

**THE MORAY COUNCIL  
HEALTH AND SAFETY ANNUAL REPORT  
(January 2020 to December 2020)**

## **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 Covid 19 has had a significant impact on how the Council has had to operate during 2020 and this is reflected both in the statistics that have been collected and the way that the Health and Safety Team have had to function. Reduced activity and service provision in many areas due to restrictions imposed by the pandemic has resulted in a lower incident rate than might have been expected but there has also been an impact on the planned work of the Health and Safety Team as outlined in the report for 2019. It should also be noted that many services continued to operate during the pandemic with advice, guidance and support provided to ensure the health and safety of the workforce, service users and others. Work related to the COVID-19 pandemic and recovery will continue to be a key feature over the course of the next year. One particular aspect that has been brought to the fore over this period, given altered ways of working, is lone working which will feature in the policy review plans for the coming year.

2.2 Health and Safety Culture is a continuing key theme where detailed actions and interventions are being planned. 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.

2.2 Incidents based on human error continue to occur. Organisational development support is being targeted within service areas with the highest rates of incidents, seeking to understand the underlying causes and create improvements in embedding health and safety awareness into the workforce.

2.3 Violence and Aggression in schools continues to be a major theme. While the national lockdown created a pause in work to address this, a refreshed action plan has been developed to ensure that this issue, which is of significant concern, remains a key priority going forwards.

## **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 2020, with comparison to previous years' performance.

3.1.2 The main points to note are:

a) Incidents were down by 33% in 2020 as compared with 2019. This was most likely due to the impact of Covid-19 on services and the prolonged lockdowns of some services and changes to working patterns in others that resulted from it. Education continues to be the service that accounts for most incidents, followed by Environmental Services, and slips, trips and falls continue to be the top cause of accidents, as tends to be the case across different sectors and services. Appendix A contains further information. It should be noted that Education accounts for approximately 40% of the Council's workforce, providing service to approximately 11 900 pupils across Moray.

b) Violence and Aggression incidents in Education also declined by a quarter, again most likely due to the effects of Covid restrictions on schools which saw closures for 13 weeks out of a possible 40 during calendar year 2020 (33%). However it is worth noting that Education hubs became operational on 30 March 2020 and ran until 2 July 2020. Analysis of the data indicates that the incidents are largely due to a comparatively small number of pupils in a relatively small number of schools. There are a range of focused and tailored interventions already in place and as referred to above, an action plan is being implemented that includes work streams for the various inter-dependent elements that are considered to be key in helping address this issue, as part of the wider ASN review. The figures given for violence and aggression incidents elsewhere in the Council were negligible, again, probably reflecting the wholesale effects of the restrictions on many services, though a degree of under-reporting is likely (for example, in Social Care services) which requires further consideration.

c) The incident reporting process and data gathered will be reviewed and consideration given as to whether further, more detailed information and analysis is possible to inform future reports and actions as a result.

### 3.2 Review of Incidents/Accidents/Interventions

3.2.1 The following incident summaries are presented as a sample 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) A child suffered a serious injury to her leg during a play equipment accident when another child dismounted too quickly and the injured party's foot was thought to have been at an unfortunate angle. Defects were found and the item was removed from service but design features seem to be a likely cause of what happened. Public playground equipment is inspected and maintained and the importance of ensuring this was highlighted by the recent prosecution of a London council for a playground fatality.
- b) A relatively high number of slip and trip incidents were observed in the second half of the year. One involved a slip on stairs caused by hand sanitiser spillage; another was caused by defective stair fittings, resulting in a reminder to service and building management of the importance of risk assessments and appropriate interventions, for example, ensuring building maintenance. There was also a relatively high number of slips during the various cold snaps and this has prompted a review of the arrangements that are in place for keeping staff safe when there is ice and snow on the ground, including appropriate messaging and communication to raise staff awareness.
- c) Covid-19 had a significant effect on the way that many staff have had to work. Homeworking increased dramatically and this has had health and safety implications mainly in the form of postural problems. This is still a temporary arrangement but the Health and Safety Team have had a regular stream of calls for assistance with this. Guidance is in place for homeworking during the pandemic but in many cases short term arrangements will have been made and longer term advice and support will

have to be taken in to account when looking at ongoing and future working arrangements. The promotion of the self-assessment tool available on interchange will support employees to consider their individual working environment and highlight any issues that require further intervention.

- d) The HSE visited the new Moycroft Waste Transfer facility in December 2020 and issued 2 Prohibition Notices and one Improvement Notice. The Prohibition Notices were issued to Moray Reach Out who operate the recycling facility for the Council and refer to machinery breaches that were quickly rectified. The Improvement Notice was issued to the Council for deficiencies in pedestrian traffic separation, which is currently being addressed.

### 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. Covid 19 has had a significant impact on the work planned for 2020, however, an interim service plan has been outlined for 2020-22 and planned work will be carried out in accordance with this plan.

3.3.2 The following outlines the progress that has been made in addressing action areas established in the 2019 report

3.3.3 Accident/Incident – monitor high risk areas: Vehicle and Transport: incident data will continue to be monitored and responded to as appropriate. A survey of vehicle damage incident statistics compiled by Fleet Services over the last two years (2019 and 2020) recorded 202 incidents, 55 of which involved reversing (N.B. Not all of these incidents would be reported to the H&S Team as dangerous occurrences so the figures given are not reflected in the H&S Incident figures) A trial has been implemented in two services to involve service managers in the review of reversing incidents in an attempt to modify behaviour by increasing accountability. This will be reviewed in October 2021 and will be extended if successful.

3.3.4 Violence and Aggression: the action plan has been refreshed and updated with a group of officers, led by the Head of Education Resources, working on implementation, across different strands, supported as appropriate by the health and safety team and social work training team (SWTT), particularly around improved staff training. Whilst affected by the Covid-19 restrictions, work is now progressing in this area.

3.3.5 Fire Risk Assessments: a rolling plan has been put in place to carry out fire risk assessments using a risk based priority approach. Measures have also been introduced to ensure service managers are aware of and involved in any significant findings highlighted during fire risk assessments. The aim of this is to improve accountability and ensure that all appropriate actions arising are addressed.

3.3.6 Safe Working Methods: audits of high risk areas have almost been completed but audits of specific topic issues were impacted by Covid 19 restrictions. Plans are in place to carry out audit activity in 2021-22.

3.3.7 Improved Reporting and Monitoring: training of staff to carry out inspections in care facilities was progressing successfully but unfortunately was impacted by Covid-19 restrictions. It is planned to resume this during 2021-22 and if effective, roll out to other services.

3.3.8 Risk Assessment, Covid-19: Much of the focus of work during 2020 was in relation to Risk Assessment, particularly around the requirements resulting from national guidance on Covid-19. Risk Assessments are in place for all buildings and activities and are subject to ongoing and continual review. A compliance tool is being developed for application to Council services and will be used to build the foundation for ensuring that continual review is embedded into business as normal.

3.3.9 Risk Management: arrangements are being made with OD colleagues to take forward the work required to improve manager understanding and activity in targeted areas with high risk or increasing incident reports. In addition, appropriate links are being highlighted with the work around developing health and safety culture across the Council.

## **4 Benchmarking and National Developments**

4.1 The incident rate for 2020 is down in comparison with previous years, most likely due to reductions in activity and service provision, i.e. less people were in some workplaces so less accidents occurred. Figures available from the HSE are from 2019-20 and were not significantly influenced by Covid-19, so they are not particularly useful for comparison purposes.

4.2 Annual Incident Rate (AIR) figures based on RIDDOR incidents are available for comparison between all the councils in the north of Scotland, though Moray is the only one currently that measures the AIR on a calendar year basis. The figure for 2020 was 1.42, reflecting the reduction in activity during the year. The figure for 2019 was 3.7, which was at the higher end of the spectrum measured among north councils during 2019/20 i.e. these range from 1.82 to 4.4

4.3 The top 10 prosecutions for health and safety breaches in 2020 showed a decline in the number of high tariff sentences (i.e. over £1M fines) compared with 2019, though that may have been due to restrictions in court room access. Nevertheless, there were a number of high profile cases that involve activities carried out within the council. One firm was fined £1.1M for a ladder fall; a supermarket giant was fined £750k for a fall on a slippery floor; and two companies were fined £500k and £400k respectively for vehicle accidents, one of which involved reversing. None of these involved fatalities and go to illustrate the seriousness with which the courts are likely to treat poor health and safety standards.

## **5 Conclusions and Proposed Developments**

5.1 For most of the period covered by this report, Covid-19 had a significant impact on Council services and activities and this is reflected in the incident statistics for 2020. Numbers are significantly down for most measures and this makes comparison with previous years difficult.

5.2 Nevertheless, the underlying issues that have been highlighted in previous reports continue to be valid and important and are likely to feature again as services move in to the recovery phase, e.g. violence and aggression, lone working, vehicle incidents, health and safety culture. Plans are in place to address these issues and will be the subject of ongoing review throughout the year, taking account of any competing priorities and demands.

5.3 Work will continue with the OD team in terms of using different tools and techniques and communications to support managers in targeted areas to monitor and raise awareness amongst their teams.

5.4 As services and activities work through the recovery phase and towards a more “business as usual” approach, the impact of Covid-19 will continue to be important. It is likely that new and different ways of working e.g. homeworking, video conferencing, in work rota arrangements are likely to become permanent features of the Council’s working practices and as such a number of factors need to be taken into account, including, for example, workstation arrangements and social isolation issues. Work is already planned around refreshing policies on DSE and Lone Working and other potential health and safety issues arising from changed ways of working going forward will require to be identified and addressed.

5.5 In the interim period, Covid-19 will continue to be a significant factor for all areas of the council, probably for the rest of 2021. A corporate approach to risk assessment has been developed and this will be further revised to ensure continual review in line with any national, public health or professional standard recommendations that emerge.

## 6 Action Plan.

6.1 It is anticipated that the corporate health and safety team will continue to be involved with ongoing pandemic demands across services as the Council works through the recovery phase into more of a business as usual approach. Combined with the requirement to complete a proportion of monitoring work, including fire risk assessments, plus managing the ad-hoc operational work, this is likely to continue to have a considerable impact on the team’s ability to carry out other development or improvement work.

Actions	Target for Completion
<p>Accident/Incident: Audit high risk services or issues</p> <p>Review incident reporting process and implement changes as necessary.</p>	<p>Adhere to identified timescales for completion according to prioritisation in order of importance. March 22 with review quarterly.</p> <p>October 2021.</p>
<p>Accident/Incident: Review the trial of the reversing incidents initiative and implement measures as appropriate</p>	<p>Review to be undertaken by October 2021 with implementation by January 2022.</p>
<p>Fire Risk Assessments: Implement the fire risk assessment rolling programme.</p>	<p>Adhere to identified timescales for completion according to prioritisation in order of importance.</p> <p>March 22 with review quarterly</p>
<p>Violence and Aggression – implementation of the Challenging Behaviour Action Plan and roll out of identified training as appropriate.</p>	<p>In accordance with timescales outlined in Challenging Behaviour Action Plan.</p> <p>March 22</p>
<p>Covid 19 risk assessment – embed continual review over the course of the pandemic, including implementation of compliance tool</p>	<p>On-going</p> <p>Compliance tool to be operational in line with plans for a wider return to workplaces later in 2021.</p>

	Promote self-assessment tool for homeworking station
Audit/Inspection: Improve accountability by carrying out more inspections within services.	Adhere to identified timescales for completion according to prioritisation in order of importance
Risk Management: work with OD colleagues to implement measures in targeted areas with high or increasing incident reports.	Plan to be agreed by summer 2021, with implementation of appropriate interventions identified by March 2022 with review quarterly.
Revised Working Arrangements post Covid-19.	Refresh DSE and Lone Working Policies and support ongoing work related to recovery and moving to new ways of working as a permanent feature.  March 2022.