



HEALTH & SAFETY POLICY

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DOCUMENT CONTROL					
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October 2018	1.1	Revision 1	John Armstrong, H&S Manager	LMT	October 2021
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1.0 Summary

- 1.1 This policy provides guidance on how Middlesbrough Council intends to implement their health and safety management system in order to achieve statutory compliance and ensure the health, safety and welfare of their employees whilst at work and others who may be affected by their acts or omissions.

2.0 Context

- 2.1 The Health and Safety at Work Act 1974 and associated legislation, including the Regulatory Reform (Fire Safety) Order 2005 will provide the basis for which the Council will adhere to in order to provide a safe working environment for employees and relevant others affected by their acts or omissions.

3.0 Purpose

- 3.1 The purpose of this health and safety policy is to provide clear and concise information on how the Council intends to fulfil their statutory obligations in accordance with the requirements of the Health and Safety at Work Act 1974 and associated legislation, including the Regulatory Reform (Fire Safety) Order 2005, so far as is reasonably practicable.

4.0 Scope

- 4.1 This health and safety policy applies to all Middlesbrough Council employees and elected members. Individuals working for external agencies will work to their own health and safety policy unless a contractual agreement is in place between the Council and the relevant external agency which states that this policy applies. This policy does not apply to maintained schools who will also adopt their own health and safety policies.

5.0 Policy Detail

- 5.1 Middlesbrough Council recognises and accepts their responsibilities as an employer for providing a safe and healthy working environment for all its employees and others who could be affected by their acts or omissions.
- 5.2 The Council aims to fulfil their responsibilities under the Health and Safety at Work Act 1974, by implementing and monitoring robust health and safety management systems and will provide, the resources necessary to implement this policy, so far as is reasonably practicable.
- 5.3 This policy sets out the framework for managing health and safety within the Council which are based around the requirements of HSG 65:

Plan

- A plan requires management to provide detail on how health and safety requirements are to be implemented within each directorate, service area and Council building in order to achieve compliance with relevant legislative and procedural requirements.
- To support management in this process service area and premises health and safety plan templates have been developed to provide a standard framework of what is required and which can be amended to suit individual service areas and buildings as required.

- Evidence of completed service area and premises health and safety plans are to be maintained for audit and inspection purposes by relevant management.

Do

- This requires management to implement the requirements of their service area and premises health and safety plans in a timely manner in order to achieve compliance with relevant legislative and procedural requirements.
- Once the requirements have been implemented, evidence of compliance is to be maintained within organised premises and service areas health and safety folders for audit purposes.

Check

- This requires management to implement documented arrangements to regularly monitor the performance and progress of their service area and premises health and safety plans in order to achieve compliance with relevant legislative and procedural requirements.
- Evidence of compliance checks carried out by management are to be maintained for audit and inspection purposes by relevant management.
- The health and safety unit will carry out periodic service area and premises health and safety audits based on the requirements of the templates provided and provide recommendations as required in order to improve performance.

Act

- This requires management to take action on performance issues within their service areas or allocated buildings in order to achieve compliance with legislative or procedural requirements.
- They are also required to implement recommendations within service area and premises health and safety audits within a timely manner and escalate any issues which cannot be resolved.
- Evidence to detail the completion of recommendations is to be maintained for audit and inspection purposes by relevant management.

- 5.4 This health and safety policy and the associated statement of intent is to be made available to all employees and relevant others on induction and will also be published on the Intranet. The statement of intent is to be displayed on health and safety notice boards or other prominent locations within all Middlesbrough Council premises.
- 5.5 Various corporate health and safety procedures have been developed to assist management in the implementation of this policy and the development of robust health and safety management systems and are available on the intranet to download.
- 5.5 The Council is committed to including equality and diversity in everything they do. This includes the elimination of unlawful discrimination, promoting diversity as a positive force and valuing and celebrating our diverse workforce and community. An equality impact assessment will be carried out in the preparation of this policy and the assessment will be reviewed on an ongoing basis.
- 6.1 This health and safety policy and the associated statement of intent will be reviewed every three years or more frequently where there have been significant changes to legislation or activities undertaken within the Council.

6.0 Roles and Responsibilities

The responsibilities for the management of health and safety within the Council are as follows:

The Council's Mayor, Executive & Elected Members

The Council's Mayor, Executive and Elected Members have individual and collective responsibility for overseeing the general implementation of the health and safety policy by the Chief Executive Officer and will:

- Support the allocation of sufficient resources at a strategic level to permit the full implementation of this policy;
- Lead by example on all health and safety matters and promote a positive health and safety culture within the organisation;
- Ensure that health and safety is considered in all decision making processes within the Council.

The Chief Executive Officer (CEO)

The Chief Executive Officer has ultimate responsibility for ensuring the Council meets its statutory duties relating to health and safety as an employer and will: -

- Allocate sufficient resources to ensure the requirements of this policy and associated procedures are fully implemented within the organisation in order to comply with relevant legislation;
- Lead by example on all health and safety matters and promote a positive health and safety culture within the organisation;
- Ensure that health and safety is considered in all decision making processes within the Council;
- Produce the health and safety policy and ensure the requirements are fully implemented throughout the organisation;
- Sign the health and safety policy statement of intent, review it on a regular basis and ensure it is communicated along with the policy to employees and relevant others;
- To ensure that appropriate action is taken against employees failing to comply with the requirements of the policy.
- Make health and safety a permanent agenda item on all management meetings;
- Inform the Leadership Management Team (LMT) of their health and safety responsibilities set out within the policy and supporting procedures and monitor compliance;
- Provide guidance and support to LMT on the development of robust health and safety management system plans for activities carried out in their directorates in order to achieve compliance with legislative and procedural requirements;
- Ensure staff are competent to perform their duties safely and without risks to health and they receive adequate information, instruction, training and supervision as is necessary to enable them to do so.
- Ensure arrangements are in place to comply with the requirements of the Regulatory Reform (Fire Safety) Order 2005 and associated legislation;
- Implement a procedure for the recording and reporting of all accidents, incidents, near misses and instances of ill health occurring as a result of Council work activities;
- Provide adequate insurance to protect against the costs of accidents and occupational ill health arising out of the Council's activities (including Employers' and Public Liability Insurance);
- Set up appropriate and effective consultation systems for employees, management and trade unions to consult on health and safety matters;
- Ensure that a programme of health and safety audits are undertaken and the findings reported to the Leadership Management Team are regularly reviewed and actioned in a timely manner;

NOTE: The CEO may choose to delegate some of their responsibility for health and safety to another director, but still have overall accountability for compliance with relevant health and safety legislation within the Council.

Director of Legal and Governance

The CEO has chosen to delegate some of their health and safety responsibilities to the Director of Legal and Governance, who will implement the relevant requirements set out in the CEOs roles and responsibilities detailed above.

Directors will:

Directors have specific responsibilities for the health, safety and welfare of employees under their control and others who could be affected by their acts or omissions and therefore will:

- Allocate sufficient resources to ensure the requirements of this policy and associated corporate procedures are fully implemented within their Directorate;
- Develop, implement and monitor robust health and safety management systems within their directorate to comply with legislative and procedural requirements and maintain evidence for audit purposes;
- Lead by example on all health and safety matters and promote a positive health and safety culture within the organisation;
- Ensure that health and safety is considered in all decision making processes within their Directorate;
- Ensure understanding of their roles and responsibilities within the policy and associated procedures and communicate the requirements to employees and relevant others;
- Take appropriate action against employees failing to comply with the requirements of the policy.
- Make health and safety a permanent agenda item on all management meetings within their Directorate;
- Ensure employees are provided with sufficient information, training, instruction and supervision in order to undertake their roles and responsibilities safely and that training records are maintained for audit purposes;
- Ensure robust health and safety training matrix's are in place for all service areas within their directorate and training records maintained for audit purposes;
- Arrange for suitable and sufficient risk assessments to be carried by competent persons and ensure control measures are fully implemented and regularly reviewed;
- Ensure adequate inspection and maintenance arrangements are in place for work equipment used within their directorate;
- Ensure arrangements are in place to comply with the requirements of the Regulatory Reform (Fire Safety) Order 2005 and associated legislation;
- Ensure the recording and reporting of all accidents, incidents, near misses and instances of ill health occurring as a result of Council work activities within their directorates in accordance with the incident management procedure;
- Establish appropriate and effective consultation systems for employees, management and trade unions to consult on health and safety matters and chair JCC meetings within their directorate;
- Support the health and safety auditing schedule and ensure findings from audits and fire risk assessments are regularly reviewed and actioned in a timely manner within their directorate;
- Escalate any issues which cannot be resolved in a timely manner to LMT for discussion and update directorate risk registers with proposed management action, when resources are unavailable to resolve the issues.
- Co-operate with enforcing authorities such as the Health and Safety Executive (HSE) or the Fire Service on routine and non-routine visits and take action on any recommendations.

Heads of Service

Heads of Service have specific responsibilities for the health, safety and welfare of employees under their control and others who could be affected by their acts or omissions and therefore will:

- Allocate sufficient resources to ensure the requirements of this policy and associated corporate procedures are fully implemented within their service areas;
- Develop, implement and monitor robust service area and premises health and safety management systems within their service areas to comply with legislative and procedural requirements and maintain evidence for audit purposes;
- Lead by example on all health and safety matters and promote a positive health and safety culture within the organisation;
- Make health and safety a permanent agenda item on all management meetings;
- Ensure that health and safety is considered in all decision making processes within their service areas;
- Ensure understanding of their roles and responsibilities within the policy and associated procedures and communicate the requirements to employees and relevant others;
- Take appropriate action against employees failing to comply with the requirements of the policy.
- Ensure employees are provided with sufficient information, training, instruction and supervision in order to undertake their roles and responsibilities safely and that training records are maintained for audit purposes;
- Ensure robust health and safety training matrix's are in place and regularly monitored for compliance, within their service areas and training records maintained for audit purposes;
- Arrange for suitable and sufficient risk assessments to be carried by competent persons and control measures are fully implemented and regularly reviewed;
- Ensure adequate inspection and maintenance arrangements are in place for work equipment used within their service area and any recommendations are acted upon in a timely manner;
- Ensure arrangements are in place to comply with the requirements of the Regulatory Reform (Fire Safety) Order 2005 and associated legislative and procedural requirements within their allocated buildings and service areas;
- Implement the requirements of the incident management procedure within their service areas and ensure relevant management attend training to enable them to carry out robust root cause incident investigations to prevent recurrence and understand the reporting requirements associated with the Reporting of Diseases and Dangerous Occurrence Regulations (RIDDOR);
- Implement and chair effective communication and consultation systems for employees, management and trade unions to consult on health and safety matters relating to service areas and allocated premises as required;
- Support the health and safety auditing schedule and ensure findings from audits and fire risk assessments are regularly reviewed and actioned in a timely manner within their service area;
- Escalate any issues which cannot be resolved in a timely manner to their director and update relevant service area and premises health and safety plans accordingly when issues cannot be resolved at a service area level;
- Co-operate with enforcing authorities such as the Health and Safety Executive (HSE) or the Fire Service on routine and non-routine visits and take action on any recommendations.

Building Managers

Building Managers have specific health and safety responsibilities for their allocated premises and will:

- Lead by example on all health and safety matters and promote a positive health and safety culture within the organisation;
- Display the signed health and safety policy statement of intent on the premises health and safety notice board or other prominent location;
- Complete the building manager training course;
- Comply with the requirements of the building manager procedure;
- Develop, implement and monitor robust premises health and safety plans within their allocated buildings to comply with legislative and procedural requirements;
- Maintain evidence in an organised premises health and safety folder for audit purposes;
- Develop, implement and monitor a robust fire safety management system within their allocated buildings to comply with legislative and procedural requirements;
- Maintain compliance evidence in an organised premises fire safety folder for audit purposes;
- Act as a point of contact with relevant regulatory bodies such as the Health and Safety Executive (HSE) and the Fire Service and inform relevant management and directors of any issues as required.
- Implement and chair periodic premises health and safety meetings and maintain documented evidence for audit purposes;
- Support the health and safety auditing schedule and ensure findings from audits and fire risk assessments are regularly reviewed and actioned in a timely manner within their allocated buildings;
- Escalate any issues which cannot be resolved in a timely manner to their head of service and update premises health and safety plans and fire risk assessments accordingly when issues cannot be resolved at a building manager level.

Service Area Managers

Service Area Managers have specific health and safety responsibilities for their service areas and will:

- Lead by example on all health and safety matters and promote a positive health and safety culture within the organisation;
- Communicate the health and safety policy and associated corporate procedures to employees and relevant others within their service area;
- Develop, implement and monitor robust service area health and safety plans to comply with legislative and procedural requirements;
- Maintain evidence in an organised service area health and safety folder for audit purposes;
- Make health and safety a permanent agenda item on all management meetings;
- Ensure that health and safety is considered in all decision making processes within their service areas;
- Ensure understanding of their roles and responsibilities within the policy and associated procedures and communicate the requirements to employees and relevant others;
- Take appropriate action against employees failing to comply with the requirements of the policy.
- Ensure employees are provided with sufficient information, training, instruction and supervision in order to undertake their roles and responsibilities safely and that training records are maintained for audit purposes;
- Ensure robust health and safety training matrix's are in place and regularly monitored for compliance, within their service area and training records maintained for audit purposes;
- Successfully complete the general risk assessment training course;
- Arrange for suitable and sufficient risk assessments to be carried by competent persons and ensure control measures are fully implemented and regularly reviewed;
- Ensure adequate inspection and maintenance arrangements are in place for work equipment used within their service area and any recommendations are acted upon in a timely manner;

- Ensure arrangements are in place to comply with the requirements of the Regulatory Reform (Fire Safety) Order 2005 and associated legislative and procedural requirements within their allocated service areas;
- Successfully complete the incident investigation training course as required;
- Implement the requirements of the incident management procedure within their service areas and ensure relevant management attend training to enable them to carry out robust root cause incident investigations to prevent recurrence and understand the reporting requirements associated with the Reporting of Diseases and Dangerous Occurrence Regulations (RIDDOR);
- Implement and chair effective communication and consultation systems for employees, management and trade unions to consult on health and safety matters relating to service areas as required;
- Support the health and safety auditing schedule and ensure findings from service area health and safety audits are regularly reviewed and actioned in a timely manner;
- Escalate any issues which cannot be resolved in a timely manner to their head of service and update relevant service area health and safety plans accordingly when issues cannot be resolved at a service area level;
- Co-operate with enforcing authorities such as the Health and Safety Executive (HSE) or the Fire Service on routine and non-routine visits and take action on any recommendations.

The Health and Safety Unit

In accordance with (Regulation 7) of the Management of Health and Safety at Work Regulations 1999, trained employees have been appointed to provide competent health and safety assistance to the Council and will:

- Lead by example on all health and safety matters and promote a positive health and safety culture within the organisation;
- Provide competent health and safety advice and guidance to all Middlesbrough Council employees, including those working in maintained schools as required;
- Provide support to the CEO and the Director of Legal and Governance in the development and implementation of the health and safety policy and supporting procedures;
- Produce and regularly review the organisations health and safety legal register and communicate any changes to legislation as they arise;
- Produce and regularly review corporate health and safety procedures and upload them onto the intranet;
- Produce and deliver suitable and sufficient corporate health and safety training to Council employees in order for them to perform their duties safely and comply with legislative and procedural requirements;
- Maintain the Council's incident management system and support management in the completion of robust root cause incident investigations to prevent recurrence;
- Advise management on their responsibilities towards reporting relevant incidents to the Health and Safety Executive (HSE) in the required timescales, as required by the Reporting of Injuries, Diseases and Dangerous Occurrence Regulations;
- Provide guidance and advice to management on the production and implementation of robust service area and premises health and safety plans;
- Provide guidance and support to management on the completion of suitable and sufficient risk assessments to cover their activities;
- Carry out premises and service area health and safety audits to monitor compliance with legislative and procedural requirements and report findings to relevant management and directors;
- Carry out fire risk assessments on behalf of the Asset Team for all Council premises to monitor compliance with legislative and procedural requirements and report findings to relevant management and directors;

- Produce health and safety performance reports for Council meetings including the Corporate Health and Safety Committee;
- Act as point of contact with relevant regulatory bodies such as the Health and Safety Executive (HSE) and the Fire Service and inform relevant management and directors of any issues as required.

Built Asset

The built asset team in the capacity of corporate landlord are responsible for ensuring that competent people are appointed to undertake asset management and property maintenance activities within Council buildings and therefore will;

- Ensure all Council buildings under their control are safe and maintained in accordance with relevant legislative requirements;
- Produce and maintain an approved contractor list for external contractors used within the service and implement appropriate procedural controls (Permit to Work System) to manage risks as required;
- Implement systems to periodically monitor compliance against legislative and procedural requirements associated with their activities, including statutory maintenance;
- Review allocated recommendations within health and safety audits and fire risk assessments and action them in a timely manner;
- Escalate any recommendations within the above audits and assessments to their head of service and director as required and maintain documented evidence for audit purposes;
- Escalate any other significant property related health and safety issues which cannot be resolved in a timely manner to their relevant head of service or director as required;
- Prepare a quarterly compliance update report for the Corporate Health and Safety Committee;
- Attend the Corporate Health and Safety Committee to discuss the content of the report and any other relevant health and safety issues as they arise.
- Operational directorates are required to appoint “Building Managers” in order to evidence onsite health and safety requirements are being adhered to and work in collaboration with the built asset team to report any defects to the building fabric or services that could compromise health and safety legislation.

Human Resources

The human resources (HR) team are responsible for providing various health and wellbeing services within the Council and therefore will;

- Lead by example on all health and safety matters and promote a positive health and safety culture within the organisation;
- Provide competent health and wellbeing advice and guidance to all employees and relevant others regarding the following support services:
 - Occupational health;
 - Health and wellbeing;
 - Mental wellbeing;
- Chair the monthly trade union meeting (TUM) using a standard agenda and produce minutes and an action register and maintain for audit purposes;
- Attend the Corporate Health and Safety Committee to discuss the content of the report and any other relevant health and safety issues as they arise.

The Trade Union and Employee Health and Safety Representatives

The Council will co-operate in the appointment of trade union and health and safety representatives who play a vital role in the communication and promotion of health and safety within the workplace and will:

- Lead by example on all health and safety matters and promote a positive health and safety culture within the organisation;
- Communicate the health and safety policy and associated corporate procedures to employees as required;
- Work with the Council and employees to investigate accidents and other significant incidents that caused or had the potential to cause injury or ill-health to employees and relevant others;
- Investigate complaints from employees they represent on issues associated with health, safety and welfare arrangements within the workplace;
- Carry out joint inspections with Council representatives and contribute to the identification of workplace hazards in order to control the associated risks to employees and relevant others;
- Work closely with the health and safety unit and health and wellbeing representatives in Human Resources in order to suggest improvements to working practices as required;
- Attend the Corporate Health and Safety Committee and other health and safety meetings on behalf of the group of employees they represent;
- Represent employees in disciplinary investigations as required;
- Be afforded reasonable time off to carry out these duties in accordance with the Safety Representatives and Safety Committees Regulations 1977.

Employees

Employees are required to co-operate with the Council on matters of health and safety at all times and therefore will:

- Read the health and safety policy and relevant corporate procedures and comply with the requirements set out within them;
- Cooperate with relevant management and work in a safe manner in accordance with relevant health and safety information, instructions training and supervision provided;
- Read risk assessments associated with the activities they undertake and inform management of any issues as soon as possible;
- Take reasonable care for their own health and safety at work and of those who may be affected by their acts or omissions;
- Not intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety and welfare in the workplace;
- Report any health and safety issues which could impact upon the safety of others to management as soon as possible;
- Report accidents and other relevant incidents in a timely manner to management.