

Finance and Resources Committee

10.00am, Thursday 7 March 2019

Health and Safety Performance in 2018

Item number	8.6
Executive/routine	
Wards	All
Council Commitments	

1. Recommendations

- 1.1 Committee is recommended to review and note health and safety progress and performance in 2018.

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Health and Safety Performance in 2018

2. Executive Summary

- 2.1 The focus in 2018 was to deliver the Council Health and Safety Strategy and Plan for 2018-2020, which was approved by the Finance and Resources Committee in March 2018.
- 2.2 Good progress has been made in 2018 to improve the Council's health and safety performance across all 6 key priority areas set out in the strategy, building on progress in previous years.
- 2.3 The key area of focus in 2018 was to support people at all levels to ensure they are suitably trained and informed. Improvements were also made across all priority areas, with a focus on life safety risks including fire, asbestos, and water safety (incl. *Legionella*).
- 2.4 The Council achieved a further 18% reduction in the number of RIDDOR¹ reportable employee injuries, which represent the most serious incidents. In the past 4 years, the Council has achieved a 53% decrease which is very positive.
- 2.5 However, whilst it is encouraging that the incident statistics and other metrics including employers' liability claims experience shows an improving picture, the findings from health and safety audits, health and safety and fire safety reviews, incident investigations, whistleblowing investigations, and feedback from our Trades Unions continue to highlight several areas for improvement, which are addressed locally with specialist support where necessary from Corporate Health and Safety.

3. Background

- 3.1 The Council has duties under the Health and Safety at Work etc. Act 1974, and subordinate legislation, to ensure as far as is reasonably practicable the health, safety and welfare of its employees and others who could be affected by its undertaking.
- 3.2 The purpose of this report is to update on progress and performance in relation to health and safety in 2018.

¹ Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.

4. Main report

- 4.1 The Council Health and Safety Strategy and Plan, setting out the Council's health and safety aims for 2018-2020, was approved by the Finance and Resources Committee in March 2018. This supports the delivery of the Council's Business Plan by ensuring that our people and third parties, including members of the public, contractors, service users and pupils, are safe.
- 4.2 In 2018, the Council made good progress across all 6 key priority areas set out in the Council Health and Safety Strategy and Plan 2018-2020, as below.

4.3 Risk Management and Legal Compliance

- 4.3.1 The Council Health and Safety Policy was amended with minor changes following consultation with Trades Unions and stakeholders, and was approved by the Corporate Policy and Strategy Committee in May 2018.
- 4.3.2 A new sub-policy for Water Safety (incl. *Legionella*) was approved by the Corporate Policy and Strategy Committee in May 2018, following consultation with Trades Unions and stakeholders. The sub-policies for Asbestos and Fire Safety were also reviewed.
- 4.3.3 Each of the Directorates were supported with their Health and Safety Plans which were introduced for the first time in 2018. These set local operational priorities for health and safety. Support was also given to refresh the local health and safety risk profiles which are designed to identify key risks.
- 4.3.4 Council and NHS Lothian health and safety policies and procedures were mapped to understand the health and safety controls in each respective organisation for key risks. A prioritised action plan to implement joint procedures is now in place.
- 4.3.5 The Health and Safety pages on the Council's intranet, the Orb, were redesigned, an A-Z directory of documents was created, and improvements were made to the search functionality. The new-look pages went live in July 2018, with very positive feedback.
- 4.3.6 New and updated guidance was developed for fire safety, first-aid, lone-working, display screen equipment and incident reporting. Advice cards for action to take in the event of a needlestick injury were also introduced.
- 4.3.7 The new guidance on incident reporting clarified responsibilities and timescales for reporting incidents. In conjunction with the new guidance, a near-miss² reporting form was introduced to make it quicker and easier for staff to report near-misses. This was supported with a near-miss campaign, with posters, workshops, and computer desktop wallpaper.

² A near miss is an incident that could have resulted in injury or ill health, but did not.

- 4.3.8 The Corporate Health and Safety Team contributed to the development of the new Contract Management Handbook, in collaboration with Commercial and Procurement Services. Discussions are also underway to improve collaboration with contract owners regarding contractor safety.
- 4.3.9 Independent fire safety reviews were carried out at 10 properties, and fire risk assessments were carried out by an external specialist for the Corporate buildings. This work has highlighted areas for improvement, including fire risk assessment. In response, a Fire Improvements Action Plan has been developed. The newly appointed Fire Strategy Manager will lead its implementation.

4.4 Leadership and Accountability

- 4.4.1 Roles and responsibilities for the management of water safety (incl. *Legionella*) were clarified and set out in the Council Water Safety Policy, published in June 2018.
- 4.4.2 Preparation is underway for the bi-annual Health and Safety Conference on 17 May 2019 which will focus on the theme of health and safety culture, including health and wellbeing.

4.5 Competence

- 4.5.1 To support safety conversations and leadership by the Wider Leadership Team (WLT), the IOSH Leading Safety training was delivered to 98 WLT members over 15 courses in 2018. The feedback was very positive, and plans are underway to provide a choice of either the accredited IOSH course or a more tailored shorter internal course for the next tiers. These courses will be available from 2019.
- 4.5.2 A training needs analysis for health and safety is well underway in each Service Area. The analysis considers the training needs of individual roles, and key safety functions carried out by staff. Once completed, the proposed training will be shared with the Trades Unions for their feedback. The analysis has already identified the need for 5 new health and safety courses which will be introduced in 2019.
- 4.5.3 A comprehensive Corporate Health and Safety Training Programme was delivered in 2018. The number of courses delivered increased from 134 in 2016 to 244 in 2018 due to increased demand, and increased resource within the Corporate Health and Safety team, with the role now filled for the lead trainer for health and safety. The number of participants continued to rise from 1232 in 2016 to 1958 in 2018 (59% increase). To increase participation, bite sized refresher sessions were also introduced for the first time on a range of topics including risk assessment, fire wardens, and needlestick and blood borne viruses. The increase in training provision has improved health and safety awareness, which in turn will positively contribute to the reduction in injuries.

- 4.5.4 Throughout the year, there was an increased focus on tailoring the face to face training courses to meet local needs for staff. More courses were also delivered in locality venues to improve their accessibility.
- 4.5.5 The uptake in e-learning modules in 2018 continued to improve. In 2016 the number of modules completed was 1918 but declined in 2017 due to the cancellation of the externally sourced materials and the rewriting of in-house materials. The number of modules completed in 2018 rose to 1980, improving awareness about key health and safety risks.
- 4.5.6 A review of external health and safety training courses delivered or facilitated by HR is underway, which will identify any areas for improvement.

4.6 Engagement and Collaboration

- 4.6.1 Regular meetings between Corporate Health and Safety and health and safety representatives from UNISON, Unite and EIS were held, recognising the important role of accredited safety representatives. The meetings helped to ensure that any operational health and safety matters of concern were addressed more quickly and effectively.
- 4.6.2 In October 2018, UNISON withdrew their support from the Waste and Cleansing Health and Safety Working Group and the Place Health and Safety Group due to concerns about the lack of local engagement with the Trades Unions. Work is being undertaken, in consultation with the Trades Unions, to re-establish these groups as Health and Safety Committees under the Safety Representatives and Safety Committees Regulations 1977. A review of all health and safety groups is also underway as part of a planned governance and assurance review.

4.7 Measurement

- 4.7.1 Quarterly fire safety performance dashboards were introduced, with support from Property and Facilities Management, to provide oversight on fire safety performance. The dashboards contain leading and lagging metrics including information on fire safety incidents, fire alarm activations, and findings from internal and external fire safety inspections. These are in addition to the suite of quarterly health and safety dashboards produced for the Council and Directorates, which provide oversight on health and safety incident statistics, enforcement action, audits, and training.
- 4.7.2 Benchmarking was carried out with 7 other Councils in Scotland for injury statistics in 2017. Compared with a similar exercise carried out in 2016, the Council continues to compare favourably with other Councils for RIDDOR reportable employee injuries (2nd out of 8 – no change since 2016), and for employee injuries it was 3rd out of 7 (up one place since 2016). The top causes of employee injuries were broadly consistent across all Councils: violence and aggression, manual handling, and slips, trips and falls. Several of the other Councils had shown improvement in their violence and aggression incident statistics.

- 4.7.3 An analysis of violence and aggression incidents in schools was carried out, focusing on special and primary schools with high numbers of violence and aggression injuries to identify opportunities for further improvements.
- 4.7.4 The procurement exercise for an online incident reporting software system is underway. Due to procurement and ICT timescales, the existing contract was extended by one year. A new contract with the existing supplier or new supplier is scheduled to be in place by summer 2019, and the system rolled out by autumn 2019.

4.8 Governance and Assurance

- 4.8.1 Improvements were made to the health and safety audit process. Pre- and post-audit meetings are now held for all audits, with clear terms of reference. Auditee guidelines were also developed, which set out expectations of the audit process and the roles of the auditor and auditee.
- 4.8.2 Following the depletion of one of the Health and Safety Adviser posts, the audit planning methodology was revised to take account of the reduced level of resource. This was approved by the Council Health and Safety Group in May 2018.
- 4.8.3 Health and safety audit actions have been tracked on Pentana Performance (software system) since July 2018. This will provide greater visibility on open/overdue audit actions and will facilitate reporting. Guidance and training on the use of Pentana has been provided to key stakeholders.
- 4.8.4 Sixty-six health and safety audits were carried out in 2018, as part of the rolling Corporate Health and Safety Audit Programme. These included audits of services, buildings, thematic audits (passenger lifts, personal emergency evacuation plans and equipment, pesticides, and asbestos management) and contractor audits.
- 4.8.5 Audits of Craft Design Technology (CDT) in schools and Overseas Travel, which were planned for Q4 2018 have been carried over to Q1 2019. There were also several audit reports from Q4 which were not completed within the quarter and these will be issued in Q1 2019. The overdue audits and late reporting can be attributed in part to the transition to a new team structure and resourcing for the assurance programme which will continue to be monitored.
- 4.8.6 PwC carried out an audit of health and safety management within Waste and Cleansing in April 2018. The audit identified a number of moderate health and safety control gaps, the majority of which had already been identified by Corporate Health and Safety but had not yet been actioned. There were also some areas of good practice identified.
- 4.8.7 Fire Safety and Water Safety Standing Groups were established in April 2018.

4.8.8 An Edinburgh Health and Social Care Partnership Health and Safety Group was established in January 2018, with representatives from the Council and NHS Lothian. The group now meets on a quarterly basis.

4.9 Health and Safety Performance in 2018

- 4.9.1 The Council achieved an 18% decrease in the number of RIDDOR reportable injuries to employees in 2018 compared with the final figure for the previous year (which included some late reporting). These represent the more serious injuries that we are required to report to the Health and Safety Executive (HSE). This reduction builds on the decreases achieved in 2017, 2016 and 2015. In the past four years, the Council has achieved an overall 53% decrease in the number of reportable injuries to employees.
- 4.9.2 Whilst there has been a decrease in the overall number of RIDDOR reportable injuries to employees in 2018, there was an increase in in major/'specified' injuries (such as fractures) in 2018. There were 11 (65%) due to slips, trips and falls, 4 of which were due to winter weather, and 3 due to slipping on fruit.
- 4.9.3 There were 1755 employee injuries, and 748 excluding assaults. The employee injury rate for 12 months is 9.4 per 100 and 4.0 excluding assaults. This indicates an increase in employee injuries and compares with 8.4 per 100 employees (12% increase) and 3.4 excluding assaults (18% increase) in 2017, respectively. The campaigns throughout 2018 to promote incident reporting is considered a contributory factor for the increase.
- 4.9.4 Violence and aggression/assaults continues to be the top cause of employee injury within the Council and accounted for 57% of all injuries to employees. The majority (93%) of these injuries were in schools, and mostly in relation to learners with additional support needs. In 2018, there was a 22% increase in injuries due to violence and aggression in special schools, whilst in primary schools there was a slight decrease. Procedures are in place in each school for recording and reporting of physical harm, and key information is now displayed in staffrooms, including the flowchart for reporting a violent incident. Arrangements are also in place at school and authority level for regular monitoring and concerns are followed up. Special schools with a relatively high number of incidents have been provided with additional support from specialist staff within the Council, with a focus on de-escalation techniques. Environmental adaptations are underway in a further three schools to reduce the number of incidents resulting from challenges created by the learning environment. The implementation of new procedures linked to Risk Management and Reduction and Relationships, Learning and Behaviour will also support strategies to decrease the incidence of physical incidents in schools.
- 4.9.5 Employee related near miss reporting saw an impressive threefold increase up to 378, compared with 121 in 2017. This is attributed to making it easier

for staff to report near misses, and the launch of new reporting guidelines and near-miss campaigns.

- 4.9.6 Analysis of the claims experience over the last five years is encouraging and suggests that there may be a downward trend in the number of claims being submitted. Notably, the employers' liability claims experience takes some time to mature as claims may be submitted up to three years after the occurrence of injury. The Council bears the first £150,000 of each claim (the excess) and in addition the cost of investigating and dealing with claims, backfilling posts when employees are absent due to injuries and ill health can be significant.
- 4.9.7 Housing Property retained the Royal Society for the Prevention of Accidents (RoSPA) Gold medal in 2018. This award is based on an organisation's health and safety performance assessed against the judging criteria.
- 4.9.8 The Council won the Operational Award at the 2018 Alarm Risk Awards held in Manchester. This was in recognition of the self-assurance framework in Communities and Families, developed by a cross-functional team including Corporate Health and Safety.
- 4.9.9 It is concerning that during a review by the Health and Safety Executive (HSE) of asbestos in schools they identified an inadequate assessment of the presence, type and condition of asbestos, prior to carrying out refurbishment works above ceiling voids in a school in August 2018. As a result, they served an Improvement Notice. The Council is co-operating with the HSE investigation and is committed to ensuring the health and safety of its staff and others, and will continue to identify areas for improvement including the lessons learnt from this review.
- 4.9.10 It is encouraging that the incident statistics and employers' liability claims experience shows an improving picture. However, the findings from health and safety audits, health and safety and fire safety reviews, incident investigations, whistleblowing investigations, and feedback from our Trades Unions continue to highlight several areas for improvement, which are addressed locally with specialist support where necessary from Corporate Health and Safety.
- 4.9.11 The Council has legal obligations to ensure the health and safety of its staff and others, and the consequences of not doing so not only impact negatively on individuals and their families and society, but can have significant cost implications for the Council. For example, the average penalty for health and safety offences in 2017/18 was £147,000 per case, excluding legal costs. Other costs include compensation and associated legal costs, absence costs, plus the associated reputational damage.

5. Next Steps

- 5.1 Delivery of the 2018-2020 Strategy and Plan will be the key area of focus in 2019, in addition to providing specialist health and safety support for any unplanned circumstances and investigations.

6. Financial impact

- 6.1 The staffing cost for the Corporate Health and Safety team in 2018 was lower than budgeted for due to unfilled roles during the year, and ongoing difficulties with filling advertised roles. One Health and Safety Advisor role was deleted from the structure in 2018; the cost saving will be used to part fund the new Fire Strategy Manager role within Property and Facilities Management.
- 6.2 The annual renewal cost of the electronic incident reporting system was c. £8,000.
- 6.3 The cost of delivering the accredited IOSH Leading Safely Course for WLT was £5,000 (£50 per head).

7. Stakeholder/Community Impact

- 7.1 There is ongoing consultation and engagement with Trades Unions and stakeholders.
- 7.2 The potential impact of failure to manage health and safety and welfare includes: death, injury, ill health, in addition to legal liabilities, regulatory censure, financial losses, business disruption and reputational damage.
- 7.3 There are no adverse equality impacts arising from this report.
- 7.4 There are no adverse sustainability impacts arising from this report.

8. Background reading/external references

- 8.1 [Council Health and Safety Strategy and Plan 2018-2020.](#)

9. Appendices

None.