

AUDIT AND GOVERNANCE COMMITTEE

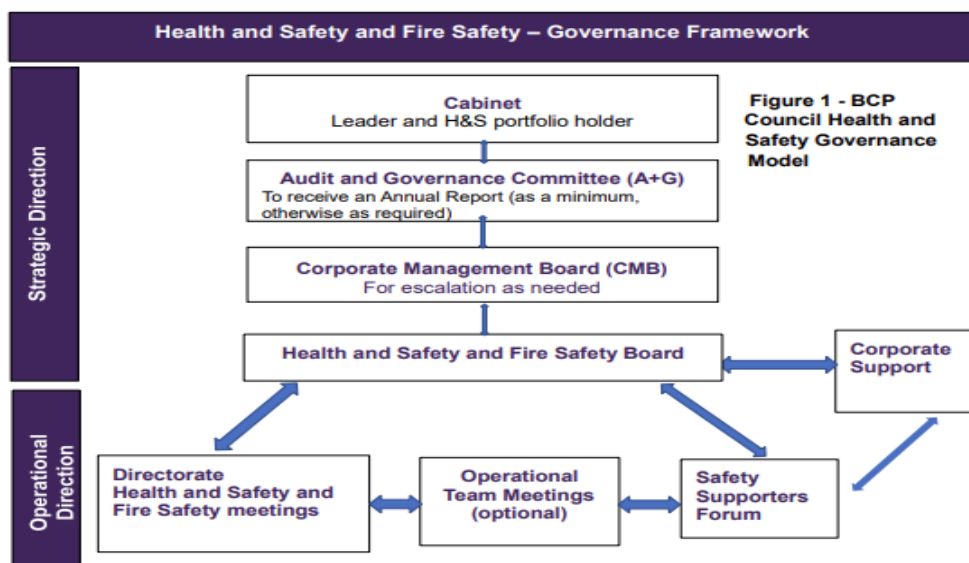


Report subject	Health & Safety and Fire Safety annual update
Meeting date	17 October 2024
Status	Public Report
Executive summary	<p>This report details progress made on the delivery of Health & Safety and Fire Safety governance arrangements for BCP Council and highlights:</p> <ul style="list-style-type: none">• the implementation of the Governance framework continues to be embedded and is working effectively. The framework includes the Health and Safety and Fire Safety Board and others meeting at the agreed frequency with generally good attendance• the Corporate H&S team has had one FTE advisor post removed as part of the Council's budget savings• that effective 1 September 2024, the Corporate Fire Safety Team and BCP Homes Fire Safety support functions have merged under a unified Fire Safety Service Manager. This move enhances BCP Council-wide fire safety management capabilities
Recommendations	<p>It is RECOMMENDED that:</p> <p>(a) Audit and Governance Committee notes the continued progress in implementing the Health and Safety and Fire Safety governance arrangements and the operational updates</p> <p>(b) Health & Safety and Fire Safety ongoing governance arrangements updates continue to be reported annually to the Audit and Governance Committee</p>
Reason for recommendations	<p>Following its meeting in October 2023, the Audit & Governance Committee requested an annual update to provide on-going assurance that health and safety and fire safety governance arrangements effectively operate.</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):	Councillor Mike Cox
Corporate Director(s):	Health & Safety – Graham Farrant Fire Safety – Glynn Barton
Report Authors	Rebecca Lawry (Health and Safety Manager) Phillip Lawrence (Fire Safety Service Manager)
Wards	All
Classification	For decision

Background

1. The service provided by the Corporate Health and 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 safely carry out its statutory duties. These duties fall under the legislative framework of the Health & Safety at Work etc Act 1974 and the Regulatory Reform (Fire Safety) Order 2005, the Fire Safety Act 2021, the Fire Safety (England) Regulations 2022 and the Building Safety Act 2022 and assist in promoting a positive safety culture throughout the Council.
2. The BCP Council Health, Safety and Welfare Policy (reviewed October 2023) and the Fire Safety Policy (reviewed April 2024) set out the roles and responsibilities and place the Health & Safety and Fire Safety Board at the centre of strategic oversight and performance monitoring.
3. The BCP Council Health and Safety and Fire Safety Governance framework details the governance arrangements, including the Health and Safety and Fire Safety Board, directorate Health and Safety and Fire Safety meetings and the Safety Supporters Forum.



Ongoing Governance arrangements assurance

4. Health & Safety and Fire Safety Board meetings, chaired by the Chief Executive or Chief Operations Officer, continue quarterly, with members attending in person or remotely via Microsoft Teams. Attendance at these meetings by Directors (or their representative) since the time of the last report to this Committee has been good. All Directors receive a monthly email update from the Corporate Health and Safety Manager covering relevant and emerging health and safety matters in between the board meetings.
5. Most directorates hold quarterly Health & Safety and Fire Safety meetings via Microsoft Teams. These meetings remain critical to the Health and Safety and Fire safety governance arrangements.
6. The Safety Supporters Forum commenced in December 2020 and has met quarterly since. The forum comprises of representatives from directorates and their Safety Supporters, Corporate Health & Safety, Corporate Fire Safety and Union representatives. The forum provides a means for consultation with all employees as per statutory requirements. Colleagues can share best practices and issues at the workplace and operational level and provide communication tools between employees and the Board. A Microsoft Teams channel facilitates communication between attendees.
7. A Microsoft Teams channel has been established to allow appointed and trained Local Fire Safety coordinators a forum to discuss and share best practices across premises and directorates concerning Fire Safety.

Reporting to the Board

8. Quarterly health and safety and fire safety reports are submitted for each Board meeting, providing information on such matters as the audit programme planning, policy and governance implementation, formation of council H&S procedures, staff training and communications, Fire Risk Assessments, RIDDOR reportable and significant accidents and 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 is regularly reviewed between and at the Board meetings. This risk register contains directorate high-level risks that need further mitigation measures to reduce the current risk level. These are raised at the Board to agree on necessary risk reduction measures.
10. The Chief Operating Officer (COO) is currently reviewing what information and what reporting is considered by the Board to ensure it remains fit for purpose and takes into account the evolving nature of BCP Council services, workforce, buildings and other assets.

Operational updates

Health and Safety

Resource

11. The Corporate Health & Safety (H&S) team continue to sit within the Resources directorate, under Finance. The team report to the Head of Audit and

Management Assurance along with Internal Audit, Emergency Planning and Insurance & Risk Management.

12. The BCP Council Corporate H&S team comprises of one Manager, two Advisors, one Officer and one Training and Business Support Officer (currently on maternity leave). Contributing to the overall council savings requirements one FTE advisor post was deleted from the 24/25 budget, in practice this post was vacant for much of 2023/24. As reported when this saving was agreed, this means the team is not proactively auditing and inspecting council premises, instead the team work more reactively to investigate, support and manage issues as they arise.

Corporate work

13. Staffing resource has affected the development of a Corporate H&S inspection (audit) plan, visiting Council owned and operated buildings and other assets to ensure compliance with policies. The inspection program will focus on ensuring that new and updated policies and procedures are being operationally embedded into working practices, particularly in higher risk areas.
14. Implementation of a health surveillance program for workers exposed to identified occupational hazards is ongoing. Colleagues in People and Culture have completed initial work to identify those affected from each directorate. This information will be uploaded into Dynamics F&O to highlight the expiry date for surveillance for a particular category. This will ensure a more robust process exists to capture colleagues at pre-employment stage and throughout their career with the council.

Corporate systems

15. Using a procurement framework, a single supplier was identified for lone working device or telephone application solution for colleagues in higher risk service areas has been completed. Configuration issues have largely been resolved, however, a recent software update meant that some functionality was removed from some devices, this was quickly identified and is in the process of being rectified.
16. The incident and near-miss reporting system is undergoing the next phase of development by our inhouse ICT team. Further enhancements include a back-office function to allow faster analysis and reporting on service areas by the safety team. In this next phase, users of the system will also have additional reporting categories available to them which include violent and threatening behaviour and adverse event.
17. Development of the Cautionary Contact System (CCS) by our inhouse IT team remains in progress. Until such time, the Cautionary Contact List (CCL) has been improved to allow all colleagues to search one list. Previous council registers have now been removed from use.
18. Work will commence at end October on the development of an inhouse health surveillance system. This will facilitate the retention of health surveillance information for colleagues in a centralised location.

Policies and procedures

19. Health and safety policies and procedures are reviewed annually as a minimum. Many procedures are updated more frequently in response to emerging issues or to provide further clarification on particular points.
20. A fully functioning [intranet landing page](#)* exists where colleagues can access all live policies and procedures. *This is an internal link for Councillors and colleagues.

The screenshot shows the BCP Council intranet landing page for Health and Fire Safety. The header is dark purple with the BCP Council logo and navigation links: Intranet Home, Health and Fire Safety Home (active), Health and Safety Library, and Fire Safety Library. Below the header, a light purple banner contains the text: "On these pages you will find things you need to know about health and fire safety at BCP Council." and "Contact:" followed by two email addresses: health.safety@bcpcouncil.gov.uk and fire.safety@bcpcouncil.gov.uk. The main content area is divided into four sections: "First Aid" with links to "Report an accident or near miss", "Procedure for reporting an accident or near miss", "BCP Defibrillator locations", "First Aid procedure and forms", and "First Aid training"; "Health and Safety Library" with links to "Health, Safety and Welfare Policy" and "Health and Safety and Fire Safety Governance Framework"; "Covid-19" with links to "Living safely with respiratory infections, including COVID-19 (gov.uk)", "Working in council buildings", "Using personal protective equipment", and "Building ventilation advice"; and "Health at work" with links to "Working from home guidance" and "Cautionary Contact List (CCL)". A "Fire safety" section is also present with links to "Fire Safety Policy", "Fire Safety Library", "Fire Safety Aide Memoirs", and "Personal Emergency Evacuation Plan". Each section has a "View all" link at the bottom right.

Health and Safety Executive (HSE) interventions

21. Under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) we have a statutory duty to report certain work-related accidents to the Health and Safety Executive (HSE). These notifications include fatalities, specified injuries and over 7 day incapacitation to colleagues. Should a member of the public be taken to hospital from the scene of the accident, this is also notifiable. Additional reportable categories include Dangerous Occurrences, certain Occupational Diseases and exposure to substances known to be carcinogenic or classified as a biological agent. Between October 23/24, 29 of these notifications were submitted to the HSE.

Following a complaint by a member of the public concerning the derailment of a carriage at the Poole Park railway, the HSE visited the site in February 2024. Following a review of our paperwork and walk of the track, HSE were satisfied that we were employing appropriate safety measures and due diligence with no further intervention by them deemed necessary.

Fire Safety

Service Delivery

22. While the CEO holds the ultimate position as the 'responsible person' under the Regulatory Reform (Fire Safety) Order 2005, it is important to note that the Chief Operations Officer (COO) has been appointed as the Corporate Director under whom fire safety management responsibilities fall. Consequently, the COO carries delegated responsibility for overseeing fire safety across BCP Council, ensuring compliance and the implementation of effective fire safety measures in alignment with the Regulatory Reform (Fire Safety) Order 2005.
23. The Council Fire Safety team (which, as of 1 September 2024, now includes BCP Homes) comprises one full-time Fire Safety Service Manager, one full-time and one part-time Corporate Fire Safety Advisor (2.6 FTEs in total), a Building and Fire Safety Manager, a Building Safety Officer and the retained services of an external Fire Risk Assessor. The Corporate Fire Safety team continues delivering the service from within the Facilities Management (FM) service team, falling within Customer and Property.
24. The summer of 2024 repeated many events throughout the council. The Fire Safety team provided support 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 Fire Safety team fully supported the Bournemouth Air Festival 2024 (BAF) event.
25. The Fire Safety team maintained contact with operational service areas. Resources have been allocated to specific high-risk areas to understand the day-to-day practice better. The knowledge gained continues to result in improved support and advice the corporate team offers. Advice is given to all directorates and schools on many aspects, including risk assessments.
26. Support continues to be provided to Local Authority maintained schools on localised fire safety arrangements and mitigation plans following their Fire Risk Assessments or subsequent reviews.

Legislative Update

27. The Building Safety Act 2022, specifically Section 156, came into force in England on 1 October 2023. It amends the Regulatory Reform (Fire Safety) Order, 2005, by adding to the existing duties of Responsible Persons under the Order. Section 156 also focuses explicitly on fire safety compliance and places essential responsibilities on organisations. These responsibilities apply to all non-domestic premises, such as where people work, visit or stay, workplaces, and the non-domestic parts of multi-occupied residential buildings (e.g. communal corridors, stairways, plant rooms). The requirements do not apply to individual domestic premises. Its primary goal is to ensure the safety of occupants and minimise the risk of fire incidents.
28. BCP Council fire risk assessments are conducted diligently, following the Publicly Available Specification number 79 proforma (PAS 79-1 2020) recognised within the fire safety industry as an appropriate template to conduct a suitable and sufficient Fire Risk Assessment. Fire safety arrangements are detailed within these Fire Risk assessments and all hazards are identified. All the requirements within section 156 about completing a suitable and sufficient Fire Risk are met. Additionally, BCP Council invests in suitable fire detection systems and

compartmentation works, ensuring facilities are well-equipped to handle fire incidents effectively.

29. BCP Homes continues to meet and discuss the evolution and implementation of this legislation to prepare for the changes the legislation shall require. Updates surrounding relevant legislative changes and their cumulative impact on BCP Council continue to be provided to the Health & Safety and Fire Safety Board.

Grenfell Tower Inquiry Report 2

30. The release of the Grenfell Tower Inquiry Phase 2 report marks a significant milestone in our collective endeavour for fire safety within the housing sector. As the comprehensive findings and recommended reforms become available, efforts are intensifying across BCP Homes to thoroughly absorb the insights, strategise forthcoming modifications, and ensure unwavering compliance with fire safety standards. This pivotal period in the aftermath of the report's unveiling is focused on translating its critical recommendations into actionable change, reinforcing the safety and security of residential buildings. BCP Council remains committed to this endeavour.

BCP Homes Legacy Alignment

31. BCP Council developed a reactive work program for housing in Poole following the merger of operations from Bournemouth and the former Poole Housing Partnership into BCP Homes. This was triggered by changes in the fire risk assessment (FRA) renewal intervals from three to five years. Previously, Bournemouth and Poole had different FRA frequencies, but a uniform approach has been adopted to streamline operations and increase efficiency. General needs buildings will undergo FRAs every five years and sheltered housing every three years, with annual reviews for all homes and comprehensive annual assessments for high-rise buildings. At the time of this work program implementation, a risk-based program of work on pending and overdue FRAs was implemented and is now complete, ensuring a cohesive and effective strategy in fire risk management across both regions.
32. A comprehensive report to Cabinet - Housing and Property Compliance Update (Housing Revenue Account) has been composed, which will provide greater detail surrounding this holistic work program, which includes, however, is not limited to, fire safety.

Information, Instruction and Training

33. The appointment and training of persons to undertake the Local Fire Safety Coordinator role continues. As defined in the Fire Safety Policy, Directors are required to appoint this role. In some cases, this is not a new appointment as individuals are already undertaking the associated duties needed to appropriately identify and mitigate local-level fire safety risks and provide direct liaison with the Corporate Fire Safety team. However, efforts must be maintained to ensure that appointments continue and that the Corporate Fire Safety Team are notified of any changes in appointments to ensure suitable training is provided.
34. A Corporate Fire Safety team member delivers this training via face-to-face classroom-based training. Feedback received from those appointed persons who attended the training remains positive. All guidance to support the Local Fire Safety Coordinator is available via the team or BCP Council intranet and is reviewed periodically or as required.

Policies and Procedures

35. The Fire Safety Policy received its annual review in April 2024, requiring only minor amendments. A further review is underway to acknowledge the merging of fire safety service functions for both corporate and housing stocks and to acknowledge the BCP Homes Fire Safety Management Plan, which is in draft. Several procedures have been created and reviewed, along with supplementary guidance materials to assist with fire safety management arrangements. These policies and procedures sit within the BCP Intranet, along with relevant guidance documents and proformas.

Summary of financial implications

36. The 2024-25 budget for the Corporate Health & Safety is £242,500, this budget includes £64,000 for corporate training for all mandatory and safe levels for training across the Council. This covers training for areas such as manual handling, conflict resolution, asbestos and legionella awareness and duty to manage, first aid and others.
37. The 2024-25 budget for the combined services of the Corporate Fire Safety Team, which as of 1 September 2024 includes the BCP Homes Fire Safety Support function, is £196,462.
38. No material under or overspends are projected in the Health and Safety or Fire Safety teams.
39. No financial implications are arising from the specific recommendations of this report.
40. 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 help to mitigate these.

Summary of legal implications

41. No legal implications are arising from the specific recommendations of this report.
42. The Council is legally obliged to have adequate health and fire safety arrangements in place and the current governance arrangements support demonstrating compliance with these obligations.

Summary of human resource implications

43. No human resource implications are arising from the specific recommendations of this report.
44. Where necessary, colleagues in People and Culture are contacted to ensure that HR implications of any H&S and fire safety management actions are considered.

Summary of environmental impact

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

Summary of public health implications

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

Summary of equality implications

47. No equalities implications are arising from the specific recommendations of this report.
48. Where necessary, the Corporate H&S team and Fire Safety Team work alongside People and Culture to ensure that both equality and H&S aspects are considered to safeguard that equality aspects, such as disability, are suitably actioned.

Summary of risk assessment

49. Failure to report annually would leave the Committee unaware of continuing governance arrangements. This failure increases the risk of ongoing governance falling below acceptable standards.
50. 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 may have been compromised.

Useful links:

51. [Health, Safety and Welfare Policy \(internal link only for Councillors and officers\)](#)
52. [Fire Safety Policy \(internal link only for Councillors and officers\)](#)

Appendices

None