

North York Moors National Park Authority

17 December 2012

Health and Safety Management

<p>1. Purpose of the Report</p> <p>1.1 To update Members and seek their approval for the monitoring and operation of the Authority's Health and Safety management systems.</p>

2. **Introduction**

2.1 Over the past 10 years, Members have both approved and been updated regularly regarding the actions that Officers have taken to review and implement the Authority's systems of Health and Safety management.

2.2 The last 2 years have seen considerable change within the Authority and it is important that these changes, both to the Authority's governance and staff structures, do not result in a reduction of the commitment to manage health and safety appropriately.

2.3 It is obviously in the Authority's interests to ensure that staff and volunteers can work safely and that visitors to our sites can do so without risk of injury. In addition, the current legal framework places considerable responsibility on organisations. At the most severe end of the spectrum, the provisions of the Corporate Manslaughter and Corporate Homicide Act 2007 mean that organisations can be found guilty of corporate manslaughter as a result of serious management failures resulting in a gross breach of a duty of care. While Officers do not believe this to be a serious risk, maintaining a demonstrably clear approach to health and safety management means that in the event of an accident which results in either, a formal investigation by the Health and Safety Executive, or a claim made by a member of staff or the public, the Authority will be able to demonstrate that it has sound policies and procedures in place and a robust mechanism for monitoring them.

3. **Current Situation**

3.1 The Authority has an up to date Health and Safety Policy which is consistent with the Health and Safety Executive's (HSE's) recommended approach. This outlines the Authority's general policy as well as clearly defining individual responsibilities. The policy is reviewed on an annual basis and brought up to date to reflect changes in staffing. Copies are given to new starters and updated versions made available to existing staff.

3.2 In accordance with HSE guidelines, considerable effort has been put into developing and regularly updating risk assessments for all of the key activities carried out by staff and volunteers. The risk assessments also detail which items of Personal Protective Equipment should be worn to minimise the risk of any activity.

- 3.3 Staff have easy access to the risk assessments relevant to their work and are required to use them as part of their day to day working practices. Risk assessments also form a key part of the health and safety briefing that volunteer groups receive from their supervisors prior to each work task. Generic risk assessments cover tasks that are carried out regularly and, where necessary, these are supplemented by site specific risk assessments.
- 3.4 The Authority's Health and Safety Group meets every two months. The group is chaired by the Assistant Director of Corporate Services and consists of representatives from each Department. This group reviews accidents/near misses and makes recommendations for changes to working practices; considers health and safety policies; reviews any insurance claims that have been made and shares information about potential site risks. This group reports to the monthly Management Team meetings, the quarterly Joint Consultative Forum meetings with UNISON and issues bulletins to all staff twice each year.
- 3.5 Senior Management Team discusses Health and Safety at all of their monthly meetings. The actions to be taken as a result of the most recent Health and Safety Group meeting and discussions at Departmental meetings are minuted. At the December meeting of SMT each year, the Authority's health and safety policies are 'signed off' as being fit for purpose for a further 12 months.
- 3.6 Directors are also responsible for ensuring that Health and Safety is a **standing** item on the agenda for all of their Departmental meetings. This includes discussion of any accidents/near misses together with what action will be taken, reports on spot checks that have been made by line managers to ensure that risk assessments are being followed by staff, volunteers and contractors and give staff the chance to raise any other health and safety issues that they may be concerned about.
- 3.7 Directors are responsible for ensuring that the risk assessments relating to the work carried out in their Department, and to the sites for which they are responsible, are reviewed annually. This review also ensures that all Safety Data Sheets for hazardous substances are up to date and readily available to all staff. The outcome of this review and details of any changes made is reported and minuted at the December Senior Management Team meeting.
- 3.8 Staff are given the opportunity to **participate** in the annual reviews of risk assessments affecting their work. Each line manager is required to formally discuss risk assessments with their staff on an annual basis, with particular attention being paid to out-posted staff. The outcome of these discussions and subsequent amendments made to risk assessments are noted.
- 3.9 The Competency Development and Assessment Guide used in the appraisal process has been updated to place a greater emphasis on staff actively participating in issues relating to their own health and safety.
- 3.10 **Formal** off-the-job health and safety training is given to all staff within 12 months of them starting work with the Authority. Some staff groups, such as Field Staff and Apprentices, are given more detailed training and are not allowed to use certain equipment (for example chainsaws) until they have been properly trained and assessed as being competent. All staff receive on-the-job training as part of their induction process.

- 3.11 Staff working alone in remote locations is regarded as a significant potential risk area. A Lone Working Policy has been introduced, together with a 'Buddy card' system. These measures ensure that the line manager/colleagues of any staff member away from base know which sites they are visiting, and a procedure is in place to take appropriate action if a member of staff is late returning from a site visit. The 'Buddy Card' system also operates outside normal working hours.
- 3.12 There is a well-established accident and near-miss reporting system with staff encouraged to report incidents so that improvements to working practices can continue to be made. While accident levels generally remain low, numbers of lost time accidents are even lower and well below national averages.
- 3.13 The Education Manager, with professional input from NYCC, has developed a comprehensive Child and Vulnerable Adult Protection Policy. The policy provides clear and practical guidance for all staff and volunteers to enable them to safeguard the welfare of children, young people and vulnerable adults with whom they come into contact, whilst minimising the risk of allegations being made against them. CRB checks are carried out on staff with unsupervised access to children.

4 Significant Actions Taken in 2012

- 4.1 There have been a number of significant actions undertaken by Officers this year to ensure that the Authority's approach to health and safety continues to improve and takes account of changing external factors. These actions have included;
- Following recent changes to the Authority's staff structure, the membership of the Health and Safety group has been extended to include the Head of the Volunteer Service and Visitor Centre Co-ordinator. Officers felt that it was important that these areas of work were directly represented given the numbers of visitors to Sutton Bank and the Moors Centre and the volume of work that volunteers now carry out for us;
 - An external review of the Authority's health and safety policies was undertaken in 2010. This has proven to be very helpful and a second review was undertaken by the same contractor in 2012. The brief this time was to consider how health and safety is managed in practice for volunteers, site safety at the main operational sites, management of safety within the Education services and how effectively, lone working is handled. The resulting report was positive about the approach being taken by the Authority, but provided clear advice on where improvements could be made. The recommendations have been actioned and reported to the Health and Safety Group;
 - There has been coverage in the press about a number of high profile accidents where people have been killed by falling trees or limbs from trees. A number of these cases have ended up in court to determine liability which has caused distress both to landowners and the relatives of those who have died. It can be difficult to decide what an appropriate and proportionate response to this should be as the chances of getting killed by a tree are about 1 in 10 million. In December 2011, the National Tree Safety group produced a report entitled 'Common Sense Risk Management of Trees'. This has been used as the basis to re-write the Authority's approach to dealing with trees on its own property. Staff have received training and it is Officers' view that the Authority has a robust, but proportionate approach to this subject. On an annual basis, the Health and Safety group will ensure that planned tree inspections have been carried out.

- The Authority has for the last 10 years had a Disaster Recovery Plan. This is essentially a plan for what we would do in the event of the loss of a major operational building. As part of the annual insurance renewal arrangements, Zurich Municipal (ZM) provide Officers with £2K of consultancy advice. This year this has been used to get ZM to provide professional advice about the Disaster Recovery Plan. While the plan was generally regarded as robust, helpful advice has been given regarding its further development.

5. **Planned Action for 2013**

5.1 In addition to the normal review process outlined in section 3 of this report, a number of actions have been planned for the coming 12 months and these include;

- A full review and updating of the Lone Working Procedure and Buddy Card system. The current system has been in place for a considerable period of time and the external health and safety review recommended that this was looked at again, taking into account best practice elsewhere. Members of the Health and Safety group will work on this and it will provide a good opportunity to consult with staff/volunteers to ensure that a revised system works well in practice.
- Veritau have been asked to conduct an additional external compliance audit in 2013 to investigate how thoroughly internal health and safety processes are followed.
- The Authority's corporate framework and policies will be given a fundamental review by an accredited health and safety expert to doubly ensure appropriate compliance with legislation.
- Following the advice given about how to improve the Disaster Recovery Plan, Officers will work with ZM to carry out a full desk-top exercise to ensure that the plan works in practice.

5.2 In conclusion, Officers believe that the health and safety measures that are in place are adequate, given the Authority's activities and the potential risks. Increased vigilance and better systems cannot go amiss and in view of the increasing amounts of legislation and the emphasis that is placed on corporate responsibility for health and safety issues, the current system will continue to be periodically reviewed.

6. **Financial and Staffing Implications**

6.1 There are no additional financial or staff implications contained beyond those already detailed in this report.

7. **Sustainability Appraisal**

7.1 A Sustainability Assessment is not required because the report is a Progress/Information report.

8. **Legal Implications**

8.1 The health and safety management system and various actions contained in this report all help to ensure that the Authority can demonstrate that it is fulfilling its legal obligations and has a robust system for regularly reviewing its health and safety procedures.

9. Recommendation

- 9.1 That: Members note and approve the measures being taken by Officers to manage Health and Safety appropriately.

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**Background papers to this Report
All available on request from Ian Nicholls**

File ref

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|----|---|----------|
| 1. | Health and Safety Audit Report: Mike Winterflood | May 2012 |
| 2. | Common Sense Risk Management of Trees: National Tree Safety Group | Dec 2011 |
| 3. | Performance Monitoring and Management Committee Reports; | |
| | <ul style="list-style-type: none">• February 2011• August 2010• November 2009• February 2006 | |
| 4. | Authority Polices; | |
| | <ul style="list-style-type: none">• Health and Safety• Child and Vulnerable Adult Protection• Lone Working• Risk Management of Trees | |