

Decision maker:	Cabinet member finance and corporate services
Meeting date:	Friday 7 December 2018
Title of report:	Health, Safety Wellbeing and Equality Policy Statement and Strategy
Report by:	Health and safety advisor

Classification

Open

Decision type

Key

This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.

Notice has been served in accordance with Part 3, Section 9 (Publicity in Connection with Key Decisions) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Wards affected

(All Wards);

Purpose and summary

To approve the joint Health, Safety, Wellbeing and Equality Policy statement

There is a legal requirement to have a health and safety statement which is included in the combined health, safety wellbeing and equality policy statement as well as an equality policy statement and these have been combined into one policy statement

Recommendation(s)

That:

- a) **the combined health, safety, wellbeing and equality policy statement at appendix 1 be approved**

Alternative options

Not having a current health safety and wellbeing strategy and policy statement as required by the Health and Safety at Work Act, could leave the council open to prosecution by the Health and Safety Executive. Having an approved policy and arrangements (including a strategy) is a legal requirement

Key considerations

1. The policy for health and safety approved in October 2015 is now due to be updated. The policy statement has been updated in line with current HSE thinking which recommends including wellbeing and equality. It is intended to provide a simple clear statement of the council's policy approach and sets out key roles and responsibilities
2. The updated health, safety and wellbeing element has been reviewed by the Health and Safety Committee and Discussed with the ECC Director and reviewed at the initial meeting of the Health, Safety, Wellbeing and Equality Board. In line with comments from all parties and consultations, changes have been made to update the document. The policy statement has also been updated to bring it in line with current health, safety, wellbeing and equality structures. These changes were made in line with the original policy requirement that it would be reviewed every 12 months and if required, have changes made as a result. This also complies with the statutory requirements of the Health and Safety at Work Act to have and up to date policy and strategy
3. This policy statement will be published and accessible to all staff via the intranet and the eLearning training links, through ongoing eLearning, Core News and the policy statement highlighted on our intranet site. Employee's completion of the eLearning modules will be monitored to ensure completion, as questions cover the policy statement. As the activities of the council and our contractors all have an impact on the general public, and have the potential to put persons at risk of harm, contractors will be notified of our policy requirements. Elements of the contract/partnerships requirements will be put into the contractual requirements and be signed by the contractor
4. By monitoring the accident/incident rate and reviewing failures to procedures, we will be able to see how effective the policy is.

Community impact

5. The policy statement is aligned to the current HSE guidance, bringing issues of wellbeing under the same guidance/strategic direction as health and safety. The corporate plan has 4 priorities, one of which is to enable individuals to live safe, healthy and independent lives. Having an updated policy statement and structure will help to meet these objectives, as it will not only protect staff, partners, but members of the public. Through having a joined up approach to Health, Safety, Wellbeing and Equality and common communications process, staff and councillors will be kept up to date on

significant issues. Improved health, safety and wellbeing results in less sickness absence and a healthier, more motivated workforce

Equality duty

6. In line with section 149, the integration with health, safety and wellbeing with equality will enhance how our duties are met

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7. The Equality Act outlines that due regard involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other persons
- Encouraging people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low

8. The equality policy sets out our commitment to the equality duty and demonstrates how the council will proactively support the 3 key aims of the duty as set out above
9. Our providers, partners and contractors will be made aware of their contractual requirements in regards to equality and health and safety legislation and this will be built into their contractual requirements within each contract.

Resource implications

10. The approval of the combined health, safety, wellbeing and equality policy statement will have no resource implications as it is already covered by existing budgets

Legal implications

11. The Health and Safety at Work Act 1974 requires the council to prepare a general policy statement in respect to the health and safety at work of their employees and to bring this to the notice of all officers and staff.

Risk management

12. The present policy and strategy for health, safety and wellbeing is out of date and does not reflect the present structure in place and therefore puts the council at risk from prosecution. Also accepting and signing off the policy statement will ensure we maintain compliance with the Health and Safety at Work Act 1974
13. Adoption and promotion of the health, safety, wellbeing and equality combined policy will reduce the risks of breaches of duties and ensure the council are in aligned to current processes and structures
14. Also by adopting the policy statement the council will comply with one of its corporate objectives

Consultees

15. The corporate health and safety committee have reviewed the policy document and during this meeting discussed it with staff trade unions and members of each directorate. The trade unions were in agreement with the content of the policy and the structure for health, safety, wellbeing and equality
16. The views of the consultees will be taken into consideration and left in the final draft to show they have been taken into consideration and what decisions were made regarding their views

Appendices

Appendix 1 Health, safety, wellbeing and equality policy statement

Background papers

Equality Policy

Health and Safety Policy & statement