



Report of Director of Resources and Housing

Report to Executive Board

Date: 24th July 2019

Subject: Health, Safety and Wellbeing Performance and Assurance Report

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has consultation been carried out?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the decision be open for call-in?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Summary

1. Main issues

- This report is designed to provide assurance to the Executive Board on health, safety and wellbeing matters and to enable Elected Members to demonstrate how duties assigned in the Leeds City Council Health and Safety Policy are discharged.
- Health and safety is especially important in a local authority setting, especially in a city the size of Leeds. This is because there are many roles and duties i.e. as an employer, an exemplar, an enforcement body and a large organisation able to influence safety through the supply chain.
- The revised council Health, Safety and Wellbeing Policy clearly sets out everyone's responsibilities – from the strategic decisions made by Elected Members, the policy framework led by the Chief Executive and his management team and the day to day management of health and safety risks by everyone from directors to employees working in front-line services.
- All of this operates against a national backdrop where there has been much uncertainty about the future of European derived legislation, such as health and safety, post Brexit. National tragedies like the Grenfell Tower fire and incidents affecting national security remind duty holders of the importance of getting it right. New sentencing guidelines laid out in 2016 show a large increase in fines for failing to comply, but the penalty for LCC would be much greater when taking into account reputational damage and a stated ambition to be a healthy organisation.

- There are many indicators of health and safety performance, none of which operate in isolation. Comparing 2018/19 to 2017/2018 there were many positive things to note including: no formal enforcement notices relating to health and safety for the sixth consecutive year; a reduction in accidents in the council; a reduction in accidents and verbal/physical assaults in schools; a reduction in insurance claims; statutory assessments and surveys largely taking place on time; and many key improvement projects undertaken successfully. There were also challenges with: verbal/physical assaults increasing in the council and an increase in accidents reported to the Health and Safety Executive.
- This annual review helps to ensure the right strategies are in place to address the key challenges and sustain the work that is bringing about improvements. The Corporate Leadership Team continue to be fully engaged in health and safety matters and approve the key priorities. The Director of Resources and Housing, the CLT Health and Safety lead, chairs a cross-council Health, Safety and Wellbeing Priority Board to share learning and best practice and he also seeks assurances from the Head of Health and Safety during monthly meetings.

Recommendations

- a) It is recommended that the Executive Board notes the contents of this report and recognises that a robust, yet proportionate approach to risk management within the council continues to be applied.

1. Purpose of this report

- 1.1 The purpose of this report is to briefly review the period 1st April 2018 to 31st March 2019 in terms of: the council's performance on health, safety and wellbeing; the improvements made; and the challenges ahead.

2. Background information

- 2.1 Leeds City Council is committed to ensuring the health, safety and wellbeing of its employees and those affected by its undertaking, including service users, members of the public, contractors and school pupils.
- 2.2 The council has many responsibilities in terms of health and safety – as a duty holder with large numbers of employees, a regulator (through Environmental Health) and a large-scale procurer and commissioner of goods and services that can influence safety through the supply chain.

3. Main issues

3.1 Roles and Responsibilities

- 3.1.1 A safe and healthy workforce is a prerequisite to the delivery of excellent services to local communities.
- 3.1.2 Elected Members, particularly Executive Board and portfolio holders, have a significant part to play in securing the health, safety and wellbeing of the council's workforce. The Council's Health, Safety and Wellbeing Policy is signed by the Leader of the Council and the Deputy Leader is the health and safety 'Champion' for Executive Board and also chairs the Corporate Health, Safety and Wellbeing Consultative Committee. The Scrutiny Boards can also play an important role, acting as a 'critical friend'.
- 3.1.3 Members are not responsible for managing health and safety services on a day-to-day basis, but can affect it through strategic decisions on plans, priorities and budgets. Elected Members also have potential criminal and civil liabilities as individuals or as a collective body.
- 3.1.4 Day to day management of health and safety within the organisation is the responsibility of officers in charge of service provision. The Chief Executive is ultimately accountable and members of the council's Corporate Leadership Team have a collective role for directing the health and safety strategy. The Director of Resources and Housing is the nominated Director for Health and Safety. Both of these officers also sign the Council Health, Safety and Wellbeing Policy.
- 3.1.5 Corporate Leadership Team, Executive Board and service managers receive competent health and safety advice from a professionally qualified Health and Safety and Occupational Health Team, which is part of Human Resources.
- 3.1.6 Compliance with health and safety legislation by the council is enforced by the Health and Safety Executive and fire safety by the West Yorkshire Fire and Rescue Service. The Care Quality Commission and Ofsted also have a role in care and educational settings.
- 3.1.7 Civil claims for compensation can also be brought against the Council by employees or members of the public injured or made ill due to the council's work activities.

3.2 Sensible Risk Management

3.2.1 Health and safety is about saving lives, not stopping people living. Leeds City Council supports the Health and Safety Executive's campaign for sensible risk management, where it is based upon practical steps to protect people from real harm and suffering - not bureaucracy. The approach is to seek a balance between the unachievable aim of absolute safety and the kind of poor management of risk that damages lives and the economy.

3.3 The National Picture

3.3.1 A significant amount of current health and safety legislation derives from European Directives and there has been some uncertainty regarding the impact of 'Brexit' on the future of regulation. Current legislation is risk-based and has been found to be fit for purpose by several independent reviews. The UK government has said to date that it has a "clear commitment to protect workers' rights and ensure that they keep pace with the changing labour market."

3.3.2 Health and safety performance in the UK has plateaued in recent years. 2017/18 statistics showed that there were: 144 fatal injuries, 14,000 deaths due to past exposure to health hazards at work and 1.4 million workers living with work-related ill-health. This, coupled with tragic incidents like the Grenfell Tower fire, illustrates that we cannot be complacent.

3.3.3 The current priorities for health and safety determined by the Health and Safety Executive are work-related stress (accountable for 37% of all work-related ill health), musculoskeletal disorders (accountable for 41% of all work-related ill health) and occupational lung disease (estimated to account for 12,000 deaths per year). All of which are relevant to work undertaken within Leeds City Council.

3.3.4 New sentencing guidelines for health and safety offences and corporate manslaughter came into force from 1st February 2016 and these are having a significant impact on the size of fines for non-compliance with health and safety legislation. Duty holders found guilty of health and safety offences in 2017/18 received fines totalling £72.6 million, an average penalty of around £147,000 per case resulting in conviction.

3.3.5 National security has also been prominent in recent years with a number of 'terror' attacks through the UK, which has led to the national threat level being raised to highest level at certain points. This, of course, impacts on LCC and the communities it serves.

3.3.6 Personal safety and security of staff and Elected Members is also a high priority following a rise in violence and aggression and targeted protests.

3.4 Management of Health, Safety and Wellbeing in LCC

3.4.1 Health and safety management in the council follows the Health and Safety Executive's Leadership Model – 'Plan, Do, Check, and Act'. This is realised through the Health and Safety Policy and a series of Health and Safety Policies (Performance Standards), jointly agreed with the Trade Unions. Co-operation and consultation with the workforce on health and safety matters is extremely positive and this is facilitated through Directorate/ Service level Health and Safety Committees and a Corporate Health and Safety Committee.

3.4.2 Assurance meetings are held every month between the Director of Resources and Housing and the Head of Health and Safety.

3.4.3 A Health, Safety and Wellbeing Priority Board meets every quarter. This is made up of Chief Officers/ Heads of Service, Health and Safety, HR, Insurance and Legal

and is chaired by the Director of Resources and Housing. The purpose is to share good practice across the organisation and learn any lessons to aid continual improvement.

3.4.4 The Deputy Leader, Cllr J Lewis, chairs the Corporate Health, Safety and Wellbeing Committee and he is briefed and kept updated on any significant health and safety matters.

3.5 Health, Safety and Wellbeing Performance

3.5.1 This compares the last two financial years of complete records i.e. 2018/19 compared to 2017/18. It also takes into account the reduction in headcount and so considers 'incident rates' instead (number of incidents divided by headcount x 100).

Performance Headlines

a. Formal Enforcement Action

No prosecutions or enforcement notices were served on LCC during 2018/19 – for the sixth consecutive year.	↔
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b. Accidents Reported to the Health and Safety Executive (HSE)

This gives an indication of the more serious work related accidents. The HSE require notification of accidents resulting in broken bones, absence from work for over 7 days, death, dangerous occurrences or hospital treatment/stay.

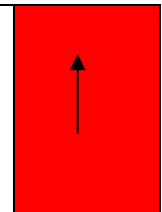
<p>Whilst LCC continues to have the lowest rate of incidents reported to the HSE compared to other regional local authorities, there was an increase in reports in 2018/19. Specified injuries (usually accidents resulting in broken bones) increased from 2 to 4 and accidents resulting in the injured person not being able to carry out their substantive role for over 7 days increased from 16 to 31.</p> <p>The specified injuries were caused by slips, trips or falls, whilst most of the 'over 7 days' accidents were as a result of manual handling, slips and trips or being struck by a falling object.</p>	↑
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c. Accident Figures

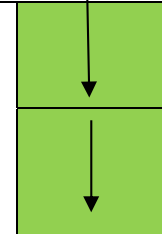
The most reports relate to incidents of verbal and/or physical assaults, followed by injuries relating to manual handling and slips, trips and falls.

<p>LCC (non-schools)</p> <p>The incident rate of the number of accidents per 100 staff fell by 7% (from 9.0 in 2017/18 to 8.37 in 2018/19), with less accidents occurring in the three highest categories: slips/trips falls, manual handling and contact with hazardous substances.</p>	↓
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The incident rate of the number of verbal and physical abuse reports per 100 staff increased by 5% (from 4.1 in 2017/18 to 4.32 in 2018/19) – the number of physical assault reports has increased by 3, whereas verbal assault reports have increased by 37. (n.b. figures relate to assaults on staff by members of the public.



Schools
 Accidents to employees based in schools LCC supports have reduced by 10% from 2017/18 to 2018/19.
 Verbal and physical assaults to employees in schools reduced by over 9% from 2017/18 to 2018/19.



d. Insurance Claims

In 2018/19 Employee Liability and Safety Related Public Liability claims reduced to the lowest level in 3 years.



✓ **Key Performance Indicators**



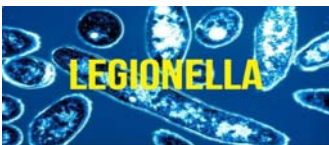
100% of LCC buildings have a current Asbestos Management Plan in place, with 100% of annual reviews undertaken in 2018/19.

100% of maintained/controlled schools have a current Management Plan in place, with 95% of annual reviews up to date, with the rest planned to complete with the next month.



All LCC occupied buildings have a Fire Risk Assessment in place and 93% of these have been reviewed in the past 3 years. Some work is required to review arrangements in premises leased out by LCC.

All maintained/controlled schools have a Fire Risk Assessment in place.



The LCC Water Management Team are fully up to date with Legionella Risk Assessments and Annual Audits.



A wide variety of health, safety and wellbeing training is being undertaken across LCC and in schools. Examples include: mental health and stress awareness; first aid; manual handling/moving and handling; fire safety; lone worker training; de-escalation techniques; emergency care and control and team teach in schools; and asbestos awareness.



The in-house Occupational Health Service continues to meet employees to provide support to help keep them at work or return to work from a period of sickness absence. In 2018/19:

- Number of referrals: **2214**
- Number of pre-employment health checks: **649**
- Numbers staff examined as part of their statutory health surveillance requirements: **1256**



In 2018/2019, 1603 calls were made to the Employee Assistance Programme which was an increase of 25% on 2017/18. 219 staff members received face to face counselling, 142 staff members received telephone Counselling and 23 staff members accessed Cognitive Behavioural Therapy on-line.

3.6 Key Achievements

3.6.1 The Health and Safety Management System has operated largely as expected. The Annual Council Risk Report, considered by Executive Board, defines the overall rating for 'health and safety' as high because of the possible impact should things go wrong. The stated target is to reduce the probability from possible to unlikely.

3.6.2 There were a number of key achievements which have improved health, safety and wellbeing in the past two years and highlights include:

3.6.3 Policy

All health and safety policies are in the process of being reviewed to ensure they are fit for purpose and easier to read. This process involves valued consultation and negotiation with Trade Union colleagues and the involvement of other key stakeholders. During 2018/19 two policies were formally agreed and implemented: the LCC Health, Safety and Wellbeing Policy and the policy that sets out how LCC will co-operate and consult with the workforce on health and safety matters.

3.6.4 Health, Safety and Wellbeing Support for Schools

- ✓ *Services for schools* - a wide range of health, safety, wellbeing and safeguarding services are provided to schools. These include statutory services to community schools and also traded services to schools where LCC is not the employer. A joined up approach with other services is taken, offering schools the best provision and helping to fulfil Leeds' role as a child friendly city.
- ✓ *Keeping schools safe in West Yorkshire* – LCC Health and Safety Team continues to support a joint initiative with other councils, Emergency Planning, Police and West Yorkshire Fire and Rescue Service to design and deliver training on school security and emergency preparedness. The Department for Education has shown interest in this approach and have met with officers from Leeds.
- ✓ *Construction safety in schools* – occasionally school governing bodies commission building work themselves and employ contractors directly. This can pose difficulties if they are not fully aware of their statutory client duties and could potentially put staff and pupils at risk. LCC is joining with the Health and Safety Executive to hold a number of seminars for school leaders to raise awareness and increase knowledge.
- ✓ *Violence and aggression* – this continues to be a challenging area for schools, although there was a reduction in reported incidents during 2018/19. Qualified staff

in the Health and Safety Team deliver Care and Control training for schools and are regularly involved in multi-agency pupil risk assessments.

3.6.5 Employee Wellbeing

LCC demonstrated its commitment to the health and wellbeing of its workforce by adding 'healthy' to its ambitions of being an 'enterprising, efficient and healthy' organisation. The Corporate Leadership Team also committed to extend the Employee Wellbeing Strategy until 2021 as awareness is growing amongst the workforce and the various interventions are valued.

3.6.6 Mental Wellbeing - The council continues to maintain its status as an active Mindful Employer and have introduced several interventions to help to prevent mental ill health being caused by work and to support people who have mental health conditions. These have included:

3.6.7 Training nearly 300 LCC staff to be Mental Health First Aiders; a partnership with IAPT (Improving Access to Psychological Therapies) to roll out awareness training to staff; training for managers in mental health and stress awareness; re-procuring a fit for purpose Employee Assistance Programme; a vibrant peer support network – Healthy Minds; and working jointly with the Trade Unions to look at stress in the workplace.

3.6.8 LCC was shortlisted for an award from the Public Sector People Managers' Association for its work on mental health.

3.6.9 Blood pressure project – funding was secured to test blood pressure of staff in targeted workplaces in LCC. This was well received with 1,000 employees having checks, some of whom were referred to their GP for further treatment.

3.6.10 Healthy Weight Declaration – LCC formally signed up to this scheme earlier in 2019 with a launch event held in February 2019.

3.6.11 Wellbeing Champions - The Chief Executive has asked all Chief Officers to act as 'Wellbeing Champions' for their services and challenged them to recruit more Champions from amongst their workforce. The role profile for the Wellbeing Champion role has been refreshed and HR and colleagues in Public Health have put together a development programme for them. This programme is designed to increase knowledge and skills on a range of health and wellbeing topics.

3.6.12 Flu Vaccination Programme - the reach and number of flu vaccinations being offered to the workforce has increased. It was initially offered to front line workers in Adult Social Care, but was extended to staff in public-facing roles. This can reduce sickness absence and help minimise spread of infection.

3.6.13 Occupational Health and Wellbeing Service

- ✓ *Refresh of the Occupational Health Service* - ten years on from becoming an 'in house' provider, the service is striving to become more proactive in supporting both employees and management with an aim to becoming SEQOH (Safe, Effective, Quality, Occupational Health) accredited in the near future.
- ✓ *Services* - The Occupational Health Service provides a range of services including: pre-employment assessments; job related assessments; workplace adjustments/equipment; rehabilitation and sickness absence advice; vaccination programmes; health surveillance; ill health retirement where required; wellbeing advice; training/awareness raising; and support for disabled employees.

- ✓ *Specific Projects* – includes work on: breast, ovarian and prostate cancer awareness briefing sessions; Cardiovascular disease awareness; Diabetes awareness; and work to support a multi-generational workforce.

3.6.14 Access, Inclusion and Culture Change

- ✓ *Changing the Workplace* – work has started on the next phase of introducing new ways of working to staff in certain council buildings. There continues to be some excellent joint working across the council to put people at the heart of the Changing the Workplace Programme, building on the success of Merrion House.
- ✓ *Disability* - HR is working closely with the Disability and Wellbeing Network on improving the experience of disabled colleagues in LCC. A shared action plan has been produced and the council is currently in the process of seeking accreditation as a Disability Confident Leader.

3.6.15 Fire Safety

- ✓ Since the Grenfell tragedy, work continues to review and monitor all fire risk assessments for our social housing in a structured and programmed manner. The program of sprinkler installation, which started in 2013 in High Rise blocks citywide, is continuing and 38 High Rise blocks & Sheltered Housing Complexes will be completed by the summer of 2020, providing the highest safety provision to the residents of Leeds.
- ✓ Fire stopping works and the compartmentalisation of flats in high rise blocks and sheltered housing complexes across the City have been completed, further enhancing resident safety.
- ✓ Fire safety works are programmed for Victorian properties that have been converted to flats and in older back to back properties, raising the safety provision within these type of properties to a higher level.
- ✓ LCC continues to work closely with West Yorkshire Fire & Rescue Service through partnership agreements and the Concordat agreement further enhancing fire safety.
- ✓ False alarms have been reduced by 50%, which saves the council money as well as reducing complacency when an alarm sounds.

3.6.16 Personal Safety and Building Security

- ✓ *Policies* – work has been undertaken together with key stakeholders in the Resilience and Emergencies Team, Facilities Management and Fleet Services to review the Security Policy and arrangements and also procedures to ensure safety in and around public events.
- ✓ *Security Audits* – these audits continue to be undertaken and improvements made wherever necessary.
- ✓ *Elected Members* - work has been on-going to produce additional guidance and training for Elected Members to enhance their personal safety whilst carrying out their role. A safe lone working solution is in place to help Members to discreetly raise the alarm and receive assistance if they are faced with a difficult situation. Member Management Committee recently requested that a working group of Elected Members and officers be established to review and improve safeguards where required.

3.6.17 Property Related

- ✓ Estate Management - joint work continues to ensure robust assurance arrangements are in place to manage the council's estate safely and efficiently.

3.6.18 Sharing Best Practice

- ✓ *Leeds Health and Care Academy* – LCC is leading on the ‘Improving Working Lives’ strand of the Academy work. This is currently focussing on a joint approach to the provision of Mental Health First Aid across the health and care workforce. Two city-wide events have been held and training has been delivered to other organisations to increase the number of Mental Health First Aiders working in the system.
- ✓ *Anchor Organisations* - LCC is also collaborating with ‘anchor organisations’ across the city to share best practice to develop a healthy and inclusive workforce.
- ✓ *Best Health and Safety Practice* - The Health and Safety Team continue to work with public and private sector colleagues nationally and regionally to share best practice and learning. We are represented on forums relating to general health and safety, schools safety, safety in social care, waste and recycling, fire and construction.

3.7 Challenges

To instil and maintain a positive health and safety culture, LCC needs to continually review performance and seek to improve. With this in mind the current challenges are:

- ❖ ***Violence, Aggression and Abuse*** – this is an issue both in some public-facing council premises and for staff/Members carrying out their duties in the community. A council-wide lone working solution is to be procured in addition to revised policy, guidance and training.
- ❖ ***Projects, Contracting and Commissioning*** – work will continue to improve the management of construction projects and contractors, including clarity around legal roles and responsibilities.
- ❖ ***General Health and Wellbeing*** – priority actions have been developed, driven by the Employee Wellbeing Strategy. This includes a focus on: the things that shape and determine health behaviours; mental wellbeing; physical health; healthy lifestyles; a culture that supports health and wellbeing; and specific demographic support (e.g. a focus on women’s health and the multi-generational workforce)
- ❖ ***Mental Wellbeing*** – whilst LCC has much support in place around mental wellbeing, this must remain a priority. In 2019/20 we will continue to work with Trade Unions colleagues and other partners to prevent stress-related illness and support people with mental health problems.
- ❖ ***Guidance and information*** – a sustained, communication programme is about to start – to standardise, simplify and share all health, safety and wellbeing information to ensure everyone is aware of what is available and how to access it. A poster campaign starts in June 2019.
- ❖ ***Work-related Ill-Health*** – continuing to look for innovative ways to prevent workers from exposure to hazardous substances like silica dust or wood dust through better tools, on tool extraction, dust reduction, personal monitoring and health surveillance. Exposure to vibration and noise will also be a priority.
- ❖ ***Supporting Staff at Work Charter*** – a Charter will be introduced that enshrines the council’s commitment to supporting staff and to the adoption of the Social Model of Disability. This will be brought to life by the requirement for managers to hold a proactive Wellbeing Conversation with their members of staff, using documentation and guidance provided.

3.8 Looking Forward



4. Corporate considerations

- 4.1 The council has many roles in relation to health, safety and wellbeing and as an employer LCC must be an exemplar in this respect. A council-wide approach to health and safety management is essential to ensure the right priorities are identified and addressed in a pragmatic way which will enhance, not stifle, the delivery of efficient services to the people of Leeds.

5. Consultation and engagement

- 5.1 A collaborative approach to the management of health, safety and wellbeing is essential to ensuring its success. Consultation with key stakeholders is on-going including Trade Unions, service managers, the Disability and Wellbeing Staff Network, Elected Members, enforcement bodies and other private and public sector organisations. This has resulted in the joint development of policy and procedures, awareness raising campaigns and training/development.

6. Equality and diversity / cohesion and integration

- 6.1 A positive attitude to health, safety and wellbeing enhances the council's position as an inclusive, diverse and equal employer. In particular, there are close links with disability in: ensuring that work does not contribute to or exacerbate ill health; that a 'social model of disability' approach is taken, that reasonable adjustments are understood and always considered appropriately; that health and safety is not used as a barrier to employment based on an individual's disability; and that stigma around mental health is removed and appropriate support provided. Health and safety policy and procedures are always developed to take into account the needs of all members of staff and service users.

7. Council policies and the Best Council Plan

- 7.1 This report assists the Council in determining whether it is complying with its Health and Safety Policy, which is signed by the Chief Executive and Leader of the Council.

- 7.2 A large percentage of council employees are also residents of Leeds and so using the workplace setting to enhance their health, safety and wellbeing also contributes to many aspects of the Best Council Plan, particularly around inclusive growth and helping to reduce health inequalities.

8. Climate Emergency

- 8.1 Whilst this report does not specifically reference environmental considerations, the Health and Safety Team work closely with services such as Fleet Management to support the safe roll out of new technology aimed at reducing the carbon emissions. There are also links through building rationalisation as part of Changing the Workplace and to Active Travel through the Employee Wellbeing Strategy.

9. Resources, procurement and value for money

- 9.1 No funds are being sought in this report.
- 9.2 A positive approach to health, safety and wellbeing contributes to savings in respect of: reduced sickness absence; less money paid out in Employer and Public Liability claims; reduced likelihood of prosecutions by enforcement bodies and subsequent large fines; less damage to property, equipment and council vehicles; and increased morale leading to higher efficiency.

10. Legal implications, access to information, and call-in

- 10.1 This report addresses LCC's compliance with its statutory duties laid out in the Health and Safety at Work etc. Act 1974 and related health and safety regulations. The report is subject to call in, and does not contain any exempt or confidential information.

11. Risk management

- 11.1 Health and Safety is on the Corporate Risk Register and the annual report on risk and performance to Executive Board usually contains an assurance report on health and safety covering what the risk is, how the risk is being managed and what more needs to be done to address any concerns.

12. Conclusions

- 12.1 Good progress continues to be made in the management of health, safety and wellbeing within the Council. Challenges and priorities are clearly identified and there is a clear strategic vision for what needs to be achieved and how.

13. Recommendations

- 13.1 It is recommended that the Executive Board notes the contents of this report and recognises that a robust, yet proportionate approach to risk management within the council continues to be applied.

14. Background documents¹

14,1 No background documents submitted as part of this report.

¹ The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.