

BRECKLAND DISTRICT COUNCIL

Report of: Public Protection Manager

To: General Purposes Committee – 4 February 2015

(Author: Craig Fowler – Food, Health & Safety Manager)

Subject: Review of Health and Safety Policy

Purpose: To propose a revised Health and safety Policy and to recommend its formal adoption and implementation

Recommendations:

- (1) That the Committee approves and adopts the revised Health and Safety Policy attached at Appendix A to this report.**

1.0 BACKGROUND

1.1 The Health and Safety at Work etc. Act 1974 imposes duties on Breckland Council, as an employer. These include:

- Adoption and review of a written Health and Safety Policy Statement
- Ensure so far as is reasonably practicable, the health, safety and welfare at work of its employees
- Ensure, so far as is reasonably practicable, the health and safety of others visiting Breckland's premises or using its services

1.2 The Policy has been amended to take account of the changes in CMT and corporate structure and to unify the policy with South Holland District Council. This will assist shared management by having a common policy. The Policy has also been reviewed to ensure it remains up to date, is effective and relevant

1.3 The Chief Executive has overall responsibility for implementation of the Policy and has to agree any amendments and sign the Policy.

2.0 OPTIONS

2.1 Agree the adoption of the revised Health and Safety Policy.

2.2 Do not adopt and agree the Health and Safety Policy.

3.0 REASONS FOR RECOMMENDATIONS

3.1 To ensure Breckland's compliance with statutory duties.

3.2 To protect the health and safety and welfare of employees and the health and safety of visitors to Breckland's premises or where services are provided by the Council.

4.0 EXPECTED BENEFITS

- 4.1 To ensure compliance with the Health and Safety at Work etc. Act 1974 and assist with consistent application of the policy across both Councils.
- 4.2 Better and more effective standards of Health and Safety Management. This will lead to better health and safety of the workforce. Less sickness, better morale and productivity.
- 4.3 If the council should face injury/compensation claims or legal enforcement action then the existence of an up to date Health & Safety Policy (which lays out the Councils Health and Safety Management arrangements) is likely to substantially reduce the success of such claims.

5.0 **IMPLICATIONS**

- 5.1 The Failure to have a Health & Safety Policy Statement is an offence and the Council could be liable to prosecution and also civil claims.
- 5.2 Failure to have a valid and effective Health & Safety Policy may lead to enforcement action against the Council, Union involvement, poor standards of Health & Safety Management and ill health and injury.
- 5.3 If enforcement action or legal claims are made and the Council does not have a reviewed and valid Health & Safety Policy then it will substantially reduce the Councils ability of a defence or ability to rebut such action.
- 5.4 If the recommendations are adopted then there are no perceived implications in the opinion of the report author.

5.5 **Constitution & Legal**

- 5.6 It is a requirement of the Health and safety at Work etc. Act that employers with five or more employees produce and revise a written health and safety policy.

5.7 **Contracts**

- 5.8 It is the opinion of the Report Author that there are no implications. However the management of contractors is captured by Health & Safety Law and the revised policy will assist this process.

5.9 **Corporate Priorities**

- 5.10 This proposal supports the following corporate priorities:
- Having Pride in Breckland
 - To develop stronger communities (by protecting and improving Health and wellbeing)
 - Being an Entrepreneurial Council (in that good businesses will recognise that good health & safety management is critical to effective and efficient business)

5.11 **Crime and Disorder**

- 5.12 It is the opinion of the Report Author that there are no implications.

5.13 **Equality and Diversity / Human Rights**

- 5.14 Equal opportunities: Breckland has a duty to protect the health and safety of all staff

and visitors regardless of race, creed, any disability etc.

5.15 Health & Wellbeing

5.16 This policy is fundamental in protecting the health and wellbeing of employees.

5.17 Financial

5.18 There are no direct financial implications of approving the policy.

5.19 Risk Management

5.20 The proposed policy is fundamental in laying down the framework for managing occupational health and safety at work and reducing risk levels for employees and work activities.

5.21 Staffing

5.22 There are no staffing implications by approving the policy.

5.23 Stakeholders / Consultation / Timescales

5.24 No further consultation is required. The Policy has already been to the relevant committees's and the relevant parties and stakeholders have been consulted.

6.0 WARDS/COMMUNITIES AFFECTED

6.1 All.

7.0 ACRONYMS

7.1 No acronyms used.

Background papers:- Revised Health and Safety Policy

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Director / Officer who will be attending the Meeting: Phil Adams, Public Protection Manager

Key Decision: No

Exempt Decision: No

This report refers to a Mandatory Service

Appendices attached to this report: [\(list appendices or delete\)](#)

Appendix A: Revised Health and safety Policy