

Cabinet Meeting		Agenda Item: 5
Meeting Date	04 November 2015	
Report Title	Health and Safety Policy Review	
Cabinet Member	Cllr Duncan Dewar-Whalley, Cabinet Member for Finance	
SMT Lead	Mark Radford – Corporate Services Director	
Head of Service	Anne Adams – Head of Property Services	
Lead Officer	Emma Larkins – Health and Safety Officer	
Key Decision	No	
Classification	Open	
Forward Plan	Yes	
Recommendations	<ol style="list-style-type: none"> 1. Cabinet approve the revised Health and Safety Policy 2. Delegation be approved for the Head of Property in consultation with the Portfolio Holder for Finance to agree minor amendments to the Policy between full reviews. 	

1 Purpose of Report and Executive Summary

- 1.1 This report presents a revised Health and Safety Policy to Cabinet to consider and approve.
- 1.2 Swale Borough Council's Health and Safety Policy was reviewed in September 2012 and is therefore due a full review. Following this current revision, the policy will be reviewed every three years. In between these times, the policy will be subject to annual review by the Health and Safety Committee to take account of minor legislative and organisational changes.
- 1.3 This report requests that the revised Policy is approved and that the Head of Property, in consultation with the Portfolio Holder for Finance (who has responsibility for health and safety) is able to agree minor amendments to the Policy between full reviews.

2 Background

- 2.1 Section 2 (3) of the Health and Safety at Work Act 1974, requires an organisation to prepare and revise as appropriate, a written health and safety policy. In addition, the Management of Health and Safety at Work Regulations 1999 requires an organisation to make and implement appropriate arrangements for the management of health and safety.

- 2.2 A Health and Safety policy comprises three sections:
- (i) general statement (a commitment to manage);
 - (ii) organisation (roles and responsibilities); and
 - (iii) systems, rules and procedures (although it is perfectly acceptable for this to be a synopsis with reference to a separate policy elsewhere).
- 2.3 The aim of the Health and Safety Policy is ultimately to protect, so far as is reasonably practicable, those employed by Swale Borough Council and those affected by its undertaking.
- 2.4 It is a desired outcome that this Policy will reduce workplace hazards and improve the management of health and safety, leading to an improved health and safety culture. It is also anticipated that implementation of this Policy will result in reduced claims against the Council, reduced vulnerability to prosecution, and contribute towards reduced sickness absence. There is, therefore, the potential to reduce costs to the organisation associated with these.
- 2.5 Swale Borough Council's current Health and Safety Policy underwent full review and was agreed by Cabinet in September 2012.
- 2.6 Adoption of the Health and Safety Policy is a Cabinet decision as identified in Part 3 of Swale Borough Council's constitution.

3 Proposals

- 3.1 It is recommended that the revised Health and Safety Policy attached as Appendix I is adopted to ensure that Swale Borough Council has an up to date policy, compliant with legal obligations. The Policy will be subject to a full review every three years.

The key changes that have been made to the Policy are as follows:

- Registered holder register and Legal register have been updated;
 - Sections 4.7 and 4.38 have been updated to reflect changed legislation and guidance;
 - Sections on volunteering (Section 4.45) and Wellbeing (Section 4.48) have been added; and
 - The organisational chart has been updated to include All Elected Members
- 3.2 Due to the need for regular, more minor updates, it is also proposed that the Head of Property Services, in consultation with the Portfolio Holder for Finance, is able to agree minor amendments to the Policy between full reviews. These

amendments would be reported through to the Health and Safety Committee. Major changes and full reviews would remain the responsibility of Cabinet.

- 3.3 In addition to the full review, the Health and Safety Committee will check the policy on an annual basis to ensure that it remains relevant to each Service Unit.

4 Alternative Options

- 4.1 With a Health and Safety Policy being a legal requirement and Swale Borough Council's policy being due for review, there is no practical alternative to introducing a revised Policy. However, adjustments to the proposed revised Policy can still be made prior to approving it.

5 Consultation Undertaken or Proposed

- 5.1 Consultation has taken place with the Health and Safety Committee. This Committee includes the portfolio holder with responsibility for health and safety, a representative(s) from each service unit, the UNISON health and safety representative, and is chaired by the Chief Executive of the Council. Suggested amendments to the Policy have been incorporated. The Policy Development and Review Committee has been consulted and have confirmed that the Health and Safety Policy does not need to go before them, nor does it need to be circulated for information.

6 Implications

Issue	Implications
Corporate Plan	Adoption of the revised Health and Safety Policy contributes towards the Council's priority to be 'A Council to be proud of'.
Financial, Resource and Property	<p>It is not envisaged that the revised policy should entail any additional financial, resource or property implications to the current policy.</p> <p>An effective health and safety policy has the ability to benefit an organisation financially, through improved productivity, reduced civil claims and a reduced risk of prosecution by enforcing authorities.</p>
Legal and Statutory	<p>Implementing the revised health and safety policy will ensure compliance with the Health and Safety at Work Act 1974 and subsequent legislation made under this.</p> <p>Legal and statutory compliance reduces the Councils exposure to litigation and prosecution.</p>
Crime and	None identified at this stage.

Disorder	
Sustainability	None identified at this stage.
Health and Wellbeing	The revised health and safety policy includes reference to health management and wellbeing promotion. Therefore adoption of this policy will have positive implications for health and wellbeing.
Risk Management and Health and Safety	<p>Implementing the revised health and safety policy will have positive implications for health and safety management, reducing the Council's vulnerability to criticism, civil claims and prosecution.</p> <p>The implemented policy provides a system and framework through which to manage the Council's health and safety risks.</p> <p>In terms of risk management, health and safety is one of the Council's biggest potential business risks, so it is imperative that an effective health and safety policy is implemented.</p>
Equality and Diversity	<p>A CIA has been completed for this policy. The revised health and safety policy applies to all staff and therefore does not have a specific negative impact upon any of the protected characteristics.</p> <p>The policy specifically makes reference to ensuring the safe evacuation of disabled persons to ensure that this group are not placed at a disadvantage. It also makes specific mention of the management of health and safety regarding pregnancy and maternity.</p>

7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:
- Appendix I: Health and Safety Policy V4
 - Appendix II: Community Impact Assessment (CIA)

8 Background Papers

- 8.1 Health and Safety Policy V3 (September 2012)