

BRISTOL CITY COUNCIL

HUMAN RESOURCES COMMITTEE

For Resolution

16th December 2010

Report of: Service Director: Strategic HR & Workforce Strategy

Title: Health & Safety Annual Report 2009/2010

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RECOMMENDATION

The Health & Safety Annual Report 2009/2010 is submitted to this Committee for its information and observation.

Summary

The Annual Report summarises the key Health & Safety issues in Appendix A. It is intended that this report will be submitted annually to the Committee.

The significant issues in the report are:

These are as set out in Section 5 of Appendix A.

1. Consultation

Internal/External

As set out in Section 6 of Appendix A.

2. Context / Proposal

As summarised in the Annual Report attached.

3. Other Options Considered

Not applicable.

Risk Assessment/Equalities Impact Assessment

Not applicable.

Legal and Resource Implications

Legal

Not applicable.

Financial

(a) Revenue:

Health & Safety expenditure was within budget for 2009/10.

The Health & Safety annual civic budget allocation for 2010/11 is £550,000 and expenditure is projected to be within budget.

(Advice from Stephen Skinner, Finance Business Partner Corporate Services and Deputy Chief Executive's Directorates)

(b) Capital:

Not applicable.

Land

Not applicable.

Personnel

The Council's Health & Safety Team are part of Strategic HR. They provide professional support for all directorates.

Appendices

Appendix A - Health & Safety Annual Report 2009/2010.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers: None.

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HEALTH & SAFETY ANNUAL REPORT 2009/10

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BRISTOL CITY COUNCIL

HEALTH & SAFETY ANNUAL REPORT 2009/10

Preface

The development of a proactive health and safety culture is about continuous improvement. This is underpinned by:

- *Strategic leadership and responsibility*
- *Managerial competence in health and safety*
- *Employee engagement via safety representatives & safety committees*
- *Allocation of adequate resources in terms of money and technology to underpin the health and safety function*
- *Integration of health and safety systems into wider management systems*
- *Resource allocation based upon the principles of risk management*

Mission Statement

"Pro actively managing, and controlling risk in a changing world".

Vision Statement

"Occupational health and safety forms one of the cornerstones of how this authority conducts its business. Effective communication underpins everything we do in relation to both internal and external clients. Our goal is not to establish a total risk free environment, but one in which risk is properly appreciated, understood and managed."

Orientation Statement

The world has changed significantly in the last two years, we have had both national and local elections in May of this year, against a backdrop of underlying economics woes at both the national and international level. The underlying financial pressures facing us are no less significant than they were in the previous year. Our growing dependence upon working with partners, and partnership organisations cause new challenges which need to be dealt with. The process of business transformation, and the re-engineering of traditional services causes a certain amount of organisational dislocation, irrespective of how well the process is managed.

Now is an appropriate time for a radical rethink of how we do business. In the very near future difficult choices will have to be made. It is futile to attempt to ring fence processes, and for that matter ideas which have

had their day. In order to ensure health and safety in a rapidly changing organisation we need to rethink how we do things.

- Part of that process is utilising technology to make us more effective in how we deal with health and safety issues. The process of change is not always as speedy as we would wish, however any change process does require careful thought to avoid costly over spends on technology that is not required, or is inappropriate.
- A vast under-utilised resource are the people within the organisation. The continued roll out of managers health and safety training is seen as a key component to the authority's health and safety strategy. Its prime aim is to empower managers to manage health and safety in a proactive and cost effective manner.
- Building a capacity to react to assist the business through organisational change and business transformation. There is a need to have the ability to rapidly deploy resources to aid the change process via tactical interventions, and supporting the over arching strategic intent of the organisation will become an ever dominant aspect of the authority's health and safety function in the future.

In order to address these structural changes issues, when combined with the macro economic climate it is anticipated that the 3 to 5 years change process outlined in the 2008/09 annual report may well be closer to the 5 year forecast than the 3 year one?

1. Statement of Commitment

The authority reaffirms its commitment to the development of an effective proactive health and safety culture which adheres to the general principles of the publication HSG(65) "Successful Health & Safety Management". To achieve this full managerial commitment is required, coupled with active employee and trade union safety representative participation. It is recognised that this safety management system is one of the bench marks the Health and Safety Executive used when evaluating an organisations health and safety performance, and it would seem prudent for the authority to use the general principles of this model for its health and safety management system. This coming year the Authority will see the roll out across the authority of the "Corporate Health and Safety Management system (CHaSMS). This system will give us the ability to link key areas of our business.

- Strategic Health and Safety Planning
- Departmental and section actions plans
- Competence through training
- Health and Safety assessment Tool kits
- Self auditing (Quantitative)

- Verification auditing (Qualitative)

The overall package will link initial via spreadsheets key data which can be converted into management information. The ultimate medium term goal (3 years) is to back the system up with an interactive data base via the ERP gateway architecture

2. Health and Safety Executive (HSE) Enforcement actions

The past year has seen the authority subject to no enforcement action from the Health and Safety Executive(HSE). (Full details in Appendix A). At the end of 2009/10 there were no Internal Improvement Notices issued by Safety Advisors within the Authority.

During the course of 2009/10, as in previous years enforcement officers from the HSE made contact with the authority on number of occasions regarding health and safety concerns. These concerns were as a result of either complaints to the HSE by members of the public, or from information contained within RIDDOR Accident/incident notification forms (F2508's) made to the HSE via the Authority's statutory accident/incident reporting procedures. To date none of these contacts have resulted in enforcement action being taken against the authority. The table below highlights past enforcement actions against the authority by the HSE.

The table below is a summary of HSE enforcement action against the authority in 2009/10, compared with previous years.

ACTIONS	2009 2010	2008 2009	2007 2008	2006 2007	2001 2006 #	TOTAL
PROSECUTIONS	0	0	0	0	6	6
PROHIBITION NOTICES	0	1	0	0	6	7
IMPROVEMENT NOTICES	0	0	0	0	9	9
TOTAL	0	1	0	0	21	22

Notes on the Table:

Combined figures for the period 2001 to 2006 highlights the period when the Authority was under extensive investigation by the Health and Safety Executive (HSE)

3. Review of 2009/10

(1) Safety Board. The principle to establish a Safety Board was agreed at the Authority's HR committee. There have been a number of issues around how best this group can impact on the authority's strategic health and safety agenda, without compromising the statutory compliance issues around the CEHSCC. This coupled with organisational change means the project is on hold until the precise terms of reference are agreed with the 2nd Tier Co's group, and the Trade Unions. The concern was that such a group could duplicate other structures within the authority, and especially at a time of significant organisation change stability was the order of the day.

(2) Accident / incident investigations. As in previous years a number of accidents/ incidents within the authority were investigated by the HSE. These concerns were as a result of either complaints to the HSE by members of the public, or from information contained within RIDDOR Accident/incident notification forms (F2508's) made to the HSE via the Authority's statutory accident/incident reporting procedures. Although none of the accidents / incidents resulted in enforcement action they did result in significant amounts of officer time being devoted to them. A number of these recommendations have city-wide implications which must be dealt with on a risk management basis. The authority's 2nd Tier Departmental Safety Co-ordinators group had a pivotal role in ensuring a citywide co-ordinate response was achieved.

It is encouraging that the authority's health and safety management systems have a greater resilience to such interventions than in previous years. A word of caution at this point any organisational change can impact upon these systems, an area of particular concern is partnership working, and the use of contractors. These types of working arrangements can have complex lines of responsibility, this being particularly relevant in relation to the Corporate Manslaughter and Homicide Act.

(3) Chief and Second Tier Officers health and safety training course(s). These courses were again delivered in 2009/10 to comply with Section 3.7 of the Corporate Health, Safety & Welfare Policy (April 2008), and HSE Improvement Notice No 010004288. A notable change this year was the greater reliance on 1:1's, or small group training sessions due to the influx of new 2nd tier officers to the authority.(4 sessions attended by 7 Officers). There is a continuing need to repeat this process in 2010/11 to ensure all new Chief and Second tier officers to the authority are trained to the appropriate standards, and those previously trained receive their five yearly refresher training.

(4) A full Health and safety training programme for all 3/4/5 tier officers to comply with Section 3.7 of the Corporate Health, Safety & Welfare Policy (April 2008)continued in 2009/10. The Bristol Manager standards

now require managers down to 5th Tier level to undergo the health and safety training. (Course capacity 24 persons)

1. Phase One Corporate (Day One) 11 courses took place. These courses were attended by 135 delegates. This represents an average of just over 12 people per course, which is a significant improvement on two years previously when the course average was only 8 persons.
2. Phase Two Departmental (Day Two) on going in all departments. The provisional figures for last year city wide was 16 courses delivered, total attendees 129, course average 8 persons. This average attendance level is disappointing, however it should be viewed against a backdrop of organisational change.

There will be an ongoing commitment to continue this training programme to ensure all new staff are trained, and existing staff receive the appropriate refresher training. This is particularly relevant organisational change issues.

The issue relating to the “gap analysis” between managers in post and those actually trained (or requiring refresher training) has once again been highlighted as a significant cause for concern to the authority. These issues are being exacerbated by significant organisational change. However, figures were presented to the CEHSCC in April 2010, identified 1139 managers having undertaken the training, with 168 needing to be trained. The Corporate Safety Section has the capacity to deal with this demand for this type of training during 2010/11.

(5) Lone Working training continued to be rolled out city wide, including a number of specialist sessions for work groups with specific problems, including partnership organisations. Some 11 Corporate courses were delivered. The total attendance to date was 342 people, a course average of just over 31 per session, up from 21 the previous year. (Each course has a potential capacity of 75 places)

As in previous years a number of specialist lone working courses were organised (4 courses delivered, 86 trained, course average of just over 21 per course).

(6) Regulatory Reform (Fire Safety) Order 2005. The Fire Authority have carried out a number of inspections on various of the authority's premises. To date none of these have resulted in any formal enforcement action by the fire authority. The authority's risk assessment protocols and training régime would appear to be effective at this stage.

(7) Policy and Guidance Notes produced. The following were rolled out to aid the management of health and safety within the authority.

- First Aid Guidance Note Number 15. (April 2009)
- Transport Guidance Note Number 16. (May 2009)
- Pest management Policy. (July 2009)

- Asbestos Policy.
- Review of Corporate Safety Information System application

(8) Regular Health and Safety audits were carried out within all departments of the authority during 2009/10. The location of the audits were discussed with departmental clients at their annual Service Level Agreement (SLA) meetings.

(9) The 2nd Tier Departmental Safety Co-ordinators group met on a regular basis during 2009/10, and was instrumental in co-ordinating the realignment of departmental structures in relation to health and safety management. A new initiative was the sharing of 2nd Tier officer time for Resource, Business Transformation and Deputy Chief Executive department(s). The work of this group is a key strand in the authority's health and safety management system. It is encouraging that after significant changes in personnel the group is still effective, and this bodes well for the future.

(10) 1:1 Interventions on work related stress issues across all departments. This area of reactive work is vital to ensure employee health is protected. It is recognised that “Change” is a potential stressor to employees, and since November 2009, the CSM has been keeping specific stress files on “hot spots” within the organisation, so that remedial actions can be taken more effectively. The development of the authority's revised work related stress management plan was scheduled to be completed 2009/10, this is now revised to October 2010. Once this is in place should help to reduce the need for such reactive interventions in the future. This item of work has particular relevance now in relation to Business Transformation and organisational change issues the authority is currently dealing with. Coupled with the Authority's involvement in “Healthy Workplaces” initiatives.

(11) Safety Support during Business Transformation and subsequent restructuring. This item of work continued from 2008/09 into 2009/10. The Corporate Safety Section has been supporting this “change” process. Many of the intervention relate to the following areas of work.

- Accommodation moves
- Welfare standards (Rest Areas and space standards)
- Partnership working
- Use of contractors
- Roles and responsibilities of managers in health and safety
- Establishment of consultative procedures (safety committees)
- Health and Safety documentation for statutory compliance issues

A concern is health and safety issues are often not adequately addressed at project inception. This is a significant weakness in the authority's health and safety management system. The issue is further compounded by the increasing use of contractors within the authority, and the expansion of E-Procurement, and standing list of contractors.

4. Health and Safety Statistical Information.

This section of the annual report compares and contrasts the statistical information derived from the authority's accident /incident database(s). This material has been presented to the previous quarterly meetings of the Corporate Employee Health Safety and Consultative Committee. (CEHSCC). The figures contained in the analysis relate to three complete quarters of the financial years in the following time scales.

- 01 April 2008 to 31 March 2009
- 01 April 2009 to 31 March 2010

This represents 12 months of both the current year, and the previous year for meaningful comparison purposes.

(a) accident/incident data: This information is taken from the Corporate Safety Sections Accident/Incident data base. (Details are outlined in Appendix Ca & Cb) The back log of data to be entered into the system is within acceptable parameters of less than 90 days. Real time data base backlog within the under 90 days parameter.

This year as in previous years has seen a number of challenges regarding ensuring the accident incident data base continues to reflect post organisational change structures. It has been stated previously that the existing accident/data base requires departmental and section structure information to make usable management information from the accident / incident data base. It is the CSM view that the existing system can be maintained in the medium term (3 years 2010/2013) with technical and Senior Safety Advisor. Beyond this point system failure becomes more likely. It is envisaged in 2010/11 the feasibility of sourcing a new incident/accident data base will form part of the authority's ERP gateway architecture project. This will mitigate the risks highlighted above.

The former mentioned issues do not affect the Authority's ability to discharge it's duties under the relevant statutory and regulatory frameworks. (RIDDOR 1995)

(b) Sickness absence data: This information is collect from the HR business services team, and is taken from the authority's Vision HR system. Recent HR initiatives relating to absence management and Improving performance has aided the collection of more accurate sickness/absence information.

Total Accidents / Incidents for 2009/10: The total number of accidents/ incidents recorded for the period up to 31 March 2010 was **4089** (4232) .This represents a decrease **143** incidents (or **3.38%** decrease) from the previous year. The split between accidents, and violent

incidents for the period is **2974** (2966) accidents and **1115** (**1266**) incidents involving violence and aggression. There were **151** less violent incidents reported in 2009/10 compared with 2008/9, and **8** more accidents for the same period.

Table summarising Bristol City Councils Accident/Incident Data.			
Type	2009/10	2008/09	Variation
Accidents	2974	2966	+ 8
Aggression / Violence	1115	1266	- 151
Total	4089	4232	- 143

TOTAL NUMBER OF REPORTABLE INCIDENTS (F2508s) in 2009/10.

Comparison is not possible as the departmental structure has changed. Total for period was **176** (155). This represents a 13.60% increase from the previous period. The highest number of incidents occurred in CYPS (Education and Life Long Learning department) **100** (96) This represents a increase of 4 incidents on the previous year.

Department	2009/10	% F2508's	2008/09
Children & Young Peoples Services	100	57	NDA
City Development	12	7	NDA
Health & Social Care	30	17	NDA
Neighbourhoods	22	12	NDA
Resources	3	2	NDA
Transformation	9	5	NDA
TOTAL	176	100	155

The table below highlights last years figures for a general comparison based upon previous departmental structures.





Department	2008/09	% F2508's
A&CC	25	16%
Chief Executives	0	0%
Central Support Services	11	7%
Culture & Leisure	10	6.5%
CYPS	96	62%
Neighbourhood & H Services	7	4.5%
Planning Transport & SD	6	4%
TOTAL	155	100%

Notes on the statistics:

- Figures are based upon the accident / incident data presented to Corporate Employee Health and safety Consultative Committee (CEHSCC) during 2009/10
- These figures relate to incidents reported to the HSE on the Form F2508, they include incidents such as fractured legs, absence from work for over 3 days after an incident. These figures include incidents relating to members of the public, whereas the figures in Appendix D the health and Safety Performance Indicators exclude these incidents.
- *As stated previously the authority's accident/incident database is a real time data base, and as such the comparison figures quoted are based upon the figures from last years annual report, and these figures may not tie up with the figures produced more recently due to late reporting of incidents.*

CONCLUSIONS:

Overall total accidents including violence and aggression have decreased from the previous year. Accidents have shown a marginal increase; However, there has been a significant decrease in violence and aggression approaching an 1/8th of the previous total. The number of F2508's reported for the period has increased from 155 to 176 when compared with 2008/09. This is very disappointing, and is currently being investigated further. This information is summarised in the following table, which includes a year on year comparison of health and safety performance.

Category	Up or Down on previous year	How we feel about this?
Accidents & Violent Incidents	Down 3.38%	
Accidents	UP 0.27%	
Violent Incidents	DOWN 11.93%	
F2508's	UP 13.60%	

5. Key highlights from Departmental Annual reports from 2009/10

Each department has produced its own annual health and safety report, and these reports will be presented to the July 2010 meeting of the CEHSCC. Each 2nd Tier Departmental Safety Co-ordinator will present the key elements affecting their department to the committee. There will be an opportunity for members of the committee to ask questions of the 2nd Tier co-ordinator and / or their representative.

This year as in the previous years has been somewhat unusual with significant restructuring of departments, and many significant movements of employees between departments into the newly formed/forming directorates. The results of these changes have caused significant logistic issues for departments in gathering the relevant information for their annual reports. Therefore this year there is truncated version of departmental activities. The following activities have been undertaken by the departments in 2009/10.

- Enforcement Action: There are currently no external or internal enforcement notices outstanding within the authority. This is a very positive trend especially considering the major structural issues around organisational change and business transformation. A trend which has been brought to the attention of departments is the safety performance of contractors they employ. There have been several HSE interventions around this aspect of the authority's undertaking. This is particularly pertinent due to the increasing reliance on contracted out services and partnership arrangements.
(NB: external notes issued by HSE or Fire Authority, Internal notes issued by BCC Safety Advisors)
- Health and safety audits: These have been conducted by the authority's safety advisors in all departments on the basis of a minimum of 8 per full time equivalent safety advisor allocated to the department under the existing Service Level Agreement (SLA). The average audit score was within acceptable levels. The overall trend in compliance being upward. It is acknowledged that there is a need to review the corporate safety audit template to closer reflect specific issues relating to departments. This will be undertaken in 2010/11. Details of audit scores are in Appendix D of this report.

Managers Health and Safety Training: An area where the departments have been active for a number of years. Departments have continued to nominate managers to undertake the Day One and Day Two Managers health and safety training courses. This piece of work is vital to the maintenance of managerial competence in health and safety matters. An area of concern is

the “gap” analysis between those managers trained and those requiring training / refresher training. A report was presented to the April 2010 meeting of the CEHSCC which highlighted 169 managers required some form of training, with 1139 having already been trained. The capacity exists to reduce this figure to 95% of managers fully trained at one time during 2010/11.

- Organisational change issues: These are causing significant logistic challenges for all departments. In order to ensure all directorates achieve the required standards, it was agreed at the authority's 2nd Tier Departmental Safety Co-ordinators meeting on the 9th March 2009, that directorates would undertake the following key actions. These have been monitored through 2009/10 . Areas of concern revolve around partnership working, and the maintenance of health and safety documentation. The 2009 document will be used to ensure compliance throughout 2011/12.
- The Future: It is a concern that departments may well underestimate the resource implications of keeping health and safety systems up to date. The need to re-write documentation to reflect organisation change can be time consuming. The change in second tier co's means that there is a steep learning curve for some in relation to what is required in the management of health and safety systems

6. Trade Union views on the authority's health and safety performance.

(Text produced by Peter Fryer Joint Secretary of the CEHSCC. Edited by Paul Fudgell, Corporate Safety Manager.)

Last year the Trade Unions reported significant change issues, this year the challenges and the changes are no less significant. It is very much the clearing up after the party scenario with the state of the country's finances being the big driver of organisational change.

It is against this backdrop that John Renard (Vice Chair of the CEHSCC) took over from Mike Turner on his retirement. There were also other significant changes in the organisation due to restructuring, retirement, illness and death. In a way, these events do focus the mind on what is important, the trade unions reaffirm its commitment to “help protect the living but remember the dead” (Source: Workers Memorial Day) . The Trade Unions will follow a proactive health and safety agenda to ensure the legal protections afforded to employees via due legal process are implemented. An area of particular concern relates to welfare facilities, and standards of accommodation.

In terms of health and safety the Trade Unions view the past year a bit like the curates egg good in parts. We support the need for business

transformation and smarter working, coupled with the benefits of flexible working; but there are concerns that all change doesn't have to be revolutionary, but evolutionary change may well reap greater long term rewards with sustainability and general endurance. Internal to the organisation, structures and processes may well be important, but to the average employee, and more importantly the front line service user it is service delivery that counts.

There is an acknowledgement that a great deal of effort has gone into establishing consultation processes etc however, poor communication is an ever present issue for the trade unions. The key to this is timely consultation. It is appreciated that in the current economic climate managers are under great pressure, as are the employees, so there is a mutual advantage to work in partnership together. The Trade Unions are also pleased to see a number of structural issues around data management being addressed. As reported in the previous year accommodation moves also take considerable time in resolving issues around welfare facilities, and space standards.

Finally, the trade unions were deeply saddened to learn of the death of former safety advisor Ivan Mulley who lost his battle against cancer in May 2010.

7. Key Plans for 2010/11

These are outlined in Appendix E of this report.

Ea	Corporate Health and Safety Action Plan
Eb	Departmental Health and Safety Action Plan

Progress against these plans will be regularly monitored, and form part of the Corporate Safety Sections team individual PMDS action plans for the year 2010/11.