

**Cheltenham Borough Council**  
**Cabinet – 10<sup>th</sup> September 2019**  
**Corporate Health and Safety Policy**

<b>Accountable member</b>	<b>Councillor Steve Jordan</b>
<b>Accountable officer</b>	<b>Pat Pratley, Chief Executive</b>
<b>Ward(s) affected</b>	
<b>Key/Significant Decision</b>	<b>No</b>
<b>Executive summary</b>	Employers are required by the Health and Safety at Work etc. Act 1974 to do what is reasonably practicable to ensure the health and safety of employees, members and others who may be affected by Council activities. The Act requires a written statement of policy which sets out the general intentions, approach and objectives which should be reviewed and updated on a regular basis. The current policy has been reviewed and updated to take account of changes to the Executive Leadership Team from Corporate Leadership Team and the change from Go Shared Services Health and Safety to the Public Health and Safety Team. Public Health and Safety Business Partners will provide the necessary advice and support required to fulfil these obligations.
<b>Recommendations</b>	That Cabinet approve the updated Corporate Health and Safety Policy

<b>Financial implications</b>	There are no financial implications arising from the updates to this policy  <b>Contact officer: paul.jones@cheltenham.gov.uk</b>
<b>Legal implications</b>	The Council when dealing with all Employees, Contractors and Premises, need to ensure they comply with the Health and Safety at Work Act 1974. The legal requirements in the Management of Health and Safety at Work Regulations 1999, The Council must follow the Health and Safety Executive guidance on Managing Contractors. <a href="http://www.hse.gov.uk/pubns/priced/hsg159.pdf">http://www.hse.gov.uk/pubns/priced/hsg159.pdf</a>  <b>Contact officer: legalservices@teWKesbury.gov.uk</b>
<b>HR implications (including learning and organisational development)</b>	No direct HR Implications arising from the updates to this policy.  <b>Contact officer: julie.mccarthy@publicagroup.uk</b>
<b>Key risks</b>	The document forms the basis upon which health and safety arrangements associated with Cheltenham Borough Council activities are developed and the correct application of these arrangements serves to reduce risk

<b>Corporate and community plan Implications</b>	<p>Keeping our staff safe and healthy is a key corporate objective of the council. The H&amp;S policy is part of this objective and evidences the Council's commitment to that objective</p> <p><b>Contact Officer: Richard.gibson@cheltenham.gov.uk</b></p>
<b>Environmental and climate change implications</b>	<p>There are no environmental or climate change implications arising from the update to this policy</p>
<b>Property/Asset Implications</b>	<p>There are no direct property implications arising from the updates to this policy</p> <p><b>Contact officer: Garrie.dowling@cheltenham.gov.uk</b></p>

## 1. Background

- 1.1 Every employer has a legal duty to have a written Health and Safety Policy. This health and safety policy sets out the Council's aims and objectives and the organisational structure and health and safety responsibilities of all employees.
- 1.2 The Council has an existing policy in place, however Health and Safety Executive guidance identifies the policy should be reviewed and updated on a regular basis. This updated policy further clarifies roles and responsibilities of all those people involved with the Councils activities.
- 1.3 This Corporate Health and Safety policy has been prepared to incorporate:
  - the relevant principles of The Health and Safety at Work Act 1974
  - The legal requirements in the Management of Health and Safety at Work Regulations 1999
- 1.4 The policy formalises the responsibilities for managers and employees to ensure health and safety associated with the Council's activities are properly managed.
- 1.5 The implementation and ongoing application of this policy will be monitored by the Public Health and Safety Team who act as the required 'competent person' and will be reviewed in line with changes in legislative requirements.

## 2. Reasons for recommendations

- 2.1 The law says that every business must have a policy for managing health and safety:

The health and safety policy sets out the Council's general approach to health and safety. It explains how they, as an employer, will manage health and safety in their business. It must clearly state who does what, when and how.

As the Council employs five or more employees, the law states that the policy must be written down

The Council must share the policy, and any changes to it, with their employees. This will allow them to:

- State the Council's general policy on health and safety at work, including its commitment to managing health and safety. As the employer the most senior person in the company, should sign it and review it regularly.
- List the names, positions and roles of the people in the business who have specific responsibility for health and safety.
- Give details of the practical arrangements that the Council have in place, showing how they achieve their health and safety policy aims.

The Health and Safety policy should be reviewed regularly to ensure any changes of work practice or those responsible for Health and Safety in the organisation are updated. This reviewed policy reflects these requirements.

### 3. Alternative options considered

- 3.1 There are no alternatives to be considered as the Council as the employer must comply with the requirement to provide a written Health and Safety Policy

### 4. Consultation and feedback

- 4.1 Formal consultation has taken place through members of the Joint Liaison Forum which includes the two recognised trade unions, Unison and GMB, and representatives from HR and directorates. The document has also been distributed the Executive Leadership Team.
- 4.2 The Publica Health and Safety Business Partners will brief the requirements of the policy to all senior management teams to ensure they understand their role in being compliant with the updated policy and the measures they need to put in place.

### 5. Performance management – monitoring and review

- 5.1 The implementation and ongoing application of this policy will be monitored by the Publica Health and Safety Team who are the required 'competent person' and will be reviewed in line with changes in legislative requirements and on a regular basis.

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<b>Appendices</b>	1. Risk Assessment  2. Reviewed Corporate Health and Safety Policy

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	<p>If there is no Health and Safety Policy in place the Council will fail in its legal duty under the Health and Safety at Work Act etc 1974 for employers to provide a Health and Safety Policy which outlines how they intend to manage the Health and Safety of their employees. The Council will then face risk of prosecution for failing in this duty.</p> <p>If employees do not have a current up to date policy which shows the commitment to health and safety by the council and specifically the Leader and the Chief Executive they may not follow the safe working practices and therefore put the Council at further risk of prosecution.</p> <p>This is the over-arching policy and is supported by further Health and Safety policies which fulfil obligations under further</p>	Chief Executive	03.06.19	3	2	6	Reduce	Regular review and signing of the Corporate Health and Safety Policy	August 2019	Barbara Cole	

	regulations in more detail.										
	Failure to comply with legal duties can result in fines and prosecution by the enforcing authority										

**Explanatory notes**

**Impact** – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)

**Likelihood** – how likely is it that the risk will occur on a scale of 1-6  
(1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)

**Control** - Either: Reduce / Accept / Transfer to 3rd party / Close