



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Governance and Audit Committee


24 January 2024

Report of: Councillor Philip Knowles,
Cabinet Member for Corporate
Governance and Licensing

Health and Safety Policy 2023 – 2025

Report Author

Phil Swinton (Health, Safety and Compliance Manager)

 Phil.swinton@southkesteven.gov.uk

Purpose of Report

This report presents the updated Health and Safety Policy. This updated policy ensures compliance with the Council's legal duties and covers the period 2023-25. The Council's Health and Safety Policy is its statement of intent and commitment to managing any risk that may arise from its undertakings.

Recommendations

It is recommended that Members:

1. Approve the contents of the Health and Safety Policy for the period 2023-25, subject to any further comments.

Decision Information

Does the report contain any exempt or confidential information not for publication?	No
What are the relevant corporate priorities?	High performing Council
Which wards are impacted?	All Wards

1 The Background to the Report

- 1.1 The policy is the Council's statement of intent and details how it will manage health and safety and comply with relevant legislation, this includes the arrangements for ensuring sufficient resourcing and the duties and responsibilities of officers for implementing the policy.

2 Consultation and Feedback Received, Including Overview and Scrutiny

- 2.1 Feedback on the content and structure has been received from the Corporate Management Team and incorporated into the policy.
- 2.2 Whilst health and safety monitoring falls under the remit of the Governance and Audit Committee, Health and Safety policy also falls under the remit of the Environment Overview and Scrutiny Committee.
- 2.3 The draft policy has been shared with the Chair of both the Governance and Audit Committee and, given the relevance to staff and working practices, the Employment Committee.

3 Available Options Considered

- 3.1 The requirement for the Authority to have a Health and Safety Policy is determined by statute law therefore no other options are available for consideration.

4 Preferred Option

- 4.1 To note the contents of the policy and give any feedback to assist the senior management to continue to maintain robust health and safety arrangements for the Council.

5 Reasons for the Recommendation

- 5.1 There is a legal requirement to create and maintain a Health and Safety Policy and to set out formally the arrangements for the management of risk

6 Next Steps – Communication and Implementation of the Decision

- 6.1 Subject to the approval of the Health and Safety Policy, it will be communicated to all departments and relevant Senior Officers and made available online.

7 Financial Implications

- 7.1 Failure to undertake and produce a written Health and Safety Policy, along with the arrangements to mitigate the risk associated with Council activities could result in prosecution and fines against the authority for breaches of statute law, namely the Health and Safety at Work Act 1974.

Financial Implications reviewed by: Richard Wyles, Section 151 Officer

8 Legal and Governance Implications

- 8.1 The Management of Health and Safety at Work Regulations 1999 require employers to put in place arrangements to control health and safety risks. As a minimum the Council should have processes and procedures required to meet the legal requirements, including;

A written health and safety policy (if you employ five or more people).

Assessments of the risks to employees, contractors, customers, partners, and any other people who could be affected by your activities - and record the significant findings in writing (if you employ five or more people). Any risk assessment must be 'suitable and sufficient'.

Arrangements for the effective planning, organisation, control, monitoring and review of the preventive and protective measures that come from risk assessment.

Access to competent health and safety advice.

Providing employees with information about the risks in your workplace and how they are protected;

Instruction and training for employees in how to deal with the risks.

Ensuring there is adequate and appropriate supervision in place.

Consulting with employees about their risks at work and current preventive and protective measures.

Legal Implications reviewed by: Mandy Braithwaite, Legal Executive

9 Equality and Safeguarding Implications

- 9.1 Whilst Health and Safety requirements are necessary to manage risk, the Authority is mindful of its responsibilities under the Equality Act 2010. Therefore, due regard will be paid (where practicable) to any reasonable adjustments required by staff and Members in the delivery of their duties. No adjustment that would risk the safety of an employee, elected Member or contractor could be considered and therefore officers would work to ensure all suitable alternative options were explored to provide an equitable outcome for all.

10 Risk and Mitigation

- 10.1 Risk has been considered as part of this report and any specific high risks are included in this report.

11 Community Safety Implications

- 11.1 None identified.

12 How will the recommendations support South Kesteven District Council's declaration of a climate emergency?

- 12.1 There are no implications for the Council's declaration of climate emergency.

13 Other Implications (where significant)

- 13.1 None identified.

14 Background Papers

- 14.1 None.

15 Appendices

- 15.1 Appendix A: Health and Safety Policy