

AUDIT AND GOVERNANCE COMMITTEE



Report subject	Governance of Corporate Health & Safety and Fire Safety
Meeting date	27 th October, 2022
Status	Public Report
Executive summary	<p>This report details progress made on the delivery of Health & Safety and Fire Safety governance arrangements for BCP Council and highlights:</p> <ul style="list-style-type: none">• Implementation of Governance framework• Reporting to the Health and Safety and Fire Safety board• Covid 19 response and the recovery• An overview of service delivery
Recommendations	<p>It is RECOMMENDED that:</p> <p>(a) Health & Safety and Fire Safety on-going governance arrangements continue to be reported to the Audit and Governance Committee annually.</p> <p>(b) Audit and Governance Committee notes the continued progress in implementing the Health and Safety and Fire Safety governance arrangements and the operational updates.</p>
Reason for recommendations	<p>An update twelve months after the October 2021 Audit & Governance Committee meeting was requested, to provide continued reassurance that Health & Safety and Fire Safety Governance arrangements are being implemented to an acceptable standard.</p> <p>The Audit & Governance Committee terms of reference include the following in the 'Other functions' section - To consider arrangements for health and safety and fire safety.</p>

Portfolio Holder(s):	Drew Mellor
Corporate Director(s):	Health & Safety – Graham Farrant Fire Safety – Julian Osgathorpe
Report Authors	Rebecca Lawry (Health and Safety Manager) Phillip Lawrence (Fire Safety Manager)
Wards	Not applicable
Classification	For Decision

Background

1. The service provided by the Corporate Health & Safety and Fire Safety teams is to ensure competent, specialist and risk-based advice and guidance is afforded to the Council to enable it to carry out statutory duties regarding both the Health & Safety at Work etc Act 1974 and the Regulatory Reform (Fire Safety) Order, 2005 and to promote a positive safety culture throughout BCP Council.
2. The BCP Council Health, Safety and Welfare Policy (reviewed July 2021) and the Fire Safety Policy (reviewed April 2022) sets out the roles and responsibilities that places the Health & Safety and Fire Safety Board at the centre of strategic oversight and performance monitoring.
3. The BCP Council Health & Safety and Fire Safety governance framework details the governance arrangements including the Health and Safety and Fire Safety Board, Service Directorate Health and Safety and Fire Safety meetings and the Safety Supporters Forum.

Ongoing Governance arrangements

4. Health & Safety and Fire Safety Board meetings continue to take place quarterly with members attending remotely, via Microsoft Teams. Attendance at these meetings by Service Directors (or their representative) since the time of the last report to this Committee has been good.
5. Service Directorate Health & Safety and Fire Safety meetings take place quarterly, via Microsoft Teams. These meetings remain a key part of the Health and Safety and Fire safety governance.
6. The Health & Safety and Fire Safety Forum, comprising of Safety Supporters from the Service Directorates, Corporate Health & Safety and Fire Safety teams and Union representatives commenced in December 2020 and meets quarterly. The forum provides a means for consultation with all employees as per statutory requirements. Colleagues are able to share best practices and issues at the workplace and operational level and provides a means for communication between employees and the Board. A Microsoft Teams channel facilitates communication in-between forums.
7. A Microsoft Teams channel has been set up, to allow appointed and trained Local Fire Safety Co-ordinator's a forum to discuss and share best practices across premises and Service Directorates concerning Fire Safety.

Reporting to the Board

8. Quarterly health and safety and fire safety reports are provided to each Board meeting, providing information on such matters as audit programme planning, policy & governance implementation, formation of BCP Council H&S procedures, staff training & communications, Fire Risk Assessments, significant accidents & incidents, contact with enforcement bodies and accident and near-miss data for health and safety and fire incidents.
9. A Corporate Health & Safety and Fire Safety Risk Register is established and reviewed at the quarterly Board meetings. This contains Service Directorate high level risks that are considered to

need further mitigation measures to reduce the current risk level. These are raised at the Board to agree on necessary risk reduction measures.

COVID-19 Response

10. The government has lifted all legal requirements, guidance now refers to 'Living safely with respiratory infections including COVID-19'. The focus remains on vaccination, ventilation and good hygiene, with optional use of face coverings.

Operational updates

Health and Safety

11. Following the outcome of Smarter Structures, the Corporate Health & Safety team have moved from Communities to the Finance Directorate, reporting to the Head of Audit and Management Assurance.
12. The BCP Council Corporate H&S team comprises of a Corporate H&S manager, four H&S Practitioners and one Training and Business Support officer. Two of these posts have been vacant for most of the year, with the Training and Business Support Officer also become vacant more recently. The vacancies have impacted on the speed of delivery of some objectives.
13. Attempts to recruit permanently to the vacant posts have been unsuccessful. One practitioner post has been temporarily filled until Christmas, with the view to this becoming permanent. Should this happen, two vacant posts will remain. It is widely acknowledged that recruitment of health and safety professionals within the public sector remains challenging.
14. Provision of Covid-19 advice and support from the team has declined with the lifting of all domestic restrictions by the government.
15. The team have continued to provide the Events team with support in the form of attendance at the monthly Safety Advisory Group (SAG) meetings, review of event documentation and site walkarounds.
16. Work with the DACT (Drug and Alcohol Commissioning Team) on the provision of naloxone has progressed and kits can now be issued to trained colleagues. Administering naloxone can be a life-saving medication which reverses the effects of an opiate overdose which some of our frontline colleagues encounter during the course of their duties.
17. Work continues on establishing a single supplier for lone working device solutions for colleagues in higher risk service areas. It is anticipated that this will be in place from April 2023, in the meantime lone working devices can still be obtained from existing suppliers.
18. BCP accident and near-miss reporting system is working well. The system can be accessed by all colleagues via the intranet homepage and H&S pages. Further enhancements to the system have started and will include a back-office function to allow analysis by the team of Corporate and Service Directorate data from all BCP service areas.
19. Development of a BCP cautionary contact system (CCS) by ICT is in progress with a draft test system being evaluated currently. Legacy systems continue to be used until the BCP system goes live (anticipated early 2023). These legacy systems are 'safe' but are administratively cumbersome.
20. Final BCP versions of most of the corporate procedures for H&S have been agreed and implemented following the procedure approval process. These include Managing Stress at Work, COSHH (Control of Substances Hazardous to Health) and Safer Driving for Work procedures. Further procedures, such as Accident and Near Miss investigation, Working Outdoors and Confined Spaces are in development.
21. Due to the impact of Covid and staffing resource issues, work is still being carried out to develop a Corporate H&S audit plan, visiting Council owned and operated buildings and other assets to ensure compliance with Policies. It's anticipated that the audit program will focus on the higher risk areas initially such as depots.
22. A training plan has been developed that covers all essential H&S training that needs to be delivered by external training providers. The portfolio has recently been expanded to include Construction Design Management (CDM) Awareness and CDM Client training. These seek to highlight the

responsibilities of colleagues whose work falls under the Construction (Design and Management) Regulations; this includes all building, civil engineering and engineering construction works.

23. The HSE (Health and Safety Executive) made an unannounced visit to a Highways construction site recently. The main focus of the inspection was to review the safety controls on site and the council's management of occupational health risks arising from construction work. The site inspection did not identify any on site issues but some paperwork follow up questions have shown some areas require improvement such as setting up a formal health surveillance and clarity over the Action or Limit Values for noise and vibration.
24. The implementation of a Health surveillance program for workers due to their occupational exposure to identified hazards is in its very early stages. Initial work has been undertaken to try to identify the numbers from each Service Directorate who may be affected. Work can then commence on producing a matrix identifying which roles and which type of surveillance is required and establish a process for implementation.

Fire Safety

25. The Fire Safety team for BCP Council is comprised of one full-time Fire Safety Manager, one full-time and one part-time (3 days per week) Fire Safety Advisor, 2.6FTE in total.
26. Following the outcome of Smarter Structures, in late 2021, the Corporate Fire Safety team have delivered the service from within the Facilities Management (FM) structure, falling within the Customer and Business Delivery Service, having relocated from Regulatory Services, within Communities.
27. The Corporate Fire Safety team has experienced an acute reduction in resource between April – October 2022 due to adverse ill-health affecting two team advisors, both requiring long term sick leave cover. A reduction of 1.6 occurred, made up of a full-time and part-time advisor.
28. This resource reduction impacted overall service delivery, resulting in an offset of proactive work streams and focus on reactive support to services. The service delivery workplan was revised and reprioritised in wake of this resource impact and an external consultant was contracted to assist with elements of service delivery during this period. Fire Risk Assessments (FRA), Dangerous Substances and Explosive Atmospheres Regulations (DSEAR) assessments, and Arson prevention surveys continue through this time.
29. The summer of 2022 continued the steep rise in events taking place throughout BCP. Support was provided through the established Safety Advisory Group (SAG), event site visits and liaison with partner agencies, including our enforcing authority, Dorset and Wiltshire Fire and Rescue Service (DWFRS). The Bournemouth Air Festival (BAF) event was fully supported throughout.
30. On July 1, 2022, BCP Homes was formed, combining previously separate housing services from legacy Poole and Bournemouth areas into one service. BCP Homes have a dedicated Fire Safety team. Discussions surrounding service delivery and structures are underway.
31. On 28 April 2022, the Building Safety Bill received Royal Assent to become the Building Safety Act 2022. Described as 'an important milestone', the 264-page Act aims to pave the way for a major change in the way residential buildings are constructed and maintained in the UK while protecting the rights of leaseholders. Working parties continue to meet and discuss the evolution and implementation of this legislation to prepare BCP Council for the changes the legislation shall require. Updates continue to be provided to the Health & Safety and Fire Safety Board surrounding relevant legislative changes and their cumulative impact on BCP Council.
32. Support continues to Local Authority maintained schools on localised fire safety arrangements and mitigation plans following their Fire Risk Assessments, or subsequent reviews.
33. The appointment and training of persons to undertake the role of Local Fire Safety Coordinator continues. In most cases, this is not a new appointment as individuals are already undertaking the associated duties required to ensure local level fire safety risks are identified and mitigated appropriately, along with providing direct liaison with the Corporate Fire Safety team.
34. The Fire Safety team maintained contact with operational service areas. Where required, resource has been allocated to specific high-risk areas to develop a deeper understanding into day-to-day practice. The knowledge gained continues to result in improved support and advice offered by the

corporate team. Advice is given to all Service Directorates and schools on many different aspects, including risk assessments.

35. The Fire Safety Policy has received its annual review, requiring only minor amendments. Several procedures have been created and reviewed, along with supplementary guidance materials to assist with fire safety management arrangements.

Summary of financial implications

36. The 2022-23 budget for Health and Safety is £280,900 and for Fire Safety it is £113,900. Some underspending is expected in Health and Safety taking into account part year vacancies.
37. No financial implications are arising from the specific recommendations of this report.
38. There are potential financial risks associated with inadequate or non-compliant Health, Safety and Welfare or Fire Safety practices that could lead to financial penalties and losses. The governance arrangements outlined in this report will help to mitigate these.

Summary of legal implications

39. No legal implications are arising from the specific recommendations of this report.
40. The Council is legally obliged to have adequate Health and Safety and Fire Safety arrangements in place, the current governance arrangements support in demonstrating compliance with these obligations.

Summary of human resource implications

41. No human resource implications are arising from the specific recommendations of this report.
42. Where necessary, HR are contacted to ensure that HR implications of any H&S management actions are considered

Summary of environmental impact

43. There are no environmental impacts arising from the specific recommendations of this report.

Summary of public health implications

44. There are no public health implications arising from the specific recommendations of this report.

Summary of equality implications

45. No equalities implications are arising from the specific recommendations of this report.
46. Where necessary, the Corporate H&S team work alongside HR to ensure that both equality and H&S aspects are considered, to ensure that equality aspects such as disability are suitably actioned.

Summary of risk assessment

47. Failure to report annually would leave the Committee unaware of continuing governance arrangements. This increases the risk of ongoing governance falling below acceptable standards.
48. Annual reporting to this Committee is considered appropriate. However, there should remain the option for exception reporting if relevant officers or members are concerned that governance arrangements require more frequent review.

Background papers:

49. [Health and Safety Policy \(internal link only for Councillors and officers\)](#)
50. [Fire Safety Policy \(internal link only for Councillors and officers\)](#)

Appendices

None