

Corporate Health & Safety Report (Q1)

Covering data from **April 2023 – June 2023**

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1. Introduction

The corporate health & safety report is produced to provide a strategic overview for the Leadership Team of key health & safety performance data, such as accidents/incidents reported, audits undertaken, learning opportunities offered and other key issues.

Each of the nine¹ directorates have its own report. These will be presented to the relevant directorate via the appropriate forums (e.g. Directorate JCC/H&S committee meeting) for discussion, action and dissemination. An officer from the HSU can attend Directorate DMT to present the individual reports upon request, if required.

2. Recommendations

The CEO, Leadership Team and Director with responsibility for health and safety are asked to:

- Identify if there are any strategic changes to our policy and/or practice that are suggested by the analysis of data within this report that will help to keep the residents of Sandwell and/or the council's staff safe and well at work.
- Identify any priorities/recommendations/actions for management attention arising from the analysis within this report and any other specific recommendations made, and;
- incorporate such priorities into a corporate health and safety plan that will aim to keep us legally compliant and give us continual improvement in our health and safety performance.

3. Statistical Information – Accidents & Incidents².

To facilitate meaningful analysis, we separate accidents from aggressive incidents. Whilst this split allows better analysis, it does mean that any change in incident numbers is based on smaller data sets, hence what can look like a big change in percentage terms may not be that significant, particularly over the short term.

In this quarterly reporting period, there were:

- **62** total incidents reported. **49** related to employees (of which **one** was reportable to the HSE). These included;
 - **20 x** employee accidents (including **1 x** RIDDOR)
 - **29 x** aggressive incidents to employees and;
 - **13 x** non-employee incidents (including **1 x** RIDDOR)

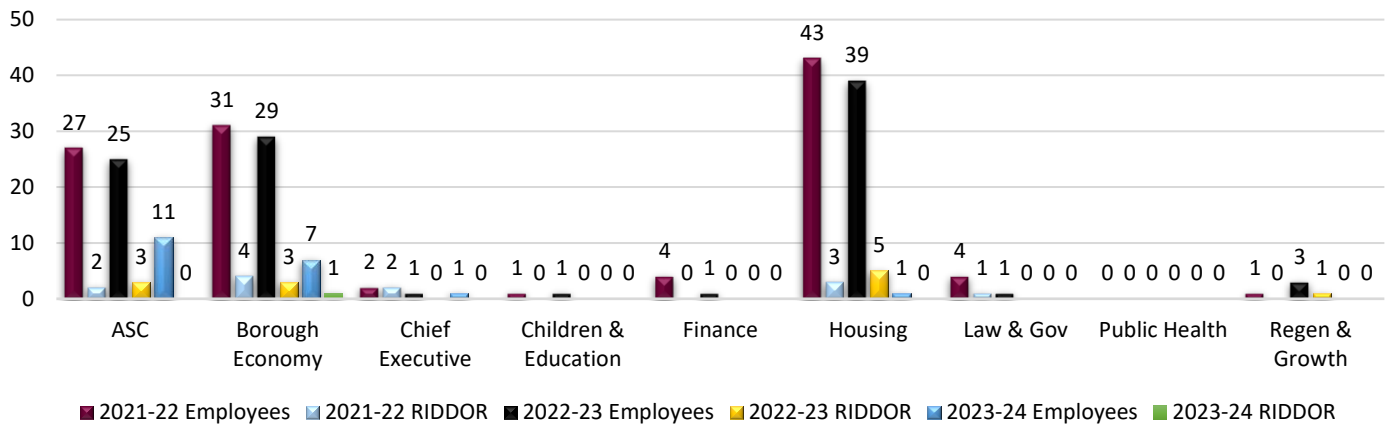
3.1 Accidents reported (employees)

The chart below gives the number of employee accidents (including those that were RIDDOR reportable) reported by each directorate for this year.

¹ Please note that for historical data in this report, Chief Executive directorate is now what used to be Business Strategy & Change directorate prior to the 2023 restructure.

² Figures are based upon incident forms received and processed by 20 July 2023. These figures may change if there are any outstanding/late forms received.

Employee Accidents



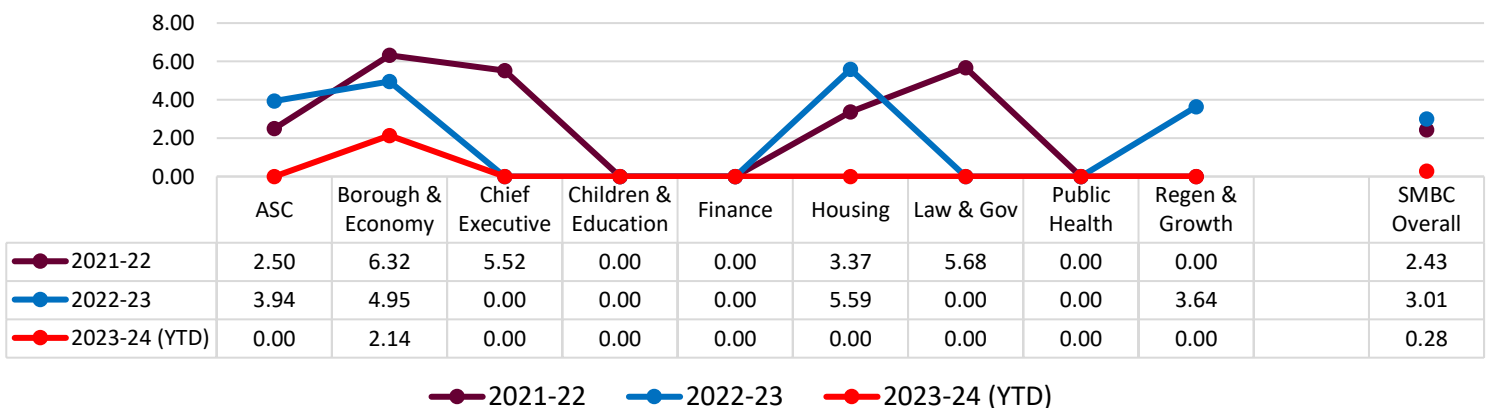
Below are the incident rates (per thousand employees) for all employee incidents this period, with previous totals for comparison.

Directorate	Q1	Q2	Q3	Q4	203/24 (YTD)	2022/23	2021/22
Adult Social Care	22.97				22.97	48.66	43.95
Borough Economy	17.13				17.13	77.81	69.72
Chief Executive	3.14				3.14	11.56	5.52
Children & Education (excluding schools)	0.00				0.00	1.87	1.81
Finance	9.17				9.17	19.11	11.78
Housing	24.0				24.00	79.47	124.98
Law & Governance	12.42				12.42	5.68	28.40
Public Health	0.00				0.00	0.00	0.00
Regen & Growth	4.31				4.31	10.91	3.52
SMBC – Overall	13.88				13.88	41.87	46.71

RIDDOR reportable accidents are ones that lead to serious harm/injury and must be reported to the health and safety executive (HSE). These incidents are more likely to see intervention/enforcement action taken against the organisation. Of the **20** employee accidents, there was **one (5%)** that was RIDDOR reportable this period.

The following chart provides annual employee related RIDDOR reportable accident rates (per thousand employees) for this period and previous years.

All Employee incidents - RIDDOR Rate



3.2 Kinds of accidents

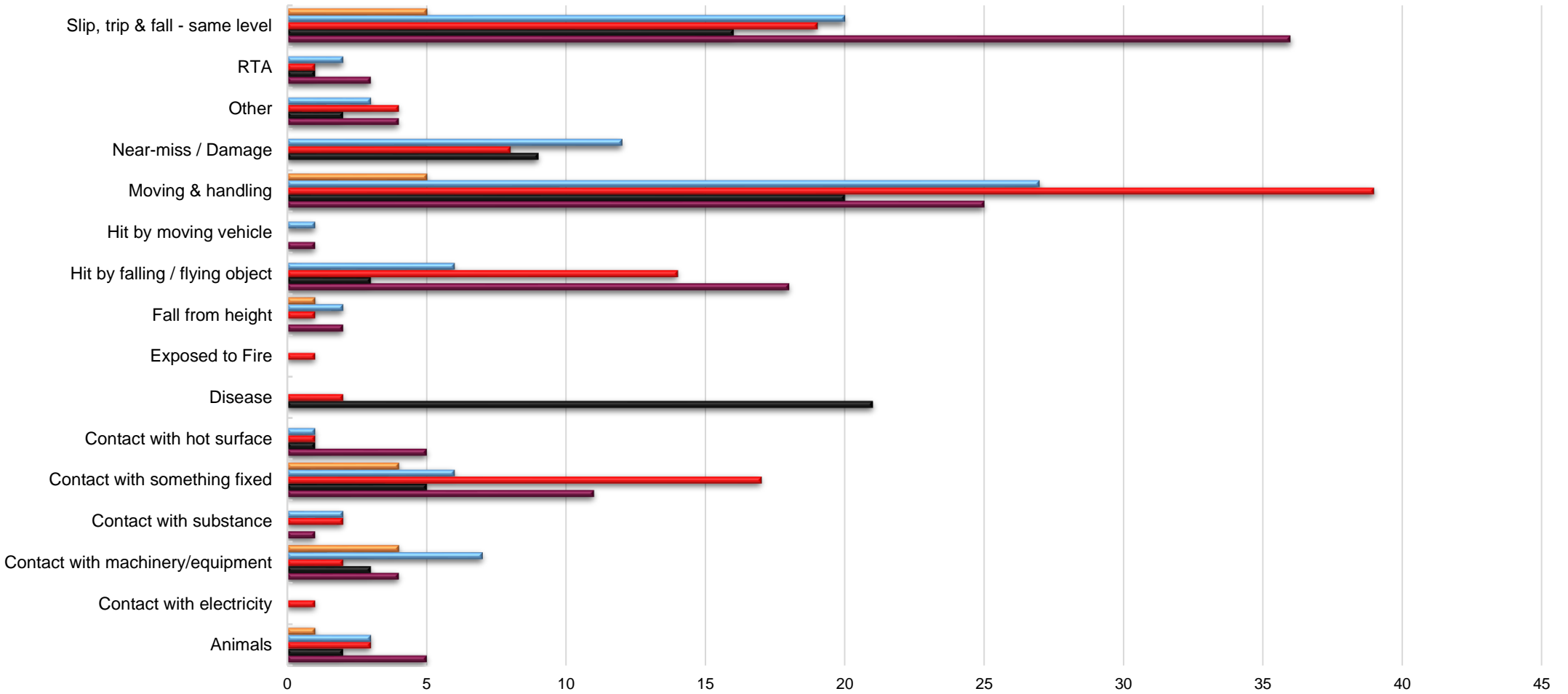
Accident “kinds” are those defined by the HSE for RIDDOR purposes. Where possible we encourage managers to avoid “other”, so that a meaningful analysis can take place.

Note: There is no legal requirement under health and safety law to report road traffic accidents (RTA). These fall under the jurisdiction of the police under Highways/road safety law. However, we do currently record any RTA incidents where our employees are injured whilst driving as part of their duties for information purposes only.

Moving & handling (5) and **slip, trip & fall on the same level (5)** were the top reported kind of accident to our employees in this reporting period making up **50%** of all employee accidents reported in this period.

The following chart shows a breakdown of all employee accident kinds reported to date in this year, compared to previous five years.

Employee Accidents by Kind



	Animals	Contact with electricity	Contact with machinery/equipment	Contact with substance	Contact with something fixed	Contact with hot surface	Disease	Exposed to Fire	Fall from height	Hit by falling / flying object	Hit by moving vehicle	Moving & handling	Near-miss / Damage	Other	RTA	Slip, trip & fall - same level
2023-24	1	0	4	0	4	0	0	0	1	0	0	5	0	0	0	5
2022-23	3	0	7	2	6	1	0	0	2	6	1	27	12	3	2	20
2021-22	3	1	2	2	17	1	2	1	1	14	0	39	8	4	1	19
2020-21	2	0	3	0	5	1	21	0	0	3	0	20	9	2	1	16
2019-20	5	0	4	1	11	5	0	0	2	18	1	25	0	4	3	36

■ 2023-24
 ■ 2022-23
 ■ 2021-22
 ■ 2020-21
 ■ 2019-20

For comparison, the table below gives top three incident kinds by year.

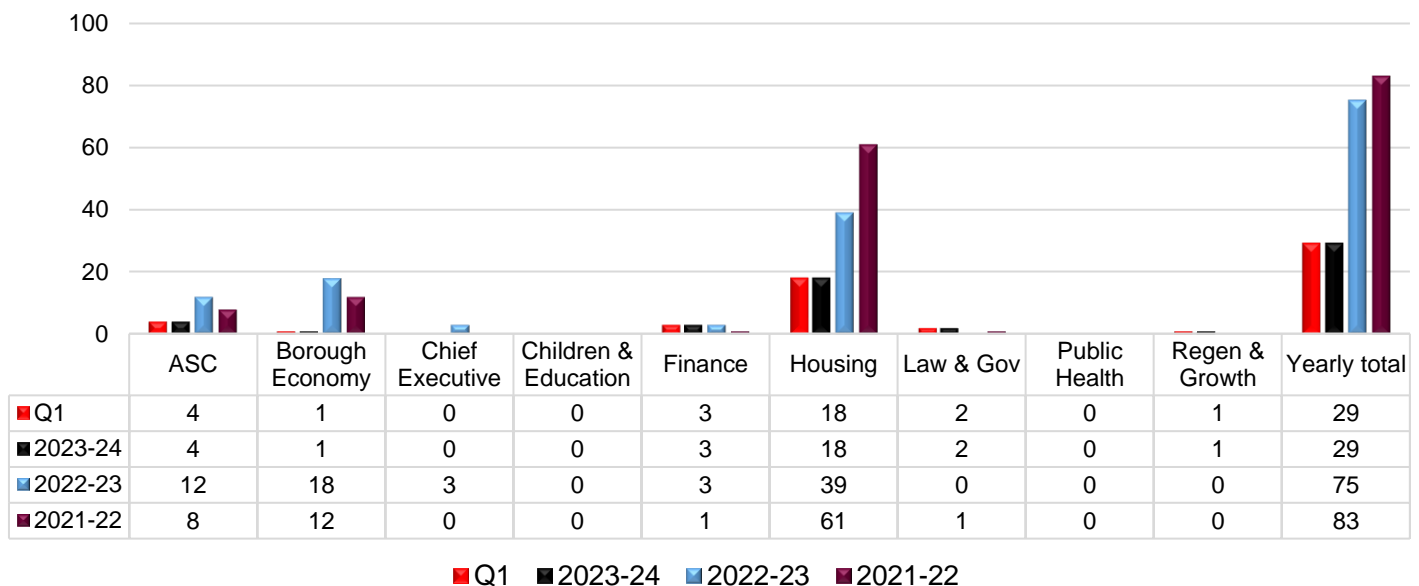
Period	1 st	2 nd	3 rd
2023/24 YTD	Moving & handling (5) and Slip, Trip & fall (5)	N/A	Contact with something fixed (4) & Contact with machinery (4)
2022/23	Moving & Handling (27)	Slip, trip, fall on same level (20)	Near-miss/Damage (12)
2021/22	Moving & Handling (39)	Slip, trip, fall on same level (19)	Contact with something fixed (17)
2020/21	Disease (COVID) Non-Fatal (21)	Moving & Handling (20)	Slip, trip, fall on same level (16)
2019/20	Slip, trip, fall on same level (36)	Moving & Handling (25)	Hit by falling/flying object (18)
2018/19	Slip, trip, fall on same level (42)	Moving & Handling (29)	Hit by falling/flying object (22)

3.3 Aggressive incidents reported (employees)

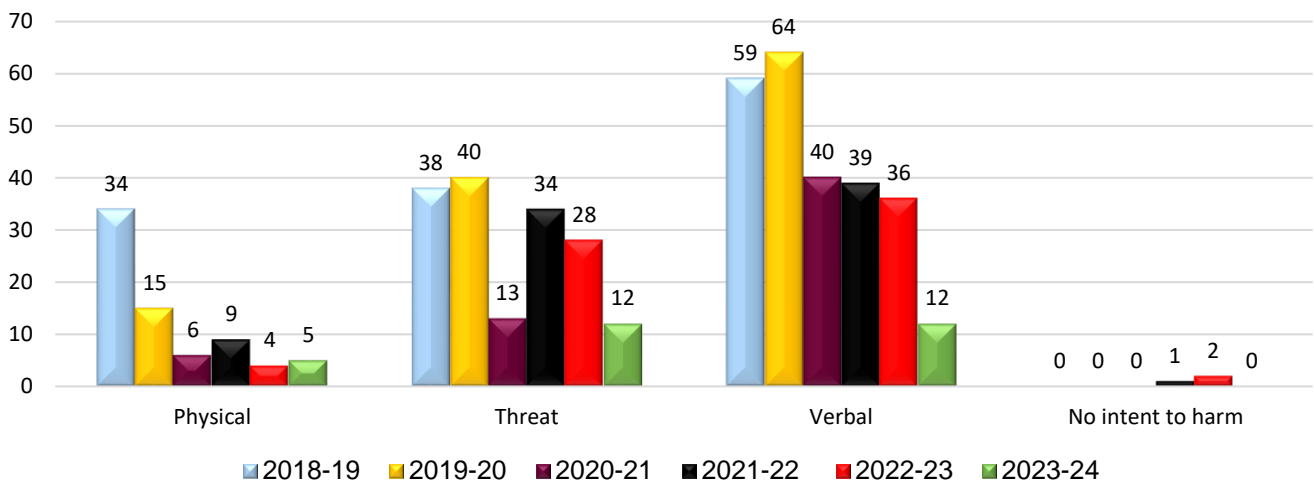
There were a total of **29** incidents of violence & aggression reported towards our employees in the quarterly reporting period. Over **62% (18)** of these incidents came from the Housing directorate.

The following chart shows a breakdown of total numbers by individual directorates for this period compared to previous years total.

Employee aggression



We are now in a position to give a breakdown of the types of violent and aggressive incidents that employees are exposed to. The following table gives this years figures to date, along with previous years for comparison purposes:

Employee V&A by kind


In this reporting year, **83%** (24) acts of aggression and violence to our employees were non-physical. Acts of physical violence accounts for **7%** (5) of total incidents.

The table below provides incident rates (per thousand employees) of incidents of aggression and violence to employees for each Directorate.

Directorate	Q1	Q2	Q3	Q4	2023/24 YTD	2022/23	2021/22
Adult Social Care	6.12				6.12	15.77	2.50
Borough Economy	2.14				2.14	29.79	17.42
Chief Executive	0.0				0.0	8.67	0.00
Children & Education (excluding schools)	0.0				0.0	0.0	0.00
Finance	9.17				9.17	9.55	2.94
Housing	20.57				20.57	38.44	66.42
Law & Governance	12.42				12.42	0.0	5.68
Public Health	0.0				0.0	0.0	0.00
Regen & Growth	4.31				4.31	0.0	0.00
Sandwell - Overall	8.21				8.21	19.16	19.31

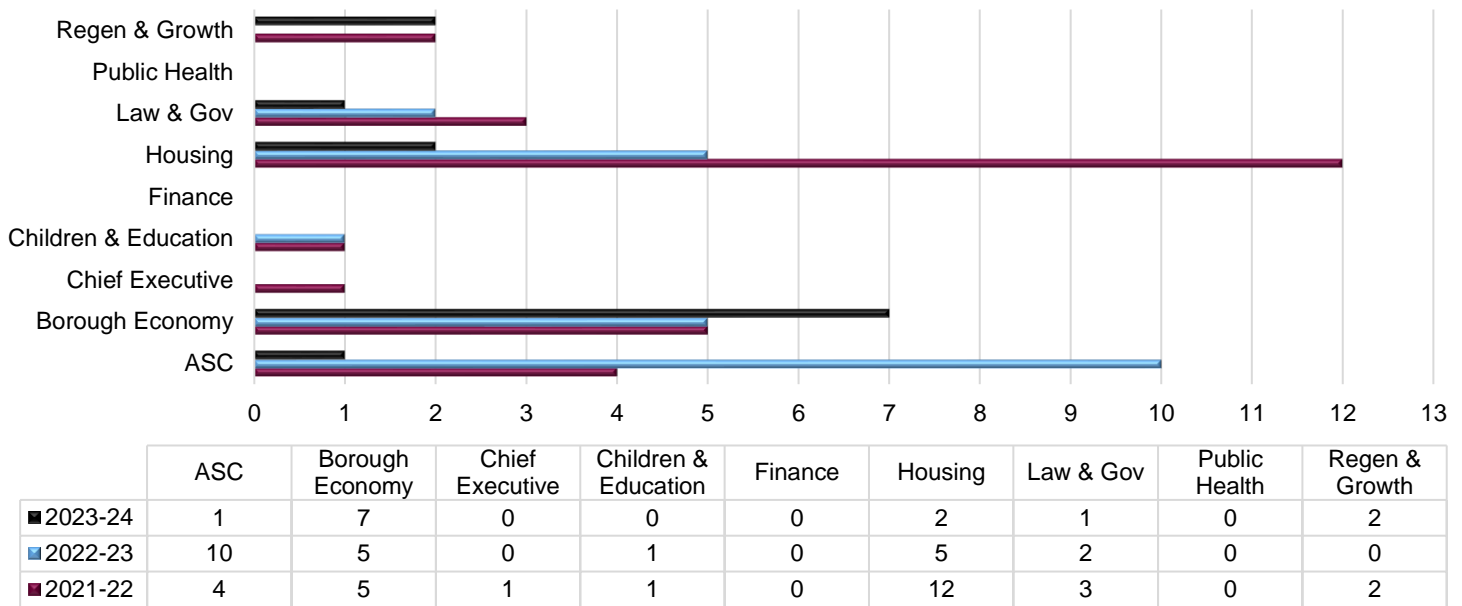
3.4 Accidents reported (Non – employees)

There were **13** incidents reported to the Corporate health and safety unit relating to non-employees in this period, including **one** RIDDOR. The RIDDOR related to a resident in a care home who was struck by an automatic door, fell over and required hospital treatment.

Seven (54%) of the 13 incidents were reported from Borough Economy directorate. This is more than was reported in the previous year's totals.

The following chart gives total numbers for non-employee accidents by directorate for this reporting period, compared to the previous year.

Non-Employee incidents



4. Policy/Health and Safety Management System (HSMS) update

The rolling programme of reviewing the HSMS continues. In this period, **five** revised and/or new safety management procedures (SMP) have been developed, agreed (via the corporate health & safety board) and implemented. They are:

- Asbestos SMP
- Lifts & Lifting Equipment SMP
- Manual Handling SMP
- Outdoor water safety SMP
- Premise Management SMP

All SMPs can be located on the health and safety unit's [safety management procedures](#) page on the intranet.

Recommendation/Action/Key message:

- ***All leaders and managers to reference/use only the current version (found on the [HSU intranet pages](#)) of documents in the HSMS, to ensure compliance with the relevant H&S legislation.***

5. Tasks completed by HSU in this period

5.1 Corporate Audit programme

Health & safety management audits are a proactive way of identifying any shortfalls in the organisations HSMS before incidents occur. The HSU continues with the corporate H&S management auditing programme within the organisation. Reports and action plans are sent to the individual Service manager/Head teacher and the relevant director when these are completed.

We also continue with our programme of HSMS audits of schools where we are the employer. As well as giving Leadership assurances around the management of H&S in these schools, we are also able to recover income from the delegated budgets.

In this period **no** Service area audits were completed and **five** schools (where we are the employer) were audited in this period.

5.2 Regulatory Interventions

Following any incidents, we may have interventions from the relevant regulatory body (e.g. HSE or Fire Authority). In addition to this we may receive compensation claims from any employees for loss and suffering if they were injured whilst at work. If there is found to be a breach of health & safety law, this will have a financial impact on the council through fines and/or increased insurance premiums, in addition to potential prosecution (fines/jail/being unable to act as a director, etc) of the accountable person(s).

There have been **no** direct interventions brought to our attention from the Fire Authority in this period that we have been made aware of.

There have been **zero** interventions carried out by the HSE at our Premises in this period.

5.3 Employers Liability Claims

This section will be updated annually.

Thirteen new employer's liability claims were received between April 2022 and March 2023. This is a significant increase compared to the **five** that were received the previous year.

The table below shows the claims received and status (to date), by each directorate.

	Adult Social Care	Borough Economy	Children & Education	Housing	SMBC Total
Total claims received	2	5	3	3	13
Under investigation	0	3	3	2	8
Claims defended	2	2	0	0	4
Claims settled	0	0	0	1	1

The table below gives an overview of annual figures for liability claims year by year.

Year	Claims received	Under investigation	Claims defended	Claims settled
2022/23	13	8	4	1
2021/22³	5	0	4	1

5.4 Consultation & Communication

There is a legal obligation for employers to consult and communicate with their employees on health and safety matters. To this end, there is a corporate health and safety board (CHSB) where all corporate matters are discussed and consulted upon.

³ **Four (80%)** of the claims were defended successfully with no payment made. The **one** claim that was settled was for noise induced hearing loss from Housing directorate.

The corporate HSU continues to support and advises management at various directorate/Service area level forums where H&S is discussed.

Recommendation/Action/Key message:

- ***HSU officers will continue to attend directorate JCC/H&S committee forums on a quarterly basis to support management on H&S issues and present directorate specific H&S reports.***

5.5 Trade Union safety representative's queries/investigations/reports

There have been no new significant inquiries/requests from TU colleagues in this period from a corporate perspective.

5.6 Miscellaneous

Other significant tasks and activities to note that the corporate health and safety unit have carried out in this period include:

- Reviewed & commented upon documentation received for **17** events to be held in the Borough as part of our role in Sandwell's safety advisory group (SAG).
- Producing **two** [corporate H&S briefing papers](#) in this period that were published on the intranet, circulated to Leadership/each directorate SLT for discussion and dissemination.
- Produced a termly health & safety newsletter for circulating to schools where we are the employer.
- Continuing to process, and investigate where necessary, all incident report forms that were received to ensure we meet the statutory requirements for RIDDOR reporting etc.
- Reviewed/developed **three** school safety guides (SSG).

6. LGA H&S National Practitioners Panel

The panel meets regularly with H&S representatives from various Council's around the country along with the HSE. As members of the West Midlands group, we get regular updates and copies of the minutes. There were three areas discussed at the meeting held 18 July that may be of interest to Leadership?

6.1 Management of asbestos in schools

HSE has published its report on its research into [Management of asbestos in school buildings 2022/23](#). Inspections took place in over 400 primary and secondary schools across England, Wales and Scotland.

The inspections showed that most schools were complying with their legal duties and had effective systems in place to manage and monitor the condition of asbestos-containing materials (ACMs).

However, a small number of schools (7%) had significant enough failings in their systems, meaning enforcement action was required to address them. Most of these failings related to improvements being needed in their management plans or surveys. Only one visit identified a risk of exposure to asbestos requiring prohibition notices to be served which prevented access until the asbestos was safely removed

from the area. These were in boiler rooms to which pupils and teaching staff did not have access.

The findings of the research will be used to inform future intervention approaches within the education sector and to help identify areas for improvement in schools.

It is understood that DFE will be reviewing its guidance on asbestos management in schools in light of the report. **HSE is carrying out further inspections to schools across Great Britain in 2023/24.**

6.2 Reinforced Autoclaved Aerated Concrete (RAAC)

Mark Norris Principal Adviser LGA Resilience, Safety and Regulation provided an update on the growing concern over RAAC.

While concern arose initially in schools following a couple of cases of collapsed ceilings it is apparent that RAAC may have a much wider presence in the public building estate including the many local authority premises. It has definitely been identified as an issue within the NHS with a number of hospitals now having additional measures in place to prevent collapse and some being prioritised within the Government hospital building programme.

However, the extent of its presence and condition is still not fully known and it is as yet unclear whether there is a regional dimension to the widespread use of RAAC planks, whether it was favoured by particular contractors or architects etc.

Within schools the DFE survey now has an 85-90% response rate although most local authorities have engaged. DFE will escalate attention on employers who do not respond. However, DFE has not at the date of the meeting released its findings. It is hoped that data will be released soon.

Where RAAC is discovered there is Government support available in respect of identification/provision of appropriate surveyors and structural engineers and funding for emergency works and there are ongoing discussions within Government and Treasury in respect of ongoing funding for emergency works and the wider school's estates management and building programme. Wider issues with maintenance of the school estate could exacerbate risks related to RAAC, e.g. water ingress can lead to deterioration.

Local authorities are advised to continue its survey work within schools and its wider public estate and to feed back to LGA any identified issues in respect of the presence and condition of RAAC, remedial steps required and also the cost and resource implications of conducting surveys and conducting remedial work. This will assist LGA in representing the views and needs of local authorities.

LGA advice on RAAC can be found on the [LGA website](#). Questions and any information about the presence of RAAC and remedial work necessary can be addressed to either Mark Norris mark.norris@local.gov.uk or Joseph Sloyan joseph.sloyan@local.gov.uk

6.3 Protect duty (Martyn's Law)

Rachel Duke (Adviser, LGA Resilience, Safety & Regulation) gave an update on the Draft Terrorism Protection of Premises Bill and the potential impacts on and

concerns of local authorities. It is a very difficult thing to legislate for and implement given the huge variation in types and capacity of premises and events to which the duties could apply to.

The Bill contains provisions applying to qualifying premises including a standard duty (applying to premises with a capacity of 100-799 people – all schools will be considered standard regardless of size) and an enhanced duty (800 or more people).

It will apply to buildings but also to land which has a readily identifiable physical boundary (for example outdoor festivals) requiring permission to enter.

It includes regulatory provisions based on a 'reasonably practicable' test but at this stage is not specific as to who the regulator will be other than it will be a public authority to be prescribed in regulations or alternatively it will be the Secretary of State. Although the Government envisages that the regulatory function will be mainly a guidance activity the Bill proposes that it will have powers to issue contravention notices and restriction notices and to issue fixed penalties ranging up to £10,000 for standard duty premises and up to £18m or 5% of worldwide turnover for enhanced duty premises.

LGA has numerous concerns about the impact of the legislation which are broadly around:

- The volume of premises in scope and resources, capacity and expertise to implement measures
- Proportionality – the impact on smaller premises and potential impact on local community facilities
- The level of ambiguity at this stage which may be understandable given the stage of the legislation although a stronger picture and associated guidance is required.
- Lead time for implementation – currently the envisaged implementation is 2025.

In addition to the draft bill and associated documents there is also a House of Commons Research Briefing and at this stage the Home Affairs Select Committee has been invited to conduct pre-legislative scrutiny of the Bill.

Members had been involved in various degrees of work on identifying the impact of the measures as set out in the Bill. It seems clear that the impact could be very significant in terms of costs for Local authority premises with enhanced duties and that some of the expected measures may cost considerably above what is indicated in the Government's initial [impact assessment](#) which are already significant. It could also have a disproportionate effect on smaller premises such as local village or community halls having impacts on the ability to conduct community activities.

LGA will continue to be involved in representing the views of local authorities and their communities during the development of the legislation. It would be most helpful if authorities could provide their thoughts on the impacts the measures required would have, along with the ability to deliver the necessary aspects, especially

consideration of costs, resources and timescale required to implement once legislation is finalised.

Relevant information and authorities' views can be sent direct to Rachel Duke Rachel.duke@lga.gov.uk

Recommendation/Action/Key message:

- **Leadership to discuss the above topics, and get assurances that Sandwell is taking appropriate action(s) where necessary.**

7. Training and development

A quality assured and fit for purpose health and safety training programme is a proactive health and safety tool that gives key persons the necessary competencies to carry out their roles and responsibilities in a safe manner.

The corporate health and safety unit facilitate/deliver/host several learning opportunities and training events. These include; virtual H&S Management courses in addition to the eLearning/CBT modules.

7.1 Face-to-Face/Virtual events

The core competency H&S management courses have been transferred to a virtual (Microsoft Teams) platform so learning could continue through the pandemic. This has been successful in the main, and we'll continue to deliver in this way.

There has been a total of **four** virtual learning opportunities facilitated by the team in this reporting period. A summary table of attendees and non-attendees by directorate at each of the core H&S training modules can be found as [an Appendix](#).

7.2 Mandatory/statutory E-Learning modules

There are three eLearning modules available to staff via Sandwell Learn platform. These are; DSE module, Fire Awareness training, and the Corporate Health & Safety Induction.

Numbers of employees (by individual directorate) completing each module this quarter and previous years reporting period is as follows;

E-learning	DSE Training	Fire Safety Awareness ⁴	H&S Induction
Adult Social Care	38	186	103
Borough Economy	53	148	51
Chief Executive	27	27	17
Childrens & Education	16	280	12
Finance	39	71	11
Housing	29	144	28
Law & Governance	43	73	12
Public Health	4	14	5
Regeneration & Growth	8	45	7
TOTAL 2023/2024 (YTD)	257	988	246
TOTAL 2022/2023	496	1276 (32%)	314

⁴ This statutory training must be completed annually by all employees

It is recognised that not everyone in the organisation has readily available access to a computer to complete the e-learning modules. However, hard copy versions are available to be completed manually/delivered face-2-face, in such circumstances.

Recommendation/Action/Key message:

- ***Leadership/Managers to ensure (via team meetings, 1:1 sessions/appraisals etc), that their staff have completed all the relevant statutory/compulsory corporate health and safety training (as identified in SMP's/training needs analysis/risk assessments, etc) at the required intervals.***

Appendix

The table below shows the figures for attendance / non-attendance at the core management training events delivered this period. Of the **16** employees who initially booked onto these events, **7** (44%) of those, either cancelled or did not attend on the day of the sessions.

The table also shows that there are directorates that have had little or no engagement with the corporate health & safety management training programme this period.

It is important that directors assure themselves that there are adequate numbers of managers/employees with the core key competencies required by legislation/corporate policy & procedures.

Q1 April 2023 - June 2023	H&S Responsibilities for Managers & Supervisors			Accident Reporting			Principles of Risk Assessment			H&S Briefing for Premise Managers			COSHH			Total attendee	% of those booked on
	Completed	Did not attend	Cancelled	Completed	Did not attend	Cancelled	Completed	Did not attend	Cancelled	Completed	Did not attend	Cancelled	Completed	Did not attend	Cancelled		
Adult Social Care	1	1	0	1	0	0	0	0	1	0	0	0	2	1	0	4	57.0%
Borough Economy	0	1	0	2	1	0	0	0	0	0	0	0	0	0	0	2	50.0%
Chief Executive	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0.0%
Childrens & Education	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0.0%
Finance	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Housing	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Law & Governance	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0%
Public Health	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	2	100.0%
Regeneration & Growth	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	100.0%
Total number of delegates	3	2	0	4	1	0	0	0	2	0	0	0	2	2	0	9	
Total number of sessions	1			1			1			0			1				

Please note: Any additional information that may be required around training numbers, can be obtained from our LOD colleagues.