

Health & Safety Policy Roles and Responsibilities

VERSION CONTROL SUMMARY

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Page	Section / Paragraph	Amendment

Health and Safety Policy Roles & Responsibilities

1.0 Introduction

Melton Borough Council as an employer and landlord has legal duties that must be complied with, to ensure the health & safety of its employees and those that are affected by its day-to-day activities. Every employee has a responsibility in law for the health and safety of themselves and of others who may be affected by their acts or omissions. These duties and responsibilities are recognised by Melton Borough Council, which has agreed and set out policies and procedures to ensure that health & safety is considered in the management of all its services.

The Council, through its policies and procedures and by consultation with its employees, aims to develop a culture of shared responsibility. Employees are encouraged to accept this responsibility, but also to recognise the limits of their own competence and where necessary obtain advice from the Council's Health and Safety Officer.

The purpose of this document is to:

- set out the responsibilities of political leadership;
- the Chief Executive, Directors and Officers of Melton Borough Council who have specific responsibilities for health and safety;
- explain the arrangements for consultation on health, safety and welfare.

2.0 Political Leadership

The Leader of the Council and Cabinet have significant influence on the strategic direction of the organisation, the allocation of budgets and the policy decisions that are made, and therefore have a collective responsibility for providing effective leadership and direction.

They must ensure that the decisions they make take account of health, safety and welfare issues, and that sufficient resources are allocated for the effective management of these matters.

3.0 Executive Leadership - The Leader of the Council and the Cabinet

The Leader of the Council and the Cabinet have a role to collectively and proactively lead and effectively oversee health, safety and welfare by:

- ensuring that adequate financial and other resources are available to meet health, safety and welfare requirements;
- providing direction;
- ensuring that health and safety matters brought before them receive appropriate attention;
- ensuring health and safety implications are considered in all decisions;
- ensure one member of Cabinet has responsibility for corporate Health and Safety
- assisting and supporting the Chief Executive in respect of their responsibilities.

4.0 All Elected Members

All elected members, regardless of their role, are responsible for taking reasonable care for the health and safety of not only themselves, but also of other persons who may be affected by their acts or omissions at work. Therefore all elected members must:

- ensure that adequate financial and other resources are available to meet health, safety and welfare requirements;
- ensure that health and safety matters brought before them receive appropriate attention;
- co-operate fully with the Council's efforts to ensure compliance with health, safety and welfare legislation;
- not misuse, tamper or interfere with anything provided in the interests of health and safety;
- use equipment, machinery and plant, dangerous substances and other safety devices in accordance with health and safety information, instruction and training they have been provided with;
- report any situation that they believe, represents a serious and immediate danger to health and safety, or a shortcoming in the Council's arrangements for the provision of health and safety to the Director for Housing and Communities;
- where an imminent and significant risk to a person's health or safety exists, the activity being undertaken should be stopped;
- immediately report accidents, violent incidents, near misses including verbal and physical abuse, bullying and harassment, dangerous occurrences, hazardous workplaces or defective equipment to the Director for Housing and Communities;
- report any medical or physical condition which adversely affects their ability to conduct their work in a safe and healthy to the Democratic Services Manager.

5.0 The Chief Executive

The Chief Executive has overall responsibility for:

- making arrangements for the effective management of health and safety throughout the Council; and:
- making arrangements for ensuring the implementation of this policy.

To ensure the organisation complies with the above, the Chief Executive as strategic lead, has a key role to proactively lead on health, safety and welfare to ensure the organisation complies with the above by:

- ensuring that the council has an appropriate health, safety and welfare policy (including organisation and arrangements) in place;
- being aware of the general requirements of health, safety and welfare legislation and the overall policies and expected standards of Melton Borough Council;
- ensuring that all Directors understand their individual responsibilities and are adequately trained to carry out those responsibilities (in relation to their teams, premises or services, etc.), are aware of the general requirements of health, safety and welfare legislation, the

overall policies and expected standards of Melton Borough Council and discharge their responsibilities;

- appointing one of the Directors as the Corporate lead for Health & Safety;
- ensuring the Council has an adequate level of health and safety assistance and support to meet its legal responsibilities;
- ensuring that adequate financial and other resources are available to meet health, safety and welfare responsibilities within the constraints of budgets approved by the Council (and advising the Cabinet and Council where budgetary and policy decisions could put health & safety at risk);

In addition to the line management responsibilities, the Chief Executive has a key role in the oversight of health and safety management issues by:

- receiving an annual update of health and safety performance, including any gaps or areas for improvement and ensuring that appropriate action is taken as part of updates provided to the Senior Leadership Team;
- being informed of any significant health and safety challenges, failures and outcomes of investigations;
- ensuring that the Cabinet are made duly aware of key health and safety issues;
- receiving information on monitoring and audit activities;
- ensuring health and safety implications are considered in all decisions.

6.0 Directors

All Directors are responsible for ensuring that health and safety is managed effectively within the areas under their control by:

- ensuring that appropriate procedures and systems are formulated for any risks or work activities that are not specifically included within the Corporate health and safety policies and arrangements;
- ensuring health and safety implications are considered in all decisions;
- ensuring compliance with the Council's health, safety and welfare policies and procedures;
- ensuring that adequate financial and other resources are available to meet health, safety and welfare requirements, redirecting resources where appropriate within Council policy;
- reporting to the Chief Executive where they believe health and safety is at risk due to lack of provision;
- ensuring arrangements are in place for the effective control, monitoring and review of control measures;
- ensuring that managers under their control understand their individual responsibilities (in relation to their teams, premises or services, etc.), and are adequately trained to carry out their responsibilities;

- ensuring adequate management representation at all health, safety and welfare committees, and that arrangements exist for Health and Safety Representatives to carry out their duties;
- being aware of the general requirements of health, safety and welfare legislation and the overall policies and expected standards of Melton Borough Council.

6.1 Additional Responsibilities of the Director for Growth and Regeneration

In addition to their general responsibilities as a Director (listed above), the Director for Growth and Regeneration shall co-ordinate the development and implementation of health and safety policy and strategy in relation to Corporate Property and Assets by ensuring that:

- systems and procedures are in place to comply with current legislation in respect of property management and maintenance;
- systems and procedures are in place for the maintenance of all premises in the property portfolio;
- systems and procedures are in place to ensure that all potential risks during the construction phase of a project, and any future maintenance or demolition are addressed at the design stage;
- co-ordinate the development and implementation of corporate health and safety policy and strategy in relation to property.

6.2 Additional Responsibilities of the Director for Housing and Communities

In addition to their general responsibilities as a Director (listed above), the Director for Housing and Communities shall co-ordinate the development and implementation of health and safety policy and strategy in relation to Housing Assets and Tenancy Services and also act as the Corporate lead for Health and Safety delivery across Melton Borough Council and shall co-ordinate the development and implementation of health and safety policy and strategy in relation to the organisation by ensuring that:

As Director for Housing and Communities

- systems and procedures are in place to comply with current legislation in respect of housing management and maintenance;
- systems and procedures are in place for the maintenance of all premises in the housing portfolio;
- systems and procedures are in place to ensure that all potential risks during the construction phase of a project, and any future maintenance or demolition are addressed at the design stage;
- co-ordinate the development and implementation of corporate health and safety policy and strategy in relation to housing.

As Corporate lead for Health and Safety delivery across Melton Borough Council

- there is a co-ordinated approach to the development and implementation of corporate health and safety policy and strategy in relation to Melton Borough Council, its employees, and its activities;

- systems and procedures are in place to comply with current health, safety, and welfare legislation;
- reviewing health and safety performance, identifying any gaps or areas for improvement and ensuring appropriate action is taken;
- being informed of any significant health and safety challenges, failures, and outcomes of investigations;
- receiving information on monitoring and audit activities and ensuring any identified health and safety implications are addressed in all decisions;
- informing the Chief Executive of any key and significant health and safety issues; and
- chair the Health and Safety Working Group.

6.3 Additional Responsibilities of the Director for Corporate Services

In addition to their general responsibilities as a Director (listed above), the Director for Corporate Services shall co-ordinate the development and implementation of the health and safety policy and strategy in relation to Employee Health and Wellbeing by ensuring that:

- systems and procedures are in place to comply with current legislation in respect of Employee Occupational Health Surveillance as defined by the HSE - 'Health surveillance is about putting in place systematic, regular and appropriate procedures to detect early signs of work-related ill health among employees exposed to certain health risks; and acting on the results.';
- systems and procedures are in place to provide employees with support services where the need is identified including the Employee Assistance Programme, employee and manager support with wellbeing and stress management;
- being aware of sickness absence and reviewing with a view to particular trends identifying any gaps or areas for improvement and ensuring appropriate action is taken;
- co-ordinate the development and implementation of corporate health and safety policy and strategy in relation to people related policies, procedures, support and welfare systems.

7.0 Assistant Directors & Service Managers

Assistant Directors and Service Managers are responsible for ensuring that health, safety and welfare is managed effectively within the area(s) under their control and shall:

- ensure that adequate financial and other resources are available to meet health, safety and welfare requirements, redirecting resources where appropriate within council policy, and reporting to their Director where budget constraints or other considerations could put health and safety at risk;
- ensure that managers / team leaders under their control understand their individual responsibilities (in relation to their teams, premises or services) and are adequately trained to carry out their responsibilities;
- ensure that all managers / team leaders have devised and implemented procedures and safe systems of work within their area of responsibility including workplace monitoring inspection (both premises and equipment) at appropriate (and regular) intervals;

- ensure that appropriate risk management systems are implemented for the identification and control of all significant health and safety risks, within the areas under their control;
- ensure that managers / team leaders are aware of the premises and personnel for which they are responsible;
- monitor and review health and safety within their area(s) of responsibility, and take remedial action as necessary;
- be aware of the general requirements of health, safety and welfare legislation and the overall policies and expected standards of Melton Borough Council.

8.0 Team Leaders and Supervisors

All team leaders and senior officers / supervisors, etc. are responsible for the effective management of health and safety within their area of control. In addition to any specific responsibilities outlined elsewhere in this document, they shall set a personal example by:

- being aware of the general requirements of health, safety and welfare legislation and the overall policies and expected standards of Melton Borough Council;
- ensuring that adequate financial and other resources are available to meet health, safety and welfare requirements, and report any deficiencies to their Service Manager;
- co-operating with their manager or other responsible persons on health and safety matters;
- ensuring that all employees under their control understand their individual responsibilities, and are adequately trained to carry out those responsibilities (including ensuring that new employees receive health and safety induction training);
- ensuring that the relevant parts of the safety policy, systems and procedures are brought to the notice of and adhered to by all employees;
- ensuring that all accidents, incidents and near misses etc. are reported, and that effective and timely accident / incident investigations are carried out;
- ensuring that sufficient risk assessors are trained and competent to carry out their duties;
- ensuring that suitable and sufficient risk assessments are carried out, reviewed, and any identified control measure(s) are implemented;
- ensuring that there is workplace monitoring inspection (both premises and equipment) at appropriate (and regular) intervals;
- ensuring that equipment, machinery and plant provided is suitable for the task, maintained in a safe condition, serviced and inspected in accordance with the manufacturers recommendations and identified defects are rectified in a timely manner;
- ensuring that all appropriate and suitable safety equipment and PPE is provided and readily available for use by employees;
- responding appropriately to any safety concerns brought to their attention by employees;

- ensuring that health surveillance needs are identified, and where necessary arrangements are put in place and managed, in line with corporate policy and statutory legislation, in any area under their control;
- ensuring that their specific responsibilities for health and safety are adequately delegated in their absence;
- informing their line manager of any serious or significant incidents / health, safety & welfare issues causing concern.

9.0 Building Responsible Officer

The 'Building Responsible Officer' is the nominated person at each property. This will either be the most senior manager on the site either from the Corporate Property and Asset Management Team / Housing Asset Management Team (dependant on the property type) or a designated employee from the Corporate Property and Asset Management Team / Housing Asset Management Team. They will be responsible for the day-to-day safety management of the premises.

In some cases (where determined by a specific contract), the Building Responsible Officer may be an external contractor.

The Building Responsible Officer must:

- comply with the Council's policies and agreements relating to property management (health and safety policies, landlord / tenant agreement, etc.);
- report defects, breakdowns, or other maintenance as soon as possible, and ensure repairs are actioned;
- make sure procedures are in place for managing visitors, including contractors (e.g. a signing in procedure, assistance in a fire evacuation, etc.);
- keep premises records up to date (including records of asbestos and water hygiene monitoring, fire log including fire drills, etc.). These should also include an accurate record of contractors visits;
- ensure that emergency procedures are in place, (including arrangements for 'out of hours' emergencies, and that these are known and tested regularly (e.g. regular fire drills). Relevant information must also be readily available to the emergency services (e.g. by using a 'red box'/'fire box' risk information box);
- make sure employees and visitors to site (including contractors) are informed of relevant health and safety procedures, e.g. fire evacuation procedures, and any hazards they may encounter e.g. asbestos, fragile roofs;
- ensure that all contractors (including any maintenance staff directly employed by the Council) are shown, and sign to say that they have been given access to the site's asbestos register;
- notify the Corporate Property and Asset Management Team / Housing Asset Management Team in writing before carrying out any building work (as landlord permission may be required);
- assist in the monitoring of any maintenance work carried out by contractors, by reporting any outstanding issues or unsatisfactory work;

- ensure that all the building's machinery, plant and other fixed services and systems are maintained (and also formally inspected as relevant), and that maintenance and inspection records are kept on site;
- ensure there is effective communication regarding health and safety issues between all services operating from the site, including ensuring there is a site forum / meeting with other services operating out of the site, where site management issues can be discussed.

10.0 All Employees

All employees, regardless of their role or position, are responsible for taking reasonable care for the health and safety of not only themselves, but also of other persons who may be affected by their acts or omissions at work. Therefore all employees must:

- co-operate fully with the Council's efforts to ensure compliance with health, safety and welfare legislation;
- not misuse, tamper or interfere with anything provided in the interests of health and safety;
- use equipment, machinery and plant, dangerous substances and other safety devices in accordance with health and safety information, instruction and training they have been provided with;
- report any work situation that they believe, represents a serious and immediate danger to health and safety, or a shortcoming in the Council's arrangements for the provision of health and safety to their line manager;
- where an imminent and significant risk to a person's health or safety exists, the activity being undertaken should be stopped and the line manager must be contacted immediately (as soon as is safe to do so);
- immediately report accidents, violent incidents, near misses including verbal and physical abuse, bullying and harassment, dangerous occurrences, hazardous workplaces or defective equipment to their line manager and where this is not possible to their line manager;
- report any medical or physical condition which adversely affects their ability to conduct their work in a safe and healthy manner to their line manager.

11.0 The Health & Safety Officer

The Health and Safety Officer has a key role in the promotion of health, safety and welfare as an integral part of the general management function.

The primary responsibility of the Health and Safety Officer is an advisory one, working with managers to ensure that they understand and comply with the requirements of relevant legislation.

11.1 The Health and Safety Officer will:

- provide challenge, support, advice and direction on health and safety matters;
- produce and review health and safety strategy, policy and guidance;
- monitor the Council's health, safety and welfare management arrangements, including auditing and inspection producing recommended corrective action;

- develop a health and safety action plan based on audit outcomes and accident, incident and near miss data and trends along with relevant and topical national trends and HSE data, legislation updates etc.
- liaise with external bodies (e.g. HSE);
- liaise and consult with Trade Union Safety Representatives;
- identify / develop / deliver / commission relevant health and safety training;
- maintain an accident, incident and near miss record (where informed) and report on the quantity and nature of these adverse events, trends and common factors;
- undertake formal incident investigations where requested or appropriate and advise upon preventative measures and improvements to the health and welfare of MBC employees;
- identify, develop, contribute and promote the development of health, safety and welfare initiatives whether this be internally or by bringing in external consultants/experts where appropriate;
- report directly to the Director for Housing and Communities, present reports, information and data to the Health & Safety Working Group and receive feedback and comment where appropriate and brief OLT, Directors and Chief Executive as appropriate on matters of Health and Safety policy, procedure and areas of concern as appropriate.

12.0 Elected Safety Representatives

Safety Representatives are appointed through the relevant Trade Unions to represent their members (and employees more generally) in consultations on health, safety and welfare with the Council. An important part of this role is to promote and contribute to the development of measures to ensure the health and safety of employees and to monitor the effectiveness of such measures.

Individuals recognised by the Council as Safety Representatives in accordance with legislation and Council arrangements, will represent employees in safety related meetings and committees and, as part of their functions can:

- investigate potential hazards at the workplace;
- investigate complaints by any employee they represent;
- make representation to the employer;
- carry out inspections;
- represent employees in consultation with HSE Inspectors or other enforcing authorities;
- receive information from Inspectors;
- attend Safety Committee meetings;
- attend the required training sessions with regard to Health and Safety.

Safety Representatives are entitled to inspect the workplace, or part of it, in the following circumstances:

- if they have not inspected it within the previous three months;
- where there has been substantial change in the conditions of work;
- after a notifiable accident, dangerous occurrence or notifiable illness, as specified in Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).

Safety Representatives shall notify the relevant manager of their intention to carry out an inspection where it is reasonably practicable. The appropriate manager shall provide such facilities and assistance, including facilities for independent investigation and private discussion, as the safety representatives may reasonably require.

NB: It is worth noting that apart from the general duty placed on them as an employee, no Safety Representative is legally responsible for accepting the course of action taken by the employer. Nor is the representative in any danger of criminal proceedings being taken against them should they omit to carry out any of their functions. By the same token, it must be clearly understood that such protection will only be afforded to a representative whilst acting within their jurisdiction.

13.0 Members of the Corporate Health and Safety Working Group

In addition to their main job role responsibilities, each nominated Health and Safety Champion will act as the organisation's 'conscience' with regard to operational health, safety and welfare by:

- reviewing health and safety performance, identifying any gaps or areas for improvement and ensuring that appropriate action is taken;
- being informed of any significant health and safety challenges, failures and outcomes of investigations;
- receiving information on monitoring and audit activities;
- ensuring health and safety implications are addressed in all decisions;
- informing the Director for Housing and Communities of any key health and safety issues;

The Health & Safety Working Group will comprise as a minimum of the following:

- one Director; corporate lead for Health and Safety;
- one Portfolio Holder responsible for health and safety;
- four management representatives (representative from across the Directorates);
- Trade Union representatives from each union proportionate to the members of council staff represented;
- Representation from non-unionised staff;
- The Health & Safety Officer.

The group may also invite representation from contractors where items of mutual interest are to be discussed as well as representation from Parkside Partners and other tenants as appropriate.

The Health & Safety Officer will act as co-ordinator of the group.

The group will meet on a monthly basis or more frequently should the need arise. The recommendations of the group will be forwarded to the Joint Staff Working Group (which meets with Trade Union members and regional representatives five times a year) and Senior Leadership Team.

Reports, draft documents, and information for consideration shall be submitted in writing at least 3 working days in advance to the group members.

13.1 The Health & Safety Working Group will be initially responsible for the following:

- The group will fulfil the requirements of the Safety Representatives and Safety Committees Regulations 1977 (as amended), particularly the general requirement on employers to consult with Trade Union Safety Representatives on significant matters of health, safety and welfare;
- Working with the Health and Safety Officer with the development of the Council's health and safety arrangements, including commenting on new and revised corporate health and safety policies, standards, guidance, etc. at the draft stage and monitoring of the arrangements for the implementation of the Council's health and safety management;
- The study of accidents, incidents, near misses and notifiable disease statistics and trends, so that reports can be presented to OLT and SLT on unsafe practice and unhealthy conditions together with recommended corrective / remedial action(s);
- Examination of H&S Audits and Inspection outcomes and any trends or areas of concern can be presented to OLT and SLT;
- Consideration of reports and factual information provided by appointed enforcing authority inspectors e.g. the HSE, Fire and Rescue Authority etc;
- Consideration of reports which safety representatives may wish to submit;
- Assist in the development of the Health & Safety Policy, safe systems of work and other related procedural documentation as and when appropriate;
- Assist with training needs identification across the organisation and the constant appraisal of the effectiveness of health and safety training;
- Assist with the communication of all matters relating to health and safety to their teams and employees as well as feeding back on newly introduced policy and procedure and the constant appraisal of the effectiveness of the communication of safety matters within the Council.

14.0 Occupational Health Service

The Council is committed to the provision of a comprehensive Occupational Health Service, as a fundamental part of its health and safety management system.

The Occupational Health Service is concerned with ensuring that individuals are fit and healthy in respect of their work, and that employees are not adversely affected by their job or vice versa. Occupational Health professionals support the Council in its aim to improve the health and wellbeing of employees and are responsible for:

- screening pre-employment forms and assessing fitness for work;

- ensuring management has appropriate and effective medical advice on a range of occupational health issues;
- carrying out health surveillance, and supporting the organisation to detect early signs of work-related ill-health among employees;
- the maintenance and retention of employees' health information in accordance with the relevant statutory legislation, ensuring confidentiality and compliance with the Data Protection Act at all times.

15.0 Consultative Arrangements for Health and Safety

Meetings will be informal in nature but will abide by the rules of debate under the control of the Chair, who will ensure that all parties are heard.

All committees under these consultative arrangements are required to communicate outputs from their meetings to the committees above and/or below in order to share learning points where there is value in this.