



Licensing & General Purposes Committee

Title	Health, Safety & Wellbeing Consultation
Date of meeting	8 November 2023
Report of	Tamara Djuretic – Director of Public Health and Prevention
Wards	N/A
Status	Public
Urgent	No
Appendices	Appendix A – Health and Safety Communication and Consultation, arrangements
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Summary

This report provides information on proposed changes to the way the council consults and communicates with Trade Unions and staff on matters related to Health and Safety. The main notable change is the introduction of a Corporate Health and Safety Consultative forum, chaired by the Chief Executive, with representation from Trade Unions and Senior Management.

Recommendations

- That the committee agree the revised Health and Safety Consultation arrangements and note the establishment of a Corporate Health and Safety Consultative forum.**

1. Reasons for the Recommendations

- The aim of these arrangements is to create a structure for the council to communicate and consult with its staff and 'Recognised Trade Unions' on work related health, safety and wellbeing matters. Also, to meet the requirements of:
 - The Health and Safety at Work, etc. Act 1974
 - The Management of Health and Safety at Work Regulations 1999
 - The Safety Representatives and Safety Committees Regulations 1977
 - The Health and Safety (Consultation with Employees) Regulations 1996

- 1.2 All employees of the council, including appropriate schools and nursery-based staff are covered by these arrangements.
- 1.3 The council is committed to ensuring a safe and healthy workplace, the provision of adequate welfare facilities and to communicating and consulting with staff and Recognised Trade Unions to:
- Promote a healthy and safe working environment for all members of staff employed by the council.
 - Ensure and monitor the welfare arrangements (facilities for eating, toilets, first aid and drinking etc.) provided for employees.
 - Give employees wider interests in and greater opportunity to influence, the environment and conditions under which their work is performed.
 - Provide a forum for consultations and as necessary negotiations, on health, safety and welfare arrangements and, health and safety issues resulting from council officers' proposals to change the way work is performed.
- 1.4 The **only notable change** to the previous arrangements, is the establishment of a Corporate Health and Safety Consultive Forum (CHSCF). This will be the Council's Primary Health and Safety forum. The Chief Executive will chair the forum, with representation from Trade Unions and Senior Management.
- 1.5 The Corporate Health and Safety Consultive forum fulfils the functions under the Safety Regulations and Safety Committees regulations 1977
- 1.6 The CHSCF will seek to promote health and safety and welfare within the Council and will keep under review the measures taken to ensure health and safety and welfare at work.
- 1.7 The Forum will receive and comment on reports, including: -
- The Council's half-year and annual health and safety performance report providing an update of health and safety activities and giving information on outcome measures.
- 1.8 Due to the size and diversity of the council's activities, it is necessary for Area JNCC's (covering Industrial Relations and Health, Safety and Wellbeing) to be set up, and to report through the responsible Chief Officer to the CHSCF.
- 1.9 The council's Health and Safety Committees will keep under review the councils Health and Safety Management System and the specific measures taken to ensure the health and safety at work of employees.
- 1.10 The main objective of these corporate committees is to promote co-operation in instigating, developing and carrying out measures to ensure the health and safety at work of council employees.
- 1.11 Any health and safety and welfare matters which are the responsibility of the Council and not the CHSCF such as non-employees matter set out in the Council's Constitution must be referred to the Licensing and General Purposes Committee.

2. Alternative Options Considered and Not Recommended

- 2.1 Consideration was given to establishing a member led sub-committee.
- 2.2 Following discussions with senior leaders and Trade Unions, it was decided this was not required at this stage and that a corporate forum, chaired by the Chief Executive and Head of Paid Services, would be more appropriate.
- 2.3 Members will still receive oversight on the council's performance and contribute to the council's health, safety and wellbeing objectives by receiving the Annual Health, Safety and Wellbeing report and agreeing its priorities.
- 2.4 In addition to the annual report, certain corporate reports such as significant policy change, or major risks that may affect the council, will be presented to the Licensing and General Purposes Committee. As well as matters that cannot be resolved at the corporate forum.

3. Post Decision Implementation

- 3.1 The new Corporate Health and Safety Consultative forum will be established and a forward plan, with dates, produced.

4. Corporate Priorities, Performance and Other Considerations

Corporate Plan

- 4.1 The Barnet Corporate Plan includes the strategic priority "Being an engaged an effective council", and further within this "Being a great place to work".
- 4.2 This report aims to contribute to that priority by setting standards, through the way it manages health and safety, to ensure the council remains exemplars in the community in the way it manages risk and improves and promotes workplace wellbeing. To continue to be a good employer and also protect persons who may come into contact with its activities.

Corporate Performance / Outcome Measures

- 4.3 None

Sustainability

- 4.4 N/A

Corporate Parenting

- 4.5 N/A

Risk Management

- 4.6 Failure to effectively manage health and safety risk increases the likelihood of injury and ill health to staff and others during council activities. Significant failure may lead to a catastrophic event that causes multiple injuries or fatalities to staff and the public. Failure to comply with statutory obligations increases the risk of prosecution. Any work practices that result in ill health or injury could result in legal action against the council, financial loss and negative publicity leading to reputational damage.

- 4.7 **Insight**

N/A

5. Resource Implications (Finance and Value for Money, Procurement, Staffing, IT and Property)
5.1 There are no additional financial implications as a result of the proposed decision. Health and Safety management is part of business as usual and is managed within existing budgets.
6. Legal Implications and Constitution References
6.1 Employers must introduce consultation arrangements to ensure compliance with the Safety Representatives and Safety Committees Regulations 1977 as well as the Health and Safety (Consultation with Employees) Regulations 1996.
6.2 Under Part 2B of the Constitution, the Terms of Reference and Delegation to the Licensing and General Purposes Committee include: To carry out the functions under any relevant statutory provision within the meaning of Part I (Health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work Act 1974, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer.
6.3 Under Part 2F of the Constitution, Delegation to Officers include responding to consultation documents, which are considered appropriate to be dealt with at officer level.
7. Consultation
7.1 Consultation on these new arrangements was conducted with Trade Unions.
7.2 The Proposed arrangements were also presented to and agreed by Corporate Management Team.
8. Equalities and Diversity
8.1 The council's Corporate Health and Safety Policy aims to ensure the protection of employees and anyone else who may come into contact with our activities and services. This includes people at particular risk, for example people with disabilities, pregnant women and vulnerable service users. The policy helps to enhance Barnet's reputation as a great place to work and aims to protect employees and service users taking regard of age, disability, ethnicity, faith/belief, gender, and sexual orientation.
8.2 The policy also supports the council in meeting its statutory public sector equality duties and compliance with the range of employment (equality) regulations.
9. Background Papers
9.1 The Safety Representatives and Safety Committees Regulations 1977
9.2 The Health and Safety (Consultation with Employees) Regulations 1996