

Health, Safety & Welfare – Annual Report

Strategic Director: Vega Sturgess, Operations & Customer Focus
Assistant Director: Laurence Willis, Assistant Director Environment
Service Manager: Pam Harvey, Civil Contingencies Manager
Lead Officer: Pam Harvey, Civil Contingencies Manager
Contact Details: Pam.harvey@southsomerset.gov.uk or (01935) 462303

Purpose of the Report

In order to keep Members informed of health, safety and welfare issues relevant to South Somerset District Council activities and undertakings, an annual report is presented to the Audit Committee.

This report covers the period from March 2014 – February 2015.

The report contains an overview of health and safety matters and /or concerns, details of any new or impending Health & Safety legislation and comments on other health, safety or welfare matters that may have some impact on Council activities.

Recommendation

(1) That Audit Committee member's note and comment on the report.

Report

Health & Safety Management

Following the last report to Member's I am pleased to be able to report that there has been significant progress in a number of areas of health & safety management.

Health & Safety Management System

The TEN Health & Safety Management System is now regularly used by all services to enter and update risk assessments and to enter incident reports. There are now over 500 operational risk assessments spread across the Councils services, entered onto the system. There are also a significant number of COSHH assessments that have been entered onto the system. The Civil Contingencies Manager has a rolling programme of evaluation to ensure that the operational risk assessments are suitable for each activity.

Fire Risk Assessments

In order to properly conform to the Regulatory Reform (Fire Safety) 2005, all the Councils offices have been assessed as High, Medium or Low priority and a programme of inspections was completed during 2014. Each building has an action plan of remedial works that are required and this plan is being managed by Property services. Each Office now has a Fire Evacuation plan with all Fire Wardens trained and certificated for 3 years.

Annual Health & Safety Inspection's

All Council Offices have been inspected this year, and Property services have an action plan of works or modifications that are required.

Shared Office Project

During 2014 there has been some joint work taking place with Somerset County Council in terms of Health, Safety & Welfare matters.

Accidents Statistics

Period covered Mar 2014 – Feb 2015

Service	No of Reported Accidents	Days Lost	Comments
Streetscene	14	-	All minor accidents
Building Control	2	TBA	One minor accident and one major incident
Economic Development	4	-	All minor incidents
Community Health & leisure	1	-	Minor incident
Revenues & Benefits	4	TBA	All one person with a continuing problem*
Countryside	2	-	Minor accidents
Arts & Entertainment	2	-	Minor accidents
Property & Engineering	2	-	Minor accidents
Total	31		

Incident Statistics

Period covered Feb 2013 - Feb 2014

The Civil Contingencies Manager will give a verbal update on the incident statistics at the meeting and details regarding the major accident that happened in November 2014.

New Legislation relevant to SSSC

In April 2015 the Construction (Design and Management) Regulations (CDM) 2015 will come into force. This will mainly affect projects managed by Engineering & Property services and the changes are being discussed, the view is that the amendments to the regulations will have little effect on working practices.

Health & Safety Training

Funds are made available for Health & Safety training. The Safety Advisor administers the budget and bids for training are put to the Safety Panel for approval. There have been no applications for Health & Safety training in 2014.

Priorities for 2015

Re-launch the Health & Safety Panel: a verbal report on the changes will be given by the Civil Contingencies Manager at the meeting.

Continue to advise on Health & Safety matters in regard to the Shared Office arrangements

Review all Health & Safety policies

Manage the Health & Safety system

Annual Health & Safety Inspection of all Council Offices

Review Case Law and how that may affect Council operations

Carry out a full review of Ladder Safety to comply with regulations.

Case law:

Health and Safety Executive v Carillon AM Government Ltd [2014] Ipswich Crown Court, November 7

Statutory Reference: s.3 of the Health and Safety at Work, etc Act 1974 (HSWA).

The Facts

Carillon AM Government, a road maintenance company, has been fined after a motorcyclist suffered serious injuries when he collided with traffic signs.

- The company was responsible for placing a series of road signs warning of the closure of a junction on the A12 near Saxmudham.
- The roadworks ahead signs should have been placed at intervals of 800m, 400m and 200m ahead of the closure. In fact, the first indication was less than 200m before the road closure on the 50mph stretch of the road.
- Glyn Turner was driving his motorcycle south along the road when he collided with the traffic signs. He suffered multiple injuries and is now paralysed.

The Decision:

Carillon was fined £180,000 plus £28,500 costs for a breach of s.3 of HSWA, for failing to ensure the health and safety of non-employees.

A spokesperson for the Health and Safety Executive commented after the case that roadworks provide increased risk in what is already a very hazardous environment. Anyone doing work on our roads must take great care to warn road users in good time what to expect on the road ahead.

Health and Safety Executive v Bristol City Council (2014) Bristol Magistrates' Court, January 15

Statutory Reference: regulations 9 and 29 of the Provision and Use of Work Equipment Regulations 1998 (PUWER).

The Facts

- In May 2012 a park keeper employed by the council was carrying out maintenance work in Netham Park, Bristol. She was driving a tractor with a trailer attached. She braked as the tractor descended a slope. The tractor skidded and she turned to avoid a fence. The tractor overturned and she was thrown from her seat, suffering a fractured pelvis and seriously damaged Achilles tendon.
- The tractor was not fitted with a seat belt or any restraint. The council had not provided adequate training on the vehicle's use.
- The vehicle was almost new. It had been acquired shortly before the incident, outside the normal procurement procedure. No supplier training had been provided.

The Decision:

Bristol City Council was fined £20,000 plus £4700 costs for two breaches of PUWER.

Regulation 9 of PUWER states, in summary, that every employer shall ensure that all persons who use work equipment have received adequate training.

Regulation 26 states that where there is a risk of anyone being carried by mobile work equipment being crushed by its rolling over, the employer shall ensure that it has a suitable restraining system.

Health and Safety Executive v Cirencester Town Council (2014) Cheltenham Magistrates' Court, August 4

Statutory Reference: s.2 of the Health and Safety at Work, etc Act 1974 (HSWA).

The Facts

Cirencester Town Council has been fined following an incident in which an employee suffered serious injuries when a mower overturned.

- A groundsman employed by the council was carrying out routine cutting on the outside slope of the Cirencester Amphitheatre. The grass was two feet high. This made it difficult to see the ground conditions. The mower overturned, striking the worker. He suffered four fractured ribs and bruising.
- The slope being mowed was 64 degrees. The mower was not suitable for slopes in excess of 25 degrees.
- The mower was unsuitable for the task in hand. The council had failed to carry out a suitable and sufficient risk assessment for the work. The injured employee had not received proper training, information or instructions on how to carry out the work.

The Decision:

The Council was fined £12,000 plus £17,000 costs under s.2 of HSWA, for failing to ensure the health and safety of employees.

Comment

A Health and Safety Executive inspector commented after the case that the worker could easily have been killed, having been put at unnecessary risk because there were several other ways the work could have been safely carried out. It was an entirely avoidable incident and it was hoped that it served to remind employers to take all site conditions into account, including slopes, before choosing equipment to cut slopes.