



CORPORATE HEALTH AND SAFETY COMMITTEE – 14TH NOVEMBER 2022

SUBJECT: RECENT HEALTH AND SAFETY EXECUTIVE UPDATES

REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to inform the Committee about recent relevant accidents, incidents and prosecutions by the Health and Safety Executive (HSE).

2. SUMMARY

- 2.1 The report is provided as information for members of the Committee, to ensure that they are kept informed of any matters that could impact on the management of health and safety within the Council.

3. RECOMMENDATIONS

- 3.1 That the Committee note the contents of the report.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To keep the Committee up to date on any health and issues that may be relevant or may require further consideration.

5. THE REPORT

5.1 HSE prosecution 8 years later

- 5.1.1 A Health and Safety Executive (HSE) prosecution is being brought against a care home and former care manager following the death of an 18-year-old in care who was discovered unconscious at the care home in 2014.

Alexandra Homes (Bristol) Limited face charges under Sections 2(1) and 3(1) Health and Safety at Work etc. Act 1974. The former care home manager also faces a charge under Section 37 of the Health and Safety at Work etc. Act 1974.

The case highlights there being no timescale within which charges have to be brought for

health and safety prosecutions.

5.2 Conclusion

- 5.2.1 Health and safety remains a key priority for Local Authority consideration. Although the HSE are less pro-active than previously, they will investigate and prosecute if there are health and safety failings. As an Authority we ensure that we keep up to date with knowledge of recent prosecutions or safety notices to enable us to implement any learning from such actions within Local Authority services if applicable. Ensuring that health and safety is considered, and risks assessed and controlled, assists the Authority in meeting its legal obligations, in protecting the health and safety of employees and others.

6. ASSUMPTIONS

- 6.1 No assumptions have been made regarding the information contained in this report.

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 This report is for information only and so an Integrated Impact Assessment is not required

8. FINANCIAL IMPLICATIONS

- 8.1 There are no financial implications.

9. PERSONNEL IMPLICATIONS

- 9.1 There are no personnel implications

10. CONSULTATIONS

- 10.1 All comments from consultees have been included in the report.

11. STATUTORY POWER

- 11.1 The Health and Safety at Work etc. Act 1974 and Management of Health and Safety at Work Regulations 1999.

Author: Andrew Wigley, Principal Health and Safety Officer, wiglea@caerphilly.gov.uk

Consultees: Christina Harray, Chief Executive, harrhc@caerphilly.gov.uk,
Richard Edmunds, Corporate Director for Education and Corporate Services,
edmunre@caerphilly.gov.uk
Dave Street, Corporate Director Social Services and Housing,
streetd@caerphilly.gov.uk
Mark S Williams, Corporate Director for Economy and Environment,
willims@caerphilly.gov.uk
Lynne Donovan, Head of People Services, donovl@caerphilly.gov.uk
Cllr Nigel George, Cabinet Member for Corporate Services,
GEORGN@caerphilly.gov.uk
Emma Townsend, Health and Safety Manager, townsej@caerphilly.gov.uk