

## **BRECKLAND DISTRICT COUNCIL**

**Report of:** Executive Member for People and Information and Executive Manager for People and Public Protection

**To:** Cabinet: Tuesday 17 October 2017

**Author:** Nick Kendrick Health & Safety Manager

**Subject** Corporate Health & Safety Policy 2017

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

### **Recommendation(s):**

- 1) That Cabinet agree that the Policy should be approved and adopted.

### **1.0 BACKGROUND**

- 1.1 The Health and Safety at Work etc. Act 1974 imposes duties on Breckland Council, as an employer. These include:
  1. Adoption and review of a written Health and Safety Policy Statement
  2. Ensuring, so far as is reasonably practicable, the health, safety and welfare at work of its employees
  3. Ensuring, so far as is reasonably practicable, the health and safety of others visiting Breckland DC's premises or using its services
- 1.2 The existing Health and Safety Policy has been in force since 2015 and is now due for review. This revised policy has been amended to take account of the changes in the Corporate Structure. The Policy is duplicated across with South Holland and assists with the shared working arrangements and provides commonality. It 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 will do any amendments in conjunction with the leader of the Council.

### **2.0 OPTIONS**

- 2.1 Agree the adoption of the revised Health and Safety Policy
- 2.2 Do nothing

### **3.0 REASONS FOR RECOMMENDATION(S)**

- 3.1 To ensure Breckland is in compliance with its statutory duties.
- 3.2 To protect the health and safety and welfare of employees and the health and safety of visitors to Breckland 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 workplace. 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 and Safety Policy (which lays out the Council's Health and Safety Management arrangements) is likely to substantially reduce the success of such claims.

#### 5.0 **IMPLICATIONS**

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Transformation Programme; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

##### 5.1 **Carbon Footprint / Environmental Issues**

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

##### 5.2 **Constitutional & Legal**

- 5.2.1 It is a requirement of the Health and safety at Work etc Act 1974 that employers with five or more employees produce a health and safety policy.
- 5.2.2 The failure to have a Health and Safety Policy Statement is an offence and the Council could be liable for prosecution and also civil claims.

##### 5.3 **Contracts**

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

##### 5.4 **Corporate Priorities**

- 5.4.1 This proposal support the following corporate priorities:
  - Having Pride in Breckland
  - To develop stronger communities (by protecting and improving Health and Wellbeing).

## 5.5 **Crime and Disorder**

5.5.1 It is the opinion of the Report that there are no implications

## 5.6 **Equality and Diversity / Human Rights**

5.6.1 Equal opportunities. Breckland has a duty to protect the health and safety of all staff and visitor regardless of race, creed, any disability etc.

## 5.7 **Financial**

5.7.1 There are no direct financial implications of approving the policy, other than, the cost of delivering all relevant training.

## 5.8 **Health & Wellbeing**

5.8.1 This policy is fundamental in protecting the health and wellbeing of employees, and the protection of any other persons who could be affected by the Council's undertakings.

## 5.9 **Reputation**

5.9.1 Compliance with Health and Safety legislation will safeguard the Council's reputation.

## 5.10 **Risk Management**

5.10.1 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.

## 5.11 **Safeguarding**

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

## 5.12 **Staffing**

5.12.1 There are no staffing implications by approving the policy. All staff will receive suitable and relevant training on their role and duties in ensuring the implementation of this policy.

## 5.13 **Stakeholders / Constitution / Timescales**

5.13.1 No further consultation is required. The Policy has already been to the relevant Strategic Health and Safety Groups and the relevant parties and stakeholders. At the present time Unison have no comments to make. EMT requested the policy be slightly re-worked to allow changes to be made more easily, with the introduction of Appendices and the introduction of a procedure on Terrorism has now been included. Overview and Scrutiny Panel requested the inclusion of the Construction, Design and Management Regulations 2015 within the policy and this has now been included.

## 5.14 Transformation Programme

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

## 6.0 WARDS/COMMUNITIES AFFECTED

6.1 All

## 7.0 ACRONYMS

7.1 No acronyms used.

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Background papers:- None

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### Lead Contact Officer

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**Key Decision:** No

**Exempt Decision:** No

**This report refers to a Mandatory Service**

### Appendices attached to this report:

Appendix A Revised Health and Safety Policy