Clerk:Lisa AntrobusTelephone:01803 207013E-mail address:governance.support@torbay.gov.ukDate: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 NoItemPage5.Review of Corporate Health & Safety(Pages 2 - 12)

Yours sincerely

Lisa Antrobus Clerk

Agenda Item 5



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 implement 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

PROJECT TITLE : Training & Competency

Project Lead : Helen Perkins

Item No. Prior	igh Ic	Task Description	Update	Assigned to	End Data		Aug w/c	Sept	tw/c	Oct w/c	No	ww/c	Dec w/c	Jan w/c	Fe	eb w/c	March w/c	April	Mayunda	June w/	c July	w/c	August	Septemb	er Octol	ber	ovember	December
1 Hig					End Date	Prev RAG New RAG											March w/c											
		ntroduction) and Level 3 (Managing) H&S Training. Based on natrix contained within Health & Safety policy.	SLT to provide an update of who requires training and which level. Nov update. This information is nearing completion, though follow is required for some depts to complete. New completion date end of November - almost done. Anticipate final numbers are L3 - 153 places, L2 - 402 places. Update 22nd July - the numbers are pretty accurate, but there is still some on going work, which may result in some slight changes.	SLT	30/09/20		5 12 19	26 2 9 1	00 Chate due	7 14 21 28	8 4 11	Dpdate due	2 9 16 23 30 6	5 13 20 2	27 3 10	10 17 24 2	9 16 23 30	6 13	20 27 4 11 18 25 1	L 8 15	22 29 6 13		0 17 24 31	7 14 21	Einal figures	19 26 2 9		30 7 14 21 28
2 Ongo	;oing P		Plan for 140 places per annum : Courses planned every 4 weeks, additional courses planned in December 2019 for Harbours operational employees. Courses scheduled every 8 weeks up to August 2020. Update 22nd July: Suspended until new person in post, as focus is on Level 3 and SHE Assure training.	Corporate Safety Team	Ongoing			Course		Course	Course		Course Harbours Course Harbours Course Harbours	Course X2 (1 TDA)	Course (TDA) Course	Course	Cancelled COVID 19		Cancelled COVID 19									
3 Ongo	;oing P		Plan for 60 places per annum : 6 courses. 18th Sept update (SC), additional two courses provided in Sept 19 and Jan 20. Courses scheduled up to September 2020. Update 22nd July: Recovery courses in place, so back where intended to be by January 21.	Corporate Safety Team	Ongoing				Course			Course					Cancelled COVID 19		Cancelled COVID 19		Cancelled COVID 19		Course	Course	Course	Course	Course	
3a Ongo	;oing P		Plan for 12 Places to be provided; first course cohort identified for the 13th February, however additional course have been . Update 22nd July: Suspended to 2021, though no immediate need has been identified.	Corporate Safety Team	Ongoing										Course	Course												
4 Medi	IL	pdate iLearn (Electronic Learning) Compulsory H&S Modules : earn system live April 2020 and then able to access to update odules	Module updates complete by June 2020; I Learn modules in draft to be reviewed by Corporate H&S team and to include a substantive assessment, planned completion 31/12/2019 (PR). Update 22nd July: Seeking update for 30th Sept 20 completion	Corporate Safety Team	30/09/20													System live							Learn updateo			
5 Medi	н	ve from Nov 2019, manual tracking prior to April - to include TDA	Training updates to be completed by June 2020 - People module for SHE Assure system being designed to include all H&S training including mandatory, competency based and developmental - configuration commenced Nov 2019. Update 22nd July: COVID 19 slippage, new completion date 31st December 20.	Health & Safety SHE leads from each team	31/12/20						System Live							SHE Module Live										SHE updated
5a hig		sk on audit(s), to be completed by end of Jan 2020 - see below	20th Jan Update: Completed for ICT, Harbours, Printing Services, though due to complexity of work for audit of Natural Environment, this will be completed by the end of Feb in line with that audit completion. Update 24th July: COVID 19 slippage, new completion date 30th September 20.	Corporate Safety Team	30/09/20											Review due		SHE Module Live							To complete			
6 Medi	D ti Ir	SE based on the outcomes of item 1 which is an outcome from ne departmental audits (Item No's 3 and 4 from the Auditing and aspection work-stream)	Environment, this will be completed by the end of Feb in line with that audit completion. Update 24th July: Aware of DSE training needs, however COVID 19 slippage, new completion date 31st December 20.	Corporate Safety Team	31/03/20								Review due			Review due									DSE training complete			To complete
7 Medi	re		Update 26th Nov: Matrix has been completed, and bookings being implemented. Update 22nd July: Matrix done, but some slippage in delivery due to COVID 19	TDA	01/10/19				Matrix / courses																			

PROJECT TITLE : Auditing and Inspection

Project Lead : Helen Perkins

Update Degramme to be produced for commencement in January 2020. th Jan update: Time tabled into diary between 21st jan-3rd Mar. date 22nd July: Some completed, remainder will be picked up rly 2021, as currently staff working at home due to COVID 19. Testionnaire sent to all depts to gather info and provide full ture which can then be used to complete the risk scoring matrix. /08 complete ahead of schedule Testion plans to be produced as part of audits. 9th Oct date (SC): One department/team allocated to SSG to complete by d of Oct. (NOV update) - Harbours and Beaches, and ICT partmental audits have been completed and actions are being cked; High risk area in Print Services, COSHH, has been mpleted and remedial action taken, remaining risks to be audited c 19; Natural Environment has been scoped for audit to be mpleted in Dec 19. Update 22nd July: Seeking update. Testial action plans to be produced as part of audits. 9th Oct date (SC): Five departments/teams allocated to SSG to complete end of Oct; (Nov update) - Highways, Housing Standards, Local d Strategic Transport, Waste and Registrars completed via SSG. date 22nd July: Managers confirm that works done for audits at have been completed to date, however red and amber actions m SSG audits on to SHE Assure for tracking purposes by end of gust. Also completed are Information compliance, Torre Abbey, al services and business rates done and on SHE Assure. tstanding 3 audits pick up by end of 31st Dec 20		29/02/20 31/08/19 31/03/21	Prev RAG New RAG Image: Comparison of the second				Initial Initia Initial Initial		Jan w/c Feb w/c 13 20 27 3 10 17 13 20 27 3 10 17 14 14 14 14 14 14 15 14 15 14 14 14 15 14 14 14 14 14 16 14 14 14 14 14 17 14 14 14 14 14 18 14 14 14 14 14 19 14 14 14 14 14 19 14 14 14 14 14 19 14 14 14 14 14 19 14 14 14 14 14 19 14 14 14 14 14 14 14 14 14 14 14 14 14 14 14 14 14 14 14 14		30 6 13 20 27 4	May w/c Jui 11 18 25 1 8 Image: Ansatz and the second secon	ne w/c July 15 22 29 6 13	Jst September 24 31 7 14 21 28 1 1 1 1 1 28 1 1 1 1 1 28 1 1 1 1 1 28 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		November De 9 16 23 30 7 1 9 16 23 30 7 1 9 16 23 30 7 1 9 16 23 30 7 1 9 16 23 30 7 1 9 16 23 30 7 1 9 16 23 30 7 1 9 16 23 30 7 1 9 16 23 30 7 1 9 16 23 30 7 1 9 16 1 1 1 1 9 16 1 1 1 1 1 9 1 1 1 1 1 1 1 9 1 1 1 1 1 1 1 9 1 1 1 1 1 1 1 1
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PROJECT TITLE : Management System

Project Lead : Helen Perkins

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Priority	Task Description	Update	Assigned to	End Date	Prev RAG	New RAG	Aug w/c				Dec w/c 5 2 9 16 23 3	Jan w/c 0 6 13 20 27	Feb w/c 3 10 17 24	March w/c 2 9 16 23 30	April w/c 6 13 20 27	May w/c 4 11 18 25 1	June w/c 8 15 22 29	July w/c	August	September 7 14 21 28	October 5 12 19 26 2	November 2 9 16 23 30	Dec 30 7 14
Priority	management system. Project plan in place for implementation	Incident module configuration carried out during October 19, Incident report module went live, in accordance with the updated roll plan on 18/11/19 along with guidance materials. Initial date achieved, for incident module 31/10/2019. Roll out of whole system to be completed by 31/03/2020.	Corporate Safety Team	31/03/20																			
Priority	Incident and Accident module to go live by 1/11/19	System went live 18/11/19	Corporate Safety Team	01/11/19						Live													
Priority		System went live 18/11/19 - Intend to accelerate roll out to schools so they are live by end of January 2020. Update 22nd July: Module went Live in March, but unable to complete training due to COVID 19. Training dates in diary and training programme partially rolled out, with new 1st September 20 completion date	Corporate Safety Team	01/09/20										LIVE						To complete			
Medium	Schedule review/reminder for managers quarterly	All new/updated risk assessments will be delivered through new system commencing in January 2020; configuration work is currently underway and roll out plan updated to reflect implementation by mid to end January 2020. 20th Jan Update: Slippage in timescales, though still well within tracker timetable. Updated 22nd July: System went live on time, but training of managers delayed due to COVID 19. Key work stream for reminder of year, anticipating training to managers rolled out by 31st December 20. Dates in diary.	Corporate Safety Team	31/12/20										LIVE									
Medium		People register populated; Training matrices being configured currently. Updated 22nd July: System went live on time, but training of managers delayed due to COVID 19. Key work stream for reminder of year, anticipating training to managers rolled out by 31st December 20. Dates in diary.	Corporate Safety Team	31/12/20																			
High	Provide training for users and system administrators to ensure the effective implementation of the system.	 Original date unrealistic as system wasn't configured until end of October. Training has been rolled out to all identified TBC staff and completed. Additional training provided 26th November to pick up any non attendees from previous courses. TDA sessions planned separately and yet to be completed. 	Corporate Safety Team	30/09/19					Training delivered Training delivered	Training delivered Training delivered													
Medium	Property management system : Tech Forge - TDA populate new system - Council owned occupied assists to be completed by end Oct	Tech Forge implemented, data transfer continues with a planned completion date for the end of January 2020. Update Nov 2019 - A series of monitoring meetings continued to be held to ensure that revised deadline, agreed due to volume and complexity of task, is adhered to. Update 22nd July: Review by mid August.	TDA	30/10/19		Need update				System initiated				System updated					Update required				
I																							

PROJECT TITLE : Culture and Communication

Project Lead : Helen Perkins

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Priority	Task Description	Update	Assigned to	End Date	Prev RAG	New RAG —	Aug w/c 5 12 19	Sept		Oct w/c 7 14 21 28	Nov w/c	Dec w/c	Jan w/d 30 6 13 20		w/c March v 17 24 2 9 16			May w/c 11 18 25	June w/c 1 8 15 22	July 29 6 13		August	September 7 14 21 28	October 5 12 19 26	November 2 9 16 23 30	Decen
	To develop a more positive health and safety culture across the organisation through the use of comms, training and info. fed through the H&S Working Group. As per enclosed narrative.	9th Oct update (SC): SHE Management system communications are being rolled out with Posters, Staff News and Managers Forum presentation. Update 22nd July - communications strategy needs to be reviewed, as focus needs to be on embedding SHE Assure and a cultural change. Review to be completed by 30th Sept 20	Team	30/04/20						H & S management system	1. To incre Council SH	ase awareness of To	rbay stem 2. To increa	ase the awarenes	ss of the Torbay Counci elayed du to COVID 19)	3. To in assessn manu	crease awarer nents in relatio nal handling , n t mothers (De COVID 19)	ness of risk on to DSE , new and elayed du to		se awareness (f stress		To Review			
High	Produce a H&S Communication Policy for use within the organisation	9th Oct Update (SC): Strategy written, which beds in the communication part of the broader H&S Policy	Corporate Safety Team	31/08/19				Policy																		
	To review the H&S webpages on the intranet to ensure information is both factually correct and relevant	Dynamic assessment being undertaken regularly, roles and responsibilities for Corporate H&S tem updated, SHE Assure links added Nov 19.	Corporate Safety Team	31/03/20																						
	To review Corporate Policies and Procedures to reflect H & S requirements and update where necessary	Prioritisation programme being implemented due to volume of updates required. Main H&S Policy also reviewed as new documents and responsibilities updated and rolled out. Updated 22nd July: This work is being tied together with SWISCo and the new Barbour Index subscription. Completion by 31st Dec 20.	Corporate Safety Team	31/12/20								Work started														
Medium	TDA produce draft TDA H&S policy for sign off and approval	Health and Safety Policy has been approved by TDA Board in Nov 2019, being rolled out to TDA staff, completion by end of Dec 19.	TDA	06/09/19					TDA SLT		Board Approved															
	To develop a better VATB system across the Council which links all the VATB information through departments.	Initial work commenced. Update 22nd July: Seeking an update.	Corporate Safety Team	30/04/20																						
	To review the Communications strategy at the Health and Safety Working Group	In progress, Terms of Reference updated and completed. Update 22nd July: See point 1 above, as this is being reviewed.	Corporate Safety Team	Every Six weeks				meeting				meeting	meeting										Complete review			



Agenda Item 5 Appendix 2

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

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

Jo Fitzgerald

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.

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f torbaycouncil **Y** @Torbay_Council **R** +torbaycouncil **forward thinking, people orientated**, **adaptable** - always with **integrity**.

If you require this in a different for a grand of language, please contact me.

• 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
- o 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