

# **LONDON BOROUGH of MERTON**

## **Annual Health and Safety Report 2019**

**Produced by Corporate Safety Services**

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## **1. Introduction**

As a public body, and a regulator with regard to Health & Safety legislation, the London Borough of Merton must lead by example. The HSE continue to hold local authorities to account on this basis and expect councils to put in place robust arrangements for managing the health, safety and welfare of staff and others who interface with the authority as part of the Council's business.

The Council fulfil this requirement through the Corporate Safety Services team who provides a statutory Health and Safety service to all employees of the London Borough of Merton as required by duties imposed on employers under the Health and Safety at Work Etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999.

In line with current good practice and industry standards, Merton's strategy reflects the work of the Health and Safety Executive whose principles are to ensure that those who create risks take responsibility for managing those risks.

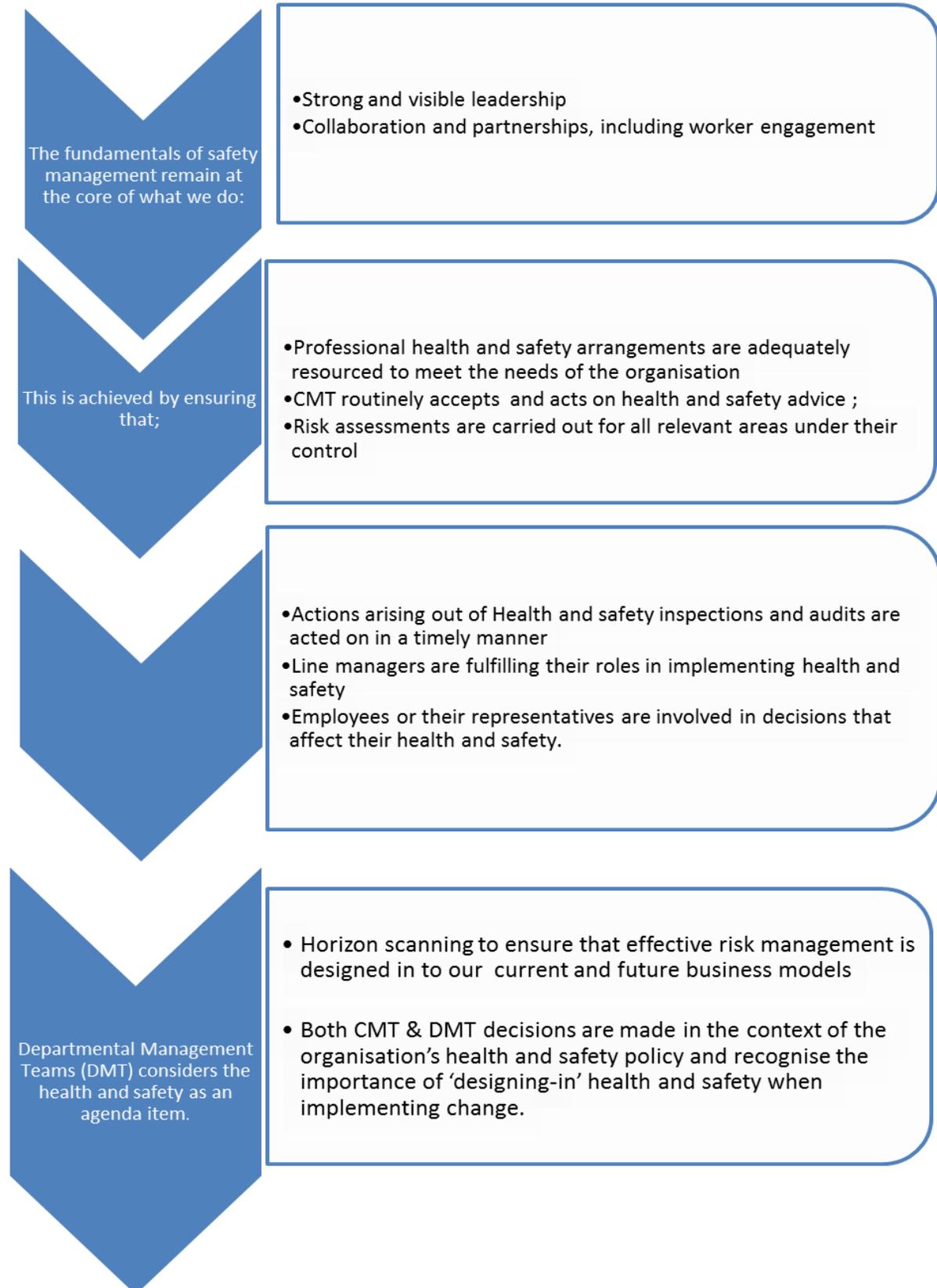
In following this principle, we will ensure that moving forward our systems reflect the HSE in that actions should be proportionate to the risks and where possible they are tailored to the areas of the business where significant risks are generated, the work undertaken and the people who work there.

In achieving this, Safety Services will work with departmental management teams in identifying and developing suitable systems and procedures in compliance with their duties under the legislation. Our methodology uses the principles of HSE guidance HSG 65, Managing for health and safety. The key principles are Plan, Do, Act, Check. These principles underpin the council's safety management system and operational arrangements as detailed in the Corporate Health, Safety and Welfare Policy.

## **2. Policy and organisation arrangements**

The London Borough of Merton is committed to providing its employees with safe conditions of work as far as is reasonably practicable and has structured arrangements in place to ensure the safety and wellbeing of staff and others who may be affected by our activities. Our aim is to minimise the adverse impacts to individuals and the business from ill health and injury.

## 2.1 Making it Happen





What does good safety management look like?

- Visible leadership – DMT members can reinforce health and safety policy by being seen on the 'shop floor', following all safety measures themselves and addressing any breaches effectively and efficiently.
- Having robust procurement standards in place for purchasing goods, equipment and services that recognises health and safety in operation.
- Ensuring that key issues are addressed at risk management committee level, whilst ensuring that effort is not being wasted on trivial risks and unnecessary bureaucracy.
- Assessing the health and safety arrangements of partners, key suppliers and contractors, as their performance could adversely affect the organisation

- Supporting worker involvement in health and safety, above our legal duty to consult worker representatives, can improve participation and help prove commitment from all
- Considering health and safety when deciding senior management appointments.
- Promoting healthy workplace initiatives to encourage and create health working environments, help reduce sickness absence and improve employee wellbeing.

## **2.2 Corporate Health, Safety & Welfare Policy**

Corporate Safety Services produces and reviews the Corporate Health, Safety and Welfare Policy annually. The process of revision considers any changes to legislation, organisation and or good practice and changes formally consulted on with the trade unions and management.

The policy is published on the Merton website and there is an expectation that all managers will consider this document and communicate the contents of the policy to staff directly and through the production of their own procedures and arrangements for the safety of their staff.

All policies, advice and guidance are now available on the Merton website making it accessible to all who need it.

[Health and Safety Information \(web pages\)](#)

### **Planned policy work for 19-20 includes:**

- To refresh the Asbestos Policy to reflect operational changes and council structures.
- Update the Violence at work policy, setting out the framework for managing information on potentially violent persons and the links to the accident & incident reporting system.

### **Key work streams**

As with previous years, we will need to continue to work together with managers and partners to achieve common goals. Our aim is to improve compliance with relevant safety standards, simplifying our processes and collaborating on work streams to ensure that Merton does not overburden managers with complex safety management processes and procedures. Our arrangements will be proportionate and appropriate.

The results of this will be to make it simpler to comply with safety standards and a wider ownership of issues that foster a culture of good safety management and proportionate risk assessment.

Working with managers through DMT's our focus will consider the implications of;

- New or revised processes
- New or revised working practices and procedures
- New personnel
- Working with other Local Authorities, partners and other organisations.

### **3. Legislation Update and significant changes for 2018/19**

UK law post Brexit

The UK decision to leave the European Union has taken far longer than anyone anticipated but it is clear that EU regulations and EN safety standards are here to stay for the foreseeable future.

EU Health and Safety & Environmental directives have been transposed into UK Law so currently nothing changes until the UK government puts in place mechanisms for further deregulation. Post-Brexit it is likely that the UK will have less influence in the development of further EU Law but this will depend on the terms under which we leave Europe.

Throughout the UK's time as part of the Europe, the Health and Safety at Work etc. Act (HASWA) and the various Statutory Instruments under it have been in place and effective. Without doubt, we should continue to apply our successful risk-based management systems, as many UK organisations will want to continue to work and trade within the EU post Brexit. Bearing this in mind, it will be in their interest for the UK to continue maintaining compliance with EU legislation. The UK has been a leader in influencing other EU nations and regulators in developing strong foundations for future health, safety and environmental laws. It will be interesting to see how that changes into the future and what a change of leadership to the Conservative Party will bring.

### **4. Planning and implementation**

As in previous years, our plans are in line with the Health and Safety Executives business plan.

Key objectives for the HSE for 2019 -2020 are to build on the sound regulatory framework and reduce harm in the workplace. This will be achieved by continuing to tackle long-standing problems such as work related stress and holding people to account when work related risks are not adequately managed.

Merton's health and safety plan is based on a combination of audit and inspection alongside risk management and implementation of best practice / industry standards.

A breakdown of key areas of work includes:

- Routine audit and inspection of Merton owned managed or maintained premises.
- Inspection of management arrangements and controls.
- Provision of professional advice and guidance to managers and staff.
- Development and implementation of corporate policies, procedures and guidance to aid managers in compliance of health and safety law.

- Management and oversight of accident and incident reporting and investigation.
- Provision of Asbestos management information in schools and corporate buildings including management reviews and actions with information published and available on the council Web page and intranet.
- Management and oversight of water safety and the prevention of Legionellosis.
- Development and expansion of online and self-service H&S learning and development packages.
- Work with Facilities Management to embed the work on statutory compliance and availability of information through publication of statutory information.
- Work with statutory duty holders to produce fire risk assessments and make information available in a variety of relevant formats on the internet and intranet.

#### **4.1 Accident reporting system**

Safety Services continues to work with the Business Systems team to maintain the council online accident and incident reporting system. All new reports are completed via an E-form which is available on the Merton Internet page meaning it is now accessible to all council employees including schools and other locations outside of the Civic Centre.

Work is well on the way to development the provision of information to protect staff from potentially violent persons by linking information from the accident system to ensure staff accessing information can see relevant information on safety advice and risk management issues. Trials of the new system have begun with a view to launching the new system late summer. A key feature of the new system will be a staff look up web address that will show information on persons or addresses where safety guidance is required as the result of accidents or incidents being reported on the system.

#### **4.2 Advice and Support**

In compliance with the Health and Safety At Work Etc Act 1974, and corresponding legislation, the Council employs Safety professionals to act as competent lead on all matters of health safety and welfare across the Council. Safety Services act under the authority of the Chief Executive and the Director of Corporate Services as detailed within the Corporate Health, Safety and Welfare Policy.

## **5. Raising Awareness and Promoting a Positive Health & Safety Culture**

The Safety Section continues to promote safety awareness, in line with Government initiatives and enforcement agencies, such as the Health and Safety Executive.

The team responds to managers and staff safety concerns and provides advice to the organisation by working with them to resolve issues and improve safety management.

Raising health and safety awareness within the organisation enables managers to consider the risks and produce effective controls to improve safety management and drive forward a positive safety culture and reduced instances of injury and ill health. The Safety Services team maintains professional standards through individual and corporate membership of professional organisations such as the Institute of Occupational Health (IOSH) the British Safety Council and The International Institute of Risk and Safety Management (IIRSM). Initiatives and information gained through this route is discussed and built into work plans and passed on to managers and staff directly.

### **Healthy Workplace**

Safety Services continues to support the work of the Director of Public Health and health colleagues to maintain the health workplace scheme for Merton. This is based on the London Healthy Workplace Charter that has been introduced by the Mayor of London and Merton has signed up to this charter with a view to improving the health of our employees using evidence-based initiatives and schemes across a number of domains.

The Merton workplace action plan links to these themes and is seen as a key part of being London's best council. A major driver to success in any organisation is the wellbeing of staff and mental wellbeing plays a significant part in the resilience of staff to cope when times get tough.

Work across the council will progress with the five steps to mental wellbeing in line with the NHS guidelines that are; Connect, Be active, Keep learning, Give to others and Be mindful.

## **6. Proportionate risk assessment**

The formal process for the review of health and safety performance exists across the organisation and is a crucial element of a robust safety management system. It allows the management teams to establish whether the essential health and safety principles are working within the departments.

The Safety Services team undertakes health and safety audits of all Merton owned, managed or maintained properties. The audits follow a recognised process to get under the skin of the property or service and provide an in depth look at the management of that part of the organisation. In each case a

report is generated and along with general information and advice the responsible manager will receive a list of actions that are prioritised with recommendation as to how to deal with that action.

Actions are split into three categories;

Priority A	<b>To be completed within 4 weeks.</b>	<ul style="list-style-type: none"> <li>• Where a failure to meet or achieve the required standard or level of compliance results in a breach of statutory duty giving rise to an immediate threat to people, property or process</li> <li>• Where there exists an unacceptable level of risk if remedial action is not taken</li> </ul>
Priority B	<b>To be completed within 8 weeks</b>	<ul style="list-style-type: none"> <li>• Where a failure to meet or achieve the required standard or level of compliance will result in a breach of statutory duty giving rise to an imminent threat to people, property or process if action is not taken within the eight week completion period</li> <li>• Where the level of risk will become unacceptable if remedial action is not taken within the eight week completion period</li> <li>• Where there has been a failure to complete any item previously assigned as Priority C.</li> </ul>
Priority C	<b>To be completed within 12 weeks</b>	<ul style="list-style-type: none"> <li>• Where a failure to meet or achieve the required standard or level of compliance will result in a breach of statutory duty if action is not taken within the twelve week completion period</li> <li>• Where the level of risk will become unacceptable if remedial action is not taken within the twelve week completion period</li> </ul>

		<ul style="list-style-type: none"> <li>Any defect identified at the time of the inspection that does not fall into the Priority A or B category.</li> </ul>
Specific Completion Date(s)	<b>As specified within reports</b>	In cases where a Priority A; B or C ranking is not appropriate a specific date will be given for the completion of any remedial action where the failure to meet or achieve the required standard and level of compliance results in a danger or threat to people, property or process or there exists an unacceptable level of risk to people, property or process if action is not taken by the date given.

In order to promote health and safety and to ensure that the most serious actions are dealt with in required timescales, Priority “A” actions are monitored and reported to Corporate Management Team on a monthly basis as a key performance indicator.

Priority **A** Actions are split into three categories for clarity; Safety Management, Building Management and Corporate Facilities Management:

- **Safety Management** relates to the policy, procedures and arrangements for the staff and others working or visiting the building;
- **Building Management** relates to statutory compliance arrangements in respect of the maintenance and upkeep of the building;
- **Corporate Facilities Management** actions are in place for items relating to building management; plant & equipment maintenance and related statutory documentation where Corporate Facilities Management are the facilities management provider for the premises.

### 6.1 Issues of note arising from the 2018-19 audits:

There has been continued improvement in the process relating to statutory inspections and the compliance with both safety management and building management. Safety Services has developed a revised process for recording this information, this has led to the production of a set of compliance standards for building managers to refer to, and in turn, the inspection will focus on these questions. Building managers will receive reports by exception allowing them to focus on the areas of issue. The report will in turn refer to the standards document and this will ensure consistency across all audits. Safety

Services has been testing this out across departments and feedback is positive.

We will continue to focus attention on addressing the actions that are raised from those inspections, it is our aim to work with the managers of premises, and the support services of the council to ensure these actions are dealt with in a timely and effective manner.

Working with the FM Compliance Manager, Safety Services have assisted in the procurement of a number of services that will bring about significant change in the management of information and compliance with key processes that will reduce the number of priority actions into the future. These are as follows:

Portable Appliance Testing – A tender has now been completed to allow a contractor to be appointed to undertake this work, FM project managers can now identify the order of testing for the buildings they manage.

Fire Risk Assessments (FRA) – The tender for this area of work has now concluded and a contractor identified to undertake this work, the respective budget holders can prioritise the properties that require a new/updated FRA.

Fixed Wiring Testing – We have submitted a request to allow this work to be tendered, all of the documentation for the tender is ready to be issued once Operational Procurement Group (OPG)/Procurement confirm it is in order to do so.

Fire Systems – These are currently being maintained/serviced by various contractors, a tender is to be procured to encompass all Fire systems under one contractor, this is awaiting OPG/Procurement approval to release.

Compliance is currently managed via an Excel spreadsheet, which whilst adequate does not allow sufficient management control, we are investigating a true FM specific CAFM system, to manage the process fully. This will not only improve Compliance management but will also impact of all other facets of helpdesk/FM operating and record process.

## **6.2 Premises inspected 2018/19**

Safety Services aims to inspect 50 premises per annum based on a rolling 18-24 month cycle. This is an ambitious target with limited resources; however, Safety services will continue to work towards achieving this goal. This year the total number of properties inspected was 50 (35 last year) and this reflects the work now being undertaken to streamline the process and visits being undertaken by the new Safety Adviser who is proving to be a great asset to the team.

### **Premises inspected during 2018/19**

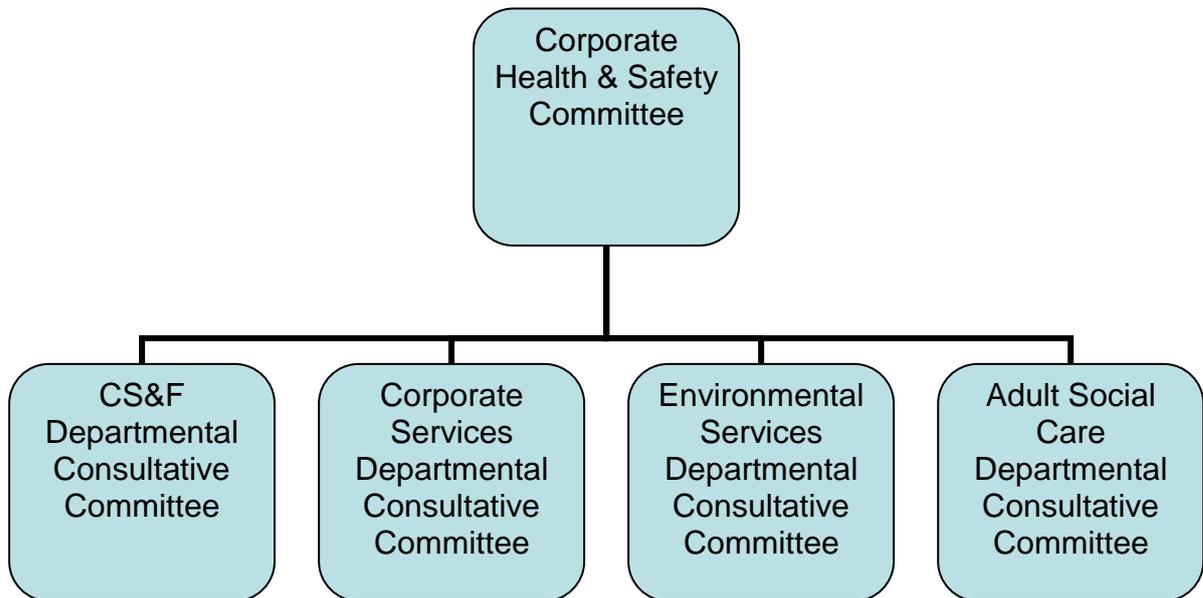
Premises Type	Number of	Priority A	Priority A	Priority A
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	Inspections	Actions, Safety Management	Actions, Building Management	Actions Corp' Facilities Management
Schools	33	28	120	1
Children's Centres	4	3	24	n/a
Family Centres	0	0	0	0
Residential Care Homes	1	0	8	n/a
Youth Centres	2	15	20	n/a
Libraries	1	7	8	n/a
Day Centres	2	0	8	n/a
Corporate Buildings	2	5	5	12

It should be noted that the Family Centres, Registry Office and Sailing Base were inspected within the last 18 months therefore no Inspections were required during 2018/19. They are scheduled to be inspected in 2019/20.

The shortfall between the target number of Premises inspected (50) and the actual number (45) is because a number of Inspections had to be cancelled on a very short notice due several factors, including an urgent Legionella Training, long-term staff absence and limited resources. Another factor is the increased awareness of the requirement for Safety Advisory Groups, in which the Safety Services team is required to participate on a regular basis.

## 7. Health and Safety Committees



Merton's Corporate Health & Safety Committee meets on a quarterly basis and is well attended.

The Corporate Safety Committee is a consultative forum of trade union representatives and representatives from all directorates, which discusses safety related issues pertaining to Merton's undertakings.

Various issues are discussed, such as: Accident analysis, violence to staff, progress on safety audits, policies, staff training, forthcoming legislation, welfare concerns and general safety concerns etc. The committee is also there to receive reports from representatives from sub committees on matters that have not been resolved and require higher level intervention.

The Trade Unions have reviewed the Terms of Reference of the committee to reflect changes in the organisation and the make-up of the group, this ensures the group can continue to meet and work to an effective collaborative framework into the future.

Children Schools & Families and Community & Housing have 2 areas, in which the Safety Services team provide input, these are:

- A joint directorate 'Health & Safety forum'
- Individual Directorate Departmental Consultative Committees (DCCs).

Specific departmental health & safety issues are discussed at these meetings. The Safety Services team produces specific interim accident figures for all departments at these meetings on request.

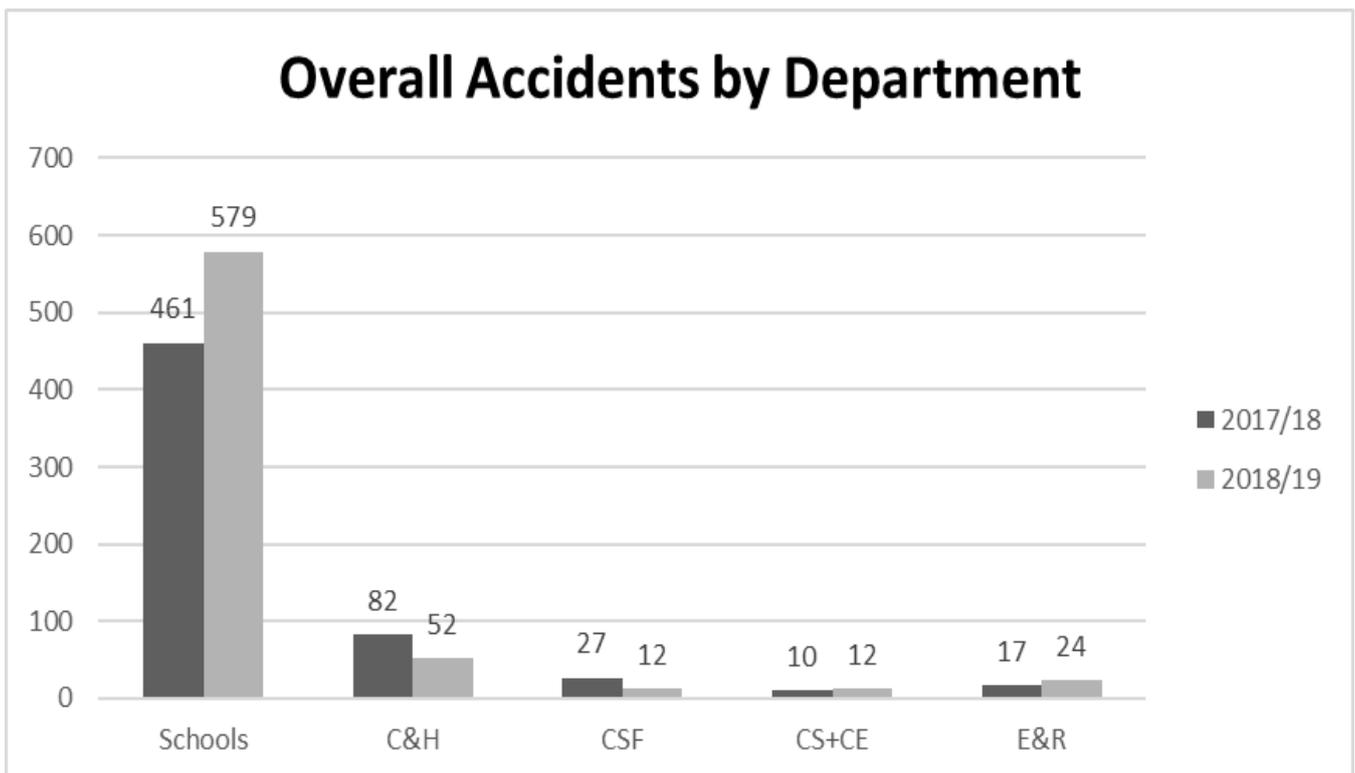
The Safety Services team attends, on invitation, the education forum, teacher's consultative negotiation forum (TCNF) in which specific health & safety issues are discussed relevant to schools staff.

There is a DCC for Corporate Services including the Chief Exec and discussions have taken place with the new Assistant Director of Public Space, Contracting and Commissioning regarding a revised DCC for the restructured Environment & Regeneration department.

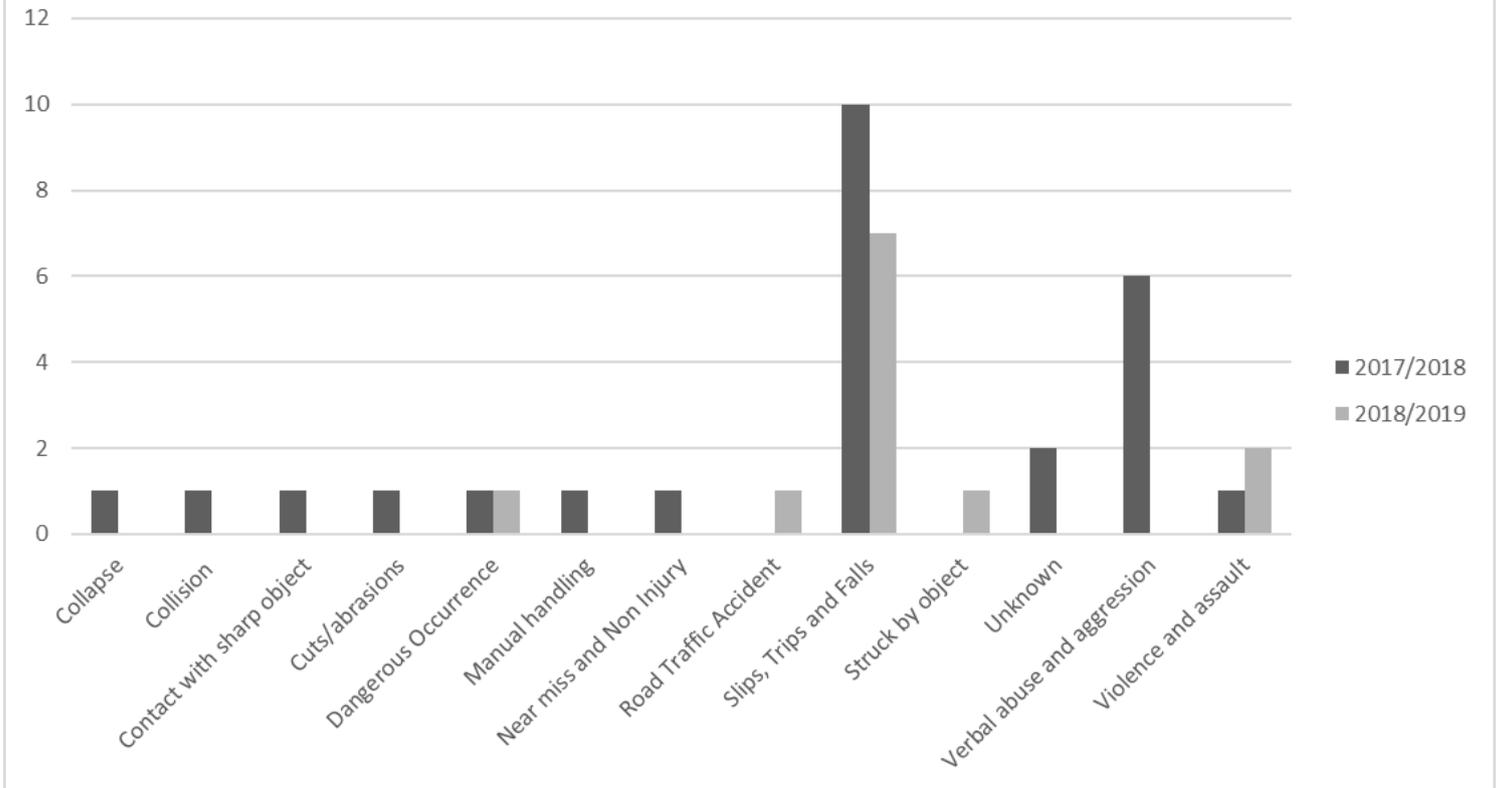
## 8. Performance statistics

The following statistics provide a high level view of accident reporting across the council and departments. Annual statistics are also published on the Council website. Safety Services are able to publish reports on a detailed level upon request, see links below or contact Safety Services on 0208 545 3384 for information;

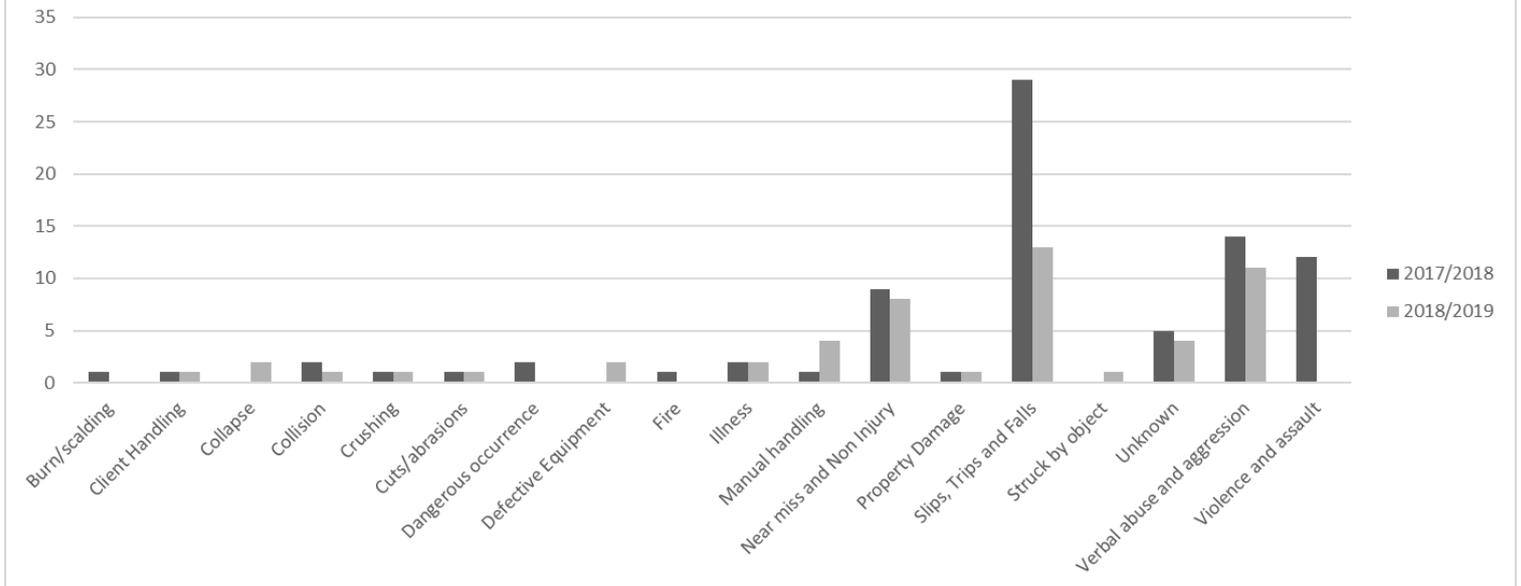
[Health and Safety Information \(web pages\)](#)



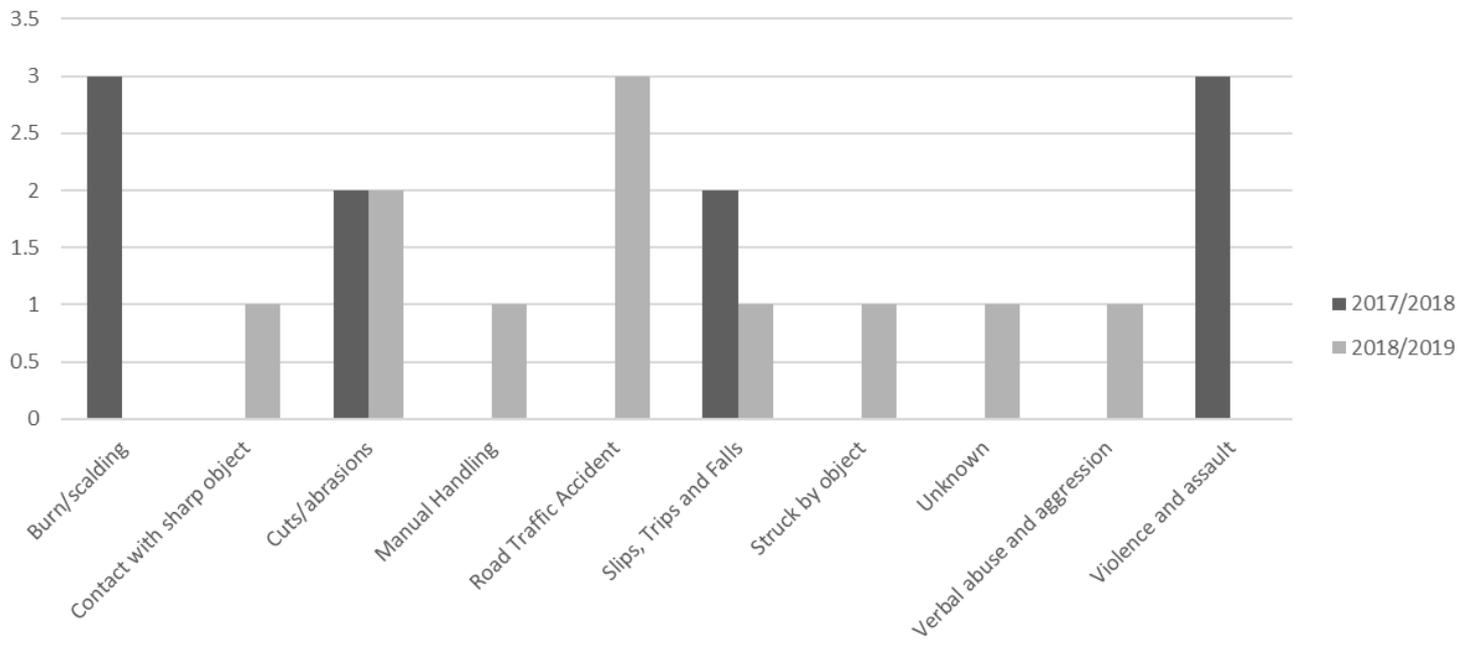
## Children, Schools and Families Accident Statistics



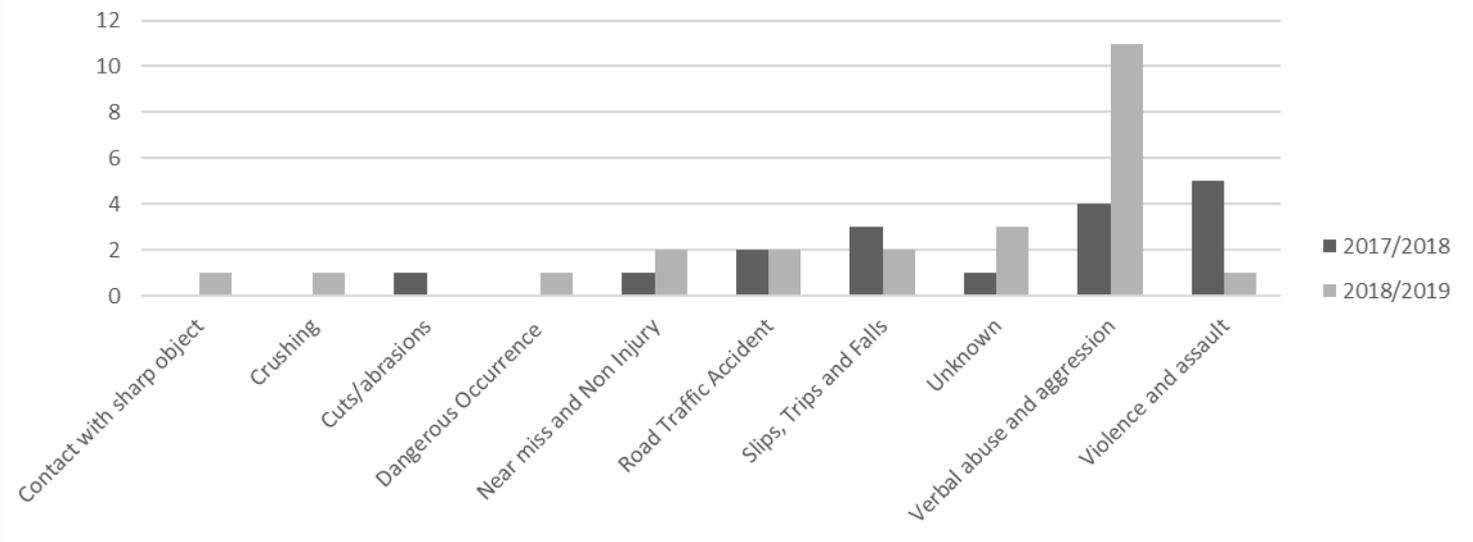
## Community & Housing Accident Statistics

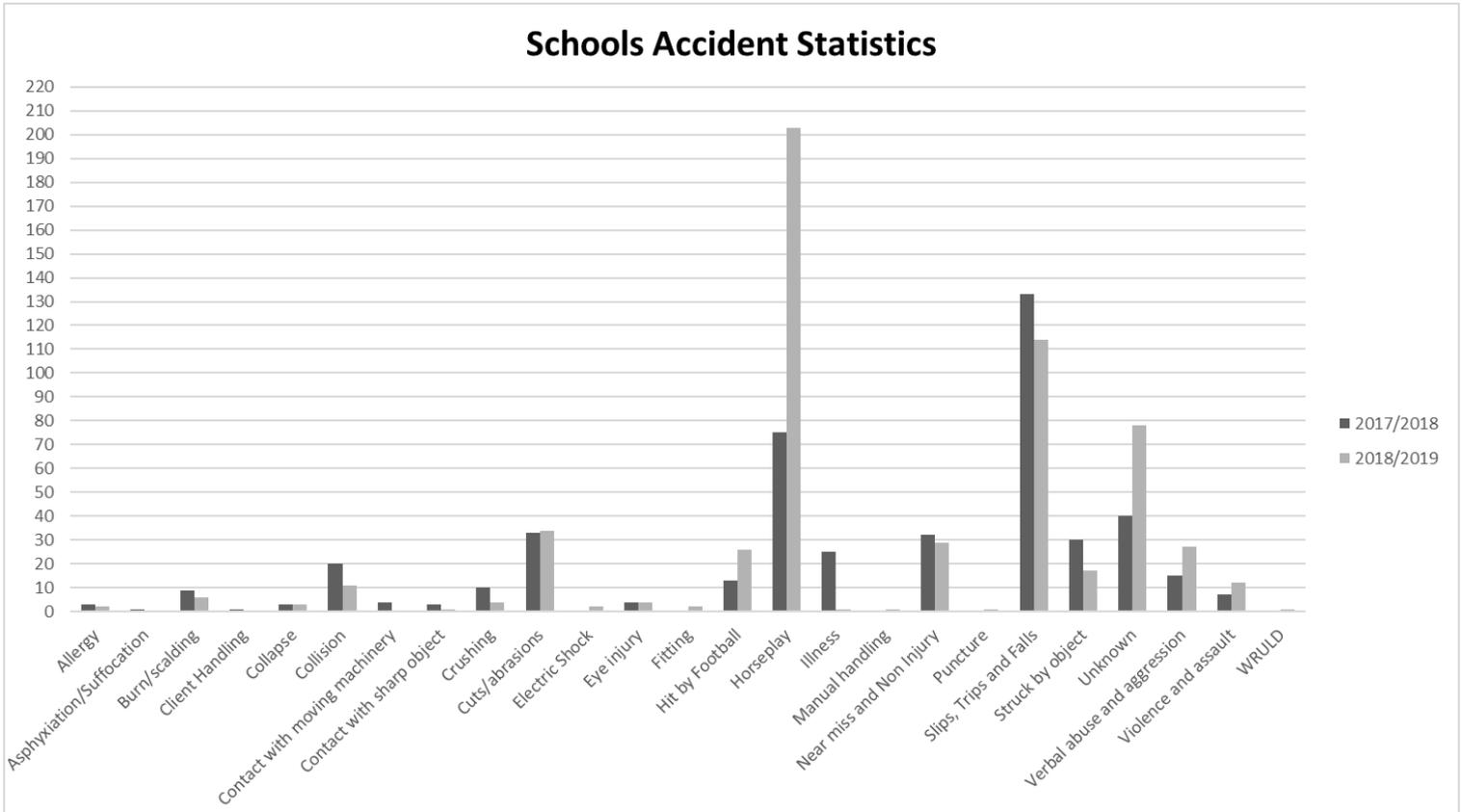


## Corporate Services and Chief Executives Accident Statistics



## Environment and Regeneration Accident Statistics





**All Departments**

Slight decrease in numbers of accidents reported in 18/19 compared with 17/18, except in Schools and Corp’ Services/Chief Execs which have seen an increase. Only increased by 2 with Corp’ Services/Chief Execs however a difference of 118 within Schools. Raynes Park remain the biggest reporter of incidents due to their way of working.

**Children, Schools & Families**

Slight decrease in Slips, Trips and Falls.

No reports of Verbal Abuse/Aggression in 18/19, though one more Violence and Assault incident in 18/19 than previous.

**Community & Housing**

Significant drop in Slips, Trips and Falls.

Little change in levels of Verbal Abuse/Aggression incidents reported.

**Corporate Services and Chief Executives**

Road Traffic Accidents (RTAs) are all work-related but are minor, one very slow-speed collision with pedestrian and 2 minor vehicle collisions.

No violence and assault reported, down from last year where there were 3 incidents reported.

### Environment & Regeneration

Significant increase in Verbal Abuse/Aggression, could be due to Parking Services now using system more to report – only 5 of 11 incidents were Parking related.

### Schools

Sharp spike in Horseplay, though most have been reported by Raynes Park High School; of 203 incidents in total they reported 195.

Schools have reported a high number of 'unknown' injuries, where the person reports an injury of unspecified nature but does not qualify this at a later date.

In summary, there has been a decrease in reported accidents in most areas over the last twelve-month period. This is potentially due to a normalising process after the introduction of the system in September 2015. Safety Services will continue monitoring the accident reporting to consider any specific trends that may indicate changes in risk management, which might need to be addressed.

Schools are showing an increase in near miss and non-injury reports, which on investigation is attributable to the improved ability to log on, and the simplification of the online report form and the increased focus on the need for investigating such incidents.

There is an increase in reports of violence and aggression across departments with the exception of Children, Schools and Families, which has seen a decrease this year. The areas of increase do not demonstrate a trend and are not attributable to a lack of management controls. We will monitor this over the next quarter to see if any pattern is emerging.

Where trends are identified (up or down) this information will be reported to the relevant managers, Directors and consultative committees along with the recommended remedial actions.

END