

APPENDIX 1

The Moray Council

**HEALTH & SAFETY ANNUAL REPORT
(January to December 2017)**

1. Purpose

- 1.1 The purpose of this report is to provide information on the performance of the council in ensuring the health and safety of staff and service users. Monitoring data is utilised and recommendations for improvements needed to procedures and systems are made.
- 1.2 The national situation on incidents and enforcement action in similar organisations is also considered so that learning can take place.

2. Summary of Key Themes

- 2.1 Improving the Council's safety culture has been a key thread in recent reports and continues to be the major issue. While there have been indications from the Council's workforce plans and previous health and safety reports that the safety culture is improving, embedding a change in culture is a long term aim. Research indicates that most workplace accidents are caused by errors and violations. The best way to stop accidents is to design the work with health and safety at the fore and positively encourage managers and workers to reduce risks to a minimum.
- 2.2 Obtaining a clear picture of success or improvement is also challenging, as measuring the things that shape our culture, such as the thoughts and attitudes of our people, is not easy. Many different subcultures exist across the organisation and efforts must be focused on specific higher risk areas and groups with constant checking that improvements have embedded.
- 2.3 A review of the policy statement on health and safety has taken place and a remodelled approach is being formed around the Plan, Do, Check, and Act management system. Key elements of poor behaviours found through incident investigation will be concentrated on with the strategic and departmental safety committees and forums being used as the main agents of change using managers and supervisors as a key part of the process.

3. Review and Monitoring of Council Performance

3.1 Statistical Review

- 3.1.1 **Appendix A** sets out an analysis of the Health and Safety incidents that were reported during the year January to December 2017 and compares these to previous years.

3.1.2 The main points to note are:

- i) A fairly static picture emerges in 2017 compared to the previous year. One more accident was reported in 2017 compared to 2016, which is not seen as statistically relevant. The statistics indicate comparable performance with other North of Scotland Councils as regards RIDDOR reportable accidents and national statistics of injuries, but this should not be relied upon, as being average is not a good aim in safety terms.
- ii) Compared to previous years, the severity of the incidents on the whole seems to be declining. This is not to be relied on as a measure of success as a number of accidents had the potential to cause far worse injury than they actually did.
- iii) Certain good indicators of improvement have been noted among all the information collated to monitor safety performance. Sheeting of vehicles and securing of loads has improved and further work will be carried out to learn why these behaviours have been adopted without too much encouragement.
- iv) Incidents of violence & aggression in schools continue to present problems in terms of categorisation and management.

3.2 Review of Incidents/Accidents

3.2.1 The following incident summary is presented as a sample to illustrate the nature and range of risks the council has faced and to inform decisions on improvements for the future.

i. Contractor Control

An accident involving a contractor falling through a roof onto process machinery in the waste sorting facility in Lossiemouth was the most significant incident of the year. The incident is of note not only due to the potential for the accident to have resulted in death or serious injury to the man involved, but in the attention it drew to failings in Council work at height procedures and contractor control systems.

A fee for intervention is to be levied for the material breaches that were uncovered.

ii. Not Following Safe Working Methods

An accident in Elgin where an employee using a ride on mower by the River Lossie tipped the machine into the river highlighted a number of issues requiring attention in our systems for ensuring safety during such operations.

iii. Fire at the Moycroft Depot

A fire in the mixed household waste bay at Moycroft spread to the waste paper bay and proved difficult for the Fire Service to bring under control. The fire could have spread into the plastic and can bay but did not. The fire was started by flammable liquid of unknown origin being put into the waste stream and a spark from the shovel loader igniting it during loading operations. The actions of two staff in helping the fire brigade to get to the seat of the fire and properly extinguish it, enabled the situation to be brought under control more quickly and with less chance of damage.

3.2.2 In addition to the above incidents, there was one other fee levied against the Council in this reporting period which was in relation to an asbestos incident during a recent council house renovation.

3.2.3 As a result of the above the following remedial actions are now being applied:

Contractor control

- Improvements are being made across the Council on Contractor Control, particularly requirements for procurement, vetting procedures, framework contract development, safety plan development and monitoring of site performance.
- All authorised procurers of contract labour to complete new Health and Safety training module.

Safe Working Methods

- Risk assessments in all high-risk areas to be audited and improvement plans agreed.
- Training for all operatives to be carried out on revised safe systems of work and practice monitored.

Fire Protection of New Waste Transfer Building.

- Research into the flammability of mixed household waste has been carried out on current good practices in this type of facility and a revised fire risk assessment completed. Meetings have also been convened with the architects and the management of waste to agree on sensible fire precautions for the new facility.

3.2.4 Underpinning all remedial actions is the requirement to ensure that managers at all levels of the organisation are fully aware of and compliant with their responsibilities with regard to the ongoing health and safety of their teams. This will be addressed through a combination of MMM training, training on specific issues, communications and engagement activity all of which will support the PLAN – DO – CHECK – ACT cycle.

3.3 Review of Policy and Development Work

3.3.1 Progress on agreed actions is noted below. There are always difficulties experienced in balancing reactive operational requirements and planned work. With limited resources and service re-structures, consideration will be given to how best to ensure the needs of service departments and the corporate governance and best value requirements of the Council continue to be met.

- 3.3.2 Improve workforce consultation and improvement – a new policy statement has been approved. Joint inspections with trade union representatives are underway depending on availability of resources. The suggestion scheme has been reviewed and will be promoted as part of the communication and engagement approach.
- 3.3.3 Managing risk – the majority of risk assessment audits are now completed. Action plans to improve quality are being progressed by departments and inspections to monitor adherence to controls are taking place.
- 3.3.4 Sharing success and learning from experience – a communications and engagement plan is in place with topics agreed by the Health and Safety Committee.
- 3.3.5 Developing the Health and Safety culture – safety alerts are being produced after serious incidents to prompt control action and reports are being provided to Directors within higher risk areas.
- 3.3.6 The planned actions this year were a distillation of previous plans after a re-assessment was carried out to define the priority issues. While good progress has been made on the majority of actions, full implementation of all actions will be completed during 2018. This will see a range of measures aimed at improving the awareness of and culture of the workforce towards their own and others' health and safety.
- 3.3.7 It is recognised that improving the culture of the workforce towards the importance of health and safety should be addressed both corporately and departmentally. This will be achieved through the implementation of training to support Moray Management Methods of which Health and Safety is a major component. Integration of health and safety into all departmental service plans with regular measurement of progress would also contribute significantly towards a faster pace of change and this will be picked up through the service planning process in the section on workforce issues. Currently there are a number of groups within services that consider specific health and safety issues and an approach to communications that will keep the health and safety profile raised within services and teams from a management perspective will be included in the communications and engagement elements of the action plan.

3.4 Service Demands

- 3.4.1 The main unexpected demands on the safety section were those arising from the contractor accident in waste and from a fire at the transfer depot at Moycroft. Focused work has also gone into ensuring that the Council practices are robust and would withstand scrutiny in relation to management of Hand Arm Vibration risks as other local Councils have been receiving attention from the enforcing authorities on this topic and it is likely that their focus will turn to the Council in the near future.

3.5 Future Action Planning

- 3.5.1 The contractor fall incident and subsequent HSE investigation prompted the creation of an action plan on contractor control issues and procurement practices as they relate to health and safety. This plan along with the current service plan, departmental plans and safety committee requirements will be merged into the next service planning cycle.

4. External Context and National Developments

- 4.1 New sentencing guidelines for fines for health and safety offences have increased the potential cost of fines. While public sector bodies are subject to the same guidelines as other organisations, the most common risks are often due to the external environment within which local authorities operate and provide their services.
- 4.2 Some recent prosecutions of local authorities and others gives an indication of priority areas for HSE action:
- A London Borough council was fined £100,000 for not adhering to own systems for ensuring staff safety during home visits.
 - Wrexham County Council was fined £150,000 for not controlling the risk from the use of vibratory tools.
 - Nottinghamshire Council was fined £1,000,000 plus costs after failing to carry out proper planning or risk assessment or implementing a safe method of working following an accident.

5. Conclusions and Proposed Developments

- 5.1 The number of accidents reported has remained relatively static during 2017 and more detailed work will be undertaken in higher risk areas to continue to work towards prevention of such incidents.
- 5.2 The Moray Management Methods training and the contractor control modules being offered in tandem with procurement will provide a good opportunity to further enhance the abilities of managers to better control the risks that their workers face at an operational level. This will include reference to the Plan-Do-Check-Act cycle to help ensure that risk elimination or control becomes more integral to our ways of working and will assist managers in creating a supportive environment of risk awareness and management.
- 5.3 Targeted auditing and inspection of the risk assessments for high-risk issues in all high risk areas will be advanced in line with the aims of the new safety policy contributing towards improved use of safe working methods.

6. Action Plan

- 6.1 The developments above have been taken to create the action plan to address the main findings from this report. These will become the focus of the work of the Health and Safety service during 2018 in addition to the work carried over from the current action plan and management of operational work in response to reactive situations.

| Actions | Target for Completion |
|---|-----------------------|
| Contractor Control – implementation and embedding of improvements in procurement, vetting procedures, framework contract development, safety plan development and monitoring of site performance | October 2018 |
| <p>Safe Working Methods – risk assessments in all high risk areas to be audited and improvement plans agreed with implementation milestones and timescales</p> <p>Training for all operatives to be carried out on revised safe systems of work using a prioritised approach</p> <p>Training for all supervisors and managers on monitoring of practice</p> | March 2019 |
| Training – provision of training to support manager understanding and activity through MMM training for Health and Safety, collaborative training to support improvements in contractor control and embedding safe working methods | October 2018 |
| Culture – communications and engagement activity in collaboration with Workforce Culture team to enhance manager and employee awareness of health and safety responsibilities | Mar 19 |