

## Dunstable Town Council

### Health and Safety Policy

Dunstable Town Council is fully committed to meeting its responsibilities under the **Health and Safety at Work, etc. Act 1974**, the **Management of Health and Safety at Work Regulations 1999** (as amended), and associated protective legislation, both as an employer and as an organisation. To assist achieve those objectives it has retained the services of a specialist health and safety advisory company (Worknest as of April 2022) to advise on the Council's approach to health and safety across all functions of the Council; to keep workplace health, safety and welfare procedures under constant review; to liaise with the Health and Safety Executive wherever necessary; and to keep the Council and its Councillors abreast of new legislation, Regulations and British Standards, in order to ensure ongoing compliance with the law.

This advisory role is supported through the Council's monthly Management Team meetings which are chaired by the Town Clerk and Chief Executive and attended by all Council Managers.

The main responsibility for health and safety lies with the Council who is in turn advised by the Town Clerk and Chief Executive. The Council is bound by any acts and/or omissions of the Town Clerk and Chief Executive and his staff, giving rise to legal liability, provided only that such acts and/or omissions arise out of and in the course of Council business.

To comply with its statutory and common law duties, the Council has arranged insurance against liability for death, injury and/or disease suffered by any of its employees arising out of and in the course of employment, if caused by negligence and/or breach of statutory duty on the part of the Council.

Council employees agree, as part of their contract of employment, to comply with their individual duties under the **Health and Safety at Work, etc. Act 1974** and other associated health and safety regulations and will co-operate with their Employer to enable him to carry out his health and safety duties under the Act. Failure to comply with health and safety duties, regulations, work rules and procedures regarding health and safety, on the part of any employee, may lead to dismissal in the case of serious breaches or repeated breaches; such dismissal may be instant and without prior warning.

In accordance with the **Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013**, the Council has instituted a system for reporting accidents, diseases and dangerous occurrences to the Health and Safety Executive, in addition to its statutory duty to provide an Accident Book at

all work place locations. The Council will comply with its duties towards employees under the **Health and Safety at Work, etc. Act 1974** and other associated health and safety regulations as far as are reasonably practicable, in order to:

- Provide and maintain plant and systems of work that are safe and without risks to health, a safe place of work, a safe system of work.
- Ensure the safety and absence of risks to health in connection with the use, handling, storage and transport of articles and substances.
- Provide such information, instruction, training and supervision as may be necessary to ensure the health and safety at work of its employees.
- Make regular risk assessments available to employees.
- Take appropriate preventive/protective measures.
- Provide employees with health surveillance where necessary.
- Appoint competent personnel to secure compliance with statutory duties and to undertake reviews of the policy as necessary.

In order to meet its obligations towards the general public and all lawful visitors to the Council's premises and activities, the Council will pay strict attention to its duties under the **Health and Safety at Work, etc. Act 1974** and the **Occupiers' Liability Acts 1957 and 1984**.

This policy has been prepared in compliance with Section 2(3) of the **Health and Safety at Work, etc. Act 1974** and binds all Councillors, the Town Clerk and Chief Executive, Heads of Service and employees, in the interests of employees and customers. We request that our customers and visitors respect this policy, a copy of which can be obtained on demand.

**Signed:**

**Dated:**

**Town Clerk and Chief Executive**

**Signed:**

**Dated:**

**Chairman of the Council**

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## **Organisation - Duties, Roles and Responsibilities**

Individual responsibilities for health and safety are allocated by management position and by designated posts within the organisation.

### **Councillors**

The Councillors have the ultimate responsibility for ensuring that the Council fulfils its legal responsibilities, and that effective structures are in place for the achievement of the policies concerned with health, safety, welfare and environmental protection.

### **Town Clerk and Chief Executive**

The Town Clerk and Chief Executive has the responsibility for ensuring that policy objectives are achieved and that the Council is kept fully informed of changes and developments with regard to health and safety legislation and regulations. He will also ensure that Council policies are reviewed as appropriate in order to secure continuing compliance with existing policies, current legislation and any changes in the law. To these ends, he will ensure that the Council is informed of the allocation of resources necessary to maintain sound and efficient health and safety arrangements.

### **Heads of Service**

Heads of Service are accountable to the Town Clerk and Chief Executive for implementing the Council's Health and Safety Policy, encouraging and assisting in developing safety procedures and ensuring that established rules and safe working practices are adhered to.

With regard to the departmental activities under their general control, all such Heads of Service will ensure that necessary consideration is given at all times to the requirements of the Council's Health and Safety Policy and, in particular, to the following:

- Safe methods of working.
- Induction training including health and safety matters.
- Welfare facilities.
- Fire precautions.
- Hazards arising from the storage and use of noxious substances, or exposure to noise, dust or fumes.
- Carry out workplace inspections and advise as and where necessary to improve methods of working.
- Investigate accidents and dangerous occurrences and recommend means of preventing recurrence.
- Advise and assist with safety training of personnel.

All Heads of Service will be specifically responsible for the following within their own areas of responsibility:

- Ensuring that all activities carried out by Council employees will not create a risk or hazard to customers, customers' property, and/or their employees.
- Ensuring, likewise, that no operation carried out by contractors will place employees, nor members of the public, at risk.
- Ensuring that all employees are adequately trained and competent to carry out the work allotted to them without risk.
- Ensuring that where health and safety training needs are identified, arrangements for training will be made as appropriate.
- Ensuring that all Council procedures are adhered to at all times.
- Ensuring that close liaison with any contractors working within the department is maintained in all matters regarding health and safety.

- Ensuring that supervisors and line reports are properly trained and receive the support they need to perform their duties.

In fulfilling these responsibilities, all Heads of Service will ensure that:

- This policy is reviewed in the light of their particular operational responsibilities.
- They know their own, and other persons' responsibility for implementing the Health and Safety Policy.
- All accidents and dangerous occurrences are fully investigated and preventive actions are recommended in close liaison with the Council's health and safety adviser.
- Safe systems of work are implemented and are adhered to, with such safe systems of work being documented.
- They are aware of, and implement, all safe working practices and procedures.
- All necessary arrangements are made and maintained in respect of accident reporting, first aid, fire precautions, etc.
- All relevant statutory records are regularly maintained and inspected.
- Heads of Service are also responsible for the health and safety of all employees for whom they have an operational responsibility.

### **Managers / Supervisors**

Managers / Supervisors are accountable to their Heads of Service for the day-to-day implementation of the Council's general health and safety policies, the established schedules, and safe working practices and to provide employees with information about hazardous substances and precautions in general. They are additionally responsible for the introduction of remedial measures to reduce or eliminate unsafe acts or conditions. Their responsibilities also include informing, instructing, training and supervising employees in safer methods of work and for investigating accidents that occur in their area or to an employee who reports to them.

They will also liaise with the departmental Heads of Service concerning any queries raised by visitors or subcontractors on health and safety matters.

### **Employees' Responsibilities**

All employees will ensure that:

- They are fully conversant with this Health and Safety Policy.
- They will co-operate with the Council in meeting its statutory duties.
- They will take reasonable care of themselves and others who may be affected by their acts or omissions.
- No one intentionally or recklessly interferes with or misuses anything provided in the interest of health and safety.
- All accidents, dangerous occurrences and near misses are immediately reported to their line manager.
- They are fully conversant with all Fire Procedures applicable to the area in which they are working.
- All equipment provided for personal safety shall be used and maintained in a condition fit for that use, and any defects reported immediately to management.
- Where an employee identifies any condition which in his or her opinion is hazardous, the situation will be immediately reported to their immediate line manager.
- When local management cannot resolve a hazardous situation they must raise it with a relevant Service Head who will then address the issue through the Council's Management Team Meetings.

- During the course of their normal duties, employees will use all equipment and facilities for the intended purpose in a safe, correct manner.

### Competent Persons

The Council will appoint a number of competent persons to assist in undertaking the necessary measures to comply with the requirements and prohibitions imposed by or under the relevant statutory provisions.

A person shall be regarded as competent when they have been sufficiently trained and/or have experience or knowledge and other qualities to enable them to properly assist in undertaking such measures.

Worknest and the following members of staff have been designated competent persons for the responsibilities shown:

<b>Council health and safety:</b>	Worknest Consultant and Senior Management Team  Worknest Consultant Town Clerk and Chief Executive Head of Community Services Head of Grounds and Environmental Services
<b>Manual handling assessment:</b>	Worknest Consultant and Senior Management Team  Worknest Consultant Town Clerk and Chief Executive Head of Community Services Head of Grounds and Environmental Services
<b>COSHH assessments:</b>	Worknest Consultant and Senior Management Team  Worknest Consultant Town Clerk and Chief Executive Head of Community Services Head of Grounds and Environmental Services
<b>Administration of all other risk assessments:</b>	Worknest Consultant and Senior Management Team  Worknest Consultant Town Clerk and Chief Executive Head of Community Services Head of Grounds and Environmental Services
<b>Vetting of subcontractors' health and safety policies:</b>	Worknest Consultant and Senior Management Team  Worknest Consultant Town Clerk and Chief Executive Head of Community Services Head of Grounds and Environmental Services
<b>Auditing of health and safety compliance at all work sites:</b>	Retained health and safety advisers – Worknest Consulting

## **In addition the Town Clerk and Chief Executive and Heads of Service will assume the following responsibilities**

- Through line management and supervision, advising where improvements in health and safety standards or practices are appropriate.
- Ensuring that regular health, safety and housekeeping inspections are carried out, covering buildings, plant, equipment, services, and fire arrangements, to ensure conformity with regulations and Council policies.
- Advising on possible hazards when considering the introduction of new machinery, new materials, new processes, or changes in existing ones.
- Arranging for the provision of written safe systems of work, including where necessary, arranging for the development and use of permit-to-work procedures.
- Ensuring that any raw materials used by the Council conform to statutory health and safety requirements.
- Arranging for the provision of appropriate Personal Protective Equipment (PPE) based on risk assessment.
- Arranging for the provision of written procedures for contractors.
- Ensuring the appointment of competent persons in accordance with legislative requirements.
- Maintaining statutory safety records and making statutory safety returns, in addition to maintaining health and safety records required by the Council.
- Ensuring that all employees of the Council receive a copy of this policy statement, including new entrants receiving it as part of their induction programme.

### **Council's Health and Safety Adviser**

The Council's Health and Safety Adviser has been retained in order to provide and disseminate advice and information to the Town Clerk and Chief Executive, and staff and to act as a 'Competent Person'. He/she will maintain close contact with the HSE, and any health and safety consultants appointed and other organisations from which information may be obtained regarding health and safety matters.

He/She will be retained to ensure the effectiveness of the safety policy, safety procedures and practices in relation to Council premises, carrying out regular audits and monitoring activities as necessary. The results of such monitoring will be recorded and corrective action, if required, will be undertaken.

In fulfilling these general responsibilities, the Health and Safety Adviser is retained to assist the Senior Management Team with specific responsibilities for:

- Ensuring the Council is aware of statutory obligations and recommended Codes of Practice by interpreting and keeping management and employees informed of new and developing legislation and other standards
- Advising management of their responsibilities for accident prevention and avoidance of health hazards.
- Ensuring that all necessary risk assessments required by legislation are carried out.
- Ensuring the provision of first aid, fire safety and emergency procedures.
- Overseeing and reviewing all accident investigations and preparing statistics to assist in monitoring health and safety performance.
- Identifying health and safety training needs and advising on suitable training programmes.

## **First-Aiders**

There is a nominated first aider for all Council premises in accordance with the **Health and Safety (First Aid) Regulations 1981, as amended**. The nominated first aider is responsible for the taking of prompt and appropriate action following any accident, whether to an employee or not.

The nominated first aider is responsible for the maintenance of the contents of all first aid kits and will ensure that only items specified will be retained in the kits.

A number of key staff across all departments have been given first aid training to assist with any unforeseen accidents to Council staff or users of Council services. All large scale Council events are attended by a fully qualified first aid organisation such as St John's Ambulance.

## **Arrangements and Procedures**

The following arrangements and procedures shall be put in place to ensure the health and safety of all employees, and others, whilst at work and as affected by working activities.

## **Risk Assessments**

All premises and activities are subject to risk assessments and must be assessed in accordance with the relevant legislation using the Council documentation provided.

Such assessments will be repeated whenever any of the following factors occur:

- Change in legislation.
- Change in control measures.
- Significant change in work carried out.
- Transfer to new technology.
- Original assessment is no longer valid.

Assessments will be recorded and records maintained by the relevant Service Head. The results of all such assessments will be communicated to and be available for inspection by all employees.

All assessments will identify necessary protective and preventive measures. The Council shall make, and give effect to, any appropriate arrangements for the effective planning, implementation, monitoring and review of any preventive or protective measures identified as a result of risk assessments.

## **Specific Operational Policies and Procedures**

- All Council policies and procedures issued in the interests of health and safety will be regarded as supplementary to this Policy. These will be included within all Council Health and Safety Manuals and will be available to all members of staff.

Specific procedures will be maintained for ensuring that the following requirements are met:

- That all buildings, plant and equipment meet statutory requirements
- That any remedial action required is carried out without delay and that any unsafe equipment is safely immobilised.
- That all new equipment introduced into any location conforms to statutory requirements.



- That all subcontractors who are to work on or in any of the Council's premises are made aware of all safety procedures and any hazards applicable to the areas in which they are to work.
- That all fire fighting appliances, detection systems and alarms are regularly inspected and tested and a log retained of the same.
- That the fire procedure is displayed and reviewed at frequent intervals with regular tests of the procedure.
- That no new chemicals/substances will be purchased or brought into the premises until their hazards have been assessed in accordance with the Control of Substances Hazardous to Health Regulations 2002.
- That inspections are made under the Electricity at Work Regulations 1989 of all work activities which use electricity and that, so far as is reasonably practicable, any risk to those who may be affected is removed or reduced.
- Any other specific policy required under relevant regulations and Approved Codes of Practice.

### **Reporting and Investigating of Accidents and Dangerous Occurrences**

All accidents, no matter how minor, will be reported on the HSE Accident Report Form with copies being sent to the relevant Head of Service.

- All accidents, dangerous occurrences and near misses will be reported immediately to the Heads of Service responsible for the site as soon as possible after the event.
- All accidents, dangerous occurrences and near misses will be investigated within 24 hours by the relevant Heads of Service.
- Where an employee of another Council or organisation is involved in an accident, a copy of the Accident Report Form will be sent to his/her employer.

### **Training**

To comply with the general duty to provide such information, instruction, training and supervision as is necessary to ensure, so far as is reasonably practicable, the health, safety and welfare of staff, health and safety training will be provided as follows:

- At inductions.
- Repeat training at regular intervals.
- On transfer or promotion to new duties.
- On introduction of new technology.
- On changes in systems of work.
- When training needs are identified during risk assessments.

Heads of Service at all levels will be included in the health and safety training programme.

Records of all health and safety training will be maintained by the Business Support Manager.

### **Consultation**

Consultation will take place via the monthly Management Team to discuss matters of health and safety.

Any employee with a health and safety concern must inform his/her supervisor initially. If, after investigation, the problem is not corrected in a reasonable time, or the supervisor decides that no action is required and the employee is not satisfied with the explanation, the

employee may then refer the matter to a member of the Council's Management Team who may make representations to the supervisor concerned. This must be in writing.

The advice of the Health and Safety Adviser should be sought if agreement cannot be reached with the supervisor.

If still dissatisfied, the employee may seek an early meeting with the appropriate Heads of Service. Failing resolution at this stage, the matter may be entered on to the Agenda of the next meeting of the Council's Management Team at the Chairman's discretion.

### **Review**

Notwithstanding the above, this Policy will be reviewed on an annual basis.

*Last Update: 27 June 2022 – Town Clerk and Chief Executive*

*(Minute)*