

# WIRRAL COUNCIL

## Annual Health and Safety Report September 2024

### Summary

All Local Authorities are regulated by the Health and Safety Executive (HSE). The Authority's Senior Leadership Team (SLT) and the Strategic Health and Safety Wellbeing Board (HSWB Board) accepts the statutory obligations under the Health and Safety at Work etc Act 1974 which, along with subordinate and other legislative requirements are recognised as the minimum standards to be achieved.

Wirral Metropolitan Borough Council is committed to continually providing best practice standards in the delivery of a positive Health and Safety culture and considers this a fundamental component in providing a safe and healthy environment for staff, users of services and the public.

This report provides details of the structure of Governance that exists along with the key operational practices that exist. Also provided are the details of Health and Safety reporting for the financial year 23/24

### 1. Introduction

The Health and Safety at Work etc Act (1974) provides a legislative framework to promote and encourage Health and Safety standards at work. The Council has a legal obligation to manage health and safety risks arising from its activities and provide a Health and Safety Policy. There are additional health and safety regulations, approved codes of practice and guidance which the Council must also comply with.

### 2. Strategic Health and Safety Risk Management

The Health and Safety Risk Register is a new strategic level document that identifies the key risks to delivering the Health and Safety Policy objectives. The Health and Safety risk register links to the Corporate Risk Register and is updated quarterly in conjunction with risk owners and the Council's H&S Team.

The Health and Safety Risk Register is monitored by the HSWB Board twice a year to ensure oversight of the key strategic risks and progress towards managing those risks so low as reasonably practicable

Periodically external audit of health and safety compliance has been undertaken. Most recently in 2019 and 2022. The audits were undertaken by Zurich Risk Management Services. They identified some gaps in systems and processes and the latter audit noted improvement in the approach to risk management and innovative systems designed to improve compliance.

### 3. Operational Health and Safety Risk Management

The law places an 'absolute duty' on employers to assess the risks to employees and others that arise from its undertaking, which require risk assessments, and must include:

- Identified hazards arising from or in connection with the work.
- Who will be affected by the hazards and how.
- The control measures in place or proposed control measures.



- Evaluation of the risk.
- Review date.

Wirral Metropolitan Borough Council adopts a structured approach to the completion of risk assessments to ensure consistency across the organisation. Risk assessments are completed on the Council's risk assessment templates and are reviewed as follows:

- Whenever there is a significant change e.g. staff, environment or equipment.
- After an accident or 'near miss'.
- After non-compliance identified through audits and inspection programmes.
- At least annually.

The Health and Safety Team has developed a risk management system to support delivery of the objectives of the Health and Safety policy and ensure compliance with the relevant legislation. The Risk Management System provides a compliance performance dashboard, which is monitored by the Health, Safety and Wellbeing Team and the Health, Safety and Wellbeing Operational Group (HSWB Operations Group).

The Health and Safety Team have provided a suite of health and safety management arrangements and guidance documents to assist managers and Schools in following the processes and procedures which will enable them to reach full compliance.

#### **4. Health and Safety Performance Monitoring**

Performance monitoring is undertaken to provide senior leaders with the assurances that health and safety performance is maintained and improved throughout the organisation. From a top-down perspective health and safety performance is monitored and reported via;

1 The Strategic HSWB Board – consisting of Senior Leadership Team and chaired by the Chief Executive or nominated officer. The Board meets quarterly to review performance reports and discuss new and emerging issues. The Board receives reports of employee accidents and incidents, service audit updates, health and safety training and employee wellbeing initiatives.

2 There are two subgroups that report into the Strategic HSWB Board – the HSWB Operational Group – includes representatives from each Directorate Management Team and provides a gateway to each Directorate – and the Wellbeing Group includes Officers from Human Resources (HR) Employee Relations (ER) Organisational Development (OD) and Health and Safety (H&S). The Wellbeing group reviews attendance data and other service level performance matters and provides targeted interventions and support. The Wellbeing Group also provide communications on wellbeing initiatives for the organisation.

3 The work of the Strategic HSWB Board is overseen by the Corporate Governance group which reviews performance against the Health and Safety Policy and provides oversight support and challenge to unblock issues with compliance.

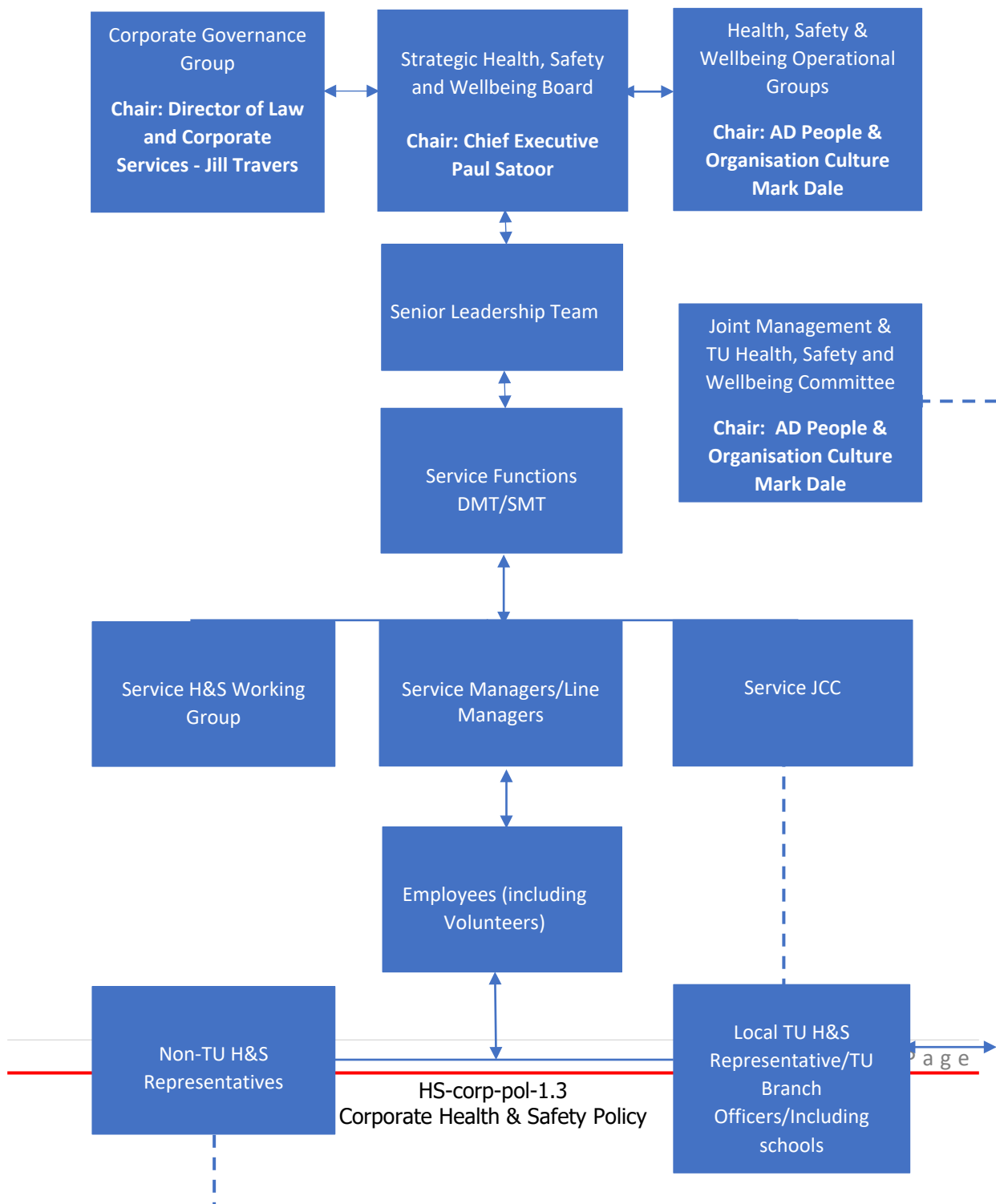
4 Assurance Governance Statement (AGS) – a new health and safety requirement was added to the AGS in January 2024 and Directors have been provided with H&S Compliance Self-Assessment guidance to support a submission on behalf of their respective Directorates. The AGS is assessed and reported to Internal Audit.

5 Service health and safety audits are completed by the Councils Health and Safety Team. Action plans are monitored, and performance is reported to the HSWB Board Ops Group, and a summary report is provided to the Strategic HSWB Board. Assistant Directors are copied into monthly audit reminders to ensure responses to recommendations are also monitored within the service.

6 Two previous external audits as mentioned earlier of the health and safety system have been undertaken by Zurich Municipal Risk Management Services, and action plans provided to support improvements in compliance. Recommended actions have been merged with a separate H&S Improvement Plan and included within the guidance for each Directorate to complete the AGS as referenced in point 5 above.

Within the Health and Safety Policy, the management and oversight of Health and Safety are structured as follows:

### Health and Safety Organogram



## 5. Health and Safety Policy

Wirral Metropolitan Borough Council follow the approved Health and Safety Executive guidance for the management of Health and Safety known as HSG 65 – Managing for Health and Safety.

This document provides clarification and direction in relation to:

- Effective Health and Safety policies.
- Organisation of Health and Safety.
- Planning and implementation of requirements.
- Measuring and auditing performance.

HSG 65 describes the essential requirements of successful Health and Safety management. By using this model, the Council ensure that the requirements noted below are met with evidence collated:

- Legal and statutory obligations under the Health and Safety at Work etc Act (1974) and subsequent regulations are met.
- Health and Safety management is understood and effectively managed.
- Health and Safety compliance is evidenced providing assurance to the Strategic Health, Safety and Wellbeing Board.
- Health and Safety is an integral part of Councils culture and its daily operating systems.
- To protect staff, users of services, public, services, reputation and finances, through the process of early identification of risks relating to Health and Safety. Where risks are identified, sufficient assessments, controls and mitigation are in place.
- Safe systems of work are in place and adhered to.
- Provide a safe working environment without risks to health.
- Adequate provision of welfare facilities.
- Provision of sufficient training, instruction and information to enable all employees to contribute positively to their own safety and health at work.
- There are safe arrangements for the use, handling and storage and transport of articles, materials and substances.
- There is safe access and egress.
- Staff understand the need to comply with Health and Safety policies and procedures.
- There is a top-down commitment to Health and Safety.
- A supportive culture to learning from incidents is evidenced.

## 6. Underpinning Legislation

The following regulations underpin the Council's approach to safety management enabling a safe and secure environment to be maintained (*the list is not exhaustive*). These regulations are enacted under the Health and Safety at Work etc Act (1974) which places additional duties on employers to their employees.

Health and Safety at Work Act 1974, forms the basis of the employers duties and the examples within the table below focus on additional specific legal requirements	
Workplace (Health, Safety and Welfare) Regulations 1992	Construction, Design and Management Regulations 2015
Control of Substances Hazardous to Health 2002	Management at Work Regulations 1999
Electricity at Work Regulations (sub section 1974)	Noise at Work Regulations 2021
Consultation with Employees Regulations (subsection 1974)	Personal Protective Equipment Regulations 2022
Display Screen Equipment Regulations 1992	Work Equipment Regulations 1998
Confined Spaces Regulations (sub section, 1974)	RIDDOR Regulations 2013
Control of Asbestos Regulations 2012	Manual Handling Regulations 1992
Lifting Operations and Lifting Equipment Regulations 1998	Work at Height Regulations 2005
Control of Legionnaires Disease	Controls of Asbestos at Work Regulations

In total, the Council is required to comply with around 70 or more pieces of regulations and Approved Codes of Practice, as detailed within the Councils Health and Safety Legal Register. Each set of regulations provides guidance on compliance, and most will apply to all services, whilst some are specific to different work activities and risks.

## **7. Accident and Incident Reporting 2023/24**

Incident reports include accidents and violence and aggression (verbal and physical) across the Council and from LA controlled and Voluntary controlled Schools. The table below shows the numbers of reported incidents for the Council over the past three years for comparison. In 2023/24, there were 291 health and safety incidents reported. The increase over previous years is due to an improvement in awareness for the requirements for reporting.

The most common incident reported was V&A Verbal/Physical – combined at 76, then slipped, tripped or fell on the same level with 73, followed by being struck against with 50.

As can be seen from the report below, Neighbourhood Services reported the most incidents with 86, followed by Adults Health and Care with 34, then Childrens, Families and Education Services reporting 23.

There is no apparent trend from the data below, reports of different accident causations are mixed and spread across services. What the data does show is a significant increase in the numbers of reports received. This is mainly down to a misunderstanding by services about submitting reports in previous years. The improved reporting was an outcome of the H&S audit programme.

The monthly data is based on the actual date of an incident and not when it was reported. In cases where reports are retrospectively submitted, the POWER BI reporting tool will place each report into the correct month.

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# Health & Safety Incidents Summary - Wirral Council

AREAS AND CAUSES OF HEALTH & SAFETY INCIDENTS IN THE COUNCIL

Date Last Refreshed

21 May 2024

Riddor / Non Riddor

All

Month of Accident

Multiple selectio...



## Current Month

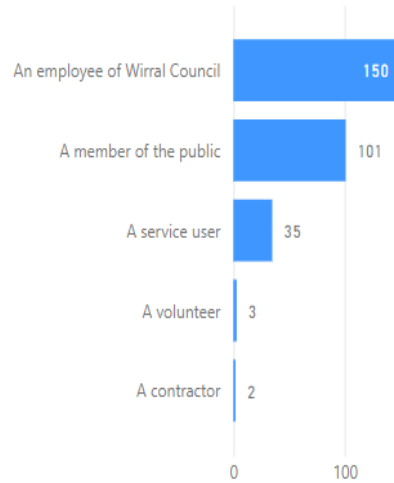
Total WBC Incidents

291

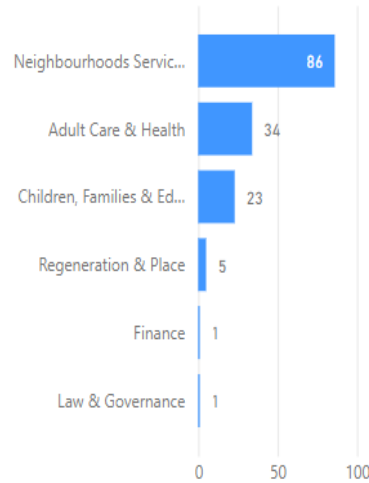
Total WBC Incidents Last Year

137

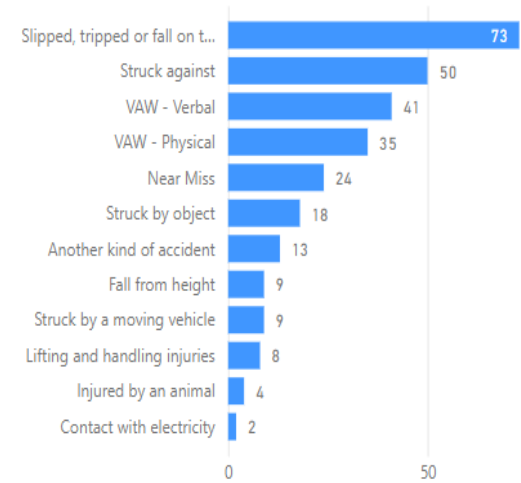
## Incidents YTD by Person's Category



## Council Incidents YTD by Directorate, Serv...

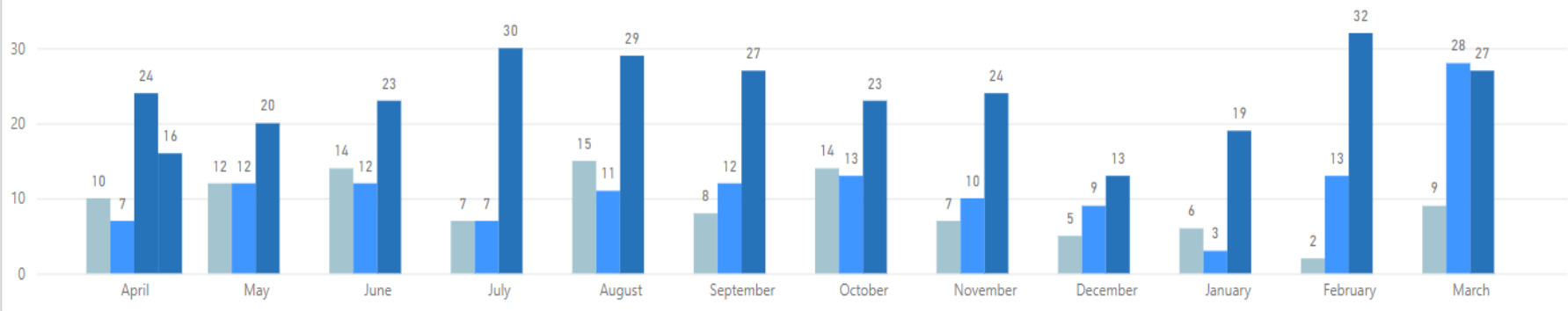


## Incidents YTD by Cause



## Total Incidents by Month and Year

Year ● 2021-22 ● 2022-23 ● 2023-24 ● 2024-25





## Accidents and Incidents – Wirral Schools

As can be seen from the report below, most incidents reported to the Council Health and Safety Team are from primary Schools, with 196 reports in 2023/24. Special primary and secondary schools' reports have similar levels of incidents with 83 and 74 respectfully. The most common incident reported was V&A - Physical with 236 reports, then slipped, tripped, or fell on the same level - 50, followed by being struck against - 23.

The majority of reports of physical violence are linked to distressed (dysregulated) children. Every report is a separate incident involving a child and a school staff member, e.g. their one-to-one support, or a Teaching Assistant. These reports sometimes involve injuries to staff, such as from biting, scratching, bruising but some do not always result in any injury. The increases in November and January appears to be due to 29 reports from 2 special schools and one primary in November. In January there were an additional 15 reports from special schools above the previous year's total. Note that the label of V&A in schools has been reviewed and from November 2024, a new label will be added to differentiate between acts of nonconsensual violence and aggression and the unintentional physical injury which are due to the dysregulation of students with disabilities. This will reduce the numbers of recorded V&A incidents in schools.

All incidents are reviewed with the school to determine any specific injuries, risk assessments and controls, staff absences. Many of the pupils involved will have a Care Plan with detailed information regarding the child's behaviour. During the school term, some children can become better self-regulated with their behaviours as they settle into school life.

# Health & Safety Incidents Summary - Schools

AREAS AND CAUSES OF HEALTH & SAFETY INCIDENTS IN SCHOOLS

Date Last Refreshed  
22 May 2024

Riddor / Non Riddor

All

Month of Accident

Multiple selections



## Current Month

Total Schools Incidents

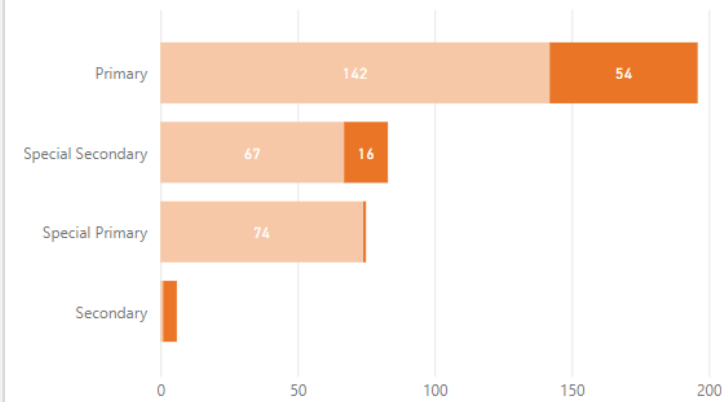
360

Total Schools Incidents Last Year

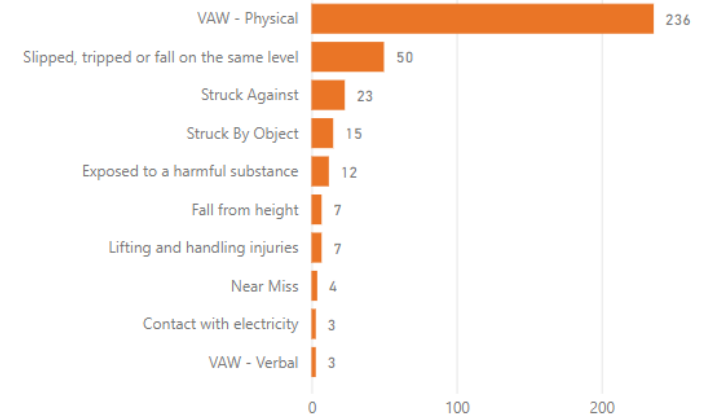
238

## Incidents YTD by Category of School and School

SLA Status ● Not purchasing ● Purchasing

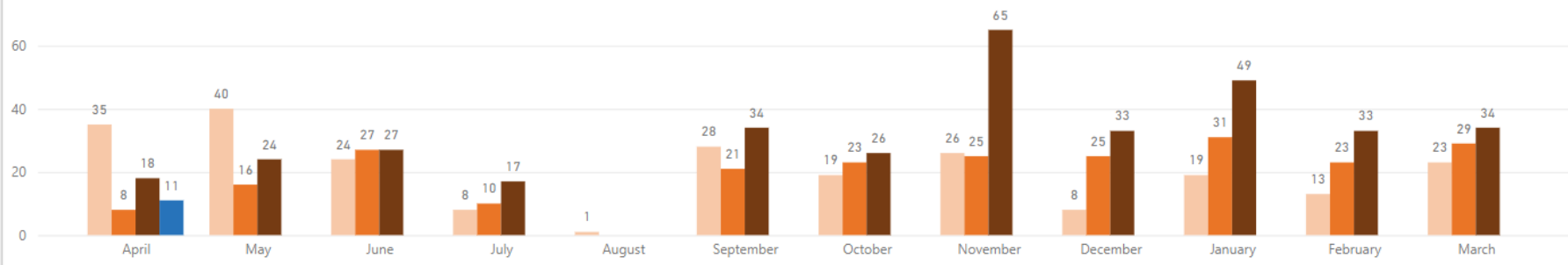


## Incidents YTD by Cause



## Total Incidents by Month and Year

Year ● 2021-22 ● 2022-23 ● 2023-24 ● 2024-25



**NB** All Antisocial, Abusive and Violent Behaviour incidents are reviewed and monitored by the Health and Safety Team. Any incident of violence and aggression can be reported onto the Wirral Anti-Social Behaviour Team and Merseyside Police with the agreement of the employee.

## 8. RIDDOR Reporting

Under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (2013) (RIDDOR), the Health and Safety team within the Council has the responsibility for reporting workplace accidents, incidents, ill health and certain dangerous occurrences that fulfil the criteria given under the RIDDOR regulations.

The process to support the requirement of the policy and regulations is the daily review of all incidents and further investigation of incidents causing potential or actual harm. There is a formal investigation process in place which is fully embedded within the Council. Investigations are undertaken in conjunction with the service and the Health and Safety Team, to ensure the findings identify the **immediate, underlying and root causes** of all significant incidents, identify any learning and feedback to the service. Some investigations also provide a report to the Council Insurance Team where it is expected that a civil claim will be made, or a report to the Health and Safety Executive may prompt an external investigation.

Through the financial year 2023 – 2024 there have been 18 incidents reported for the Council and LA Controlled Schools under the Reporting of Injuries, Diseases and Dangerous Occurrence Regulations (RIDDOR).

### Wirral Council RIDDOR Reports.

#### **Fall from height = 2**

1. MOP: - Young MOP without membership or mandatory induction who was not permitted in fitness suite messing around jumped on punch bag slipped, fell backward landing on wrist causing fracture.
2. WBC: - Social worker at foster placement visit they had been up to bedroom and was descending the stairs and tripped on frame of baby gate and fell down two stairs causing swelling and pain to lower leg. Baby gate is in place to stop dog getting upstairs.

#### **Exposure to harmful substances = 1**

1. WBC: -Staff member preparing hot drinks to go on trolley from worktop, split hot water on right wrist causing scald. Lid not on properly. First aider supported applying burn dressing.

#### **Lifting & handling injuries = 1**

1. WBC: - Staff member sustained a shoulder/bicep injury while operating the backpack blower. Staff member blowing paths had ache in right tricep went to pull cord heard bicep pop. Staff member attended hospital and may need surgery to assist recovery.

### **Slipped, tripped or fall on the same level = 2**

1. WBC: - Staff member strimming in church yard went to move to another area tripped over uneven ground on ankle. Reported as RIDDOR due to staff member being off work more than 7 days.
2. WBC: - Staff member collecting pupil from home address went over on ankle on uneven ground. Company instructed where staff members are entering must be a level service. Reported RIDDOR as accident caused specified injury a fracture and staff member signed off work for 2 weeks.

### **Struck against = 1**

1. WBC: - Staff member leaving building after twilight training session where gate swung open hitting staff member knocking them over causing laceration to back of lower left leg. First aid applied by colleague. Staff member stated they were fine and happy to drive home. Later that night staff member taken to hospital by sister to get checked out and received stitches. Gate and flooring checked no faults found.

### **Struck by object = 1**

1. WBC: - Staff member working with two other staff members on fencing work in allotments driving wooden stakes into ground using metal post drive-all. While driving in next post staff member caught top of post causing metal drive-all to bounce backwards hitting staff member in head and face with force creating gash in hairline.

## **Wirral Schools RIDDOR Reports**

### **Slipped, tripped or fall on the same level = 5**

1. Staff: - Unqualified teacher tripped on whiteboard leg in staffroom falling on to floor causing bruising to body, knees, side, wrist and fracture to right wrist. Accident reported under RIDDOR to HSE as they sustained a reportable specified injury, fracture to right wrist.
2. Staff: - Head cook walking across playground at end of their day walked between giant pencils on playground floor and tripped on net less than 1 foot high that had been installed earlier that day causing HC to fall onto knees and onto elbow causing fractured left radial head to the elbow and soft tissue damage to right knee. Fence changed to a more visible and higher mesh. Risk assessment will be completed for staff members return. RIDDOR report completed by school.
3. Staff: - TA3 adjusting push chair lost balance and fell backwards hitting wrist on wall causing wrist fracture. H&S officer stated due to severity of injury sustained & time absent from work advised school seek support from their H&S provider to establish if any further action is required. School reported as RIDDOR.

Pupil: - Pupil in book area with friends and slipped over book and banged arm. Ice applied and mum called. Mum took pupil for X-ray. Confirmed buckle fracture 22.01.24. Pupil has Osteogenesis imperfecta (brittle bone disease). School advised library area is clear and all books put away. Schools H&S provider reported as RIDDOR. No further actions from H&S team.

1. Pupil: - Pupil walking along coloured stepping stones not looking where they were stepping next and slipped attempting to step on next stone falling on floor landing on upper right arm causing shoulder pain. Update email from parent 10/03/24 stating X-Ray taken at Mill Lane and reported no break or fracture of shoulder or collar bone. Accident did end up causing fracture so school reported as RIDDOR.

### **Fall from height = 3**

1. Staff: - Teacher missed their footing and fell downstairs on way to photo copier, landing on hands and knees. No concerns about stairs, sensible footwear was worn at time of accident and no hazards. School reported as RIDDOR.
2. Staff: - Staff member playing outdoor area with pupils balancing on planks and tyres, walked to end of plank tripped landing on chin, elbow and knee causing broken radial head bone in elbow, fluid behind kneecap, cut to chin and mouth received treatment to glue and stitches to area. School reported as RIDDOR.
3. Pupil: - Pupil returning from toilets during break time went on portable stage in hall which pupils know is not allowed and fell causing bruising, lump to leg and broken collarbone. Position of stage checked. It is in good condition in same location as it has been for several weeks. The pupils are given regular instruction on how to move safely around hall, and not to go on stage. The pupils have been reminded again of importance of following this rule. Schools H&S provided full investigation and reported to HSE as RIDDOR.

### **Struck against = 1**

1. Pupil: - Pupil running with friend near wall next to chain link fence. A piece of wire from chain link fence sticking out caught pupil in left ear causing laceration on anti-helix. Pupil brought into school for first aid. Parents contacted and recommended them to take pupil to walk-in centre for medical gluing. School H&S provider conducted full accident investigation and reported as RIDDOR.

### **VAW – Physical = 1**

1. During lesson time pupil ran and jumped on teachers' head wrapped their legs around teachers neck and hung on until staff helped. School have looked at risk assessment and made recommendations about positioning and observation of pupil. School reported as RIDDOR.

## **9. Health and Safety Executive (HSE) Investigations**

During 2023-2024 the Council has been responding to an investigation by the Health and Safety Executive (HSE) which enforces H&S regulations in respect to a reported breach of the Control of Asbestos at Work regulations at a local school. The incident and subsequent investigation highlighted the need to strengthen the support provided to LA Controlled and Voluntary Controlled schools. Additional posts have been agreed to support improvements in compliance monitoring, advice and support to our schools. Health and Safety Executive has confirmed that no formal action will be taken for the reported breach and issued some advice and guidance to the Council. This is now merged into advice guidance and risk plans accordingly.

## **10. Health and Safety Audits**

The Council H&S Team has developed a Health and Safety audit strategy and audit tools for the Councils services and for schools, to measure compliance against The Health and Safety Policy and key regulatory standards. By reviewing compliance against these standards, the Council can:

- Provide assurance that there is an effective system of internal control to monitor identified Health and Safety related risks.
- Monitor control measures stemming from local risk assessments.
- Monitor safety performance using agreed criteria to enable continual improvement.
- Provide a safe and healthy environment (including welfare arrangements) for staff, users of services and pupils.

The need for audit is detailed in the Council's Health and Safety policy and assigned to the Health and Safety Team who report findings to the Health, Safety and Wellbeing Board and the HSWB Operational Group, as well as to school Governors and Head Teachers. The purpose of the audit is to identify levels compliance, and areas of improvement, and to provide support to departments and LA Controlled schools as required.

## **11. Health and Safety Training.**

As an employer, the Council is obligated to provide its employees with information, instruction and training in regard to any health safety hazard, and to enable employees to perform their roles without risk of injury or harm to themselves or others. The Learning and Inclusion Team work closely with Health and Safety to provide specific learning content for employees to complete on Flo, the Council learning and development platform. Each service is also required to identify any essential health and safety related training for employees and to submit requests. The list below includes some examples of the training that is available.

<b>H&amp;S Learning and Development Course/Compliance – Examples</b>	
Health and Safety Directing Safely Training for SLT, Assistant Directors and Heads of Service	Scheduled for Autumn 2024
Managers health and Safety Essentials (follows the IOSH Managing Safely Course)	All year round availability
Introduction to H&S plus 6 additional learning courses (compulsory for all employees) – Fire awareness – Work at Height Awareness – manual handling Awareness – Slips Trips and Falls – Drugs and Alcohol – Wellbeing/Stress awareness	Completion before end October 2024
Biological (Infection Control) hazards	Available on Flo
Control of Substances Hazardous to Health (COSHH)	
First Aid at Work	All year round availability
Working in Extreme weather – sun safety – Driving -	
Face to Face Manual handling and Work at Height	In development
Accident Investigations – Risk Assessment – Asbestos Essentials - Fire Marshal – Introduction to Legionella -	Available in Flo

## 12. Occupational Health

The Council provide an occupational health service across all services and make it available to all LA Controlled and Voluntary Controlled schools via a Service Level Agreement. An additional Employee Assistance Programme (EAP) service is also provided separately. The EAP provides confidential support to employees 24/7 – 365 days per year and includes Counselling for employees.

The main occupational health service includes both Occupational Health Physicians and Nurses for the following purposes.

- Pre-employment health checks
- Health Surveillance
- Ill Health Retirement
- Deferred Pensions
- Sickness Absence / Fitness For Work
- Musculoskeletal Assessments and Treatment

- Mental Health Assessments

Health surveillance is most closely linked with health and safety regulations, such as the Control of Noise at Work Regulations and the Control of Vibration at Work Regulations. Employees exposed to either hazard are required to attend health surveillance assessments, to monitor any symptoms that might indicate a change to their health and indicate whether the risk controls in place are adequate.

### **13. Conclusions**

As can be seen above, there is a wide scope of regulations which the Council has a statutory duty to comply with. The Health and Safety Policy and supporting Management Arrangements provided, are key to ensuring all services understand their roles and responsibilities for managing any health and safety risks created.

Over the past few years good progress has been made to continue to comply with the key legislation and support service managers to identify relevant hazards which must be controlled. Achieving compliance and improving performance has been supported by the Senior Leadership team to drive a culture of continuous improvement.