

# ADC Annual Corporate Health and Safety Report

1<sup>st</sup> April 2021 – 31<sup>st</sup> March 2022

## 1.0 Purpose

1.1 This is the Council's Annual Corporate Health and Safety Report which intends to summarise the management of corporate health and safety (including fire safety) and health and safety performance within the Authority between April 2021 and March 2022. Although the Council is not required by law to produce an annual health and safety report, it is considered best practice to do so. The report provides an update on the following key areas:

- (2) Health and safety management system summary
- (3) Health and safety performance / achievements
- (4) Accidents and incidents
- (5) Fire safety
- (6) Health and safety training
- (7) New legislation, guidance & best practice
- (8) Consultation
- (9) Health and safety inspections, audits and legal compliance
- (10) Enforcement agency activity
- (11) COVID-19 response and recovery
- (12) Conclusion
- (13) Planned activity for next year

## 2.0 Health and Safety Management System Summary

2.1 The Council operates a health and safety management system which fits into the Health and Safety Executive's Health and Safety Management System (HSMS) model, HSG65. This is based on the well-established Plan, Do, Check, Act approach:



The HSE's HSG65 HSMS Model

- 2.2 When applied correctly, this formal management framework system can help to reduce risk, build and maintain a positive health and safety culture and achieve a balance between systems and behavioural aspects of health and safety management. It also treats health and safety management as an integral part of good organisational management arrangements generally, rather than as a separate, stand-alone system.
- 2.3 The Council's Risk & Emergency Planning team are responsible for the provision of effective corporate health and safety and fire safety risk management arrangements and advice for managers across the Council including robust policies, procedures and processes that provide for the health, safety and wellbeing of employees and all other persons who may be affected by the Council's services and operations. This assists the Council in complying with its statutory corporate health and safety and fire safety obligations.

### **3.0 Health and Safety Performance 2021/22**

- 3.1 The COVID-19 pandemic continued to present ongoing challenges throughout 2021/22 which in turn continued to impact and influence the work of *all* service areas across the Council. 'Steps 1 to 4' of the Government's roadmap out of lockdown saw the relaxation of certain measures with businesses beginning to re-open in the summer of 2021. This was followed by the re-imposing of restrictions in 'Plan B' due to the spread of the new Omicron variant of Covid. Finally, after easing back restrictions once again with the move to 'Plan A', all remaining restrictions were removed when the Government published its strategy for 'Living with COVID-19'. Further details of the Council's response to the pandemic during the reporting period are provided in Section 11 of this report.
- 3.2 The Corporate Health and Safety Policy details how the Council manages health and safety and fulfils its statutory obligations as required by the Health and Safety at Work etc. Act and other relevant health and safety legislation. The Policy is kept up to date with new legislative requirements, guidance and best practice by the Risk & Emergency Planning team. The Policy was last reviewed in August 2021 and currently stands at version 5 / 2021.
- 3.3 The Council's corporate health and safety sub-policy/procedural guidance documents were fully reviewed and updated to account for any recent legislative, equipment, process and/or other significant workplace changes that have taken place since the last formal review. These sub-policies cover the following key areas of the Council's health and safety management arrangements:
- Health and Safety Risk Assessments
  - Control of Noise at Work
  - Control of Hand-Arm Vibration
  - Driving at Work
  - Display Screen Equipment
  - Lone Working
  - Manual Handling
  - Accident / Incident Investigation Guidance

- 3.4 Throughout the year, quarterly corporate health and safety reports have been presented to the Corporate Leadership Team to keep the team fully up to date with key health and safety developments during each reporting period. The scope of the report covers the following key areas:
- a) New or amended health and safety policies and procedures
  - b) New or forthcoming health and safety legislation, guidance or best practice
  - c) Health and safety incidents (including incidents involving fire)
  - d) Contact with external Enforcement Agencies
  - e) Health and safety audits and inspections
  - f) Health and safety training
  - g) Consultation and health and safety meetings
  - h) Evaluation of compliance
  - i) COVID-19
- 3.5 Good progress has been made with work to establish the reporting format for the Regulator of Social Housing's proposed health and safety Tenant Satisfaction Measures and key performance indicators in the Charter for Social Housing Residents White Paper. This work will continue to be tracked via the Council's Social Housing Regulatory Board which meets on a monthly basis.
- 3.6 New internal health and safety training courses were produced in the reporting period which now form part of the Council's portfolio of internally delivered health and safety courses, namely 'Health and Safety Awareness' and a refresher course covering the same subject matter. These courses have been specifically designed for employees within the Neighbourhoods & Environment and Transport service areas.
- 3.7 Management/performance indicators in relation to health and safety and fire safety compliance for the Council's residential sheltered accommodation and general needs blocks of flats were maintained satisfactorily throughout the period despite the significant disruption caused by the COVID-19 pandemic. Key areas covered by these arrangements are health, safety and security surveys of all communal areas, asbestos management, fire risk assessments and fire safety systems, passenger lifts and water hygiene (legionella control programme).
- 3.8 A full review, update and re-publication of the Tenant's Guide to Asbestos has been completed and this information can also now be accessed on the Council's website.

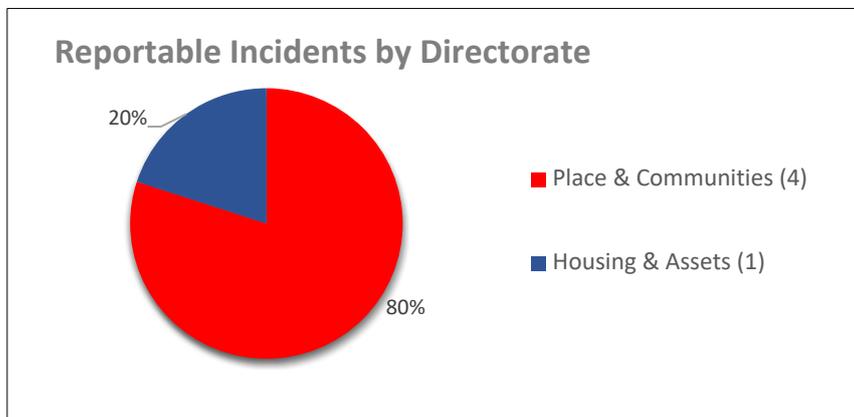
#### **4.0 Accidents / Incidents**

- 4.1 During 2021/22, there were five incidents categorised as 'reportable' to the Health and Safety Executive (HSE) under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR). These were categorised as a 'specified injury' (1), an occupational disease (1) and three incidents that resulted in the employees concerned being absent from work for more than seven consecutive days due to their injuries. Further details of these incidents including measures to minimise the risk of recurrence have been reported to the Council's Corporate Leadership Team via the quarterly corporate health and safety report.
- 4.2 All incidents categorised as 'reportable' to the HSE and statutory enforcement notices served on the Council over the last 4 years can be summarised as follows:

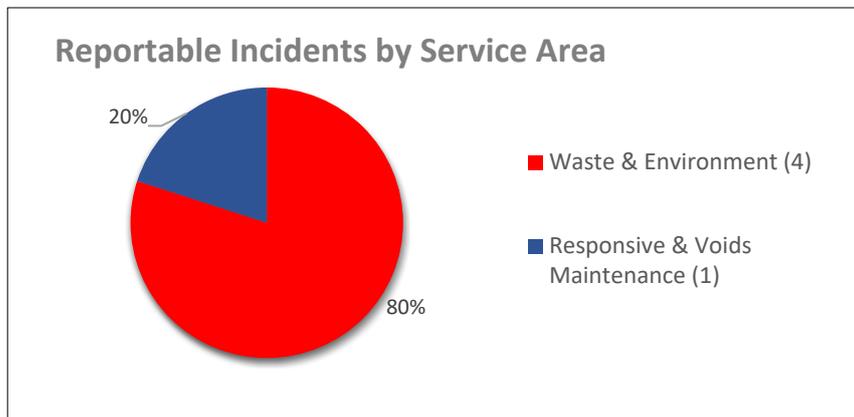
Type	2018/19	2019/20	2020/21	2021/22
Number of fatalities	0	0	0	0
Specified 'non-fatal injuries'	3	2	0	1
Non-fatal injuries to 'non-workers'	0	0	0	0
Number of 'over 7 day' absence injuries	1	2	3	3
Specified occupational diseases	0	0	0	1
Number of dangerous occurrences	2	0	0	0
<b>Total number of 'reportable' incidents</b>	<b>6</b>	<b>4</b>	<b>3</b>	<b>5</b>
Number of HSE Improvement Notices	0	0	0	0
Number of HSE Prohibition Notices	0	0	0	0
Number of HSE prosecutions	0	0	0	0

4.3 Incidents reported to the HSE by Directorate, service area and causation can be shown as follows:

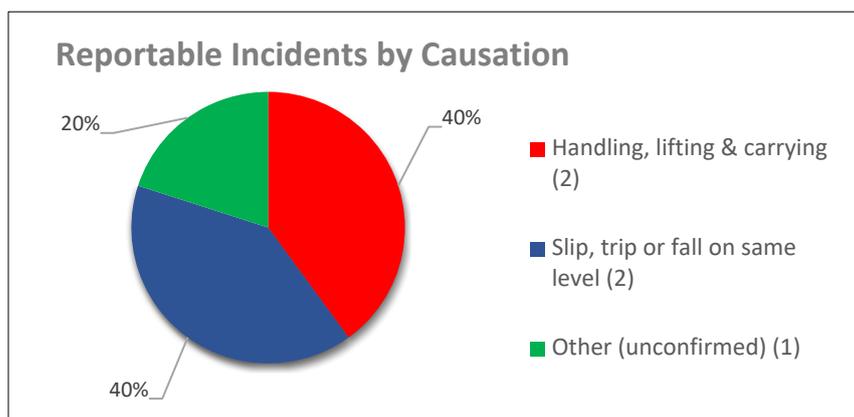
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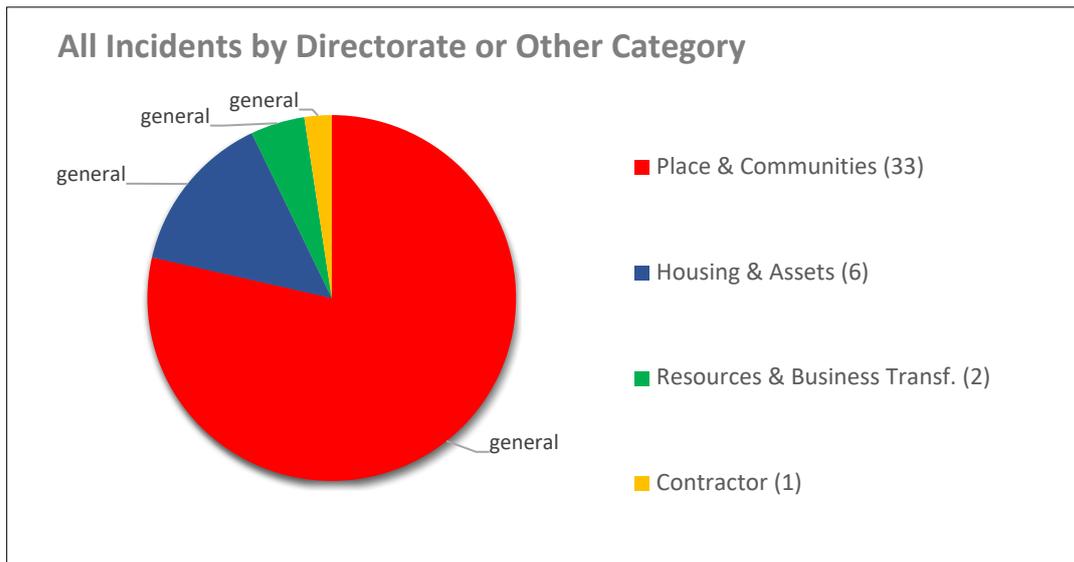
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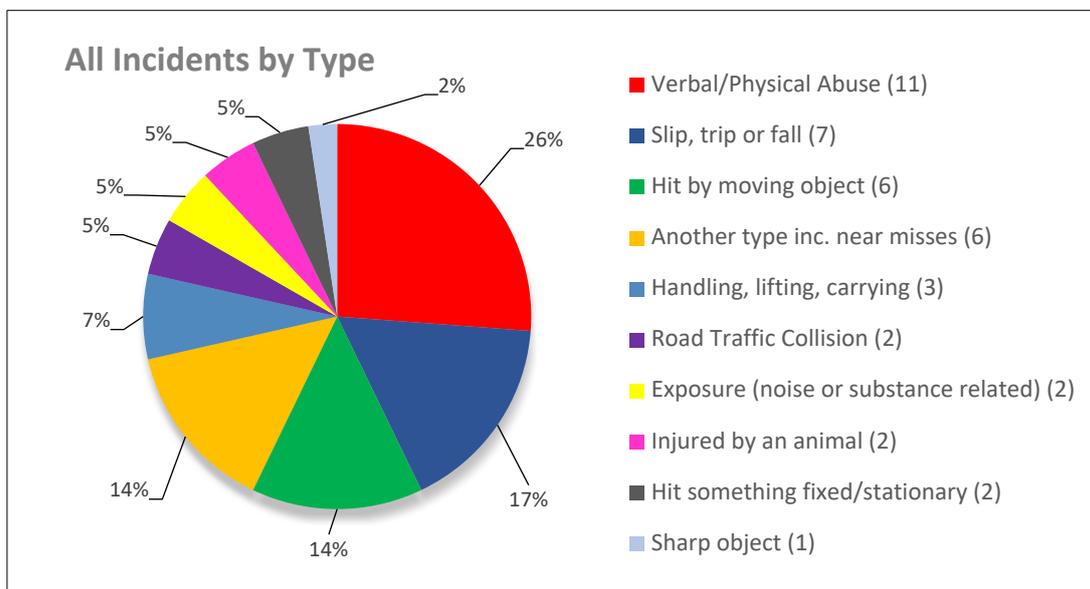
**All incidents for**

the reporting period, categorised by Directorate (or other category) can be shown as follows:



4.5 The total number of incidents for the year 2021/22 has fallen on the previous year's total by 26%. Positive trends are noted within the Housing & Assets and Place & Communities Directorates with the number of incidents occurring in these areas falling by 54% and 15% respectively. This is particularly pleasing to report as the type of work and services provided by both Directorates tends to be higher risk in nature, particularly those delivered from the Northern Depot.

4.6 All incidents for the reporting period, categorised by type are shown as follows:



4.7 The number of **physical / verbal abuse** type incidents has fallen by 27% in comparison to the previous year (third-party perpetrator towards an employee). As previously acknowledged, this type of incident will always be difficult to prevent, however, perpetrators continue to be dealt with by the Council and in some cases reported to the Police if considered necessary. Individuals can also be placed on the Council's Corporate Employee Protection Register which is used to alert other colleagues to specific risks posed by individuals.

- 4.8 In addition, the number of **slip, trip and fall** type incidents (including falling from height) has reduced by 30% on the previous year's figure. Just under 86% of these incidents occurred within the Waste & Environment Service, all of which were attributable to slips, trips and falls on the same level. Unfortunately, all slip/trip incidents resulted in personal injury, two of which were reportable to the HSE; one as an over-seven-day absence injury and one as a 'specified injury' (as noted above). No obvious trends have been identified with these incidents regarding causation.
- 4.9 The biggest improvement has been with the number of **manual handling, lifting and carrying** type incidents which have fallen by 63% compared to the previous 12-month period. As previously reported, a manual handling training course designed specifically for waste collection teams was introduced in 2021 and it is hoped that this training has contributed towards the improvement in this area. Existing manual handling training for other service areas has continued in line with the current health and safety training schedule.
- 4.10 Lessons learned from accidents and incidents are used to assist in the review of health and safety risk assessments and safe systems of work to identify measures to minimise the risk of recurrence of each particular incident and to develop solutions to minimise potential future risks. Lessons learned can also be used to enhance health and safety information, instruction and training for employees to aid in raising levels of safety awareness amongst the workforce.

## 5.0 Fire Safety

- 5.1 The Regulatory Reform (Fire Safety) Order 2005 (the Order), requires that effective fire precautions be identified, implemented and maintained in order to protect relevant persons from the risk of fire. The Order only applies to non-domestic premises. However, this does include the communal areas of the Council's sheltered schemes and general needs blocks of flats including areas such as lobbies, stairwells, landings, corridors, bin stores and communal kitchens etc.
- 5.2 The following table provides details of the Council's residential properties with communal areas which are therefore subject to the above statutory fire safety duties. This leads to a total of 142 fire risk assessments / reviews being completed on an annual basis.

Type of Building	No. of Storeys	Classification	No. of Buildings / Blocks
Sheltered Schemes	3	Low rise	3
	2		9
General Needs Blocks of Flats	3		31
	2		71

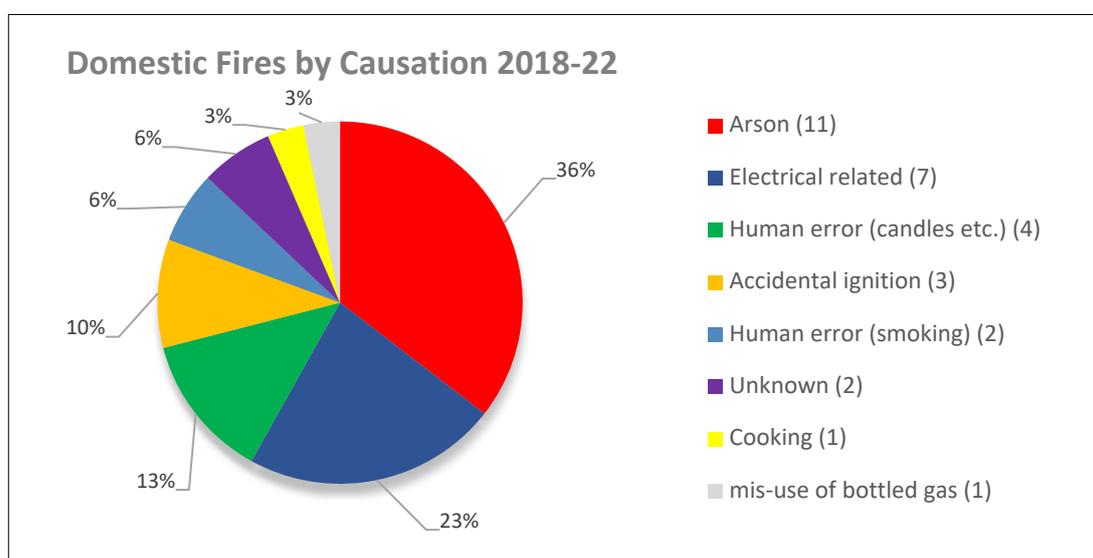
- 5.3 A small number of fire risk assessment (FRA) reviews relating to general needs blocks of flats owned and managed by the Council were delayed slightly during the reporting period (9 out of the 142 FRA reviews). However, 94% of all FRA reviews including sheltered accommodation buildings were completed in line with the FRA review programme and of those reviews that were delayed, all were completed within 3 months of the original review date with 100% completion achieved by year end.

5.4 Good progress has been made with the fire risk assessment programme for commercial/business/sports units owned by the Council which are now being completed in-house by the Risk & Emergency Planning team. Thirty-nine (a total of 64%) assessment reviews were completed in the reporting period.

5.5 There have been 10 fire incidents reported during 2021/22, all in relation to Council owned/managed domestic properties. The following table provides fire safety statistics for the last 4 years:

Type	2018/19	2019/20	2020/21	2021/22
Workplace/commercial fires	0	0	0	0
Domestic fire incidents	11	4	6	10
Fatalities due to fire	0	0	0	2
Alteration Notices issued by NF&RS to ADC	0	0	0	0
Enforcement Notices issued by NF&RS to ADC	0	0	0	0
Prohibition Notices issued by NF&RS to ADC	0	0	0	0

5.6 As can be seen, there have been 31 fires in total reported at domestic properties owned and managed by the Council in the last 4 years. The cause of these fires can be categorised as follows:



5.7 Sadly, one of the 10 domestic fire incidents resulted in 2 fatalities involving Council tenants at a property in Kirkby-in-Ashfield. A full investigation has taken place involving the Police, Fire Authority and relevant personnel from the Council. As yet, and until information has been released by the Coroner, the actual cause of the fire is yet to be confirmed.

5.8 Out of all domestic fires reported since April 2018, 1 fire (3.2%) has been reported in relation to sheltered accommodation buildings and 7 fires (23%) in relation to general needs blocks of flats. The majority of these fires were attributable to arson and unknown persons setting fire to refuse bins within bin store areas.

5.9 A range of mitigating actions are available to, and used by the Council in response to domestic fire incidents or as part of good fire safety management arrangements generally, and these can be summarised as follows:

- Positive, collaborative working with Nottinghamshire Fire & Rescue Service
- Undertaking regular fire risk assessments and fire safety / security inspections of communal areas at sheltered schemes and general needs blocks of flats
- Taking appropriate action to reduce the risk of arson e.g. a well-established process is in place for the reporting and removal of fire hazards in communal areas and where appropriate, application of increased safety and security checks
- Fire incidents attributable to arson are reported to the Police (crime numbers allocated) and appropriate action taken against perpetrators
- All domestic fire incidents are investigated by the Council's Risk & Emergency Planning Unit
- Lockable wheeled bins are in place at various locations across the District
- Re-modelling of external bin storage facilities to minimise the risk of arson
- Fire safety signage and information posted at relevant locations
- Repairs codes to track the progress of health and safety repairs including repairs to fire doors, bin storage areas, security risk issues etc.
- Distribution of the Council's 'Tenant's Guide to Fire Safety' booklet and publication of this information on the Council's website
- Fire safety information and advice published in the Tenant's magazine
- Where appropriate, face-to-face fire safety advice is provided to tenants
- Letters to tenants of general needs blocks of flats to discourage the storage of household and personal items in communal areas.

## **6.0 Health and Safety Training**

6.1 Following disruption due to the Covid pandemic, the programme of planned health and safety training recommenced in April 2021 with classroom style 'Covid-secure' health and safety training being delivered to limited numbers of attendees in line with the Government's Covid-secure guidance that was in place at the time.

6.2 Training continued throughout the year with delivery of the following courses:

- Trades health and safety awareness (and refreshers)
- Work at height
- Respiratory Protective Equipment face-fit testing
- Fire safety awareness
- Sharps awareness
- Manual handling including specific manual handling for the Waste & Environment teams
- Health and safety awareness for Neighbourhoods & Environment and Transport Services staff
- Asbestos awareness and non-licensed work with asbestos (these courses are delivered by specialist asbestos consultants).

6.3 Employees were also able to complete the mandatory corporate health and safety training courses on the ELA Learning Together e-learning training platform covering general health and safety awareness/fire safety and personal safety/lone working. Compliance with these courses in terms of completion as at 31<sup>st</sup> March 2022 was 87% and 68% respectively.

6.4 The Council's Intranet is also used throughout the year to deliver key health and safety messages and updates and also provides colleagues with access to the full suite of corporate health and safety policies, procedures and guidance including those produced in response to the COVID-19 pandemic.

## 7.0 New Legislation, Guidance or Best Practice

7.1 Although the date is slightly outside the reporting period for this report, the **Fire Safety Act** came into force on 16<sup>th</sup> May 2022. The Act clarifies the Regulatory Reform (Fire Safety) Order (FSO) to make it clear that 'Responsible Persons' must consider/include the following building aspects when conducting fire risk assessments at multi-occupied residential premises:

- the building's structure and external walls (including windows, balconies, cladding, insulation and fixings) and any common parts
- all doors between domestic premises and common parts such as flat entrance doors (or any other relevant door)

7.2 We still await publication of the 'risk-based guidance' (referred to in the Act) to assist with compliance with the FSO, updated fire risk assessment requirements and more importantly, clarification of what buildings fall within the scope of the FSO and if this includes any new premises, previously not in scope.

7.3 The Building Safety Bill received Royal Assent on 28<sup>th</sup> April 2022 and has completed all Parliamentary stages to become the **Building Safety Act**. The Act will introduce a new building safety regime to be overseen and regulated by the HSE to ensure building safety is maintained throughout the design, construction and occupation of *high-rise* residential buildings (over 18 metres or six storeys in height), thus creating enhanced accountability and responsibility for ensuring residents remain safe in their homes. As has been confirmed in previous reports, the Council does not own any residential premises that meet this height criteria.

7.4 Good progress has been made to formalise the details and reporting format for the Regulator of Social Housing's proposed health and safety Tenant Satisfaction Measures and key performance indicators brought about through the Government's **Social Housing White Paper** (The Charter for Social Housing Residents). This work is being tracked via the Council's Social Housing Regulatory Board which meets on a monthly basis. The key performance indicators cover the following key health and safety regulatory/compliance areas:

- Gas safety
- Asbestos safety
- Electrical safety
- Water hygiene
- Fire safety
- Passenger lift safety

## 8.0 Consultation

8.1 The Council continues to run a Corporate Health and Safety Committee which is constituted under the relevant sections of the Health and Safety at Work etc. Act and in accordance with the Safety Representatives and Safety Committee Regulations to review and consult, in good time, with employees on matters of health, safety and welfare at work. Formal Terms of Reference support the Committee and these were reviewed and refreshed in August 2021.

- 8.2 In line with the Terms of Reference, the Committee met twice in the reporting period in June and December 2021.
- 8.3 Other arrangements used for effective health and safety consultation with employees within the Council include the quarterly Trade Union Health and Safety Consultation meeting. This group met three times during the reporting period.

## 9.0 Health and Safety Inspections, Audits and Legal Compliance

- 9.1 The Council runs a schedule of planned health and safety inspections of ADC workplaces, residential communal areas (with a fire safety and security focus) and commercial/industrial/sports unit properties. Inspections of the latter continued to be affected by the COVID-19 pandemic, however checks were undertaken during the fire risk assessment process. A review of the inspection schedule for these buildings will take place during 2022. A summary of the inspections and audits completed during the reporting period is as follows:

Period	<b>Property Surveys</b> (health, safety & security inspections of residential communal areas including fire safety)	<b>Workplace health and safety inspections</b>	<b>Commercial/Industrial/Sports Property health and safety audits / inspections</b> (including fire safety)
Apr - Jun '21	356	4	8
July - Sep '21	330	4	5
Oct - Dec '21	343	3	24
Jan - Mar '22	343	3	2
Completion against schedule	100%	100%	64%

- 9.2 Health and safety legal compliance is evaluated using a Health and Safety Legal Register Database and through reference to internal health and safety inspection, audit and incident developments. There were no significant issues to report from the inspection/audit programme during the reporting period i.e. items considered to be causing serious & imminent danger or items suggesting a breach of legal compliance requiring management intervention.

## 10.0 Enforcement Agency Activity

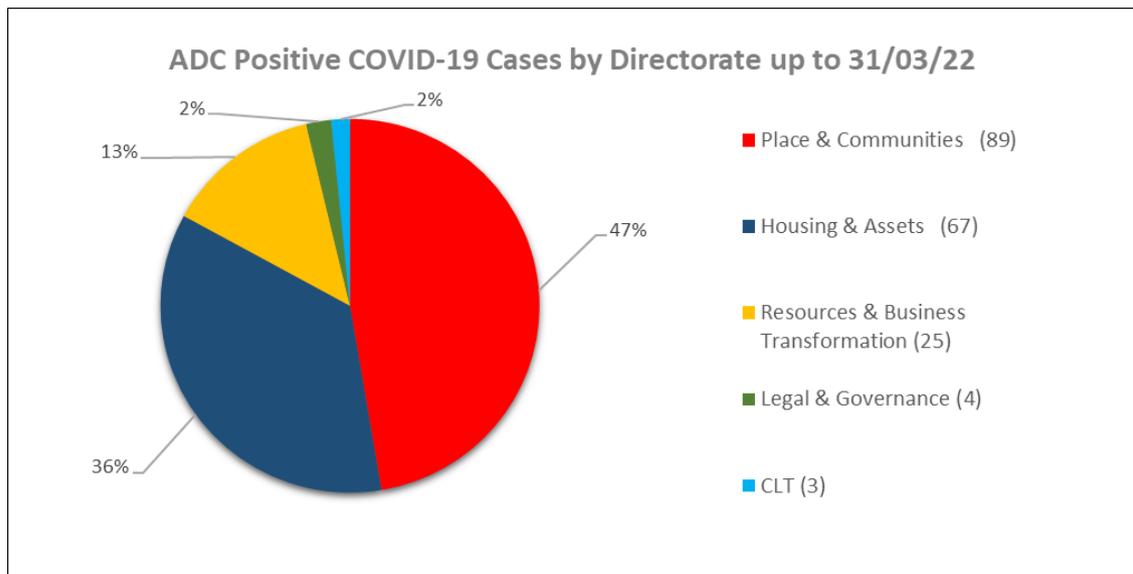
- 10.1 During the year, the **Health and Safety Executive (HSE)** carried out five unannounced COVID-19 compliance inspections at the Council's workplace premises. These consisted of two inspections at the Urban Road Offices and three inspections at the Northern Depot. It is pleasing to report that no issues or concerns were raised by the HSE and the Council was found to be fully compliant with the Government's Covid-secure guidance that was in place at the time of the visits.
- 10.2 Contact was made with the HSE brought about by the statutory reporting duties required for the RIDDOR category incidents referred to in section 4.1 of this report.

- 10.3 A meeting was held with **Nottinghamshire Fire & Rescue Service (NF&RS)** representatives in April 2021 to discuss a small number of fire safety deficiencies at a general needs block of flats in Hucknall that had been formally notified to the Council by the Fire Authority. The issues raised have since been tracked through to completion with ongoing consultation with the Fire Authority.
- 10.4 NF&RS carried out a fire safety check/visit to the Idlewells Indoor Market following a false alarm on the fire alarm system on 22/03/2022 with subsequent call-out of the Fire Service. Concerns were raised over a small number of relatively minor issues and these have since been resolved.
- 10.5 The Council has been working with NF&RS to resolve an ongoing issue involving an electric stairlift installed in the communal stairwell at a small general needs flat block in Sutton-in-Ashfield. Work has included a specific risk assessment on the stairlift produced by the Council which has been shared with, and 'supported' by the Fire Authority. Fire safety upgrade works will now be required to the communal area to allow the lift to remain in situ.

## **11.0 COVID-19 Response and Recovery**

- 11.1 The Council continued to respond to the challenges brought about by the COVID-19 pandemic whilst maintaining appropriate levels of service delivery across the Council. Particular challenges were experienced through the delivery of Covid-secure elections, the return to face-to-face Council meetings and the re-opening of the Urban Road offices to the public.
- 11.2 The Council maintained officer representation at the many Nottingham & Nottinghamshire Local Resilience Forum (LRF) COVID-19 Groups and supporting Cells which continued to meet throughout the year to ensure a co-ordinated response to the ever-changing pandemic situation. In addition, the Council also continued to provide assistance and support to the community Covid testing network with several sites established in Sutton, Kirkby and Hucknall providing both fixed and mobile testing facilities - a key contribution to the County-wide LRF Covid testing programme.
- 11.3 The ADC Workplace COVID-19 Risk Assessment was fully reviewed and updated on a number of occasions in the reporting period in response to the Government's introduction of 'Steps 1 to 4' (the gradual easing of restrictions), the emergence of the Omicron variant of Covid and subsequent move to 'Plan B' (the re-introduction of restrictions), the move to 'Plan A' (the easing of restrictions once again) and then finally in response to the publication of the Government's strategy for 'Living with COVID-19' in February 2022 which proposed the removal of all remaining Covid restrictions.
- 11.4 The ADC COVID-19 corporate health and safety documents that were produced or reviewed and updated during the reporting period can be summarised as follows:
- ADC Workplace COVID-19 Risk Assessment (version 15 – Mar 22)
  - ADC Individual Risk Assessment (version 5 - July 2021)
  - ADC COVID-19 Interim PPE Guidance and Priority Matrix (version 4 – Apr 21)
  - ADC May 2021 Elections COVID-19 Secure Risk Assessment (version 2 – Apr 21)
  - ADC Council Meetings COVID-19 Secure Risk Assessment (version 1 – Apr 21)

- 11.5 The previous 'Working safely during coronavirus' guidance was withdrawn at the end of March '22 and was replaced with general COVID-19 public health advice. The Government also removed the requirement for employers to explicitly consider COVID-19 in their health and safety risk assessments, the intention being to empower organisations to take responsibility for implementing mitigations that are appropriate to their individual circumstances and business needs.
- 11.6 The following chart shows the number of employees by Directorate who, since the start of the pandemic to the 31<sup>st</sup> March 2022, unfortunately contracted COVID-19:



## 12.0 Conclusion

- 12.1 It proved to be another challenging year for the Council in terms of maintaining service delivery whilst continuing to respond to the challenges brought about by the COVID-19 pandemic and frequent changes made to Government guidance. However, the Council once again managed to provide excellent standards of service delivery across the Authority whilst remaining compliant with health, safety and wellbeing expectations including the delivery of the May elections, the re-introduction of face-to-face Council meetings and the re-opening of the Council's offices to the general public.
- 12.2 Although the number of incidents that required statutory reporting to the HSE has increased slightly, the actual number was only marginally above the annual average based on the last 4 years. Also, this should not detract from the fact that positive trends and reductions were noted in several other incident category areas such as verbal abuse, manual handling and slips/trips & fall type incidents. In addition, it was yet another year where there were no enforcement notices served on the Council by the HSE or Fire Authority.

## 13.0 Planned Activity for 2022/23

- 13.1 The planned corporate health and safety activities and key tasks and targets for the Risk & Emergency Planning team for the year 2022/23 to further drive improvements in health and safety performance and the Council's health and safety management system can be summarised as follows:

- Ensure that all key performance indicators where responsibility is assigned to the Risk & Emergency Planning team are achieved and maintained to the required standard, particularly those applied to **health and safety compliance for residential premises**
- Continue with planned health and safety **inspections and audits** of Council workplaces and service areas or deliver these on an ad hoc basis to meet specific service needs
- Manage and maintain **accident / incident** data and recording systems and continue to report statistical information to the Council's Corporate Leadership Team on a quarterly basis
- Develop appropriate response to any regulatory developments brought about by the **Fire Safety Act** and new **Fire Safety Regulations 2022**
- Complete the full **Fire Risk Assessment Review** programme for ADC Workplaces, residential premises and commercial/industrial/sports unit premises
- Deliver all **health and safety training** courses as scheduled for the year, including the recently introduced health and safety awareness training for waste, environmental and transport teams based at the Northern Depot
- Continue to develop an appropriate response to any regulatory developments brought about by the **Charter for Social Housing Residents (The White Paper)** for all aspects of health and safety compliance for residential premises (particularly fire safety, asbestos management, legionella control and passenger lift safety)
- Full review and update of all Council **Service Unit Risk Assessments**
- Procure further corporate **lone worker management system** services
- Embed the new **Hand Arm Vibration Syndrome (HAVS) database** to assist managers with their employee HAVS health surveillance arrangements, records and ongoing referrals via Occupational Health
- Undertake further **noise assessments** of higher risk noise work processes to seek statutory compliance with the Noise at Work Regulations and with particular regards to employee health surveillance i.e. audiometric testing requirements
- Comprehensive review, update and re-publication of the Council's '**Tenant's Guide to Water Hygiene and Legionella**'
- Undertake full review and update of all ADC **Watercourse Risk Assessments**

Author:

Scott Tilley

**Service Manager**

**Risk & Emergency Planning**