WARRINGTON
Borough Council

Health, Safety & Welfare Policy

2018 – 19

Version 8 draft

DOCUMENT CONTROL – Description and Purpose
This policy aims to provide a clear explanation of the Health, Safety and Welfare Policy Management and the expectations placed on Elected Members and Officers of the Council to ensure and maintain effective health, safety and welfare arrangements in place throughout the Council.

Record of Amendments

Active date	Review date	Amendment reference	Reasons for Change	Version	Number of pages
April 2012	March 2013	Draft prior to consultation	Re-written to align with HSG65 / ROSPA	1	
April 2012	March 2013	Draft prior to consultation	Amended to include revisions from TW / KG	2	
April 2013	March 2014	Annual Review	Ensure consistent with Organisation, Remove duplication	3	27
April 2014	March 2015	Annual Review	Review to ensure consistent with Organisational requirements & streamline where possible	4	25
April 2015	March 2016	Annual Review	Review to ensure consistent with Organisational requirements.	5	27
May 2016	May 2017	Annual Review	Review to ensure consistent with Organisational requirements.	6	27
June 2017		Annual Review	Review to ensure consistent with Organisational requirements.	7	27
March 2018		Annual Review	Review to ensure consistent with Organisational requirements.	8	26

Author	Reviewed by
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Target audience

All Elected Members / School Governing Bodies (All Maintained Schools & Schools where WBC is the Competent Advisor)	Y	Senior Management Team	Y	Executive, Operational & Assistant Directors	Y	All Employees	Y

Relevant legislation
The Health and Safety at Work Act 1974 The Management of Health and Safety at Work Regulations 1999 All associated health and safety legislation

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WARRINGTON BOROUGH COUNCIL THE HEALTH, SAFETY & WELFARE POLICY STATEMENT

Aim

In recognising its duties under the Health and Safety at Work Act 1974, it is the aim of Warrington Borough Council (the Council) to conduct its business efficiently whilst protecting the health, safety and welfare of its staff, clients, pupils, visitors, contractors, members of the public and any others that may be affected by its activities and to provide a safe working environment in every area that the Councils business is undertaken.

Method

The Council recognises that health and safety contributes positive benefits to the organisation and that commitment to a high level of safety is an essential requirement. It also recognises that health and safety is a business function in which health and safety objectives are as important as any other business objectives. The Council will actively pursue progressive improvements in health, safety and welfare performance to ensure the protection of its greatest asset, its staff.

A positive health and safety culture will be encouraged within the organisation where health and safety is understood and is accepted as a high priority and is based on open and honest shared beliefs, best practices, values and attitudes that exist within the organisation. Managers will be required to actively support this and staff will have the opportunity to be involved in the decision making process either on an individual basis or through their representatives. The Council is fully committed to the development of a strong and sustainable safety culture.

The Council recognises that there are distinct benefits to be gained from providing a safe and healthy working environment: Its aims are to reduce accidents and ill health by raising awareness throughout the organisation of both the collective and individual level roles and responsibilities relating to health and safety and to allocate the appropriate resources to ensure health and safety is adequately addressed within the organisation. The Council will conduct its business effectively and efficiently whilst ensuring stringent standards of health, safety and welfare compliance are in place and will strive to maintain and seek continual improvement.

The Chief Executive / Executive Directors, Operational and Assistant Directors are fully committed to health, safety and welfare and will lead by example in demonstrating active and visible leadership relating to health and safety matters to ensure the effective management of risk.

In order to ensure this General Statement is achieved the following will form the aims and objectives of the Council:

- Ensure an adequate structure is in place to manage health and safety which incorporates the requirements of HSG 65 to **Plan** – determine policies and plan for implementation; **Do** – profile risks, organise workforce for health and safety and implement plan; **Check** – Measure performance, monitor before events, investigate after; and **Act** – review performance and act on lessons learnt.
- Ensure any necessary health and safety expert advice is available to all Council employees;
- Ensure robust health and safety management systems are in place to identify, monitor and manage the risks in line with the Councils risk management strategy to mitigate the Councils exposure to unnecessary risk;

- Ensure appropriate systems are developed and maintained to facilitate effective communication of health and safety information, including the publication of health and safety performance information annually;
- Complying with all relevant health and safety legislation, statutes, regulations and codes of practice to ensure legislative compliance;
- Ensure commitment to provide and maintain adequate financial and physical resources for the effective implementation of this policy;
- Ensure employees are recognised as the key asset to the Council and are provided with adequate information, instruction and training to ensure their health and safety competence to enable employees to actively contribute to the effectiveness of this policy;
- Ensure the promotion of employee wellbeing by creating a healthy work environment, providing information and support for good mental health and wellbeing through a range of initiatives.
- Ensure employee engagement and involvement is recognised as an important part of managing safely and consultation on health and safety with employees and employee representative's forms part of this policy;
- Ensure health and safety is promoted and recognised throughout the organisation as a collective responsibility and not just a management function. Managers are responsible for ensuring all staff are made aware of their specific responsibilities and personal duty of care to themselves and to others that could be affected by their acts or omissions and to co-operate with managers to achieve the health and safety standards required;
- Ensure that the Council recognises that most work related accidents, incidents, injuries and ill health are preventable, the Councils aim is zero harm and will continually aim to reduce injury and illness to any person, or damage to equipment, property or the environment;
- Ensure that all accidents, incidents and near misses are fully reported and investigated, with the appropriate action taken to reduce the likelihood of reoccurrence by identifying any areas for improvement in the health and safety management systems, the Council are fully committed to undertake active and reactive monitoring;
- Co-operating fully in the appointment of health and safety representatives appointed by the recognised trade unions and where necessary will provide them with sufficient communication and cooperation with employees on health, safety and welfare matters.

This policy statement and the accompanying organisational arrangements supersede any previously issued. It will contribute to business performance by reducing unnecessary losses and liabilities by protecting the assets of the organisation and will be reviewed on an annual basis: our goal is zero harm.

The overall responsibility for health and safety remains with the Chief Executive.

Chief Executive **Date 1 April 2018**



This Policy outlines the Councils Health & Safety management structures and associated roles and responsibilities. In all cases where Warrington Borough Council is the Employing Authority (including Local Authority Maintained Schools, Voluntary Aided Schools, Local Authority Maintained Nursery Schools and Pupil Referral Units) the Chief Executive is the ultimate duty holder in respect of Health & Safety Law therefore this Policy applies.

Head Teachers may decide to attach their own statement of intent to outline how this Health & Safety Policy will be implemented within each school.

It is acknowledged that in Voluntary Aided, Foundation Schools, Academies and Independent Schools the Governing Body is the employer, therefore responsibility for compliance rests with the employer, **not** the Council. For Academies and VA Schools that have chosen to engage the Council as their Competent Advisor, it is recommended that this Policy should be adopted to underpin your Health & Safety management arrangements.

This Policy refers to the **"Appropriate Person"** as the person having managerial responsibility for the implementation of the Policy. The roles include:

Executive Directors, Operational and Assistant Directors, Head / Deputy Head Teachers (of schools / establishments listed above), Heads of Service, Service Managers, Team Leaders / Supervisors

The Policy refers to the **"Responsible Person"** as the person with specific responsibility that **must ensure** the Council's policies and procedures; health and safety regulations and approved codes of practice are complied with and implemented for each building under their control.

1.0 PLAN (SET POLICY AND PLAN FOR IMPLEMENTATION)

1.1 The "appropriate person" must fully implement the Policy within their Service / School by;

- Ensuring the Policy is distributed and accessible to all employees and ensuring all are familiar with their roles and responsibilities within the Health, Safety and Welfare Policy;
- Establishing and maintaining a robust health and safety management framework through the integration of risk assessment, safe systems of work, standard operating procedures, guidance notes and legislative compliance;
- Ensuring all employees, contractors, commissioners and commissioned services are aware of their roles and responsibilities in relation to health, safety and welfare and of the procedures and practices they are expected to follow;

1.2 **Monitoring**

- Ensuring health and safety is a standing item on management meetings to monitor compliance / address issues arising.
- Monitoring the effectiveness of the Policy and its implementation through the audit process with the development of action plans to remedy any areas for improvement / non-compliance.
- To ensure workplace inspections are undertaken in conjunction with Operational and Assistant Directors, Head / Deputy Head Teachers, Trade Union Safety Representatives and Resilience Advisers (H&S).

1.3 **Resources**

Ensuring adequate resources are available for the effective implementation of the Councils health, safety and welfare policy and any areas of non-compliance are relayed back to the appropriate person;

1.4 **Discipline**

Take disciplinary action in accordance with approved procedures against any employees who do not comply with agreed safety procedures in accordance with the Health and Safety at Work Act etc. and any statutory provisions.

2.0 INTRODUCTION TO HEALTH AND SAFETY AT WORK LEGISLATION

2.1 This Health, Safety and Welfare Policy outlines the general duties and responsibilities with regard to the health and safety of employees and other persons who may be affected by the Councils (including Schools and Establishments listed on Page 6) working practices; **it is not an exact interpretation of the law**, but is intended to assist those concerned to understand their responsibilities under the Health and Safety at Work etc. Act 1974, the Management of Health and Safety at Work Regulations 1999 and any other associated Regulations and Approved Codes of Practice.

2.2 The purpose of the Health and Safety at Work Act 1974 is to:

- Provide a legislative framework to promote, stimulate and encourage high standards of health and safety in the workplace;

- Promote safety awareness to ensure a safe organisation and to continually improve performance.

2.3 Section 2 (3) of the Act requires employers to prepare a written safety Policy and to ensure the Policy Statement is brought to the attention of all staff, informing them of the organisation and arrangements for implementing the procedures outlined in the Policy document. The Council has produced a 'Policy Statement' which will be displayed in all workplace locations.

2.4 A "*Health and Safety Law Poster – What you should know*", should be available in all locations and should be displayed alongside the 'Health and Safety Policy Statement'.

2.5 **Duties of Employers** under the Health and Safety at Work Act 1974 to:

- Safeguard so far as is reasonably practicable the health, safety and welfare of its Employees who work for them; this applies in particular to the provision and maintenance of safe plant and systems of work and covers all machinery and equipment;
- Make suitable and sufficient assessment of risks;
- Extend the duty of care to other persons who may be affected by its work activities undertaken;

2.6 **Duties of Employees** under Section 7 and 8 of the Health and Safety at Work Act 1974:

- To take reasonable care of themselves and others who may be affected by their work activities;
- To co-operate with employers in meeting their statutory duties;
- Not to interfere with or misuse anything provided in relation to health, safety or welfare;
- To bring to the attention of employers any situation that is considered to be a serious and or imminent danger and any other shortcomings in health and safety arrangements

2.7 **Key Definitions within this Policy are as follows:**

Health – The wellbeing of employees, this encompasses conditions of body and mind, which could affect the health and safety of employees and others.

Safety – Preventing injury or damage to any person or property affected by a work activity through the development of suitable and sufficient working practices.

Wellbeing – The subjective state of being healthy, happy, contented, comfortable and satisfied with one's quality of life. It includes physical, material, social, and emotional ('happiness') dimensions.

3.0 THE COUNCILS HEALTH AND SAFETY MANAGEMENT SYSTEM

3.1 The management of health and safety is the responsibility of each Directorate or School, this allows for issues to be resolved at a "local level", wherever possible. However, although this is undertaken for practical purposes, Elected Members, the Chief Executive or School Governing Body (applicable to schools and establishments outlined on page 6) retains overall responsibility for health and safety.

3.2 This Policy is set out in four elements in accordance with Health and Safety Guidance HS (G) 65 Managing Health and Safety, which achieves a balance between the Health and Safety Management systems and the behavioural aspects of management. This ensures that health and safety management forms an integral part of good day to day management rather than a stand-alone system. The HSG 65 Plan Do, Check, Act cycle is detailed in Figure 1.

4.0 ORGANISATION FOR IMPLEMENTING THE HEALTH AND SAFETY MANAGEMENT SYSTEM

4.1 In accordance with the Policy Statement, overall responsibility for the discharge of the Councils legal obligation as an employer in relation to health and safety rests with the Chief Executive or Head Teacher, who will make the necessary arrangements to comply with this duty and for advising all personnel of the organisational structure to support this policy.

4.2 Responsibilities should be assigned to persons who are competent to carry them out and who have received adequate training and instruction with regard to their duties.

4.3 Responsibilities are assigned to positions rather than named individuals to avoid the need to update the Policy following any organisational changes.

4.4 The Council's organisational structure for dealing with health and safety matters is set out in the following sections of this document.

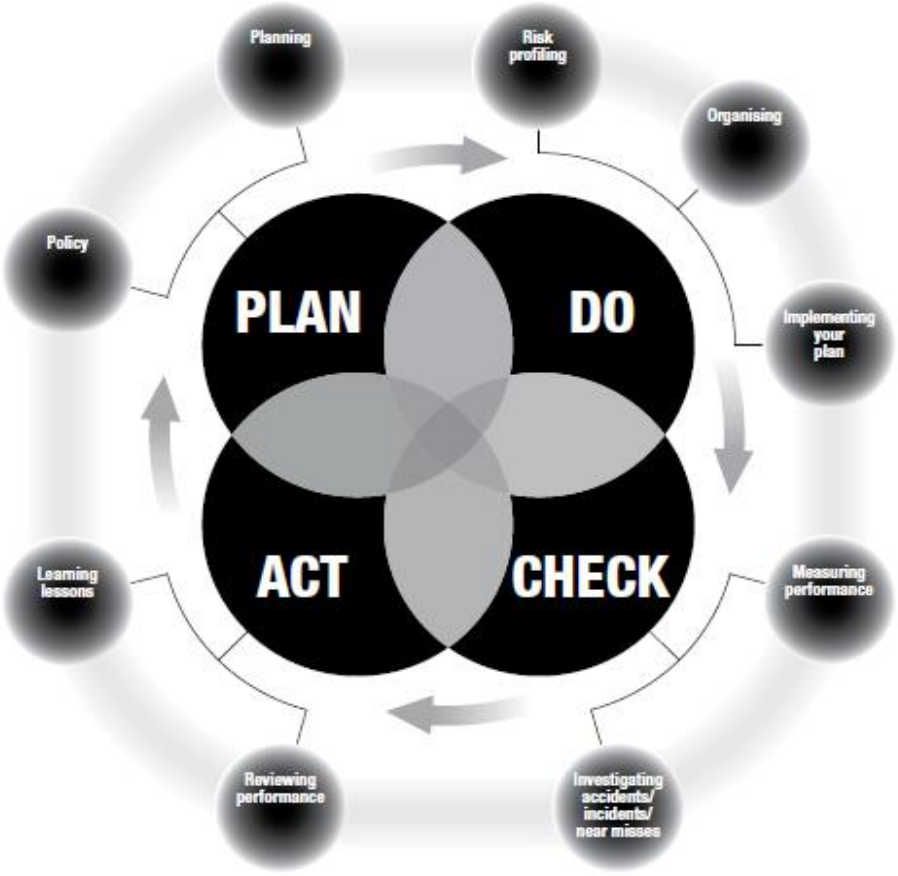
4.5 Standard operating procedures, guidance documents and supporting information such as the generic risk assessments provided to assist schools will be reviewed biennial or sooner if there are changes in legislation and published accordingly. These documents will be available via the Community Safety & Resilience homepage. All documents are available to all LA Maintained schools and VA and Academy schools who have engaged the services of the Councils Health & Safety service to act as their Competent Advisor via the My School Services site. In addition, these schools are provided with a compact disc containing all up to date Health & Safety information when an annual Health & Safety audit is undertaken.

The Councils suite of Health & Safety documents are prepared in line with the ;greed Health & Safety Management structure; it is for this reason that the documents should not be shared with Schools who have chosen not to engage the Council as their Competent Advisor, their management arrangements may differ.

Fig 1 HEALTH & SAFETY EXECUTIVE - HEALTH & SAFETY MANAGEMENT CYCLE (HSG 65)

1. PLAN
The Councils (WBC) Health and Safety **Policy** Statement is the Chief Executives Corporate declaration of intent on behalf of Warrington Borough Council
Plan for implementation and decide how performance will be measured.

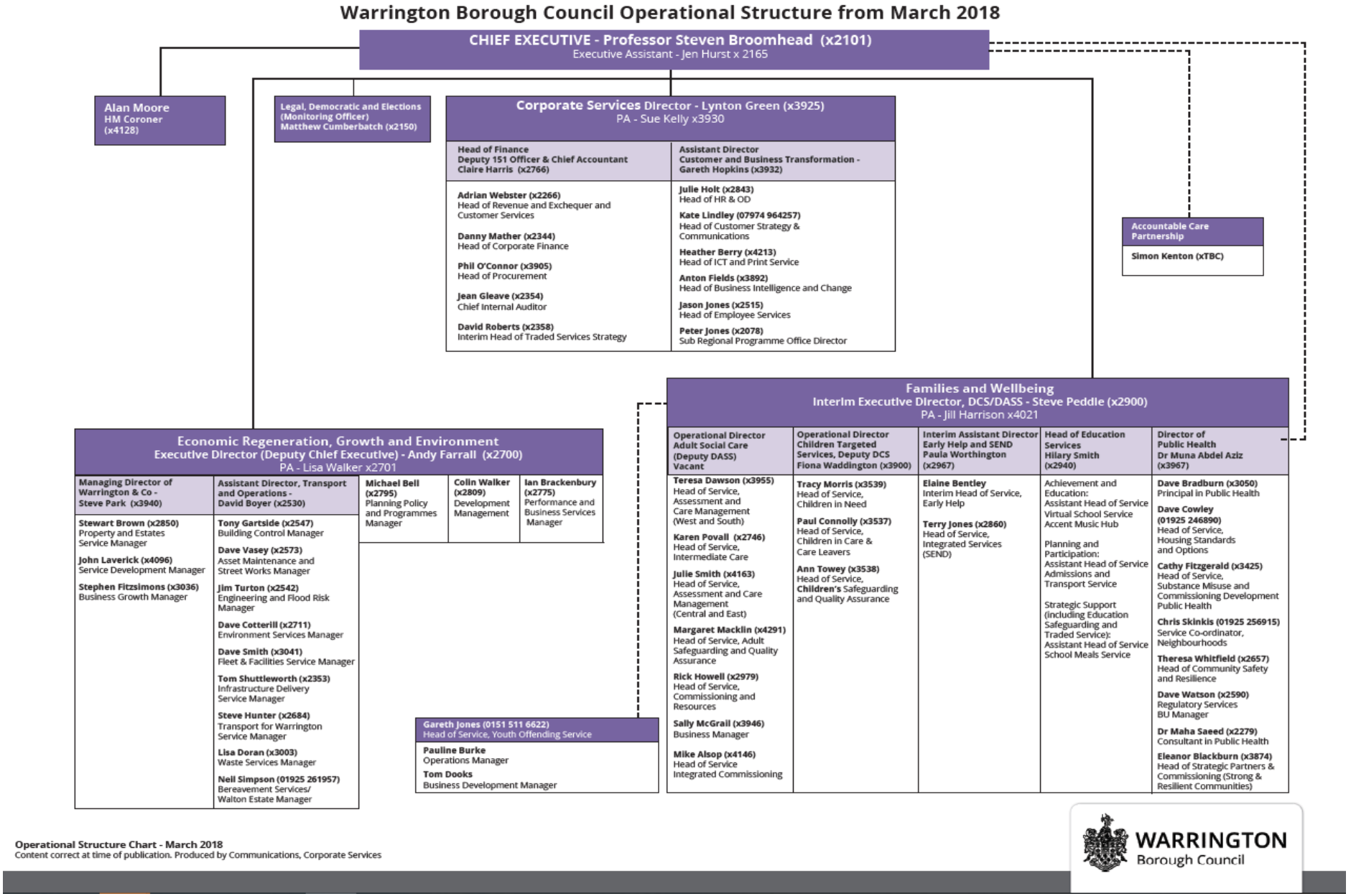
2. DO
Identify Risk Profile. Identify risks and how this will be managed and prioritised. Involve employees in process.
Organise Activities to Deliver Plan
Worker involvement ensures clear communication is in place.
Adequate resources are to be provided to implement and manage controls identified.
Implement Your Plan
Identify and put in place preventative and protective measures.
Provide and maintain the correct tools and equipment to carry out job.
Train and instruct to ensure employees are competent to carry out work tasks. Supervise to ensure arrangements are followed.



4. ACT
Review Performance.
Monitor accident and ill-health trend.
Revisit plans, policy documents, risk assessments to identify where updating may be required.
Take action on lessons learned, including audit and inspection reports.

3. CHECK
Measure Performance. Ensure plan implemented, assess how risks are being controlled to achieve aims.
Include internal inspections and formal audits
Investigate the cause of accidents, incidents and near misses.

Fig 2: WARRINGTON BOROUGH COUNCIL MANAGEMENT STRUCTURE



5.0 DO (SET ROLES AND RESPONSIBILITIES, PROFILE RISKS AND IMPLEMENT THE PLAN)

5.1 The Policy has been produced as required by Section 2(3) of the Health and Safety at Work etc. Act 1974 to clearly identify the responsibilities of the Elected Members, Governing Bodies and the Appropriate Person. The purpose of the Policy is to demonstrate that Senior Management is committed to the health, safety and welfare of all employees and others that may be affected by our activities.

5.2 Successful health and safety management depends upon a systematic approach throughout the Council or School in order to become fully integrated with all other aspects of business management.

5.3 A pro-active health and safety culture requires strategic leadership from the Appropriate Person, service or school level health and safety nominated leads, Head of Community Safety & Resilience, Corporate and Directorates and School Health and Safety Committees.

6.0 RESPONSIBILITIES OF THE "APPROPRIATE PERSON" AND ALL LEAD OFFICERS:

- Provide clear leadership on health, safety and welfare matters and ensure compliance with corporately agreed targets and objectives;
- Ensure that health, safety and welfare issues are properly addressed and that the aims and objectives of the Policy are fully understood within each Directorate and School;
- Ensure that health, safety and welfare management is fully implemented by allocating specific health, safety and welfare responsibilities at Service Manager level; ensuring all Managers have attended relevant training and are competent to fulfil their health and safety management role;
- Ensure the joint consultative body is established at the Corporate, Directorate or School level and meets on a quarterly basis;
- Consider the appropriate resources necessary to finance improvements and maintain health and safety standards when compiling annual budgets.
- Head Teachers should inform the Governing Body and Families and Wellbeing Directorate of any issue which has significant health and safety implications and which cannot be resolved satisfactorily without their support and involvement;
- Corporate Manslaughter and Corporate Homicide Act 2007, the lead officer for health and safety at board level is the Chief Executive / Head Teacher and are accountable under health and Safety legislation.
- The Councils Senior and Directorate Management Teams and the School Management Team should have health & safety as a standing agenda item in order to monitor compliance.

7.0 <u>ELECTED MEMBERS AND SCHOOL GOVERNING BODIES</u>

7.1 Elected Members have a collective role in providing health and safety leadership to the Council. The Executive Board should ensure that adequate resources are available and

effectively deployed to enable the Council to fulfil its statutory requirements under relevant health and safety legislation.

7.2 School Governing Bodies have a collective role in providing health and safety leadership to the Council and the Schools they have responsibility for. As outlined on page 6; it is important to note that in voluntary aided, foundation schools, academies and independent schools the Governing Body is the employer, therefore responsibility for compliance with Health & Safety Law rests with the employer, **not** the Council.

7.3 **All have a responsibility to ensure the following:**

- Adequate training, instruction, supervision and information have been given with sufficient competent persons identified and in place to advise the Council / School on health and safety issues.
- Health and safety targets, objectives, monitoring and auditing of health and safety performance is undertaken;
- All decisions reflect the commitment of this policy and promote a positive culture towards health, safety and welfare issues with adequate resources made available to ensure health and safety legislative compliance;
- Head Teachers should inform Governing Bodies / The Families and Wellbeing Directorate of any issue which has significant health and safety implications which cannot be resolved satisfactorily without their support and involvement.

8.0 THE CHIEF EXECUTIVE / HEAD TEACHER

8.1 The Chief Executive has the ultimate responsibility as the Duty Holder for all services / schools under Warrington Borough Council employment. The Chief Executive receives an annual report from the Head of Community Safety & Resilience on health and safety matters. In the event of a Health and Safety breach or where there are compliance issues or serious concerns for safety, there are arrangements in place for the Head of Community Safety & Resilience to bring to the direct attention of the Chief Executive to ensure the risk is addressed.

8.2 The Chief Executive discharges the responsibility through the appropriate person to account for health and safety arrangements within their areas.

8.3 **The Appropriate Person will:**

- Ensure the necessary resources are allocated for the management of health and safety requiring sufficient management standards are applied in line with other management functions;
- Ensure that health and safety is integrated into the management structure and that health and safety objectives are an integral part of the overall Service Business Plan;
- Regularly monitor health & safety performance to ensure health and safety responsibilities are adequately addressed and be informed of any significant non-conformances and investigation outcomes in order to implement any required improvements.

9.0 THE DEPUTY CHIEF EXECUTIVE

9.1 The Deputy Chief Executive will, in the absence of the Chief Executive have a delegated duty to act on behalf of the Chief Executive with specific responsibility for health and safety ensuring that the structure and arrangements are appropriate to manage health and safety within the Council.

10.0 EXECUTIVE DIRECTORS, HEAD TEACHERS AND OFFICERS WITH DELEGATED RESPONSIBILITY IN SCHOOLS

10.1 Have a responsibility for ensuring the health, safety and welfare standards within their Directorate/School are exemplary and it is fundamentally a line management responsibility.

10.2 They must determine the most appropriate management structures and ensure adequate reporting arrangements are in place to keep themselves informed at all times as to the level of achievement of the objectives of this policy and where necessary initiate and follow up such action to ensure maximum achievement at all times;

10.3 **Operational and Assistant Directors (and nominated officers with delegated responsibility in schools) will:-**

- Ensure all employees are familiar with the Councils Health, Safety and Welfare Policy, standard operating procedures, guidance documents, health and safety regulations and any relevant approved codes of practice;
- Ensure health, safety and welfare information is cascaded and communicated to staff at all levels within their control;
- Ensure recommendations from Health and Safety audits are implemented, appropriately monitored and lessons learned shared wider across the directorate / organisation to ensure progress and safety standards are achieved;
- Ensure Managers or individuals with delegated duties are aware of their responsibilities in relation to health and safety management systems;
- Ensure risk assessments are undertaken by a competent person, staff are engaged in the development process and once completed, reviewed as appropriate in accordance with standard operating procedures (SOP 04 the Risk Assessment Process).
- Best practice is to undertake reviews on an annual basis, however, a risk based approach may be determined as the most suitable approach subject to the service / school needs.;
- Ensure employees are competent through the application of instruction, information, supervision, induction, training (refresher) and have sufficient resources allocated to discharge their health and safety duties;
- Ensure all accidents, incidents, dangerous occurrences and near misses are reported and investigated in line with standard operating procedure SOP 05 Accident and Incident Reporting and health and safety legislation;
- Implement key health and safety responsibilities and objectives into individual job descriptions indicating individual levels of responsibility and accountability;

- Be represented at meetings of the Central, Directorate or School Health and Safety Committees:
- Advise the appropriate Elected Members of all relevant health, safety and welfare matters via the Portfolio Holder or Governing Body;
- Notwithstanding the general roles and responsibilities, Operational, Assistant Directors and Deputy Head Teachers and any officer with specific nominated responsibilities should ensure they are fully aware of the specific requirements for the management of the key areas of risk outlined in the following standard operating procedures that are available on WINNIE and MSS.

10.4 The Council accepts that, where a Head Teacher, Operational or Assistant Director has failed to take action with regard to health and safety, the Head of Community Safety & Resilience, Deputy Chief Executive or relevant Executive Director shall discuss the matter with the Chief Executive. If they are satisfied that urgent action is required they will direct that such action is to be taken.

11.0 RESPONSIBILITIES OF HEADS OF SERVICE / SERVICE MANAGERS / SUPERVISORS / TEAM LEADERS (INCLUSIVE OF SCHOOL BASED STAFF)

11.1 Within their area, all will be responsible for the implementation of the Council's policies, standard operating procedures, guidance documents, regulations and approved codes of practice relating to health and safety by;

- Ensuring staff are adequately trained and supervised for tasks / activities they are required to perform and relevant information, instruction and equipment including personal protective equipment necessary to achieve safe systems of work are provided, used and maintained;
- Ensuring site/task specific risk assessments are undertaken by a competent person, engaging and involving staff in the risk assessment process (where appropriate) but especially in relation to any task based risk assessments. Risk assessments should be implemented and communicated to all affected staff, particularly where they have not been involved in the risk assessment process. They should also be reviewed following a risk based approach suitable to the needs of the service but mindful of any statutory timeframes relevant to the nature of the service. (see SOP 04);
- Ensuring all staff and associated partners / workers / contractors and any affected others are familiar with emergency procedures, safe systems of work, reporting of significant hazards and risk assessments, accident reporting within their working area to ensure effective reduction of risk;
- Ensuring that all plant and equipment used is adequately selected, tested and maintained with documented records to ensure legislative compliance. All employees should be made aware of the action to take where equipment becomes defective, notification of the issue to management and implement impound procedures / tagging equipment to ensure the risk is removed;
- Ensure if selecting equipment for working at height, the hierarchy for the prevention of falls is considered, this includes eliminating the risk by avoiding working at height where

possible, use work equipment or other measures (i.e. edge protection) to prevent falls if work at height cannot be avoided and where the risk from falling cannot be eliminated minimise the distance and the consequence of the fall.

- Ensuring all products, equipment and services have been through a rigorous procedure to reduce the risk to employees, utilising safer substances and alternatives to undertake the task but present less hazards to the employee (where possible) ensuring full compliance with the Control of Substances Hazardous to Health task based risk assessments;
- Ensuring all contracts with partners, service providers and any other organisations are competent, fully trained, health and safety responsibilities and accountabilities are clearly defined and risk assessments, method statements, safe systems of work, equipment safety checks, audits and reporting procedures are implemented and monitored;
- Ensuring all accidents, incidents, ill health, disease, dangerous occurrences, near misses, violent or abusive episodes are reported through WBC's online accident / incident reporting system within 24 hours of the adverse safety event occurring (the same procedure applies for commissioned services / sub-contractors) providing the details of the incident must be undertaken within 24 hours of occurrence and must be fully investigated with control measures documented and implemented to prevent re-occurrence;
- Consulting and co-operating with appointed safety representatives where applicable; ensuring the Appropriate Person or a Senior Manager are informed of any relevant health, safety and welfare issues, especially those that have resource implications and for those that cannot be resolved at a local level;

12.0 RESPONSIBILITIES OF ALL EMPLOYEES

12.1 Due regard must be taken by all staff of the duties placed upon each individual by the Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999; take reasonable care for the health and safety of themselves, and of other persons who may be affected by their acts or omissions. Staff must also co-operate with the employer in relation to the use of personal protective equipment and not interfere with anything provided in the interest of health, safety or welfare and to report any damage or defect to premises, equipment or appliances immediately through the appropriate channel (line manager).

12.2 **All employees are responsible for: -**

- Adhering to the requirements of the risk assessment process and also ensuring they are aware of their own legal duty to follow procedures issued by the Council which are designed to protect their own and others health, safety and welfare;
- Making full use of the appropriate equipment, personal protective equipment, all safety devices and be aware of the hazards within their workplace and be familiar with safe systems of work;
- Reporting to their line managers any unsafe practices or systems of work, unsafe working conditions, damage to plant, machinery or equipment, accidents, incidents,

- Near misses, ill health or violent incidents relating to their working environment and ensure familiarity with the arrangements for emergencies (fire, accident, injury, illness, first aid etc) and the action they should take. cexhealth&safety@warrington.gov.uk
- Compliance with any statutory duties / inspections undertaken on equipment / tools and record them and ensure any defects are immediately reported to the line manager. **Any defective equipment must be taken out of service, clearly marked / tagged and kept aside for repair**;
- Ensuring all accidents are reported to their line manager for input onto the on line accident report form, completed within 24 hours of the incident occurring and submitted to the Community Safety and Resilience Team. Where appropriate, advise the immediate supervisor of action required to prevent reoccurrence of any accident; for further advice or guidance contact the Community Safety and Resilience Team;
- Where their contract of employment requires them to provide their own tools, to keep those tools in a safe condition, tested, inspected and fit for purpose;
- All COSHH assessments must be task / activity based and reviewed. The hierarchy of control measures should be considered by; **Eliminating** the risk by avoiding the use of certain processes and materials; **Substituting** for a less hazardous process / material; **Combating** the risk at source through engineering controls; **Controlling** the risk by designing suitable safe systems of work; **Minimising** the risk by using personal protective equipment which should only be used as a last resort;

13.0 REPONSIBILITIES FOR PREMISES / BUILDING MANAGEMENT (FOR SCHOOLS THIS MAY ALSO BE THE HEAD TEACHER / DEPUTY HEAD)

13.1 The Responsible Person must ensure the Council's policies and procedures; health and safety regulations and approved codes of practice are complied with by ensuring the requirements within the following standard operating procedures and relevant guidance notes are implemented for each building under their control; and

- Ensuring that services supplied to the Council and others by outside agencies are provided such that they will satisfy all current health and safety legislation, particularly in respect of equipment, its maintenance, safe systems of work, risk assessments, method statements, competency and other safety standards which may apply to work being undertaken;
- Ensuring that all risk assessments are undertaken by a competent person, with the involvement of employees. Ensuring the risk assessments are implemented, communicated and reviewed on a risk based approach, for example high risks (annual reviews) for medium and low risks bi-annually these would be subject to the risk assessment process and determined at a local level;
- Maintaining a health and safety file on the premises in relation to any construction work covered by the Construction (Design and Maintenance) Regulations and make this available to contractors upon request;
- Maintaining up to date management plans in relation to managing the risks from asbestos containing materials, water management (legionella), Fire and Bomb Threats and ensuring such plans (ie asbestos) are retained in line with the Councils document

retention schedules which are currently in development by the Business Intelligence Team.

14.0 RESPONSIBILITIES OF THE COMMUNITY SAFETY & RESILIENCE TEAM

14.1 The Head of Community Safety & Resilience and Resilience Advisers (Health and Safety) are appointed by the Council to ensure appropriate health and safety management policies, standard operating procedures and guidance documents are in place at a Corporate level to enable the Council to meet its statutory duties;

- The expertise of the team is in relation to general health, safety and welfare compliance. The team are not subject specific experts in any one area.
- Where it is felt advice is needed beyond the competency level of the team, this will be communicated to ensure a subject specific expert is engaged where necessary.
- Assisting all levels of management to implement and comply with the requirements of the Health and Safety at Work etc. Act 1974 and other relevant safety legislation.
- Advising the Council, its employees and stakeholders on forthcoming changes and developments to health and safety legislation, relevant regulations, Approved Codes of Practice, Health and Safety Executive Guidance;
- To promote the Risk Assessment process for the identification of hazards, assessing risks, identifying and implementing suitable control measures to reduce risk to an acceptable level, monitoring and reviewing;
- Maintaining adequate records and statistics as required by legislation in relation to work place accidents and issuing details of these to directorates, along with reports, to analyse trends and to tender advice on the prevention of reoccurrences;
- Developing and supporting integration of the Health and Safety Management System by conducting health and safety audits primarily within Schools to provide the Council with the necessary assurance adequate health and safety management systems are in place;
- Audits to test for compliance will also be conducted across schools including Voluntary Aided Schools, Foundation, Academies and independent schools who have engaged the services of the Council as the Competent Advisor to the School;
- Establishing professional relationships at all levels within the Council and external organisations such as the Health and Safety Executive etc.;
- Examining the working practices of all Council employees, at any time, along with those of contractors to the Council regarding health, safety and welfare;

15.0 ROLE OF THE APPOINTED SAFETY REPRESENTATIVES

15.1 The Regulations on Safety Representatives and Safety Committees 1977, as amended by the Management of Health and Safety at Work Regulations 1999 and the Health and Safety (Consultation with Employees) Regulations 1996 outline various functions of employee Safety Representatives, for further information see the Councils Guidance Note, GN 27 Safety Representatives, these include:

- Prescribed cases in which recognised Trade Unions may appoint Safety Representatives from amongst the employees and prescribed functions of employee Safety Representatives;

15.2 In addition to their functions under Section 2(4) of the Act, in consultation with the employer under Section 2(6), each Safety Representative shall have the following functions:

- To investigate potential hazards and dangerous occurrences at the workplace (whether or not it is drawn to their attention by the employees they represent), and examine the causes of accidents at the workplace;
- To investigate complaints by any employee they represent relating to the employee's health, safety and welfare at work;
- To make representation to the employer on matters affecting the health, safety and welfare at work of employees they represent and to carry out certain inspections specified by the Regulations;
- To represent the employees they are appointed to represent, in consultation at the workplace with Inspectors of the Health and Safety Executive or any other enforcing authority and receive any information from HSE Inspectors in accordance with Section 28(8) of the Health and Safety at Work etc. Act 1974.
- To attend meetings of the Health and Safety Committee in their capacity as an appointed Safety Representative in connection with any of the above functions.
- Ensure all accidents, incidents, dangerous occurrences and near misses are reported and investigated in line with the Reporting of Injuries Diseased and Dangerous Occurrence Regulations and any other related health and safety legislation;

16.0 CONSTITUTIONAL ARRANGEMENTS FOR SAFETY REPRESENTATIVES, CORPORATE AND DIRECTORATE SAFETY COMMITTEES

16.1 The appropriate committee that considers health and safety matters in schools must identify and implement their own terms of reference to ensure health and safety objectives are set, clear responsibilities are identified and appropriate arrangements are implemented and monitored.

16.2 Within Warrington Borough Council the structure has been agreed as follows:

The Committees shall be called Warrington Borough Council Joint Central Health and Safety Committee, hereinafter referred to as the Committee. The Committees are structured to meet at Corporate (Central Health and Safety) and Directorate level.

16.3 **Health and Safety joint Consultative Corporate and Directorate Committees Objectives**

- The objectives of the Committee are to consider strategic (Central) issues and Directorate related to health and safety and to promote co-operation between employer and employees; additionally the Committee will instigate, develop and carry out measures to ensure staff health, safety and welfare at work.
- The Corporate and Directorate Committees shall comprise of the Chief Executive's nominated representative, Chair of each Directorate Health, Safety and Welfare

Committee or their Representative, one Safety Representative from each of the recognised Trade Unions, ex-officio members, the Head of Community Safety & Resilience, Resilience Advisers (Health and Safety) as required and an Assistant Director (nominated by the Executive Director).

- The Committees shall meet on a quarterly basis; dates being agreed in advance; however, the Chair, following consultation, may call a meeting of the Committee at any other time.
- Copies of minutes are circulated as soon as practicable after the meeting; in addition, the Central Safety Committee minutes will be available on the health and safety Intranet site in order that staff who are not members of one of the Union bodies may have the opportunity to view minutes of these meetings, the Directorate Committee minutes are distributed and are not available on the intranet.

16.4 **Chairperson (s):**

- The Deputy Chief Executive chairs the Central Health and Safety Committee acting as the nominated representative for the Chief Executive.
- Directorate groups are chaired by lead Operational or Assistant Directors acting as the nominated representative of the Executive Director.

16.5 **Secretary:**

- Support is provided via the Community Safety and Resilience Team - Resilience Technical Support Officer to the Deputy Chief Executive and Personal Assistants to the lead Operational or Assistant Directors.

16.6 **Frequency of Meetings**

- At least 4 meetings a year (quarterly).

16.7 **Attendance at Meetings**

- Any member who wishes to resign must inform the Chairperson.
- New Management and accredited Trade Union Safety Representative Members of the Committee must be notified to the Chairperson.
- At the request of Committee members, the Chairperson can agree to invite someone to a meeting in order to provide information on any topic, which is to be discussed at that particular meeting.
- Dates for the following meetings are to be arranged in advance as the last item of business of the current meeting, both sides should submit to the Chairperson written details of items for inclusion not less than two weeks prior to the meeting;
- The Chairperson shall circulate the agenda and relevant papers not less than one week prior to the date of the meeting and meetings shall not be cancelled without prior consultation and agreement from both sides and any re-arranged meeting will be scheduled for as near to the original date as possible;
- Any late issue may be brought to the attention of the committee under the heading of “any other business”.

16.8 **Failure to agree:**

- Where a matter cannot be agreed at Directorate level, it will be referred to the Central Health, Safety and Welfare Committee and in the event of a fundamental disagreement of an urgent nature the Joint Secretaries and Chairman of the Central Health, Safety and Welfare Committee shall determine the appropriate course of action with regard to the procedures to be adopted.

16.9 **The Committees will**

- Evaluate accident, incident, near miss and reportable disease statistics and identification of trends for consideration of remedial action;
- Approve the Health, Safety and Welfare Policy, endorse the standard operating procedures and guidance notes, and examine safety audits and inspection reports;
- Analyse information provided by enforcing authorities, including consideration of appropriate health and safety publications;
- Consider any matters which members of the Health, Safety and Welfare Committees may wish to submit and to draw attention to any unsafe conditions, materials, equipment or machinery;
- Monitor the adequacy of communication and publicity for safety aspects and to recommend any action felt desirable, including the promotion of the Council's policies and standards;
- Consider the advice on any aspects of health, safety and welfare of employees and the public referred to the Committees and any new Health, Safety and Welfare Legislation;
- To consider reports and recommendations from the Central Health, Safety and Welfare Committees;
- To co-ordinate an effective Health and Safety audit and inspection programme in co-operation with the appointed Resilience Advisers and Trade Unions;
- The membership of the Committee shall be communicated to all staff for their information;

17.0 CONSULTATION AND EFFECTIVE COMMUNICATION

17.1 The Safety Representative and Safety Committees Regulations 1977 require an employer to consult in good time with Safety Representatives on:

- The introduction of any measure at the workplace, which may substantially affect the health and safety of employees the Safety Representative represents;
- The arrangements for appointing or, as the case may be, nominating persons in accordance with Regulation 6(1) and 7(1)(b) of the Management of Health and Safety at Work Regulations 1999;
- Any health and safety information the employer is required to provide to the employees and their Safety Representatives by or under the relevant Statutory Provisions;
- The planning and organisation of any health and safety training provided to employees that the Safety Representative represents, by or under the relevant Statutory Provisions;
- The employer shall provide such facilities and assistance as Safety Representatives may reasonably require for the purpose of carrying out their functions under Section 2(4) of the Health and Safety at work etc. Act 1974;

- Communication channels for the exchange of health and safety knowledge and information which should be formalised and structured and delivered in a range of formats (for example, verbal, paper copy, electronic or at Health and Safety Committee meetings);
- The Council communicates with Directorates and Schools through quarterly health & safety bulletins, SOPs / GNs and any ad hoc information emails circulated when information comes to the awareness of the Community Safety & Resilience Team which may be of wider interest or require specific action.

18.0 CHECK AND ACT (MEASURE, REVIEW AND IMPLEMENT CHANGE)

18.1 Monitoring will take place corporately by the Community Safety & Resilience Team, within each Directorate and across Schools. At a corporate level the Head of Community Safety & Resilience will report to the Chief Executive and Senior Management Team. Each School following an audit receives an audit report, an assurance opinion and action plan detailing any recommended improvements, progress is monitored via the structures applicable to the individual school. A copy of the final audit report is sent to the Head of Education regardless of the schools status (apart from Academies). In addition, the audit report is also sent to the chair of the Governing Body where the Council is not the employer but where the school have retained the services of the Council as the Competent Advisor. The Council will measure health and safety performance using both proactive and reactive measures as follows:

18.2 **Proactive measures of performance:**

- Corporate health and safety targets and Directorate health and safety action plans;
- Improvement Recommendations and Audit Opinion arising from the School audit programme;
- School Governing Bodies / Health & Safety meetings review of the audit report and any associated improvement recommendations (progress in relation to the action plan attached to the report is monitored by the Community Safety & Resilience Team);
- Quarterly safety committee meetings and the frequency of, and attendance at, safety meetings with actions identified at committee meetings and safety meetings, being undertaken;
- The number of accidents, incidents, near misses, RIDDOR incidents, occupational ill health reports and the number of occupational health referrals and any civil claims made against the Council (including Schools);
- Corporate health and safety arrangements, procedures and policies are being applied and adhered to and risk assessments are being developed, monitored and reviewed and accident trends are showing a continuous improvement to ensure legal compliance and best practice is achieved;

19.0 COMMISSIONING / CONTRACTED SERVICES

19.1 As the Council continually transforms, utilising different service delivery models consisting of a mixture of in-house, commissioned, partnerships and traditional client / contractor

relationships and services. It is important that all organisations including the Council take ownership of the risks they create and take proportionate steps to manage those risks. The Council will retain some health and safety responsibilities and cannot transfer or contract out their overall health and safety responsibilities even though the day to day responsibility for the delivery of work activities and managing risks might lie with a third party.

19.2 The nature and extent of the Councils responsibilities will depend on the arrangements in place for each contract. When managing the health and safety risks, the Council will consider their relationship with, and responsibilities towards all other parties in the supply chain, including possibly volunteers as well as the public and service users.

19.3 Commissioners and contract managers (inclusive of School based staff) will be required to ensure the following stages are considered and appropriately managed:

- **Specify -** during the planning stage the appropriate health and safety requirements of the contract are specified. It's important to consider the health and safety roles and responsibilities of all parties, this includes the responsibilities for the premise if the service provider is to occupy a WBC owned building.
- **Selection -** when selecting the contractor or delivery service provider, consider if the preferred bidder delivers best value and adequately addresses the real risks associated with delivery of the service - are the controls proportionate to the level of risk presented.
- **Monitoring –** working together with contractor, service providers and partners to meet agreed health and safety standards throughout the life of the contract. It is vitally important that performance is monitored and reviewed periodically with corrective action taken where required.

19.4 Commissioners must ensure that Council's policies and procedures; health and safety regulations and approved codes of practice are complied with by ensuring the requirements within the guidance notes GN41 Health and Safety Management Requirements for Procurement, Contracts and Commissioned Services.

20.0 HEALTH AND SAFETY AUDITING / INSPECTIONS

20.1 The Community Safety and Resilience Team undertake an annual audit programme, testing management arrangements in place across all LA Maintained schools and the VA and Academy schools that have chosen to engage the Council as their Competent Advisor.

20.2 The audit programme is a structured process of collecting information, analysing evidence and providing an assurance opinion on the efficiency, effectiveness and reliability of the total health and safety management system. The aim is to provide assurance to the Council of the adequacy of the systems in place or where necessary, recommendations for corrective action to ensure compliance with Health and Safety legislation and regulation. The key elements of the audit process identifies and follows the requirements of HSG 65 Plan, do, Check and Act Cycle (HSE 2013).

20.3 **Inspection of School premises by the Appointed Safety Representative**

- Safety Representatives should submit a written request for an inspection at least 14 days prior to any proposed inspection date (including location of proposed inspection), with alternative dates, and preferably when the relevant manager is available to attend the inspection.
- The request should be forwarded to the relevant Health and Safety Committee who will ensure that other interested parties are informed of the date and time of the inspection;
- Safety Representatives should record when they have undertaken an inspection, and the report should be forwarded to the relevant Manager who will discuss the report with the Safety Representative and ensure corrective action is taken to rectify any problems identified;
- Reports should not be delayed awaiting completion of remedial work or proposed action and for any actions that may have not been resolved these can be discussed at the relevant Health and Safety Committee.

21.0 USEFUL SOURCES OF REFERENCE

HSE online - www.hse.gov.uk
HSE books - http://books.hse.gov.uk/hse/public/home.jsf
WINNIE - Health and Safety
My School Services - http://www.myschoolservices.co.uk/

21.1 **INTERNAL CONTACTS**

Email address - cexhealth&safety@warrington.gov.uk

Head of Community Safety & Resilience **Tel: 01925 442657**
Resilience Advisers (Health and Safety) **Tel: 01925 442174/442169**

APPENDIX A

SIGNATURES OF ALL EXECUTIVE, OPERATIONAL AND ASSISTANT DIRECTORS;

The signatures of Senior Officers demonstrate a commitment to this policy and their roles & responsibilities:

Legal, Democratic and Elections

Name; **Matthew Cumberbatch** — **Head of Legal, Democratic and Elections (Monitoring Officer to the Council)**

Date; 5.4.18



Corporate Services Directorate

Name; **Lynton Green** — **Director of Corporate Services / Deputy Chief Executive and Section 151 Officer**

Date; 4.4.18



Name; **Gareth Hopkins** — **Assistant Director Customer and Business Transformation**

Date; 5.4.18



Name; **Claire Harris** — **Head of Finance Deputy Section 151 Officer**

Date; 4.4.18



Families and Wellbeing Directorate

Name; **Steve Peddie** — **Executive Director, Families and Wellbeing**

Date; 04.04.18



Name; **Vacant** — **Operational Director Adult Social Care**

Date: Insert date

Name; **Amanda Amesbury** — **Operational Director Children's Social Care**

Date: [starts May 2018]

Name **Paula Worthington** — **Assistant Director Early Help and Send**

Date: 04.04.18



Name: **Dr Muna Abdel-Aziz** — **Director of Public Health**

Date: **04.04.2018**



Economic Regeneration, Growth and Environment Directorate;

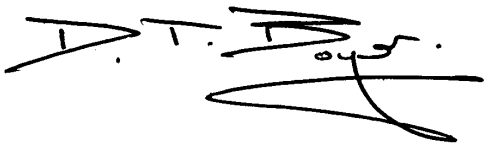
Name; **Andy Farrall** — **Executive Director**

Date; 28.03.18



Name; **David Boyer** **Assistant Director Transport & Operation**

Date; 28.03.18



Name; **Steve Park** **Managing Director of Warrington and Co**

Date; 28.03.18

