

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 physical and verbal incidents reported within Education.

#### **B RECOMMENDATIONS**

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

#### **C. SUMMARY OF IMPLICATIONS**

<b>I</b>	<b>Council Values</b>	Being honest, open and accountable, making best use of our resources.
<b>II</b>	<b>Policy and Legal (including Strategic Environmental Assessment, Equality Issues, Health or Risk Assessment)</b>	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
<b>III</b>	<b>Implications for Scheme of Delegations to Officers</b>	None.
<b>IV</b>	<b>Impact on performance and performance Indicators</b>	Ineffective risk management arrangements may adversely affect performance.
<b>V</b>	<b>Relevance to Single Outcome Agreement</b>	Our public services are high quality, continually improving, efficient and responsive to local people's needs.
<b>VI</b>	<b>Resources - (Financial, Staffing and Property)</b>	None.
<b>VII</b>	<b>Consideration at PDSP / Executive Committee</b>	None.
<b>VIII</b>	<b>Other consultations</b>	None.

## **D. TERMS OF REPORT**

### **D.1 Background**

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.

### **D.2 Health & Safety Management**

The management of health and safety aims to create and maintain safe and healthy workplaces. 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 and monitoring of the health and safety management system.

Internal leading and reactive indicators are used to identify required control measures that mitigate identified risks. They provide objective information that is measurable, easily collected, monitored and considered by Services and Corporate Health and Safety. They also provide reliable indicators of performance and information related to monitoring 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, guidance and incidents across all council services is considered with a view to learning lessons, making any required improvements, identifying emerging risks and sharing good practice. The report includes the provision of key statistical information. Statistical information in Appendix 1 of this report covers the reporting period of 01st April 2023 to 31st July 2023.

### **D.3 Enforcement & HSE- Notices / Visits / Inspections/ Correspondence/ Enforcement/ Fee for Intervention (FFI) –**

There has been no activity since the previous report to Committee in June 2023.

### **D.4 Incidents Reportable to the Health and Safety Executive**

Five incidents were reported to the Health and Safety Executive under the requirements of the Reporting of Injuries, Disease and Dangerous Occurrences Regulations (RIDDOR). A summary of these incidents can be found in Appendix 1. All of these incidents have been thoroughly investigated and any required remedial action identified and actioned. All RIDDOR reportable incidents are considered on a monthly basis by the Corporate Management Team. There has been no contact from the HSE in relation to any of the incidents reported.

### **D.5 Health and Safety Committee**

The Corporate Health and Safety Committee last met on the 26<sup>th</sup> June 2023. Representatives from Council Services attended along with representatives from recognised Trade Unions. The Committee considered discussions that had taken place at service health and safety committees, health and safety statistics, regulatory updates, the violence and aggression working group action plan and health and safety procedure updates. The next meeting of the committee will take place on 25<sup>th</sup> September 2023.

## **D.6 Audit**

Health and Safety are currently undertaking an audit across services relating to the investigation of recorded incidents. The aim of the audit is to ensure that incidents are being investigated in line with regulatory requirements. The outcomes of the audit will be reported to the Corporate Management team, Corporate Health and Safety Committee and Governance and Risk Board once completed.

## **D.7 Employers Liability Insurance Payments**

Appendix 1 details claims settled 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 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 01st April 2023 31st July 2023

Kim Hardie, Health and Safety Manager 01506 281414 [kim.hardie@westlothian.gov.uk](mailto:kim.hardie@westlothian.gov.uk)

Lesley Henderson, Interim Head of Corporate Services

Date of meeting: 25<sup>th</sup> September 2023.

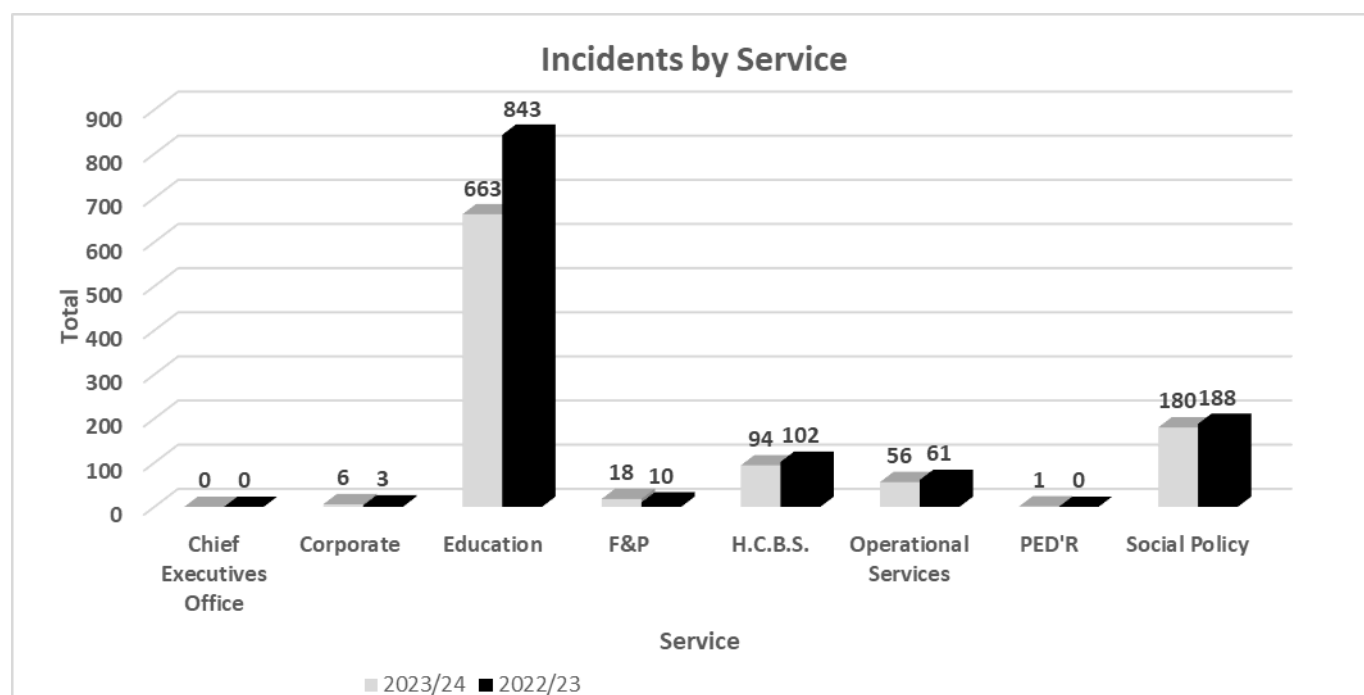


**GOVERNANCE AND RISK COMMITTEE**
**APPENDIX 1 HEALTH AND SAFETY STATISTICS**
**RIDDOR REPORTABLE INCIDENTS – 1 April 2023 to 31 July 2023**

HSE Reportable 2018/19	Specified Injury	Over 7 Day Absence	Member of the Public	Dangerous Occurrence	Disease	Total	HSE Notices	HSE Visits / Enquiries
Education	1	2				3		
HCBS		1				1		
Operational		1				1		
2023/24	1	4				5		
2022/23	3	3	2			8		

**CUMULATIVE INCIDENTS RECORDED – 1 April 2023 to 31 July 2023**

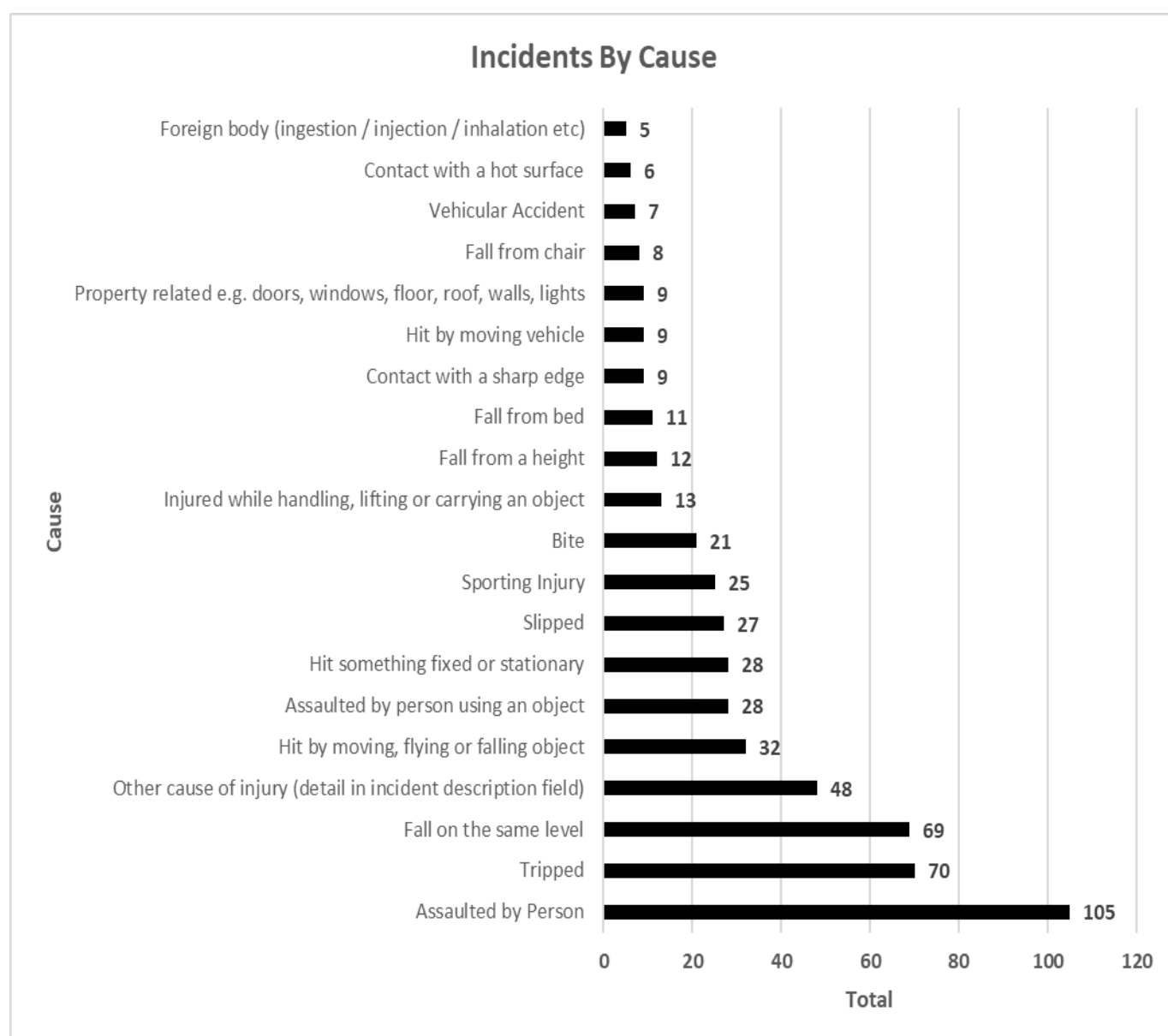
	Chief Executives Office	Corporate	Education	F&P	H.C.B.S.	Operational Services	PED'R	Social Policy
April	0	2	114	5	29	15	1	37
May	0	0	278	7	25	14	0	38
June	0	4	249	4	19	15	0	44
July	0	0	22	2	21	12	0	61
2023/24	0	6	663	18	94	56	1	180
2022/23	0	3	843	10	102	61	0	188



### CUMULATIVE ACCIDENTS RESULTING IN INJURY 1 April 2023 to 31 July 2023

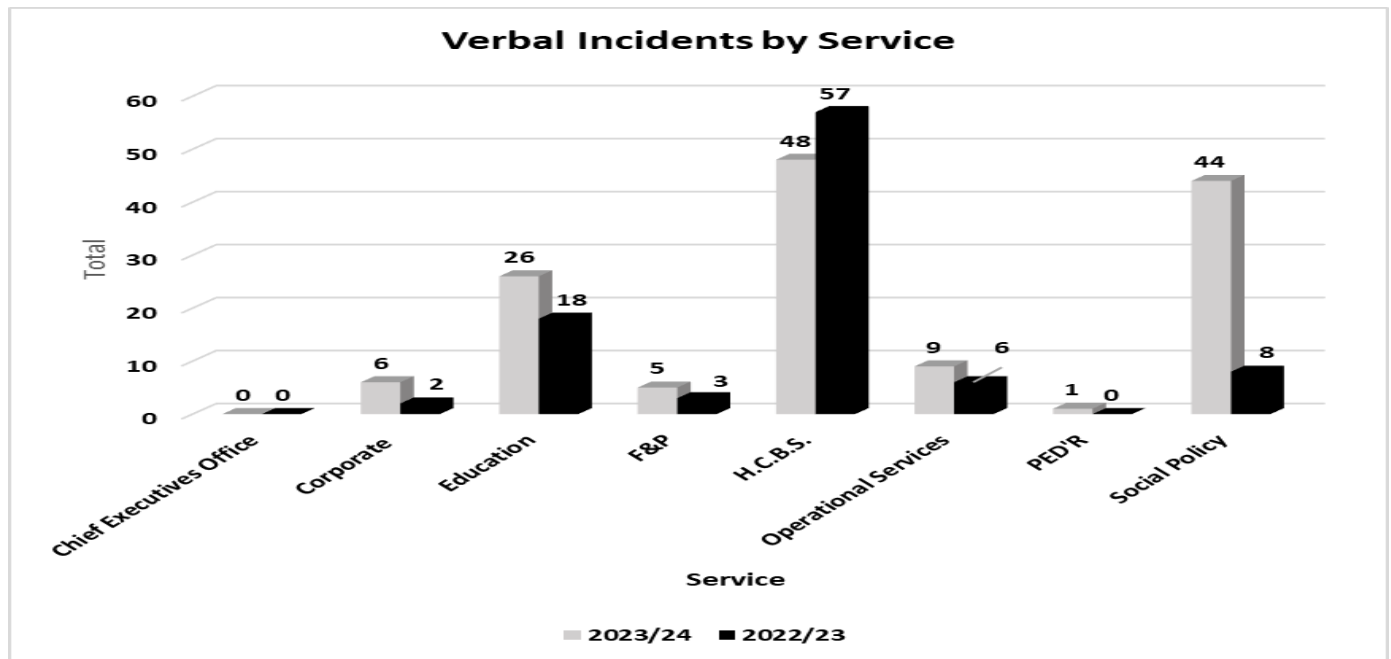
Service / Injured Party	Chief Executives Office	Corporate	Education	F&P	H.C.B.S.	Operational Services	PED'R	Social Policy	Totals
Employee	0	0	29	3	7	32	0	13	84
Third Party	0	0	0	0	2	0	0	21	23
Pupil / Student	0	0	35	0	0	0	0	0	35

### CUMULATIVE INCIDENTS by Cause 1 April 2023 to 31 July 2023



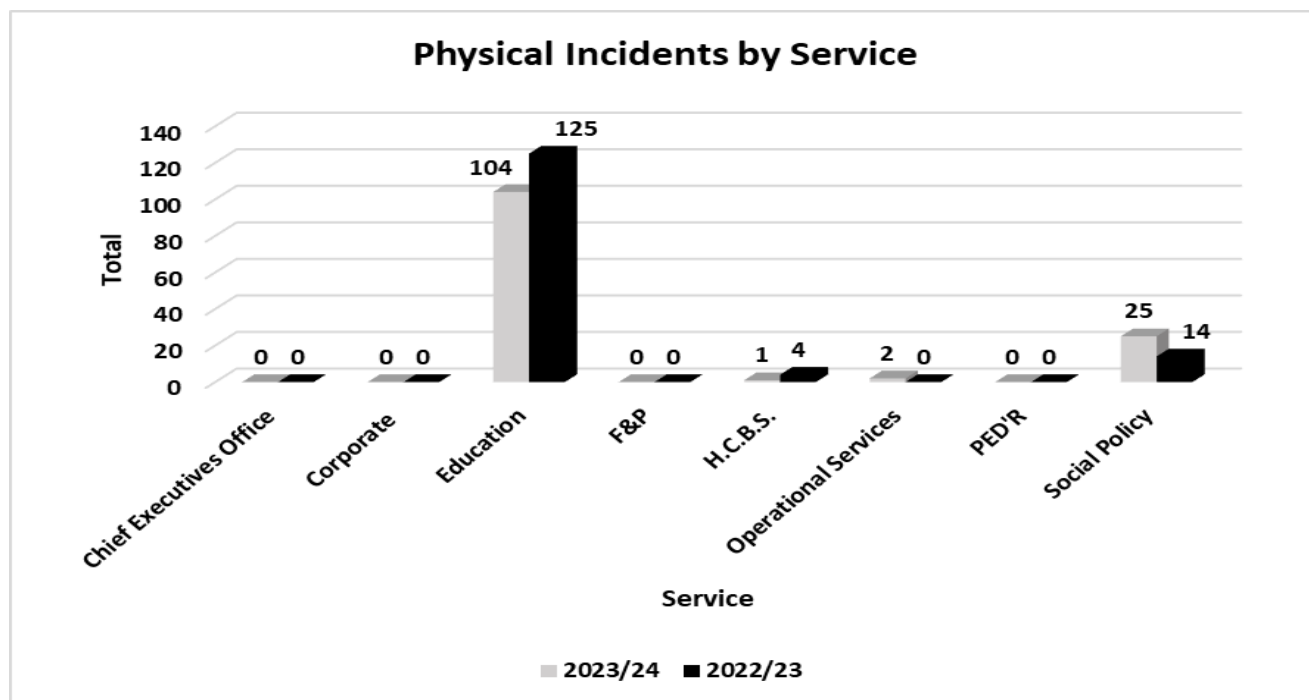
**CUMULATIVE REPORTED VERBAL INCIDENTS – 1 April 2023 to 31 July 2023**

	Chief Executives Office	Corporate	Education	F&P	H.C.B.S.	Operational Services	PED'R	Social Policy
April	0	2	3	2	17	3	1	8
May	0	0	12	2	11	0	0	17
June	0	4	11	1	9	3	0	7
July	0	0	0	0	11	3	0	12
<b>2023/24</b>	<b>0</b>	<b>6</b>	<b>26</b>	<b>5</b>	<b>48</b>	<b>9</b>	<b>1</b>	<b>44</b>
<b>2022/23</b>	<b>0</b>	<b>2</b>	<b>18</b>	<b>3</b>	<b>57</b>	<b>6</b>	<b>0</b>	<b>8</b>



**CUMULATIVE REPORTED PHYSICAL INCIDENTS – 1 April 2023 to 31 July 2023**

	Chief Executives Office	Corporate	Education	F&P	H.C.B.S.	Operational Services	PED'R	Social Policy
April	0	0	12	0	0	0	0	6
May	0	0	42	0	0	1	0	6
June	0	0	47	0	1	1	0	5
July	0	0	3	0	0	0	0	8
<b>2023/24</b>	<b>0</b>	<b>0</b>	<b>104</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>25</b>
<b>2022/23</b>	<b>0</b>	<b>0</b>	<b>125</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>14</b>



### VERBAL AND PHYSICAL INCIDENTS IN EDUCATION

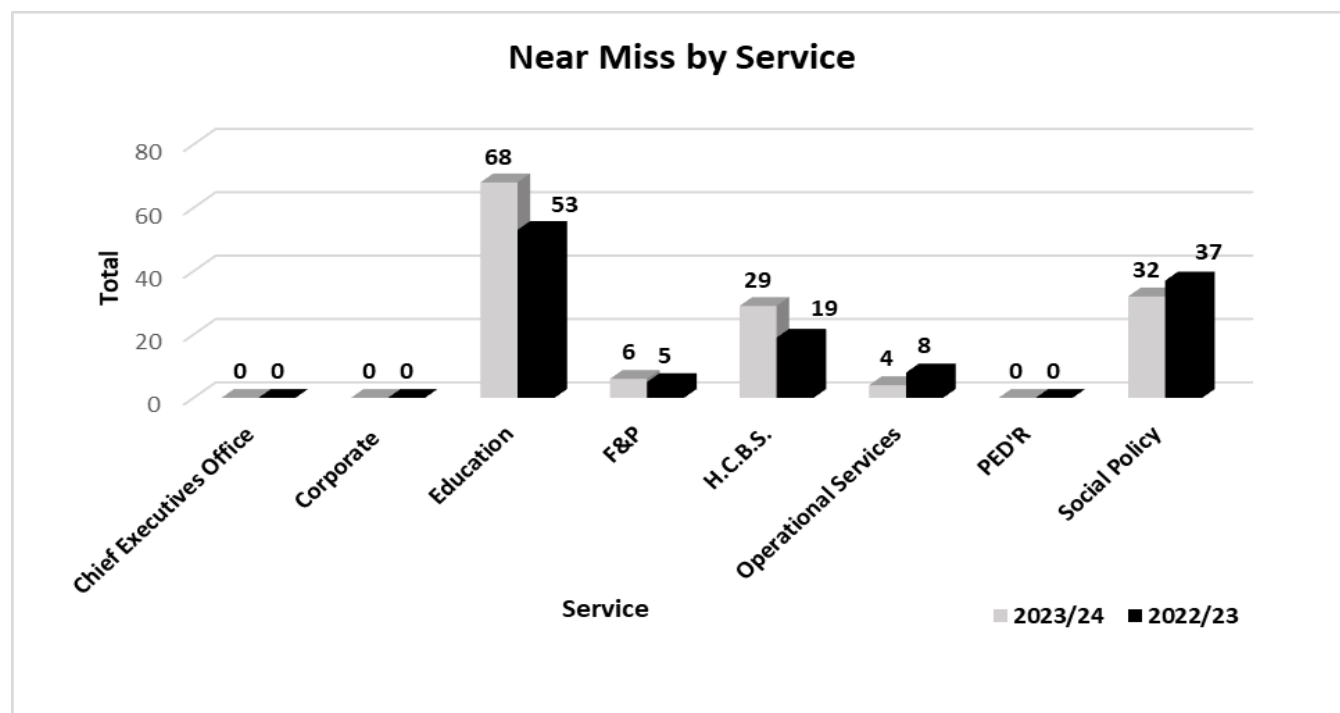
Comparison of physical and verbal incidents recorded in 2021, 2022 and 2023 for the period 1 April to the 31 July against all incidents within Education.

Year	2021		2022		2023	
	Employee	Pupil	Employee	Pupil	Employee	Pupil
<b>Inclusion and Wellbeing</b>						
% incidents of physical + verbal against all incidents	16%	7%	3%	1%	7%	2%
<b>Primary and Early Years</b>						
% incidents of physical + verbal against all incidents	19%	13%	15%	7%	13%	7%
<b>Secondary Schools</b>						
% incidents of physical + verbal against all incidents	2%	5%	11%	4%	19%	7%
<b>All Education</b>						
% incidents of physical + verbal against all incidents	18%	11%	12%	5%	13%	7%

### NEAR MISS INCIDENTS – 1 April 2023 to 31 July 2023

	Chief Executives Office	Corporate	Education	F&P	H.C.B.S.	Operational Services	PED'R	Social Policy
April	0	0	4	1	7	1	0	5
May	0	0	31	2	8	1	0	3
June	0	0	30	2	6	1	0	9
July	0	0	3	1	8	1	0	15
2023/24	0	0	68	6	29	4	0	32
2022/23	0	0	53	5	19	8	0	37





#### EMPLOYERS LIABILITY INSURANCE PAYMENTS – 1 April 2023 to 31 July 2023

Details of closures made in this reporting period are detailed in the table below.

Accident year	Location	Service	Detail	Injury	Payment	Other costs	Total Claim	Cause	Incident Description
2020-21	West Calder	Social Policy	Manual Handling	Sprain/strain	0	275	275	Inured while moving client.	No Fault.
2020-21	Polbeth	Education Services	Assault	Fracture	28,750	16,735	45,485	Injury to nose during incident with child.	Breach of statutory duty.
2019-20	Livingston	Education Services	Slip/trip	Sprain/strain	0	11,999	11,999	Injured using faulty apparatus at private facility.	No Fault.
2019-20	Whitburn	Education Services	Assault	Multiple Other	8,000	10,159	18,159	Struck by chair in incident.	Breach of statutory duty.
2019-20	Livingston	Property Services	Slip/trip	Sprain/strain	1,250	9,837	11,087	Slipped on ice.	Breach of statutory duty.
2018-19	Livingston	Social Policy	Slip/trip	Sprain/strain	17,500	15,696	33,196	Trip incident.	Breach of statutory duty.
2020-21	West Calder	Social Policy	Assault	Sprain/strains	0	275	275	Struck by client.	No fault.
2019-20	Livingston	Social Policy	Manual Handling	Sprain/strain	4,000	34,700	38,700	Injured back.	Breach of Statutory Duty.

2020-21	Bathgate	NETS	Slip/trip	Sprain/ strain	0	275	275	Slip incident.	No Fault
2018-19	Livingston	Social Policy	Slip/Trip	Slip/ strain	0	25,571	11,003	Slipped on wet floor.	Breach of Statutory Duty.
2021-22	East Calder	Catering	Manual Handling	Burns	4,500	3,588	8,088	Injured whilst cleaning equipment.	Breach of Statutory Duty.
2021-22	Livingston	Education Services	Slip/Trip	Other	10,000	6,614	16,614	Slipped on ice.	Breach of Statutory Duty.
<b>Payments:</b>					<b>85,000</b>	<b>135,724</b>	<b>220,724</b>		
<b>Recovery:</b>									
<b>Net:</b>					<b>85,000</b>	<b>135,724</b>	<b>220,724</b>		