

Cabinet Meeting	
Meeting Date	12 December 2018
Report Title	Health and Safety Policy Review V5
Cabinet Member	Cllr Duncan Dewar-Whalley, Cabinet Member for Finance and Performance
SMT Lead	Mark Radford – Chief Executive
Head of Service	Anne Adams – Head of Property
Lead Officer	Emma Larkins – Health and Safety Officer
Key Decision	No
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. Cabinet approve the revised Health and Safety Policy 2. Cabinet continue to agree that minor amendments to the Policy can be made between full reviews by the Head of Property in consultation with the Cabinet Member for Finance and Performance.

1 Purpose of Report and Executive Summary

- 1.1 This report presents a revised Health and Safety Policy to Cabinet to approve.
- 1.2 Swale Borough Council's Health and Safety Policy was reviewed in November 2015 and is therefore due a full review. This policy is reviewed in full and agreed by Cabinet every three years. In between these times, it is subject to annual review by the Health and Safety Committee to take account of minor legislative and organisational changes.
- 1.3 In November 2015, it was agreed that the Head of Property, in consultation with the Cabinet Member for Finance and Performance is able to agree minor amendments to the Policy between full reviews. This has worked well to date, particularly in relation to organisational changes and restructures. It is therefore proposed that this agreement continues.

2 Background

- 2.1 Section 2 (3) of the Health and Safety at Work Act 1974, requires an organisation to prepare and revise as appropriate, a written health and safety policy. In addition, the Management of Health and Safety at Work Regulations 1999 requires an organisation to make and implement appropriate arrangements for the management of health and safety.
- 2.2 A Health and Safety policy comprises three sections:

- (i) general statement (a commitment to manage);
 - (ii) organisation (roles and responsibilities); and
 - (iii) systems, rules and procedures (although it is perfectly acceptable for this to be a synopsis with reference to a separate policy elsewhere).
- 2.3 The aim of the Health and Safety Policy is ultimately to set out how, so far as is reasonably practicable, Swale Borough Council will protect the health and safety of its employees and those affected by its undertaking.
- 2.4 It is a desired outcome that this Policy will reduce workplace risks and improve the management of health and safety, leading to an improved health and safety culture. It is also anticipated that implementation of this Policy will result in reduced claims against the Council, reduced vulnerability to prosecution, and contribute towards reduced sickness absence. There is, therefore, the potential to reduce costs to the organisation associated with these.
- 2.5 Swale Borough Council's current Health and Safety Policy underwent full review and was agreed by Cabinet in October 2015.
- 2.6 Adoption of the Health and Safety Policy is a Cabinet decision as identified in Part 3 of Swale Borough Council's constitution.

3 Proposals

- 3.1 It is recommended that the revised Health and Safety Policy attached as Appendix I is adopted to ensure that Swale Borough Council has an up to date policy, compliant with legal obligations. The Policy will be subject to a full review every three years.

The key changes that have been made to the Policy are as follows:

- Registered holders register has been updated;
 - Responsibilities for MKS Heads of Service have been added to ensure that the approach is clear;
 - Responsibilities for the Head of Commissioning, Environment and Leisure have been added to reflect the importance of health and safety in commissioning and contract management.
 - Structure chart has been adjusted to account for added responsibilities.
 - Sections on Event Safety and Tree Management have been added to the arrangements section.
- 3.2 In addition to the full review, the Health and Safety Committee will check the policy on an annual basis to ensure that it remains relevant to each Service Unit.

3.3 In November 2015, it was agreed that the Head of Property, in consultation with the Cabinet Member for Finance and Performance is able to agree minor amendments to the Policy between full reviews. This has worked well to date, particularly in relation to organisational changes and restructures. It is therefore proposed that this agreement continues.

4 Alternative Options

4.1 With a Health and Safety Policy being a legal requirement and Swale Borough Council's policy being due for review, there is no practical alternative to introducing a revised Policy. However, adjustments to the proposed revised Policy can still be made prior to approving it.

5 Consultation Undertaken or Proposed

5.1 Consultation has taken place with the Health and Safety Committee. This Committee includes the cabinet member with responsibility for health and safety, a representative(s) from each service unit, the UNISON health and safety representative, and is chaired by the Chief Executive of the Council. Suggested amendments to the Policy have been incorporated. Owing to this being an internal policy, the PDRC does not need to be consulted. Prior to Version 4 of this policy being agreed in 2015, the PDRC confirmed that the Health and Safety Policy did not need to go before them, nor does it need to be circulated to them for information.

6 Implications

Issue	Implications
Corporate Plan	Adoption of the revised Health and Safety Policy contributes towards the Council's priority to be 'A Council to be proud of'.
Financial, Resource and Property	It is not envisaged that the revised policy should entail any additional financial, resource or property implications to the current policy. An effective health and safety policy has the ability to benefit an organisation financially, through improved productivity, reduced civil claims and a reduced risk of prosecution by enforcing authorities.
Legal, Statutory and Procurement	Implementing the revised health and safety policy will ensure compliance with the Health and Safety at Work Act 1974 and subsequent legislation made under this. Legal and statutory compliance reduces the Councils exposure to litigation and prosecution.
Crime and Disorder	None identified at this stage.
Environment and	None identified at this stage.

Sustainability	
Health and Wellbeing	The revised health and safety policy includes reference to health management and wellbeing promotion. Therefore adoption of this policy will have positive implications for health and wellbeing.
Risk Management and Health and Safety	<p>Implementing the revised health and safety policy will have positive implications for health and safety management, reducing the Council's vulnerability to criticism, civil claims and prosecution.</p> <p>The implemented policy provides a system and framework through which to manage the Council's health and safety risks.</p> <p>In terms of risk management, health and safety is one of the Council's biggest potential business risks, so it is imperative that an effective health and safety policy is implemented.</p>
Equality and Diversity	<p>The revised health and safety policy applies to all staff and therefore does not have a specific negative impact upon any of the protected characteristics.</p> <p>The policy specifically makes reference to ensuring the safe evacuation of disabled persons to ensure that this group are not placed at a disadvantage. It also makes specific mention of the management of health and safety regarding pregnancy and maternity.</p>
Privacy and Data Protection	None identified at this stage.

7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:
- Appendix: Health and Safety Policy V5

8 Background Papers

- 8.1 Health and Safety Policy V4 (October 2015)