

## SOUTH HOLLAND DISTRICT COUNCIL

**Report of:** Portfolio Holder for Public Protection and Executive Director - Commercialisation (S151)

**To:** Cabinet, Tuesday 15<sup>th</sup> December 2020

**(Author:** Nick Kendrick Health and Safety Advisor)

**Subject** Corporate Health & Safety Policy 2020

**Purpose:** To propose a revised Health and Safety Policy and to recommend its formal adoption and implementation

### **Recommendation(s):**

- 1) That Cabinet approve the Health and Safety Policy 2020 for adoption.

### **1.0 BACKGROUND**

1.1 The Health and Safety at Work etc Act 1974 imposes duties on South Holland Council, as an employer. These include:

1. Adoption and review of a written Health and Safety Policy Statement;
2. Ensuring, so far as is reasonably practicable, the health, safety and welfare at work of its employees;
3. Ensuring, so far as is reasonably practicable, the health and safety of others visiting South Holland DC's premises or using its services.

1.2 The existing Health and Safety Policy has been in force since 2017 and is now due for review. This revised policy has been amended to take account of the changes in the Corporate Structure. The Policy is still applicable to both SHDC and BDC Councils and provides commonality. It has also been reviewed to ensure it remains up to date, is effective and relevant.

1.3 The Head of Paid Service has overall responsibility for the implementation of the Policy.

### **2.0 OPTIONS**

2.1 Agree the adoption of the revised Health and Safety Policy.

2.2 Agree the adoption of the revised Health and Safety Policy with amendments.

2.3 Do nothing.

### 3.0 REASONS FOR RECOMMENDATION(S)

- 3.1 To ensure South Holland is in compliance with its statutory duties.
- 3.2 To protect the health and safety and welfare of employees and the health and safety of visitors to South Holland's premises or where services are provided by the Council.

### 4.0 EXPECTED BENEFITS

- 4.1 To ensure compliance with the Health and Safety at Work etc Act 1974 and assist with consistent application of the policy across the Council.
- 4.2 Better and more effective standards of Health and Safety Management. This will lead to better health and safety of the workplace. Less sickness, better morale and productivity.
- 4.3 If the Council should face injury/compensation claims or legal enforcement action then the existence of an up-to-date Health and Safety Policy (which lays out the Council's Health and Safety Management arrangements) is likely to reduce substantially the risk of successful claims.

### 5.0 IMPLICATIONS

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Transformation Programme; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

#### 5.1 Constitutional & Legal

- 5.1.1 It is a requirement of the Health and Safety at Work etc Act 1974 that employers with five or more employees produce and revise a written health and safety policy.
- 5.1.2 The failure to have a Health and Safety Policy Statement is an offence and the Council could be liable for prosecution and also civil claims.

#### 5.2 Contracts

- 5.2.1 It is the opinion of the Report Author that there are no implications. However the management of contractors is captured by Health and Safety Law and the revised policy will assist this process.

#### 5.3 Corporate Priorities

- 5.3.1 This proposal supports the corporate priority of "Our Council" as it recognises the investment in and protection and safety of our workforce and others who may be affected by our actions.

#### 5.4 **Equality and Diversity / Human Rights**

5.4.1 Equal opportunities. South Holland has a duty to protect the health and safety of all staff, members and visitors.

#### 5.5 **Financial**

5.5.1 There are no direct financial implications of approving the policy.

#### 5.6 **Health & Wellbeing**

5.6.1 This policy is fundamental in protecting the health and wellbeing of employees, and the protection of any other persons who could be affected by the Council's undertakings.

#### 5.7 **Reputation**

5.7.1 Compliance with Health and Safety legislation will safeguard the Council's reputation.

#### 5.8 **Risk Management**

5.8.1 The proposed policy is fundamental in laying down the framework for managing occupational health and safety at work and reducing risk levels for employees and work activities.

#### 5.9 **Staffing**

5.9.1 There are no staffing implications by approving the policy. All staff will receive suitable and relevant training on their role and duties in ensuring the implementation of this policy.

#### 5.10 **Stakeholders / Constitution / Timescales**

5.10.1 No further consultation is required. The Policy has already been to the relevant Health and Safety Groups and the relevant parties and stakeholders. At the present time Unison have no comments to make.

#### 6.0 **WARDS/COMMUNITIES AFFECTED**

6.1 All

#### 7.0 **ACRONYMS**

7.1 No acronyms used

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Background papers:- None.

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#### **Lead Contact Officer**

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**Key Decision:** No

**Exempt Decision:** No

**This report refers to a Mandatory Service**

**Appendices attached to this report:**

Appendix A SHDC Health & Safety Policy 2020