

Clerk: Lisa Antrobus
Telephone: 01803 207013
E-mail address: governance.support@torbay.gov.uk
Date: Friday, 24 July 2020

Governance Support
Town Hall
Castle Circus
Torquay
TQ1 3DR

Dear Member

AUDIT COMMITTEE - WEDNESDAY, 29 JULY 2020

I am now able to enclose, for consideration at the Wednesday, 29 July 2020 meeting of the Audit Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
5.	Review of Corporate Health & Safety	(Pages 2 - 12)

Yours sincerely

Lisa Antrobus
Clerk



Meeting: Audit Committee

Date: 29th July 20

Wards Affected: All

Report Title: Review of Corporate Health & Safety

Is the decision a key decision? No

When does the decision need to be implemented? N/A

Supporting Officer Contact Details: Steve Cox, Environmental Health Manager, 10802 208029, steve.cox@torbay.gov.uk

1. Purpose and Introduction

1.1 The purpose of this report is to give an overview and to demonstrate the progress being made to improve the delivery, management and culture of health and safety at Torbay Council.

2. Proposed Decision

2.1 To note the report.

3. Reason for Decision

No decision is required.

Supporting Information

4. Position

4.1 In February 2019, poor working practices at Brixham Harbour came to the attention of the Health and Safety Executive (HSE), which resulted in a number of visits and a meeting with the senior management of Torbay Council. The outcome of those visits was positive as although the HSE had concerns, they did not identify any ongoing contraventions, and they were also confident in the new approach already being undertaken and implemented at Torbay Council.

4.2 In May 2019, Devon Audit Partnership reported on their audit of Torbay Council's Corporate Health and Safety provision. It identified a fundamental weakness on managing the corporate health and safety risks. It also reported that there was no clear health and safety direction.

- 4.3 The HSE, however, required Torbay Council to write an action plan by July 2019, and then to provide regular updates, the last of these being in November 2019. The November 2019 letter and the latest spreadsheet (July 2020) are attached in Appendices 1 and 2. These importantly pick up all the issues covered by the May 2019 Audit report. To date HSE have not felt the need to revisit and undertake any audits, which must be seen in a positive light.
- 4.4 The focus of the work has been entirely risk based, with a light touch audit being undertaken across the whole organisation, including the TDA. This resulted in departments and teams being risk rated into high, medium and low for detailed audits. Further to this all high risk audits are now completed as are many of the medium risk ones. This has enabled the organisation to understand and address its higher risks. The grant maintained schools have also been audited. A training programme of all managers and front line staff is being rolled out, as well as relevant specialist training, such as for risk assessors, however as with many work streams, COVID 19 has significantly impacted upon this delivery and this is subsequently impacting on embedding of a H&S culture. However new dates are now in the diary to start the recovery programme.
- 4.5 A Health and Safety Management system, SHE Assure, has been purchased and the incident module rolled out, which is also being used by the TDA, schools and SWISCO. There is currently support training taking place to start to embed the system, following a delay due to COVID 19. This allows for the recording of incidents (including near misses and accidents) and the management of the actions that arise from the investigations. It will also help inform decision making at both departmental and corporate level with regular reports to SLT. Further modules for risk management, training and audits will be completed shortly for further implementation in 2020/21.
- 4.6 A cross department working party has now been meeting for the past 12 months, and this is being used as a conduit to pass information two ways and to help with the cultural change that is taking place. The embedding of both the new management system and a cultural change are key parts of this coming years work plan; along with the completion of the audits; further training roll out and the review of all risk assessments by departmental staff, using the new risk assessment module on SHE Assure.
- 4.7 Although some of the completion dates in the original audit have had to change, due to risk prioritisation, and more recently COVID 19, significant progress is being made in all areas, with some areas being completed.

5. Possibilities and Options

- 5.1 Not applicable

6. Fair Decision Making

6.1 Not applicable

7. Public Services (Social Value) Act 2012

7.1 Not applicable

8. Risks

8.1 There does still remain a risk, as there is still work to do to embed a culture, and this is the focus of the work plan for 2020/21. However that risk is significantly reduced from 15 months ago.

Appendices

Appendix 1 Torbay Council letter to HSE dated 26th November 2019

Appendix 2 HSE spreadsheet of activities – updated July 2020.

Additional Information

Please reply to: Anne-Marie Bond,
Director (Corporate Services & Operations),
Torbay Council, Town Hall, Castle Circus,
TORQUAY, TQ1 3DR

Jo Fitzgerald

My ref: AMB/KO/
Your ref:
Telephone: 01803 207160
E-mail: anne-marie.bond@torbay.gov.uk
Website: www.torbay.gov.uk
Date: 26 November 2019

Dear Jo

RE: HSE Intervention

Further to my letter of 14th August 2019, and in accordance with your request of the 28th August 2019, I am writing to update you on the progress we have made with the continued improvements to our management systems and operational practices. A tracker has also been attached, detailing progress to date against the agreed work plan. I have separated our work into areas to clearly set out our progress.

Risk Profiling

I can advise that we are continuing to close out the remaining areas of concern that were identified in the audits carried out by our external auditor, SSG, as contained within the documents you have previously seen. The key targets have been monitored using trackers with regular meetings taking place between the service areas and the Corporate Health and Safety team. The remaining focus on these plans is principally concerned with the completion of competency based general health and safety training which is being met through the Council's three year training plan.

In respect of further auditing that was planned and set out in our previous letter, I can confirm that the following progress has been made;

Red Rated Priority areas

- Harbours and Beaches, and ICT departmental audits have been completed and a tracker has been produced to monitor the identified remedial actions and areas that have presented improvement opportunities. A number of medium risks have been identified which are being addressed.
- Print and Post Room: a specific audit has been completed that focused on the high risk area of the control of substances, and control measures required to reduce the risk to ALARP have been implemented.

- Natural Environment: the scope, plan and initial meetings with the service area for this audit will be undertaken by the end of November, with the audit completed by the end of the calendar year.

I appreciate that this programme has seen a small amount of slippage from the original target dates. However, I can advise that this has only occurred as a result of the corporate team responding robustly to other Health and Safety issues that have arisen in the normal course of business over this period, and those being considered a greater priority than those within the original plan. We can articulate these to you if you wish to see further detail.

Amber Rated Priority areas

To date the following audits have been completed from the cohort of 12 departments identified;

- Housing Standards & Environmental Protection
- Waste
- Local & Strategic Transport
- Highways and Street Scene
- Registrars

This work has been completed by SSG. The audits have shown a clear improvement in Health and Safety practices across the teams audited to date, and this they have reported on within their summary report.

The remaining departments have been included in our audit action plan following the implementation of the Audit Module in the SHE Assure Health and Safety system and are all on target to be finished by the due date of the 31st March 2020.

Green Rated Priority areas

These, as per the Amber rated priority areas above, are to be in the SHE Assure Audit Module for completion within the 20/21 financial year as per the original work plan.

Auditing and Inspection

Workplace

The workplace inspection regime is in accordance with our previous letter and the findings from these regular assessments will be included within the Audit Module on the SHE Assure system. Work undertaken in this regard to date is indicating a requirement for us to bolster or modify our welfare provisions and appropriate arrangements are now being put in place for this work to be undertaken.

Schools

The recently appointed additional Corporate Health and Safety Officer, has been in contact with all of our maintained schools and completed a high level assessment of their compliance with some specific health and safety risk areas. This has identified some concerns and these are being addressed through individual visits to schools to assess the work required to manage out risk and ensure that it is implemented.

TDA

The TDA will be using the Corporate SHE Assure system which has been configured to also enable them to use. Their new Property Management database (Tech Forge) has recently been commissioned which will provide an accurate picture of the Council's assets and both statutory and non-statutory inspection and certification regimes.

A full review of their procedures and arrangements associated with their contract management has commenced along with a similar review of other parts of the Authority that regularly use contractors. This element of work, which is a significant project, is planned for completion at the end of January 2020 and will also include a complete update of the Council's Contractor Selection and Management Health and Safety Policy and Arrangements documents. This work has already seen an improvement in a contract that was being advertised for the procurement of agency personnel with the duties and responsibilities, in respect of Health and Safety management of these personnel, being bolstered and clarified.

Management System

The SHE Assure system has been designed and configured over the past few months and testing on the incident module took place throughout October. The system (incident module) is now live with the other modules planned for implementation in Q4 of this financial year. H&S performance data from Quarter 3 (1 October 2019) will be uploaded onto the platform. In addition the use of the system for our maintained schools is being accelerated for use in January 2020.

As part of the roll out of the electronic platform the Council's Incident reporting Policy and Arrangements documents are being updated to reflect the use of the new system and to highlight the crucial importance of determining root and underlying causes of incidents. There is also going to be a campaign to raise the awareness and importance of hazard reporting as a means of reducing accidents and near misses. All incidents will be monitored through the use of dash-boards designed specifically to ensure that both performance and trends are clearly identified.

All Torbay Council staff, who will be licence users for the new system, have been trained by the end of November, with TDA staff to be trained by the end of December 2019.

Other elements of the documented management system are being updated on a prioritisation basis and as these are updated and implemented the Health and Safety Policy will be adjusted and amended to reflect changes in arrangements, duties and responsibilities.

Training

With respect to Torbay Council's staff, a training needs analysis has been undertaken with all identified staff scheduled to receive their training. To date we have completed 114 of the identified 402 personnel at Level 2 (Introduction to H&S), and 30 of the 153 at Level 3 (H&S for managers and supervisors) as well as 6 at Level 2 COSHH specific training. The remaining personnel are planned onto courses over the next 2 years, including one Level 3 this week. This represents 28% and 20% of the identified workforce who have received training to date for Level 2 and Level 3 training respectively.

The TDA have completed their own workforce training needs analysis. All their nominated staff are scheduled to receive their Level 2 and Level 3 certified training in Q4 of this financial year.

COSHH, DSE, Risk Assessment as well as any other specific courses identified either as a consequence of a risk assessment or other method will continue to be scheduled as part of the training programme. We have identified a need to train our manager's in incident investigation and a bespoke course is being designed on root and underlying causation for roll out in 2020.

The mandatory H&S Safety training/induction provided through the Council's Electronic Training System (iLearn), have been updated and revised with a substantive assessment included as part of the content. These are currently with the Corporate Health and Safety Officer for final review with an intended roll out planned for January 2020.

Culture and Communication

We have produced our communication strategy and have implemented a number of initiatives to raise Health and safety awareness throughout the Council and with our partner organisations. These have included: -

- All Manager Forums, which are held quarterly, have a specific Health and Safety agenda item included. At the last one in October, the results of the Town Hall fire risk assessment were discussed with particular emphasis placed on manager's responsibilities to identify and remove specific hazards. In addition there was a presentation on the roll out of the SHE Assure system.
- Topic of the month included on Staff News are identified at the Health and Safety Working Group (HSWG) meetings, which is chaired by the Assistant Director of Community and Customer Services.
- Revised and updated Terms of reference for the HSWG with an emphasis on the following areas: -
 - Recruitment of Trade Union and Non-TU Safety Representatives
 - Involvement and participation of group members to ensure messages and actions are communicated out throughout their departments and appropriate measures are implemented
 - Reporting back to the group on completion and implementation of actions taken to reduce risks
- Health and safety information on notice boards throughout the Council with posters and updates.
- Regular update meetings with the TDA to assess their progress to improve their management systems and raise awareness and competency amongst their staff and supply chain

On behalf of the Council I would want to re-emphasise our continued commitment to improving the Council's management of health and safety and I hope that the contents of this letter together with the attachments will demonstrate our continuing efforts to raise the bar on our health and safety performance and that we are delivering the required improvements. Our objective is, and will always be, to ensure that all our staff and supply chain partners operate in a safe and healthy environment.

Yours sincerely



Anne-Marie Bond

Director of Corporate Services and Operations