

## The Moray Council

**HEALTH & SAFETY ANNUAL REPORT  
(January to December 2015)****1. Purpose**

- 1.1 The purpose of this report is to provide information on health and safety issues relevant to the Moray Council, and to define how the Council is dealing with them. It is also to give an overview of the Council's health and safety performance corporately up to the end of December 2015 and to raise awareness of any major risks we are facing and risk control improvements deemed necessary in the Council's systems to eliminate or mitigate these risks.

**2. Summary of Key Themes**

The culture change and engagement themes are beginning to embed and bear fruit, but have yet to realise their full potential. A development in emphasis is needed in some areas of our safety management system to allow the culture change process to develop in a way that is not detrimental to our objectives.

- a) Honesty & openness - Encouraging employees to be open about errors and engaging with them in reducing risk is critical to improving the system. It is important that lessons are learned and shared with a view to improvement. It is recognised that trying to drive down accident numbers by itself can be counterproductive to safety and so this is not the principle aim.
- b) Accountability, not blame - Finding out the true causes of incidents and empowering staff to want to stop them is the aim. Enabling staff to have confidence in reporting weaknesses and stopping unsafe practices will be a priority.
- c) Acting together – Leaders have made clear commitment to safety and this will be developed and emphasised in future actions. However, the people directly exposed to the risks have the choice to work safely or unsafely, and they must be provided with systems that allow the desired behaviours to happen and for them to speak out when there is a barrier to this.

**3. Introduction**

*"I'm not telling you it's going to be easy – I'm telling you it's going to be worth it."*

- 3.1 Two recent fatal accidents not too far from Moray should serve as a reminder that the operations some of our colleagues are involved with can, with just a moment's inattention, have dire consequences. We need to ensure that we have done all that is necessary to minimise the chances of such occurrences and never be complacent about the risks we expect staff to control.

- 3.2 The number of more serious accidents in Moray Council has reduced this year as has the time off work per accident, but it is too early and perhaps even dangerous to start celebrating. Many recent studies have indicated that focusing too much on driving down numbers may cause failures to be hidden and also give a false sense of security.
- 3.3 In the on-going climate of restraint coupled with a drive to reduce operating costs, it is imperative that changes to our risk exposure caused by savings and efficiencies are assessed from a health & safety viewpoint as well as from an equalities one. It has been clearly stated that the non-recurring savings will not affect essential health & safety activity but there is the possibility that unintended outcomes will result from constantly trying to do more with less. We are already noticing an increase in the desire to use volunteering to carry out non-essential maintenance tasks and while community involvement must be encouraged, it must also be carefully managed.
- 3.4 The main aims and objectives of the Health & Safety system remain constant but recent developments in thinking and the launch in December 2015 of the HSE's six themes to be covered by their 5 year strategy have been integrated with them to generate a more focused approach. The HSE strategy promotes:

**Protecting Lives, protecting quality of life and protecting livelihoods.**

5 of the 6 themes (the 6<sup>th</sup> relates to small businesses) are given below and where appropriate are set in the context of the council:

- i) Act Together- promote broader ownership of health and safety. True engagement with the workforce in securing improvements.
- ii) Manage risks well – simplify risk management and help business productivity. Know what our big risk issues are and deal with them in a non-bureaucratic way. Focus on outcomes & ensure proportionality in control action.
- iii) Tackle Ill Health: have measures in place to ensure that the four main works related health issues are adequately controlled: Hazardous substance exposure, noise and vibration exposure, musculoskeletal disorders and mental health.
- iv) Keeping Pace with Change – anticipating and tackling the new health and safety challenges
- v) Sharing Our Success – promoting the benefits of a positive health and safety system

#### **4. Review and Monitoring of Council Performance**

##### **4.1 Statistical Review**

- 4.1.1 **Appendix A** sets out an analysis of the Health and Safety incidents that were reported during the year January 2015 to December 2015 and compares these to the previous 2 years.

- 4.1.2 The main points to note are:

- i) There has been a slight reduction in the total number of incidents reported. The severity of incidents has also lessened but incidents have still occurred with a high potential to cause serious injury.
- ii) There has been a marked increase (43%) in the number of cases of challenging behaviour reported, the increase mainly being down to reports from within specific educational and social care establishments.
- iii) The top five accident types remain constant with trips slips and falls, being struck /striking an object, manual handling and falls from height all generating reports. This reflects the national picture and control action continues.
- iv) The categorisation of accidents in the system and the reporting procedures employed within departments restricts visibility of the total number of vehicle incidents we are actually having. The head of service in the area of the council most affected by vehicle issues is working to clarify the scale, causation and controls needed in this critical area. For most adults in the UK, a car accident remains the most likely cause of premature death and this level of risk makes it crucially important that the Council has sound monitoring and controls in place in relation to its vehicles. For many parts of the Council, especially waste and roads, vehicle movements are accepted as a critical area on which to focus.
- v) Of the 80 reports of accidents to school pupils, 66% were during play or sporting activities which are an inherent part of the school curriculum and social activities.

## 4.2 Review of Incidents/Accidents

4.2.1 Many would argue that it will never be possible to avoid all accidents, however, it is important to learn from the experience of accidents both as individuals and as an organisation and to adapt as a result so that the likelihood of recurrence is reduced. The following incident summary is presented as a sample to illustrate the nature and range of risks the council is managing and to inform decisions on improvement for the future.

### i. **Access Issues** (Service User)

- Whilst manoeuvring at the top of a disabled ramp, a service user drove his mobility scooter in reverse off the steps at the top of the ramp. Access and egress for disabled clients is an ongoing issue being addressed by various services.

### ii. **Adherence to Procedures** (Contractors)

- A contractor at a school suffered flash burns when he drilled into a metal switch/fuse enclosure and the drill bit contacted live parts inside the box. Proving a system dead before work commenced was the main failing.

- An operator unaware of the access rules regarding the waste recycling hall could have been struck by the loader. Strict adherence to procedures must be ensured.

iii. **Situational Awareness (Operative)**

- A mower operating near a footpath hit a passer by causing her to fall and injure her head and wrist. It was unclear if actual contact occurred or if the machine's proximity had been enough to cause her to fall. Operator situational awareness and ensuring that appropriate assessments are carried out of the suitability of machinery were two of the learning points.
- A number of other mower incidents were recorded in cemeteries with damage to head stones. Vehicle movements must be carried out with appropriate assessments & control measures in place.

iv. **Risk Assessment**

- A joiner injured himself lifting heavy windows in a refurbishment job. The window style had been changed since the risk assessment was carried out and the additional weight of the new style windows not taken account of.
- A member of staff in a school suffered a cracked rib and a back injury when trying to keep a child safe. He had a desire to climb out of the classroom window and she had a desire to stop him. Appropriate assessment of such children, appropriate environments for them and staff training were the main learning points.
- A school pupil had a clump of hair removed whilst using a lathe. Her hair had been tied back but some had come free. Nets or other better means of protection must be employed

v. **Safe System of Work**

- A plumber was using a Stanley knife to remove a plastic part from a tap. The knife slipped and he cut into his nail and the top of his thumb. A better system of work was the lesson from this incident.
- A reversing pick-up collided with a parked car in a residential car park. Use of a banksman when rearward visibility is compromised is recommended. Reverse parking in car parks so that visibility is better when leaving is also a consideration.

### 4.3 Review of Policy and Development Work

- 4.3.1 The engagement process continues in line with the work being carried out by HR as part of the culture change work stream. The workshop for first line managers was deferred till this year as CMT decided that engagement was needed at higher levels to clarify ownership and priorities. The work emanating from that forum of managers from all higher risk departments will be detailed in the action plan of this report.
- 4.3.2 A team talk was released early in the year to focus attention on risk. An audit for checking risk assessments has been developed to enable a benchmark exercise to be completed and is currently out with departments for comment.
- 4.3.3 A checklist approach is gaining popularity when safety critical requirements are placed on people with dynamic situations to contend with. It has been used with great success in the NHS, comes originally from the aviation industry and has been in operation in some sister authorities. It is far more than a tick box approach and ensures that safety critical steps in any job are not missed or forgotten.
- 4.3.4 The specific actions agreed in the 2014 Annual Report are set out below along with updates on progress.

2014 ACTIONS	TARGET	PROGRESS
1. Workshop for supervisors and managers in high risk services	Sept 2015	1: Workshops held with CMT/SMT and Direct Services senior managers resulting in corporate and service action plans. Workshop being planned for supervisors  3/4/5: 6 monthly H&S report presented to CMT in Jan 2016. Not complete for all services. CMT has work in progress to fill gaps.
2. Supervisors and managers held to account for ensuring safe practices used	Ongoing	
3. Health and Safety service reports produced 6 monthly	Dec 2015	
4. Health and Safety added as agenda item to team meetings	May 2015	
5. Senior manager overview fed back to CMT/SMT by Heads	Jan 2016	
6. Series of communications to enable all staff to see their health and safety responsibilities as necessary obligations	Mar 2016	6: Information has been published in Connect and in teamtalk. This action will be developed further in 2016 and is included in the workforce plan.  7: not achieved in timescale for 2015 survey. To be considered for future. 8: work underway to
7. Review employee survey questions to gather safety information for a bottom up approach;	June 2015	
8. Consideration of a safety specific "climate survey" for particular service areas to	Dec 2015	

<p>measure progress over time</p> <p>9. Employees held to account for not following safe practices</p>	Ongoing	<p>develop a climate survey in-house</p> <p>9: a number of incidents have been addressed, particularly in relation to driving.</p>
<p>10. Managers and supervisors encouraged to proactively discuss safety issues with their employees</p> <p>11. Health and Safety team to undertake more topic specific audits</p> <p>12. Health and Safety team to have increased presence and direct contact with operational services</p>	<p>March 2016</p> <p>March 2016</p> <p>May 2015</p>	<p>10: safety forums in Direct Services in place and being developed in other areas to support consultation and involvement</p> <p>11: underway e.g. working at heights, reversing.</p> <p>12: in place</p>

4.3.5 It has been challenging for the Health and Safety team to deliver on the actions set out above given their size and the operational emphasis on their work. However, most of the actions have progressed with the workshop sessions with managers having been particularly productive. The sessions recognised that the council has a comprehensive safety management system in place but identified that there could be improvements in the deployment and awareness of various aspects of it. In particular, improvement actions were identified in relation to:

- i) Consultation and Communication with employees – re-invigoration of health and safety groups; improved awareness of H&S system and better sharing of learning;
- ii) Risk Assessments – development of the process to enhance use on the ground and capacity building in services to develop understanding;
- iii) Audits and Inspections – development of peer review via safety representatives
- iv) Health and safety culture – confidence for workforce to report H&S issues; use of simple checklists; shared accountability.

4.3.6 While the 6 themes from the HSE strategy were not known at the time of the above work, the findings resonate with these themes and so the links have been made in the proposals for action in 2016/17.

## 5. National Developments.

5.1 As stated above, the HSE have launched a new strategy highlighting the importance of a proportionate response to risk, a focus on health as well as safety and the importance of using safety as a means of getting together with the workers and improving business performance in general.

5.2 The new Construction Design & Management Regulations are now fully in force and two slightly different approaches to compliance have developed in the departments most involved with these regulations. The regulations were

written to bring the three main parties in any construction project together with common goals for health & safety. (Client, Designer and Contractor.) In the Council there is an intermingling of roles within different departments and sometimes within teams and individuals. To ensure there is clarity and reasonableness in the allocation roles and responsibilities and that appropriate arrangements are in place to fulfil our legal duties work is underway with the relevant service representatives to gain agreement on standards and approach to be applied across all departments.

### 5.3 Some recent prosecutions of local authorities and others are worthy of note.

- A local Moray company was fined £10,000 after an employee was seriously injured in a fall from height where it was deemed that there were no suitable measures in place to prevent such falls.
- A Moray food manufacturer was found to have failed on a number of counts when an employee was seriously injured in its factory: assessment of risks; provision and maintenance of plant; safe system of work and information and training. A fine of £60,000 was levied.
- Two neighbouring councils were fined a total of £13,000 when a pupil on a school trip became submerged while swimming in a council pool and was recovered unconscious. Issues related to supervision at the pool and effective management of educational excursions.
- Two companies were fined a total of £77k after a lorry driver fell from the back of his lorry during a loading operation. A system of work had evolved rather than being defined and assessed by the employer. In a similar fall from a van a Scottish company was found at fault because it had failed to provide sufficient information, instruction, training and supervision to employees required to un/load equipment from van roofs.
- Three fines of more than a million pounds were levied against three companies for various breaches of legislation.
- One person died and two people were seriously injured in three excavation collapses which all ended in court action and large fines. In one case, both the company and the director personally were fined, even though he happened to be the person buried and injured.

## 6. Conclusions and Proposed Developments

- 6.1 Over the last two years, the Council has been working to improve the health and safety culture in the workplace by placing greater emphasis on safety, improved communication and better reporting of incidents. The 2014 annual report identified that there was a need to enhance this further in relation to the roles and responsibilities of managers and employees. There were also actions identified in relation to ensuring that the safety management system was in place and applied throughout the organisation.
- 6.2 This work has taken steps forward during 2015 with positive work having been undertaken at strategic level and with senior managers in the services where activities have the greatest risk. This was useful in re-affirming the support of senior management to drive improvements in safety and looking beyond the theoretical system to real application in services. The resulting actions will make a real contribution to improving health and safety. Cross cutting actions

will be taken forward corporately and service specific improvements will be established in Direct Services and Housing as a priority. Educational and Social care services have also begun work to re-invigorate their employee involvement and consultation arrangements and considering safety issues relevant to their services.

- 6.3 The approach adopted during 2015 has started to produce a cycle of improvement by identifying issues, investigating and considering them further and developing plans which are then reviewed for further refinement and action. It is proposed that this is taken forward with further development, action and monitoring during 2016 based around the strategic themes identified by the HSE.

## 7. ACTION PLAN

ACTIONS	TARGET FOR COMPLETION
<b>Act Together:</b> Workforce Consultation and Involvement	
1. Re-invigorate Health and Safety Committee <ul style="list-style-type: none"> <li>i) Review of membership and agenda to raise profile</li> <li>ii) Issues reported to enable lessons to be shared</li> <li>iii) 6 monthly report to CMT</li> <li>iv) Service H&amp;S groups to be re-invigorated</li> </ul>	
2. Enhance arrangements and confidence in relation to workforce identifying and reporting safety concerns	
3. Stop & ask or question campaign	
4. Checklist or Golden Rules to inform/empower saying no – mindful safety	
<b>Manage risks well:</b> implementing health and safety system effectively	
5. Awareness raising across services: <ul style="list-style-type: none"> <li>i) of what is in H&amp;S system already</li> <li>ii) aimed at cultural change (e.g. case studies from staff)</li> </ul>	
6. Risk Assessment <ul style="list-style-type: none"> <li>i) Develop RA Audit process – corporate and service level – check &amp; review use on ground (Audits will include consideration of supervision)</li> <li>ii) Prepare template/process for Pre work Risk Assessment where generic RA – check list for employees</li> <li>iii) Building capacity e.g. health and safety working with</li> </ul>	



supervisors on risk assessment audits to develop their skills and understanding	
<b>Keeping Pace with Change</b>	
7. CDM - clarification of roles and responsibilities within the CDM regulations and establishment of appropriate arrangements	
8. Driving – development of actions in response to the Glasgow Bin Enquiry	
<b>Sharing Our Success</b>	
9. Accidents data publicised and updated and lessons learned from experience shared e.g. through connect	
10. Use Moray case studies as part of training	