

DATA LABEL: PUBLIC



GOVERNANCE AND RISK COMMITTEE

MANAGEMENT OF HEALTH & SAFETY

REPORT BY HEAD OF CORPORATE SERVICES

A PURPOSE OF REPORT

This report is presented at the request of the Governance and Risk Committee and is a standing report providing information on Health and Safety incidents reported across all service areas. This report also contains annual incident statistics and a breakdown of violence and aggression incidents within Education.

B RECOMMENDATIONS

It is recommended that the Committee note the content of the report.

C. SUMMARY OF IMPLICATIONS

I	Council Values	Being honest, open and accountable, making best use of our resources.
II	Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)	The Risk Management Policy requires the council to effectively manage risks. Legal requirements for Health and Safety made under statutory obligations in the Health and Safety at Work Act 1974 and Fire Scotland Act 2005 and associated regulations
III	Implications for Scheme of Delegations to Officers	None.
IV	Impact on performance and performance Indicators	Ineffective risk management arrangements may adversely affect performance.
V	Relevance to Single Outcome Agreement	Our public services are high quality, continually improving, efficient and responsive to local people's needs.
VI	Resources - (Financial, Staffing and Property)	None.
VII	Consideration at PDSP / Executive Committee	None.
VIII	Other consultations	None.

D. TERMS OF REPORT

D.1 Background

In accordance with corporate requirements, health and safety risks are maintained in the risk register in Pentana Performance, the council's corporate risk management tool. The risks contained within Pentana represent key risks to service objectives. They are kept under continuous review, and are developed in accordance with changes in the service structure, and in response to changes to the political, regulatory, economic and demographic environment. Services should also ensure that relevant action plans are implemented for key risks, to mitigate these risks to tolerable levels so far as is practicable.

Health and safety is monitored by services using reactive and proactive measures to provide indicators of health and safety performance to support the continued implementation of the health and safety management system.

D.2 Health & Safety Management

The Health and Safety at Work Act, 1974, the Fire Scotland Act 2005 and legislation made under the Acts outline statutory obligations in relation to health and safety. The appropriate and measured control of risk also supports the strategic and operational aims of the council-wide health and safety policy and service health and safety plans.

Measuring health and safety performance is a key step in the safety management process. Internal leading and reactive control measures are used to identify required control measures that mitigate identified risks. The control measures provide objective information that is measurable, easily collected, monitored and considered by Services and Corporate Health and Safety. They provide a reliable indicator of performance and information related to the monitoring of the deployment of policies and procedures and the safety management system.

Health and safety is a standing item at service management team meetings. It is also a standing item for meetings of the Corporate Management Team. A comprehensive report in relation to health and safety legislation and guidance and incidents across all council services is considered with a view to learning lessons and improving and identifying emerging risks. This report includes the provision of key statistical information as set out in Appendix 1 and 2.

Risks are reported to service management teams on a monthly basis. The risks are discussed, changes are made to the risks or their scores, and new risks are added, as considered necessary. There is a complete audit trail of this review process via the meeting papers and the action note produced, which are held in the council's records management system. Agreed changes to risks or risk actions are evidenced in Pentana and where necessary an explanatory note is added in Pentana.

D.3 Enforcement & HSE- Notices / Visits / Inspections/ Correspondence/ Enforcement/ Fee for Intervention (FFI) – July 2020 – September 2020

COVID-19 HSE visits

The HSE have undertaken COVID19 spot check sampling inspections on Scottish schools following their return in August 2020. Initial phone calls were made to 19 schools and site visits were undertaken at the following schools in August and September:

- Harrysmuir Primary School
- Inveralmond Community High School
- Knightsridge Primary School
- Carmondean Primary School
- Linlithgow Bridge Primary School

Verbal advice provided included the need to ensure that risk assessments were reflective of practices in each school. They also requested further information for their consideration with regards to the electrostatic cleaning process. This was provided on 05th October and there has been no further correspondence to date.

An unannounced to Building Services roofing & roughcasting works in Stoneyburn was carried on 13th July. The focus was the arrangements on site implemented to minimise spread of Covid19 . This included speaking with employees to get their views on changes. They concluded controls in place exceeded what was expected and particular comment was made on the following arrangements :

- Cleaning schedules
- Welfare rota
- Distancing markers on scaffolding
- Good signage provision
- Good compound arrangements

Building Services have implemented a standard model across sites and are regularly monitoring that standards are being maintained.

D.4 COVID-19

Health and Safety have continued to provide advice, support and guidance to all services throughout the current pandemic. Provision of the service has been maintained through the utilisation of online communication methods and site visits ensuring relevant sector specific guidelines have been followed. Whilst this has restricted business as usual in some sectors e.g. care settings and movement around educational establishments risk assessments have been completed to ensure that appropriate action is taken and support provided as required.

As regulatory changes have been introduced and new or updated guidance published services have taken cognisance of these and adjusted practises accordingly. Risk assessments encompassing required changes have been implemented and are revised as frequently as required to ensure working practices reflect ongoing changes. Consultation has taken place with relevant Trade Unions in relation to measures taken.

Health and Safety will continue to support services in the interpretation and practical implementation of future changes to guidance.

There is a separate report on the agenda from the Depute Chief Executive in relation to COVID-19 risks in the risk register.

D.5 Health and Safety Committee

The Corporate Health and Safety Committee met on the 23rd June 2020. Representatives from Council Services attended the Committee, along with representatives from recognised Trade Unions. The Committee considered the corporate health and safety statistics and noted the discussions which had taken place at the Service Health and Safety Committees.

D.6 Lone Worker Devices

Appendix 1 details the number of devices each service has registered with the service provider (number of live devices) and the number of devices that have been registered as active (being used) in that time period. This information is provided to each service on a monthly basis.

D.7 Employers Liability Insurance Payments

Appendix 1 also details the claims settled in April 2020 – September 2020 in relation to Health and Safety Incidents.

E. CONCLUSION

The council has implemented robust risk management and monitoring processes with the aim of ensuring that risks to the achievement of key objectives are mitigated as far as possible.

F. BACKGROUND REFERENCES

Health and Safety at Work Etc. Act 1974 and related statutory regulations

West Lothian Council Health and Safety Policy – <https://www.westlothian.gov.uk/article/29157/WLC-Health-and-Safety-Policy>

Appendices/Attachments: (1) Health and Safety Statistics
(2) Education Services Violent Incident Statistics

Kim Hardie, Health and Safety Manager 01506 281414 kim.hardie@westlothain.gov.uk

Julie Whitelaw, Head of Corporate Services

Date of meeting: 09 November 2020

October 2020

GOVERNANCE AND RISK COMMITTEE

APPENDIX 1 HEALTH AND SAFETY STATISTICS

RIDDOR REPORTABLE INCIDENTS – 1st April 2020 to 30th September 2020

HSE Reportable	Specified	O7D	MoP	Dangerous Occ	Disease	Total	HSE Notices	HSE Visits / Enquiries
CHCP		1	1		1	3		
Finance and Property								
HCBS	1	1				2		1
Operational		4		1		5		1
Education	1		1			2		7
TOTAL	2	6	2	1	1	12		9

CUMULATIVE INCIDENTS RECORDED – 1st April 2020 to 30th September 2020

	Chief Executives Office	Corporate	Education	F&P	H.C.B.S.	Operational Services	PED'R	Social Policy
April	0	0	4	1	11	13	0	38
May	0	0	4	4	10	12	0	40
June	0	0	13	1	25	24	0	40
July	0	0	2	1	19	26	0	36
Aug	0	0	236	4	18	33	0	46
Sept	0	0	403	3	14	23	0	37
2020/21	0	0	662	14	97	131	0	237
2019/20	2	5	1107	15	221	171	5	361

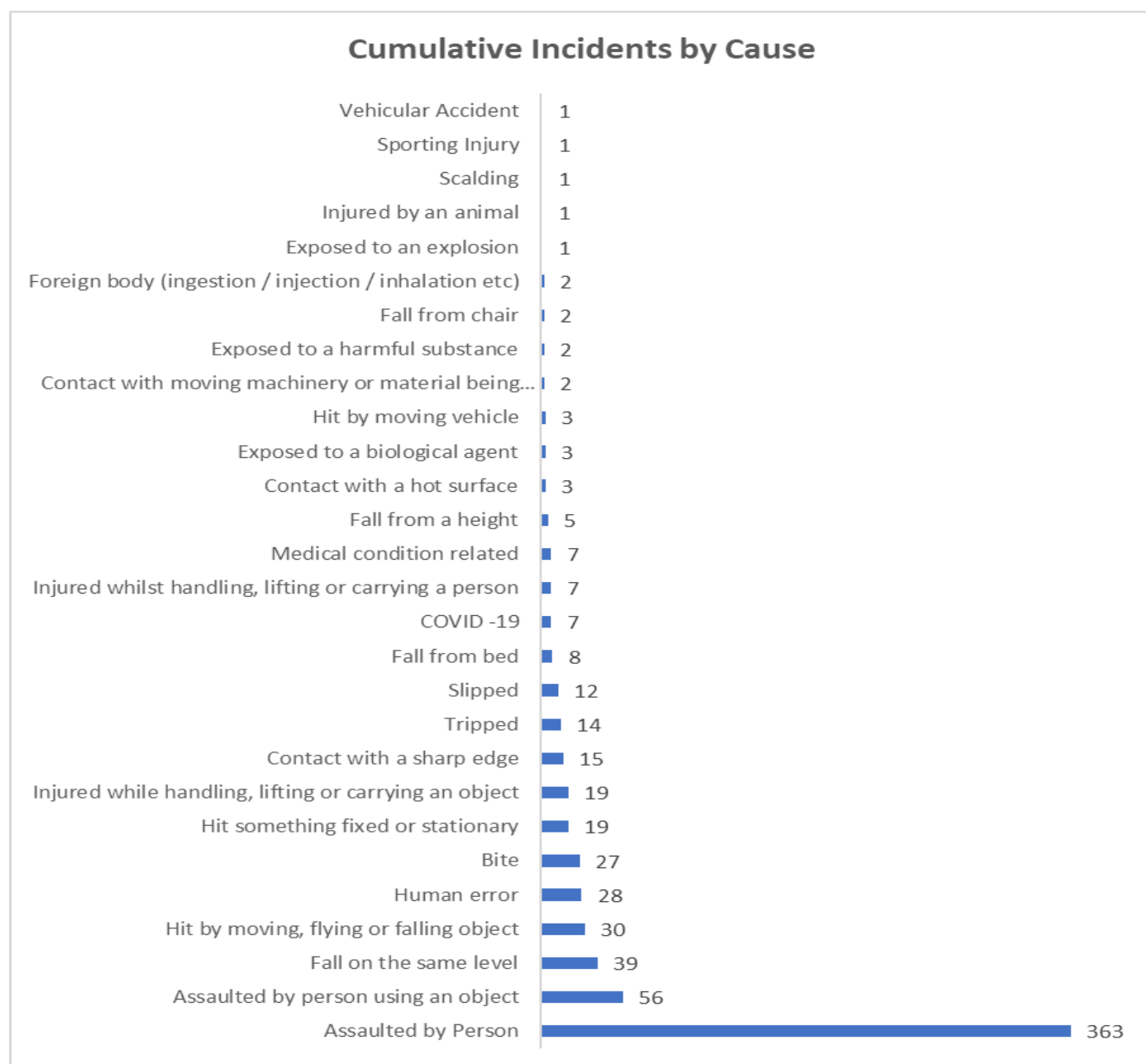
Cumulative Chart by Service all Incidents



CUMULATIVE ACCIDENTS RESULTING IN INJURY 1st April 2020 to 30th September 2020

Service / Injured Party	Chief Executives Office	Corporate	Education	F&P	H.C.B.S.	Operational Services	PED'R	Social Policy	Totals
Employee	0	0	332	0	12	35	0	33	412
Third Party	0	0	7	0	2	10	0	68	87
Pupil / Student	0	0	150	0	0	0	0	0	150

CUMULATIVE INCIDENTS by Cause 1st April 2019 to 31st January 2020

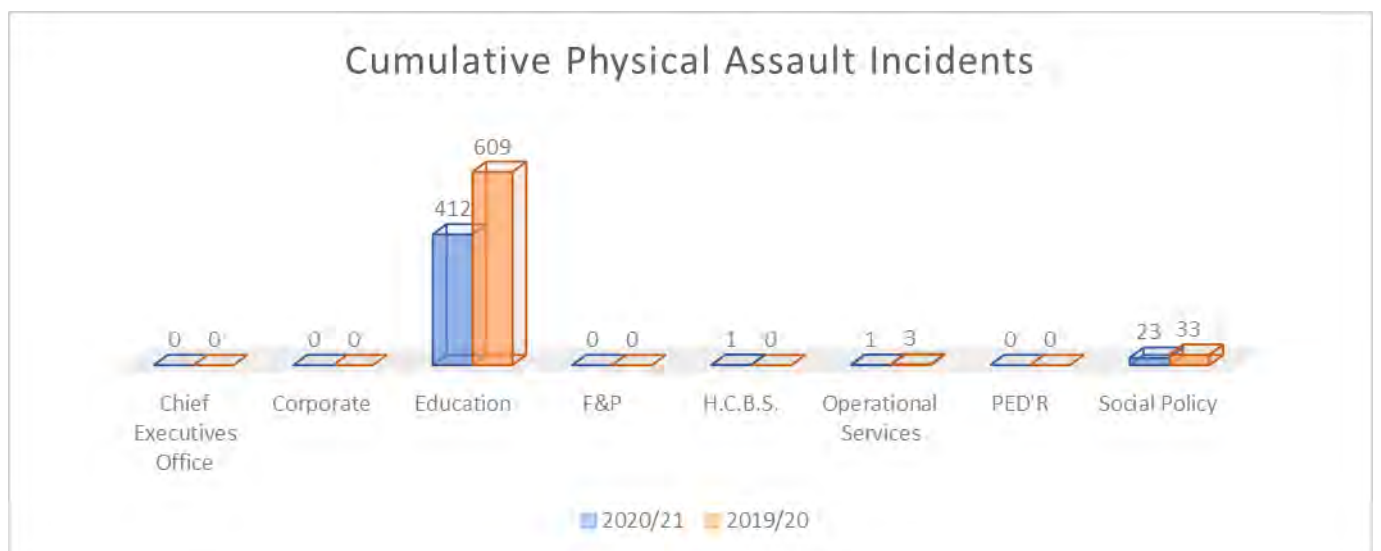


CUMULATIVE REPORTED VERBAL ABUSE INCIDENTS – 1st April 2020 to 30th September 2020

	Chief Executives Office	Corporate	Education	F&P	H.C.B.S.	Operational Services	PED'R	Social Policy
April	0	0	2	1	8	1	0	1
May	0	0	1	2	8	0	0	3
June	0	0	0	0	15	0	0	7
July	0	0	2	0	12	3	0	1
Aug	0	0	22	0	12	0	0	10
Sept	0	0	21	0	4	1	0	4
2020/21	0	0	48	3	62	5	0	26
2019/20	0	3	119	4	121	6	3	36

CUMULATIVE REPORTED PHYSICAL ASSAULT INCIDENTS – 1st April 2020 to 30th September 2020

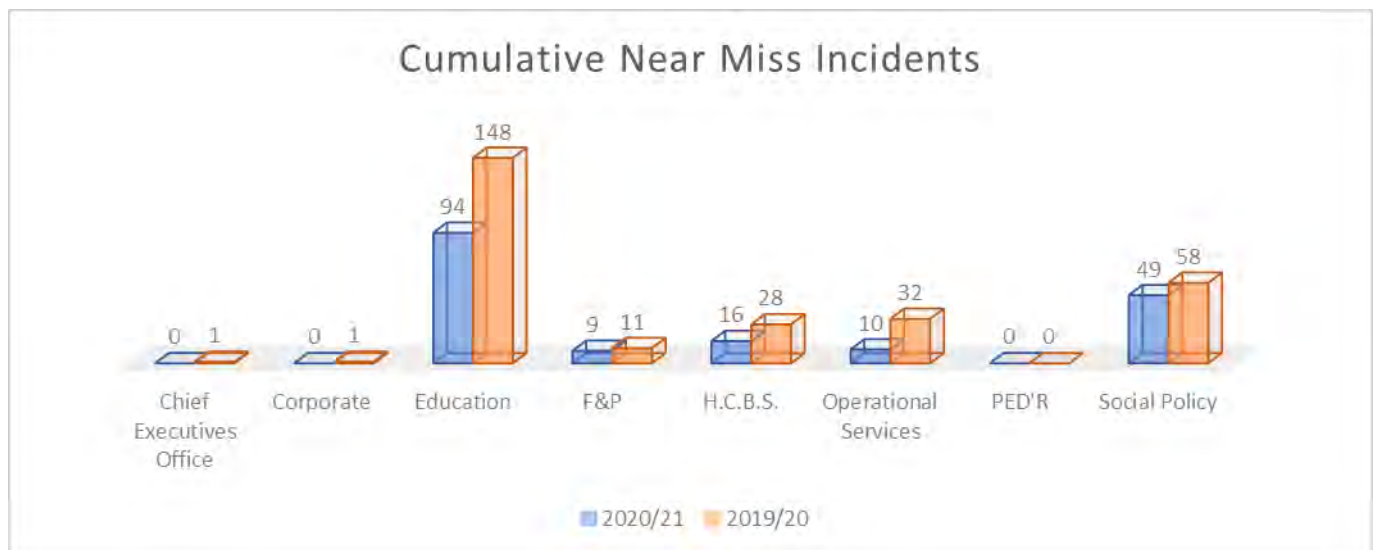
	Chief Executives Office	Corporate	Education	F&P	H.C.B.S.	Operational Services	PED'R	Social Policy
April	0	0	0	0	0	0	0	3
May	0	0	0	0	0	0	0	3
June	0	0	2	0	0	1	0	3
July	0	0	0	0	0	0	0	6
Aug	0	0	144	0	0	0	0	3
Sept	0	0	266	0	1	0	0	5
2020/21	0	0	412	0	1	1	0	23
2019/20	0	0	609	0	0	3	0	33



NEAR MISS INCIDENTS – 1st April 2020 to 30th September 2020

	Chief Executives Office	Corporate	Education	F&P	H.C.B.S.	Operational Services	PED'R	Social Policy
April	0	0	2	0	2	2	0	7

May	0	0	2	2	1	0	0	5
June	0	0	4	0	4	2	0	8
July	0	0	0	1	3	1	0	8
Aug	0	0	33	3	2	1	0	12
Sept	0	0	53	3	4	4	0	9
2020/21	0	0	94	9	16	10	0	49
2019/20	1	1	148	11	28	32	0	58



LONE WORKING DEVICE USAGE – 1st April 2020 to 30th September 2020

Service	Number of Live Devices			Number of Active Devices			% of devices used in month		
	Jul	Aug	Sept	Jul	Aug	Sept	Jul	Aug	Sept
Education	26	26	39	8	13	29	30.77	50.00%	74.36%
Elected Members	4	4	4	1	0	0	25.00	0.00%	0.00%
F&P	20	20	20	14	13	12	70.00	65.00%	60.00%
HCBS	166	166	167	54	56	67	32.53	33.73%	40.12%
Operations	26	26	26	14	16	13	53.85	61.54%	50.00%
PED'R	3	3	3	1	0	1	33.33	0.00%	33.33%
Social Policy	492	492	492	249	257	284	50.61	52.24%	57.72%
Total	737	737	751	341	355	406	46.27	48.17%	54.06%

Employers Liability Insurance Payments – 1st April 2020 to 30th September 2020

Total number of closures for 1st April 2020 to 30th September 2020 was x, at a total cost of £xxxxx

Accident year	Location	Service	Detail	Injury	Payment to employee / volunteer	Other costs	Total Claim	Cause	Incident Description
Total	Number:10	Payment:	Total						
		Less recovery							
		Net							

October 2020

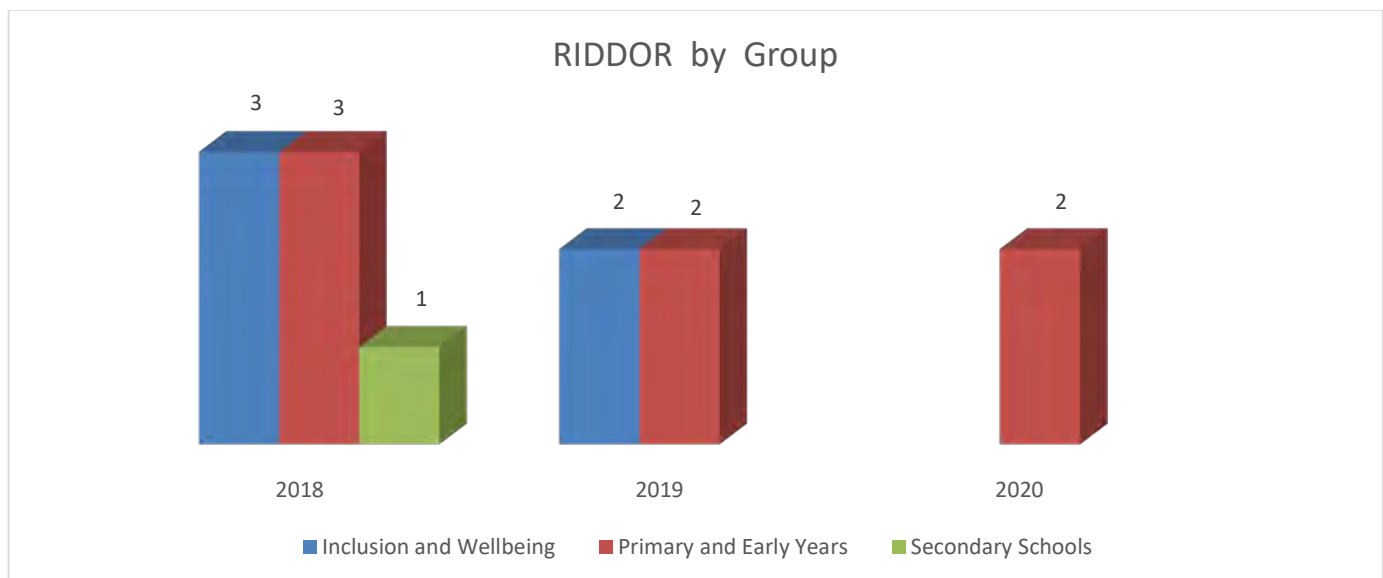
GOVERNANCE AND RISK COMMITTEE

APPENDIX 2 HEALTH AND SAFETY STATISTICS

The following is a comparison across the years 2018, 2019 and 2020 for the period 1st April to the 30th September for Physical and Verbal incidents against all incidents within Education by group for each respective year.

Analysis of both Physical and Verbal Abuse Incidents by Pupils against Staff and other Pupils						
Period 1 st April to the 31 st March	2018-19		2019-20		2020-21	
	Employee	pupil	Employee	pupil	Employee	pupil
Special Needs Schools						
% inc of phy + verbal against all inc	74%	12%	75%	5%	61%	30%
Primary and Early Years						
% inc of phy + verbal against all inc	45%	10%	55%	9%	47%	13%
Secondary Schools						
% inc of phy + verbal against all inc	34%	3%	51%	2%	20%	9%
All Education						
% inc of phy + verbal against total inc	54%	10%	59%	7%	50%	18%

RIDDOR Reports years 2018, 2019, 2020

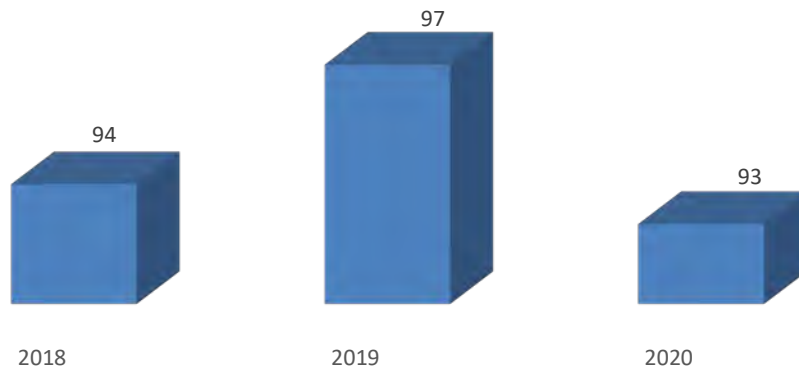


Descriptors of RIDDORS incidents 1st April to the 30th September 2020

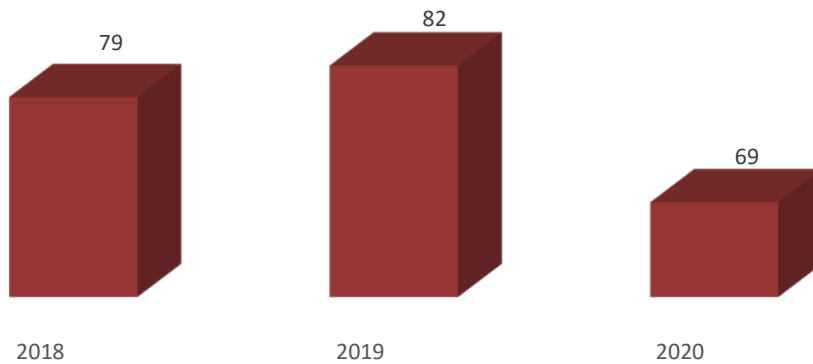
- St Mary's Primary School, Bathgate** – A pupil sustained a leg injury which required stitches after running along part of the school boundary wire mesh fence and in between bushes/trees. The pupil was unable to identify where the injury had occurred. A contractor carried work on the fence to remove metal ties used to join sections of fence panels.
- St Mary's Primary School, Polbeth** – An employee was working one to one with a pupil seated on the floor. As they went to stand up the pupil lashed out with their foot, striking them on the face. The employee attended accident and emergency where they were discharged to attend at a later date once the swelling around the area had subsided. It was subsequently established that the employee had sustained a fracture to their nose

Comparison of **Incidents Investigated** for Physical and Verbal Assault Incidents for the period 1st April to the 30th September across 2018, 2019 and 2020 by Education Service Group.

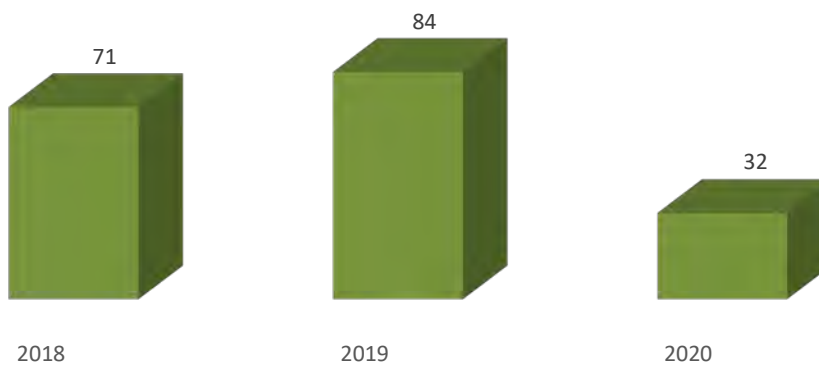
Inclusion and Wellbeing % investigated



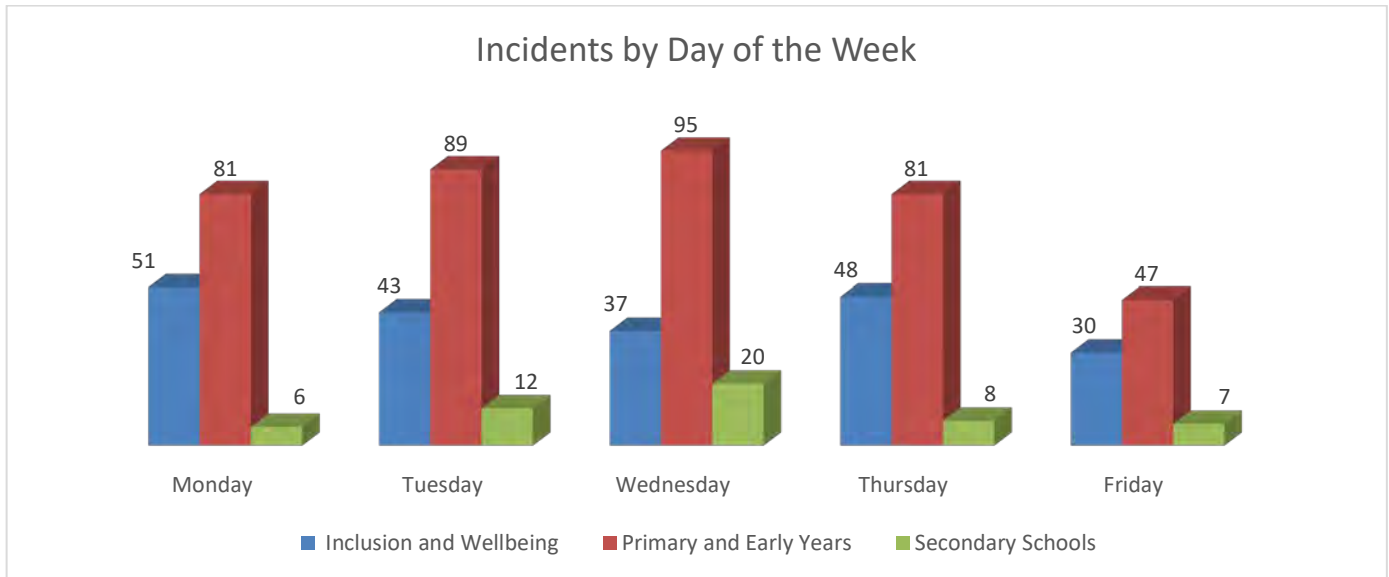
Primary and Early Years % investigated



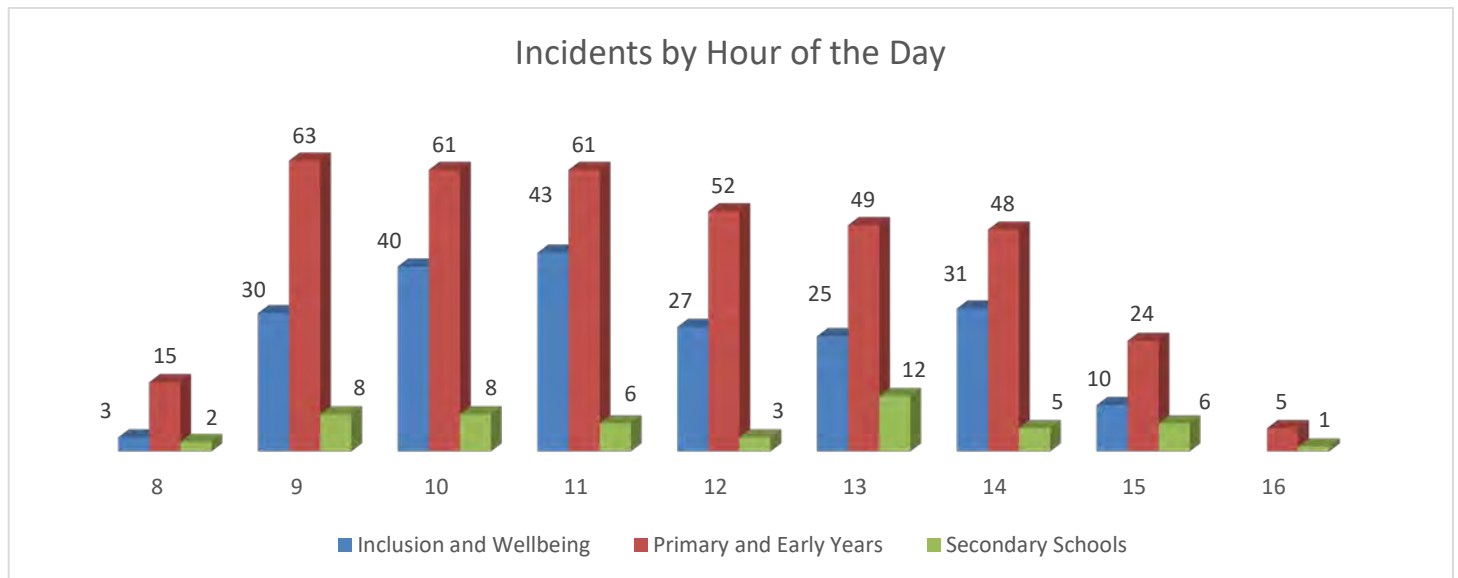
Secondary Schools % investigated



Comparison on **Days of the Week** that Physical Assault and Verbal Abuse Incidents occur within the period 1st April to the 30th September 2020 by Education Service Group



Comparison on **Hour of the Day** that Physical Assault and Verbal Abuse Incidents occur within the period 1st April to the 30th September 2020 by Education Service Group



Comparison of Physical Assaults and Verbal Abuse incidents within Secondary Schools – 1st April to the 30th September for 2019- 20 and 2020-21.

Secondary Schools			
School Premise	2019-20	2020-2021	Difference in number of incidents reported over same period
Armada Academy PPP	1	1	None
Bathgate Academy PPP	1	1	None
Broxburn Academy PPP	18	1	-17
Deans Community High School	1	4	+3

Inveralmond Community High School	9	2	-1
Linlithgow Academy	2	5	+3
St Kentigern's Academy	42	0	-42
St Margaret's Academy	1	0	-1
The James Young Community High School	3	0	-3
West Calder High School	0	2	+2
Whitburn Academy PPP	19	0	-19
Totals	97	16	-81