

Agenda Item	13.
Report No	ECAS 57/16

## Care and Learning Health and Safety Policy

### Report by Director of Care and Learning

#### Summary

This report advises Committee of the annual review of the Service Health and Safety Policy.

#### 1. Background

1.1 A new Service Health and Safety Policy was approved by this Committee on 27 August 2015. A commitment was made to review the Policy annually.

#### 2. Service Consultation

2.1 The existing policy was circulated to the members of the Service Health and Safety Group for review. The Group includes a representative from the Corporate Health and Safety Team and Trade Union representatives.

2.2 The new Service Policy was approved by the Central Safety Committee on 12 August 2016.

#### 3. Recommended changes

3.1 Some minor changes to the Policy are proposed. Primarily these are:

- i. The inclusion of registered volunteers at Paragraph 1.2, and;
- ii. Mention of the Council's Whistleblowing Policy at Paragraph 4.13.

3.2 A copy of the proposed new Policy is attached as **Appendix A**.

#### 4. Implications

4.1 There are no implications arising from the proposed changes to the Policy. Members were advised last year of the resource, legal and other implications of the Policy itself.

#### 5. Recommendation

5.1 Committee is asked to note the review of the Service Policy and to approve the amendments highlighted above.

Designation: Director of Care and Learning

Date: 8 August 2016

Author: Ian Jackson, Education Officer

## CARE AND LEARNING SERVICE

### HEALTH AND SAFETY POLICY

#### 1. Statement of Policy

- 1.1 The Director of Care and Learning (hereafter referred to as “The Director”) accepts responsibility for the administration of the Highland Council’s Occupational Health Safety and Wellbeing policy within the Care and Learning Service (hereafter referred to as “the Service”).
- 1.2 The Director accepts responsibility for, so far as is reasonably practicable, the health, safety and wellbeing of Service staff and registered volunteers, and for those affected by the work the Service undertakes.
- 1.3 The Service recognises the importance of health, safety and wellbeing in the workplace and recognises that a high standard of health and safety is integral to service delivery.
- 1.4 The objectives of this policy are therefore to ensure that:
  - There is a positive culture embedded across the Service that recognises and accepts the importance of health, safety and well-being for all staff and service users;
  - There is a planned systematic approach to implementing the Highland Council corporate occupational health safety and wellbeing policy, based on competent risk assessment.
  - Tasks and activities are risk assessed and reduced to the lowest risk level that is reasonably practicable. Remaining significant risks will have suitable and sufficient controls to manage them.
  - There is a recordable process to ensure that all managers and employees are made aware of their specific health and safety responsibilities, including statutory duties, on an on-going basis;
  - Appropriate and proportionate health and safety training is provided for all employees, as identified through risk assessment;
  - Employees comply with health and safety training and arrangements identified through risk assessment.
  - A safe working environment is provided for all Care and Learning employees and any other users of our buildings and service.
  - Resources and arrangements are in place to provide competent health and safety union representatives for the Service’s activities.
- 1.5 This policy document reflects the Council’s corporate health, safety and well-being policy requirements.
- 1.6 Arrangements will be made to monitor the Service’s health and safety performance on a quarterly basis, together with the production of an annual report evaluating the health and safety performance of the Service to comply with the corporate HSW policy.

## 2. Scope

- 2.1 This policy is applicable to all locations from which the Service operates. It applies to all full and part time employees within the Service, including temporary workers, those undertaking placements and similar roles, and all other users of Care and Learning facilities.
- 2.2 The Highland Council health and safety policies and guidance are maintained on the Highland Council Intranet:
- <http://ntintra1/persintra/health&safety/health&safety.htm>
- 2.3 These documents provide guidance to fulfil and maintain compliance with all statutory, corporate and sector specific requirements.

## 3. Roles and Responsibilities

- 3.1 General health safety and wellbeing responsibilities are set out in the corporate health, safety and wellbeing policy. In addition, specific responsibilities in relation to Care and Learning are set out below.
- 3.2 A structure diagram for the Service Management Team within the Care and Learning Service is enclosed as **Appendix i**.
- 3.3 **The Director** holds ultimate responsibility for health, safety and wellbeing across the Service.
- 3.4 The Director is responsible, so far as is reasonably practicable, for:
- The implementation and monitoring of the Corporate HSW Policy within the Service, and ensuring good communication about the content with employees at all levels;
  - The preparation, review and monitoring of the CAL Health and Safety Policy
  - Ensuring the effective implementation of the Service Policy and Plan.
  - Ensuring that sufficient resources are available to ensure compliance with all policy requirements;
  - Establishing arrangements for consultation on Service specific health, safety and wellbeing policy and other related issues; consulting and communicating with the workforce on health and safety issues raised at any Service team meeting, accident reports, etc. Consultees will include Union H&S representatives, and employee representatives for non-union staff.
  - Bringing to the attention of Service managers that health, safety and wellbeing responsibility is shared and that they will be accountable for the health, safety and wellbeing of employees, or others who may be affected by the work of the Service;
  - Submitting an annual health, safety and wellbeing report and action plan to the Education, Children & Adult Services Committee and Central Safety Committee;
  - Ensuring the health, safety and welfare of all CAL staff and others who may be affected by their work activities;

- Ensuring that all staff receive appropriate training so they are competent for their activities and duties.
- Ensuring that suitable and sufficient risk assessments of the Service's activities are made in writing; that significant risks are identified, and that the controls hierarchy applied bring them to an acceptable level.
- Monitoring, auditing and reviewing the health and safety performance of the Service.

3.4 In practice, the Director may delegate to Heads of Service, or other Senior Managers, responsibility for progressing actions to fulfilling these responsibilities on a day to day basis.

3.5 **Heads of Service and Area Managers** are responsible for the implementation of health, safety and wellbeing management arrangements throughout their area of responsibility. These duties will include, so far as is reasonably practicable:

- Ensuring that appropriate, valid risk assessments are available, and regularly reviewed, for significant risk arising from activities conducted by the service;
- Raising awareness of this policy in their area of responsibility;
- Ensuring systems for control, including monitoring, of contractor activities are in place and that staff are aware of them;
- Ensuring that the Service identifies, and maintains an updated list of Responsible Premises Officers (RPOs) and, where applicable, depute RPOs for all Council owned Service establishments, including buildings of complex occupancy;
- Ensuring that there is regular consultation and discussion with health and safety trade union representatives, either via the Service's quarterly trade union meetings or via the Local Negotiating Committee for Teachers (LNCT) Executive Group meetings.
- Meet the obligations outlined in the Highland Council and CAL Service Occupational Health, Safety and Wellbeing Policies.
- Ensure the health, safety and welfare of staff within their respective areas of responsibility, as well as others affected by their work activities. Special consideration will be given to vulnerable groups such as young persons, and new or expectant mothers
- Establishing arrangements that comply fully with all Corporate and Service Specific policies/guidance relating to health and safety, including risk assessments, accident reporting and investigation, first aid, fire procedures, etc.
- Co-ordinate the development of CAL policies to ensure that health and safety issues are integral and adequately addressed.
- Maintain adequate two-way communication and consultation of health and safety issues with line managers (see section 4.4).

3.6 The Head of Resources, Care and Learning, has an over-arching responsibility for co-ordinating Health and Safety activity within the Service, and Chairing the Service Health, Safety and Wellbeing Group.

3.7 **Line Managers** are responsible, within their remits, for:

- Implementing this policy;
- Ensuring compliance with all legal requirements and relevant Council and Care and Learning health, safety and wellbeing documents;
- Communicating Care and Learning and Corporate health, safety and wellbeing policies and guidance to staff for whom they have a direct line management responsibility, as well as service users;
- Identifying and nominating persons to be trained in assessing risks, and ensuring that suitable and sufficient risk assessments are carried out and reviewed at annual intervals or when a specific need arises;
- Ensuring that any significant findings arising from risk assessments and any related changes to work practices are communicated to staff; and where additional controls are identified, to pass the information to senior management for inclusion in the service H&S plan;
- Ensuring action plans arising from risk assessment, inspections and audits (including fire risk assessments) are followed through and completed within the prescribed timescales: where additional resources are required to implement the actions, the information should be passed to head of service.
- Motivating and empowering employees and service users to work in a safe and healthy manner in order to encourage a positive attitude to health, safety and wellbeing in the workplace and adopt safe working practices;
- Ensuring that all staff for whom they have a direct line management responsibility have received suitable and sufficient training at induction and refresher training on an on-going basis;
- Consulting with the Health, Safety and Wellbeing Team when appropriate;
- Addressing appropriately any health, safety and wellbeing concerns raised by an employee; and liaising with colleagues in the Property Risk Management Team in order to address/mitigate any property-related health, safety and well-being risks identified.
- Encouraging the reporting of accident/incidents, episodes of antisocial behaviour and violence against staff in line with the related corporate and Care and Learning Service policy and procedures.

3.8 Each **employee** is responsible for their own acts or omissions and the effect that these may have upon the safety of themselves or anyone else. Whilst the Council accepts the main responsibility for the implementation of this policy, individuals are legally obliged to co-operate to ensure a healthy and safe working environment.

3.9 It is required that **contractors and visitors** to Care and Learning premises will comply with relevant health and safety policy and guidance. It is important that the RPO ensures that relevant health and safety information is communicated effectively.

#### 4. **General Arrangements**

4.1 The Service Health, Safety and Wellbeing Group will meet quarterly, or at a greater frequency where the need is identified. The constitution of the group will comply with the policy and guidance on health and safety consultation. Representation on the group will reflect all sectors of the Service and the trade unions, including the Local Negotiating Committee for Teachers (LNCT). The Minutes of each meeting will be made available to each group member, to the

Directorate to all Heads of Establishment and to the OHSW Manager (for publication on the Council Intranet). It is mandatory that this information is disseminated as appropriate within each staff grouping.

- 4.2 The Service will be represented at each Area Health and Safety meeting. The Area Meeting will consider local issues that have been identified at an establishment level and require further consideration.
- 4.3 The Service will have a Health and Safety Planning Group, composed of senior managers who will ensure that health, safety and wellbeing activities are proactively addressed and who will monitor the development of the Service health and safety plan. A diagram of how the planning group fits within the Service can be found at **Appendix ii**.
- 4.4 Every employee will undergo the [Corporate Induction](#) Process. Thereafter, additional job specific training will be provided as identified in the job description and through risk assessments. In addition and in compliance with corporate health and safety training guidance, specific training needs, including refresher training, should be discussed as part of the Employee Development and Review (ERD) or process (or equivalent).
- 4.5 In order to comply with legislation, the C & L Estates team will oversee the procurement of centrally funded test and inspection contracts for the work equipment and services identified in **Appendix iii**.
- 4.6 The Service will develop, monitor and review a Health, Safety and Wellbeing plan. The aim of the plan will be to maintain legal compliance and deliver constant improvement in the standards of Health, Safety and Wellbeing across the Service. The plan will be informed by policy/guidance requirements, information gathered from health and safety audits, accident investigations, corporate targets and will be included in the annual report and monitored by the Service Directorate.
- 4.7 The Service will develop, maintain and update a health and safety risk register. This will be reviewed by the Care and Learning Health and Safety Group and the Directorate, and will be incorporated within the overall Service Risk Register.
- 4.8 Where longer term risks to health are identified through the risk assessment process, or where identified by the Guidance on Health Surveillance; mandatory health monitoring will be provided by the current Occupational Health Provider.
- 4.9 When a fit note for a member of staff specifies stress as the reason for an absence the line manager must make an occupational health referral. Exceptions to this policy must be sanctioned at Head of Service or Area CAL Manager level.
- 4.10 All referrals to Occupational Health must be discussed with the member of staff affected prior to the request for appointment being made.
- 4.11 The Service recognises the importance of effective health and safety communication throughout the Service and that effective communication is a two way process. Health and safety information will be communicated to all staff and where necessary to service users through the following mediums:
  - Service health, safety and wellbeing consultation group;

- Planning group and sub groups
- Standing Item on Senior Management Team Meetings
- Heads Up;
- Staff briefings and team meetings
- User Manuals;
- Training;
- Emails, Circulars and other correspondence;
- Accident investigation recommendations and findings
- Standing agenda items at LNCT Executive Group meetings and the quarterly ECS non-teaching trade union meetings.

4.12 Staff are encouraged to identify and report health and safety concerns to their line managers. Managers are required to treat these concerns seriously and to take appropriate action and where necessary escalate. Where proposals merit further considerations and potential policy implications they should be referred to the Care and Learning health, safety and wellbeing group. The Service recognises the value of having Health and Safety representatives in establishments who will have an important role in two way communication on HSW. The Service will review resources with a view to encouraging an increase in representatives.

4.13 The Council's Whistleblowing Policy is available where staff have concerns that are unusually serious (e.g. corruption, fraud or unlawful acts).

4.12 Additional sources of health and safety information are located on the corporate health and safety intranet pages. Advice and contact details can be sought from the Corporate Health Safety and Wellbeing Team.

4.13 This policy will be reviewed on an annual basis and in light of any significant changes in the Corporate Health, Safety and Wellbeing Policy, legislation, health and safety guidance and sector specific guidance.

Bill Alexander  
Director of Care and Learning

27 July 2016

Director of Care and Learning  
Bill Alexander

Secretary to Director  
Margaret MacDonald

Head of Children's Services  
Sandra Campbell

Head of Education  
Jim Steven

Head of Additional Support  
Bernadette Cairns

Head of Resources  
Brian Porter

Head of Adult Services  
Fiona Palin

Area Managers x 4

Senior Manager  
(Health) vac

Senior Manager  
(Early Years)  
Sandra Harrington

Susan Russel Principal  
Officer Nursing  
• Vacant Principal Child  
Protection Adviser  
• Jane Park Lead Nurse  
Looked After Children  
Vacant Midwifery  
Development Officer

Amelia Wilson Principal Officer  
Social Care  
Linda MacLennan-Shareef  
Resource Manager Looked  
after Children and Child  
Protection  
Alison Gordon  
Resource Manager Fostering  
and Adoption  
Gordon Kilbourn Resource  
Manager Residential Care  
Malina MacDonald Dawson  
Programme Manager,  
Alternatives to Out of  
Authority Placements

Beth Brown  
Strategic Quality  
Improvement Manager  
Aileen Mackay  
QIO Strategic  
Developments  
Vacant  
Gaelic Education Officer  
Ros Bell  
Education Policy Officer  
Norman Bolton  
Music Development Officer  
Vacant  
ICT in Learning and  
Teaching Officer  
Vacant  
Distance Learning Officer

Kayrin Murray  
Principal Officer, Allied  
Health Professionals  
Louise McClatchey,  
Principal Educational  
Psychologist  
Jane Baines  
Development Officer ASN  
James McTaggart  
Educational Psychologist  
Early Years  
Eliz Macintosh  
Education Officer – Child  
Protection  
Linda Thom  
Development Officer  
Positive Relationships  
John Sinclair  
Primary Mental health  
Worker – Team Lead

Robert Campbell  
Estates Strategy Manager  
Anne MacPherson  
Workforce Planning and  
Staffing  
Manager  
Ian Jackson Education Officer  
Kenny Templeton  
ICT Project Manager  
Andy Robb  
ICT Curriculum Liaison Manager  
Colin Jack  
Service Information and  
Support Manager  
Evelyn Miller Cleaning and FM  
Manager  
Sue Nield Catering Manager  
Marion Ross Principal Resources  
Officer  
Phil Tomalin CCFM Change  
Project Manager

Isobel Murray  
Commissioning Officer  
Adult Services  
James Maybee  
Principal Officer Criminal  
Justice  
Karin Campbell  
Principal Mental Health  
Officer  
Robert Gibson  
Senior Emergency  
Services Co-ordinator

Area Manager (Mid)  
Derek Martin  
Debbie Milton  
Stephanie Wood  
Bill Couston

Area Manager (North)  
Dawn Grant (Acting)  
Dawn Grant  
Barry Northedge  
Roger Bamfield

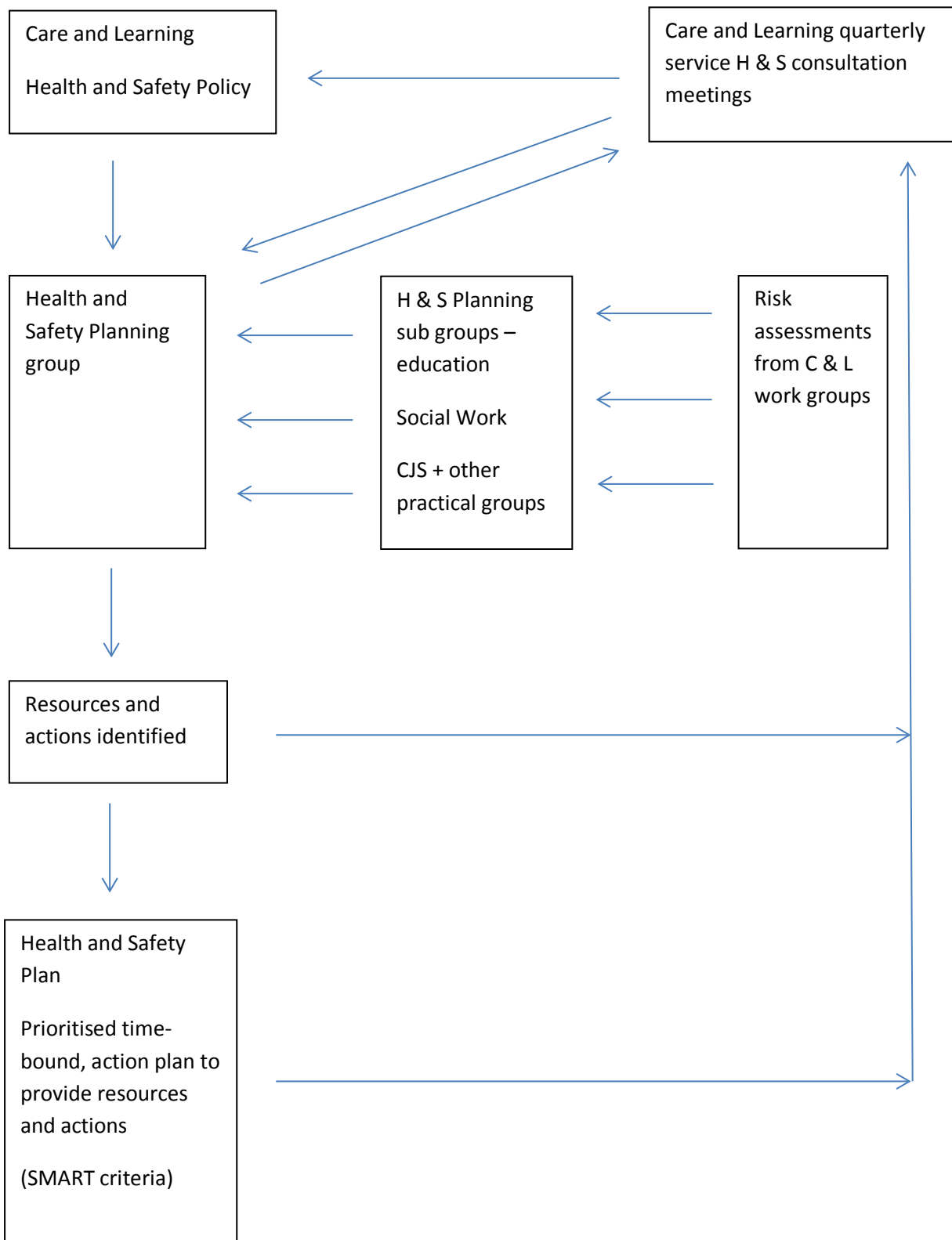
Area Manager (South)  
Karen Ralston  
Mairi Morrison  
Peter Finlayson  
Veronica McKay

Area Manager (West)  
Norma Young  
Kath McAvoy  
Don Esson  
Richard Hendry  
Debbie O'Hara  
Morag Anna Macleod

Children's  
Planning Mgr  
Ian Kyle



Care and Learning health and safety process flow chart 17 July 2015



**INSPECTION, MAINTENANCE AND SERVICING**  
**Estimated Costs - 24 June 2014**

Requirement	Frequency	Annual Cost	Primary	Secondary	CCFM	Former HSC	Private Houses	CLL	Former ECS Houses	Comments
<b>Development and Infrastructure</b>										
Asbestos Re-Inspections	One-Off	£25,000	£20,000	£5,000						
ASN Lifting and Mobility Equipment	Annual	£53,000	£20,000	£8,000		£4,000	£17,000	£4,000		Robert to provide a schedule of equipment to be serviced. Concerns regarding equipment that is located in private properties.
	Repairs	£12,000	£5,000	£2,000		£1,000	£3,000	£1,000		
Climbing Walls	Annual	£5,000	£5,000							Robert to provide a list of sites and equipment.
Craft Design and Technology Equipment/Local Exhaust Ventilation	Annual	£140,000		£140,000						List has gone out to RPO's via Jane Day. Includes PPP Schools.
	Repairs	£50,000		£50,000						
Gas Issues - Houses	Annual	£10,000							£10,000	
Gas Issues -CDT/HE	Annual	£10,000		£10,000						
Grease Traps	Annual	£20,000			£20,000					Ongoing may go with kitchen canopy contract.
	One-Off	£40,000			£40,000					
School Security - CCTV/Door Access	Annual/Repairs	£50,000	£40,000	£10,000						Costs required. Replacements to Robert for approval.
Sports Equipment	Annual	£35,000	£30,000	£5,000						Property list to be confirmed by Robert & Jane. Village hall equipment to be identified/clarified. Policy and risk assessment to be put in place for daily checks. HLH sites not all in contract. Repairs are not being progressed and a collective view will be taken by C&L on how to proceed. Sportsafe advise the school that equipment is condemned. Jane then e-mails the RPO to take equipment out of use. Need further controls to be put in place.
	Repairs	£25,000	£20,000	£5,000						Procedure required.
Stage Lighting/Equipment & Bleacher Seating	Annual	£120,000	£50,000	£70,000						Details to be confirmed.
	Repairs	£10,000	£5,000	£5,000						May be more
Synthetic Playing Fields/MUGA's	Annual	£40,000	£20,000	£20,000						
	Repairs	£30,000	£15,000	£15,000						
	New Schools - Regular	£10,000	£10,000							
	<b>Sub-Total</b>	<b>£685,000</b>	<b>£240,000</b>	<b>£345,000</b>	<b>£60,000</b>	<b>£5,000</b>	<b>£20,000</b>	<b>£5,000</b>	<b>£10,000</b>	
<b>Other Contracts</b>										
Playground Equipment (Community Services)	Annual	£10,000	£10,000							
Uplift of Chemicals	Annual	£5,000		£5,000						
	<b>Total</b>	<b>£700,000</b>	<b>£250,000</b>	<b>£350,000</b>	<b>£60,000</b>	<b>£5,000</b>	<b>£20,000</b>	<b>£5,000</b>	<b>£10,000</b>	
<b>Other Issues</b>										
Catering Equipment	Funded by Catering, Cleaning and FM									
Kitchen Canopies										
Grass Cutting	Community Services									
Insurance Contracts	Previously administered by Finance - to be administered in future by Property, possible increase in cost									
PAT Inspections	Community Services: PPP schools to be added									
Vehicles	Community Services									

	<b>Item</b>	<b>Frequency</b>	<b>Contract Owner</b>	<b>Budget</b>
1	Access Equipment, Ladders and Towers	Annual	Property	Care and Learning
2	Air Conditioning Systems	Annual	HAPS	HAPS
3	Air Handling Units	Annual	HAPS	HAPS
4	Air Receivers and Compressors	Annual	HAPS	HAPS
5	Atmospheric Steam Ovens	Annual	HAPS	HAPS
6	Automatic Door Systems	Annual	HAPS	HAPS
7	Biomass Boilers	Annual	HAPS	HAPS
8	Boiler Servicing	Annual	HAPS	HAPS
9	Burglar Alarms	Annual	HAPS	HAPS
10	Chemical Uplift	Annual	ECS	ECS
11	Chimney Inspections	Annual	HAPS	HAPS
12	Clock Servicing	Annual	HAPS	HAPS
13	Cooling Systems	Annual	HAPS	HAPS
14	Craft Design and Technology Equipment	6 Monthly	HAPS	ECS
15	Door Access Systems & CCTV	Annual	HAPS	HAPS
16	Duct Hygiene (Air Handling Units, Cooling units & Air Terminals)	Annual	HAPS	HAPS
17	Electrical for Portacabins	Annual	TECS	TECS
18	Electrical Supply & Boards	Annual	HAPS	HAPS
19	Emergency Lighting	Annual	HAPS	HAPS
20	Extract Fans	Quarterly	HAPS	HAPS
21	Extract Fans - Kitchens	Annual	HAPS	ECS
22	Fire & Intruder Alarms	Quarterly	HAPS	HAPS
23	Fire Doors (With Magnetic Hold Devices)	6 Monthly	HAPS	HAPS
24	Fire Extinguishers	Quarterly	HAPS	HAPS
25	Fire Systems	Annual	HAPS	HAPS
26	Fixed Catering Equipment	Annual	HAPS	ECS

27	Fixing Systems, Fixed Eye Bolts, Lines (Lifts)	Annual	TECS	TECS
28	Fuel Oil Storage	Annual	HAPS	HAPS
29	Full Duration Testing	Annual	HAPS	HAPS
30	Fume Cupboards	Annual	HAPS	ECS
31	Gas	Annual	HAPS	HAPS
32	Gas Equipment	Annual	HAPS	HAPS
33	Gas Fired Boilers	Annual	HAPS	HAPS
34	Gas Fired Heating Systems	Annual	HAPS	HAPS
35	Generators	Annual	HAPS	HAPS
36	Grass Cutting	As Required	TECS	TECS
37	Grease Traps	Annual	HAPS	ECS
38	Gym Equipment	Annual	HAPS	ECS
39	Hoists and Trailers (Minibuses)	Annual	HAPS	ECS
40	Home Economics Equipment - Electrical Testing	Annual	HAPS	ECS
41	Home Economics Gas Equipment	6 Monthly	HAPS	ECS
42	Kilns	Annual	HAPS	ECS
43	Legionella Checks	Various	HAPS	HAPS
44	Lifting and Mobility Aids	6 Monthly	HAPS	ECS
45	Lifts and Equipment	Annual	HAPS	HAPS
46	Lightning Conductors	Annual	HAPS	HAPS
47	Local Exhaust Ventilation System	6 Monthly	HAPS	ECS
48	LPG Boilers and Pipework	Annual	HAPS	HAPS
49	Mechanical Object Lifts	Annual	HAPS	HAPS
50	Menerag Units	Annual	HAPS	HAPS
51	Oil Fired Heating System	6 Monthly	HAPS	HAPS
52	Outdoor Play Equipment	Annual	TECS	ECS
53	Passenger Lifts	Annual	HAPS	HAPS

54	Portable Appliance Testing	5 Yearly	TECS	TECS
55	Portable Hoist and Slings	6 Monthly	HAPS	ECS
56	Powered Window Maintenance	Annual	HAPS	HAPS
57	Pressure Cookers, Autoclaves and Steam Engines	Annual	HAPS	HAPS
58	Pressurised Equipment (Kitchen)	Annual	HAPS	HAPS
59	Private Water Supplies	Annual	HAPS	HAPS
60	Refrigeration Systems	Annual	HAPS	HAPS
61	Roof Anchor Points	Annual	HAPS	HAPS
62	Scottish Water Supplies	Annual	HAPS	HAPS
63	Sewage Pumps	6 Monthly	HAPS	HAPS
64	Snow Clearing and Gritting	As Required	TECS	ECS
65	Sprinkler Systems	Annual	HAPS	HAPS
66	Stage Lighting, Control Panels and Bleacher Seating	Annual	HAPS	ECS
67	Stair and Platform Lifts	Annual	HAPS	HAPS
68	Swimming Pool Maintenance	Annual	HAPS	HAPS
69	Swimming Pools/Hydrotherapy Pools - Electrical	Annual	HAPS	HAPS
70	Synthetic Surfaces	Various	HAPS	ECS
71	Thermostatic Mixing Valves	As Required	HAPS	HAPS
72	Vehicles	Annual	TECS	TECS
73	Ventilation Duct System	Annual	HAPS	HAPS