



CORPORATE HEALTH AND SAFETY COMMITTEE - 19TH FEBRUARY 2018

SUBJECT: RECENT HSE UPDATES

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to inform Members, Management and Trade Union Safety Representatives of recent updates in Health and Safety information, advice and guidance.

2. SUMMARY

- 2.1 The following report is provided as information for members of the Committee, to ensure they are kept informed of changes to health and safety legislation and approved codes of practice which will affect the Council, as well as advising of any relevant accidents, incidents and prosecutions.

3. LINKS TO STRATEGY

- 3.1 The report is provided as information to Members of the Health and Safety Committee in line with the Council's Health and Safety Policy.

4. THE REPORT

- 4.1 Bridgend County Borough Council is to face prosecution over the death of a pupil, the Health and Safety Executive (HSE) has said the 15 year old, was involved in a collision with a minibus at Maesteg Comprehensive School on 10th December 2014. He suffered multiple injuries in the incident and was pronounced dead at the scene.

An inquest into his death found he was killed accidentally. Concerns had been raised about safety at the school before the crash, with a regular bus driver telling the Aberdare inquest it was an "accident waiting to happen". His statement said a lack of space in the parking bay meant two of the buses had to wait on the other side of the road, and the end of the school day was a "free-for-all" with children running across the road. He had raised concerns with school staff before the accident, and days before Ashley Talbot's accident two pupils had walked in front of a minibus causing it to brake sharply.

No action was taken against the teacher driving the minibus. The Police Officer who conducted a forensic investigation of the scene, said the minibus driver would have had "less than a second to react" after Ashley and his friend ran out in front of the minibus. The minibus was travelling between 14 and 17mph before the collision. A tunnel effect created by buses on both sides of the road would have restricted the minibus driver's view and there was no evidence to suggest the driver had been distracted.

The HSE said the Council will face a charge under the Health and Safety at Work etc. Act.

- 4.2 London Borough of Brent Council has been fined £100,000 and ordered to pay £10,918 costs after two of its social workers were assaulted by the mother of a vulnerable child they were visiting.

Two Social Workers visited the child's home to carry out a safety plan assessment when the incident happened. As they were taking notes, the mother struck both Social Workers over the head with a metal object. One of them was knocked temporarily unconscious and later diagnosed with post-traumatic stress disorder. Both received serious wounds to the head.

An investigation by the Health and Safety Executive (HSE) found the local authority had failed to follow its corporate lone working policy or guidance on violence and aggression. No risk assessment was completed and staff were not adequately trained. The council also failed to add an aggression marker to the child's file to make the social workers aware of the hazards posed by the mother who was known to have a history of violence.

London Borough of Brent pleaded guilty to breaching s 2(1) of the Health and Safety at Work Act at Westminster Magistrates' Court on 29 November.

Violent and aggressive incidents are the third biggest cause of injuries reported to HSE from the health and social care sector.

- 4.3 The London Borough of Lewisham has been fined £150,000 and ordered to pay costs of £65,000 after a woman fell into a vehicle inspection pit. The Council has been found guilty of breaching section 3(1) of the Health and Safety at Work etc. Act 1974.

Southwark Crown Court was told the woman fell and struck her head while work was being carried out on the premises.

The HSE found that Lewisham Council had disregarded recommendations from an independent safety and health consultant to put guards around or over the inspection pits. It had also ignored HSE guidance on preventing falls into pits.

- 4.4 The board of governors at a primary school has been fined after a pupil's fingers became trapped in a toilet door.

Manchester Magistrates' Court heard how, on 29 September 2016, the four-year-old pupil, who had been at St Joseph's RC Primary School for three weeks, was allowed to access the girls' toilet alone. She was heard screaming by members of staff, who found her with her fingers trapped in the hinges of the toilet door. These injuries later resulted in partial amputation of her right middle finger.

The Health and Safety Executive (HSE) investigation found that the finger guard on the door was missing as one had not been fitted since the toilets were converted five years previously. The investigation also found there was no system in place for checking and monitoring the door guards. Staff had also highlighted to the former head teacher that the door was too heavy for young children to open.

The Board of Governors at St Joseph's RC Primary school, of Market Street, Mossley, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work Act 1974, and was fined £4000 plus order to pay £1750.90 costs.

- 4.5 The Health and Safety Executive (HSE) has published its annual ill-health and injury statistics for Great Britain. The latest estimates from the Labour Force Survey (LFS) show:

- The total number of cases of work related stress, depression or anxiety in 2016/17 was 526,000, a prevalence rate of 1,610 per 100,000 workers.
- The number of new cases was 236,000, an incidence rate of 720 per 100,000 workers.

- The total number of working days lost due to this condition in 2016/17 was 12.5 million days. This equated to an average of 23.8 days lost per case.
- In 2016/17 stress, depression or anxiety accounted for 40% of all work-related ill health cases and 49% of all working days lost due to ill health.
- Stress is more prevalent in public service industries, such as education; human health and social care work activities; and public administration and defence.
- By occupation, jobs that are common across public service industries (such as healthcare workers; teaching professionals; business and public service professionals) show higher levels of stress.
- The main work factors cited as causing work-related stress, depression or anxiety were workload pressures, including tight deadlines and too much responsibility and a lack of managerial support .
- Work-related ill health, injuries and what is now an estimated £14.9 billion cost to the economy have generally followed downward trends over time. The new data confirms the picture seen in recent years that, even if Great Britain continues to have one of the best health and safety records in Europe, most of the indicators are now broadly flat.

The importance of increasing emphasis on health is reflected by an estimated 1.3 million workers suffering from a work-related illness (new or long standing) in 2016/17. Around 80% of these were musculoskeletal disorders or stress, depression or anxiety, with an estimated 0.5 million cases each. With 12,000 deaths, occupational lung diseases accounted for 90% of the estimated 13,000 deaths linked to past exposures at work (often decades ago). The HSE plans to prioritise tackling these areas.

5. EQUALITIES IMPLICATIONS

5.1 There are no equalities implications.

6. FINANCIAL IMPLICATIONS

6.1 There are no financial implications.

7. PERSONNEL IMPLICATIONS

7.1 There are no personnel implications.

8. CONSULTATIONS

8.1 All comments from consultees have been included in the report.

9. RECOMMENDATIONS

9.1 That the contents of the report be noted.

10. REASONS FOR THE RECOMMENDATIONS

10.1 For information only.

11. STATUTORY POWER

11.1 Not applicable to this report.

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