

Quarterly Health & Safety Performance Report 1st July 2011 – 30th September 2011

EXECUTIVE MEMBER: Councillor Allan Holliday, Portfolio Holder for Environment and Sustainability

LEAD OFFICER: Pat Graham - Corporate Director People & Places

REPORT AUTHOR: Susan Harrison- Corporate Health & Safety Advisor

WHAT BENEFITS WILL THESE PROPOSALS BRING TO COPELAND RESIDENTS?

All Council activities have the potential to impact on Copeland Residents therefore it is important that activities are managed so they are carried out in a safe manner.

WHY HAS THIS REPORT COME TO THE EXECUTIVE?

To request approval from the Executive for the 'Corporate Health and Safety Policy'.

To request approval from the Executive for the 'Work Related Serious Injury/Fatality Response Plan'.

The Executive have asked to be kept informed of the management of health and safety for all Copeland Borough Council employees and the impact the activities of the council have on residents and visitors to the Borough.

RECOMMENDATIONS:

- a) Executive approves the 'Corporate Health and Safety Policy'. Appendix A
- b) Executive approves the 'Work Related Serious Injury/Fatality Response Plan'. Appendix B
- c) Executive to note the organisations actions and targets of the health and safety performance

1. INTRODUCTION

This is the second quarterly report from the Health and Safety Advisor on the health and safety performance of the organisation.

As a result of the strong support from management, elected members and the workforce, the improvement and progress in all areas of the health and safety across the council continues.

This report covers the key actions and targets for the safety advisor and is in addition to the service plan.

1.1 Corporate Health and Safety Policy

Section 2 of the Health and Safety at Work etc Act 1974 requires the organisation to have a suitable and sufficient health and safety policy. The Council's current policy required updating to reflect organisational changes. The amended policy details health and safety arrangements at Copeland Borough Council and demonstrates compliance with statutory legislation. This policy is submitted for approval.

1.2 Work Related Serious Injury/Fatality Response Plan

This policy is submitted for approval to ensure the organisation is demonstrating compliance with statutory legislation under section 2 of the Health and Safety at Work etc Act 1974 requirements for investigation, and the requirements of notification as required by RIDDOR (the Reporting of Injuries, Diseases and Dangerous Occurrence Regulations 1995). It is also to encourage Copeland Borough Council to self-regulate to a high standard.

2. The organisations performance covered in this report are summarised as follows:

2.1 Accident/Incident Reports for 1st July – 30th September 2011

Total number of incidents - 07

These were all minor incidents with 02 requiring reporting under The Reporting of Incidents, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR). The incidents were:

Manual Handling	02
Slip/Trips	01
Equipment	01
Trapping	01
Fall from Height	01
Hit by Object	01

This compares to 10 incidents including 01 RIDDOR Reportable for the same period 2010.

2.2 Health and Safety Audits and Inspections

The programme of workplace inspections continues. The following were inspected:

Corporate Team Areas, The Copeland Centre

- Good housekeeping was observed throughout
- Good staff knowledge of health and safety duties
- Some health and safety documentation was in place, but risk assessments were not up to date.

Democratic Services Areas, The Copeland Centre

- Good Housekeeping was observed throughout.
- Minor maintenance and changes was required for some of the furniture in the 'Members Room'.
- Health and safety documentation was available for inspection, but risk assessments were out of date and all generic.

Development Control Areas, The Copeland Centre

- Housekeeping was generally good, however some cable management was required for some workstations
- Up to date with all relevant staff training.
- Documentation available but risk assessments required reviewing and updating.

Summary of conclusions: Standards were generally good, but a common area for improvement was the recording of risk assessments.

To support services improve in this area, three training sessions were provided, see 4.1 for details.

3. Fire Safety Arrangements

The annual review of fire safety risk assessments and arrangements was undertaken in quarter 1

It can be reported that there are no significant changes other than incorporating the changes to the Atrium and Atrium population and to update the names of the 'Responsible Person's' nominated Deputies.

4. Information for employees

4.1 Risk Assessment

A series of Health and Safety Risk Assessment Training was delivered by the Health and Safety Advisor. 33 Copeland Borough Council employees have completed the training to date. All of the employees have reported positive feedback from the training.

5. PROPOSALS

5.1 Actions to manage health and safety for the many areas of works undertaken by Copeland will continue as part of a robust management system and will be reported to Executive quarterly.

6. ALTERNATIVE OPTIONS TO BE CONSIDERED

6.1 There are no alternative options

7. CONCLUSIONS

7.1 **Statutory Legislation** - We currently, and will continue to comply with the Health & Safety at Work etc Act 1974, and the many associated Regulations.

7.2 Corporate Safety and investigative work is an on-going process of management of health and safety

5. STATUTORY OFFICER COMMENTS

5.1 The Monitoring Officer's comments are: Report sets out quarterly progress on health and safety as requested by Executive.

5.2 The Section 151 Officer's comments are: No further comments

5.3 EIA Comments

Health and safety fully supports EIA principles. One of the main aims of health and safety is to provide a safe working environment for all staff, and to ensure that others are not put at risk by our activities. The Health and safety Advisor role plays

an essential role in identifying workplace and other adaptations that may be needed to support people to start, remain, or return to work.

5.4 Other consultee comments, if any:

6. HOW WILL THE PROPOSALS BE PROJECT MANAGED AND HOW ARE THE RISKS GOING TO BE MANAGED?

6.1 This is not a project report, health and safety is an on-going process of health and safety management

7. WHAT MEASURABLE OUTCOMES OR OUTPUTS WILL ARISE FROM THIS REPORT?

7.1 The report is a report of the continual work to review and where possible improve health and safety performance across the organisation. Inspection targets will be reported on a quarterly basis.

List of Appendices –

APPENDIX A – Corporate Health and Safety Policy.

APPENDIX B – Work Related Serious Injury/Fatality Response Plan.



Health & Safety Policy

Copeland Borough Council

October 2011

1.0 General Statement of Intent

As a leader of the community which it serves, Copeland Borough Council recognises and accepts the financial and legal responsibilities and duties which it has for the health, safety and welfare of it's employees and others affected by the activities of the Council.

In order to fulfill these responsibilities, the Council aims to continually improve health and safety performance by developing systems to promote healthy working, and to minimise where practicable the risk to people's health and wellbeing which may be affected by the activities of the Council.

Employees with management responsibilities will ensure that all significant risks are properly assessed and controlled, and any measures implemented to mitigate risk are appropriately monitored. These assessments will be regularly reviewed to ensure that where practicable the Council complies with legal requirements and strives to achieve best practice.

Adequate facilities and arrangements will be maintained to consult with employees, trade union representatives and others who may be affected by Council activities, to encourage a joint approach to the management of health, safety and welfare.

The Council will introduce a range of measures aimed at generally maintaining and improving the general health and well being of its employees.

The Council expects all employees and those undertaking work on behalf of, or in partnership with the Council to take reasonable care for their own health and safety, for the safety of others, and to co-operate with the Council in performing its moral and statutory duties.

The Council will monitor health and safety performance and review its policies and procedures to ensure the achievement of best practice in all aspects of health and safety management.

Signed _____

Elaine Woodburn

Elected Leader of the Council

Date: October 2011

Signed _____

Paul Walker

Chief Executive

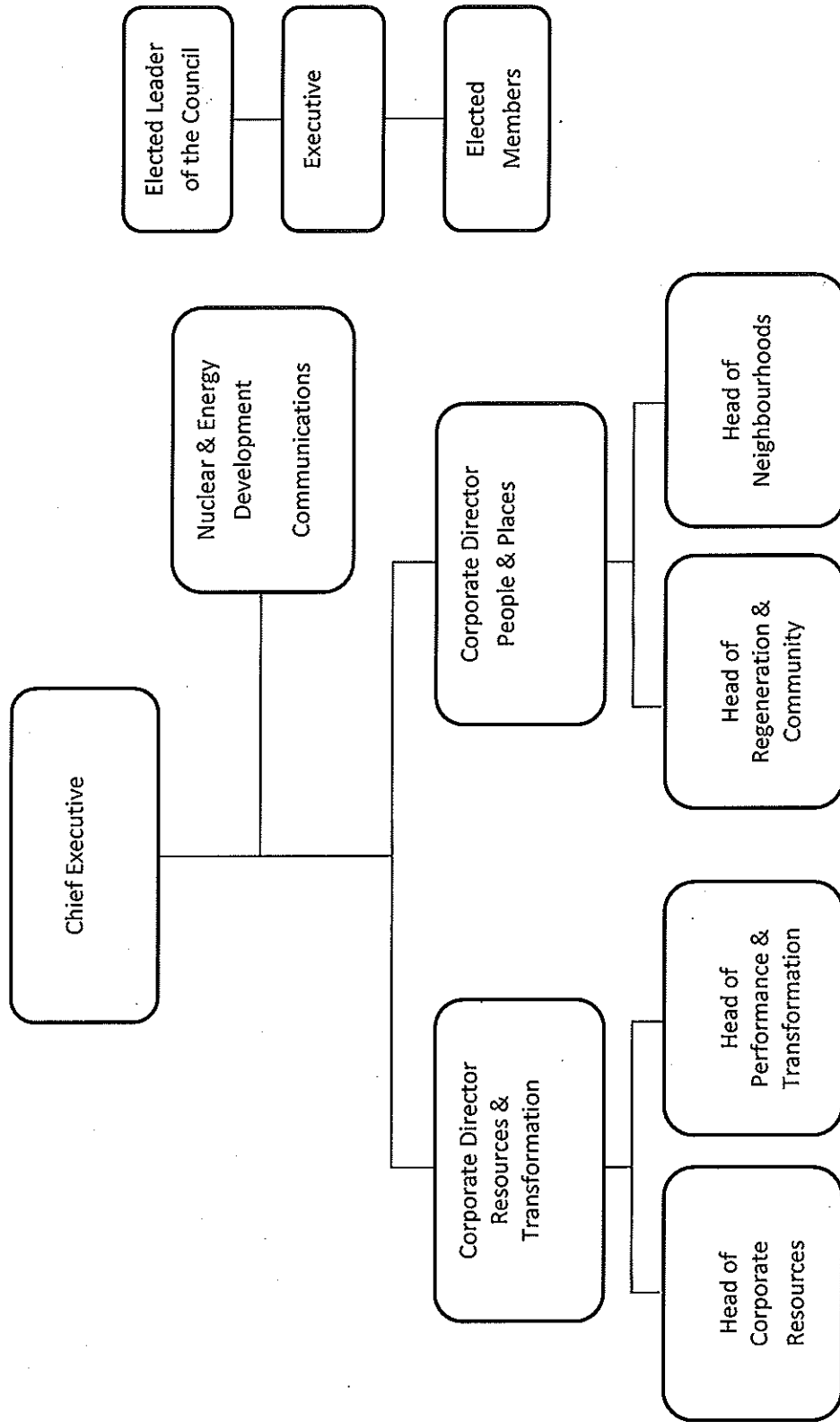
Date: October 2011

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SECTION

- 1.0 General Statements of intent
- 2.0 Responsibilities for health and safety Organisation and Arrangements
- 3.0 Health and safety Arrangements
- 4.0 Miscellaneous provisions
- 5.0 Appended documentation

COPELAND BOROUGH COUNCIL ORGANISATION STRUCTURE, August 2011



2.0 Roles and Responsibilities

2.1 The Council

The Council as a corporate body has the overarching responsibility for the health, safety and welfare of employees and those who are affected by the Council's activities by ensuring, so far as is reasonably practicable, that the Council complies with its statutory and moral obligations as regards health, safety and welfare.

2.2 Elected Members

Elected Members have a unique and collective role in providing leadership, direction, budget and strategy for the Council, and consequently have a major influence over setting corporate policy for the management of health and safety risks within the Council. Elected Members will ensure that their decisions give due consideration to health, safety and welfare issues.

In addition they shall;

- 2.2.1** Adopt and maintain in effect, policies which will encourage high standards of health and safety performance by individual employees and promote a positive culture of health and safety throughout the Council's operations;
- 2.2.2** Provide leadership, budget and strategy for the Council, and consequently have a major influence over setting corporate policy for the management of health and safety risks within the Council, and ensure there are sufficient resources to enable the objectives of this policy to be met;
- 2.2.3** Review health and safety performance throughout the Council's operations by considering the reports from the monthly Executive and ensure positive action is taken to maintain high standards.

2.3 Chief Executive

The Chief Executive has overall and ultimate responsibility for compliance with the relevant statutory requirements and the safe operation of all of the Council's undertakings and services, whether delivered directly or via external contractors, and is accountable to the Council for the general implementation of the Copeland Borough Council Health and Safety Policy.

In particular the Chief Executive will;

- 2.3.1** Maintain a broad awareness of current statutory requirements and principles of good practice for health, safety and welfare and the

specific issues which are relevant to the Council's operations in this respect;

- 2.3.2 Ensure at corporate level, the allocation of sufficient financial and human resources to meet the requirements for the full implementation of the Copeland Borough Council Health and Safety Policy;
- 2.3.3 Facilitate, encourage and contribute to the development of policy and the management of health, safety and welfare within the Council and set a personal example of good safety practices;
- 2.3.4 Monitor performance related to safety, encourage excellence, and ensure that remedial action is taken where it is required.

2.4 Corporate Directors

As members of the Corporate Leadership Team it is the responsibility of Corporate Directors to ensure that the Copeland Borough Council Health and Safety Policy is implemented within their area of control by putting in place arrangements to encourage excellence in the management of risk.

In addition to this general duty they shall;

- 2.4.1 Maintain a broad awareness of current statutory requirements and principles of good practice for health, safety and welfare and the specific issues which are relevant to the Council's operations in this respect;
- 2.4.2 Ensure at directorate level, the allocation of sufficient financial and human resources to meet the requirements for the full implementation of the Copeland Borough Council Health and Safety Policy;
- 2.4.3 Facilitate, encourage and contribute to the development of policies and procedures to improve the management of health, safety and welfare within the Council, and set a personal example of good safety practices;
- 2.4.4 Monitor performance related to health, safety and welfare to encourage excellence and ensure that remedial action is taken where it is required;
- 2.4.5 Ensure health and safety managements systems, in compliance with the Copeland Borough Council Health and Safety Policy, are developed for the control of health and safety risks which will then be adequately resourced and implemented;
- 2.4.6 Ensure that all business decisions taken within the service area reflect the health and safety intentions, as expressed in the Copeland Borough Council Health and Safety Policy Statement;

- 2.4.7 Ensure that health and safety performance is monitored, audited, and incorporated as an integral part of business planning and review;
- 2.4.8 Ensure that appropriate means of communication and consultation with employees on safety matters are established and maintained;
- 2.4.9 Ensure that suitable and sufficient assessments of risk are carried out in relation to their operations, activities and premises, and that the control measures which they identify are adequately communicated and implemented, and that a written record of these assessments is maintained and the assessments periodically reviewed;
- 2.4.10 Ensure, in conjunction with Human Resources and the Health and Safety Advisor, that departmental and divisional training plans fully reflect requirements for the provision of adequate training and instruction, as necessary for health, safety and welfare, and that these plans are periodically reviewed to ensure their effectiveness;
- 2.4.11 Ensure that organisations and persons who are engaged to carry out work for, or deliver services on behalf of their department or division, as contractors, partners or otherwise, are assessed to be competent in terms of health, safety and welfare, for the work concerned, in compliance with statutory requirements and the Council's procurement procedures;
- 2.4.12 Encourage employees at all levels to become actively involved in implementing and improving health, safety and welfare, and ensure that when delegating duties and responsibilities they are appropriately assigned, understood, capable of achievement, accepted and implemented, taking into account their capabilities as regards health, safety and welfare;
- 2.4.13 Ensure co-operation with the Head of Corporate Resources, the Contracts and Projects Manager, the Health and Safety Advisor, and others as required, to ensure the safety of premises under their control or partial control, in the management of asbestos, control of legionella, use and maintenance of gas appliances and any other relevant matters;
- 2.4.14 Ensure co-operation in the carrying out of safety inspections by the Health and Safety Advisor, the Health and Safety Executive, the fire authority, and safety representatives or other agencies, and ensuring that appropriate action is taken on the findings of these inspections;
- 2.4.15 Ensure any problems or constraints in meeting these duties and responsibilities which cannot be resolved locally are brought without delay, to the attention of the Chief Executive, and or the Corporate Leadership Team.

2.5 Corporate Leadership Team

The Corporate Team consists of the Chief Executive and the Corporate Directors who play a significant role in the organisation, and consequently formally accept their collective role in setting corporate policy for the control of risk, particularly that relating to health, safety and welfare, on behalf of the Council.

In addition to this general duty they shall;

- 2.5.1** Ensure that management systems, in compliance with the Copeland Borough Council Health and Safety Policy, are developed, for the control of significant risks which will then be adequately resourced and implemented;
- 2.5.2** Ensure that business decisions taken within service areas reflect the health and safety intentions, as expressed in the Copeland Borough Council Health and Safety Policy;
- 2.5.3** Ensure that health and safety performance is monitored, audited and incorporated as an integral part of business planning and review;
- 2.5.4** Encourage employees at all levels to become actively involved in implementing procedures and improving health, safety and welfare performance.

2.6 Heads of Service

It is the responsibility of the Heads of Service to ensure that this policy is implemented within their area of control by putting in place arrangements for the management of health and safety risk.

In addition to these general duties they shall;

- 2.6.1** Maintain a broad awareness of current statutory requirements and principles of good practice for health, safety and welfare and the specific issues which are relevant to the Council's operations in this respect;
- 2.6.2** Ensure at directorate level, the allocation of sufficient financial and human resources to meet the requirements for the full implementation of the Copeland Borough Council Health and Safety Policy;
- 2.6.3** Facilitate, encourage and contribute to the development of policies and procedures to improve the management of health, safety and welfare within the Council, and set a personal example of good safety practices;
- 2.6.4** Monitor performance related to health, safety and welfare to encourage excellence and ensure that remedial action is taken where it is required;

- 2.6.5 Ensure health and safety managements systems, in compliance with the Copeland Borough Council Health and Safety Policy, are developed for the control of health and safety risks which will then be adequately resourced and implemented;
- 2.6.6 Ensure that all business decisions taken within the service area reflect the health and safety intentions, as expressed in the Copeland Borough Council Health and Safety Policy Statement;
- 2.6.7 Ensure that health and safety performance is monitored, audited, and incorporated as an integral part of business planning and review;
- 2.6.8 Ensure that suitable and sufficient assessments of risk are carried out in relation to their operations, activities and premises, and that the control measures which they identify are adequately communicated and implemented, and that a written record of these assessments is maintained and the assessments periodically reviewed;
- 2.6.9 Ensure, in conjunction with Human Resources and the Health and Safety Advisor, that departmental and divisional training plans fully reflect requirement for the provision of adequate training and instruction, as necessary for health, safety and welfare, and that these plans are periodically reviewed to ensure their effectiveness;
- 2.6.10 Ensure that organisations and persons who are engaged to carry out work for, or deliver services on behalf of their department or division, as contractors, partners or otherwise, are assessed to be competent in terms of health, safety and welfare, for the work concerned, in compliance with statutory requirements and the Council's procurement procedures;
- 2.6.11 Encourage employees at all levels to become actively involved in implementing and improving health, safety and welfare, and ensure that when delegating duties and responsibilities they are appropriately assigned, understood, capable of achievement, accepted and implemented, taking into account their capabilities as regards health, safety and welfare;
- 2.6.12 Ensure co-operation with the Head of Corporate Resources, the Health and Safety Advisor, and others as required, to ensure the safety of premises under their control or partial control, in the management of asbestos, control of legionella, use and maintenance of gas appliances and any other relevant matters;
- 2.6.13 Ensure the co-operation in the carrying out of safety inspections by the Health and Safety Advisor, the Health and Safety Executive, the fire authority, safety representatives or other agencies, and ensuring that appropriate action is taken on the findings of these inspections;

2.6.14 Ensure that the Copeland Borough Council Health and Safety Policy as it relates to areas, activities and persons under their control is understood, implemented, maintained and monitored;

2.6.15 Ensure that any problems or constraints in meeting these duties and responsibilities which cannot be resolved locally are brought without delay, to the attention of the Director of the department within which they work.

2.7 The Health and Safety Advisor

The Health and Safety Advisor is responsible to the Manager of Environmental and Leisure Services, and is supported with professional, technical and administrative support. The Health and Safety Advisor has been appointed to provide the Council's central safety resource.

In particular the Health and Safety Advisor shall;

2.7.1 Maintain up to date specialist knowledge of safety management techniques, current and forthcoming statutory requirements, official and other authoritative guidance on safety;

2.7.2 Assist and advise Directors, Heads of Service, Managers and Team Leaders and others in all health and safety matters;

2.7.3 Develop health and safety policies and procedures, and provide guidance in their effective management and operation;

2.7.4 Compile, Maintain, Review and Update the Health and Safety Manual, and ensure Managers are aware of its contents;

2.7.5 Provide guidance and assistance in the preparation of risk assessments;

2.7.6 Provide advice and guidance on health and safety to all Elected Members and Council employees;

2.7.7 Disseminate information on health and safety, including changes in legislation, official guidance and current best practice;

2.7.8 Liaise with safety representatives, other employee representatives and trade union officers on health and safety matters. Promote and assist in the effective operation of health and safety committees and provide professional safety advice to support them;

2.7.9 Advise the Council regarding health and safety training requirements for the workforce;

- 2.7.10 Assess the performance of external training contractors who wish to tender for work, report on their competence and assist in the evaluation received from them;
- 2.7.11 Carry out assessments of the safety performance of external contractors who wish to tender for work, report on their competence and assist in the evaluation received from them;
- 2.7.12 Liaise with the Health and Safety executive, the fire authority and other enforcement authorities and maintain contact with external health and safety organisations and health and safety professionals for the purpose of benchmarking on best practice;
- 2.7.13 Monitor and report on safety performance via inspections and audits of operations and premises, including inspections of external contractors' operations where appropriate, and take action to ensure compliance when required;
- 2.7.14 Receive all reports of accidents, near misses and other incidents relating to safety. Report them as required to the Health and Safety Executive, investigate them, report and make recommendations and compile and analyse statistics;
- 2.7.15 Take immediate action to prohibit operations or require improvements in them, where there is, or may be an imminent risk of injury, and or a serious breach of statutory requirements and or a breach of the Council's Health and Safety Policy or procedures;
- 2.7.16 In the event that the Health and Safety Advisor takes immediate action to prohibit operations where there is or may be an imminent risk of injury, or a serious breach of statutory requirements and or a breach of the Council's Health and Safety Policy or procedures, they will immediately consult with the Manager of Leisure and Environmental Services so that such action can be confirmed.

2.8 Service Managers and Team Leaders

It is the responsibility of the Managers and Team Leaders to ensure that this policy is implemented within their area of control by putting in place arrangements for the management of health and safety risk.

In addition to these general duties they shall;

- 2.8.1 Maintain a broad awareness of current statutory requirements and principles of good practice for health, safety and welfare and the specific issues which are relevant to the Council's operations in this respect;

- 2.8.2 Ensure at directorate level, the allocation of sufficient financial and human resources to meet the requirements for the full implementation of the Copeland Borough Council Health and Safety Policy;
- 2.8.3 Facilitate, encourage and contribute to the development of policies and procedures to improve the management of health, safety and welfare within the Council, and set a personal example of good safety practices;
- 2.8.4 Monitor performance related to health, safety and welfare to encourage excellence and ensure that remedial action is taken where it is required;
- 2.8.5 Ensure health and safety managements systems, in compliance with the Copeland Borough Council Health and Safety Policy, are developed for the control of health and safety risks which will then be adequately resourced and implemented;
- 2.8.6 Ensure that all business decisions taken within the service area reflect the health and safety intentions, as expressed in the Copeland Borough Council Health and Safety Policy Statement;
- 2.8.7 Ensure that health and safety performance is monitored, audited, and incorporated as an integral part of business planning and review;
- 2.8.8 Ensure that suitable and sufficient assessments of risk are carried out in relation to their operations, activities and premises, and that the control measures which they identify are adequately communicated and implemented, and that a written record of these assessments is maintained and the assessments periodically reviewed;
- 2.8.9 Ensure, in conjunction with Human Resources and the Health and Safety Advisor, that departmental and divisional training plans fully reflect requirement for the provision of adequate training and instruction, as necessary for health, safety and welfare, and that these plans are periodically reviewed to ensure their effectiveness;
- 2.8.10 Ensure that organisations and persons who are engaged to carry out work for, or deliver services on behalf of their department or division, as contractors, partners or otherwise, are assessed to be competent in terms of health, safety and welfare, for the work concerned, in compliance with statutory requirements and the Council's procurement procedures;
- 2.8.11 Encourage employees at all levels to become actively involved in implementing and improving health, safety and welfare, and ensure that when delegating duties and responsibilities they are appropriately assigned, understood, capable of achievement, accepted and implemented, taking into account their capabilities as regards health, safety and welfare;

- 2.8.12 Ensure co-operation with the Head of Corporate resources, the Health and Safety Advisor, and others as required, to ensure the safety of premises under their control or partial control, in the management of asbestos, control of legionella, use and maintenance of gas appliances and any other relevant matters;
- 2.8.13 Ensure the co-operation in the carrying out of safety inspections by the Health and Safety Advisor, the Health and Safety Executive, the fire authority, safety representatives or other agencies, and ensuring that appropriate action is taken on the findings of these inspections;
- 2.8.14 Ensure that the Copeland Borough Council Health and Safety Policy as it relates to areas, activities and persons under their control is understood, implemented, maintained and monitored;
- 2.8.15 Ensure that any problems or constraints in meeting these duties and responsibilities which cannot be resolved locally are brought without delay, to the attention of the Head of Service of the department within which they work.

2.9 Operational Supervisors

Operational supervisors are expected to comply with the requirements of the Copeland Borough Health and Safety Policy and associated service policies and procedures.

In addition to these general duties they shall;

- 2.9.1 Maintain a broad awareness of current statutory requirements and principles of good practice for health, safety and welfare and the specific issues which are relevant to the Council's operations in this respect;
- 2.9.2 Demonstrate their commitment to health and safety by ensuring that they and the colleagues whom they supervise follow the laid down safety procedures including the wearing of personal protective equipment, challenge unsafe behavior and ensure that equipment is used correctly;
- 2.9.3 Assist Managers and Team Leaders in the preparation of assessment of risk in relation to operations, activities, premises and equipment that they are involved in, to ensure control measures are practical and can be adequately communicated and implemented;
- 2.9.4 Encourage employees at all levels to become actively involved in implementing and improving health, safety and welfare, and ensure that when delegating duties and responsibilities they are appropriately assigned, understood, capable of achievement, accepted and

implemented, taking into account their capabilities as regards health, safety and welfare;

- 2.9.5 Monitor the performance of their employees in terms of health, safety and welfare encouraging excellence and taking effective remedial action as necessary;
- 2.9.6 Ensure that the Copeland Borough Council Health and Safety Policy, as it relates to areas, activities and persons under their control is understood, implemented, maintained and monitored;
- 2.9.7 Ensure any problems or constraints in meeting these duties and responsibilities are brought without delay, to the attention of an appropriate manager.

2.10 All Employees, Agency and other Workers

Every employee, without exception, has responsibility for health and safety. They are responsible through their normal departmental management structure, for observing and following the Copeland Borough Council Health and Safety Policy.

In addition to this general duty they shall;

- 2.10.1 Take reasonable care for the health and safety of themselves and of other persons who may be affected by their acts or omissions whilst at work;
- 2.10.2 Observe systems of safe working and take any precautions necessary to ensure the safety of themselves and other affected by their work;
- 2.10.3 Co-operate with their employer or any other duty holder, so far as is necessary to enable any duty or requirement imposed on the employer, to be performed or complied with;
- 2.10.4 Ensure their attendance at and the proper participation in health and safety and other training, including refresher training, as and when directed, and the appropriate implementation of the safety practices covered in any such training;
- 2.10.5 Use the correct tools and equipment appropriate for the job and ensure that they are kept in good condition, (or reported to the appropriate person if they are not), and not adapted for unauthorised use;
- 2.10.6 Make proper use of safety aids, appliances, equipment and protective clothing provided;
- 2.10.7 Report or seek advice from an appropriate supervisor or manager without delay of any unsafe condition, plant, equipment, machinery, tools or other hazards of which they become aware;

- 2.10.8 Do not intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety or welfare;
- 2.10.9 Notify immediately any accident/incident, injury, disease, dangerous occurrence or near miss associated with the carrying out of their duties and responsibilities;
- 2.10.10 Do not interfere with any plant or equipment which has been involved in an accident or incident, or has been taken out of use pending an investigation until authorised to do so;
- 2.10.11 Familiarise themselves with the action to take in the event of fire or other emergency;
- 2.10.12 Seek health and safety advice, where necessary, through the appropriate officer;
- 2.10.13 Take reasonable care to maintain the security of their workplaces and other Council premises in relation to intruders and the prevention of arson;
- 2.10.14 Co-operate fully in the implementation of the Copeland Borough Council Health and Safety Policy, and in all other matters concerning safety and its management, within the Council.

2.11 Trade Union and Employee Health and Safety Representatives

Working in partnership with Copeland Borough Council, Trade Union and Employee Health and Safety Representatives will contribute to the improvement of standards regarding health, safety and welfare. Trade Union Representatives and where appropriate Employee Health and Safety Representatives, in order to fulfill their role within this policy will be given time off work during normal working hours to undertake these duties.

In addition to this general duty they shall;

- 2.11.1 Contribute to the identification, elimination or control of possible risks to employees' health, safety and welfare;
- 2.11.2 Work with the employer and employees to investigate accidents and incidents that have caused or have the potential to cause injury or ill health to employees;
- 2.11.3 Take an active part in health and safety meetings;
- 2.11.4 Represent the views of employees in discussions with the Health and Safety Executive and other enforcement agencies and receive information from those agencies.

3.0 Health and Safety Arrangements

3.1 Information for Employees

The Council recognises that a successful safety management culture relies upon the communication of information and will always include this as an intrinsic part of its 'Action Plan'

It is the responsibility of managers to ensure that all relevant health and safety information, including the location of the Health and Safety Manual containing all of the relevant Safe Working Procedures, risk assessments, technical information, operating instructions etc., and the identity of the competent or appointed persons is made available to employees. This information will be made known to staff during induction, training, verbal and written instructions given by management and workplace signs and directions.

The Health and Safety Law Poster 'What You Should Know' is displayed on notice boards at every premise.

3.2 Co-operation and Co-ordination

In the Copeland Centre and Moresby Parks Depot and any other premises where the council conduct business where there is shared occupancy, the Head of Corporate Resources will co-operate with other occupants to ensure compliance with the statutory requirements and take all reasonable steps to inform the other occupants of any risks arising from the conduct of the councils business. This is provided by the carrying out of risk assessments by a competent person and with the advice of the Health and Safety Advisor, and then informing other occupants of any risks and their subsequent control measures.

3.3 Training

Basic training in both general and specific departmental health and safety matters is given to all employees by their manager during induction. An induction record/checklist is used to document this procedure and written guidance is provided to managers to assist them in their role. In addition to this, certain posts within the Council require specific skills, qualifications and capabilities in terms of health and safety. These will normally form part of the appointment criteria for these posts.

Heads of Service are required to review the health and safety training of employees as part of their routine training and development reviews, seeking advice from the Health and Safety Advisor and others as appropriate. Particular reference will be made to the Health and Safety Manual to ensure all employees have received training in the appropriate agreed procedures. The results of this review shall be used for ensuring an adequate health and safety training programme is established.

In addition to the above, the Health and Safety Advisor will advise relevant Directors and Heads of Service of any significant training requirements which results from changes in statutory controls or official guidance and which should be included in their training programmes.

3.4 Welfare

The Council has established a high level of welfare facilities in all of its premises. It is the responsibility of the Head of Service charged with the management of the premise in question to ensure that the availability of such facilities at least meets the requirements of the of the Workplace (Health, Safety and Welfare) Regulations 1992.

Where employees work outside of the normal council work premises, risk assessments will be carried out by the appropriate manager and arrangements put in place to ensure all employees have access to adequate welfare facilities at all times. Details of these arrangements are available in the Health and Safety Manual.

3.5 First Aid Arrangements

Managers will carry out risk assessments to ascertain the appropriate level of first aid cover required in their areas with the advice from the Health and Safety Advisor. They will ensure that training is carried out for First Aid at Work, Appointed Persons and Emergency First Aid. They will display an up to date list of First Aiders, Appointed Persons and Emergency First Aiders in significant locations and on notice boards. Managers are responsible for providing first aid kits and will ensure their contents are fully stocked at all times. Details of First Aiders and locations of the first aid kits are available on the Council Intranet and in the Health and Safety Manual.

3.6 Accident and Incident Reporting

Copeland Borough Council recognises the benefits of reporting accidents, incidents and work related ill health and allows the Authority to comply with statutory and its own requirements regarding recording such incidents, identifying trends and reducing the risk of similar incidents occurring.

All accidents, injuries and dangerous occurrences and work related ill-health (not necessarily resulting in injury) must be reported to the appropriate supervisor or manager at the earliest opportunity, and the Corporate Accident form completed.

Managers must ensure that copies of all accident reports are sent to the Health and Safety Advisor within 3 days of the accident occurring.

In cases of serious injury, accidents and dangerous occurrences, the appropriate manager or supervisor must inform the relevant Director and the Health and Safety Advisor immediately by telephone.

The Health and Safety Advisor is responsible for notifying the Health and Safety Executive, where appropriate of any notifiable accidents and dangerous occurrences in accordance with the Reporting of Injuries, Diseases and Dangerous Occurrence Regulations (RIDDOR) 1995.

Guidance, procedures and forms for accident reporting can be found on the Council Intranet and in the Health and Safety Manual.

3.7 Health and Safety Risk Assessments

Heads of Service are required to ensure all significant and reasonably foreseeable health and safety risks arising out of the activities under their control are properly assessed in accordance with the Management of Health and Safety at Work Regulations 1999, following the Copeland Borough Council Risk Assessment Procedure. The Copeland Borough council Risk Assessment Procedure is included in the Health and Safety Manual and is available on the Council Intranet. The Health and Safety Advisor will advise on appropriate assessment methods, assist during the assessment process, training managers accordingly and ensure assessments are completed to appropriate standards. This will result in an assessment team approach. Risk assessments will be documented and reviewed periodically. In particular, health and safety risks will be re-assessed prior to any significant changes to legislation, plant, premises, systems of work or organisation etc.

Risk assessments files will be made available to employees for their information in the Health and Safety Manual. The assessments and subsequent reviews will be used to plan a programme of improvement to health and safety.

3.8 Safe Systems of Work

A range of safe systems of work have been developed in relation to the Council's activities. These systems will be documented as Safe Working Procedures (SWPs) and will be kept in the Copeland Borough Council Health and Safety Manual. Copies of the Health and Safety Manual will be distributed to all Directors and Heads of Service, in addition, to other managers as appropriate. The Health and Safety Manual will also be available on the Copeland Borough Council Intranet.

Heads of Service and Managers shall ensure that relevant procedures are brought to the attention of staff. Where additional procedures are required, advice must be sought from the health and Safety Advisor.

The Health and Safety Advisor will administer these arrangements and review the procedures regularly in liaison with other relevant managers.

3.9 Consultation with Employees

Copeland Borough Council will consult with its employees in accordance with the Safety Representative and Safety Committees Regulations 1977 and the Health and Safety (Consultations with Employees) Regulations 1996.

Consultations with employees will be provided by:

Health and Safety Inductions, health and Safety Representatives Groups, training and briefings, notices and posters, surveys and questionnaires etc.

3.10 Procedure for Serious and Imminent Danger and Danger Areas

So far as is reasonably practicable, Heads of Service are required to identify any situations which could present serious and imminent danger to those employed in their department as part of the risk assessment process. Where any such situations are identified, appropriate procedures to protect health and safety shall be prepared with advice from the Health and Safety Advisor and appropriate competent personnel appointed to implement the procedure(s). Employees will receive instruction and information with regard to these procedures and who the appointed persons are.

3.11 Access and Egress

Copeland Borough Council will ensure that a safe means of access and egress from all workplaces shall be maintained.

All staff have a duty to ensure permanent routes are not impaired by poor housekeeping. This is particularly important for fire escape routes. These routes will be clearly marked where appropriate.

The Council acknowledges that temporary means of access and egress can result in additional risks and advice should be sought from the Health and Safety Advisor where there is any doubt about appropriate standards.

3.12 Fire Safety Arrangements and Emergency Procedures

The Corporate Fire Safety Policy and the Premises Fire Safety Risk Assessments have provided the basis for the Emergency Evacuation Procedures to be implemented effectively in all council run premises, and will be brought to the attention of all staff and visitors who regularly use those premises as part of their place of work. A brief outline will also be given to contractors who may use the site as part of their initial safety brief prior to starting work within the building. This will include the actions to take on hearing the alarm, the escape routes provided and the assembly points that they should use.

Where there are premises with shared occupancy, occupants will be informed of the evacuation procedure for the building to allow them to liaise fully with Copeland Borough Council staff to enable them to provide their own procedures to ensure that Copeland Borough Councils procedures for the building are

adhered to. Those charged with supervising the evacuation of the workplace, i.e. 'Fire Wardens' have received additional training in their role and in the use of first aid fire fighting equipment.

The Fire Safety Policy, Fire Safety Risk Assessments and Emergency Evacuation Procedures are available on the Council Intranet and in the Health and Safety manual.

3.13 Health and Safety Inspections

Health and Safety Inspections will be carried out periodically at all Council premises and services. The frequency of the inspections will be lead by the risk process and managed by the Health and Safety Advisor. The Health and Safety Advisor will carry out the inspections and may be accompanied by a Health and Safety Representative. Reports of the Inspection will be sent to the relevant managers and copies of the reports to the relevant Heads of Service.

3.14 Housekeeping

Copeland Borough Council acknowledges that good housekeeping has a key role in accident prevention. Whilst managers and supervisors are required to monitor standards, all employees have a duty to keep their work areas clean and tidy and free from hazards. In addition, housekeeping standards will always be included as part of the health and safety inspections and audits carried out by the Health and Safety Advisor.

3.15 Work Equipment

All plant, equipment and tools shall be purchased, maintained, tested and used to at least the standards laid down in the Provision and Use of Work Equipment Regulations (PUWER) 1998. Managers shall seek advice from the Health and Safety Advisor if there is any doubt regarding the suitability of equipment from the health and safety aspect. Managers are required to maintain records detailing the maintenance and testing, including testing by insurers of the equipment under their control, and they shall ensure that appropriate remedial action is taken in relation to any identified defects.

3.16 Control of Substances Hazardous to Health (COSHH)

Before any products are supplied to the council, the manager will, with advice from the Health and Safety Advisor carry out a COSHH assessment of the potential substance in order to select a low risk product.

An inventory and up to date records of all substances used or stored will be kept. A COSHH assessment will be carried out and along with the relevant manufacturers' hazard data sheets, will be made available for all relevant staff. The manager will ensure that staff are trained and instructed on the safe use and control measures. Managers will also monitor work activities to ensure control

measures are being performed correctly. A Safety Management Procedure has been developed for implementing COSHH; this can be found on the Council Intranet and in the Copeland Borough Council Health and Safety Manual.

A specific Safe Working Procedure will be developed with advice from the Health and Safety Advisor and the relevant manager in the event that any substances are to be used which have significant risks e.g. cement based products.

3.17 Control of Legionella

The Council is committed to ensuring the health, safety and welfare of all of its employees and those other persons who are affected by its work activities.

Systems have been put in place which describes the allocation of responsibilities and arrangements for the implementation for the Council's policy for managing water hygiene and the control of legionella. These can be found on the council Intranet and Safety Manual.

Apart from the Health and Safety at Work Act 1974, there are two sets of Regulations and an Approved Code of Practice that apply to the control of legionella bacteria in water systems.

These are:

- The Control of Substances Hazardous to Health Regulations (COSHH)
- The Notification of Cooling Towers and Evaporative Condensers Regulations
- The HSE Approved Code of Practice ACOP L8 (rev) – *"The Control of Legionella in Water Systems"*

The Council shall ensure full compliance with these Regulations and ACOPs and in particular take such actions required to comply with preventing or controlling the risk from exposure to the Legionella Bacteria.

3.18 Management of Asbestos

It is the policy of this Authority to prevent so far as is practicable, exposure of persons to asbestos fibres and contamination of the environment with asbestos fibres. An Asbestos Management Plan, Asbestos Surveys and other procedures have been established to control the risk of exposure from asbestos containing materials. These can be found on the Council Intranet and in the Health and Safety Manual.

3.19 Lone Working

So far as is reasonably practicable, Copeland Borough Council will ensure that employees and self-employed contractors, who are required to work alone or unsupervised, during normal hours of work and also during out of hours arrangements, are protected from the additional risks that such work may entail. Where work is of such a hazardous nature that the risks from working alone are unacceptable, provision will be made to implement systems of work that allow adequate supervision or assistance. They will identify those working alone, the hazards those employees are exposed to, and the measures required to reduce

the risks, and to ensure that the implementation of corrective measures identified by risk assessments are regularly monitored and reviewed. Guidance, procedures and risk assessments for lone working can be found on the Council Intranet and in the Health and Safety Manual.

3.20 Control of Noise

In accordance with the 'Control of Noise Regulations 2005', the Council will take all reasonable steps to ensure that the risk of hearing damage to employees working with noisy equipment or in a noisy environment is reduced to the lowest practicable level. Managers and supervisors will ensure that a suitable and sufficient Noise Assessment is carried out by a competent person.

Noise will be reduced by engineering means as far as reasonably practicable, where this is not reasonably practicable; employees will be given suitable and appropriate hearing protection in addition to information, instruction and training in the use of the hearing protection.

3.21 Hand Arm Vibration (HAVs) and Whole Body Vibration (WBV)

In accordance with the 'Control of Vibration at Work Regulations 2005', the Council will take all reasonable steps to ensure that exposure to employees working with vibrating tools, equipment and mobile machinery is reduced to the lowest practicable level. The Council will look for alternative ways of working which will eliminate the use of vibrating equipment. Where this cannot be achieved, managers and supervisors will ensure that work equipment is selected which emit the lowest vibration. Suitable and sufficient assessments of the risks will be carried out so employees use the most appropriate equipment for the job, and time using the equipment is minimised to its lowest.

A database will be maintained recording all Plant, equipment and tools. This will include vibration measurements of all equipment and length of time individual employees spend using this equipment.

3.22 Health Surveillance

Where risk assessments identify a need for health surveillance in accordance with official guidance, relevant employees shall be referred to the Occupational Health Professionals who will establish an appropriate health surveillance programme. All records pertaining to individual employee's health will be held by Occupational health professionals. Information on the health surveillance

programme will only be made generally available on an anonymised basis. Managers shall only receive that information which they require to safeguard an employee's health, e.g. to carry out suitable and sufficient risk assessments for the individuals affected, or to ascertain that they are medically suitable or unsuitable for certain work. Individuals will have access to their own records on request to HR.

3.23 Stress

The Council recognises its responsibilities under the Management of Health and Safety Regulations 1999, and will continuously assess the nature and extent of risks to health in its workplaces and base the appropriate control measures on them. The Council will also take reasonable care to ensure that the health of employees is not put at risk through excessive and sustained levels of stress arising from work activities and will treat stress like any other work hazard. This will be done by encouraging good management and including 'regard for people' attitudes throughout the council by providing good management support and appropriate development of staff and ensuring good, regular, consistent communications and close employee involvement, particularly during periods of organisational change.

3.24 Remote Working

The Council recognises the potential advantages of remote working and supports its development. The Council also recognises its 'duty of care' to employees whilst they are working remotely and will ensure as far as is reasonably practicable that they shall have access to welfare facilities, first aid, means of communication and a safe working environment free from hazards. Managers will carry out suitable and sufficient assessments to identify potential hazards and implement the appropriate control measures. Where hazards are identified which have significant risks, a specific 'Safe Working Procedure' will be developed with advice from the Health and Safety Advisor. The Copeland Borough Council Remote Working Policy, Procedure and Remote Working Risk Assessment Checklist are available on the Council Intranet and in the Health and Safety Manual.

3.25 Display Screen Equipment (DSE)

Copeland Borough Council will ensure that all employees who are 'users' of DSE, whether they are new or existing 'users', undertake an assessment of their workstation and provide a copy of the completed assessment to their immediate manager. This arrangement covers all Council employees including those on modern apprenticeships. Display Screen Users can request an eyesight test. It has been developed using current internal procedures and the Health and Safety (Display Screen Equipment) Regulations 1992, as amended by the Health and Safety (Miscellaneous Amendments) Regulations 2002. The Council will pay for

regular eyesight tests. Most Opticians recommend retests every 2 years. Guidance for requesting eye and eyesight tests can be found on the Council intranet and in the Health and Safety Manual along with the Corporate DSE Procedures and Guidance

3.26 Manual Handling

Statistics show that poor manual handling is one of the most common causes of Injury in the workplace. These injuries can often have long-term effects. Copeland Borough Council is committed to reduce the risk of manual handling injuries as far as reasonably practicable and provide on-going training and guidance to employees on the measures that should be taken to ensure safe lifting and carrying. In accordance with the Manual Handling Lifting Operations 2002, managers will ensure that manual handling risk assessments are carried out, that operations which involve manual handling are eliminated where reasonably practicable, and where this is not reasonably practicable then suitable lifting aids are provided. Guidance and Manual Handling risk assessments can be found on the Council Intranet and in the Health and Safety Manual.

3.27 Electricity at Work

Copeland Borough Council acknowledges that work on electrical equipment can be hazardous and it is the intention of the council to reduce the risks as far as possible. Work shall be restricted to those employees who have received specialist training in electrical safety; therefore only competent people will be operating the safe working systems to maintain electrical equipment.

Portable Electrical Appliances

In addition to the above, managers are required to ensure a register of portable electrical appliances is established and maintained which contain record details of routine safety checks carried out by a competent person. All employees, however, have a duty to routinely visually check the condition of the flexible cable and plugs on any portable electrical equipment they use, and bring to the attention of the manager/supervisor any defects. A copy of the safety checklist for portable appliances is available on the Council Intranet and in the Health and Safety Manual.

Installed systems

In compliance with the IEE Wiring Regulations 17th Edition 2008 (BS 7671), the Council will have its installed electrical wiring, socket switches and fuse boxes inspected at least every 5 years by a competent person. The Council will retain the records and reports of each site through the responsibility of the Contracts and Property Manager, Development Operations Department. Inspection and

testing may be carried out more frequently in the event of any changes to the premise or other significant changes.

3.28 Working at Height

The Work at Height Regulations came into force on 6th April 2005. At the same time Regulations 6 to 8 and associated Schedules of the Construction (Health, Safety and Welfare) Regulations 1996, all of which deal with safe working at height, were revoked. The Work at Height Regulations, which apply to all work environments, places a number of duties on employers. Copeland Borough Council is committed to increase health and safety compliance and awareness throughout the Council. As part of this process the Health & Safety Advisor has compiled Guidance and Safe Working Procedures which are intended to be used by all employees who work at height. They will also be used by managers to update their knowledge on new health and safety legislation, and for anyone involved in the risk assessment process. All persons involved in the work at height risk assessment process will consult these procedures. These Guidance and Procedures can be found on the Council Intranet and in the Health and Safety Manual

3.29 Personal Protective Equipment (PPE)

Where risk assessment identifies the need for the use of PPE, Managers and Supervisors will ensure that all necessary clothing and /or equipment is provided. They will ensure that it is fit for purpose and that it is suitable for the wearer and does not create other problems or unsafe situations. All PPE will comply with the relevant British Safety Standards. All employees who use PPE will be given proper training in the use, maintenance and storage of the PPE. Employees provided with PPE must use it correctly and report immediately if they have any difficulties, if there are any defects, or when the PPE is damaged or worn. No reasonable request for PPE will be refused. However, it must be noted that PPE will be specified only as a last resort control measure.

3.30 Control of Contractors

The Council will only employ competent contractors, suppliers and service providers, and they will initially be vetted for health and safety compliance by the Health and Safety Advisor.

Contractors are required to work to health and safety standards that are no lower than those detailed in this policy, and to this end their health and safety performance shall be effectively monitored and measured. Refer to The Health and Safety Manual for detailed information regarding CDM.

Attention is drawn to the guidance and procedures published in the Construction (Design and Management) Regulations 2007 (the CDM Regulations 2007). These Regulations apply if the construction phase of a contract is likely to involve more than 30 days or more than 500 person days of construction work. Persons

responsible for contracts must comply with the information on the CDM Regulations 2007. There are documented systems and procedures to ensure compliance with the regulations. These can be found on the Council Intranet and in the Health and Safety Manual

3.31 Temporary Workers

The Council employs temporary workers from a number of sources including employment agencies, volunteers and fixed duration contracts. Under the Copeland Borough Council Health and Safety Policy these employees will be regarded in the same way as permanent employees. It is the responsibility of the relevant managers to ensure that the appropriate information is given both to the worker and the relevant agencies. This will include any skills or qualifications required to carry out work safely, any health surveillance required and any specific features of the job that may affect the worker's health and safety. This will be done by carrying out any necessary risk assessments, identifying training skills or health surveillance for each activity with the advice from the Health and Safety Advisor in the same way if it were a permanent post, and then monitoring work closely. The manager will inform the relevant agency of the health and safety requirements before the employee's or volunteers arrival on site. Checks of any qualifications will be made and an induction and any job specific training carried out as if the temporary workers were a permanent worker.

3.32 Vulnerable Employees (for example New and Expectant Mothers, Young Persons on work experience, Disabled Persons, Persons with Language Barriers).

The Council acknowledges its responsibility and extra 'duty of care' to any employees who are considered vulnerable and in particular with the requirements of employees in the above categories. In accordance with the Management of Health and Safety at Work Regulations 1999, this will be reflected in the risk assessments which will be carried out for all employees who are considered vulnerable. It is the responsibility of the relevant manager to ensure these risk assessments are carried out, monitored and reviewed. In some cases they may be assisted by the Health and Safety Advisor. Risk assessments will always be carried out with the assistance of the vulnerable person involved, they will then be given any instruction, information, training, supervision or specialist equipment required. The assessments will be monitored and reviewed periodically, or in the event of any changes.

3.33 Visitors

The Council acknowledges its responsibility to ensure the health and safety of all persons who come into contact, either directly or indirectly, with its work activities, this includes visitors to the Councils premises. All visitors are requested to agree and comply with health and safety instruction given before signing in to any of its sites or premises.

In particular it is the responsibility of the person meeting the visitor to ensure that visitors are informed of any particular hazards which they may expect to encounter during their time on site, and inform them of the precautions they should take. This may be particularly relevant to the Moresby Parks site and depot.

3.34 Safety Grievance Procedure

Employees are required to bring to the attention of their immediate manager, any unsafe condition or perceived shortcomings in health and safety measures or matters. If the employee considers the response to be unsatisfactory, reference will be made to the agreed Copeland Borough Council procedures for handling individual and collective grievance disputes. These procedures can be found on the Council Intranet and in the Health and Safety Manual.

3.35 Disciplinary Procedure

All Employees should be aware that serious breaches of this policy will be dealt within accordance with the Authority's disciplinary procedures. These procedures can be found on the Council Intranet.

4.0 Miscellaneous Provisions

4.1 Distribution of Policy Documents etc.

Corporate Directors, Corporate Leadership team, Managers, Union Safety Representatives will receive a personal copy of this complete document. The relevant appendices are included in the Health and safety manual.

Copies will be available in the Elected Members' Room for the convenience of Councillors.

All offices, depots etc., will receive and make readily available at all times for consultation by any employee a copy of the complete policy and the relevant appendices.

A précis of this document will be given to every employee. Copies of related safety documentation and or Safe Working Procedures that may be relevant to an individual's work will be provided by their manager.

4.2 Safe Working Procedures

Where relevant, as part of the Risk Assessment Procedure, each manager shall produce their own Operational Safe Working Procedures, which when approved, shall set a minimum standard of safety for a particular job or operation.

The production of Corporate Safe Working Procedures (generic), for identical work carried out by all Departments will be co-ordinated by the Health and Safety Advisor. These Corporate Safe Working Procedures shall be revised as and when required, but always within one year of the last review date.

5.0 Appended Documentation

Risk Assessments, Corporate Safe Working Practice, Operational Safe Working Procedures, Safety Management Procedures, Safety Guidance and other health and safety controls and procedures.

As the amount of appended documentation has increased, all relevant occupational health, safety and welfare information will be contained on the Council Intranet and in the Health and Safety Manual.

The Health and Safety Manual containing health and safety information, guidance and procedures covering the relevant aspects of safety management throughout the council and its activities, is available for viewing on the Council's Intranet and a copy will be held by all department Managers.

The Health and Safety Advisor will compile, maintain, review and update the Health and Safety Manual.

The Health and Safety Manual will;

- Provide a consistent approach to the management of health and safety throughout the Council
- Provide relevant, comprehensive and up to date health and safety information for the managers and staff
- Provide a more efficient system to audit
- Provide a secure "audit trail" as evidence in case of civil or criminal legal proceedings taken against the Council
- Initially contain file contents with headings
- Further headings and sub-headings will be added along with the relevant information in the event of new legislation and changes in the Councils health and safety management system
- Promote a positive Health and Safety culture.

This Policy will be reviewed and revised as and when required, but always within one year of the last review date.

An Equality Impact Assessment has been completed in accordance with the Equalities Framework for Local Government.

This Policy is available to all interested parties.



Proud of our past. Energised for our future.

Work Related Serious Injury/ Fatality Response Plan

Copeland Borough Council

POLICY STATEMENT

Copeland Borough Council recognises and accepts that whilst every care and effort is always taken to protect the health, safety and welfare of its employees, (and contractors working on our behalf) and members of the public, there is the potential for serious injury or death. If such an incident was to occur, the Council will investigate the incident as a matter of urgency, inform and co-operate with the relevant agencies and where appropriate the media.

The Council will endeavour to keep the immediate family members of the affected people informed of the actions being undertaken to minimise where possible, any confusion due to poor communication.

All releases of information will be authorised by the Chief Executive or nominated deputy in consultation with our legal representatives and Communications Team. **No unauthorised release of information is permitted.**

Scope and Purpose

The purpose of this plan is:

1. to ensure that the Council and its employees and members are able to support the legal and technical enquiries and processes following a work-related fatality or serious incident relating to Council activities; and
2. to minimise the potential for inaccurate or misleading information being circulated which could impede legal process, cause distress or damage the Councils reputation.

For the purposes of this plan a serious injury/ work-related fatality occurs when:-

- Any person dies as a result of an incident arising out of or in connection with services provided by the Council;
- The victim suffers injuries from which there is a strong likelihood of death.

This plan applies to all employees and to others engaged in the work of the Council including students, volunteers or people employed to carry out work on behalf of the Council.

ROLES AND RESPONSIBILITIES

Chief Executive

The Chief Executive, or nominated deputy, will be responsible for appointing an investigating officer, receiving relevant reports, providing leadership and where appropriate making key decisions and authorising the release of information which may be undertaken in association with appropriate legal advice.

All Strategic and Operational Managers

Those Managers who are directly involved in the incident will co-operate with investigating agencies by providing, witness statements (but should not speculate or offer opinions on the cause of the incident) and where appropriate facilities, equipment etc. However if it is suggested that they are in any way held to be culpable e.g. being asked to attend a formal interview or cautioned, they should not respond to any question put to them without an appropriate legal advice or presence if necessary. It should be noted that there may be sometimes a conflict of interest between the individual and the Council regarding liability, but in such situations the Legal Services team will provide initial advice **and then direct the individual to appropriate sources of further advice.**

Where a conflict of interest exists or may potentially exist, there would be a clear demarcation of responsibility amongst officers of the Legal Services team engaged to advise in relation to a serious incident.

The Council's Legal Services team are able to provide advice and assistance to Council employees who may become involved in an incident of the type and nature. This could incorporate the provision of legal advice and support as to the lawfulness and reasonableness of the Council's actions. Necessarily this could include liaison with a variety of Council employees as well as the Council's insurers and other parties.

Independent Legal Advisors

Where a conflict of interest could compromise the ability or impartiality of the Council's own Legal Services in providing advice, (usually this is if it becomes established that it is a matter of personal liability), then separate private legal representation, either through the individual employees Trade Union or through independent legal assistance would then be recommended. Advice and assistance would relate to the investigation process, either through the Police or the Health and Safety Executive or other statutory agency, which may by way of example, entail the questioning (possibly under caution), arrest and the legality of any detention of an employee, involved in a serious incident.

Following the outcome of any legal investigation, which may also incorporate the Council's own internal processes, advice, assistance and representation will also become

a consideration, particularly in the context of a Public Inquiry, HM Coroners Court or a Civil or Criminal Court.

Supervisors and Employees

Those Supervisors or employees who are directly involved in the incident will co-operate with investigating agencies (HSE or Police), by providing a witness statement, but should not speculate or offer opinions as to the cause of the incident. However if it is suggested that if they are in any way held to be culpable e.g. being asked to attend a formal interview or cautioned they should not respond to any questions put to them without appropriate legal advice or presence if required. It should be noted that there may sometimes be a conflict of interest between the individual and the Council regarding liability, but in such situations the Council Legal Department will provide initial advice **and direct the individual to appropriate sources of further advice.**

It should be noted that if it is believed that the investigating agency or other party are acting unprofessionally or inappropriately, the Legal Department should be contacted for advice.

It should be noted that under no circumstances should anyone speak to representatives of the media without authorisation from the Chief Executive or nominated deputy. If such approaches are made they should be directed to the Communications team in accordance with the Council's Communications Policy.

Elected Members

This policy also applies to Elected Members of the Council, who may be requested to be part of any investigation, and as such may be given access to privileged information.

In the event that elected members are involved in any investigation, they should seek advice to support their response when they are assisting with enquiries from official sources such as police, Health and Safety Executive and internal enquiries

It should be noted that under no circumstances should anyone speak to representatives of the media without authorisation from the Chief Executive or nominated deputy. If such approaches are made they should be directed to the Communications team in accordance with the Council's Communications Policy.

NOTIFICATION OF INCIDENT TO THE RELEVANT AGENCY

Most work related deaths will need to be notified to the HSE in accordance with the provisions of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1992, (RIDDOR). The Health and Safety Advisor will organise this on behalf of The Council.

INVESTIGATION

In addition to any investigations carried out by the Police/HSE, an internal investigation will be carried out by the Council itself, and the Council will appoint an investigating Officer. In those incidents caused by an accident at work this would normally be the Health and Safety Advisor, but in some incidents it may be appropriate to appoint an alternative investigating officer. This will be a Senior Officer of the Council (Head of Service or above), but this appointment will be made by the Chief Executive, or nominated deputy on being informed of the incident.

The appointed investigating officer will lead the investigation on behalf of the Council in any accident investigation, to determine:-

- The sequence of events leading up to the incident.
- The people, equipment, location and work activity involved in the incident.
- The general workplace environment.
- Policy, procedures, relevant records, previous incidents and near misses.

Their investigation and or any Interviews will be conducted without interfering with the Police/HSE

APPROACH OF RELEVANT AGENCIES

The scene is likely to be first visited by a Police Officer who will inform the Supervisory CID Officer and will also make arrangements for the preservation of the scene and any forensic examination as appropriate.

At this point it is very likely that the HSE or other relevant enforcement agency will be notified by the Police and they will also attend site. CID will contact the HSE and discuss the circumstance of the death. A decision will be made as to which agency should continue the investigation.

Where responsibility for the investigation passes to the HSE or the Police, any evidence gathered or statements taken in the initial investigation will be made available to the appointed investigating officer.

Where responsibility remains with the police the HSE will provide much of the necessary technical support and make available any reports they have made into the circumstances of the death.

Responsibility for keeping bereaved relatives informed should be decided between the agencies, including Copeland Borough Council.

Ref No	Issues	Date & Time	Actions Taken/ Agreed
1	Immediate Action (First 24 hours) – On site		
1.1	Notification received. Person notifying to be instructed to leave the scene intact. In the case of an accident the Health and Safety Advisor to be informed immediately. For other incidents the Head of Service and most senior manager should be informed		
1.2	Head of Service and most senior manager involved must attend the scene and liaise with the Health and Safety Advisor		
1.3	Ensure the local HSE office has been notified (RIDDOR) and if not report the incident. Reported toicc no.....		
1.4	Formally introduce selves to police and other emergency services. Explain role and show ID. Get details of all present for future contact if necessary. Record all information on note pad. This may be evidence in the future so should be treated as such		
1.5	Secure the scene if the Police/HSE have not already done this		
1.6	The Health and Safety Advisor or other appointed investigating officer will lead the investigation on behalf of the Council in any accident investigation, to determine:- <ul style="list-style-type: none"> • The sequence of events leading up to the incident. 		

	<ul style="list-style-type: none"> • The people, equipment, location and work activity involved in the incident. • The general workplace environment. • Policy, procedures, relevant records, previous incidents and near misses, any previous warnings given to the deceased or injured person. • Interviews will be conducted without interfering with the Police/HSE investigation 		
1.7	Head of Service will support staff and make arrangements with CBC legal officers so that those who are asked to be interviewed by the Police/HSE can be supported (notes taken). Obviously this will only take place where there is no conflict of interest		
2	Immediate Action (first 24 hours) – Off Site		
2.1	Chief Executive notified immediately by the Health and Safety Advisor, and or other Senior Manager		
2.2	The Chief Executive will call an emergency meeting as soon as is practicable with relevant Directors/Heads of Service, legal officers, Communication staff and the Health and Safety Advisor. The “Incident Response Team”. All relevant issues will be assessed (See checklist attached. Section 4). The Chief Executive informs the Leader of the Council		
2.3	Prepare a statement ready for Communications which can be put out very quickly. Suggested format:-		

			“The Council is sad to hear the news of what has happened, and extends its sympathy to those affected. We will do everything necessary to co-operate with those investigating this tragic accident.”		
3			Action After Immediate Response (24-36 hours)		
3.1			Reconvene the Incident Response Team and decide:-		
3.1.1			How far to carry on investigating the accident/incident after initial feedback from the Health and Safety Advisor or investigating officer		
3.1.2			Whether or not to suspend or support employees involved, legally and also to cope with the stress. These cases can take 2/3 years to resolve and suspending over such a period may not be appropriate		
3.1.3			Who is going to give legal advice on behalf of the Council and interface with the Police/HSE (have we got the expertise in house? If not we need this arranging in advance). This should be sourced appropriate to the incident (Legal, Insurer’s)		
3.1.4			Have our Insurers been advised/involved at this stage		
3.1.5			How/where to support staff who are asked to be interviewed by the Police/HSE, with the presence of CBC legal officers where there is no conflict of interest.		

4.	Corporate Manslaughter – Incident Management Protocol Issues		
4.1	Accident Response Team		
4.1.1	Legal		
4.1.2	Human Resources		
4.1.3	Insurance		
4.1.4	Health & Safety (RIDDOR)?		
4.1.5	Directors/Heads of Service (as appropriate)		
4.1.6	Communication Team		
4.1.7	Business Continuity		
4.1.8	A N Others as appropriate?		
4.2	Communications Policy		
4.2.1	Prepared press briefings		
4.2.2	Nominated spokespersons		
4.2.3	Briefing our staff		
4.3	Insurance		
4.3.1	What do our policies cover?		

4.3.2	What information do Insurance need?		
4.3.3	Officer liability? (Civil)		
4.4	Legal Representation		
4.4.1	What arrangements do we have/need?		
4.4.2	Who will/will not be provided with representation?		
4.4.3	Who will represent?		
4.4.4	Conflict of interest issues!		
4.4.5	Officer liability? (Criminal)		
4.5	Investigation protocol/issues		
4.5.1	Scope of internal investigation		
4.5.2	Witness statements		
4.5.3	Disclosure Issues		
4.5.4	HR implications (employee suspensions/ dismissals)		
4.5.5	Existing Council Policy – Was it followed?		
4.6	Welfare/Support		
4.6.1	General welfare support		

4.6.2	Counsellor provision for staff involved/witnesses		
4.6.3	Occupational Health Support		
S	Service Impact - Running the Service		
4.7.1	Need to consider how to run the service.		
4.7.2	Need to consider whether reducing the service.		
4.7.3	Assistance from Senior Management Team colleagues?		
4.7.4	Small scale incident to be called?		
4.7.5	Consider activating Business Continuity Plan and involving Emergency Resilience colleagues.		