

1st April 2022 – 30th September 2022

1.0 Purpose

1.1 This is the Council's Interim Corporate Health and Safety Report which intends to provide a high-level summary of the management of corporate health and safety (including fire safety) and health and safety performance within the Authority for the six-month period April 2022 to September 2022. Although the Council is not required by law to produce an interim (or indeed annual) corporate health and safety report, it is considered good practice to do so. The report provides a brief update summary in the following key areas:

- (2) New or forthcoming health and safety legislation, guidance or best practice
- (3) New or amended corporate health and safety policies and/or procedures
- (4) Accidents and incidents
- (5) Fire safety
- (6) Evaluation of compliance
- (7) External enforcement agency activity
- (8) COVID-19
- (9) Regulator of Social Housing - Building Safety Compliance Indicators

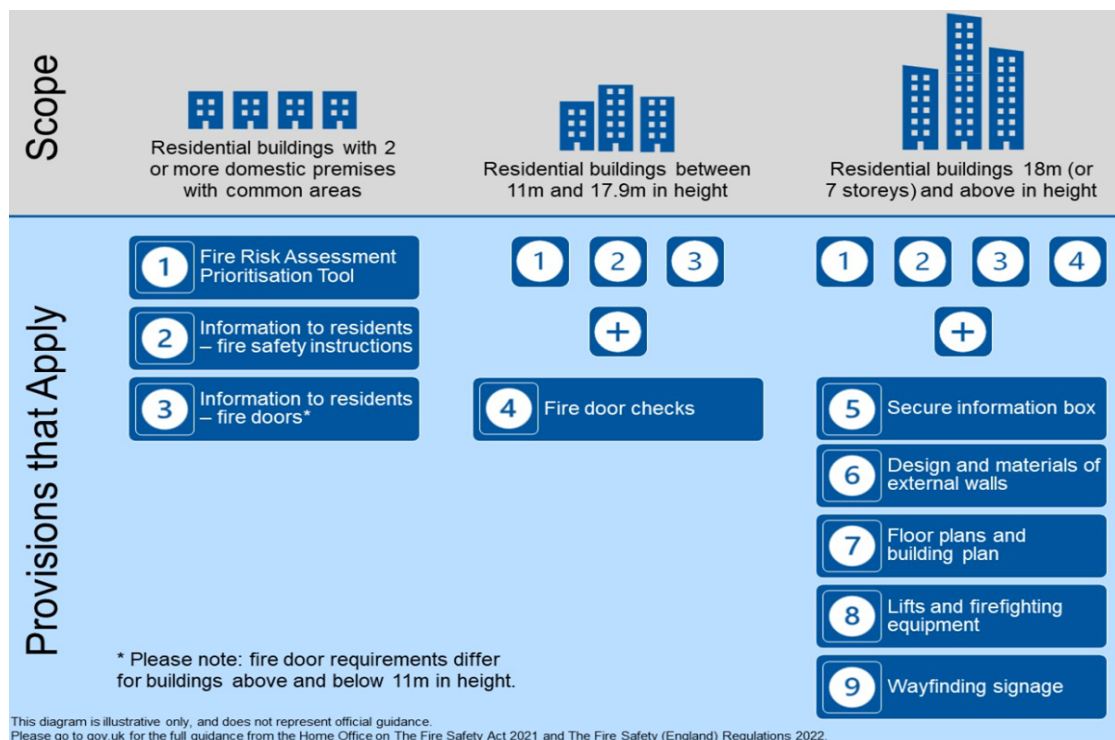
2.0 New Health and Safety Legislation, Guidance or Best Practice

2.1 The **Fire Safety Act** came into force on 16th 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)

2.2 The Building Safety Bill received Royal Assent on 28th 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 Health and Safety Executive (HSE) to ensure building safety is maintained throughout the design, construction and occupation of *high-rise* residential buildings (i.e. those over 18 metres or six storeys in height), thus creating enhanced accountability and responsibility for ensuring residents remain safe in their homes. However, as confirmed in previous reports, the Council does not own any residential premises that meet this height criteria.

2.3 The **Fire Safety (England) Regulations 2022** are due to come into force on 23rd January 2023 to implement the majority of recommendations made to government in the Grenfell Tower Inquiry Phase 1 report. The regulations will make it a legal requirement for responsible persons of residential premises to take specific actions, depending on the height of each particular residential building. This can be illustrated as follows:



2.4 The Council’s residential premises that attract the requirements of the Fire Safety (England) Regulations all fall within the above scope ‘*Residential buildings with 2 or more domestic premises with common areas*’ (i.e. all low rise, below 11m in height).

2.5 Good progress has been made to finalise the details and reporting format for the Regulator of Social Housing’s 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 continues to be monitored 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 for ‘Maintaining Building Safety’:

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

Further details are provided in Section 9 of this report.

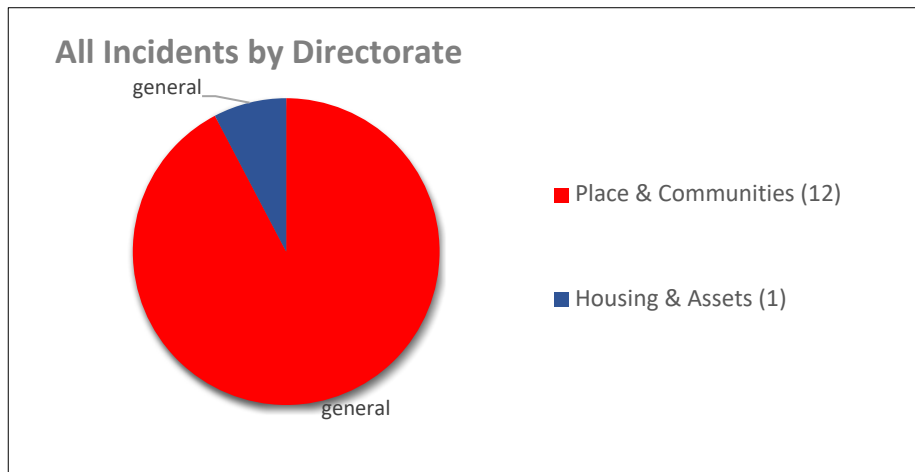
3.0 New or Amended Corporate Health and Safety Policies and Procedures

3.1 A new ADC Corporate Clothing and Personal Protective Equipment (PPE) Policy has been introduced. The policy aims to categorise and standardise corporate clothing and PPE worn by the Council’s employees for work purposes in order to maintain a consistent, professional image whilst accounting for employee health, safety and welfare at all times.

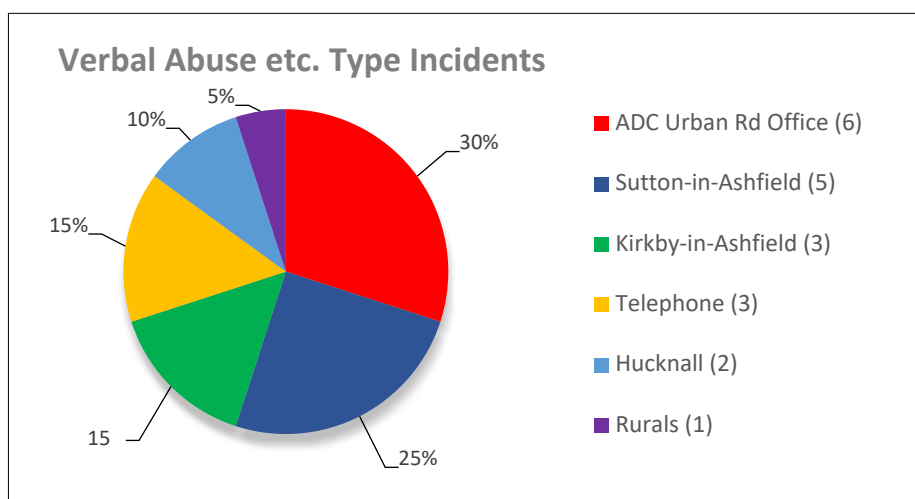
4.0 Accidents / Incidents

4.1 Between April and September 2022, there have been no incidents categorised as ‘reportable’ to the Health and Safety Executive (HSE) under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).

- 4.2 All health and safety incidents for the reporting period, categorised by Directorate (or other category) can be shown as follows:



- 4.3 It is pleasing to report a decrease of 41% in the total number of incidents occurring compared to the previous six-month period and by 35% compared to the same reporting period last year.
- 4.4 Although the incidents that have occurred are confined to the Place & Communities and Housing & Assets Directorates, positive trends are noted for both Directorates as the number of incidents occurring in these areas has fallen by 29% and 50% respectively compared to the same period last year. This is particularly pleasing 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.
- 4.5 No other trends have been identified with the incidents that have occurred either by injury type or incident causation.
- 4.6 Cabinet are informed that following previous discussions at the Council's Corporate Health and Safety Committee around the reporting of verbal abuse type incidents, a decision was made to separate all ASB, physical, verbal and other abuse-type incidents, *irrespective of severity / consequence* and record these in a dedicated database thus allowing specific trending and analysis of this type of incident. A breakdown of these type of incidents for the reporting period is provided as follows:



- 4.7 All of the above incidents have been categorised as ‘verbal abuse’ with the exception of one ‘ASB’ (stalking) type incident and one ‘physical abuse’ type incident resulting in minor injury. The levels of stress/anxiety/trauma reported by employees were ‘minimal’ (5), ‘mild’ (4), ‘moderate’ (2), ‘uncomfortable’ (1), ‘distracting’ (1) and ‘distressing’ (7). All such incidents continue to be shared with the relevant Service/Line Managers to allow appropriate action to be taken and support to be provided to affected employee(s) where required.
- 4.8 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.

5.0 Fire Safety

- 5.1 All fire risk assessment (FRA) reviews undertaken by the Council’s Risk & Emergency Planning Team relating to sheltered accommodation buildings and general needs blocks of flats owned and managed by the Council were completed in line with the FRA review programme thus achieving 100% completion for the reporting period.
- 5.2 There has been 1 fire incident in the reporting period in relation to Council owned/managed buildings/properties. This was an external fire at a domestic property which involved combustible items in the garden being set on fire, with the most likely cause being confirmed by the Police and Fire Authority as a discarded cigarette end thrown over the fence. No significant property damage or personal injuries occurred as a result of the fire.
- 5.3 From the previous year’s fire incidents, the cause of the domestic fire that sadly resulted in 2 fatalities at a property in Kirkby-in-Ashfield in January 2022 has been confirmed by the Assistant Coroner for Nottingham & Nottinghamshire as accidental ignition of combustibles caused by a lit candle.
- 5.4 The Council’s Tenant’s Guide to Fire Safety includes advice in relation to naked flames and candles stating: *‘ensure lights and candles are positioned away from curtains and other materials that can catch fire easily’* and *‘ensure candles and cigarettes are properly extinguished at night’*.

6.0 Evaluation of Compliance

- 6.1 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.

7.0 External Enforcement Agency Activity

- 7.1 The Council received a number of fire safety queries from **Nottinghamshire Fire & Rescue Service (NF&RS)** following a false fire alarm activation at one of the Council’s sheltered accommodation buildings in July 2022. A response was duly sent to NF&RS who were satisfied with the information provided. Internally, the

matter was also taken up with the on-site healthcare team management at the scheme with the Council seeking assurances around the organisation's operational procedures and staff fire safety awareness.

- 7.2 In July, **NF&RS** also carried out a fire safety audit at a general needs block of flats in Hucknall following further reports of combustible items stored/dumped in the communal area. The audit did not identify any significant fire safety issues. Contact has been made with the tenant concerned and the frequency of current planned safety and security checks undertaken by the Council's Risk & Emergency Planning team have been increased to fortnightly for this block as from 1st August 2022.

8.0 COVID-19

- 8.1 As has been previously reported, the 'Working safely during coronavirus' guidance was withdrawn on 1st April 2022 and has been replaced with public health advice. The Government have also removed the health and safety requirement for every employer to explicitly consider COVID-19 in their risk assessments. The intention is to empower organisations to take responsibility for implementing mitigations that are appropriate to their individual circumstances and business needs.
- 8.2 Following the updated public health guidance, there is now only one risk category in relation to COVID-19 where employees would benefit from an 'individual risk assessment' - those who may be immunosuppressed. The ADC COVID-19 Individual Risk Assessment has been updated to account for this change to allow managers to undertake risk assessments for individuals who have expressed concerns around Covid, based on their individual circumstances. This document now stands at Version 6 – August 2022.

9.0 Regulator of Social Housing – (Building Safety) Compliance Indicators

- 9.1 Cabinet will be aware that the Regulator of Social Housing has finalised the new Tenant Satisfaction Measures (of which there are 22 measures) as part of the Charter for Social Housing Residents: The Social Housing White Paper. A definitive list has been published detailing the information and data landlords will have to collect and report on from 1st April 2023.
- 9.2 One of the five themes for the 22 Tenant Satisfaction Measures is 'Maintaining Building Safety' and as such, the Council needs to ensure transparency on the aforementioned key health and safety compliance areas, namely domestic safety checks for fire, gas, asbestos, water hygiene and passenger lifts (BS01 to BS05 respectively). In addition, Cabinet as the overarching body responsible for overseeing Housing Performance, Health and Safety and Regulatory Compliance within its landlord service also has to assure itself that it is informed about the landlord's quality of service in these areas and seek such information as required to achieve this.
- 9.3 Although currently not a specific requirement within the published Tenant Satisfaction Measures, the Council also intends to record information/data on domestic electrical safety checks as these were originally included in the Social Housing White Paper (currently under Government review).
- 9.4 Since 1st April 2022, the Key Performance Indicators displayed below have been developed, recorded and reported to the Council's Corporate Leadership Team and Housing & Asset Directorate Management Team as part of the preparatory work to

ensure compliance with the Regulator of Social Housing's requirements for the building safety Tenant Satisfaction Measures. Data shown is for the reporting period April to September 2022.

9.4.1 Fire, Asbestos, Water (Legionella) and Passenger Lift Indicators

Compliance Indicators for the Housing Service 2022-2023 (Risk & Emergency Planning Service) As at 30th Sept 2022										
KPI AREA	GOVERNANCE	QUARTER	OVERALL COMPLIANCE %	NO.	CURRENT COMPLIANCE %	GREEN	AMBER ≤30 DAYS	RED > 30 DAYS	TOTAL NON-COMPLIANT	COMMENTARY
COMMUNAL FIRE RISK ASSESSMENTS	REGULATORY BS02	Q1	100%	39	100%	39	0	0	0	
		Q2 - July	100%	10	100%	10	0	0	0	
		Q2 - August	100%	11	100%	11	0	0	0	
		Q2 - September	100%	12	100%	12	0	0	0	
		Q3	100%	40	0%	0	0	0	0	
		Q4	100%	30	0%	0	0	0	0	
KPI AREA	GOVERNANCE	QUARTER	OVERALL COMPLIANCE %	NO.	CURRENT COMPLIANCE %	GREEN	AMBER ≤30 DAYS	RED > 30 DAYS	TOTAL NON-COMPLIANT	COMMENTARY
COMMUNAL ASBESTOS INSPECTIONS	REGULATORY BS03	Q1	100%	42	100%	42	0	0	0	
		Q2 - July	100%	15	100%	15	0	0	0	
		Q2 - August	100%	15	100%	15	0	0	0	
		Q2 - September	100%	15	100%	15	0	0	0	
		Q3	100%	64	0%	0	0	0	0	
		Q4	100%	63	0%	0	0	0	0	
KPI AREA	GOVERNANCE	QUARTER	OVERALL COMPLIANCE %	NO.	CURRENT COMPLIANCE %	GREEN	AMBER ≤30 DAYS	RED > 30 DAYS	TOTAL NON-COMPLIANT	COMMENTARY
COMMUNAL WATER CHECKS AND RISK ASSESSMENTS	REGULATORY BS04	Q1	100%	102	100%	102	0	0	0	
		Q2 - July	100%	25	100%	25	0	0	0	
		Q2 - August	84%	24	0%	0	0	24	24	Contractor failed to complete any visits (NCR raised for investigation with contractor)
		Q2 - September	86%	26	100%	26	0	0	0	
		Q3	100%	120	0%	123	0	0	0	2021/22 (system changes = reduced no. of checks)
		Q4	100%	88	0%	91	0	0	0	2021/22 (system changes = reduced no. of checks)
KPI AREA	GOVERNANCE	QUARTER	OVERALL COMPLIANCE %	NO.	CURRENT COMPLIANCE %	GREEN	AMBER ≤30 DAYS	RED > 30 DAYS	TOTAL NON-COMPLIANT	COMMENTARY
LIFT SAFETY (MONTHLY SERVICES)	REGULATORY	Q1	100%	36	100%	36	0	0	0	
		Q2 - July	100%	12	100%	12	0	0	0	
		Q2 - August	100%	12	100%	12	0	0	0	
		Q2 - September	89%	12	33%	4	8	0	8	Contractor failed to complete service visits x 8 due to apparent technical issue with their IT scheduling system
		Q3	89%	36	0%	0	0	0	0	
		Q4	89%	36	0%	0	0	0	0	
KPI AREA	GOVERNANCE	QUARTER	OVERALL COMPLIANCE %	NO.	CURRENT COMPLIANCE %	GREEN	AMBER ≤30 DAYS	RED > 30 DAYS	TOTAL NON-COMPLIANT	COMMENTARY
LIFT SAFETY (LOLER INSPECTIONS)	STATUTORY BS05	Q1	100%	10	60%	6	3	1	4	HSB did not attend on due dates x 4
		Q2 - July	92%	2	50%	1	0	1	1	HSB reporting no access to Desmond Court.
		Q2 - August	92%	0	0%	0	0	0	0	
		Q2 - September	92%	0	0%	0	0	0	0	No inspections planned for September
		Q3	92%	10	0%	0	0	0	0	
		Q4	92%	2	0%	0	0	0	0	

Continued....

9.4.2 Gas, Electric and Solid Fuel Indicators

Compliance Indicators for the Housing Service 2022-2023 As at 30th Sept 2022										
KPI AREA	GOVERNANCE	QUARTER	OVERALL COMPLIANCE %	NO.	MONTHLY COMPLIANCE %	GREEN	AMBER ≤30 DAYS	RED > 30 DAYS	TOTAL NON-COMPLIANT	COMMENTARY
GAS SERVICING	REGULATORY BS01	Q1	99.98%	1974	99.90%	1972	1	1	2	100 % Complete
		Q2 - JULY	99.98%	625	100%	625	0	0	0	
		Q2 - AUG	99.98%	537	100%	537	0	0	0	
		Q2 - SEP	99.98%	565	100%	565	0	0	0	
		Q2	99.98%	1727	100%	1727	0	0	0	
		Q3	99.98%	1543	100.00%	1543	0	0	0	
		Q4	99.98%	863	100.00%	863	0	0	0	
CURRENT NUMBER OF GAS SERVICES THAT ARE NON-COMPLIANT TOTAL									1	ONGOING WITH LEGAL FROM PREVIOUS FINANCIAL YEAR (F/Y)
KPI AREA	GOVERNANCE	QUARTER	OVERALL COMPLIANCE %	NO.	MONTHLY COMPLIANCE %	GREEN	AMBER ≤30 DAYS	RED > 30 DAYS	TOTAL NON-COMPLIANT	COMMENTARY
SOLID FUEL SERVICING	REGULATORY	Q1	100%	0	100%	0	0	0	0	
		Q2 - JULY	100%	4	100%	4	0	0	0	
		Q2 - AUG	100%	4	100%	4	0	0	0	
		Q2 - SEP	100%	0	100%	0	0	0	0	
		Q2	100%	8	100%	8	0	0	0	
		Q3	100%	0	100%	3	0	0	0	
		Q4	100%	0	100%	0	0	0	0	
CURRENT NUMBER OF SOLID-FUEL SERVICES THAT ARE NON-COMPLIANT TOTAL									0	
KPI AREA	GOVERNANCE	QUARTER	OVERALL COMPLIANCE %	NO.	MONTHLY COMPLIANCE %	GREEN	AMBER ≤30 DAYS	RED > 30 DAYS	TOTAL NON-COMPLIANT	COMMENTARY
ELECTRICAL TESTING - DOMESTIC	REGULATORY	Q1	99.98%	397	92.99%	371	1	25	26	1 x APP; 1 x DIY; 24 x COMPLETE
		Q2 - JULY	99.95%	155	96.77%	150	0	5	5	1 x LEGAL, 2 x APP; 2 x COMP
		Q2 - AUG	99.95%	132	76.64%	107	6	19	25	1 x POLICE; 21 x APP; 3 x COMPLETE
		Q2 - SEP	99.56%	112	97.25%	109	3	0	3	1 x LEGAL, 2 x APP
		Q2	99.53%	399	99.55%	366	9	24	33	2 x LEGAL; 1 x POLICE; 25 x APP; 5 x COMPLETE
		Q3	99.53%	399	100%	399	0	0	0	
		Q4	99.53%	389	100%	389	0	0	0	
CURRENT NUMBER OF ELECTRICAL SERVICES THAT ARE NON-COMPLIANT TOTAL									31	1 x LEGAL PREVIOUS F/Y; 2 x LEGAL; 1 x POLICE; 1 DIY; 26 x APP
KPI AREA	GOVERNANCE	QUARTER	OVERALL COMPLIANCE %	NO.	CURRENT COMPLIANCE %	GREEN	AMBER ≤30 DAYS	RED > 30 DAYS	TOTAL NON-COMPLIANT	COMMENTARY
ELECTRICAL TESTING - COMMUNAL	POLICY	N/A	100%	96	100%	96	0	0	0	Predominantly access issues are not problematic, however where we have communal switching gear located within Leasholder properties we do face access difficulties.
KPI AREA	GOVERNANCE	QUARTER	OVERALL COMPLIANCE %	NO.	SERVICING COMPLIANCE %	GREEN	AMBER ≤30 DAYS	RED > 30 DAYS	TOTAL NON-COMPLIANT	COMMENTARY
GAS SERVICING - COMMUNAL	POLICY BS01	Q1								
		Q2	100%	13	100%	100	0	0	0	CHECKS COMPLETED IN SEPTEMBER
		Q3								
		Q4	100%	15	100%	100	0	0	0	CHECKS COMPLETED IN MARCH

Author:

Scott Tilley
Service Manager
Risk & Emergency Planning