

**MANCHESTER CITY COUNCIL  
REPORT FOR RESOLUTION**

**COMMITTEE:** PERSONNEL  
**DATE:** 11 FEBRUARY 2009  
**REPORT OF:** CITY TREASURER AND  
HEAD OF CORPORATE PERSONNEL  
**SUBJECT:** CORPORATE HEALTH AND SAFETY POLICY

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**PURPOSE OF REPORT**

To seek City Council approval for a revised Corporate Health and Safety Policy.

**RECOMMENDATIONS:**

That the Committee approve the attached Corporate Health and Safety Policy.

**FINANCIAL CONSEQUENCES FOR THE REVENUE AND CAPITAL BUDGETS:**

None direct.

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**BACKGROUND DOCUMENTS**

Appendix A: Manchester City Council Health and Safety Policy.

**WARDS AFFECTED**

All

**IMPLICATIONS FOR:**

**ANTI POVERTY    EQUAL OPPORTUNITIES    ENVIRONMENT    EMPLOYMENT**

No

No

No

No

## **1. INTRODUCTION**

- 1.1 This report sets out recommendations for the revision of the City Council's Health and Safety Policy Statement. The Health and Safety at Work, etc. Act 1974 requires that the City Council has an up to date policy for health and safety that defines how the City Council organises key responsibilities and arrangements, to ensure the health, safety and welfare of all Council employees and those who may be affected by the activities of the City Council.
- 1.2 Following a review of current health and safety management standards and the effectiveness of current arrangements, it has been judged necessary to change how the City Council manages health and safety to support improvements.
- 1.3 The enclosed revised Health and Safety Policy is intended to support these improvements.

## **2. BACKGROUND**

- 2.1 The principal health and safety duties are defined in the Health and Safety at Work etc Act 1974 and the Management of Health and Safety at Work Regulations 1999. The central duty being to undertake risk assessments of significant risks and in turn, commission appropriate control measures to protect the health, safety and welfare of employees, our partners and the general public.
- 2.2 A critical component of an effective health and safety management system is the commitment and engagement of directors and senior managers. In accordance with Health and Safety Executive (HSE) guidance on the 'Role and Responsibilities of Directors', in 2003 the City Council's approach to health and safety was changed. This resulted in the City Treasurer becoming the lead Strategic Director with responsibility for health and safety within the City Council.
- 2.3 Operational Directorates are currently supported by specialist, professional Health and Safety officers under the management of the Personnel Manager (Health, Safety and Welfare).
- 2.4 Increasingly, a partnership approach is taken to improve health and safety standards within services. The Health and Safety service in partnership with Corporate Technical Services have made significant progress in improving the management of serious property related health and safety risk, in particular the control of asbestos and Legionella. This approach will be extended to supporting services in meeting duties to undertake fire risk assessments of premises the City Council owns and operates.

- 2.5 The current HSE agenda is for organisations to take a 'sensible' approach to health and safety where the focus is on serious health and safety issues. Work is currently ongoing to harmonise City Council procedures and guidance for the management of risk with the purpose of supporting managers to mainstream risk management for the benefit of service delivery.
- 2.6 The Corporate Manslaughter and Corporate Homicide Act 2007 was enacted into law in April 2008. The Act includes powers for a corporate body to be convicted of corporate manslaughter when a person is killed as a result of the way the organisation is managed or organised and the failings by senior managers' amount to a gross breach of duty owed to the deceased.
- 2.7 The Corporate Manslaughter Act does not alter the requirements of existing health and safety legislation. However, it significantly raises the potential financial and reputation consequences of a failure to adequately manage health and safety. Courts are empowered to impose fines in the region of 5% of annual turnover as well as impose publicity / remediation orders. The Act does not apply to City Council activities involving: public policy decisions; statutory function inspections; law enforcement; and child protection.
- 2.8 If the Health and Safety (Offences) Bill receives Royal Assent it will introduce the option of imprisonment for a range of health and safety offences including: recklessness involving the possibility of serious harm; deception intended to undermine enforcement; deliberately creating serious risk with a view to profit; and serious neglect leading to major injury or death.
- 2.9 The Health and Safety Executive (HSE) are under increasing pressure to increase enforcement activity and this has resulted in HSE inspectors being evaluated on their achievement of quotas on enforcement notices and prosecutions. It is therefore foreseeable that inspectors may have less scope to agree informal approaches to health and safety issues.
- 2.10 The revisions of the Health and Safety Policy are intended to strengthen the Council's health and safety governance framework and provide Strategic Directors with a straightforward process for satisfying themselves of the appropriateness of health and safety controls in their service areas, and continuing achievement of required performance standards. An audit trail of performance compliance will support both the City Council corporately and individual senior managers by evidencing that a reasonable approach to health and safety management has been taken.

**3. KEY INTERNAL PRIORITIES FOR CHANGE IN THE MANAGEMENT OF HEALTH AND SAFETY**

- 3.1 **Better Risk Management** – An integrated approach to risk management both supports increased manager confidence in the identification and management of risks, leading to improved internal governance and better use of resources.
- 3.2 **Safer Premises** – The effective management of premises related health and safety issues is an essential component of the health and safety management system. The introduction of the Corporate Landlord supported by a programmed approach to statutory inspections and essential servicing will enable the City Council to demonstrate minimum legal standards are met. A targeted approach to assurance auditing will support increased accountability for local managers to meet City Council standards in the management of legionella, asbestos and fire safety.
- 3.3 **Competent managers and employees** – Current health and safety training for managers and employees are variable across the City Council. The introduction of Council wide mandatory training standards supported by the introduction of e-learning programmes, employee health and safety guide and facilitated service risk assessments will incrementally increase coverage across the City Council.
- 3.4 **Better health and safety governance** – Link the audit and review process to improvement plans which form the interventions for ensuring the continued development of health and safety within services. This will support the development of evidence at both the strategic and operational level of managers' commitment to ensuring the health, safety and welfare of employees and the public.
- 3.5 **Improved employee engagement** – The continued development and maintenance of health and safety systems are dependant on the creation of a safety culture where both managers and employees have a shared awareness of risk and agreement of the suitability of planned measures to manage those risks. Current consultation with employees and trade unions is bespoke with the need for a more structured approach developed. This will enable a joined up approach to reviewing health and safety performance and the development of plans to improve the health and safety standards.

**4. REVISED HEALTH AND SAFETY POLICY**

- 4.1 The City Council's Health and Safety Policy has been revised to become an umbrella document that sets out the health and safety elements and processes at the Strategic Directorate and Service Management level. The revised approach has been developed with

the Corporate Risk and Insurance Manager and senior managers to ensure alignment with the strategic risk systems and measures to improve the City Council's corporate governance. The proposed draft Health and Safety Policy is attached as Appendix A, for Personnel Committee consideration.

4.2 In summary, the revised Health and Safety Policy implements:

4.2.1 **Better Risk Management** – Using an integrated risk approach each service will have a current service risk assessment that summarises all key hazards / issues and how these will be managed.

4.2.2 **Safer Premises** – Improved systems for ensuring statutory inspections and essential servicing takes place. Standards will be supported by targeted compliance audits. Improved collaboration with services by all property related health and safety information being stored in the Capital Programmes Project Management System.

4.2.3 **Competent managers and employees** – Provision of mandatory standard health and safety training and information for all managers and employees.

4.2.4 **Better health and safety governance** – Each strategic directorate will have a dedicated health and safety policy statement. Each service will have an annual review of health and safety and improvement plan for health and safety. Each will maintain a service risk assessment which provides an overview of relevant risks and issues.

4.2.5 **Improved employee engagement** – Planned approach to employee / trade union participation in reviewing health and safety standards and interventions supported by strategic directorate health and safety committees.

## 5. CONSULTATION WITH THE TRADE UNIONS

5.1 The trade unions have been consulted on the proposed revised policy and this has been amended to reflect the trade unions' comments.

5.2 It was agreed that health and safety consultation meetings will continue on a quarterly basis. Improved working with the trade unions on health and safety will support a better integration of safety representatives and Safety Committees into the shared governance of health and safety performance within the City Council.

## **6. IMPLEMENTATION OF REVISED HEALTH AND SAFETY POLICY STATEMENT**

6.1 The revised Health and Safety Policy Statement will be implemented by a process of communication, support for managers in the management of health and safety and enhanced systems for accountability based on auditable reviews, health and safety plans and compliance audits.

### **6.2 Communication**

6.2.1 The revised Health and Safety Policy will be communicated to heads of services through established communication channels (Personnel Circular and Wider Leadership Team Briefing). This will include an outline of the revised Policy supported by a route map for implementing the changes across the City Council.

6.2.2 An employee Health and Safety guide has been drafted which promotes an overview of key health and safety messages, including the main elements of the revised Health and Safety Policy. This information will be supplemented by intranet based resources.

6.2.3 All employee induction and refresher training and manager Health and Safety training will include the key principles of the revised policy.

6.2.4 A tailored communication will be sent by each Strategic Director to their services which sets out the key arrangements for Health and Safety within their strategic portfolios.

### **6.3 Support**

6.3.1 Each Strategic Director will be supported by the Health and Safety service in drafting a Strategic Directorate Health and Safety Policy, review of current Health and Safety compliance and the development of local plans for improving Health and Safety standards.

6.3.2 Service managers will be supported in undertaking service risk assessments.

### **6.4 Accountability**

6.4.1 Specific plans including timescales will be agreed with the City Treasurer and the Head of Corporate Personnel with progress reporting to Strategic Management Team at six monthly intervals.

- 6.4.2 Each Strategic Directorate will regularly review progress in implementing Health and Safety improvement plans.
- 6.4.3 In conjunction with Internal Audit, the corporate Health and Safety audit tool will be amended to measures compliance with the above processes. The current reporting structure to the City Treasurer and Strategic Management Team will provide the opportunity to report progress and seek direction for key decisions regarding identified issues.