

# Health & Safety Policy

Title	<b>Health &amp; Safety Policy</b>
Author	<b>Head of Health &amp; Safety</b>
Approved by	<b>Management Board</b>
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Links to other procedures	<b>All health &amp; safety procedures and arrangements</b>

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## Health & Safety Policy Statement

As a leader of the community that it serves, North Yorkshire County Council recognises and accepts the financial and legal responsibilities and duties that it has for the health, safety and welfare of its employees and others affected by the County Council's activities.

The County Council's commitments are:

- To prevent injury and ill health associated with the County Council's activities
- To provide a healthy and safe working environment
- To promote a positive health and safety culture throughout the organisation
- To satisfy applicable legal and other requirements
- To control health and safety risks through applying a hierarchy of control
- To continually improve the County Council's health and safety management system and performance
- To engage employees in developing and implementing a joint approach to the management of health, safety and welfare
- To set health and safety objectives and monitor their achievement

As Chief Executive, I am committed to integrating health and safety into decision making and risk management processes within the County Council. The Corporate Directors will support me in this role and, together with the Management Board and Directorate Management Teams, will ensure the effective leadership of health and safety for the County Council and others affected by the Council's activities.

Employees with management responsibilities will ensure that all significant risks are properly assessed, controlled and any measures implemented to mitigate risk are appropriately monitored. We regularly review these assessments, to ensure that the County Council complies with legal requirements and strives to achieve best practice.

We will maintain arrangements to consult employees, trade union representatives and others who may be affected by County Council activities, to encourage a joint approach to the management of health, safety and welfare.

The County Council expects all employees and those undertaking work on behalf of, or in partnership with, the County Council to take reasonable care of their own health and safety, for the health & safety of others and to co-operate with the County Council in the performance of its moral and statutory duties.

The County Council will monitor health and safety performance and review its policies and procedures to ensure the achievement of best practice in all aspects of health and safety management.



A handwritten signature in black ink, which appears to read 'Richard Flinton'. The signature is fluid and cursive.

Richard Flinton, Chief Executive  
1<sup>st</sup> June 2016

## **Health and Safety Organisation**

This Section details the health and safety roles and responsibilities assigned to specific posts and functions within the County Council. **Appendix 1** shows these roles and responsibilities diagrammatically.

### **Elected Members**

#### **Leader of the County Council**

The Leader of the County Council ensures that the work of the Executive and full Council is conducted in accordance with the County Council's policy and procedures for health and safety and with due regard for relevant statutory provisions.

#### **Deputy Leader, Executive Member for Central and Financial Services, Assets, IT and Procurement**

This Executive Member is individually responsible for health and safety by acting as the Elected Members' contact point, to ensure that due consideration for health and safety is given when decisions are made. This is to ensure that executive decisions are consistent with this policy and with other County Council policies and procedures, and any relevant statutory provisions.

#### **Corporate and Partnerships Overview and Scrutiny Committee**

The Corporate and Partnerships Overview and Scrutiny Committee scrutinises the County Council's health and safety performance when appropriate, in accordance with the County Council's framework for corporate governance.

#### **All Elected Members**

All Members ensure that all the decisions they make are in line with this policy and other County Council policies and procedures. This ensures that they give due regard to health and safety and any relevant statutory provisions. This principle is upheld by all committees and during all contacts with employees and members of the public.

#### **Chief Executive**

The Chief Executive has overall personal responsibility for the effective leadership for health and safety in the County Council. He carries out the following duties:

- Ensure that the health and safety policy and management systems are an integral part of the County Council's culture, of its values and performance targets;
- Provide effective leadership to Corporate Directors by agreeing and reviewing targets for maintaining standards and, where appropriate, for achieving improvements in health and safety performance;
- Ensure that adequate resources are made available to achieve high standards of health and safety;
- Monitor and review health and safety performance by receiving both specific (e.g. incident-led) and routine reports.

## **Corporate Directors and Assistant Chief Executives**

All Corporate Directors and Assistant Chief Executives are responsible for the effective leadership of health and safety within their Directorates and/or sphere of influence. Corporate Directors and Assistant Chief Executives carry out the following duties:

- Ensure that the health and safety policy and management systems are an integral part of the Directorate's culture, of its values and performance standards;
- Ensure that the Directorate has a clear management structure and that health and safety responsibilities are effectively communicated and included in job descriptions;
- Ensure that there are adequate and appropriate arrangements to encourage the trust, participation and involvement of all employees on health and safety issues;
- Ensure there are adequate arrangements so that the required health and safety information is shared between those that need it;
- Ensure that there are systems and arrangements to secure the competence and capability on health and safety related matters of all employees and others who are part of the conduct of the Directorate's undertakings;
- Provide visible leadership on health and safety to senior managers by setting and reviewing targets for achieving improvements in health and safety performance;
- Approve the Directorate health and safety action plan and monitor its implementation;
- Ensure that adequate resources are made available to achieve high standards of health and safety performance;
- Monitor health and safety performance by receiving both specific (e.g. incident-led) and routine reports;
- Keep health and safety performance under review at Directorate Leadership Management Team meetings and ensure a formal annual review is carried out;
- Consult Directorate health and safety risk managers and others to monitor the need for further health and safety measures.

## **Corporate Director – Strategic Resources**

In addition to the responsibilities outlined above, the Corporate Director – Strategic Resources is also appointed as the 'health and safety director', to ensure that health and safety risk management issues are properly addressed by Management Board and more widely in the County Council. This role includes maintaining an adequately resourced Health and Safety Risk Management Team and chairing the Corporate Risk Management Group. However, this role does not detract from the responsibilities of the Chief Executive and of other Corporate Directors for implementing this policy.

## **Assistant Directors**

Assistant Directors are responsible for the effective implementation of this health and safety policy and associated management systems in areas under their control. They are responsible for ensuring that managers are aware of their responsibilities for implementing the day-to-day operation of all health and safety systems and procedures within their service areas. In addition to these general duties, they will carry out the following:

- Ensure that the health and safety policy and management systems are an integral part of the culture, values and performance standards in their service areas;
- Ensure that their service area has a clear management structure and that health and safety responsibilities are effectively communicated;

- Provide visible leadership on health and safety to Heads of Service and senior managers by setting and reviewing targets for achieving improvements in health and safety performance;
- Oversee implementation of the Directorate health and safety action plan in their service area and monitor its implementation;
- Ensure that adequate resources are made available to achieve high standards of health and safety performance;
- Monitor health and safety performance by receiving both specific (e.g. incident-led) and routine reports;
- Keep health and safety performance under review and play a full and active part in the review process at Directorate Leadership Management Team meetings;
- Consult the Corporate Health and Safety Risk Management Team and others who may assist with monitoring the need for further health and safety measures.

### **Heads of Service**

Heads of Service are responsible for the effective implementation of this policy in their areas of responsibility. They will carry out the following duties with assistance, where required, from the Corporate Health and Safety Risk Management Team, and other appropriate officers:

- Provide effective leadership on health and safety to their managers by setting and reviewing targets for achieving improvements in health and safety performance;
- Implement the directorate health and safety action plan in their service area and monitor its implementation;
- Ensure that health and safety issues are taken into account in all service performance plans and at the design stage of new initiatives;
- Satisfy themselves that suitable health and safety standards are maintained and arrange for any shortcomings in safety standards, inspections, training and instruction to be rectified where practicable;
- Ensure that arrangements are in place so they are advised of any accidents, incidents and health and safety issues occurring in their area of responsibility;
- Monitor the need for any further health and safety measures, instruction and training;
- Ensure that suitable and sufficient risk assessments are carried out in their area of responsibility. These should be recorded, communicated to the relevant staff and reviewed at least annually (or sooner if there is a significant change) and modified if necessary;
- Ensure that all employees in their area of responsibility have been informed of any significant risks to their health and safety, and any control measures, workplace precautions, safe systems of work, etc. that must be taken to minimize these risks.

## **Premises Managers**

Managers nominated to fulfil a premises management role (usually a nominated service manager for the premises, or a function taken on by the Property Service or Business Support) are responsible for overseeing building related health and safety issues in their designated premises. They carry out the following duties in consultation, where appropriate, with the Property Service, the Corporate Health and Safety Risk Management Team, and other appropriate officers:

- Ensure that contracts are in place for building maintenance including the inspection and testing of equipment in the premises e.g. boilers, electrical, fire equipment, gas, lifts, etc.
- Ensure suitable arrangements are in place at the premises for the management of contractors and construction projects on site;
- Maintain suitable arrangements in the premises to manage any asbestos present in the building;
- Maintain suitable arrangements in the premises to manage any legionella risk in the building;
- Ensure that there is a fire risk assessment for the premises and that this is regularly reviewed;
- Ensure appropriate health and safety signs and information is displayed;
- Ensure suitable first aid arrangements are maintained at the premises;
- Ensure health and safety standards in the communal areas of the premises are monitored through workplace inspections and ensure action is taken to improve health and safety as necessary;
- Ensure emergency procedures are developed and periodically tested for the premises;
- On multi-occupancy sites ensure that, there is co-operation and co-ordination of health and safety arrangements between all parties.

## **Other Officers with Management/Supervisory Responsibility**

Staff who manage, supervise or have responsibility for employees, trainees or members of the public are responsible for health and safety within their management control. They carry out the following duties in consultation, where appropriate, with Health and Safety Risk Managers, and other appropriate officers:

- Provide effective leadership on health and safety to their staff and support improvements in health and safety;
- Ensure that health and safety issues are taken into account at the design stage of any new initiatives and projects;
- Take reasonably practicable steps to ensure the health, safety and welfare of all employees, trainees, temporary workers, volunteers and other persons who may be affected by work activities (e.g. visitors, pupils, service users, members of the public, contractors);
- Arrange for regular health & safety inspections to be carried out in their area of responsibility and ensure that any identified remedial actions are completed;
- Ensure health and safety risks are assessed in their area of responsibility and ensure that all significant risks are adequately controlled. Record the significant findings of risk assessments and bring these to the attention of those affected where appropriate.

- Ensure that accidents and incidents in their area of responsibility are reported promptly, as required by the accident reporting procedure. Ensure that accidents and incidents (including near misses) are investigated and where reasonable practicable, effective action is taken to prevent a reoccurrence.
- Ensure that all employees in their area of responsibility receive appropriate health and safety training and they have sufficient knowledge, skills and information to carry out their work safely. Ensure that new staff are given a workplace health and safety induction during their first week at work.
- Ensure that they and their staff are kept up to date with all relevant health and safety information;
- Ensure that all employees, trainees, temporary workers and volunteers are supplied with appropriate personal protective equipment and clothing that is fit for purpose and used correctly. Where it is required, provide suitable information, training and instruction on its use, maintenance and storage.

### **Directorate Health and Safety Champions**

Corporate Directors assign a senior manager as the Directorate Health and Safety Champion; they take a strategic role for health and safety within their specific Directorate. Their role is to co-ordinate the health and safety effort across the Directorate. They will also lead in health and safety planning, reporting and review of health and safety performance. Champions hold regular meetings with their Corporate Directors and the relevant officers from the Corporate Health and Safety Risk Management Team. They also chair the Directorate Risk Management Groups, to ensure health and safety plans and performance are formally reviewed.

### **Health and Safety Risk Management Team – Central Services Directorate**

The County Council has appointed the Health & Safety Risk Management Team as competent persons in accordance with the Management of Health & Safety at Work Regulations 1999. The Head of Health & Safety is a standing member of the Corporate Risk Management Group. The team provides strategic health and safety advice and support to the Council, elected Members, managers and employees. Where specific skills, knowledge and experience e.g. construction, civil engineering or children's services are required a member of the team will be assigned to a specific directorate or service. However, neither under the terms of this Policy, or under health and safety statutory requirements, can the Health and Safety Risk Management Team relieve either managers or supervisors of their operational health and safety responsibilities.

The Health & Safety Risk Management Team carries out the following duties:

- To be a member of the Directorate Health and Safety/Risk Management Group;
- Work in partnership with Directorate Health and Safety Champions to develop an annual health and safety action plan for the Directorate;
- To escalate or report as appropriate any failure to implement the Directorate health and safety plan to the relevant manager;
- To contribute to, and engage in, the development of policies and procedures relating to health and safety;
- Ensure effective consultation takes place on any proposals, new procedures or policy;

- Develop and advise on the implementation of health & safety policy, procedures and management systems for existing and new activities;
- Support and empower managers to develop and implement effective health & safety risk management in their service areas;
- Promote a positive health & safety culture, based on sensible risk management, to secure high standards of health and safety;
- Advise on the development of health & safety action plans, including the setting of realistic short-term and long-term objectives;
- Advise and inform on all aspects of health & safety, including new legislation, affecting the work of the County Council;
- Advise on the implementation of the health & safety risk assessment system and prioritisation of control measures;
- Advise on health & safety training for staff and ensure it is appropriate for their duties and responsibilities;
- Monitor health and safety through inspection and audit;
- Co-ordinate the accident/incident reporting, recording and investigation system;
- Report to management on health & safety performance and standards;
- Provide the main point of contact and maintain professional working relationships with health and safety enforcing authorities;
- Exercise the authority to stop work in cases where there is an intolerable risk of serious injury or likelihood of fatality.

### **Health and Well Being Service**

The Health and Well Being Service provides the following services across all directorates:

- Provide advice on employee fitness for work and on adjustments and restrictions for existing and potential employments;
- Provide medical advice to inform individual risk assessments on employees who have underlying medical conditions;
- Provide medical advice on rehabilitation programmes to assist individuals to return to work from sickness absence;
- Provide advice to managers on medical/health issues to prevent potential work related ill-health;
- Provide training to managers and individuals with regards to specific work related health issues, their prevention and management;
- Provide appropriate health surveillance and advice to individuals and their managers on any work related risks to their health and the necessary measures to prevent the development of disease and ill-health;
- Participate in and provide advice on audits to identify areas of risk and assist in developing appropriate action plans and control measures to prevent ill-health;
- Provide support via the Employee Assistance Programme to all employees experiencing personal and workplace difficulties.

### **Property Service**



The Property Service provides advice and guidance across all Directorates in relation to the development of new and the refurbishment and maintenance of existing buildings. The Property Service liaises with Directorates and Contractors to ensure that suitable arrangements are in place for maintaining buildings, plant, equipment and services.

### **Trade Union Safety Representatives**

Trade Union Safety Representatives are consulted where appropriate on matters affecting the health and safety of employees they represent, in compliance with relevant statutory requirements. Formal consultation with Trades Unions on health and safety takes place at Corporate and Directorate level through the various risk management and health and safety groups.

### **All Employees, Trainees, Temporary Workers and Volunteers**

All employees, trainees, temporary workers and volunteers have an important part to play in protecting themselves and others. Health and safety responsibilities are based on legal obligations and are subject to the County Council's disciplinary procedures. In particular, all employees, trainees, temporary workers and volunteers are required to:

- Take reasonable care for the health and safety of themselves and others, who may be affected by what they do or fail to do at work;
- Co-operate with all managers, supervisors and the Health and Safety Risk Management Team on health and safety matters;
- Familiarise themselves with, and to act in accordance with, any health and safety procedures that have been issued to them or otherwise brought to their attention;
- Act in accordance with any safety training, or any verbal safety instructions that has been provided to them;
- Make full and proper use of any personal protective equipment (PPE) and clothing provided to them, in accordance with instructions or training received. Report any loss of, or obvious defect in, such PPE to their supervisor or manager;
- Adopt safe behaviour and avoid interfering with or misusing anything provided in the interest of health, safety or welfare;
- Report any accident/incident or near miss to their supervisor or manager (to be done on the day of accident/incident or as soon as possible thereafter). This includes reporting any accident/incident involving a non-employee while on County Council premises, sites or affected by County Council activities, which comes to their attention;
- Report to their supervisor or manager any work situation they consider to represent a serious and immediate danger to health and safety, or any other relevant matter that they consider to represent a shortcoming in current arrangements for health and safety;
- Follow any laid down emergency procedures in the event of serious imminent danger, such as emergency evacuations.

### **Responsibilities regarding schools**

The Health & Safety at Work Act 1974 places overall responsibility for health and safety with the employer. The employer in a school must take reasonable steps to ensure that staff, pupils and visitors are not exposed to risks to their health and safety. This also applies to activities on or off school premises.

Who the employer is varies with the type of school:

- For community schools, community special schools, voluntary controlled schools, maintained nursery schools and pupil referral units the employer is the Local Authority.
- For foundation schools, foundation special schools and voluntary aided schools the employer is the Governing Body.
- For academies and free schools the employer is usually the Academy Trust.
- For Private Finance Initiative (PFI) schools, teachers and administrative staff are generally employed by the local authority however other staff in ancillary services i.e. cleaning and catering staff may be employed by the organisation contracted to provide these ancillary services.

This document can be used as information and guidance for the governing bodies of such schools where the local authority is not the employer.

### **Responsibilities of School Governors**

It is the responsibility of the Governing Bodies to adopt a detailed policy on Health and Safety for the school.

As the management body, the governors should ensure that school management and staff comply with this health and safety policy and North Yorkshire County Council and Children and Young Person's Directorate guidance. The governing body, having control of premises, must take reasonable steps to ensure that buildings, equipment and materials are safe and do not put persons at risk whilst they are on the premises.

Specific responsibilities of governors are:

- To take all measures within their power, as a body, to ensure the establishment premises are safe and not hazardous to the health and safety of staff, pupils, service users or visitors;
- To carry out monitoring, including consideration of inspection reports;
- To prioritise actions where resources are required;
- To monitor the effectiveness of remedial actions taken;
- To include health and safety on the agenda of governors' meetings;
- To review health and safety performance.

### **Responsibilities of Headteachers**

The Headteacher is responsible for all health and safety matters affecting the school. In the Headteacher's absence, the teacher with deputising responsibility will fulfil this role. The Headteacher's main duties are:

- To be responsible for the day to day operational health and safety management within the school and activities outside school, (e.g. educational visits);
- To assume the role of 'controller of premises' when dealing with visitors, contractors and others, including other organisations that may share the same site;
- To organise, control, monitor and review the health and safety arrangements within the school so as to ensure the health, safety and welfare of staff, pupils and others, as far as is reasonably practicable;

- To ensure the school complies with the Health and Safety at Work Act 1974 and other relevant health and safety legislation;
- To work with the governing body and senior management team to implement an effective health and safety policy for their school;
- To apply and support the policies of North Yorkshire County Council, Children and Young Persons Directorate and the school;
- To ensure that risk assessments are carried out for all appropriate activities and that the actions and preventative measures that are identified by these assessments are implemented and adhered to by everyone concerned. The significant findings of the risk assessments must be communicated as appropriate to all those concerned, e.g. staff, pupils, visitors and contractors;:
- To ensure effective monitoring of health and safety e.g. including consideration of safety inspection reports and the recording all accidents and incidents (including near miss reports);
- To prioritise actions where resources are concerned and ensure their implementation;
- To ensure health and safety is considered, where appropriate, at staff and management team meetings;
- To ensure approval of educational visits in consultation with the governors, educational visits co-ordinator and CYPS, as appropriate;
- To comply with the duties that are applicable to all other employees in relation to health and safety.

### **Health and Safety Arrangements**

The County Council develops arrangements for the management of health and safety, which we systematically apply in all activities and services throughout the County Council. In addition to these arrangements, supplementary procedures, guidance and other health and safety systems are developed at service, premises and/or local level; where such arrangements are in place, County Council arrangements will take precedence, unless an appropriate risk assessment has been carried out to justify any such deviation.

The detailed health and safety arrangements are on the County Council's [intranet](#). This enables document control, the sharing of best practice and promoting transparency. Schools without access to the County Council's intranet can obtain access to the appropriate arrangements at [cyps info](http://cyps.northyorks.gov.uk) (<http://cyps.northyorks.gov.uk>). Schools that subscribe to the HandS (Health and Safety) Traded Service can access HandS documentation from SmartSolutions Online at <http://smartsolutions.northyorks.gov.uk/Services/Details/1231>.

Appendix 1

**Diagram of the Organisational Structure for Health and Safety Management**

