

**REPORT FOR: GOVERNANCE, AUDIT,
RISK MANAGEMENT AND
STANDARDS COMMITTEE**

Date of Meeting: 17 July 2018

Subject: Health and Safety Policy

Responsible Officer: Paul Walker, Corporate Director
(Community)

Exempt: No

Wards affected: Not Applicable

Enclosures: Appendix 1: Health and Safety Policy

Section 1 – Summary and Recommendations

This report sets out the refreshed health & safety policy for the Council, in line with statutory requirements.

Recommendations:

The Committee is requested to:

- Consider and approve the Health & Safety Policy

Section 2 – Report

Background

The Management of Health and Safety at Work Regulations 1999 Section 5 requires:

5. Health and Safety Arrangements

(1) Every employer shall make and give effect to such arrangements as are appropriate, having regard to the nature of his activities and the size of his undertaking, for the effective planning, control, monitoring and review of the preventative and proactive measures.

(2) Where the employer employs five or more employees, he shall record the arrangements referred to in paragraph (1)

The Health and Safety Executive have provided clear guidance on how this is to be set out and what it is to include, and can be found at www.hse.gov.uk/toolbox/managing/writing.htm

A written policy is a statutory requirement where there are more than 5 employees, as per the above legislation, and require to be reviewed regularly to ensure that they are fit for purpose and still accurately reflect the set up and arrangements within the Council.

Since the previous approved health and safety policy, there have been structural changes to the council in terms of number and set up of directorates, as well to the overall governance of the Council. Therefore the policy has been reviewed and refreshed to account for this.

Main options

Agree the policy (with or without changes)

The Committee, as the constitutionally delegated body for health & safety, is asked to review and approve the health & safety policy. This will ensure Harrow Council will be compliant with legislative requirements.

This is the preferred option.

Do not agree the policy

Failure to agree the policy, will lead to the 2014 version remaining in place and not accurately reflecting the current organisation and leaving the Council at risk of failure to comply with legislative demands as the old policy does not accurately reflect the organisation and set up of the Council.

Implications of the Recommendation

There are no other implications of this recommendation.

Financial Implications

There are no additional costs associated with implementing the revised policy. It simply reinforces existing responsibilities and duties.

Compliance with the policy will reduce the risk of breaching health and safety legislation and consequent imposition of fines from the Health and Safety Executive or fees for their intervention. Following the introduction of the new sentencing guidelines on 1 February 2016 a council of this size is now classed as a large organisation and fines imposed could run into millions dependent on circumstances. Policy compliance also reduces the risk of compensation claims and costs associated with staff absence arising from workplace incidents.

Risk Management Implications

There are no risk management implications of approving the health and safety policy but not approving the revised policy will leave the council at risk of not properly complying with legislative requirements and not reflecting the current organisation of the council.

Legal Implications

In addition to what is already noted earlier in this report, the council is under a statutory duty to comply with the Health and Safety at Work Act 1974 and all current relevant health and safety laws and regulations. The Health and Safety at Work Act 1974 requires that employers shall ensure (as far as is reasonably practicable) the health, safety and welfare at work of all his employees.

As noted earlier, the Management of Health and Safety at Work Regulations 1999 requires employers to make and give effect to health and safety arrangements for preventative and protective measures, taking account the nature of activities conducted and size of the undertaking.

Under the Council's Constitution, the GARMS Committee is responsible for reviewing the Council's Health and Safety arrangements and to monitor progress on Health and Safety.

Equalities implications

The EQIA screening of the policy shows there is no detrimental impact on any of the protected characteristics, but actually seeks to protect all.

Council Priorities

The Policy supports the Council's vision **Working Together to Make a Difference for Harrow** by clearly setting out the organisation and process for health and safety in the organisation.

It will impact on all the Councils priorities by overseeing a health and safety system in the Council that will impact on all within it, as well as using it.

Section 3 - Statutory Officer Clearance

Name: Jessie Man	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 13 July 2018		
Name: Paresh Mehta	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 13 July 2018		

Ward Councillors notified:	NO
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Section 4 - Contact Details and Background Papers

Contact: Contact: Richard Le-Brun, Head of Community & Public Protection, 020 8736 6267

Background Papers: None