REPORT TO:	**WEST OF ENGLAND MAYORAL COMBINED AUTHORITY AUDIT COMMITTEE**
DATE:	**4th MARCH 2024**
REPORT TITLE:	**HEALTH AND SAFETY IMPROVEMENT PLAN**
RESPONSIBLE OFFICER:	**STRATEGIC DIRECTOR OF RESOURCES**

Key Decision No

Purpose of Report

1. To update Audit Committee on the findings of a comprehensive review of the Combined Authority's health and safety policy and practice.

2. To update Audit Committee on the progress made against the associated Health and Safety Improvement Plan.

3. To note the agreed governance and reporting arrangements for the Health and Safety Improvement Plan.

Recommendation

That Committee:

a) Note the review findings and progress made to date against the Health and Safety Improvement Plan, and the next steps

b) Note the governance arrangements for the ongoing delivery and monitoring of the Health and Safety Improvement Plan

Reasons for recommendation To provide Audit Committee Members with an update to the Health and Safety Improvement Plan
Voting arrangements The voting arrangements of the West of England Combined Authority Audit Committee as set out at page A51 para. A20 of Part A of the West of England Combined Authority Constitution (as amended 17.3.2023) are not applicable as the West of England Combined Authority Audit Committee is asked only to note and comment on the report.
Publication Requirements For publication

Background

1 In early 2023, the Combined Authority's health and safety policy was updated to reflect the new office location and contractual change to hybrid working. Additionally, many projects in the region were increasingly entering implementation and construction phases that would likely require further changes to the CA's health and safety policy framework. Therefore, approval was also secured to undertake a wider independent review of the Combined Authority's health and safety policy and practice to ensure a fit for purpose approach to health and safety across the whole organisation.

2 The review took place during Summer 2023 and a report of its findings and recommendations was received and approved by CLT on 26 September 2023. The report set out a number of gaps in the Combined Authority's health and safety provision and included an Improvement Plan to address these.

3 At CLT, approval was given to delegate the delivery of the Improvement Plan to the Director of People and Assets and the Head of Digital, Data and Operations, with regular monitoring through the Governance Board. The Governance Board can escalate any issues to the CLT if further oversight is required.

4 Progress updates have been given at monthly Governance Board meetings since October 2023 and CLT in December (update) and January (strategy engagement).

5 The purpose of this report is to summarise the findings of the review and highlight key achievements and progress against the delivery of the Health and Safety Improvement Plan. A copy of the prioritised action plan, with progress against each of the agreed recommendations is attached as Appendix 1.

6 The report also highlights any risks that have been identified, alongside associated mitigations.

Review findings: Conclusions and recommendations

7 The review found that the "occupational Health and Safety Policy and associated structures, arrangements, and controls have not kept pace with the growth of the Combined Authority, and, as such no longer provide a suitable or sufficient framework for control. In essence, the Combined Authority has out-grown the existing Health and Safety Policy". And while the current policy documentation tells employees what action should be taken, there is less clarity about how this should be achieved, which has "allowed inconsistent standards of control to develop".

8 The review made recommendations for improvements and concluded that "through the direction of current leadership, there is sufficient focus and desire to drive continued improvement, raise Health and Safety standards and build the necessary management arrangements to support the safe and successful delivery of current and future activities".

Review scope and methodology

9 The comprehensive review was completed by an independent health and safety consultancy with significant experience across public sector and the construction industry. The scope included a full review of the Combined Authority's approach to health and safety, considering the health and safety aspects of regional project delivery in addition to workplace health and safety, and includes recommendations relating to its effective governance.

10 The review comprised:

a. A review of health and safety documentation
b. Site visits to 70 Redcliff Street and Davis House
c. Stakeholder meetings
d. An all-staff health and safety survey (measuring the perception of health and safety)

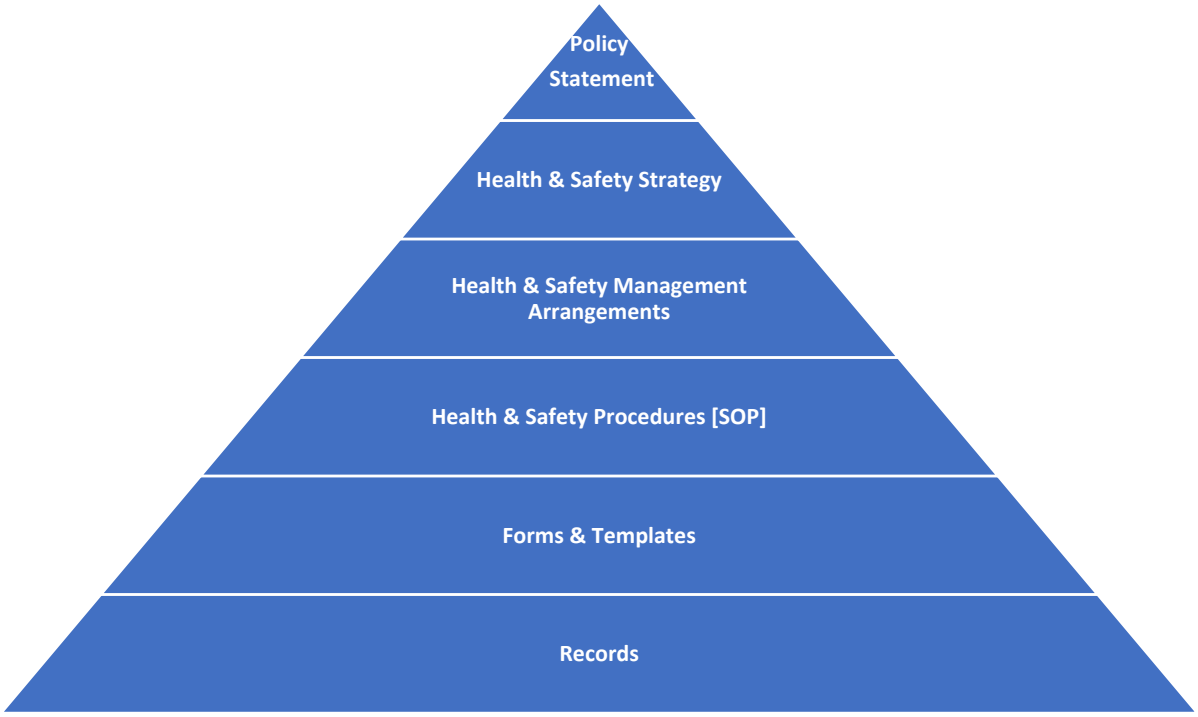
Organisational approach to Health and Safety

11 As agreed at CLT on 26 September 2023, the Authority's corporate approach to Health and Safety, which is being implemented through the improvement plan, is based on the following key facets:

- **Health & Safety Policy Statement:** this is the statement of intent, which includes the Combined Authority's commitment toward protecting, so far as reasonably practicable, the health and safety of people. This is to be signed by the Chief Executive, who is responsible for its implementation and overall effectiveness.
- **Health & Safety Strategy:** this document provides the vision of how the Combined Authority will continue to evolve its Health and Safety arrangements to meet current and future challenges.
- **Health & Safety Management Arrangements:** these documents set the framework of control that will be applied to the practical implementation of the Health & Safety policy statement and include [but not limited to] information on roles, responsibilities, and accountabilities, the Combined Authority's Health &

Safety structure, delegated authorities, competence requirements, communication and engagement plan, performance monitoring and management review.

- **Health & Safety Procedures and guidance:** these documents are compiled as an output from the initial risk review process and contain the practical control arrangements aimed at either eliminating risk or reducing risk to as low as reasonably practicable. The Health & Safety procedures can be tailored to meet specific operational challenges without creating a two-tier or siloed approach.
- **Forms and Templates:** these documents provide a consistent format for the recording of Health and Safety information that meet branding requirements and house styles.
- **Records:** these included completed templates, reports, and other important Health & Safety data, which may need to be retained for minimum durations to meet statutory obligations.



Vision, Goals and Benefits

12 Our emerging strategy sets out the **vision** for Health and Safety at the Combined Authority and covers 5 key areas:

- Management systems
- Training and competency
- Positive culture
- Safe behaviours
- Clear communication

13 Together these help us deliver our **goals**:

- Zero harm
- Excellent health and safety practice embedded in everything we do
- It's everyone's responsibility
- More than just compliance

14 Successful delivery of this strategy will deliver the following **benefits**:

- Reduced lost time through injury or ill-health
- Improved employee morale
- Reduced insurance premiums
- Increased stakeholder assurance
- Increased employee engagement and ownership for workplace safety
- Reduced threat of legal action
- Excellent reputation for corporate responsibility among investors, customers and communities
- Increased productivity

Progress against Improvement Plan

15 As can be seen in the action plan in Appendix 1, there has been considerable progress against the Improvement Plan since it was signed off by CLT. The key achievements are as follows:

a. Ryder Levett Bucknell are supporting us with phase 1 of the Improvement Plan which is aimed at addressing the immediate (Priority 1) actions, acknowledging that it will be a while before the appointed Head of Health and Safety is in post and a number of immediate actions cannot wait.
b. A Health and Safety Working Group has been established and meets on a regular basis. This includes Health and Safety representatives from the Infrastructure Directorate, to ensure a corporate approach is taken to Health and Safety.
c. The Head of Health and Safety role has now been appointed and will take up their post in April 2024. It was advertised ahead of schedule and interviews took place in January 2024. The lead Health and Safety representative from the Infrastructure Directorate was part of the interview panel for this role, cementing the corporate approach to Health and Safety.
d. The Communications Plan has been agreed ahead of schedule, with key communications shared with the organisation during w/c 11 December 2023. This includes the 'Safety First' branding of the Corporate Health and Safety approach, and focuses on the following three key messages:
    i) *We are improving Health and Safety across the organisation.*
    ii) *You will see lots of change around Health and Safety in the coming months.*
    iii) *Health and Safety is everyone's responsibility.*
e. A new 'Health and Safety' section on the Combined Authority's intranet has been launched to act as the primary communication channel for the Improvement Plan alongside making existing health and safety forms and processes easily accessible.
f. All actions that were highlighted in the Authority's Fire Risk Assessment have been completed, ensuring that the Authority is fully compliant with all fire safety requirements. A proactive maintenance regime has been put in place and risk is regularly reviewed, with any actions identified to be managed through operational facilities management arrangements.

g. There was a significant push before Christmas on ensuring staff completed their mandatory Health and Safety e-learning modules, with organisational compliance now above 82% for all 3 modules (Health and Safety at Work, Fire Safety, Staying safe with DSE). Further reminders will be issued as part of planned Improvement Plan communications.
h. The Health and Safety Policy statement is complete and has been approved by the Interim Chief Executive. This policy statement serves as a statement of intent for the organisational approach to Health and Safety.
i. The Authority's Health and Safety Strategy is complete, following engagement with CLT in January 2024 and review by the health and safety working group.
j. Draft Management Arrangements were completed 18 December 2023 and have now been reviewed by the working group.
k. Draft procedures (in progress).

16 However, there are some areas of risk and issues that are being managed. These are also set out below in more detail, with associated mitigations:

Risk/Issue	Mitigation	Comments
Unexpected absence of key external personnel due to surgery.	• Redistribution of work between RLB and the CA team.	This has allowed work to continue as planned e.g. Strategy development session at CLT
Risk that work on Health and Safety is disjointed across the organisation, leading to staff having an inconsistent approach to Health and Safety.	• Corporate communications plan on H&S agreed and now implemented, with associated branding. Connect pages launched. • All Health and Safety staff to be aligned to new Head of Health and Safety • Infrastructure representatives part of H&S working group and engaged in the Improvement Plan, as well as playing a key role in the recruitment process for the Head of H&S.	Governance in place through working group and Governance Board
Resourcing within the People and Assets team to deliver improvements at pace	• Head of Health and Safety role appointed in January 2024, starting April 2024. • Engaging H&S resource within Infrastructure in the delivery of the action plan. • External support from RLB or other external providers to deliver key elements e.g. training plan.	Additional H&S Officer role in the budget for 24/25 – will engage the Head of Health and Safety in this

Next steps

17 There is significant work planned for the remainder of this quarter and beyond, as we continue to implement the findings of the Improvement Plan. The action plan update at Appendix 1 details these, but key actions can be summarised as follows:

a. Launch the new Health and Safety strategy and management arrangements
b. Completion and launch of the supporting processes and procedures
c. Develop a communications and training programme to ensure all staff are aware of responsibilities
d. Induct the new Head of Health and Safety in April 2024 and align all existing Health and Safety staff and resource under the new role to ensure a corporate approach is taken
e. Further strengthening of the corporate approach to Health and Safety, engaging key colleagues from Infrastructure in addition to attending management meetings of all Directorates to pick up specific issues
f. Further improvements to incident management and reporting, including exploring technological solutions to simplify the process
g. Addressing any issues raised from a follow-up inspection of 70 Redcliff Street
h. Development of a dashboard with key metrics for reporting against Health and Safety indicators, with monthly reporting to Governance Board and quarterly reporting to CLT
i. Setting up the organisation-wide Health and Safety forum
j. Push to further improve mandatory training compliance

Governance

18 As noted in point 3 above, delivery against the Improvement Plan was delegated to the Director of People and Assets and Head of Digital, Data and Operations, with monitoring of progress to take place through Governance Board.

19 However, given the high profile of Health and Safety within the organisation, and the gaps identified through the Improvement Plan, it was agreed at the CLT meeting on 19 December 2023 to also have a quarterly update presented to CLT.

20 An update was provided to CLT on 23 January 2024 as part of the Strategy engagement session. The next substantive CLT update is scheduled for April 2024, and then quarterly after that.

Risk Management/Assessment

21 The Health and Safety risks of the organisation are being managed through the delivery of the improvement plan.

Climate change implications

22 Appropriate Environment colleagues will be engaged through the implementation of the Health and Safety Improvement plan and organisation-wide Health and Safety Forum to ensure it is delivered in a sustainable way and in line with our Climate and Ecological strategy.

Strategic communications planning

23 An effective communications plan has been agreed and is in train. Further regular communications will take place as the improvement plan delivery progresses.

Procurement & Commercials

24 The Commercial Team supported the appointment of RLB. If further external support is needed, this will be commissioned with appropriate advice from the Commercial Team.

Finance Implications

25 The health and safety review and associated improvement plan work was agreed at CLT and is budgeted. The Head of Health and Safety role is in the budget for 2024/25, alongside an additional Health and Safety officer, as well as two roles within the Infrastructure directorate. Should any additional external support be required to deliver the improvement plan, finance approval will be sought at that time. The budgeted roles are set out below:

Position	FTE	Cost
Head of Service - Health & Safety	1	90,581
Health & Safety Officer	1	59,697
Health & Safety Manager (Infrastructure)	1	70,976
Health & Safety Officer (Infrastructure)	1	59,697
		280,951

Legal Implications

26 The *Health and Safety Executive* publish useful guidance on legal responsibilities of employers here: Health and safety basics for your business (hse.gov.uk)

27 The range of legal obligations placed on employers with respect to health and safety is extensive. The particular obligations which apply in any given case will depend on the activities carried out by the authority, the extent of the risks posed by these activities and other factors such as the number of employees.

28 The main obligations imposed by the *Health and Safety at Work Act 1974* ("HSWA") and the *Regulations* made thereunder include the following:

i. Employers are responsible for ensuring the health and safety of their employees and those that are affected by their activities so far as reasonably practicable (sections 2 and 3, HSWA).
ii. An employer must assess and review the work-related risks faced by its employees and by others affected by the employer's activities. This risk assessment must be "sufficient and suitable" (Regulation 3).
iii. An employer must make and give effect to appropriate arrangements for the effective planning, organisation, control, monitoring and review of the preventive and protective measures (Regulation 5).

iv. An employer must audit the adequacy of these procedures (Regulation 3).
v. One or more competent persons must be appointed to implement the measures needed to comply with health and safety law (Regulation 7).
vi. An employer must provide its employees with understandable and relevant information and training on the risks they face and the preventive and protective measures to control those risks (Regulations 10 and 13).

29 Employers with *over five employees* must also:

i. Produce a written health and safety policy.
ii. Describe the arrangements for putting the policy into practice.
iii. Bring the policy and any revision of it to the attention of employees.
iv. Revise the policy whenever appropriate.
v. Record appropriate arrangements for the effective planning, organisation, control, monitoring and review of the preventive and protective measures.
vi. Record the significant findings of risk assessments and any group of employees identified by it as especially at risk.

30 A breach of any of the above statutory obligations may constitute a criminal offence by the employer.

Human Resources Implications

31 The recruitment of the Head of Health and Safety has concluded and the successful candidate will start in April 2024. Further resource was approved in the 2024/25 budget. Additional resource may be necessary to deliver the improvement plan and subsequent operational arrangements – if this is the case, a business case will be produced with appropriate sign off and all appropriate HR policies, procedures and best practice will be followed.

Appendices

Appendix 1: Updated action plan with progress.

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