

REPORT TO CABINET

Open/Exempt		Would any decisions proposed :		
Any especially affected Wards None	Mandatory/	Be entirely within Cabinet's powers to decide	YES/NO	
	Discretionary /	Need to be recommendations to Council	YES/NO	
	Operational	Is it a Key Decision	YES/NO	
Lead Member: E-mail: cllr.brian.long@west-norfolk.gov.uk		Other Cabinet Members consulted: -		
		Other Members consulted: -		
Lead Officer: E-mail: dave.clack@west-norfolk.gov.uk Direct Dial: 01553 616368		Other Officers consulted: Management Team		
Financial Implications YES/NO	Policy/Personnel Implications YES/NO	Statutory Implications YES/NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)				

Date of meeting: 29th May 2018

REVISION OF HEALTH, SAFETY & WELFARE GENERAL POLICY

Summary

This report outlines the authority's statutory obligation to have an appropriate Health, Safety and Welfare Policy. The report highlights the changes required to the Policy to ensure it remains fit for purpose.

Recommendation

That the Committee supports the revision of the Health, Safety and Welfare General Policy.

Reason for Decision

To ensure that our Policy is compliant with legislative requirements and meets the needs for the policy to be current and relevant to our work.

Background

There is a legal obligation under the Health & Safety at Work Etc Act 1974 for organisations that employ five or more persons to have a written Health & Safety Policy and for to ensure that the policy is subject to regular review and updated where necessary.

Along with the review of the policy in 2013, this committee accepted the recommendation that where the revisions were predominantly operational the authority to delegate this annual review should fall to the Chief Executive, in consultation with the Portfolio Holder and the Joint Safety & Welfare Committee. This recommendation was also approved by Full Council.

The current policy was last formally reviewed by Full Council in 2013 and is now overdue for a review. The revised Policy has been considered by the Joint Safety & Welfare Committee, on 18th April 2018. JSW supported the revision of the Policy.

Options Considered

There are limited alternative options available to progress the legal requirements to have and update a Health & Safety policy, the most significant alternative option would be to leave the policy without revision, but this option would not be legally compliant.

Therefore the option taken forward is the amendment to the policy – as detailed below.

The majority of the Policy remains unchanged and in general it remains entirely fit for purpose, the following sections have been changed:

Hazardous Substances (3.9), updated to remove the old pictograms.

CDM (3.25), updated to reflect the 2015 regulations.

Driving at Work (3.31) updated to reflect Expense on Demand.

Smoking Policy (3.37) updated to include e-cigarettes and Vape products.

Event Safety Management (3.39), 3.39.4 added.

The changes to the Policy as outlined will require some service areas to make changes to their own Procedures manuals/Risk Registers. To enable this, once the policy has its initial approval, an action plan will be created to ensure a consistent review across all service areas.

Policy Implications

The implication is that our HSW Policy will be fully compliant with our legal duty.

Financial Implications

There are no direct financial implications from the revision of this policy.

Personnel Implications

There are no direct personnel implications from the revision of this policy.

Statutory Considerations

The revision of this policy is in order to continue to meet our statutory requirements.

Equality Impact Assessment (EIA)

(Pre screening report attached)

The minor changes to this policy are impact neutral on all groups.

Risk Management Implications

The changes to this policy will assist the authority in more appropriate management of risks in areas where either our practice or the legislation has changed.

Declarations of Interest / Dispensations Granted

None.

Background Papers

General H&S Guidance on Policy.

<http://www.hse.gov.uk/pubns/books/hsg65.htm>

General Guidance on RIDDOR.

<http://www.hse.gov.uk/riddor/>

General Guidance on CDM regulations.

<http://www.hse.gov.uk/pubns/books/l153.htm>

Pre-Screening Equality Impact Assessment

Borough Council of
**King's Lynn &
West Norfolk**



Name of policy/service/function	Health, Safety & Welfare General Policy				
Is this a new or existing policy/ service/function?	New / Existing (delete as appropriate)				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	The Policy sets the standards required by officers of the authority in compliance with the Health & Safety at Work etc. Act 1974 and subordinate legislation. Policy is constrained by legislation.				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			✓	
	Disability			✓	
	Gender			✓	
	Gender Re-assignment			✓	
	Marriage/civil partnership			✓	
	Pregnancy & maternity			✓	
	Race			✓	
	Religion or belief			✓	
	Sexual orientation			✓	
Other (eg low income)			✓		
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	Yes-/ No				
3. Could this policy/service be perceived as impacting on communities differently?	Yes-/ No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes-/ No				
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	Yes / No	Actions:			
	N/A	Actions agreed by EWG member:			
Assessment completed by: Name David E Clack					
Job title Safety & Welfare Adviser	Date				

Please Note: If there are any positive or negative impacts identified in question 1, or there any 'yes' responses to questions 2 – 4 a full impact assessment will be required.