



CORPORATE ACCIDENT / INCIDENT REPORT
Policy and Performance Board
1st April 2011 to 31st March 2012

INTRODUCTION

The Health and Safety at Work etc Act clearly places responsibility on those who create the risk to manage it. The new HSE Strategy, 'Being Part of the Solution' highlights that members of the board have both collective and individual responsibility for health and safety. As such, the need is for board-level members to champion health and safety and be held accountable for its delivery.

Part of this includes identifying areas for improvement in health and safety management with the intention of improving staff morale, reducing in work-related sickness absence and lowering insurance premiums. In particular having robust health and safety procedures in place provides safeguards against legal action being taken against the Authority.

In order to demonstrate how Halton Borough Council as an employer is delivering the HSE Strategy, this report is to provide Management Team with:

- Lead indicators that highlight proactive action taken and any outcomes;
- Lagging indicators that highlight all reactive action taken. These include any identified accident / incident trends and supporting information on accidents resulting in,
 - major¹ injuries.”
 - employees being unable to carry out their normal duties for more than 3 days following the day of the accident (over 3-day injuries²)
 - significant³ accidents.
 - “near miss” incidents
 - violent incidents

Finally by responding positively to identified trends, the Authority can demonstrate compliance with the recommendations of the Health and Safety Executive's guidance HS(G)65 “Successful Health and Safety Management”.

¹ As defined by the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations, (RIDDOR) 1995

² As per footnote number 1. See 2.4.2 below

³ Injuries other than those listed in no's 1 and 2 above, that require more than basic first aid, incur time lost or arise from a failure in health and safety management

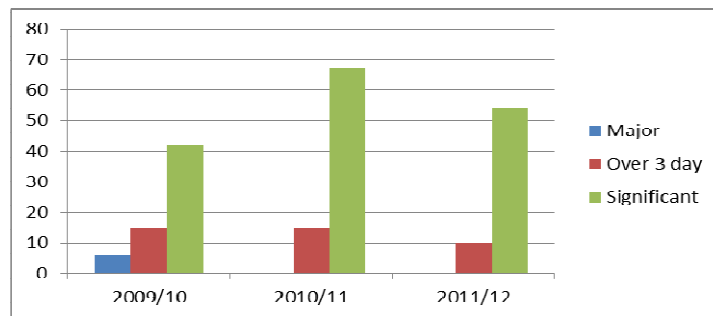
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1. CORPORATE ACCIDENT STATISTICS 2011 / 2012

1.1 Accident Statistics by Directorate:

Directorate	Major	+ 3-Day	Significant
Policy & Resources	0	0	9
Children and Enterprise	0	5	6
Communities	0	5	38
TOTAL YTD 2011 / 2012	0	10	53
TOTAL YTD 2010 / 2011	0	15	67
TOTAL YTD 2009 / 2010	6	15	42

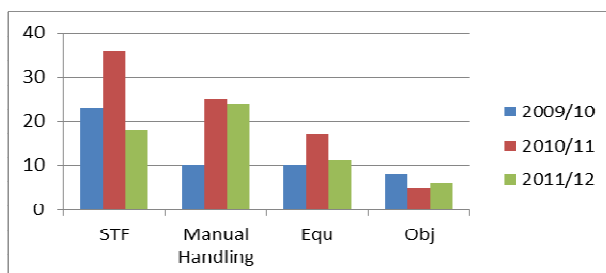


Total Working Days Lost:

1. The total days lost is 508 compared to 257 last year. Increase due to 2 slips and trips accidents resulting in 341 days lost.
2. 24 of the 54 significant accidents resulted in time off.
3. Based on the HSE calculations for categories of accidents, the total cost of the accidents to the Authority is £120,000.
4. The accident incident rate is 1.50 per 100 employees.
5. The categories of accidents that involve the most working days lost are: -

Category	Days Lost		Accidents	
	10/11	11/12	10/11	11/12
1. Slips, trips and falls	183	390	36	16
2. Manual handling	9	64	25	24
3. Use of equipment	50	54	17	11

See chart below for patterns of categories of accidents over the past 3 years.



1.2 Near Misses:

Department	Cause	Incident / Action
Training	Equipment	A ceiling tile fell onto a desk at the Training Centre. It happened at a weekend and no one was injured. Ceiling repaired
Independent Living	Exposure to, or contact with a Harmful Substance	Employees exposed to gas after service user left the gas stove switched on and unlit. Employees safely entered the property to open windows and arranged for service user to attend hospital. Employees issued with safe working guidelines and further guidance obtained from Gas-safe (gas was not poisonous but risk of explosion possible).
CRMZ	Equipment	Pupils from Special Needs school on visit to CRMZ and when using lift from 1 st floor to ground, it broke down about a metre from the top trapping the three occupants. Risk assessments reviewed and lift repaired
Municipal Buildings	Equipment	A louver panel fell from a fourth floor window. No one was in the vicinity when this occurred. Window fixed
Cemeteries – Open Space Services	Equipment	An incident occurred near to the cremator putting operatives at risk of fire. Review of risk assessment and emergency procedures to prevent future occurrence

1.3 Lead Indicators:

1. There were no 'major injuries' and there was a reduction in the number of 'over 3 day accidents compared to last year, indicating a reduction in the severity of accidents;
2. There has been a significant reduction in slips and trips. 8 occurred inside premises and 4 on wet floor surfaces after cleaning;
3. There has been a significant reduction in incidents involving Library staff with 8 verbal & 2 physical last year (see 1.6.2.7) and 1 verbal incident this year. This is due to the relationships with the Police and other partners and managers and staff actively managing ASB problems as they occur;
4. With regard to workstation assessments (Cardinus), in the last year there has been a significant reduction in the number of high (56%) and medium (57%) risk injuries relating to workstations;
5. An electronic risk assessment system, based on the Intranet, has been 'live' since September 2011. 112 members of staff have been trained and 363 risk assessments have been entered onto the system;
6. In December, 2011, the HSE has inspected Waste Management Services to ensure compliance with their guidance, 'Waste and Recycling Vehicles in Street Collection' and as result the service has prepared its own action plan;
7. An Elearning Risk Assessment training programme was launched on the 1st April 2011 and so far 109 members of staff have been trained. Also 13 members of staff have received an IOSH Managing Safely qualification and further health and safety training including Stress Management and Personal Safety is on-going; and
8. A Stress Risk Assessment has been developed and is due to go 'live' in October 2012.

1.4 Further Information:

1. There have been several reviews of health and safety commissioned by the government. The latter was carried out by Professor Löfstedt, 'Reclaiming health and safety for all: An independent review of health and safety legislation' (see attached resume in appendix 'A') and it highlighted that health and safety regulations are fit for purpose;
2. As a result of reviews, the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations, (RIDDOR) 1995 has been amended and from the 6th April 'over 3-day' injuries will no longer be reported and will become 'over 7 days' injuries;
3. The HSE will be implementing a charging fee where an inspector provides written advice on a "material breach" of safety law or serves an enforcement notice. This was due to come into effect on 6 April 2012, but has been postponed to a later date around October due to administrative issues;
4. Insurance providers have recommended that Departments carry out local noise and vibration assessments and, if required, build in control measures into occupational risk assessments; and
5. Lone Working – Contact Centre Monitoring update:

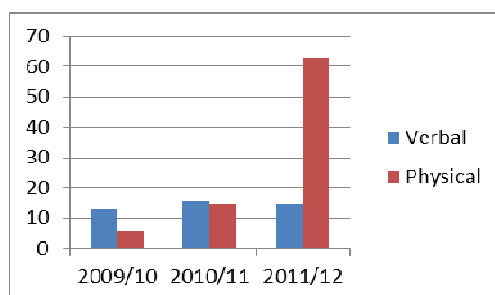
The total number of calls received for the period 01.08.2011 - 31.01.2012 was 5991, -
- 3517 from Communities;
- 2037 from Policy and Resources;
- 328 from Children and Enterprise; and
- 110 from Schools.

There are 411 Lone Workers Registered,

- A total of **26** out of 205 users 'logged on' in Communities;
- A total of **22** out of 48 users 'logged on' in Policy and Resources;
- **No users** 'logged on' out of 7 users in EDT;
- A total of **22** out of 139 users 'logged on' in Children and Enterprise;
- A total of **5** out of 12 users logged on in Schools.

1.5 Violent Incidents by Directorate:

Directorate	Verbal	Physical
Policy and Resources	4	0
Children and Enterprise	5	6
Communities	6	58
TOTAL 1/4/11 to 31/3/12	16	64
TOTAL 1/4/10 to 31/3/11	16	15
TOTAL 1/4/09 to 31/3/10	13	6
Schools	5 (last year – 5)	10 (last year – 6)



1.5.1 Further Information:

- 1 There has been an increase in reported violent incidents compared with the last two years;
- 2 The majority of incidents involve Communities staff with 13 verbal and 13 physical incidents last year compared to 6 verbal and 58 physical this year;
- 3 This is mainly due to one service user who is responsible for 51 physical incidents and as a result the risk assessments have been reviewed and updated with further measures implemented to control the risks;
- 4 The incidents include two separate incidents involving sexual harassment of female lone working staff, an officer from Environment Health had her vehicle damaged by brake fluid when visiting a suspect and the Playground Maintenance Team who were attacked by a group of youths after being asked to clear litter they had thrown.
- 5 There has been a slight increase in incidents involving schools that mainly involve pupils on teachers.

1.6 RECOMMENDATIONS (see below Directorate Reports)

1.6.1 Recommendations 2012/13:

No.	Recommendations	I/C
1	To deliver the actions identified for Waste Management Services as a result of the HSE inspection (see section 1.3.6). This will include the collection of bin bag collections and accident trends around sharp injuries	Operational Director, Community and Environment
2	To ensure that all relevant managers have received training in the management of stress within the last 3 years in order that they are able to carry out Stress Risk Assessments (see section 1.3.8)	Strategic Directors
3	In the relevant areas, to ensure that noise and vibration risk assessments are carried out and, if required, review occupational risk assessments in line with results (see section 1.4.4)	Strategic Directors
4	To review the current Drugs and Alcohol Policy to ensure that it meets the requirements of the Corporate Manslaughter and Corporate Homicide Act 2007	Personnel / Health and Safety Team
5	In light of the use of the Lone Working monitoring system, managers to review the Lone Working risk assessments and systems to ensure that they are suitable and sufficient (see section 1.4.5)	All
6	Independent Living to review arrangements and risk assessments for manual handling of service users	Independent Living – Divisional Manager
7	Brief new Public Health team on health and safety management processes and arrangements	Health and Safety Team
8	To ensure that the programmes and resources for the maintenance and servicing of equipment are sustained	All

1.6.2 Report on Recommendations 2011/12:

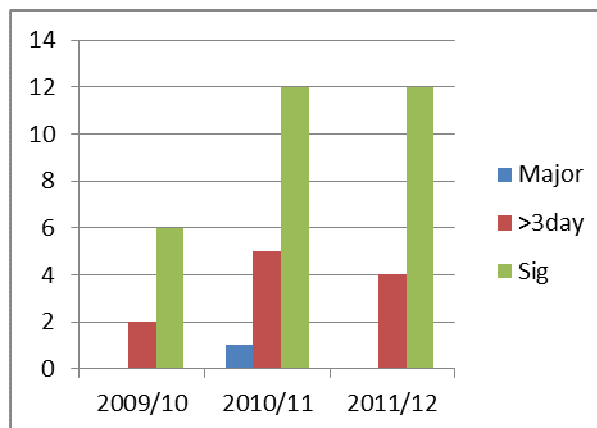
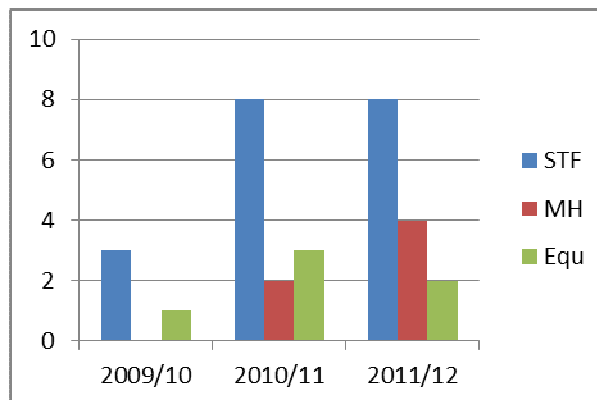
No.	Recommendations	I/C	Action Taken
1	In line with guidance around the Corporate Manslaughter and Corporate Homicide Act 2007, Management Team to nominate a lead officer at Board level (INDG417)	Management Team	O/D Legal Services to take the lead
2	Review and amend the consultation arrangements with regard to the forums for Directorate Working Groups and 2 nd Tier meetings (Corporate Health, Safety and Welfare Policy)	Strategic Directors	New JCC arrangements approved and in place
3	Managers to identify those responsible for carrying out risk assessments and review training needs to ensure that they are competent. Details of those who require training should be forwarded to the Health and Safety team so that they can complete the on line Risk Assessment training	All	See 1.3.5 above
4	To review the Asbestos Policy and ensure that procedures are in place to comply with the Asbestos Regulations for all Council Buildings	Property Services / Health and Safety Team	Policy approved
5	To review procedures in line with HSE Guidance Notes, 'Procuring and Managing Waste Management Services' and, where necessary, implement reviewed procedures	Waste Management	Inspection completed by HSE. Further recommendation 1.6.1.1 above
6	In light of the use of the Lone Working monitoring system, managers to review the Lone Working risk assessments and systems to ensure that they are suitable and sufficient	All	Ongoing
7	Review safety and security procedures for libraries, in particular Halton Lea, to ensure that they are suitable and sufficient in protecting staff against anti social behaviour	Operational Director, Communities	There has been 1 incident this year compared with 8 incidents last year
8	To review occupational and premises risk assessments to ensure that they are suitable and sufficient measures to mitigate against slipping or tripping because of extreme weather conditions or poor housekeeping	All	Significant reduction in slips and trips incidents – see 2.1.3 above
9	The increase in slips and trips accidents around schools and the under reporting of violent incidents to be raised at the Schools Health & Safety Working group meeting and recommendations reported by back at the Children and Enterprise 2 nd Tier meeting (Health and Safety Team	Schools H&S meeting updated. Accidents monitored
10	To ensure that there are programmes and resources for the maintenance and servicing of equipment	All	Ongoing

2. SCHOOLS

2.1 General Information: -

1. This year the Health and Safety team has carried 23 health and safety audits of schools (including the Grange All Through school) and the average score was 83%;
2. A school had to implement the 'lock down' procedure as a result of a threat. The debrief highlighted how effective the procedure was in protecting staff and pupils; and
3. There was a reported Dangerous Occurrence at a school where debris fell from the ceiling. This was not during school hours and the school closed until the area was safe.

3.2 Accidents involving Teachers:-



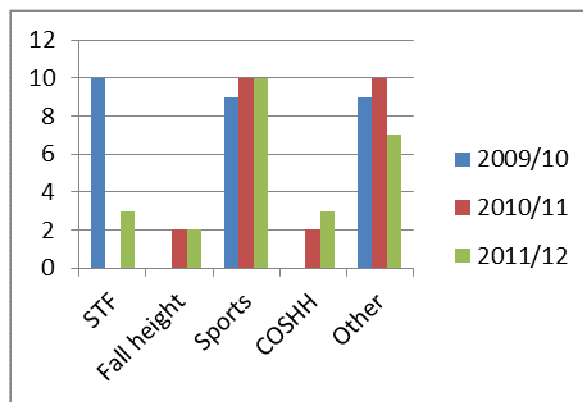
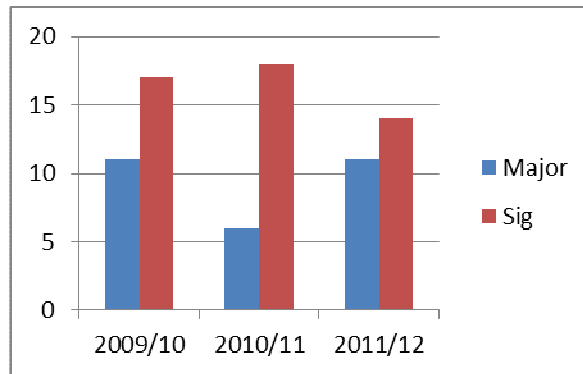
3.2.1 Further information:

1. Slips and trips remain the highest numbers of accidents for staff. 3 of these involved slips on wet flooring after cleaning and 1 was on a torn carpet. The other incidents were outside in the grounds of the building;
2. All manual handling incidents involved lifting of equipment; and
3. Violent Incidents,

	Verbal	Physical
2011/12	5	10
2010/11	5	6
2009/10	13	4

Slight increase in reported incidents with majority involving pupils on teachers.

3.3 Accidents involving Pupils



3.3.1 Further information:

- 1 There were 3 incidents where children trapped their fingers in doors, one where the top of the finger was cut off. Schools advised through the Health and Safety Circular; and
- 2 An accident occurred at a Primary school during an 'after school club' delivering a chemistry session where 6 year old child tried to swallow liquid from a tube containing sodium hydroxide and was burnt. The child was taken to hospital with burns to his mouth and body. His injuries were not serious and he was able to return to school within days. HSE investigation has concluded that the 'Schools/LA's responses seem to have been timely, sensible and proportionate'.

The Löfstedt Report on Health and Safety
'Reclaiming health and safety for all: An independent review of
health and safety legislation'

Introduction:

Professor Ragnar Löfstedt, a senior academic at King's College, London, was commissioned by the government to carry out a full review of health and safety. This was to support the recent review carried out by Lord Young.

The report concluded that the general sweep of requirements set out in health and safety regulation were broadly fit for purpose, but that a few offered little benefit and should be removed, clarified or simplified.

The main problem was that regulatory requirements were "misunderstood and applied inappropriately".

Professor Löfstedt said his reforms sought to address this by ensuring all key elements of the regulatory and legal system were "better targeted towards risk and support the proper management of health and safety instead of a focus on trying to cover every possible risk and accumulating paperwork".

Key points:

- In general, there is no case for radically altering current health and safety legislation
- Regulations place responsibilities primarily on those who create the risks
- Existing regulations are broadly right
- Some businesses go beyond what the regulations require and what is proportionate
- The threat of being sued is often a cause of employers going beyond what the regulations require
- There is a need to stimulate a debate about risk in society to ensure everyone has a better understanding of risk and its management
- Self – employed should be exempt from health and safety law if their work activities pose no potential risk of harm to others
- Govt should work closely with the European Commission (the Commission) to ensure that new health and safety legislation is risk based and evidence based
- Give HSE the authority to direct Local Authority health and safety inspections and enforcement activity so that it is consistent and directed at the most risk workplaces
- The Löfstedt report argued that allowing the HSE to direct local authorities' activities in this way would ensure the work was "consistent and targeted towards the most risky workplaces".

- Roving Safety Reps are an unnecessary burden
- So far as is reasonable practicable should stay but HSE should do more to help businesses understand what it means
- Risk assessment is supported but it must be proportionate. Too much attention being paid to written records. Some respondents suggested that more should be done to emphasise that only the significant findings of the risk assessment should be recorded. This will be addressed in the review of the ACoP
- DSE requirement for eye tests a burden on business and out-dated and 'questionable'. However the EU proposes bringing into scope a further 6 classes of computer equipment. No evidence that DSE use causes loss of eye-sight. Recommendation that the govt works closer with the EU on the review of legislation

The following has been identified,

Compensation culture:

- The 'compensation culture' (or the perception of it) in the UK has been the subject of several reviews over the last few years but no evidence has been presented for its existence e.g. the House of Lords Select Committee on Economic Affairs found no clear evidence that a compensation culture has developed, and concluded that the notion appears to be based more on widely reported anecdotes than extensive analysis
- The evidence does seem to suggest the belief in a compensation culture is still having a significant impact on the behaviour and outlook of business, with the Better Regulation Task Force concluding that, although it is a myth, the perception of its existence, driven by media coverage, has a significant impact on the behaviour of both public and private employers
- Although the general duties in the HSWA are not enforceable under civil law the Act does state that "Breach of a duty imposed by health and safety regulations... shall so far as it causes damage, be actionable, except in so far as the regulations provide otherwise". Few regulations exclude civil liability and so "as a result, the regulations made under HSWA 1974 occupy central stage in civil litigation concerned with work-related injuries and death
- Employees are being awarded compensation (sometimes) because the paperwork is not in place despite employers doing everything that is reasonably practicable

Action - the original intention of the pre-action protocol standard disclosure list is clarified and restated and that regulatory provisions which impose strict liability should be reviewed by June 2013 and

either qualified with 'reasonably practicable' where strict liability is not absolutely necessary or amended to prevent civil liability from attaching to a breach of those provisions.

Regulations to be revoked:

- Notification of Tower Cranes Regulations 2010 and Notification of Conventional Tower Cranes (Amendment) Regulations 2010
- Celluloid and Cinematograph Film Act 1922 (Exemptions) Regulations 1980 and the Celluloid and Cinematograph Film Act 1922 (Repeals and Modifications) Regulations 1974
- Construction (Head Protection) Regulations 1989

Action - HSE should undertake a programme of sector-specific consolidations (of regulations) to be completed by April 2015. This would reduce the number of regulations by 35%

Action - HSE should review all ACoPs – initial phase should be completed by June 2012

Regulations to be amended clarified or reviewed:

- The Health and Safety (First Aid) Regulations 1981 should be amended to remove the requirement for HSE to approve the training and qualifications of appointed first-aid personnel. This requirement seems to have little justification provided the training meets a certain standard
- The Construction (Design and Management) Regulations 2007 and the associated ACoP evaluation should be completed by April 2012 to ensure there is a clearer expression of duties, a reduction of bureaucracy and appropriate guidance for small projects
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) and its associated guidance should be amended by the end of 2013 to provide clarity for businesses on how to comply with the requirements.
- The requirement for portable appliance testing should be further clarified (including through changes to the wording of the Electricity at Work Regulations 1989 if necessary) by April 2012 to stop over-compliance and ensure that these messages reach all appropriate stakeholder groups
- The Work at Height Regulations 2005 and the associated guidance should be reviewed by April 2013 to ensure that they do not lead to people going beyond what is either proportionate or beyond what the legislation was originally intended to cover.

Schools:

- A significant proportion of the stories that appear in the media concerning disproportionate management of health and safety relate

not to traditional workplaces but to schools, and other local authority run activities (such as leisure centres)

- Care should be taken to ensure that the regulations do not prevent children from being exposed to new or exciting activities that contribute to their education and development. The benefits of such activities should not be disregarded as a result of a narrow focus on minimising risk

Action - Simplify processes for taking schoolchildren on trips and Introduce single consent form for every pupil. Revised health and safety guidance for schools and the generic consent form were launched in early July 2011, along with the HSE High Level Statement on the application of health and safety law to school trips

Accident Reporting:

- Extending the period before an injury or accident needs to be reported to seven days

Action -Changes to the regulations covering accident reporting are due to come into effect in April 2012.

Low hazard workplaces SME's:

Action-
Simplify risk assessment procedures
Develop periodic checklists
Develop voluntary organisation checklists
Risk assessment exemptions for low hazard homeworking
Risk assessment exemptions for low hazard self – employed working
Professionalise health and safety consultants
Health & safety consultants' register
Health & safety guidance for lower risk SMEs

Tony Dean CMIOSH

Principal Health and Safety Advisor,
Risk and Emergency Planning.