



<b>Title of meeting:</b>	Employment Committee
<b>Date of Meeting:</b>	27 September 2019
<b>Subject:</b>	H&S Annual Report (for period 1 April 2018 - 31 March 2019)
<b>Report by:</b>	James Hill - Director of Housing, Neighbourhood and Building Services
<b>Report Authors:</b>	Meredydd Hughes, Assistant Director Buildings & Andy Kill, Health and Safety Manager
<b>Wards affected:</b>	All
<b>Key decision:</b>	No
<b>Full Council decision:</b>	No

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## **1. Purpose of report**

1.1 To update the 'Employment Committee' on Portsmouth City Council's Health and Safety performance between 1 April 2018 - 31 March 2019.

## **2. Recommendations**

2.1 It is recommended that the 2019/20 H&S Unit Corporate action plan is noted by the Employment Committee.

## **3. Background**

### **3.1 Introduction:**

**3.1.1** The Corporate Health and Safety (H&S) management system is developed, maintained and monitored by the H&S Manager, who is accountable to the Chief Executive via the Director of Housing, Neighbourhood and Building Services. The H&S Unit team currently comprises of 2 directly employed staff (1 x H&S Manager and 1 x part time administrator). The H&S Unit's role is to provide specialist advice, guidance, training and support to council members, managers and employees to enable them to fulfil their legal H&S responsibilities and comply with UK H&S legislation.

**3.1.2** Andy Kill is currently acting up as the Health and Safety Manager following the departure of Frank Regan. Andy worked alongside Frank for many years and is more than able to continue the work of the unit.

### 3.1.3 Summarising the council's performance in this 2018/19 reporting period:

- The Health and Safety Executive (HSE) have actively engaged with Portsmouth City Council on numerous occasions in this reporting period, via planned UK interventions, unannounced site inspections (building sites/refurbishment projects managed by the council), telephone/email queries (associated with RIDDOR/Non-RIDDOR accident reports and customer complaints/queries) - all of which resulted in favourable outcomes confirming compliance with law and Portsmouth City Council's positive approach to health and safety management.
- An improvement notice was served on the Pyramids Centre (managed on behalf of PCC by BH Live) by a Hampshire Fire & Rescue Service Inspector during this reporting period, however following remedial action the notice was rescinded. No further statutory enforcement notices, 'fee for intervention' charges or litigation claims were served on the council by an enforcement authority (HSE or Hampshire Fire & Rescue Service).
- RIDDOR reportable incidents are at an all-time low for the third consecutive year.
- No significant asbestos management failings or adverse 'asbestos related' incidents (accidents) were reported to the H&S Unit or the HSE.
- No Legionella outbreaks occurred that were attributable to Council managed water systems and no adverse legionella incidents or exposures were reported to the H&S Unit or the HSE.

**3.1.4** At *Appendix 1* is the summary of last year's action plan - in conclusion, this annual report reflects another pro-active year of H&S management within the Council, Portsmouth International Port, Local Authority schools and other external services signed up to the H&S Units traded service agreement.

### 3.2 H&S report for 2018/19 - in detail:

Information relating to specific aspects of the Council's health and safety management systems and performance during this reporting period is detailed in the remainder of this report. The proposed 2019/20 H&S Unit action plan is detailed at *Appendix 2*.

#### 3.2.1 Accident and Violent Incident reporting:

(i) No fatalities or serious workplace accidents involving council/school employees were reported to the H&S Unit or the HSE.

(ii) RIDDOR reports continue the downwards trend with only 3 reportable incidents in this year (another all-time low)



(iii) 'Overall' incidents reported to the H&S Unit (accidents and violent incidents) were 513 (170 in PCC + 343 in schools), a slight decrease from the previous year's total of 533.

(iv) No trends were highlighted by the H&S Unit and corporate incident statistics reflect the expected industry norm, taking into account the type of work activities undertaken by council/school employees and the proactive reporting process implemented council-wide.

(v) Incident reporting continues to be pro-active throughout all council services, local authority schools and external services/academy schools signed up to the H&S Unit traded service. Pro-active reporting allows the H&S Unit to assist management teams in collating factual evidence in lieu of any post incident intervention by external authorities or future litigation claims brought against the Council.

(vi) The Corporate Accident (and occupational disease) and Workstation (Display Screen Equipment) policies have been updated to reflect current HSE guidance on the reporting of occupational diseases. This was highlighted during a recent HSE query and subsequent actions have been rolled out to management teams across the council with no further action by the HSE.

### **3.2.2 Asbestos management:**

(i) Asbestos management continues pro-actively throughout all Council services, Local Authority schools and other external services that have purchased the H&S Unit 'Traded Service'.

(ii) No statutory enforcement notices, 'fee for intervention' charges or litigation claims were served on the council by an enforcement authority and no adverse asbestos incidents relating to council work activities (including schools) were reported to the H&S Unit.

(iii) An Asbestos Safety Group lead by the Head of Building Maintenance has been established to co-ordinate and communicate asbestos safety across all Housing, Neighbourhood and Building teams to ensure risks are managed consistently and are appropriately resourced, complying with all legislation and providing appropriate information to contractors, residents and staff (including via Traded Services i.e. schools).

### **3.2.3 Legionella management:**

(i) Legionella management continues pro-actively throughout all the council's property portfolio and zero legionella outbreaks (incidents or exposures) occurred. As a result no statutory enforcement notices, 'fee for intervention' charges or litigation claims were served on the council by an enforcement authority.

(ii) A Water Safety Group lead by the Assistant Director of Buildings has been established to co-ordinate and communicate water safety management across all

Housing, Neighbourhood and Building teams to ensure risks are managed consistently and are appropriately resourced, complying with all legislation and providing appropriate information to contractors, residents and staff (including via Traded Services i.e. schools).

(iii) The Corporate Legionella Management policy is being reviewed by the PCC Water Safety Group.

#### **3.2.4 Fire safety management:**

(i) A fire consultancy contractor has been engaged to ensure PCC's continued compliance with its statutory duties under the Regulatory Reform (Fire Safety) Order 2005, the contract is managed by the Repairs Support & Compliance Manager.

(ii) A Fire Safety Group lead by the Head of Building Maintenance has been established to coordinate and communicate fire safety across all Housing, Neighbourhood and Building teams to ensure risks are managed consistently and are appropriately resourced, complying with all legislation and providing appropriate information to contractors, residents and staff (including via Traded Services i.e. schools).

#### **3.2.5 Health and safety & fire safety training**

(i) 4133 in-house Health and Safety & Fire Safety training places, facilitated by the Council's H&S Unit and People Handling and Back Care Advisor (PHBCA) were undertaken by council members, employees and school staff in this reporting year.

(ii) The H&S Unit's stand-alone portable training kit continues to prove an effective management tool where e-learning is not suitable for particular employee groups - with 365 of this year's training places being delivered by managers using the kit to facilitate group training. The kits are proving a popular resource with schools and several council services.

(iii) In addition to maintaining the 8 x corporate e-learning courses, the H&S Unit routinely delivered two 'classroom based' training courses, scheduled in the H&S Unit annual training programme. These ½ day courses were administered through the council's managed learning environment (IT system) and delivered in the civic offices.

(iv) The H&S Advisor also delivered additional bespoke manual handling training sessions at various social care sites and other council managed sites throughout the city - to assist council managers in ensuring employees received cost-effective manual handling practical training tailored to their work activities.

(v) The Corporate PHBCA delivered 'people handling' practical training sessions to council employees and produced a corporate e-learning course to facilitate another cost-effective training resource for relevant council staff and managers.

(vi) Gosport Borough Council have expressed an interest in engaging with PCC H&S e-learning/classroom based training and is being proactively explored by both the H&S Unit and PCC Learning & Development team.

### **3.2.6 H&S Unit Traded Services**

The H&S Unit continues to work positively with Local Authority schools within the city. In addition to 100% buy-in from all Local Authority schools offered the service, 12 x Academy schools, Portsmouth University Technical College and NHS Portsmouth Clinical Commissioning Group have engaged with the H&S Unit Traded Service.

### **3.2.7 Corporate Communication channels**

(i) Quarterly H&S meeting - The Joint Health Safety and Wellbeing Forum (JHSWF) continues as the corporate quarterly meeting for reviewing and addressing H&S management issues and communicating H&S related policy and procedural changes council-wide.

(ii) Quarterly e-newsletter - The quarterly H&S Unit e-newsletter ('Making Your Workplace Safer') continues to prove a popular and effective means of disseminating important corporate H&S information discussed at the JHSWF meetings to all council and school employees through management representatives, the email system, staff intranet and schools google-based website managed by the H&S Unit.

(iii) Policy Hub, staff intranet + schools google-based website - The corporate H&S policies (and their associated forms) continue to be maintained and readily accessible to all council and school employees via corporate channels (Policy Hub, PCC staff intranet and the schools google-based website). All new policies are subject to council-wide consultation, to include key stakeholders and trade union representatives prior to going live and revisions to policies are subject to selective consultation (key stakeholders as a minimum), where no change in policy is required.

(iv) Audit programme - The H&S Unit's Audit and Inspection programme (not to be confused with Internal Audit) continues to be an effective communication tool (in addition to monitoring compliance) and engagement between the H&S Unit and service management teams (including schools) has vastly improved post-audit and is reflected in corporate outputs including H&S training and incident reporting statistics.

(v) Site Visits/ meetings/telephone consults - Working relationships with other corporate specialists and service management teams continues to support internal H&S management systems and procedures as well as addressing specific H&S related issues/incidents within the remit of the council. This has proved beneficial to all concerned, particularly where external enforcement bodies (HSE, Environment Agency, Hampshire Fire and Rescue Service, etc.) have requested information, assistance or intervened.

**Note:** *The H&S team routinely network with other councils and external specialist bodies to enhance their knowledge base and ensure Portsmouth City Council H&S management policies and procedures remain current and in line with industry best practice.*

**4. Reasons for recommendations:**

The recommendation is put forward for noting the 2019/20 H&S Unit corporate action plan thereby assisting all council employees in complying with UK H&S legislation - and to assist the Council (as a corporate body) in striving for continual improvement of the Corporate H&S management system.

**5. Equality impact assessment**

An equality impact assessment is not required for this report.

**6. Legal implications**

There are no legal implications in this report and it ensures that the council meets its statutory duties and also supports the council's policies on H&S.

**7. Director of Finance's comments**

There are no additional financial costs arising from the recommendations in this report.

Signed .....

Date: 17th September 2019

James Hill, Director of Housing, Neighbourhood and Building

**Appendices:**

Appendix 1: update re: 2018/19 H&S Corporate action plan

Appendix 2: H&S Corporate action plan for 2019/20

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location



The recommendation(s) set out above were approved/approved as amended/  
deferred/ rejected by ..... on .....

Signed by: .....

**Portsmouth City Council:  
H&S Unit Corporate Action Plan 2018/19**

<b>Action</b>	<b>Objective</b>	<b>Target date</b>	<b>Lead Person</b>	<b>Update/ Outcome</b>
1. Annual review of the corporate H&S Policy and statement of intent	To ensure compliance with UK law, council policy and insurance contracts	31/08/18	H&S Manager	<b>Action complete</b>
2. Produce the annual report for employment committee	For compliance with corporate H&S policy and to provide/review the council's H&S performance in f/y 2017/18	31/05/18	H&S Manager	<b>Action complete</b>
3. Deliver traded services with schools and other partners, as agreed in Traded Service contracts	To ensure compliance with H&S policy/legislation and generate income to support the H&S staffing levels	31/03/19	H&S Manager	<b>Action complete</b>
4. Manage and facilitate the corporate H&S Unit's 'Management Audit & Inspection' program	To provide corporate assurance by verifying service/ workplace-specific compliance with corporate H&S policies and UK H&S legislation	31/03/19	H&S Manager	<b>Action complete</b> (continuing process)
5. Facilitate 4 x JHSW forums and distribute minutes and associated e-newsletter	For compliance with corporate H&S policy and UK legislation - and to facilitate H&S communications council wide	31/03/19	H&S Manager	<b>Action complete</b>
6. Produce, facilitate and deliver the H&S Unit's 2018/19 'classroom based' training program	Programming, advertising and delivering corporate 'Risk Assessment' and 'Load Handling' training courses to assist manager and staff in complying with corporate H&S training requirements and UK legislation	31/03/19	H&S Manager	<b>Action complete</b>
7. Maintain the corporate incident reporting database and review accident and incident reports submitted to the H&S Unit	To assist managers/staff in complying with corporate 'post-incident' management requirements and UK law. To assist service managers in collating/ documenting evidence for reference, in case of future legal/ civil litigation claims	31/03/19	H&S Manager	<b>Action complete</b>
8. Review and re-launch 1 x corporate e-learning course on MLE and the H&S Unit's stand-alone training kits	To ensure up to date H&S advice and training is available to all council employees and 'others' signed up to the H&S Unit's traded service	31/03/18	H&S Manager	<b>Action complete</b>
9. Review 4 x corporate H&S policies to maintain up to date (3 year review date)	For compliance with corporate H&S policy, evidence for outside agencies and assistance in managing litigation claims	31/03/19	H&S Manager	<b>Action complete</b>
10. Maintain corporate records of all H&S training facilitated by the H&S team	For compliance with corporate H&S policy, evidence for outside agencies and assistance in managing litigation claims	31/03/19	H&S Manager	<b>Action complete</b>
11. See opportunities to income generate from external clients	For compliance with corporate 'Best Practice' and ensure H&S Unit service can be maintained in-house	31/03/19	H&S Manager	<b>Action complete</b>
End of action plan				

**Portsmouth City Council:  
H&S Unit Corporate Action Plan 2019/20**

<b>Action</b>	<b>Objective</b>	<b>Target date</b>	<b>Lead Person</b>	<b>Update/ Outcome</b>
1. Annual review of the corporate H&S Policy and statement of intent	To ensure compliance with UK law, council policy and insurance contracts	31/12/19	H&S Manager	
2. Deliver traded services with schools and other partners, as agreed in Traded Service contracts	To ensure compliance with H&S policy/legislation and generate income to support the H&S staffing levels	31/03/20	H&S Manager	
3. Manage and facilitate the corporate H&S Unit's 'Management Audit & Inspection' program	To provide corporate assurance by verifying service/ workplace-specific compliance with corporate H&S policies and UK H&S legislation	31/03/20	H&S Manager	
4. Facilitate 4 x JHSW forums and distribute minutes and associated e-newsletter	For compliance with corporate H&S policy and UK legislation - and to facilitate H&S communications council wide	31/03/20	H&S Manager	
5. Produce, facilitate and deliver the H&S Unit's 2018/19 'classroom based' training program	Programming, advertising and delivering corporate 'Risk Assessment' and 'Load Handling' training courses to assist manager and staff in complying with corporate H&S training requirements and UK legislation	31/03/20	H&S Manager	
6. Maintain the corporate incident reporting database and review accident and incident reports submitted to the H&S Unit	To assist managers/staff in complying with corporate 'post-incident' management requirements and UK law. To assist service managers in collating/ documenting evidence for reference, in case of future legal/ civil litigation claims	31/03/20	H&S Manager	
7. Review and re-launch 1 x corporate e-learning course on MLE and the H&S Unit's stand-alone training kits	To ensure up to date H&S advice and training is available to all council employees and 'others' signed up to the H&S Unit's traded service	31/03/20	H&S Manager	
8. Review 2x corporate H&S policies to maintain up to date (3 year review date)	For compliance with corporate H&S policy, evidence for outside agencies and assistance in managing litigation claims	31/03/20	H&S Manager	
10. Maintain corporate records of all H&S training facilitated by the H&S team	For compliance with corporate H&S policy, evidence for outside agencies and assistance in managing litigation claims	31/03/20	H&S Manager	
11. Review the annual reporting requirements for employment committee as part of the planned review of H&S Unit functions overall.	For compliance with corporate H&S policy and to provide/review the council's H&S performance in f/y 2019/20	31/03/20	H&S Manager	
End of action plan				