

# TONBRIDGE & MALLING BOROUGH COUNCIL

## GENERAL PURPOSES COMMITTEE

28 June 2010

### Report of the Director of Health and Housing

#### Part 1- Public

#### Matters for Recommendation to Council

#### 1 HEALTH AND SAFETY POLICY UPDATE

**This report provides details of the proposed changes to the Council's Health and Safety Policy for Member approval.**

#### 1.1 Third Party Health and Safety Audit

1.1.1 In 2008 the Council commissioned Zurich Risk Engineering UK to carry out a review of its health and safety management system to check legal compliance and to assist the Council develop its health and safety strategy for the future. The audit was carried out over several months, from March to July, and involved interviews with key personnel from each Service and an extensive review of all existing health and safety related policies and procedures.

1.1.2 The audit report issued in August 2008 recognised that the Council had a comprehensive health and safety management system in place and that there was a commitment to health and safety throughout the organisation. It did confirm that there were areas for improvement and those relevant to the Health and Safety Policy are summarised below and reflected in the revised Policy, included for information in **[Annex 1]**:

- recognise and include within the Policy the organisational duties and responsibilities of everyone, including elected Members, directors, chief officers, managers, supervisors, key personnel and employees;
- formally appoint a director with responsibility for health and safety, rather than implied responsibility due to reporting lines; and
- review the employee consultation arrangements to ensure compliance with the Health and Safety (Consultation with Employees) Regulations 1996.

## **1.2 Amended Health and Safety Policy**

- 1.2.1 Section A of the Policy describes the Council's Statement of Intent. This has been updated to clearly state our health and safety objectives. Similarly, the organisational duties in Section B have been reviewed to give them greater clarity, as recommended by the Zurich Audit report.
- 1.2.2 Management Team and the JECC considered the amended policy in November 2009 and are in agreement with the revised document.

## **1.3 Employee Consultation**

- 1.3.1 At the time of the audit, employee consultation relied on the use of the \*. \* emails from the Health and Safety Officer updating employees on health and safety matters, the twice-yearly publication of "Grapevine" and health and safety being included as a standing item on some, but not all, team briefing agendas. Additionally, employee representation on general matters takes place through JECC representatives but, to date, health and safety has not been a function of this role.
- 1.3.2 A pragmatic approach to improving employee consultation and achieving legal compliance was felt to be an extension to the JECC representatives' role to encompass health and safety. The amended role of the representatives [**Annex 2**] was put to the meeting of the JECC on 29 November 2009 and approved. This is reported in more detail to this meeting in the report on the JECC Constitution.
- 1.3.3 The new strategy will require all Services adopt a common approach to the election of their representatives, which will be initiated every two years by Personnel Services. Training for JECC representatives on how to deal with safety issues that are reported to them will be provided by the Health and Safety Officer.

## **1.4 Legal Implications**

- 1.4.1 It is a legal requirement that the Council's Health and Safety Policy is reviewed and updated as appropriate to reflect organisational changes. The proposed changes set out clearly the responsibilities of all key personnel throughout the Council.
- 1.4.2 The strengthened arrangements for consulting with employees will meet the requirements of the Health and Safety (Consultation with Employees) Regulations 1996.
- 1.4.3 If issues emerge which may impact on this Council's Constitution, this will be reviewed and a report from the Monitoring Officer issued in due course.

## **1.5 Financial and Value for Money Considerations**

- 1.5.1 None.

## 1.6 Risk Assessment

1.6.1 The introduction of the enhanced consultation arrangements with employees will not only assist in the early identification of health and safety issues within the Council, but will increase the opportunity for employees to have an input into making decisions that affect health and safety.

## 1.7 Policy Considerations

- Health and Safety
- Human Resources
- Procurement

## 1.8 Recommendations

1.8.1 It is **RECOMMENDED** that Members recommend to Council that:

- 1) the revised Health and Safety Policy is **APPROVED**; and
- 2) the proposed approach to enhanced employee consultation arrangements, through the role of the JECC representative, is **ENDORSED**.

Background papers:

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Nil

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