are identified together with the Health and Safety Officer.	
7	Competent Persons and Safety Liaison Officers (SLO's) should receive health and safety training tailored specifically to their roles.	DSE / Workstation Assessor training events took place on the 21st January 2009 and 28th May 2009. Many assessments subsequently undertaken - approximately 50% of staff to date. Training has always been provided for SLO's. Next course 10th September 2009. (For info: 11 new DSE / work station Assessors and 10 new Safety Liaison Officers recruited). Regular meetings arranged with all SLO's and Workstation Assessors commenced 23rd April 2009.	Evaluate the training provided to the SLO's. Feedback indicated that the external training provided was too basic and too general. Provide training when new SLO's are recruited into the role. It is recommended that the record of the SLO and DSE assessor's meetings is amended to incorporate job titles or the areas that the individuals represent. If the minutes are distributed to anyone who does not attend the meeting, this should also be recorded. Consider including action

			<p>points, with the person responsible, the action they need to take and by when. A standard agenda should be produced.</p> <p>Ensure that there is representation of SLO's across all departments.</p>
8	<p>Ensure that all members of staff with specific health and safety responsibilities are aware of these. (Staff handbook, intranet, newsletters, notice board etc).</p>	<p>Information has always been available on the intranet and notice boards.</p>	<p>The launch of the revised health and safety policy is an opportunity to remind staff of their individual health and safety responsibilities.</p>
9	<p>Ensure that employees are aware of their individual responsibilities.</p>	<p>Release of new health and safety documents will be publicised, and will feature such guidance.</p>	<p>The launch of the revised health and safety policy is an opportunity to remind staff of their individual health and safety responsibilities.</p>
10	<p>Consider changing the Chair of the Health and Safety Committee.</p>	<p>Directors decided Simon Drinkwater to remain in Chair.</p>	
11	<p>Ensure that the structure for health and safety management reflects the management structure of the Council.</p>	<p>Revised health and safety policy will reflect management structure. Simon Drinkwater to discuss with new Director.</p>	
12	<p>Ensure that staff understand the role of the Health and Safety Officer.</p>	<p>Guidance prepared and included in revised health and safety policy. Publicise afterwards.</p>	<p>The launch of the revised health and safety policy is an opportunity to remind staff of the role of the Health and Safety Officer.</p>
13	<p>Provide clarity on the roles of the Safety Committee and the Health Safety and Welfare Team.</p>	<p>Safety Committee 1st April 2009 decided no change to group membership or structure. Operational Risk Management Group meetings commenced 23rd June 2009.</p>	<p>It is understood that there are terms of reference for the safety committee within the health and safety policy.</p>
14	<p>Establish reporting lines between the Safety Committee and other relevant Committees.</p>	<p>The safety committee now reports to the operation risk management group.</p>	

15	Record all reviews, amendments and additions to the Health and Safety Policy.	In place.	
16	Provide one Health and Safety Policy statement (combine Health and Safety Officer's and Chief Executive's statements). The Health and Safety Policy should be signed and dated by the Chair of the Health and Safety Committee and the Leader of the Council.	Statement prepared in conjunction with Communications team ready for circulation of draft policy. (Consultancy stage).	<p>Provide one Health and Safety Policy statement (combine Health and Safety Officer's and Chief Executive's statements).</p> <p>The Health and Safety Policy should be signed and dated by the Chair of the Health and Safety Committee and the Leader of the Council.</p>
17	Streamline the information in the organisation section of the Health and Safety Policy and include the Competent Person and the Safety Liaison Officer.	Drafted. Included within draft for release (consultancy stage) 10th September 2009.	<p>The responsibilities could be significantly reduced to be less specific.</p> <p>Include the responsibilities for the Safety Liaison Officer and the DSE assessor roles.</p>
18	The Health and Safety Policy should be kept strictly to the legal requirements. (Other extensive advice to be available elsewhere).	Policy completely redrafted. For release (consultancy stage) 10th September 2009.	<p>It is reiterated that the Health and Safety Policy should be kept strictly to the legal requirements. (Other extensive advice to be available elsewhere).</p> <p>Ensure the area on the intranet for the extensive health and safety guidance is user friendly.</p> <p>There is duplication within the policy. The policy needs to be reviewed and duplications removed.</p>
19	A driving at work policy should be produced. Drivers should be required to report immediately any accidents or convictions arising out of private driving, or medical conditions that could impair driver performance.	Generic driving risk assessment produced March 2009. Safety Committee June 2009 agreed that driving at work policy should be produced.	<p>It is recommended that an Occupational Road Risk Policy is produced in line with the requirements of the Health and Safety Executive publication "Driving at Work" and best practice. This should then be updated on a regular basis (once every twelve months initially) to reflect current practice and any changes should be formally</p>

	Risk assessments to include driving. Should inspect vehicles. Driver training.		communicated to affected staff. It is vital that the council's senior management team accept clear ownership of "Driving at Work" and accept this is a risk which needs to be controlled effectively. Once this has been achieved the ownership of "Driving at Work" should be given to the individual managers within each department to effectively implement and review progress on a regular basis.
20	Health and safety implications of home working should be considered. Provision of desk, chair, computer equipment, phone and other work equipment; access to computer and paper based info; remote support for IT; segregation of home and work life; electrical testing; home visits from Managers and DSE Assessors; communication; isolation and associated stress; types of role / person working from home.	Guidance provided to C3W. Issues had already reflected in their questionnaire to all staff. Homeworking policy produced (by HR) August 2009. Generic home working risk assessment produced August 2009. Budgets in place to purchase necessary equipment.	The home working policy (October 2009) is a good document. Consider asking employees to take photographs of their workstation and workspace as part of an annual audit. Any problems highlighted in the photographs should be followed up with a home visit. Establish how portable appliance testing will be undertaken.
21	Establish principles for lone working rather than strict requirements. Audit current arrangements. Address problem of phone reception.	Brian Simmonds has been asked to review. Lone working generic risk assessment drafted March 2009.	It is understood that Brian Simmonds has been allocated to review lone working across the council. The original recommendation is reiterated - establish principles for lone working rather than strict requirements. Audit current arrangements. Address problem of phone reception.
22	Ensure that the first aid arrangements are backed by a relevant risk assessment.	Peter Dickinson has completed a risk assessment.	
23	Stock check of first aid equipment.	Peter Dickinson has completed. Any out of date supplies removed. Supplies topped up. Regular reviews scheduled.	

24	First aid kits to be placed in all Council owned vehicles.	N/a	Ensure there are first aid kits in all council owned vehicles.
25	Provide services with accident statistics and feedback on claims.	Claims data reporting in place for some services already. Claim statistics also reported to Risk Management Group, and accident statistics to Safety Committee. Both sets of minutes referred to CMT and therefore Heads of Service.	Ensure that any 'lessons to be learned' from a claim or an accident are communicated to the relevant staff.
26	The Health and Safety Officer should audit the health and safety management of the Services.	Reporting template agreed. To be used for reporting to Safety Committee, Operational Risk Management Group, CMT, Local Joint Panel and HR Committee. Operational Risk Management Group commenced 23rd June 2009.	Establish a formal procedure that periodically audits the effectiveness of the health and safety policy, the arrangements and performance against best practice. An audit complements the planning and control cycle and provides an independent assessment of the reliability of your management systems. A program of annual audits of each department should be established with a follow up 6 months after the initial audit. The findings should be reported to the safety committee.
27	Develop the intranet site to make it more user friendly.	Generic risk assessments loaded on to intranet August 2009. Other information / review to follow.	Ensure the area on the intranet for the extensive health and safety guidance is user friendly. The leaflets that have been produced contain very comprehensive advice on a variety of health and safety subjects. However, as of April 2010 the Health and Safety Executive (HSE) are making their leaflets available to download at no cost. The information in these leaflets is very similar to your leaflets and it is suggested that you provide links to the HSE website on your intranet. This will ensure you are accessing up to date information.
28	Implement a system for reporting defects.	Meeting held on 9th February. All parties interested. Investigate whether we could expand Mayrise system.	It is understood that a new computer system has changed how defects could be reported, the original recommendation is therefore reiterated - implement a system for reporting defects that requires a record showing details of the defect, who made the report, when the

			<p>report was made, what action was taken and when the action was taken.</p> <p>Priorities for responding to notifications of defects or hazards should be set. E.g. immediately, within 24 hours, within 14 days and within 3 months.</p>
29	Maintain a logbook for fire procedures / alarm testing.	Arrangements are in place for contractors and staff to keep these log books up-to-date. An annual check is scheduled to take place at the end of March.	Auditing of the systems that have been put in place should be carried out on an annual basis. A record of this audit should be kept.
30	Ensure / evidence that fire risk assessments are carried out for all the Council's premises and any further control measures identified are actioned within reasonable timescales.	Work has been completed in-line with programme	
31	Ensure / evidence testing of all electrical equipment and fixed wiring systems, and prepare full inventory of all electrical equipment. Ensure that any equipment brought in by staff is tested prior to being plugged in. Check that other users of the council's electrical system, e.g. contractors, have tested their own equipment. Ensure that the five-yearly tests of fixed wiring is carried out and logged. Establish rolling programme.	Portable appliance testing has been carried out in-line with recommendations. Fixed wiring is being tested in line with rolling programme	<p>Auditing of the systems that have been put in place should be carried out on an annual basis. A record of this audit should be kept.</p> <p>Facilities management compliance checks are planned for early 2010 and this is supported.</p>
32	Asbestos management: a) Enforcement of the completion of record sheets should be implemented. b) Ensure that building managers understand the importance of the	Asbestos awareness training course took place 26/11/08, so staff and management understand the need to manage asbestos. In 2007 a specialist contractor surveyed all council premises resulting in asbestos registers for each property showing the location and types of asbestos. Two types of survey were undertaken, all were subject to a category 2 (visual) survey, and where proposed	<p>Auditing of the systems that have been put in place should be carried out on an annual basis. A record of this audit should be kept.</p> <p>Facilities management compliance checks are planned for early 2010 and this is supported.</p>

	<p>asbestos register and their individual responsibilities. c) Prepare, implement and periodically review and monitor a plan to manage asbestos.</p>	<p>building works may disturbed asbestos then category 3 (sampling) surveys were carried out. Asbestos registers are held centrally within the Property Services team and a further copy of the register is held at each property. Where building works are planned Building Surveyors make reference to the asbestos register for the location to establish whether any special measures are required to manage the risks. It is intended to review the management regime early in the new financial year to ensure compliance and there are no known incidents of procedural failure. In conclusion a comprehensive system of registers exist and are being maintained.</p>	
33	<p>Adequate Legionella policies and procedures must be developed, implemented, reviewed and monitored to ensure risk properly managed. Ensure adequate information obtained from contractor to satisfy the Council that the water systems are being managed effectively.</p>	<p>Policy document exists and is being modified to bring it in-line with new Facilities Management and Property Services structure and will be issued at the end of April 2009. A consultant undertook Legionella risk assessments for all Council properties in 2007. Legionella risk assessment documentation exists for all properties and water services log books exist where treatment is required. Some of the temperature monitoring regimes still need to be documented and these will be issued in April 09. It is also intended to carry out an annual audit on the effectiveness of overall monitoring and control regimes during the 1st quarter of 2009-10. Again there are central records of Legionella risk assessments and water services log books in the Property Services team and records exist at all sites.</p>	<p>Auditing of the systems that have been put in place should be carried out on an annual basis. A record of this audit should be kept.</p> <p>Facilities management compliance checks are planned for early 2010 and this is supported.</p>
34	<p>The requirement to ensure risk assessments are carried out should be at Director level.</p>	<p>Agreed at Safety Committee 25th June 2009, and reflected in revised Health and Safety Policy, and risk assessment documentation.</p>	
35	<p>The recording form for risk assessment should be greatly simplified. Record name of person undertaking assessment, and person responsible for assessment, e.g. Head of Service or Director). Consider changing scoring method to high / medium / low. Add column for 'actions completed' to be recorded.</p>	<p>Generic risk assessments taken to Safety Committee 1st April 2009. Trialled between April and August 2009. Release August 2009.</p>	<p>It is recommended that further improvements are made to the recording of risk assessment, e.g. there is no need for a front cover, information on the hierarchy of controls or method statement. The approval page could be reduced to one line requiring the signatures of the Head of Service and the Director and relevant dates. In general, very trivial, everyday type risks could be removed from the risk assessments. The box on page 2 could be reduced to include the person assessing, their job title and the date carried out. This could be at the end of the risk assessment with the Head of Service</p>

			and Director information. Define L,M and H in the 3 rd column and there is no requirement for them to be written twice. If it is possible put the name of the person responsible for carrying out the action in the 'action by whom' column.
36	Ensure that risk assessments are carried out for all areas and / or all activities.	As above. Many services are asking for help - a significant increase - so a far greater awareness and compliance has already been established. Insufficient resources to assist all services immediately.	<p>It is recommended that a deadline for completion of risk assessments is made. Non compliance should be reported to senior management. A reminder that the requirement to carry out risk assessments has been around for 17 years now may assist.</p> <p>The annual audit by the health and safety officer would look at how the departments have complied with carrying out risk assessments.</p> <p>There will be a requirement to carry out risk assessments when new office layouts are implemented. In addition, additional workstation assessments are likely to be needed. The issue around car parking at the Hertford office should be addressed through the risk assessment process.</p>
37	In order to embody the principle of risk assessment within the day to day operations; risk assessments should be carried out by, or certainly involve, staff who are actually exposed to the risk.	Standard text prepared and issued to numerous colleagues already. Revised draft to be considered at Safety Committee 1st April 2009. See item 35.	
38	Ensure that risk assessments are reviewed and changes made when there has been an accident. (And that accident is investigated).	Reflected in H&S policy.	
39	Procedures need to be established to ensure that risk assessments are carried out. Include within Audits.	n/a	The annual audit by the health and safety officer would look at how the departments have complied with carrying out risk assessments.

40	Introduce Group for those who carry out risk assessments.	First meeting held on 23rd April. Regular meetings scheduled before Safety Committee so that issues can be reported.	The use of a support group is commended.
41	Introduce noise assessments.	Peter Dickinson appointed contractor and completed noise assessments of the areas that caused most concern in Summer 2008. All within tolerable limits. Mitigation measures introduced where considered necessary, despite results.	
42	Ensure all hazardous substances are risk assessed, and procedures made known to employees. Compile an inventory. Consider whether less hazardous substances be used. Obtain hazard data sheets from manufacturers.	Generic COSHH assessment prepared. H&S Officer subsequently working with teams to compile their assessments.	The annual audit by the health and safety officer would look at how the departments have complied with carrying out risk assessments.
43	Ensure all hazardous equipment is assessed in accordance with H&S at Work Regulations 1999. All items of electrical or mechanical equipment should be inspected on a regular basis and records maintained. Establish which services are responsible for carrying out regular inspections and check that these are done.	Generic risk assessment prepared for consideration at Safety Committee on 1st April 2009. H&S Officer subsequently working with teams to compile their assessments.	The annual audit by the health and safety officer would look at how the departments have complied with carrying out risk assessments.
44	Risk assessment of PPE (where identified) is appropriate, fits properly and is effective. Damaged items to be replaced.	Generic assessment prepared. H&S Officer subsequently working with teams to compile their assessments.	The annual audit by the health and safety officer would look at how the departments have complied with carrying out risk assessments.
45	Consideration should be given to making anyone who uses a workstation a user.	DSE Assessor training on 21st January and 28th May 2009.	Anyone using a workstation is defined as a user.

46	The system of inspection - office and land - should be driven by risk assessments.	Meeting held 09/02/09 for all services affected. Next phase to review land ownership took place on 9th March 2009. Register of all land being compiled at present prior to further discussion.	It cannot be emphasised strongly enough that one of the main elements of risk management and the defence of liability claims is a safety inspection regime. It performs two distinct functions. Firstly, it enables the council to identify potential hazards before they cause damage or injury and secondly it should provide a realistic defence that, even if injury or loss has occurred, the council has undertaken all that could be reasonably expected.
47	Full records should be kept of site inspections.	Document retention guidance on this subject is on intranet. Meeting arranged for all services affected.	Full records should be kept of all inspections, as this can aid the defence of claims. In this respect, it should be remembered that minors who suffer an injury on Council owned premises have until three years after their eighteenth birthday to make a claim. Therefore, records could be required many years in the future and should be able to be readily found and easily understood by others. Records should include the area inspected, when and who by, and any problems found together with remedial action taken. Reporting should always be positive. In other words, there should always be a report. It is often more important to show that at the time of the inspection there was no defect. In the absence of an inspection report it would be difficult to prove that at that particular time there was nothing wrong, especially if it has resulted in some personal injury to a member of the public. This is particularly true if a number of consecutive inspections have identified no defects.
48	The Health and Safety Officer should implement a programme of inspections of offices.	Office inspections reintroduced in December 2008. UNISON representatives and Health and Safety Officer have set up programme of quarterly inspections. Review of risk assessments to take place around October 2009.	Consider incorporating the check on whether portable appliance testing (PAT) has taken place within the workplace inspection, e.g. checking a random number of portable electrical appliances to establish whether they have been PAT tested.

49	Inspection findings should be reported to the Health and Safety Committee, and response timescales devised. Ensure where no defect is found that this is recorded.	See item 46.	
50	Adopt the proposed Stress Policy. Consider providing advice and assistance on the intranet, in addition to any formal training. Identify as a hazard through risk assessments rather than carrying out specific stress risk assessments.	The Stress Policy was launched in October 2008. Risk assessments should be carried out as per the policy.	The annual audit by the health and safety officer would look at how the departments have complied with carrying out stress risk assessments.
51	Formulate action plan to tackle staff absence.	A new Absence Management Policy and Procedure was launched in July 2009. Training will be provided to managers in Autumn 09. A review of Occupational Health has been completed and actions addressed.	
52	Ensure that health and safety responsibilities of hiring agreements are established.	Castle Hall and previous leisure contractor reviewed regularly, most recently in 2007. (Also tried to tackle leaseholders, but not supported).	<p>It is recommended that the council create a formal corporate hiring policy and contract to be issued to all hirers of council premises. The policy should include a written contract of the hire, requirements for public liability insurance and their responsibilities.</p> <p>Evidence of hirer's health and safety policy, procedures and systems should be obtained. Risk assessments should also be obtained.</p>
53	Implement a co-ordinated role for events held on Council land. Obtaining info from organisers about activities; documentation such as risk assessments and insurance; appropriate venue selected?; Pre and post inspection of land; licences; relevant agencies advised?	Comprehensive Safety Advisory Team guidance is available on website.	<p>Evidence of hirer's health and safety policy, procedures and systems should be obtained. Risk assessments should also be obtained.</p> <p>Monitoring of hirers events should be carried out on an ad hoc basis and records kept.</p>

54	Establish principles for management of contractors. (Follow examples of Environmental Services and Leisure). Property to establish standards for choosing and monitoring contractors.		Ensure there is a formal procedure for monitoring contractor performance including health and safety inspections, accident reviews, etc.
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