

Health, Safety and Welfare at Work

January 2020

Foreword by David Cockburn Head of Paid Service

The Corporate Management Team (CMT) take very seriously their responsibility for ensuring that the people who work for, and other organisations who work with, Kent County Council (KCC) can do so in a safe and healthy environment. The people we serve and those with whom we work in partnership must be confident that we provide the council's services in such a way that risks are managed and minimised.

We do not just accept the minimum legal standards set by national legislation: we strive to promote a culture which makes KCC an exemplar, producing a high standard of health and safety practice in the things we do. Achieving these standards actively contributes to the overall quality of the services provided by KCC and we will make available sufficient resources to facilitate a positive working culture.

Throughout our operational activity and as part of continuous improvement, we realise the importance of integrating health and safety into decision making, project initiation and risk management processes. We remain faithful to the principles of sensible risk management we signed up to in 2008, and we continue to ensure that these principles are embedded across all levels of the council. KCC managers are provided with instruction, information, training and tools to enable them to be as self-sufficient as possible in order to manage health and safety issues sensibly with support provided by the Health and Safety Team of professionally qualified advisers.

Whilst the final responsibility for implementing KCC's Health & Safety Policy rests with CMT, every employee must take an active role in implementing the policy effectively. I remind all employees of the importance of safeguarding the health and safety of themselves and others by fully supporting the measures KCC takes to meet the standards outlined in this statement.



David Cockburn
Corporate Director, Strategic and Corporate Services
(Head of Paid Service)

KCC's General Statement of Policy on Health, Safety and Welfare at Work

1. Introduction, context and key messages:

- i) KCC is required by law to set out its policy for managing health and safety. This gives us an opportunity to be clear about how we achieve the standards we strive for and to review our practices as an employer and provider of services and facilities to others. We recognise that health and safety is an important and integral part of all activities and relates to the efficiency and quality of services delivered to the people of Kent either directly or through partnership or contractual arrangements.

The purpose of this document is to:

- a) set out our management commitment to health, safety and welfare;
- b) outline the organisational structure and arrangements that are in place to fulfil the responsibilities acknowledged in the statement.

Health and safety is a shared responsibility, although we recognise that there are specific levels of responsibility and accountability. Everyone plays a part and all employees are required, as a condition of their employment, to comply with KCC policies and procedures.

- ii) The authority appreciates the value of joint consultation and will establish and maintain suitable arrangements for joint discussion and agreement that will be effective for specific groups or the workforce as a whole.
- iii) Devolved management and contracting out does not diminish accountability for ensuring that arrangements are adequate. Statutory responsibility cannot be delegated and must be recognised and agreed alongside the duties of other parties.
- iv) It is important that this policy statement is brought to the attention of all staff and related organisations to reflect the fact that KCC performs its duties through its employees and others who provide services on the County Council's behalf. This policy statement is available in different formats if required.

The policy will be reviewed as necessary to take account of new or changed circumstances. This policy has been equality impact assessed to meet the requirements of the public sector equalities duties.

- v) In keeping with this overarching, general statement, each directorate will establish and monitor how it satisfies health, safety and welfare obligations in the delivery of its services. These management plans may, in turn, be supported by service and establishment policy statements that set out local arrangements to meet the duties applicable to KCC.

2. General policy statement

i) General responsibility

KCC recognises and accepts its statutory responsibility to provide safe and healthy working conditions for employees, volunteers, clients, and others who use or visit council premises or may be affected by its activities. The council will also take steps to ensure that its contractors and partners in service provision conduct their activities in a manner that is safe and without risk to health.

The policy sets out general principles for protecting the health and safety of employees and others. It explains the management organisation and arrangements for securing the provision and maintenance of:

- plant, equipment and systems of work that are safe and without risks to health for all staff
- arrangements for the safe use, handling, storage and transport of articles and substances
- information, instruction, training and supervision that enables all employees to avoid risks and contribute to their own safety and health at work
- a safe place of work, with safe means to enter and leave premises
- a healthy working environment
- adequate welfare facilities including facilities to accommodate pregnancy, maternity, disabilities, sex and gender identity.

The remainder of the statement covers the council's strategic approach to health and safety management in general terms. It is supplemented by directorate arrangements that recognise this policy as a 'parent' statement.

ii) Multi-user establishments/shared accommodation

Clear arrangements for health, safety and welfare (e.g. fire safety, first aid, maintenance and emergency procedures) need to be agreed between occupying parties (e.g. in Gateway buildings, or where KCC staff work on secondment in NHS premises). Suitable arrangements will be agreed in any such circumstances and an officer of one of the parties will be nominated as building manager to oversee the arrangements and liaise with the owner/landlord as necessary.

Business change programmes include early and regular consultation and communication of health and safety issues as a means of encouraging participation by staff affected by changes, including where protected characteristics may be adversely impacted. Programme Managers are expected to coordinate this.

iii) Procuring goods and services

Contract and commissioning managers must ensure adequate conditions and standards of health, safety and welfare in connection with goods and services they obtain. This requires consideration and application of health and safety standards throughout all stages of the procurement and commissioning lifecycle.

3. Organisation: accountability and roles

i) **Corporate Management Team**

The authority requires its CMT to implement this policy as an essential part of their management and executive duties. CMT are ultimately responsible for the health and safety performance of the council and will ensure that Members are adequately advised on health and safety matters. This will ensure decisions are made in line with the Council's policies and procedures.

ii) **Directors/Heads of Service**

The council is made up of four directorates: Strategic and Corporate Services, Growth Environment and Transport, Adult Social Care and Health, and Children Young People and Education, each headed by a Corporate Director. Directors and Heads of Service are accountable to CMT for fulfilling obligations relating to their areas of control and are required to lead and manage directorate health and safety practice through the organisation and arrangements set up within their directorate.

Corporate Directors and their management teams will ensure adequate arrangements exist to fulfil corporate, directorate and service specific responsibilities and ensure that:

- safe working practice is based on a sensible and proportionate risk assessment approach
- accident/incident procedures are followed
- fire precautions and first aid provision are adequate and readily available
- emergency procedures are well considered and enacted
- training, instruction, and supervision provided meets the needs of individuals and is sufficient to protect others
- statutory and other necessary examinations of equipment and installations are carried out
- health, safety and welfare conditions and standards are monitored and reviewed.

iii) **Elected Member with special interest in health and safety**

The Cabinet Member for Communications, Engagement and People is the nominated cabinet member with special interest in promoting and monitoring health and safety. Regular contact with the Head of Health and Safety is established to engage and inform both parties.

iv) **Managers**

Managers have key responsibilities regarding the standards of health and safety at work in their service.

Managers must secure, monitor and review safe working conditions and practices within their areas of control and in accordance with requirements and guidance from senior management.

Managers must implement the corporate and directorate health and safety policies/arrangements and ensure the provision of safe systems of work relative to their service. They will achieve this by ensuring that risk assessments relative to their area of work are carried out, and that resulting safe systems of work are recorded, implemented and monitored.

To make these arrangements effective they must provide their staff with the information, instruction, training and supervision necessary to enable them to minimise risks and contribute to the safety and health at work of themselves and others. This will ensure that employees at all levels have a clear understanding of what is expected and required of them.

v) **Individuals/all employees**

Health and safety information will be provided to all new staff on beginning their employment with the council. Individuals have a responsibility for their own health and safety and for that of others who could be affected by what they do or fail to do at work. They must:

- co-operate with the council in meeting its responsibilities. They must take personal responsibility for their own safety and that of others, including correctly using any protective equipment or work items in accordance with valid experience, instruction and training and in line with expected standards of professional conduct
- bring concerns about conditions or arrangements to the attention of managers/supervisors so that remedial action may be taken to avert danger to staff or others
- report accidents and significant incidents to their manager or responsible person as soon as possible.

vi) **Strategic and Corporate Services Directorate: People and Communications (PC)**

The Corporate Director, PC, helps senior managers to discharge their responsibilities by developing corporate health, safety and welfare policy and by monitoring compliance and performance through the Head of Health and Safety. Commitment to managing health and safety is spelt out in the Blue Book and embraced in employee relations and in the delivery of staff care services.

vii) **Health and Safety Team**

A team of competent, professional advisers is managed by the Head of Health and Safety. Advice and guidance on any aspect of health, safety and welfare can be sought from the advisory team. The team also manages statutory reporting and recording systems on behalf of the authority. The team works closely with Risk Management, Insurance, Infrastructure, Equality and Diversity and Staff Care Services to co-ordinate and maximise the effectiveness of safety management across the County Council.

The Head of Health and Safety and the Health and Safety Business Operations Manager ensure pro-active links with the enforcing authority, trade unions, senior management and Members to secure consultation and make sure that key information, including equalities related issues, is exchanged and passed on.

KCC, like any employer, is subject to the Health and Safety at Work etc. Act, 1974. The Act requires that a written statement is made available to all staff about how we look after the health, safety and welfare of the workforce. This statement is issued to you to make sure you know what KCC's aims and standards are and to remind you of the shared responsibility we all have for securing health and safety at work. Should you have any questions about the contents of this statement please speak to your manager or get in touch with a health and safety adviser.



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4. Arrangements – how the policy statement is fulfilled.

i) Policy, planning and review

a) Management and joint consultative fora

The council has a comprehensive structure of groups and committees at corporate and directorate level to facilitate consultation and co-ordinate activity.

The strategic Health and Safety Group, which comprises senior managers and members of the Health and Safety Management Team, conducts business on behalf of CMT and is empowered to define policy principles/intentions, make recommendations and take decisions concerning health and safety practice, standards and performance.

The quarterly KCC Joint Health and Safety Committee complements the Health and Safety Group and demonstrates KCC's commitment to consultation with employees and safety representatives, recognising that safety awareness and performance is enhanced through joint involvement. Joint consultation on policy matters is entered into at an early stage and meetings between the Head of Health and Safety and lead trade union representative take place between committee meetings to drive business forward. Directorates supplement and feed into these arrangements through integration of health and safety issues into joint consultative committees (JCCs).

b) Corporate Management Team (CMT) and Directorate Management Teams (DMTs)

The strategic Health and Safety Group submits progress/update reports to Corporate Board annually to engage Corporate Directors and Members in consultation and performance monitoring. CMT and DMTs receive topical reports and performance information throughout the year.

c) Elected Member with special interest in health and safety

The Cabinet Member for Communications, Engagement and People holds responsibility for monitoring and consultation in respect of health and safety. Meetings with the Head of Health and Safety take place to discuss progress and significant issues. The role includes policy preview and clearing responses to formal consultation exercises on legislation / standards.

ii) Links with the Enforcing Authorities

a) Liaison

The authority welcomes opportunities to work in partnership with the Health and Safety Executive (HSE) as well as other enforcing authorities and co-ordinates such links through the Head of Health and Safety or the Health and Safety Business Operations Managers.

b) Protocol for dealing with significant events/ HSE Enforcement action

Procedures for communicating and reporting key events are outlined in the Protocol for Communications with Health and Safety Enforcing Authorities. The objective is to ensure consistent and reliable passage of information and dealings with the enforcing authority so that those with responsibility have an informed, participative role.

iii) **Implementation, monitoring and review**

a) **Health and Safety Action Plan**

The strategic Health and Safety Group and KCC Joint Health and Safety Committee approve a prioritised plan of work adjusting it as necessary and reviewing progress. The action plan focuses upon both strategic organisational activity as well as directorate and service specific priorities

b) **Accident/incident reporting and investigation**

KCC operates an electronic accident / incident reporting system managed by the Health and Safety team. Employees are required to report accidents/incidents, without delay, to allow managers to investigate causes and prevent re-occurrence where possible. Some staff may be subjected to verbal or physical assault while carrying out their duties, or in association with their activities at work. Appropriate support will be given to those who experience such behavior and training will be made available on how to deal with and offset aggression and violence.

c) **Inspecting workplaces and examining equipment**

Suitable approaches will be developed by those who are responsible for managing buildings to ensure regular checks are made and remedial actions implemented. Where statutory examination of equipment is required, Corporate Directors and senior managers will make sure local managers are aware of their responsibilities and make adequate arrangements for tests and examinations to be carried out. The Insurance Manager will maintain a schedule of all relevant plant and equipment based on information from directorate contacts and inspectors/examiners.

d) **Risk profiling programme and corporate audits**

A risk profiling programme covering all services within KCC is ongoing to support managers in controlling recognised service-related risks, and make sure that resources can be appropriately directed. This may be supplemented by ad-hoc audits of services and premises by Health and Safety Advisers to monitor specific themes and issues and identify areas for improvement by relevant managers. The findings are considered in the action plan as necessary to ensure continuous improvement and necessary action.

e) **Staff Care Services: Occupational Health, Support Line and Mediation Services**

The council will maintain occupational health services to provide advice, health promotion and assessment of employees in connection with recruitment, health referrals and health surveillance. A confidential counselling service, *Support Line*, is available to all employees and a mediation service is available to assist in conflict resolution.

f) **Procurement, commissioning, contractor vetting and monitoring**

KCC is a strategic commissioning authority and many traditional services are offered via Alternative Service Delivery Models (ASDMs). Care is needed when engaging contractors and providers of services. Adequate vetting and monitoring of performance must be carried out by supervisory officers for the contract. Guidelines are available in the form of KCC's Commissioning Framework and in the Management of Contractors Guidance Notes and Forms.

iv) **Information and support for employees**

a) **Work and wellbeing**

KCC has a strategic Health and Wellbeing Group chaired by an HR Strategy and Commissioning Manager. This group directs strategic activity to influence the role the organisation has in supporting employee health and wellbeing and encouraging employees to actively participate in protecting their own health and wellbeing through a wide range of methods. The Group acts as a focal point for all relevant contributors including Public Health, Health and Safety, Staff Care Services, Directorate Representatives, Human Resources, Equalities and Diversity, Organisation Development and Internal Communications.

b) **Risk Management Network**

The County Council has an informal Risk Management Network to gain a KCC wide perspective of risk exposure across the County Council and facilitate organisational learning and improvement in relation to risk management. Whilst it aims to support improved mitigation of risks, management of business risks is the responsibility of managers across the Authority. Membership includes managers from Business Risk, Insurance, Internal Audit, Health & Safety, Business Continuity & Emergency Planning, ICT, Information Governance, and Climate Change / Environmental Management.

c) **Training and development**

Training needs must be identified by line managers and sufficient resources be allocated to meet those needs using the Health and Safety Training Framework managed by the Learning and Development Team. Training modules accommodate all staff, taking any equalities issues into consideration. This will include training required by specific legal requirements to meet organisational needs (e.g. Manual Handling, Asbestos Awareness and Work at Heights) and the skills needed to manage effectively as identified in the Kent Manager programme. Induction training is the responsibility of all managers and will include basic health, safety and welfare information. It should be carried out before employees are exposed to risk so that injury or ill health can be prevented. In addition, managers will ensure that new staff are given access to the on-line e-induction module for health and safety available via the Learning and Development Team. The Health and Safety Team supports training activities through complementary briefings and updates for staff as the need arises (e.g. legislative change or following enforcement action).

d) **Information for employees**

Building managers will make sure that a Health and Safety Law Poster is displayed conspicuously in all buildings owned or occupied by the council so that all employees have easy access to the information and contact details it contains. KNet and KELSI intranet pages will also be used to keep employees informed.

e) **Guidance for managers and their teams: SafetyNet**

SafetyNet provides information and guidance on the council's organisational arrangements and management systems for a wide range of health, safety and welfare issues. Use of the electronic manual enables managers and others to keep up with essential standards and statutory procedures and arrangements and is available on KNet and on Kent Education and Learning Skills Information (KELSI) intranet and internet sites. The Health and Safety Team ensures that these policies and procedures are kept up to date with legislative requirements and industry best practice on a regular basis. Guidance is made available in alternative formats to accommodate all needs as far as possible.
