



**Organisation and Responsibilities**



# East Herts Council

## Health and Safety Policy

### Organisation and Responsibilities

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### Organisation and Responsibilities

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**Organisation and Responsibilities****1. Introduction**

The Health and Safety at Work Act places responsibility for health and safety, with very few exceptions on the employer. This policy states how these duties are allocated at the Council. Whilst the overall responsibility for health and safety is designated to the Chief Executive, individuals at every level have to accept degrees of responsibility for carrying out the policy. Whenever possible, key managers are named and their responsibilities defined.

**2. The Organisation****2.1 The Council**

Is responsible under the HSW Act for ensuring it has:

- A written health and safety policy, safety guidance, procedures and advice.
- Clear management arrangements and pro-active support for health and safety.
- A safe workplace compliant with health, safety and welfare requirements.
- Ensure that employees are aware of the fire procedure and regular fire drills are carried out and that there are safe and clear access and egress from its premises.
- Regularly check the premises for structural defects, worn fixtures and fittings or electrical equipment, and take the necessary remedial action.
- Provide appropriate protective clothing [if required] and ensure that all equipment is suitable for its intended use and is properly maintained and used.
- Ensure that all employees are aware of the procedure for reporting accidents and incidents at work.

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- Ensure that all employees are aware of and carry out their health and safety responsibilities as set out in their job descriptions.
- Provide a smoke free working environment
- Prohibit any contractor working on the premises without prior discussion with the officer in charge to negate any risks to employees, guests or visitors.
- The Council can outsource a service, but health and safety responsibilities cannot be delegated in the same manner.

## 2.2 Tenants - Cooperation by regulation

Regulation 11(1) of the Management of Health and Safety at Work Regulations 1999 requires that where two or more employers share a workplace (whether on a temporary or a permanent basis) each employer must:

- Co-operate with the other employers concerned to enable them to comply with statutory requirements, including fire legislation.
- (taking into account the nature of their activities) take all reasonable steps to coordinate the measures they take with the measures taken by other employers and
- take all reasonable steps to inform other employers concerned of the risks from their work to other employees' health and safety.

## 3. Responsibilities

This section outlines the specific responsibilities of Leadership Team and officers within the Council.

### 3.1 Elected Members

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Elected members contribute to the development of policies and strategies, including budget setting. Councillors who are committee chairs or portfolio holders have more specialised roles in promoting particular policies. Elected members can influence budget and policy decisions, they can affect how health and safety is managed.

Executive Members have both individual and collective governance responsibilities, and the portfolio holder needs to act as a 'champion' and lead in this area, making sure the authority has the right health and safety policy, strategy and objectives.

## 3.2 Management Responsibilities

### 3.2.1 The Chief Executive

The Chief Executive is responsible for the strategic aspects of the Council's safety policies and procedures, including the implementation of the Council's Health and Safety Policy, the performance standards for the measuring/monitoring and auditing of safety management systems

The Chief Executive supports the following:

- The overall implementation of the Council's Policy for Health and Safety
- Effective monitoring and review of procedures
- Ensure that the policy is up to date and executed across all services operated by the Council
- Health and safety information is displayed at all levels.
- Convening Leadership Team to monitor extremes of weather and the impact on the safe discharge of the Councils Services including the decision to suspend activities

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- Making and communicating decisions to close Council premises when there is a loss of heating specifically during the autumn/winter months.
- Ensuring that health and safety features on the agenda of Leadership Team meetings and that compliance reports are received.

The Chief Executive shall discharge these duties in accordance with the Council's management framework. The responsibility for the delivery of pro-active health and safety management shall be lead through the Councils Leadership Team.

#### 3.2.2 Leadership Team

The Leadership Team shall be responsible for ensuring:

- Health and safety has an equal status with other primary organisational duties and ensure that all decisions reflect the intent of this policy;
- Advise members of the Council's health and safety obligations under statutory law in matters to staffing, finance and resources;
- Accepting their individual and collective roles in providing health and safety leadership in the organisation and engaging the active participation of employees in improving health and safety;
- Ensure appropriate management systems provide effective monitoring and reporting of the organisation's health and safety performance;
- Ensure that health and safety policy arrangements, procedures and notices are observed and implemented within their areas of responsibility and that sufficient resources are allocated for health, safety and welfare;

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- Ensure the availability of professional expertise on health and safety to provide adequate awareness of legislative requirements and good safety management practices;
- Ensure the existence of adequate consultative arrangements involving management, employee and Unison representation;
- Review health and safety performance regularly to ensure that they are kept informed of relevant health and safety risk management issues;
- Project and contract work will include health and safety consideration and consultation.

### 3.2.3 Heads of Service and Senior Managers

All Heads of Service and Senior Managers are responsible for the organisational arrangements for health and safety management within their Service areas. The delegated duties include:

- Responsibility for ensuring that risk assessments for all activities that have a potential to cause injury or harm are undertaken.
- Produce a written Safe Systems of Work (SSoW) if identified during a Risk Assessment, in consultation, with instructions and training as appropriate.
- Regularly monitor and review of safety arrangements and levels of supervision of safe systems of work.
- Contract Management – Ensure that contract compliance, monitoring and inspections are undertaken to ensure:
  - Contractors are undertaking their activities in accordance with the contract specification.
  - Carrying out work tasks and activities in a safe manner to ensure the safety of self and others

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- Record and maintain records of inspections and photographs in accordance with data protection requirements
- Carrying out induction training to ensure all employees are aware of emergency procedures, corporate/team safe systems of work, applicable safety literature, activities and corporate arrangements.
- Active involvement in the prevention of accidents, work associated ill health, and the promotion of safety awareness in the workplace where they have managerial responsibility.
- Carrying out investigations of accidents, near misses and incidents, with the Health and Safety Officer. Reporting as directed by the corporate arrangements. Initiating remedial action to prevent reoccurrence.
- Participant in the annual review of employee's driving licences, MOT certificates and motor insurance arrangements for those who drive on Council business.
- Ensure any specialist training needs identified are captured through the PDR process so they can be included in the corporate Health and Safety Training Plan.
- Review the requirement for personal protective equipment (PPE) for colleagues as determined by the risk assessment process.
- Ensure that health and safety arrangements are included when organising or arranging events and activities and when working with other partner organisations or other council services.



**Organisation and Responsibilities****3.2.4 Head of Human Resources and Organisational Development.**

Direct the Health and Safety Officer to ensure that:

- Directors and Heads of Service receive satisfactory advice and assistance in understanding their duties in relation to Health, safety and Welfare.
- The Council's health and safety policy is reviewed and regularly updated as a consequence of new legislation and changing practices and serious incidents.

**3.2.5 Health and Safety Officer**

Shall advise the Chief Executive, Directors, and Heads of Service on the measures necessary to ensure the Council meets its statutory obligations in respect of Health, Safety and Welfare at work:

- Review and update policy arrangements, procedures, guidelines and wider sources of information for the effective use in the Council. While acting as the main point of contact for health and safety compliance, giving relevant safety guidance and advice and attend meetings, as and when required, in an advisory capacity for the Council.
- Review training requirements for staff undertaking a Health, Safety and Welfare role and ensure training and skills are up to date and current.
- Monitor and review the Council's timetable for risk assessments and display screen and workstation assessments.
- Undertake audits of high risk services, including spot checking which could include requesting the suspension of

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working processes and activities, where there is a justified reason that the activity may give rise to harm or injury

- Ensure consultation and co-operation with Unison on Health and Safety issues relevant to all employees.
- Ensure Accident and Incident reporting mechanisms are in place, maintained, valid and appropriate. Ensure the e-forms are being used appropriately and the accident books are readily available. Ensure the incidents and accidents are properly reported and the HSE is made aware of anything reportable under RIDDOR
- Assisting in any investigations into individual accidents as required by the Chief Executive and Leadership Team
- Liaise with the Health and Safety Executive and Health and Safety Inspectors and represent the Council on any visit.
- Ensure adequate and appropriate First Aid provision and training is in place to compliance with the Health, Safety and Welfare Policy. Ensure all employees (and where appropriate, members of the public) are made aware of the arrangements for first aid provision.
- Coordinate Fire Marshal arrangements and training

**3.2.6 Head of Strategic Finance and Property**

The Head of Strategic Finance and Property has managerial responsibility for the Facilities and Property teams and is responsible for ensuring that financial and physical resources are available for the operational function of the building.

The Head of Strategic Finance and Property is responsible for ensuring:

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- The Corporate Property and Facilities Manager has robust arrangements for managing and monitoring contracts for cleaning, lone worker service, maintenance of the Council's office accommodation
- The Property Services Team have arrangements for compliance monitoring of statutory testing and certification e.g. fire risk assessment, legionella, PAT testing etc.

#### 3.2.7 Corporate Property and Facilities Manager

The Corporate Property Manager is responsible for managing the Facilities, Property and Estates Sections, and is responsible for managing all the Council's premises, in respect to:

- Reviewing Council accommodation, property acquisition and disposal.
- Carry out feasibility studies on behalf of the Council on future developments at Council buildings including being responsible for ensuring that space-planning management is carried out.
- Provides environmental systems management (heating, ventilation, air conditioning and lighting) and the control of the environment to ensure that the buildings services plant operates efficiently.
- Ensure the Council maintains the specific power requirements to provide general support services, e.g. heating and lighting services etc. To meet all current legislation.
- Provide security and fire safety procedures for all Council buildings in accordance with current legislation, and ensure the following routine tests/inspections are carried out:

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- Ensure the following functions are tested as agreed, fire alarms (actuation test), Emergency Lighting (simulated mains failure), Fire Exit (break to open fastening), Fire Doors (Non-automatic) electro-magnetic fastener and power assisted – Ensure doors closed at night.
- Oversee Facilities Management Services remit to arrange general and contract cleaning, janitorial management, window cleaning, waste disposal, utilities and maintenance requirements of the working environment including measures to reduce the problems of static electric build up.
- Responsibility for land management in terms of inspection regimes, maintenance, repair, improvement and general upkeep.

#### 3.2.8 Property Manager

The Property Manager is responsible for the technical and operational oversight of all of the Council's buildings in respect of the repair and maintenance of the building fabric, services and plant. In addition the managing of major construction related projects on Council buildings including refurbishment, demolition, new build and extensions to existing buildings.

The Property Manager or in their absence a Building Surveyor shall attend the Safety Committee in the capacity of professional adviser on Health and Safety issues relating to the Council's buildings.

The Property Manager shall be responsible for:

- The arrangements for Fire Risk Assessment Certification and holding the valid Fire Risk Assessment.

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- Notifying the Corporate Property and Facilities Manager of any proposed material change which could affect requirements of the fire risk assessment.
- Ensure the appropriate tests and inspections (Externally Organised) are carried out and all defects reported:
  1. Fire Alarm, Automatic Fire Detectors and Fire Appliances
  2. Emergency Lighting
  3. Testing of plant, water treatment for mains and stored water supplies, including SSoW for the testing and monitoring of associated plant for Legionella, under COSHH requirement

#### 3.2.9 Head of Housing and Health

The Head of Housing and Health has overall managerial responsibility for the Councils Hostel 'Hillcrest House' ensuring that the Hostel Officer is supported in the safe operation of the facility and that it is fit for purpose.

#### 3.2.10 Hostel Officer

The Hostel Officer is responsible for the day to day management of Hillcrest House and undertakes:

- Pre-admission personal emergency evacuation plans for incoming residents with specific needs and provides all residents with safety information
- Inspection of the self-contained flats, external grounds, gardens and perimeter, including tree risk assessments
- Co-ordinating fire safety arrangements and tests
- Reporting defects, failures and faults to the relevant service
- Recording and reporting accidents, incidents and near misses to the Health and Safety Officer

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### 3.2.11 Head of Operations

The Head of Operations has managerial responsibility and oversight for the following services:

- Hertford Theatre
- Shared Waste Services Contract (East Herts)
- Grounds Maintenance, Parks and Open Spaces, Street Cleansing.
- Environmental Inspections fly tipping, enviro crime.
- Leisure Services Contract
- Car Parks and Multi-storey car parks

The Head of Operations is responsible for ensuring;

- Robust arrangements are in place and resourced for the monitoring and oversight of the Councils operational in house and outsourced services in these areas.
- Ensure that the Council maintains its high level of inspection regimes through robust and proactive inspections, compliance monitoring and collaborative partnerships with the Councils contractors.

The Head of Operations will maintain health and safety through delegated responsibilities to the following officers:

- Environment Inspection Team Manager
- Leisure and Environment Service Manager
- Leisure and Parks Development Manager
- Shared Waste Services Manager
- Parking Manager
- Hertford Theatre Director
  - Front of House Manager
  - Technical Manager

**Organisation and Responsibilities****4. Occupational Health Services**

The Head of Human Resources and Organisational Development shall ensure the Council's occupational health service arrangements are secure, professional, impartial and confidential. The Occupational Health Service shall:

- Support the Councils' management in their concern and legal responsibility for the health, safety, welfare and well being of staff;
- Carry out screening for all new employees and support those being referred for consultation.

**4.1 Employees**

It is the duty of all employees, temporary, contract or agency staff to familiarise themselves and comply with the Councils Health, and Safety Policy and safety arrangements. All employees have duty of care of the health and safety of themselves and others who may be affected by their acts or omissions of action and to familiarise themselves on:

- The Council's Health and Safety Policy, general statement of health and safety and general safety arrangements.
- Risk assessment procedures and Safe Systems of Work.
- Evacuation procedures.
- Instructions and advice provided for the safe use of plant and equipment.
- General advice, information and guidance provided for the benefit of the health, safety and welfare of all Council employees

All employees of the Council must inform their Head of Service or Manager of any failure or breach of the Health and Safety Policy, or any fault, damage or misuse of equipment, furniture or plant provided. The Head of Service

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shall take appropriate action where any breach of the Policy occurs. No employee shall tamper with or alter any equipment or procedures, notices etc. provided for Health and Safety in the workplace or work activity.

Where necessary and required, employees must wear if provided for the purpose of the work activity personal protective equipment and will ensure that it is in good repair, clean and properly maintained before use.

All employees have a right to view copies of health and safety inspections and general risk assessments. Employees may also view minutes of Safety Committee meetings and any written procedures and guidance for the purpose of Health and Safety.

The Chief Executive, Directors, Heads of Service and all employees have a responsibility for Health and Safety. The extent of responsibility for implementing and authorising action is dependent on the level of management responsibility.

**4.2 Unison - Health and Safety Representatives**

Unison is responsible for appointing health and safety representatives; they represent members when consulting with management on health, safety and welfare. No function given to a health and safety representative imposes any duty on him or her, other than the duties he/she has as an employee under the terms stated in the section '**All Employees**'. Health and safety representatives are responsible for representing the group of employees on such matters as:

- General matters affecting the health, safety and welfare
- Consultation with Health & Safety Executive Inspectors
- Potential hazards and dangerous occurrences at the workplace



**Organisation and Responsibilities****5 Safety Committee**

East Herts supports a joint process of safety management with Unison under the aims and principles of the 'Safety Representatives and Safety Committee' Regulations 1977 and the 'Health and Safety (Consultation with Employees) Regulations 1996 by establishing, in consultation with the recognised trade union(s) a Safety Committee.

The principal function of the Health and Safety Committee is the promotion of the health, safety and welfare of all employees of the Council.

The Committee meets to consider standing items such as:

- Statistics on accident records, ill health, sickness absence;
- Accident investigations and subsequent action;
- Inspections of the workplace
- Risk assessments;
- Health and safety training;
- Safety procedures; and
- Changes in the workplace affecting the health, safety and welfare of employees.
- Respond to any reports received from Heads of Service and Union Safety Representatives.

The Safety Committee is not a decision making body but can submit recommendations, policies and reports to Leadership Team and Human Resources Committee.

**6 Review**

This policy shall be reviewed after three years or sooner in line with legislation and best practice to reflect the best possible level of support and management.