
CORPORATE HEALTH AND SAFETY POLICY

**Responsible Cabinet Member(s) - Councillor Don Bristow,
Resource Management Portfolio**

Responsible Director(s) - Paul Wildsmith, Director of Corporate Services

Purpose of Report

1. To report the Corporate Management Team and Joint Consultative Committee's recommendations on the adoption and implementation of a revised Darlington Borough Council Corporate Health and Safety Policy.

Information and Analysis

2. Corporate Management Team agreed on 2nd December 2004 to consult on proposals for the adoption and implementation of a revised Corporate Health and Safety Policy at the Joint Consultative Committee.
3. A report was presented (**attached as an Appendix**) to the Joint Consultative Committee's meeting held on 18th January 2005.
4. At this meeting, the Joint Consultative Committee supported the approval and implementation of the revised policy, and referred it to Cabinet for consideration.

Outcome of Consultation

5. Formal consultation was undertaken at the Joint Consultative Committee meeting on 18th January 2005 and this has been taken into consideration in the production of this report.

Legal Implications

6. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. The Health and Safety Policy is a legal document and a requirement of the criminal law on health and safety as detailed in the Health and Safety at Work etc Act 1974. The policy sets out how the Council intends to meet its legal obligations under this Act and all subsequent health and safety related regulations. Compliance with the policy is a legal requirement for all Members and Council employees, and non compliance could result in the potential for criminal prosecution of both the corporate body and individuals. Proper implementation of the policy will not only protect the Council and individuals from the threat of criminal prosecutions, but will also help the Council to discharge its duty of care as enshrined in civil law minimising the

impacts from civil litigation.

Section 17 of the Crime and Disorder Act 1998

7. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

Council Policy Framework

8. The issues contained within this report do represent a change to Council policy and the Council's policy framework in relation to health and safety. The changes are required to reflect changes within the Council and within the approach taken to the management of health and safety within all Council departments, services and schools. The revised policy sets out a modern framework for successful health and safety management, which takes account of best practice in the field of health and safety.

Decision Deadline

9. For the purpose of the 'call-in' procedure this does not represent an urgent matter.

Recommendation

10. It is recommended that the revised policy is approved and implemented in accordance with the Joint Consultative Committee report (**attached as an Appendix**).

Reasons

11. The recommendations are supported by the following reasons:-
 - (a) The changes to the current policy are required to reflect changes within the Council and within the approach taken to the management of health and safety within all Council departments, services and schools.
 - (b) The revised policy sets out a modern framework for successful health and safety management, which takes account of best practice in the field of health and safety.

Paul Wildsmith
Director of Corporate Services

Background Papers

Reports to the meetings of the Corporate Management Team on 2nd December 2004 and the Joint Consultative Committee on 18th January 2005.

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DRAFT CORPORATE HEALTH AND SAFETY POLICY

Purpose of the Report

1. To introduce the Joint Consultative Committee to the attached draft Corporate Health and Safety Policy and seek formal consultation on adoption by Darlington Borough Council following approval by Cabinet.

Background

2. The current corporate health and safety policy for Darlington Borough Council was adopted in April 1998 and requires revision. Since adoption of the current policy there have been many changes affecting the health and safety expectations and obligations for Local Authorities. In addition the Council has updated its approach to health and safety management and organisational changes are on-going. The policy has been revised to take account of these changes and sets out a modern framework for the management of health and safety across all Council Departments, services and schools.

Changes Since Adoption of Current Policy

3. The main legislative changes impacting on Council Health and Safety Policy have included the Management of Health and Safety at Work Regulations 1999, the Control of Asbestos at Work Regulations 2002 and the Control of Substances Hazardous to Health Regulations 2002. The impact of the above legislation has been incorporated in the revised Policy or in specific Corporate Health and Safety Arrangements.
4. Various initiatives affecting health and safety have been introduced since 1998, and one of the most important is the Government Revitalising Health and Safety Initiative. This initiative sets national targets for improving health and safety performance, requires all Local Authorities to act as exemplars in terms of health and safety management and to report on their health and safety performance. In addition the National Joint Council for Local Government Services have issued Health and Safety Guidance for inclusion in the Green Book as Part 4.7. This guidance promotes a modern, collaborative approach to health and safety management. Both of these initiatives have been considered in drafting the revised Policy.
5. The approach to health and safety management within the Council has been modernised taking account of Health and Safety Executive advice contained in their guidance document, Successful Health and Safety Management. This approach adopted by the Council was set out in reports to CMT in March 2001 and to this Joint Consultative Committee in June 2001. The revised Policy takes account of how health and safety management has evolved inline with these previous reports.

6. Various organisational changes to Council structures and procedures have impacted on how health and safety is now managed. Changes in terms of the elected members roles and the introduction of the Organisational Development Strategy have been taken into account in drafting the revised Policy. The revised Policy will set the framework for the development of the health and safety management system for the new Children's Services Department.

Policy Content

7. The introduction to the Policy links health and safety to wider Council agendas and requires the same commitment from all Council employees, partners and contractors. Improving health and safety performance is linked to improving both our corporate and best value performance.
8. The Council's beliefs and core values attached to health and safety are included in section 2 and these set out the desired culture. It is recognised that improvement in health and safety performance can be achieved through management leadership, dedication of employees and the application of high standards in our work.
9. Section 3 details the Health and Safety Policy aims and objectives that the Council has adopted. These are to be worked towards in all Council Departments, services and schools.
10. The Council's health and safety management system is included in section 4. This covers the Council's systematic approach to health and safety management and includes sub-sections on Policy, Organising, Planning and Implementing, Measuring Performance, Reviewing Performance and Auditing. This sets out a framework for how health and safety is to be managed across all Council Departments, services and schools.
11. Section 7 contains the demonstration of commitment at the highest levels in the Council being signed by the Leader, the Cabinet member with Resource Management Portfolio and the Chief Executive. In addition we will all be required to demonstrate our own commitment as employees of the Council by completing and returning the tear off slip that will be included at the rear of the policy leaflet when it is produced.
12. Organisational responsibilities for health and safety are covered in Section 5. This section details the specific health and safety roles and responsibilities assigned to various posts and functions within the Council. These roles and responsibilities are supplemented by those assigned in Department Health and Safety Policy statements. Together these make clear the actions that should be adopted by various post holders, including those applicable to all Council employees.
13. Section 6 is a list of the Council's corporate health and safety arrangements that are currently adopted. These arrangements, together with Department arrangements set standards, systems and guidelines for the implementation of control measures for specific health and safety risks. These arrangements will be amended and updated as the need arises.

Implementation

14. The final version of the Corporate Health and Safety Policy will be produced in both poster and leaflet formats. Poster formats will be for display on suitable notice boards and next to the Health and Safety Executive law posters that must be displayed at all workplaces. The leaflet version will be distributed to members and all Council employees. This will be arranged through Corporate Services Department (Health and Safety team) in conjunction with administration sections within departments. Managers will need to ensure that the Policy is implemented in the areas under their control.
15. A key area to address is to ensure that all employees understand the implications of the Policy. It is necessary for the Policy to be included as an agenda item on all team meetings at every level. Departmental Management Teams will have to assess the implications of the Policy for their Departments and plan for implementation.
16. Managers will need to ensure that arrangements for departmental induction are updated to ensure the Corporate Health and Safety Policy is communicated where appropriate.
17. The Corporate Services Department (Health and Safety team) will ensure that corporate induction and any training provided by Health and Safety Officers takes account of this Corporate Health and Safety Policy where relevant.
18. Ensuring compliance with the Health and Safety Policy is a line management function and all Council managers and supervisors are responsible for monitoring implementation. This management role will be supplemented by the support services provided by Health and Safety Officers from Corporate Services Department (Health and Safety team) who will monitor the effectiveness and implementation of the Health and Safety Policy. The Policy will be kept under review and any improvement action will be initiated as appropriate. The Joint Consultative Committee will also monitor implementation.
19. All employees are required to follow the guidance contained in the Health and Safety Policy and play their part in protecting the health and safety of themselves and others.

Recommendation

20. The Joint Consultative Committee are asked to agree the Corporate Health and Safety Policy and recommend its approval by Council and following approval, its introduction and implementation.

Paul Wildsmith
Director of Corporate Services

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**DARLINGTON BOROUGH COUNCIL
CORPORATE HEALTH AND SAFETY POLICY**

“Striving for excellence in reducing risks and protecting people”

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1. Introduction

This leaflet explains the Council's Health and Safety Policy and Management System. It is our policy that compliance with legislation is our minimum standard and that achieving excellence in health and safety means adopting best practice. Our commitment to health and safety forms part of the Council's wider agenda of competitiveness, sustainability, risk management, public health and social responsibility. We require this same commitment from our partners and contractors. We believe that achievement of high health and safety standards reduces harm and losses due to accidents and incidents, and makes good business sense. Health and safety is key to management of our human resources, our organisational development strategy and change management.

This Health and Safety Policy has been developed jointly by the Corporate Management Team, the Leader of the Council and Cabinet Member with Resource Management Portfolio and is supported by the Trade Unions.

As part of our striving for excellence initiative implementation of the Health and Safety Policy and Management System contributes to improving our corporate and best value performance.

2. Our Beliefs and Core Values

Darlington Borough Council strives to provide a safe working environment for employees, service users, contractors and the general public. Our goal is to act as an exemplar in health and safety management and to ensure our procurement promotes best practice in health and safety. To achieve continuous improvement of our health and safety performance through management leadership, the dedication of our employees and the application of high standards in our work, Darlington Borough Council endeavours to implement the following core values:

Everyone's responsible for safety

All injuries can be prevented

There are no minor injuries

Safety is a condition of employment

Safety needs training

Keep checking how you're doing

Everyone has the right to challenge anyone and expect action

Take safety home

We can all learn from each other

You can keep improving

The Council's beliefs and values in relation to health and safety culture communicate the attitudes and behaviours we are all expected to adopt.

3. The Corporate Health and Safety Policy

Darlington Borough Council recognises and accepts its responsibility to provide a safe and healthy workplace and environment for its employees and to ensure that service users and members of the public are not exposed to risks to their health and safety by its activities.

3.1 Policy Aims

- To conduct all our activities so as to avoid, or adequately control, risks to health and safety
- To maintain a positive health and safety culture and continuously improve our health and safety performance
- To establish, monitor and review plans and targets for improving our health and safety performance

3.2 Policy Objectives

- To comply at all times with legislation and Health and Safety Executive codes of practice and guidance
- To identify all significant hazards arising from our activities, assess all the resultant risks to health or safety and develop and implement appropriate preventive and protective measures
- To ensure effective planning, organisation, control, monitoring and review of the preventive and protective measures
- To provide a professional occupational health service, including counselling and physiotherapy services
- To provide a professional health and safety support service
- To establish appropriate emergency procedures for situations of serious and imminent danger
- To provide and maintain suitable and safe vehicles, plant, equipment and systems of work
- To provide adequate health and safety training and supervision, and to take account of employees' capabilities as regards health and safety matters when assigning tasks to them
- To provide employees with comprehensible information on health and safety risks and preventive and protective measures
- To avoid safety, health and fire risks in connection with the use, handling, and storage of articles and substances
- To provide a safe place of work, safe access and egress, and a healthy working environment
- To provide suitable personal protective clothing/equipment, and ensure arrangements are in place for storage, maintenance and enforcement of use of such personal protective clothing/equipment
- To ensure adequate first-aid provision is made available based on an assessment of what is appropriate to the circumstances of each workplace
- When engaging contractors to undertake work or services on behalf of the Council to:

- Vet their health and safety competence before engaging contractors
- Apply appropriate specifications and/or contract conditions with a view to ensuring that contractors develop and implement preventive and protective measures that will maintain an acceptable health and safety performance, throughout the contract
- Provide contractors with all relevant health and safety information and guidance about Council premises, land and projects, on which they will be working
- Monitor and exercise appropriate control over the health and safety performance of contractors. Also, where relevant, to co-ordinate the health and safety performance of more than one contractor

4. The Health and Safety Management System

Implementation of the Health and Safety Management System in all Council activities and services is achieved by systematic application. A flow chart is given in Figure 1.

4.1 Health and Safety Policy

4.1.1 Corporate Health and Safety Policy – This sets out clearly where the Council stands on health and safety management and is covered in detail in section 3. Departments are required to actively pursue the policy aims and objectives.

4.1.2 Departmental Health and Safety Policy – All departments are required to establish department specific health and safety policy, organisation and arrangements to implement the health and safety management system incorporating departmental needs and responsibilities.

4.2 Organising

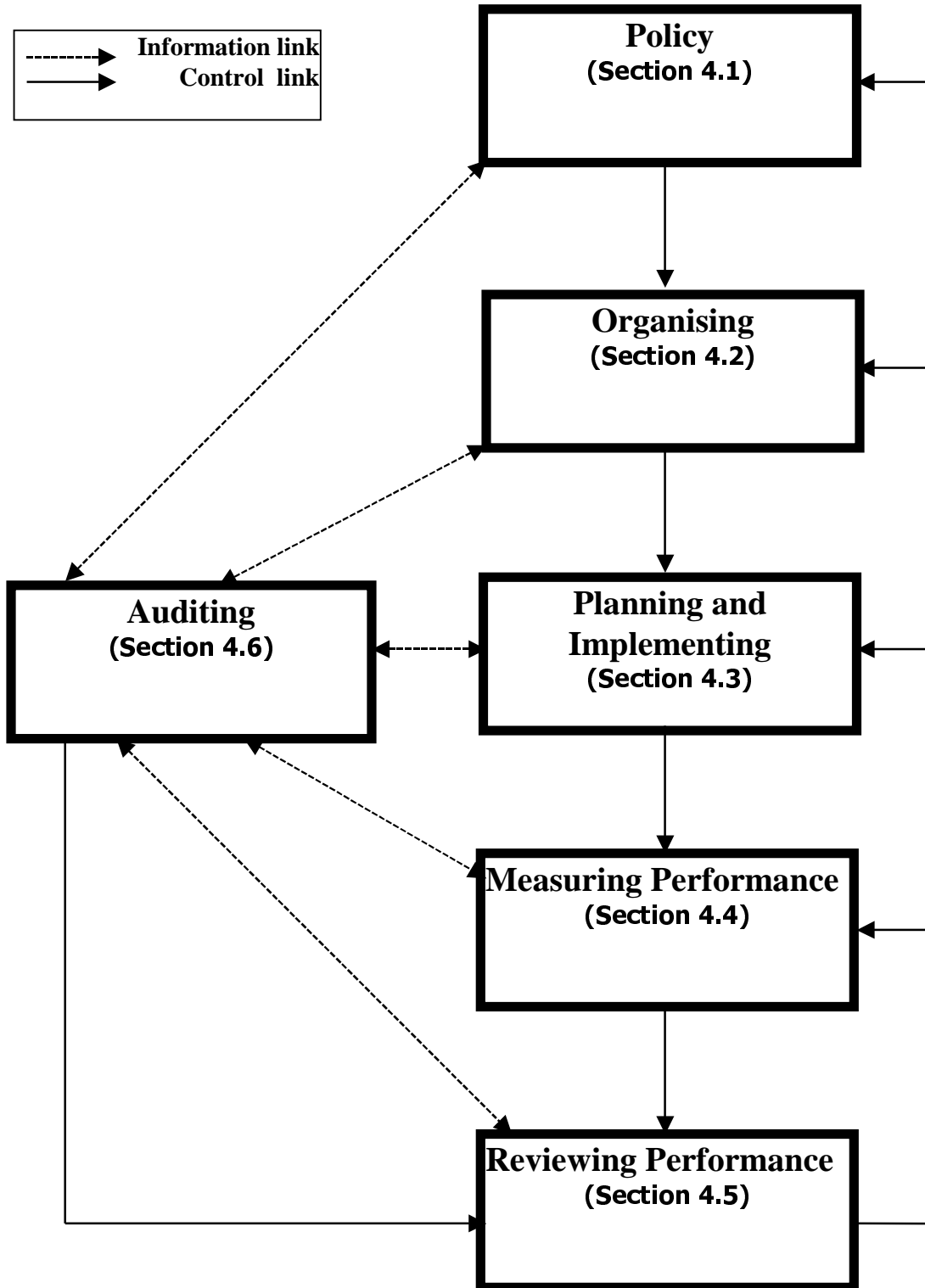
4.2.1 Responsibilities – Line management is responsible for health and safety performance and the implementation of corporate and departmental health and safety policy, arrangements and procedures. Specific health and safety roles and responsibilities have been assigned to various posts and these are included in the organisation section of this policy. The responsibilities of additional tiers of management are assigned in departmental health and safety policies.

4.2.2 Consultation – The Council has established mechanisms for consultation with Trade Union safety representatives. Management will consult at local level on issues and where appropriate at Departmental Consultative Committees or meetings. Corporate consultation takes place at the Joint Consultative Committee and all Consultative Committees have written constitutions.

4.2.3 Training – Departments systematically identify health and safety training needs for different employee groups, meet those training needs and keep current records.

4.2.4 Induction – All employees attend corporate induction, covering general health and safety within the Council, and departmental induction by line management covering job specific health and safety.

Figure 1
A Flow Chart illustrating the Key Elements of Darlington Borough Council's
Health and Safety Management System



4.2.5 Health and Safety Clauses – Suitable clauses to highlight health and safety responsibilities are included in all employee contracts and job descriptions.

4.2.6 Performance Development Review (PDR) – The PDR framework is used to set and measure performance against health and safety targets and objectives. PDR is also used to identify health and safety development needs of individuals and monitor competency development.

4.2.7 Work Groups – Occasionally work groups will be established to help develop, monitor and review specific Council health and safety initiatives to meet legal requirements or promote continuous improvement. The membership of groups will where appropriate involve relevant Trade Union safety representatives.

4.2.8 Communication – Health and safety information is communicated through line management with health and safety as an agenda item at all levels of team meetings. Information is documented in standard corporate and departmental health and safety arrangements available in electronic and hard copy. The Intranet, Flyer, departmental newsletters and notice boards are also vehicles for health and safety communication.

4.3 Planning and Implementing

4.3.1 Health and Safety Action Plans - Departments are required to develop, maintain and report on health and safety action plans to ensure continuous improvement in health and safety performance.

4.3.2 Risk Assessments – Risk assessments are conducted and recorded by service managers for all Council activities using the Councils corporate system and guidelines. Findings of risk assessments are communicated to employees. Risk assessments are reviewed periodically and following any significant changes to ensure they remain suitable and sufficient.

4.3.3 Arrangements – Corporate and departmental health and safety arrangements are the standards, systems and guidelines for the implementation of control measures for specific health and safety risks. Arrangements are developed and implemented in accordance with the risk profile of individual departments and services. A list of current corporate health and safety arrangements is included in the arrangements section of this policy.

4.4 Measuring Performance

Day-to-day health and safety monitoring is a line management function. Health and safety performance is formally measured during manager and supervisor inspection in accordance with the corporate health and safety arrangement – Monitoring Health and Safety Standards. Reactive measurement is by managers and supervisors implementing the corporate health and safety arrangement – Accident Reporting and Investigation Procedures. In addition the Health and Safety Team measures performance by audit, inspection and through accident/incident reporting and investigation.

4.5 Reviewing Performance

Performance is reviewed and reported at corporate and departmental management team meetings on a regular basis and formally on a six monthly cycle. Performance is measured against health and safety performance indicators and targets, and in terms of the achievement of departmental health and safety action plans. Opportunities are sought for credible and suitable benchmarking.

4.6 Auditing

A programme of health and safety audits is delivered across all Council departments in accordance with the corporate health and safety audit system. Departments ensure that suitable audit programmes are in place and audit action plans are fully implemented.

5. Organisational Responsibilities for Health and Safety

This section details the specific health and safety roles and responsibilities assigned to the following posts and functions.

5.1 Leader of the Council

To ensure the work of the Cabinet is conducted in accordance with the Council's policies and procedures for health and safety and with due regard for any statutory provisions set out in legislation.

5.2 Cabinet Member with Resource Management Portfolio

This portfolio holder has an individual responsibility for health and safety and in particular will:

- Chair the Council's Joint Consultative Committee
- Act as Member's contact point for ensuring that Council decision-making is in line with Council policy and procedures for health and safety and any statutory provisions set out in legislation

5.3 Members

Members shall ensure that all the decisions they make are in line with Council policy and procedures for health and safety and any statutory provisions set out in legislation. This principle is to be borne in mind by all committees and during all contacts with employees and members of the public.

5.4 Chief Executive

The Chief Executive takes overall responsibility for the Council's health and safety performance and in particular is required to ensure:

- Decision-making is in line with Council policy and procedures for health and safety and any statutory provisions set out in legislation
- Health and safety performance is continually reviewed
- Suitable action plans for improving health and safety are developed and implemented
- The performance development framework is used to measure the performance of Directors against smart health and safety targets and objectives

5.5 Directors

Directors take overall responsibility for health and safety within their departments and sphere of influence. In particular Directors are required to:

- Implement corporate health and safety policy and arrangements
- Develop, implement and review departmental specific health and safety policy, organisation and arrangements in line with the departmental risk profile
- Uphold our beliefs and core values and require the same from departmental managers, supervisors and employees
- Develop, implement and review structures and systems within the department to promote management control, co-operation, communication and competence
- Use the performance development framework to measure the performance of senior managers against smart health and safety targets and objectives
- Develop and implement a departmental health and safety action plan for continuous improvement in health and safety
- Ensure risk assessments remain suitable and sufficient and are communicated to employees
- Ensure effective proactive and reactive monitoring of health and safety at all management levels
- Measure and review departmental performance against indicators, targets and departmental health and safety action plans
- Implement a departmental health and safety audit programme and progress remedial actions

5.6 Managers and supervisors

The responsibilities of additional tiers of management are assigned by the Director in departmental health and safety policies. In general where a manager or supervisor has an operational responsibility for the organisation or control of any Council undertaking or activity, he/she also carries the responsibility for doing all within his/her power to ensure an acceptable level of health and safety during the conduct of that undertaking or activity. This policy requirement also applies to specialist officers who have organisational and/or control responsibilities, and to school governors. In all cases this policy requirement reflects the legal duties placed on such persons by the criminal law on health and safety.

5.7 Departmental Health and Safety Co-ordinators

Departmental Health and Safety Co-ordinators are Director appointed senior managers taking a co-ordinating role for health and safety within a specific department. Their role is to co-ordinate the health and safety effort across the department and to lead in health and safety planning, reporting and review. Co-ordinators are required to meet on a regular basis with Directors and Lead Health and Safety Officers to ensure health and safety plans and performance are continually reviewed.

5.8 Health and Safety Team

The Corporate Services Department Health and Safety Team are appointed as the Council's competent persons providing a comprehensive health and safety support service to Members and Council employees. Professional Health and Safety Officers assist departmental managers in the conduct of risk assessments and provide comprehensive health and safety advisory, monitoring and training services, assisting in the development of health and safety arrangements. However, neither under the terms of this policy, nor under health and safety law, can the Health and Safety Officers relieve managers and supervisors of their operational health and safety responsibilities.

5.9 Workforce Development Team (HR) and Departmental HR Teams

The Corporate Services Department Workforce Development Team and Departmental HR Teams are responsible for co-ordinating the provision of health and safety related training to meet corporate and departmental needs.

5.10 Trade Union Safety Representatives

Trade Union Safety Representatives are fully consulted on matters affecting the health and safety of employees they represent, in compliance with the Safety Representatives and Safety Committees Regulations 1977. Formal consultation with Trades Unions on health and safety takes place on a corporate level at the Joint Consultative Committee, and where appropriate at departmental consultative committees/meetings.

5.11 All Employees

All employees have an important part to play, and are under a legal obligation to co-operate on matters of health and safety. Any failure to fulfil health and safety duties and responsibilities may result in disciplinary action. In particular all employees are required:

- To take reasonable care for the health and safety of themselves and others, who may be affected by what they do or fail to do at work
- To co-operate with all managers, supervisors and Health and Safety Officers on health and safety matters
- To familiarise themselves with, and to act in accordance with, any health and safety guidance, instructions or procedures etc., which have been issued to them or otherwise brought to their attention
- To act in accordance with any safety training which has been provided to them, or any verbal safety instructions issued to them
- To make full and proper use of any personal protective equipment and clothing provided to them, in accordance with instructions or training received. To report any loss of, or obvious defect in, such personal protective equipment or clothing to their supervisor or manager
- Not to take part in any horseplay or to interfere with or misuse anything provided in the interest of health, safety or welfare
- To report any accident to themselves, no matter how minor the injury, by informing their supervisor or manager. To be done on the day of accident or as soon as possible thereafter. Also to report, to their supervisor or manager, any accident to a non-

employee whilst on Council premises or sites or affected by Council activities, which comes to their attention

- To report to their supervisor or manager any work situation which they consider to represent a serious and immediate danger to health and safety, or any matter which they consider to represent a shortcoming in current arrangements for health and safety
- To strictly follow any laid down emergency procedures in the event of serious imminent dangers, such as fire situations

6. Arrangements for Health and Safety

Corporate and departmental health and safety arrangements set standards, systems and guidelines for the implementation of control measures for specific health and safety risks. Arrangements are developed and implemented in accordance with the risk profile of individual departments and services. A list of current corporate health and safety arrangements is included below and this will be added to as the need arises.

Accident Reporting and Investigation Procedures
Alcohol at Work Policy
Asbestos Management in Darlington Borough Council
Bomb Threat – Guidance to Managers on Responding to the Threat of a Bomb Attack
Cash Handling Policy
Contractor Guidance – Health and Safety Standards for Contractors
Contractor Vetting – Health and Safety Contractor Assessment
Cross Infection Control (General)
Cross Infection Control (Caring Sector)
Display Screen Equipment Policy and Guidance
Electrical Appliances Guidance
Event Management Guidance
Hand Arm Vibration Syndrome
Hypodermic Needle Guidance
Ladders Guidance
Ladders Inspection Procedure
Legionella – The Control of Legionella Bacteria in Council Premises
Manual Handling of Objects Guidance
Manual Handling of People – Managers Guidance
Manual Handling of People – Employees Guidance
Manual Handling of People – Techniques
Method Statement System and Procedure
Mobile Telephones
Mobile Elevating Work Platforms
Monitoring Health and Safety Standards Procedure, Checklist and Report
Office Health and Safety Managers Guidance
Office Health and Safety Employees Guidance
Outdoor Workers - Advice for Working in Hot Weather
Procurement – Health and Safety Issues in Procurement
Smoking – Managers Guide to the No Smoking at Work Policy
Stress Policy
Stress Manager Guidance
Stress Employee Guidance
Stress Generic Risk Assessments

Substance Misuse Policy
Violence at Work Policy
Violence at Work Guidance – Dealing with Potentially Violent or Threatening Situations
Violence at Work – Corporate Potential Risk Indicator System
Working at Heights

7. Signatures

The Council expects and requires all of us to sign up to health and safety. The signatures below demonstrate commitment at the highest levels of the Council to this health and safety policy and management system, and to the continuous improvement in our health and safety performance.

Leader of the Council

Councillor John Williams

Signature

Date

Cabinet Member with Resource Management Portfolio

Councillor Don Bristow

Signature

Date

Chief Executive

Barry Keel

Signature

Date