MORAY COUNCIL
HEALTH AND SAFETY ANNUAL REPORT
(January 2022 to December 2022)

1 Purpose

1.1 The purpose of this report is to provide information on the performance of the Council in ensuring the health and safety of the workforce and service users. This is done through the utilisation of monitoring data and includes recommendations for improvements required to procedures and/or systems.

1.2 The national context for similar organisations on incidents and enforcement action is also considered for the purposes of shared learning.

2 Summary of Key Themes

2.1 Restrictions imposed by the pandemic resulted in reduced service activity and provision in some areas in 2020 and 2021, leading to a lower incident rate than might have ordinarily been expected when compared to previous pre pandemic annual reporting figures. A slight increase in incidents reported for 2022 (5% - 8 incidents) was recorded which in light of the return of many services to a fully operational basis show that the accident figures have improved in comparison with similar years with similar service provision.

2.2 Good progress on the priorities identified in the 2021 report has been made, despite the Health and Safety Team operating at 67% capacity for 75% of the year as a result of staffing changes following a retirement. There has been a focus on fire risk assessment, with a risk based, planned programme of work providing an important framework, particularly in ensuring that the backlog of overdue fire risk assessments were scheduled and completed.

2.3 Systems, process and format improvement has been a key focus of work in 2022 with considerable work undertaken on lone working and a number of guidance documents have been reviewed and updated. This is a key area of focus to support the organisation in improving health and safety performance. Work is continuing on an electronic reporting system for incidents and Violence & Aggression at a corporate level. In addition, a joint inspections programme has been developed and agreed with the Trades Unions and is being rolled out through Departmental Health and Safety Committees.

2.4 Health and Safety Culture is a continuing key theme where detailed actions and interventions have been planned and are beginning to be implemented. It is important that there continues to be a focus on this area of work which will be an ongoing project given the long term nature of implementing and sustaining culture change. Relevant articles are being submitted for each Connect magazine edition and issues of importance are also being communicated via various service bulletins to aid the visibility of the Health & Safety team and ensuring that Health and Safety is an integral part of everyone's time at work.

2.5 Incidents based on human error continue to occur, particularly in some safety critical services and work is ongoing to understand the underlying causes. This will enable the targeting of resources to service areas with the highest rates of relevant incidents. With organisational development support, improvements in embedding health and safety awareness into the workforce is being progressed.

2.6 Violence and Aggression in schools has been a major theme for a number of years but improvements in terms of staff and service user health and safety are anticipated from the

ongoing implementation of the Action Plan being led by the Head of Education, Resources and Communities.

3 Review and Monitoring of Council Performance

3.1 Statistical Review

3.1.1 **Appendix A** sets out the analysis of health and safety incidents that were reported during the year January – December 2022, with comparison to previous years' performance.

3.1.2 The main points to note are:

a) The number of incidents reported in 2022 was 182, up by 5% when compared to 2021, but this is down 38% (116 incidents less) when compared with 2019. This small increase was most likely due to the impact of the return of services following Covid-19 restrictions being removed. In Waste Services, in particular, the increase noted in 2021 has reduced by 15% in 2022, with figures returning to pre-pandemic levels. Incident trends within services will continue to be monitored to ensure targeted support is provided where required

b) Education have the most reported incidents, followed by Environmental and Commercial Services, then Housing and Property, followed by Health & Social Care.

c) The majority of incidents resulted in minor injuries, with these accounting for 94% of the incidents in Education, 96% in Housing & Property and 86% in Health & Social Care. They also accounted for 64% of incidents in Environmental and Commercial Services, up 3% from 2021. Dangerous Occurrences accounted for 32% of incidents in Environmental and Commercial Services, which is the same as the 32% recorded the previous year. However, within the Building Services Section of Housing and Property Services, Dangerous Occurrences increased from 29% to 68% compared to 2021 figures. This increase in Dangerous Occurrences is due to all vehicle accidents now being reported as Dangerous Occurrences when in previous years many Vehicle incidents which resulted in vehicle damage only were only reported to Fleet Services rather than Health & Safety.

d) Slips, Trips and Falls continue to be the top cause of accidents, accounting for 35% of minor injuries. It was the largest cause of incidents in all services apart from Economic Development; however that was due to only one incident being reported in Economic Development.

e) Violence and aggression involving staff continues to be an area of concern. There were 1909 incidents in 2022, which is an increase of 45% on the 2021 figure. When compared to the 2019 figure, which is the last year that schools were fully functioning prior to the pandemic, the increase is 34%. The large majority of these incidents were recorded in Education, referred to in more detail in paragraph 3.3.6. The number of incidents within a Primary or Secondary school setting in 2021/22 (academic year) was 1255, an increase of 48% compared to 2020/21. 89% of Education incidents occurred in primary schools. The most common incident type was Physical Assault with No Weapon at 58%, while Physical Assault with a Weapon increased from 13% in 2020/21 to 21% in 2021/22.

f) During 2022, a Supported Accommodation Facility reported 355 Violence & Aggression incidents, up from 202 in 2021 (up 76%). 18% of these incidents resulted in staff injury with scratching, biting and kicking accounting for nearly 90% of injuries. It is of note that during the first few months of 2022, where the largest increase in incidents is recorded,

significant staff absences due to Covid were reported. Some restrictions also remained in place that limited activities and increased anxiety levels amongst those supported. Careful monitoring of these issues and the interventions required will continue in 2023.

It is also important to note that in 2018, the first full year following the move to a purpose built facility, a reduction of over 70% in violence and aggression incidents was reported.

Elsewhere in the Council, very low figures (only 8) were reported, too low for any meaningful analysis. This could possibly be attributable to some under reporting of incidents however from the numbers of Violence & Aggression reports being received in 2023 the issue of underreporting seems to be addressed.

g) Work on the incident reporting processes for both workplace incidents and incidents involving violence and aggression have been and are continuing to be reviewed and the changes made will improve the reporting of data and it's analysis in future years.

3.2 Summary of issues arising from Incidents/Accidents/Interventions

3.2.1 The following summarises some of the main issues arising from incidents and accidents to illustrate the nature and range of risks the council has faced and to inform decisions on improvements for the future with appropriate remedial actions.

a) The number of slip, trip and falls incidents has increased over the last year, many of which relate to inclement weather. The increase highlights the need for services to have suitable winter maintenance plans in place.

b) Wilful fire raising has been an issue in schools during 2022. Two wilful fire raising incidents occurred at two Secondary Schools with significant water damage to both buildings caused by the activation of the fire suppression system. The two incidents were very similar in nature and cost effective control measures have been put in place to reduce the effect of any similar reoccurrence.

c) Covid-19 had a significant effect on the way that many staff have had to work and this is likely to continue as hybrid working becomes a permanent feature. The Health & Safety team continues to get calls for assistance with workstation and display screen equipment (DSE) issues but most of these tend to be related to ongoing health matters rather than problems transitioning to working from home. This does serve as a reminder though that all employees working from home should carry out a self-assessment of their workstation to ensure any problems can be identified, discussed with their line manager and resolved. This will be re-emphasised during the manager and service engagement workshops as part of the Smarter Working project.

d) Violence and Aggression continues to feature heavily and appropriate actions and interventions are being addressed through the measures outlined at para 3.3.6

3.3 Review of Progress

3.3.1 Health and Safety activity is set out in the annual action plan and then monitored through the council's performance management framework via the service plan and a more detailed workforce plan.

3.3.2 The following outlines the progress that has been made in addressing action areas established in the 2021 Health and Safety Annual report.

3.3.3 Accident/Incident: Implement measures required to ensure improvements in vehicle incidents/driver behaviour, including actions arising from the conclusions of the reversing incidents trial.

Vehicle damage incident statistics compiled by Fleet Services over the last two years (2020 and 2021) recorded 162 incidents, which is down from 202 incidents reported during 2019 and 2020.   However, serious incidents continue to occur so data monitoring will continue, as will investigation of specific incident trends and events with appropriate interventions based on the findings. In addition, the section of the Safety Management System covering Driving Safely has been reviewed as referred to in para 3.3.5 below.

3.3.4 Implement changes to the Incident Reporting System including launch and communications across the organisation.

Good progress has been made with a review of the incident reporting process, including the development of an electronic form. Work is also progressing with the review of the Violence and Aggression Incident reporting process. It is anticipated that the work will be finalised and the revised processes launched, with appropriate communications, by the end of June 2023. The new electronic recording system for Violence & Aggression in Education has now gone live and any feedback on this system will be taken into consideration when finalising the corporate systems.

3.3.5 Implement changes to Safety Management System: Driving Safely Policy and supporting information and guidance.

The Driving Safely Policy and supporting documentation have been reviewed and revised. They are progressing through the Policy Framework process and following formal approval, implementation of the changes will take place during 2023.

3.3.6 Violence and Aggression – continue to support the work identified through the review of ASN services and roll out of identified training as appropriate.

Work is continuing to implement the requirements identified through the review of ASN services led by the Head of Education, Resources and Communities and supported as appropriate by the Health and Safety Team and Social Work Training Team (SWTT), particularly around improved staff training. As referred to above, work is also progressing to improve the incident reporting process, which will assist in data collection and improve the identification of incident trends. There is now an ASN Management Group in place where V&A incidents are reviewed and resources directed to provide support in schools where there is a developing trend that causes concern. The ASN Management Group includes officers from across Education and Education Resources & Communities.

3.3.7 Fire Risk Assessments: Continue to implement the fire risk assessment rolling programme.

The rolling programme, which uses a risk based priority approach for fire risk assessment has been refreshed. Progress has been good and more Fire Risk Assessments have been carried out than originally planned for. With a full complement of staffing now in place, the Health and Safety Team will continue to undertake the required assessments according to the priority attributed to them.

3.3.8 Risk Assessment: Develop audit of risk assessment; training and guidance for managers on Risk Assessment.

Significant work has been carried out with Education Services and new risk assessment guidance for Head Teachers has been produced as well as updated first aid guidance for schools. The revised guidance is due to be approved through the Departmental Health and Safety Committee, following which arrangements will be made to cascade and communicate this to schools. Work is continuing on developing an appropriate training package, including a blended learning approach as appropriate to the target audiences.

3.3.9 Covid-19 Risk Assessment:

Work was undertaken in the early part of the year to ensure that services were supported to continually review and revise as necessary and appropriate, the risk assessments for buildings, activities and individuals. Communications on the implications of the reduction of implemented control measures continued in 2022 with advice, guidance and support provided to services as required in order to mitigate the risk.

3.3.10 Inspection: Develop joint inspection programme with Trades Unions in accordance with the agreed Partnership Agreement. Improve accountability by carrying out more inspections within services.

A joint inspection programme has been developed and implemented in accordance with the Partnership agreement with the trades unions. Guidance and recording forms have been issued to services and this programme of inspections will be monitored at Departmental Health and Safety meetings.

3.3.11 Risk Management: work with Organisational Development colleagues to implement measures in targeted areas with high or increasing incident reports.

Close links have been established with OD colleagues, with the work on health and safety culture focussing primarily on increased and improved communications and support with audit activity across the organisation, e.g. information on the changes in legislation around driving safely, lone working audit.

Further work on behavioural safety and links with other work outlined in the plan for 2023, such as better incident reporting, incident investigation training package, risk assessment online training package, lone working workshops, vehicle safety handbooks, are being developed.

3.3.12 Revised Working Arrangements post Covid-19: The Lone Working Policy has been reviewed and updated with an action plan agreed with service representatives to take forward service specific protocols and operating procedures aligned with the refreshed Policy. The DSE Policy and supporting guidance and arrangements have been reviewed and a training module placed on Learn Pro for remote learning. There has also been continual input to the revised working arrangements for the longer term implementation of hybrid working.   Further development of the approach and guidance on warning markers will be progressed in 2023.

3.3.13 High level review of Safety Management System and identification of priorities for the revision of policies, ensuring availability of up to date resources for managers.

Priority areas have been identified and for 2023, this includes the Fire Safety Policy and Health and Safety Policy.

4 Benchmarking and National Developments

4.1 The incident rate for 2022 is up in comparison with previous years, again, most likely due to a resumption in activity and service provision, i.e. more people were in some workplaces so more accidents occurred. Figures available from the HSE for 2022 show a similar trend, though comparing the Council with HSE data is difficult as the HSE figures are generally sector based, whereas the Council is a multi-sector organisation.

4.2 Annual Incident Rate (AIR) figures based on RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013) incidents for 2022 is 1.12 for Moray Council based on the number of Full Time Equivalent employee numbers. In comparison, the AIR figures for 2020 were 1.42 and 2019 3.17. There has been a reduction in the AIR over the past three years but consideration should be given to the impact of Covid and the reduction and/or cessation of some operations over the reporting period. Benchmarking with other local Councils indicates that, the AIR for Moray Council is slightly lower than the returned rate from members of the North of Scotland Health & Safety Liaison Group: Moray 1.12, Highland 1.25, Shetland 1.3, Aberdeen City 2.12, Orkney 2.96.

4.3 A list of the top 10 prosecutions for health and safety breaches in 2022 has been provided by Safety and Health Practitioner Magazine. These show a resumption of the trend for very high fines for poor health and safety, ranging from £1m for a serious burns to an electrician caused by an electrical explosion in a warehouse to £5 M for a gas explosion caused by a failure to maintain adequate records as required. This failure of having adequate records led to a section of supply pipeline being omitted from a maintenance program which in turn led to the death of a member of the public in an explosion. The highest fine for H&S breaches in 2022 is £1 million higher than the highest fine in 2021 and all fines in the top ten are over £1 Million for the first time.   Apart from the devastating outcome of these incidents to those involved, the punishments applied highlight the importance of getting things right.

5 Conclusions and Proposed Developments

5.1 As the organisation has moved on from the Covid-19 pandemic and services have resumed pre pandemic operating levels, a slight increase in reported incidents can be seen. However, the figures remain well below those reported in pre-pandemic years.

5.2 Overall, whilst there are a number of areas identified as requiring targeted attention and further work, in general terms, there are no significant concerns highlighted as regards the Council's Health and Safety performance. The risks that have been identified are being appropriately managed with plans in place to progress with addressing the concerns.

5.2 Good progress has been made on the issues reported on last year, including, joint inspections, lone working, risk assessment, driving safely, health and safety culture. Work will continue on these areas in accordance with the plans in place which will be the subject of continual review, taking account of any competing priorities and demands.

5.3 Continuing monitoring and audit work is required particularly in relation to driving safely. The relationship between the implementation of the revised Driving Safely Policy and the associated supporting documentation with the statistics on vehicle incidents will be explored.

5.3 Continuing concerns regarding Violence and Aggression are being managed and addressed through a planned approach within the services where these type of incidents are most prevalent, supported by the Health and Safety Team as appropriate.

5.4 Important progress on revising guidance, systems and processes has been made with changes being implemented as required. The review and updating of the incident reporting system in particular is a key piece of work which will be implemented in 2023.

5.4 Work will also continue with the OD team in terms of utilising the range of tools and techniques available and the framework for communications to support managers in targeted areas to monitor and raise awareness amongst their teams.

5.5. With the agreement of the revised Flexible Working Policy and the implementation of the Smarter Working Project, including the embedding of hybrid working, continued support, advice and guidance will be required, over the next 6 months in particular.

6 Action Plan.

Actions	Target for Completion
Accident/Incident: Audit high risk services or issues	Continue with programme of audits in accordance with the timescales for completion according to prioritisation in order of importance. Quarterly review.
Work with services to ensure that appropriate winter maintenance plans are in place.	August 2023
Monitor the implementation of Driving Safely Policy and guidance within targeted services.	October 2023
Implement changes to the Incident Reporting System including launch and communications across the organisation.	June 2023
Accident/Incident: Produce updated Accident / Incident investigation guidance	October 2023
Identify changes to Safety Management System: Review of Fire Safety Policy Review of Health & Safety Policy Final approval	July 2023 December 2023 March 2024
Fire Risk Assessments: Continue to implement the fire risk assessment rolling programme.	Adhere to identified timescales for completion according to prioritisation in order of importance. Quarterly review.
Violence and Aggression – continue to support the work required in accordance with the priorities in the plan led by the Head of Education, Resources and Communities.	In accordance with timescales outlined in the ASN Action Plan 23/24, led by the Head of Education, Resources and Communities.

Risk Assessment: Develop online training package	July 2023.
Inspection: Monitor Joint Inspection programme introduced late 2022	Ongoing
Risk Management: work with OD colleagues to implement measures in targeted areas with high or increasing incident reports.	Planned work to be implemented in order of priority over the course of 2023.
Lone Working: Warning Markers – development of approach	March 2024
High level review of Safety Management System and identification of priorities for the revision of policies, ensuring availability of up to date resources for managers.	Ongoing