

Executive Summary

Housing Asbestos Action Plan

On 26th June 2019, Housing Caretakers picked up fly tipping on the Grange Farm Estate before eventually depositing it at the Civic Amenity Site. It was only at this point that it was identified by the Civic Amenity Site Staff that the items contained asbestos sheeting as well as plastic bags (which had then split) of needles, syringes and medical jars. As a result the items were cordoned off and management alerted that started a health and safety investigation process.

The investigation became a reactive process, addressing the criticisms and errors that emerged, and never establishing a path to understand the root cause of the incident. It immediately failed to set a clear path forward, This led to an almost forgetting of the key aspects of such an investigation, being to ensure that such steps as necessary are taken without delay to prevent recurrence and remove risk, and that the root cause that led to the incident in the first place are highlighted to enable an effective action plan

The investigation into the Housing asbestos incident has gone through each stage of the investigation, from the moment of the incident to the final correspondence of the external investigator, and identified key critical issues that require addressing to prevent recurrence of such mistakes in future health & safety investigation. As a result, clear learning outcomes have been set out, providing a path to a consistent and competent investigation going forward,

While there are many errors that are found with hindsight, and some highlighted at the time, the investigation also recognises that some good practice was seen. Of this, the recognition of the hazardous waste by the Civic Amenity Staff and the efficient and effective control of the risk are highlighted and show that failures of training and procedures are not endemic across all the waste service, but clearly need to be more consistent going forward.

As with all incident/Accident investigations Housing have developed a comprehensive action plan to address all those key learning outcomes, the action plan will be monitored against progress on each key learning outcome at the corporate health and safety board.



Date: 21.04.2020

Nick Powell – Divisional Director Housing Services



Date: 21.04.2020

John Griffiths – Corporate Health, Safety and Compliance Manager (CMIOSH, PIEMA)

Housing Asbestos Incident Investigation- Learning Outcomes Action Plan (Update January 2021)

Learning Outcome	Report Section (To show reasoning)	Action	Lead Person	To Be Completed By		Next Review Date
Any health & safety incident / investigation procedure must set out clearly the role of the commissioning officer and who this should be. It does not preclude others assisting, but allows one port of call for issues	Section 6.1.1	Ensure set out in the Health & Safety Investigation Procedure	J Griffiths / R Le-Brun	End of January 2020	<p>Investigating Accidents and Incidents Policy 2020 This Policy was framed in April 2020 as an integral part of the lessons learned.</p> <p>This aspect is identified in section 4 of the Policy.</p> <p>The delegated Manager (MG1 or above) shall be the Commissioning Officer and appoint a suitably qualified and competent investigating officer for MEDIUM LEVEL incidents.</p> <p>The delegated Director or above shall be the Commissioning Officer and appoint a suitably qualified and competent investigating officer for HIGH LEVEL incidents.</p> <p>The Head of HR, Corporate Director for the relevant Directorate, Head of Communication and Chief Executive shall be informed without delay of such an incident.</p> <p>Trade Unions will be informed of any MEDIUM or HIGH investigation and encouraged to participate in the investigation if suitable</p>	<p>The Policy is due for review in April 2021.</p> <p>The Remedial actions including lessons learned contained in the Housing Asbestos Incident Action Plan will be carried out simultaneously in April 2021</p>
It is for the commissioning officer to set out clearly the terms of reference for any investigation to ensure that the investigation covers all aspects and the report provides the factual evidence necessary to allow the root causes to be identified and appropriate action plan to be put in place	Section 6.1.1, 6.1.5 and 6.1.7	Ensure set out in the Health & Safety Investigation Procedure	All J Griffiths / R Le-Brun to ensure in process for H&S investigation	End of January 2020	<p>Investigating Accidents and Incidents Policy 2020 This Policy was framed in April 2020 as an integral part of the lessons learned.</p> <p>This aspect is identified in section 1 of the Policy.</p> <p>The scope of any investigation is:</p> <ul style="list-style-type: none"> A) to ensure that all necessary information in respect of the accident or incident is collated B) to understand the sequence of events that led to the accident or incident C) to identify the unsafe acts and conditions that contributed to the cause of the accident or incident D) to identify the underlying causes that may have contributed to the accident or incident E) to ensure that effective remedial actions are taken to prevent any recurrence F) to enable a full and comprehensive report of the accident or incident to be prepared and circulated to all interested parties G) to enable all statutory requirements to be adhered to. 	<p>The Policy is due for review in April 2021.</p> <p>The Remedial actions including lessons learned contained in the Housing Asbestos Incident Action Plan will be carried out simultaneously in April 2021</p>

<p>In line with other formal investigation procedures, the investigating officer of any incident shall not be connected to any aspect that potentially led to it happening.</p>	<p>Section 6.1.2a and 6.1.2b</p>	<p>Ensure set out in the Health & Safety Investigation Procedure</p>	<p>All J Griffiths / R Le-Brun to ensure in process for H&S investigation</p>	<p>End of January 2020</p>	<p>Investigating Accidents and Incidents Policy 2020 This Policy was framed in April 2020 as an integral part of the lessons learned.</p> <p>This aspect is identified in section 5.1 (Para1) of the Policy.</p> <p>Staff selected to carry out investigations must be competent to do so.</p> <p>Corporate Health & Safety will act as lead investigators for any accident or incidents defined as MEDIUM/HIGH LEVEL.</p>	<p>The Policy is due for review in April 2021.</p> <p>The Remedial actions including lessons learned contained in the Housing Asbestos Incident Action Plan will be carried out simultaneously in April 2021</p>
<p>Any person brought in to carry out a specific project requiring specialist expert skills undertake an interview process to ensure that their CV / Qualifications are backed up by their experience to carry out the specific role being tasked</p>	<p>Section 6.1.2b</p>	<p>Ensure set out in the Health & Safety Investigation Procedure</p>	<p>All J Griffiths / R Le-Brun to ensure in process for H&S investigation</p>	<p>End of January 2020</p>	<p>Investigating Accidents and Incidents Policy 2020 This Policy was framed in April 2020 as an integral part of the lessons learned.</p> <p>This aspect is identified in section 5.1 (Para 2/3) of the Policy.</p> <p>To ensure that the objectives of the investigation are met, suitable and sufficient managers and supervisors will be selected and trained in investigation procedures, interview techniques, report writing skills and use of any equipment employed in the investigation process.</p> <p>Other staff will be required to co-operate and participate in any investigation if the organisation feels that they have specific knowledge, understanding, experience or skills that may assist in the investigation.</p>	<p>The Policy is due for review in April 2021.</p> <p>The Remedial actions including lessons learned contained in the Housing Asbestos Incident Action Plan will be carried out simultaneously in April 2021</p>
<p>That the terms of reference for any health and safety investigation are directly linked to understanding how the adverse event happened and what allowed it to happen (underlying and root causes)</p>	<p>Section 6.1.3</p>	<p>Ensure set out in the Health & Safety Investigation Procedure</p>	<p>All J Griffiths / R Le-Brun to ensure in process for H&S investigation</p>	<p>End of January 2020</p>	<p>Investigating Accidents and Incidents Policy 2020 This Policy was framed in April 2020 as an integral part of the lessons learned.</p> <p>This aspect is identified in section 5.3.1 of the Policy.</p> <p>Information gathering is vital as underpins any evidence base used to make conclusions and determine root cause of any incident. In a number of key areas of information are therefore vital:</p> <ul style="list-style-type: none"> • Where and when did the adverse event happen? (This sets the context) • Who was injured / became ill / involved in the adverse event? (witnesses that hold vital information) • How did the adverse event happen? • What activities were being carried out at the time? • Was there anything unusual or different about the working conditions? • Where there adequate safe working procedures and were they followed? • What injuries or ill health effects, if any, were caused? • If there was any injury, how did it occur and what caused it? • Was the risk known? If so, why wasn't it controlled? If not, why not? • Did the organisation and arrangement of the work influence the adverse event? • Was maintenance and cleaning sufficient? If not, explain why not. • Were the people involved competent and suitable? • Did the workplace layout influence the adverse event? • Did the nature or shape of the materials influence the adverse event? • Did difficulties using the plant and equipment influence the adverse event? • Was the safety equipment sufficient? • Did other conditions influence the adverse event? 	<p>The Policy is due for review in April 2021.</p> <p>The Remedial actions including lessons learned contained in the Housing Asbestos Incident Action Plan will be carried out simultaneously in April 2021</p>

Any investigation process around health & safety must include initial contact with the Unions to allow the opportunity for joint working to meet legal requirements as well as a partnership approach	Section 6.1.4	Ensure set out in the Health & Safety Investigation Procedure	All J Griffiths / R Le-Brun to ensure in process for H&S investigation	End of January 2020	Investigating Accidents and Incidents Policy 2020 This Policy was framed in April 2020 as an integral part of the lessons learned. This aspect is identified in section 5.2 of the Policy. Recognised trade union safety representatives or other employee representatives will be given access to any necessary information and workplaces to enable them to fulfil their duties in strict compliance with the SRSC1977 Regulations. Safety representatives will also be encouraged/entitled to fully participate in any investigation and Make representations to management on matters arising from the investigations. All employees will be required to co-operate with the organisation in any investigation.	The Policy is due for review in April 2021 . The Remedial actions including lessons learned contained in the Housing Asbestos Incident Action Plan will be carried out simultaneously in April 2021
That any external person involved in advising an investigation must provide accurate and evidenced information to allow the investigation to meet all statutory and policy requirements	Section 6.1.4	Ensure set out in the Health & Safety Investigation Procedure	All J Griffiths / R Le-Brun to ensure in process for H&S investigation	End of January 2020	Investigating Accidents and Incidents Policy 2020 This Policy was framed in April 2020 as an integral part of the lessons learned. This aspect is identified in section 5.1 (Para 2/3) of the Policy. To ensure that the objectives of the investigation are met, suitable and sufficient managers and supervisors will be selected and trained in investigation procedures, interview techniques, report writing skills and use of any equipment employed in the investigation process. Other staff will be required to co-operate and participate in any investigation if the organisation feels that they have specific knowledge, understanding, experience or skills that may assist in the investigation.	The Policy is due for review in April 2021 . The decision to appoint external person(s) would be on the basis of consensus reached between Commissioning Manager, Director and the Trade Unions. The Remedial actions including lessons learned contained in the Housing Asbestos Incident Action Plan will be carried out simultaneously in April 2021
The Council would benefit from having a clear health & safety investigation procedure / policy that take on board the process set out in HSG245	Section 6.1.5 and 6.1.7	Put in place a Health & Safety Investigation Procedure	All J Griffiths / R Le-Brun to ensure in process for H&S investigation	End of January 2020	Investigating Accidents and Incidents Policy 2020 is now the catalyst for all future investigation This investigation has helped to further strengthen the investigation process. The regular review of the Policy based on actual incidences would benefit all facets of our operations.	The Policy is due for review in April 2021 .
That standard templates related to health and safety investigations are put in place, as in the case with any other Council investigation (e.g. disciplinary or grievance) to ensure consistency of approach and that key aspects are therefore addressed. This would include an investigation report template.	Section 6.1.5 and 6.1.7	Ensure set out in the Health & Safety Investigation Procedure	All J Griffiths / R Le-Brun to ensure in process for H&S investigation	End of January 2020	Investigating Accidents and Incidents Policy 2020 includes standardised templates and guidance templates to not only analyse keys aspects leading to a reported incident but rights and remedies too. Trade Union involvement throughout the process will help with understanding and implementing the appropriateness of the grievance procedure.	The Policy is due for review in April 2021 .
That code of conduct investigations in such incidents should also explore all elements under Section 5, including management	Section 6.1.6	Ensure set out in the Health & Safety Investigation Procedure	All J Griffiths / R Le-Brun to ensure in process for H&S investigation	End of January 2020	Investigating Accidents and Incidents Policy 2020 includes a template on Page 16 titled ORGANISATION – how we do things and how we make sure they are done correctly. This sets out processes and procedures and Managements commitment to fulfil those control measures.	The Policy is due for review in April 2021 .

That in such cases, the code of conduct investigation must be independent of those being investigated	Section 6.1.6	Ensure set out in the Health & Safety Investigation Procedure	All	End of January 2020	Investigating Accidents and Incidents Policy 2020 includes a template on Page 16 titled ORGANISATION – how we do things and how we make sure they are done correctly. This sets out processes and procedures and Managements commitment to fulfil those control measures.	The Policy is due for review in April 2021.
That in such cases, the code of conduct investigation must take place after the health & safety investigation has been completed and root cause and underlying causes recognised	Section 6.1.6	Ensure set out in the Health & Safety Investigation Procedure	All	End of January 2020	Investigating Accidents and Incidents Policy 2020 includes a template on Page 16 titled ORGANISATION – how we do things and how we make sure they are done correctly. This sets out processes and procedures and Managements commitment to fulfil those control measures.	The Policy is due for review in April 2021.
That managers within the organisation would benefit from having investigation training to understand how to carry out an investigation. This would probably provide universal benefit in conducting any investigation	Section 6.1.5 and 6.1.7	Training to be arranged for Managers in line with the procedure	All J Griffiths / R Le-Brun to ensure in process for H&S investigation	September 2020 (Part of line manager training)	Investigating Accidents and Incidents Policy 2020 includes a template on Page 16 titled ORGANISATION – how we do things and how we make sure they are done correctly. This sets out processes and procedures and Managements commitment to fulfil those control measures.	The Policy is due for review in April 2021.
That training is required for all managers to understand the risk assessment process to allow suitable and sufficient operational documents to be produced	Section 6.1.7	Training to be arranged for Managers to carry out risk assessment	All	September 2020 (Part of line manager training)	Investigating Accidents and Incidents Policy 2020 includes a template on Page 16 titled ORGANISATION – how we do things and how we make sure they are done correctly. This sets out processes and procedures and Managements commitment to fulfil those control measures. The training aspect is to be considered on a regular basis and as part of staff's personal development	The Policy is due for review in April 2021.
That an audit of all risk assessments should be conducted across the Council to ensure all risks are controlled	Section 6.1.7	Corporate Audit to be conducted to ensure all suitable and sufficient risk assessments in place	All	May 2020	Investigating Accidents and Incidents Policy 2020 and the lessons learned has culminated in all risk assessments in Estate Services being reviewed This is further augmented by a template on Page 16 titled ORGANISATION – how we do things and how we make sure they are done correctly. This sets out processes and procedures and Managements commitment to fulfil those control measures.	The Policy is due for review in April 2021.
Any Action Plan must identify immediate risk and take action to address to prevent recurrence	Section 6.1.6	Ensure set out in the Health & Safety Investigation Procedure	All J Griffiths / R Le-Brun to ensure in process for H&S investigation	End of January 2020	Investigating Accidents and Incidents Policy 2020 and the lessons learned has culminated in all risk assessments in Estate Services being reviewed This is further augmented by a template on Page 16 titled ORGANISATION – how we do things and how we make sure they are done correctly. This sets out processes and procedures and Managements commitment to fulfil those control measures.	The Policy is due for review in April 2021.
Any Action Plan must be based on SMART objectives clearly linked to causation	Section 6.1.6	Ensure set out in the Health & Safety Investigation Procedure	All J Griffiths / R Le-Brun to ensure in process for H&S investigation	End of January 2020	Investigating Accidents and Incidents Policy 2020 and the lessons learned has culminated in all risk assessments in Estate Services being reviewed This is further augmented by a template on Page 16 titled ORGANISATION – how we do things and how we make sure they are done correctly. This sets out processes and procedures and Managements commitment to fulfil those control measures.	The Policy is due for review in April 2021.

Senior Management must be involved in the action plan as they have the authority to make decisions and to act on the recommendations	Section 6.1.6	Ensure set out in the Health & Safety Investigation Procedure	All J Griffiths / R Le-Brun to ensure in process for H&S investigation	End of January 2020	Investigating Accidents and Incidents Policy 2020 and the lessons learned has culminated in all risk assessments in Estate Services being reviewed This is further augmented by a template on Page 16 titled ORGANISATION – how we do things and how we make sure they are done correctly. This sets out processes and procedures and Managements commitment to fulfil those control measures.	The Policy is due for review in April 2021.
A serious incident log should be set up, either on or with the aid of SHE Assure software to enable historic trends to be identified.	Section 6.1.6	Serious Incident Log established on the SHE Software and all informed of the need to update it, with what and how	All Corporate H&S	March 2020	This has been done and is being monitored by Corporate Health and Safety who also provide guidance and support	This will be an integral part of the next review in April 2021
That the implementation of these actions are managed and monitored transparently through the Corporate Health & Safety Board, and especially in conjunction with the Unions	Section 6.1.7	As per the learning outcome		Corporate Health & Safety Board	This has been done and is being monitored by Corporate Health and Safety who also provide guidance and support The Trades Unions are invited to all Corporate H&S and Directorate H&S Groups to help frame an even better process that encourages transparency and accountability	This will be an integral part of the next review in April 2021