Think about health and safety

What elected members of local authorities need to know

iosh

Who are we?

The Institution of Occupational Safety and Health (IOSH) is Europe's largest professional health and safety organisation. With more than 34,000 members, we play a vital role in providing advice to both public and private sector employers on effectively managing health and safety. IOSH has charitable status, is incorporated by Royal Charter, and has over 13,000 Chartered Safety and Health Practitioners.

Chartered Members develop strategies to cut down injury and ill health. This not only helps to prevent unnecessary suffering, but also increases profit margins and competitiveness and, in the public sector, frees up resources and leads to better services.

If you'd like to learn more about IOSH, or are interested in supporting one of our campaigns, please call our Communications team on 0116 257 3189.

Why do you need to think about health and safety?

"The [health and safety] failings were not only at the lowest levels… those failings went all the way, I am afraid to say, to the top of the council in terms of its serving officers. It is likely they went beyond the officers to the councillors"
– Mr Justice Burnton, judge in the case against Barrow Borough Council following the deaths of seven people (2006)

"All elected members still have a responsibility for ensuring health and safety within the authority"
– Joyce Edmond-Smith, Health and Safety Commission, urging elected members to take their health and safety responsibilities seriously (2003)

"There was a written policy on health and safety, which as a matter of drafting was a thing of… some beauty. If it had existed beyond its existence on paper, it would have very substantially mitigated the blameworthiness of those representing the Borough"
– Mr Justice Burnton (2006)

"We want to focus our attention on practical steps that protect people from real risks that can lead to injury and even death – we do not want to stop people from living their lives"
– Geoffrey Podger, Chief Executive, Health and Safety Executive, urging local authorities to join the 'Sign up to sensible risk' campaign (2007)

Playing a key role in local communities

As a councillor of a local authority you may be unclear about your role in relation to health and safety. This IOSH booklet provides some timely and pertinent prompts to help you think through the issues you may need to consider in your local authority (LA).

The role of local authorities in relation to health and safety is multifaceted:
> LAs are the Health and Safety Executive's partners as regulators of workplaces, seeking to ensure that dutyholders manage workplaces in a way which assures the health and safety of their workforce and those affected by work activities
> LAs are major employers and therefore have a more direct concern for ensuring that the senior management team as dutyholders themselves are assuring the health and safety of employees and those affected by the way the LA delivers services
> LAs are major purchasers of services from other organisations and as such have a great opportunity to influence health and safety standards within those contracted supplier organisations.

As your partners, your regulator and the regulators of those to whom you contract activities, we in the HSE are here to support you, to offer advice and guidance.

We welcome this contribution from IOSH to help you find your way through a complex multidimensional role.

Judith Hackitt, Chair, Health and Safety Executive

A safe and healthy workforce is a prerequisite to the delivery of excellent services to local communities. As elected members you have a significant part to play in securing the health and safety of your council's workforce.

This booklet is designed specifically for local authority elected members and gives good guidance on the action which members, and particularly portfolio holders, should be taking to ensure that employees, service users, clients and members of the public are not put at risk.

The Local Government Association and Local Government Employers fully support this initiative by IOSH and I commend this booklet to you.

Sir Steve Bullock, Chair, Local Government Association Human Resources Panel and Local Government Employers Board

Elected members have a key role to play in ensuring the health, safety and wellbeing of entire communities.

Your decisions have a major influence on both local authority staff and the public, so I would urge you to read this booklet and take the many important messages on board.

The wealth of information in here will help you make the right decisions to ensure no-one is put at serious risk.

The booklet is fully endorsed by CoSLA, and I hope you will see it as an invaluable supporting resource for your role.

Councillor Michael Cook, Strategic Human Resource Management Spokesperson, Convention of Scottish Local Authorities

Making a difference to health and safety in your authority

Do you know the risks the people in your authority face? Are you setting the right strategy and budget? Do the decisions you make as an elected member mean that people are at risk?

Since the introduction of the Local Government Act 2000, the role of elected members has changed for good, and for the good. Councillors have far more power and responsibility than before.

You're not responsible for managing health and safety services on a day-to-day basis – this is down to the officers in charge of service provision. But it's vital for you to understand the strategic way in which you can and do affect health and safety management in your authority – by what you say, what you do and what you decide. It's also important that you're aware of your potential liabilities as a body – and as an individual – in terms of both criminal and civil law.

As someone who has spent more than 40 years working in the local authority sector, I'd like to remind you that as a decision-maker in perhaps the largest employer in your county, district or borough, you can have a significant influence on health and safety standards not just for your own workers, but for the contractors and suppliers working for you too. On top of this, thousands of members of the public can be affected by what you decide.

And don't forget that getting health and safety management right reaps other rewards. It's no coincidence that organisations with an excellent safety record are also the most efficient – the operational discipline which delivers great safety also delivers efficiency.

Ray Hurst, Immediate Past President, Institution of Occupational Safety and Health

Think about health and safety is supported by

This document is based on work carried out by the IOSH Public Services Group.

Take time to think about health and safety

We know that as an elected member of a local authority you have a huge range of responsibilities to juggle. But taking a little time to think about how you and your colleagues manage health and safety is well worth doing. After all, we're talking about your most valuable 'resource' – people.

The UK has over 400 local authorities, employing more than 2 million people. While health and safety standards in authorities are generally good, too many employees are killed or injured in accidents each year. In one recent year, 19 public service employees were killed and more than 6,500 suffered major injuries.*

Local authorities are complex organisations. And while no two authorities are structured or function in exactly the same way, at the core of every authority are its elected members. Put simply, elected members make decisions that impact on a wide range of workplaces – civic offices, schools, leisure centres, sports halls, town halls, sheltered housing complexes, children's homes, multi-storey car parks and so on.

Local authorities are also responsible for the health and safety of contractors they engage to help them provide services – from refuse collection to personal care – as well as the major construction and maintenance projects they manage and finance. In a typical year, the public sector spends over £35 billion on construction.

And, of course, it doesn't stop there – on top of employees and contractors, millions of service users and customers are affected. Local authorities, and those elected to govern them, have huge responsibilities to the people in their community, not just those who work for them.

Your role
Elected members provide their authority with leadership, direction and strategy, and allocate budgets to enable services to be delivered to the local community. It's these strategies that are then implemented, through paid officers, using the budget that's been allocated.

As an elected member, because of the influence you have on budget and policy decisions, you can affect how health and safety is managed. If a cabinet system operates in your authority and you're a cabinet member, you could be considered to have more individual influence – in effect, a "directing mind" under criminal law, with all the implications and responsibilities associated with this role. If you have health and safety as part of your portfolio you must lead in this area, making sure that you have the right policy and strategy and that objectives are delivered. It's your responsibility to keep the cabinet or executive aware of key issues. You also need to make sure that you have professional health and safety advice, the right resources, and that staff and their representatives are on board.

Think about health and safety
This free booklet looks at the impact of getting health and safety wrong and how to get it right.

We've also developed a PowerPoint presentation for health and safety professionals to use as part of training sessions for elected members. The presentation can be downloaded at www.iosh.co.uk/electedandsafe.

*Figures include public administration, education, health and social work, and sewage and refuse disposal.

Who is responsible for health and safety?

In most local authorities, the chief executive is at the top of the organisational structure and has overall responsibility for health and safety. But a recent prosecution (see box) has seen the courts question this, raising the issue of the potential responsibility of the council leader and elected members.

In 2003, Joyce Edmond-Smith of the Health and Safety Commission wrote to council leaders urging them to take their health and safety responsibilities seriously. She said:

There is a collective responsibility for providing leadership and direction, which means that all elected members still have a responsibility for ensuring health and safety within the authority. The goal of effective management of occupational health and safety is more likely to be achieved where all elected members have a proper understanding of the risks, the systems in place for managing the risks and an appreciation of the causes of any failures.

This letter was referred to in the HSE's Barrow report and its contents commended to council leaders. You'll find it as appendix 3 of the 'Report of the public meetings into the legionella outbreak in Barrow-in-Furness', www.hse.gov.uk/legionnaires/barrowreport.pdf.

The Health and Safety Commissioner also recommended that:
> a senior elected member should be given responsibility for health and safety
> the elected member should be given training
> local authorities should set targets for reducing the number of injuries and cases of ill health
> regular reports should be produced on how targets are being met.

In the private sector, directors are expected to set the scene for the safety culture in their business – in local authorities, you play a similar role in influencing attitudes. 'Leading health and safety at work', guidance recently issued by the Health and Safety Commission and Institute of Directors, reinforces this.

A landmark case – Barrow Borough Council

In 2002, an outbreak of legionnaire's disease at an arts and leisure centre run by Barrow Borough Council led to the deaths of seven people. Nearly 200 people were infected.

The Council was charged with manslaughter but Mr Justice Poole dismissed the charge. He stated:
It is far from clear to me that even the Chief Executive Officer could properly be described as the controlling mind of a Council of Elected Members.

The Council was prosecuted under the Health and Safety at Work Act and pleaded guilty. Mr Justice Burnton said that he would normally have imposed a fine of more than £1 million, but he was reluctant as it would have had a direct impact on taxpayers and service provision. Even so, he fined the Council £125,000 plus £90,000 costs:
One of the purposes of a financial penalty is to demonstrate to those council taxpayers, to the electorate and to councillors the importance and the gravity of matters such as this.

In his summing up of the case, he stated:
The failings were not only at the lowest levels… those failings went all the way, I am afraid to say, to the top of the council in terms of its serving officers. It is likely they went beyond the officers to the councillors, because there is no evidence that there was proper attention given to health and safety within the borough.

Barrow Council leader Bill Joughin said:
We had policies written on paper but ... it was not part of the culture of the organisation, and there was no chain of command. We ticked all the boxes, but there was not a procedure which ensured it was all adhered to.

An accident waiting to happen?

People don't have to get hurt for an organisation to end up in court. When legionella was found in the air cooling system of a national museum, the Board of Trustees was fined £500 and made to pay £35,000 prosecution costs.

Your authority's role

Some councils are health and safety enforcing authorities. Their officers inspect, give advice to and if necessary take action against businesses mainly in the service sector, including retail, banking and finance and entertainment. Because of this, local authorities are expected to be exemplars of health and safety, showing a good example to others. This is echoed in the government's 'Revitalising health and safety' strategy, which states that:

> *Government must lead by example. All public bodies must demonstrate best practice in health and safety management. Public procurement must lead the way on achieving effective action on health and safety considerations and promoting best practice right through the supply chain. Wherever possible, wider government policy must further health and safety objectives.*

And in its document 'A strategy for workplace health and safety in Great Britain to 2010 and beyond', the government highlights the need for local authorities and other stakeholders to do more to improve standards of health and safety. The HSE is currently working with local councils and other stakeholders to review the health and safety strategy.

Improvements in health and safety also contribute to a number of government priorities, highlighted in the Local Government National Indicators. So, health and safety should feature in the priorities and strategies in local and multi-area agreements.

Think about...

> If a local business complained about enforcement action by the authority for something that the authority itself was failing to do in its role as an employer, how would you react? Do you think your authority would find it difficult to take proceedings against the business?

> When you set budgets, or cut them, is it at the expense of health and safety risk management?

> Is your authority creating unnecessary risks for contractors in the way contracts are specified?

> Do you show your own commitment to health and safety when you speak to people in service teams?

When things go wrong – the law

The law – criminal

All employers in the UK, including local authorities, have a duty under the Health and Safety at Work Act to protect the health and safety of workers and members of the public who could be affected by their work. This includes work that you award to contractors.

On top of the Act, there's a whole range of regulations, covering areas including asbestos, domestic gas and construction.

The Corporate Manslaughter and Corporate Homicide Act came into force in 2008 and covers both public and private sectors.

Before this Act, if people were killed while working for or affected by a large, complex organisation it was difficult to get the evidence of a director's gross negligence needed to secure a conviction. Only cases involving directors of small businesses tended to reach the courts because the actions of an individual director could be more readily linked to someone's death. Now an organisation can be found guilty of corporate manslaughter where it can be put down to a general collective failure in how things were organised and managed by senior management, leading to a gross breach of duty of care linked to a death. Juries will consider issues ranging from whether health and safety guidance was followed, to the organisation's culture. Senior people – those making significant decisions about an organisation or substantial parts of it – will be under scrutiny. And that could include elected members.

The law – civil

Local authorities have a 'duty of care' to their employees and anyone else who might be affected by what they do. It's this area of law – civil – that allows authority employees who are injured or suffer ill health at work to make compensation claims, and members of the public to claim for injuries when they think the authority has been negligent.

Think about...

> Has your authority faced enforcement action for failing to meet legal requirements in the last few years? What happened as a result?
> How many civil claims have been made against your authority in the last few years? How many went to court? How many were settled out of court?
> How much has legal action cost your authority?

More info...

> Find out more about the new Corporate Manslaughter and Corporate Homicide Act at
www.justice.gov.uk/publications/ corporatemanslaughter2007.htm
www.cps.gov.uk/legal/a_to_c/corporate_ manslaughter/index.html
www.hse.gov.uk/corpmanslaughter
www.lge.gov.uk/lge/core/page.do?pageId=119849

When things go wrong – penalties

If someone working for the local authority or a member of the public dies or is seriously injured because of the authority's negligence, the case will probably end up in court. This could result in:

> a fine for the authority – with a knock-on effect on the budget
> a fine for council officers, and possibly even for you as an individual
> higher insurance premiums
> bad publicity for the authority, both locally and nationally
> bad publicity for you as an individual elected member
> imprisonment.

Under the new Health and Safety Offences Act, if a guilty verdict is handed down for a health and safety offence, lower courts will be able to impose a fine of up to £20,000, and higher courts will be able to set an unlimited fine. Prison is now an option for nearly all offences. The new Corporate Manslaughter and Corporate Homicide Act brings unlimited fines, and they're likely to be substantial.

When your authority breaches health and safety law, prosecution isn't the only penalty you could suffer. If, for example, there's been a serious accident during a council-run refuse collection service, HSE inspectors could then judge it to be unsafe, and issue:

> an improvement notice, or
> a prohibition notice.

The first would mean you'd have to take some action to correct the problem. This could be costly in terms of time and resources, both of which will have to be taken away from other priorities.

The second would stop the service immediately. In this example, the refuse collection would be cancelled, leaving you with the problem of how to continue to deliver the service to residents. As well as being costly, the negative publicity would be damaging to your authority's reputation.

Think about...

> How does your authority meet its legal obligations in relation to health and safety?
> How do you influence the way your authority meets these obligations?
> Do any decisions made by you and other elected members obstruct or prevent your authority from meeting its legal obligations?
> Do elected members have a role to play in health and safety strategy?
> If health and safety goes wrong, are you liable for prosecution?
> Do you make decisions that make you a "controlling mind" of the authority?

When things go wrong – the fallout

There are, of course, clear ethical reasons for making sure that people are protected in your authority.

As an elected member, you've been chosen to serve your local community – and many of the people who work in your authority will live, and vote, there too.

If someone is killed at work, then this will inevitably hit the headlines. The family and the community can be devastated. But remember that serious accidents and illness cases can have a major impact too. People can be left unable to work and with their lives damaged irrevocably.

Think about...

> How would you feel if someone in your ward was badly injured, or even killed?
> What would the impact be on the community that you represent if a resident was killed or seriously hurt because of something that the authority did or didn't do?

Did you know?

In a single recent year in the UK:

> there were 299,000 serious work accidents. Two hundred and twenty-nine people died
> around 21,000 people had hearing loss caused by work
> around 20,000 people believed they had a work-related skin disease
> more than half a million people suffered from a work-related musculoskeletal problem
> about 442,000 people believed they were suffering from stress, depression or anxiety caused by their work

When things go wrong – the cost of accidents

Good health and safety management is important from a moral and legal perspective. But there is also a persuasive financial case for cutting down on accidents and ill health.

While you may have insurance policies to cover accidents, the direct costs are outweighed by the indirect costs, which can be between eight and 36 times as much as the direct costs. Also, some local authorities pay the first £250,000 of a claim, meaning that only the most expensive claims are paid for by their insurance. In recent years, the cost of meeting claims in the public sector has risen sharply.

The 'hidden', indirect costs that you can't insure against include:

> sick pay
> extra wages or overtime to cover the worker's absence
> loss of productivity and the cost of having to hire and train new staff
> fines
> legal costs
> damage to machines, equipment or property
> time and money spent on investigating the accident and preparing the claim
> an increase in insurance premiums
> reputation damage.

And don't forget that planning safety into projects and jobs can help identify more cost-effective ways of doing things that may not have been considered otherwise.

Think about…

> How many accidents were reported in your authority last year?
> How many accidents resulted in absence from work?
> How much do accidents and ill health cost your authority every year?
> How many insurance claims were brought against your authority last year as a result of accidents? What was the average payment for each claim?
> Does your authority only recognise costs when paying out directly for things that have gone wrong?
> Would having an effective health and safety management system save your authority money by reducing the numbers of accidents and claims?
> What would the electorate think if your council received a large fine because of an accident to a local authority employee, and the only way of paying it was to increase council tax or cut services?
> Would taking a proactive approach to health and safety save your authority money?

Did you know?

> A city council was fined £125,000 plus £40,000 costs after a refuse lorry killed an 11-year-old girl
> A county borough council was fined £60,000 plus £22,000 costs after a man died in a care home – poor maintenance and training was to blame
> A metropolitan borough council was fined £400,000 and over £30,000 costs following a local death
> A district council was fined £18,000 plus £7,000 costs after problems with asbestos exposure at a leisure centre

When things go wrong – the cost of ill health

The most common illnesses and medical conditions that people develop in the course of their work include stress and musculoskeletal disorders. They're a significant cause of sickness absence, both short and long term, often resulting in a long term chronic illness.

For employers, including local authorities, occupational ill health can reduce productivity, increase the cost of hiring new staff, and result in civil claims or retirements with enhanced sickness payments. These directly affect your authority's budget.

Helping people to come back to work after they've been off with an injury or serious illness can make sound economic sense, as well as bringing benefits to the business and people involved. One manufacturing company reported that for every £1 it spent on its rehabilitation initiative, it saved £12.

Under the Health, Work and Well-being strategy, the government aims to get 1 million people off benefit and back to work. Local authorities are likely to play a major role in this, not only in their capacity as an employer, but through their links with local business and as community leaders.

More info...

> The HSE's Ill Health Cost Calculator helps you work out the costs of employees who are off because of a work-related illness. Find out more at www.hse.gov.uk/costs/downloadcalc/ill_health_costs_calcv2_1.html
> Health Work Wellbeing's toolkit helps organisations put a cost on ill health. Find out more at www.workingforhealth.gov.uk/Employers/Tool
> Compare how many days your authority loses to ill health at www.hse.gov.uk/statistics/dayslost.htm
> The HSE's management standards can help manage stress and cut down absence. Find out more at www.hse.gov.uk/stress/standards

Think about...

> What's your authority's sickness absence record? How much is down to work?
> Does your authority carry out pre-employment health checks?
> Do you have health surveillance procedures for specific risks such as vibration and noise?
> Did you know that it's a legal requirement to report work-related illnesses such as hand–arm vibration syndrome?
> Do you consult with staff on health issues?
> Do you run health promotion campaigns?
> Would reducing occupational ill health save the authority money?
> Would having a good rehabilitation programme save the authority money? Would investing in early treatment, such as physiotherapy, help people get back to work quicker?

Did you know?

> The Chartered Institute of Personnel and Development estimates that, for local government, sickness absence costs over £584 per worker per year
> IOSH research found that people working in the public sector report more work-related illness than those in the private sector
> Nationally, a total of 13.5 million working days were lost to stress, depression and anxiety in a single recent year
> The biggest single cause of absence in local government is attributed to common mental health problems including anxiety, stress and depression, accounting for around 23 per cent of all days off work
> A local authority worker suffering from vibration white finger was awarded £42,000 compensation – there was no monitoring and no suitable equipment
> An improvement notice was served on a city council because it had no central management system for health risks

Getting health and safety right – policy and management

By law, organisations that employ five or more people must have a written health and safety policy.

There was a written policy on health and safety, which as a matter of drafting was a thing of… some beauty. If it had existed beyond its existence on paper, it would have very substantially mitigated the blameworthiness of those representing the borough.

This comment, by Mr Justice Burnton in the case against Barrow Borough Council (see page 05), highlights the fact that your health and safety policy should be more than just lip service to meet legal compliance. It should define your arrangements for managing health and safety risks, and identify the people who have specific roles and responsibilities in carrying it out.

The policy should be reviewed periodically and kept up to date. Implementation arrangements should be realistic and achievable and measured against improvement targets. Regular reviews and audits will help check delivery of the policy objectives and how efficient the management system is.

Your management system should allow the cabinet or executive to receive both specific – related to an incident or accident – and routine reports on health and safety performance, to make sure the policy is being delivered. You should also report publicly on your performance. This shows commitment to health and safety as well as helping to focus on your own record and consider what more you need to do. Being open about performance promotes trust with stakeholders, and improves your reputation with them.

Think about...

> Do the health and safety policies in your authority come before elected members for approval? Do you know what these policies are?
> Is your policy communicated to everyone at the authority?
> Do you have responsibilities within your authority's health and safety policies?
> Do you make sure that the decisions you make don't go against the policies?
> Do you make sure that your policy and risk management process are reviewed in the light of health and safety performance reports?

More info...

> The HSE offers free guidance on management systems at www.hse.gov.uk/pubns/manindex.htm
> The HSE operates an online benchmarking tool to help large organisations measure how effective their internal controls are and how they perform against others in the same sector. Find out more about the Corporate Health and Safety Performance Indicator at www.chaspi.info-exchange.com
> Download the Institute of Directors/Health and Safety Commission guidance for directors and equivalents, 'Leading health and safety at work', at www.hse.gov.uk/leadership/index.htm

Getting health and safety right – advice

As an employer, local authorities must have access to competent health and safety advice – it's the law.

While you're not responsible for employing or hiring someone to give you advice, it's worth checking that your authority gets competent advice, and that the advisers are suitably qualified and experienced, with the right skills and knowledge.

If you want expert advice on health and safety management, you can do no better than talk to a Chartered Safety and Health Practitioner. IOSH members commit to Continuing Professional Development to make sure that their skills and expertise are kept up to date, and work to a strict code of conduct. The IOSH Public Services Group has 3,500 members, all involved with work in the public sector.

Don't overlook the 'health' in 'health and safety'. It's critical to make sure that your authority has access to sound occupational health advice – ill health caused or made worse by work costs councils twice as much as reported accidents. Your occupational health service should work closely with health and safety and HR professionals to manage health risks, as well as getting people back to work successfully after they've been off with a serious illness or injury. And as the local government working population is growing older it's worth considering setting up a wellbeing programme – this sort of initiative can improve health, attendance and service delivery.

IOSH believes that the key to successful health and safety management is to get strong, committed leadership, involve workers in the decisions that affect them, and act on the advice of properly qualified and experienced health and safety professionals.

Think about...

> Does your authority employ or hire people who are competent to give advice?
> Does your health and safety policy identify the 'competent person'?
> Do you have contact with the people who are giving your authority health and safety advice?
> Has your authority carried out an occupational health needs assessment to check whether you have the right level of expertise and service available?

More info...

> IOSH's Get the Best campaign is calling for regulation of the health and safety profession. We're concerned that when unqualified people give advice this can result in wasted resources at best, and ruined or lost lives at worst. Get details at www.iosh.co.uk/getthebest
> The Association of Local Authority Medical Advisers offers information on occupational health advice. Find out more at www.alama.org.uk
> Health Work Wellbeing's toolkit helps organisations measure how successful their wellbeing programmes are. Find out more at www.workingforhealth.gov.uk/Employers/Tool
> IOSH has a free online Occupational Health Toolkit to help tackle the main work health issues at www.ohtoolkit.co.uk

Getting health and safety right – training

Everyone at work should have training in health and safety. The type of training they need depends on their job and the level they're at in the organisation.

'Front line' employees need to be trained in the basics of health and safety, such as safe systems of work. They may also need training in areas including using equipment safely, lifting loads without hurting themselves and using computers in the right way.

Training for managers and supervisors can be formal or informal. The aim of the training should be to help them plan work safely and understand the implications for themselves and the local authority if they don't.

The people at the top, including members who have a portfolio or scrutiny function, need to know their broad strategic responsibilities. They don't have to know the detail, but they must have an understanding of the issues, and recognise the commitment and resources needed to make sure that health and safety is managed properly.

Think about...

> What training have you been given to help you understand your health and safety role and responsibilities?
> What training do employees and managers get?
> How much does your authority spend on health and safety training each year? Do you use in-house or external health and safety trainers?
> Do the trainers you use have the right experience and qualifications for the job?
> How can training people in health and safety help to cut down accidents and ill health, and save money and improve service delivery in the long run?

More info...

> Download 'Setting standards in health and safety', IOSH's free guidance on training and competence, at www.iosh.co.uk/technical
> Ask the health and safety team at your authority for a brief training session to help you understand your responsibilities – there's a PowerPoint presentation to go with this booklet
> Find out about IOSH's range of training courses at www.iosh.co.uk/training

Getting health and safety right – sensible risk management

We want to focus our attention on practical steps that protect people from real risks that can lead to injury and even death – we do not want to stop people from living their lives
– Geoffrey Podger, Chief Executive, HSE

Risk management is about identifying significant risks and taking practical action to reduce them.

Sensible health and safety risk management is about:
> making sure that workers and the public are properly protected
> balancing benefits and risks, with a focus on reducing real risks – both those which come up more often and those with the potential for serious consequences
> enabling innovation and learning, not stifling them
> making sure that those who create risks manage them responsibly
> helping people understand that, as well as the right to protection, they also have to take responsibility for themselves and others.

Sensible health and safety risk management isn't about:
> creating a totally risk-free society
> generating useless paperwork
> scaring people by exaggerating or publicising trivial risks
> stopping important recreational and learning activities for people where the risks are managed
> reducing the protection of people from risks that could cause real harm.

Local authorities can demonstrate their commitment to no-nonsense risk management by joining the HSE's 'Sign up to sensible risk' campaign.

Think about...
> Does your authority tackle business risk sensibly?
> Does your authority make decisions based on the fear of litigation or on the basis of real risk?
> Does your authority hide behind health and safety as an excuse for not doing things?
> Who is making risk-averse decisions in your authority?
> Does your authority challenge the media if 'health and safety' is wrongly blamed for a decision it's made?

More info...
> IOSH's 'Stop taking the myth!' campaign challenges cases where 'health and safety' is used as an excuse not to do something, or to justify an unpopular decision. We believe that this does more than just give health and safety management a bad name. It distracts people from what health and safety is really about – stopping illness, injury and death. Find out more at www.iosh.co.uk/campaigns
> Use IOSH's Risk Management Reality Checklist as a guide – download it at www.iosh.co.uk/sensiblesafety
> Look at the HSE's sensible risk site at www.hse.gov.uk/risk/principles.htm
> Find out which councils have signed up to sensible risk management and get involved at www.hse.gov.uk/risk/signup.htm

Health and safety doesn't fit into a neat box. It's relevant in every department at your authority, and to every activity that's carried out. Health and safety is part of everything you do.

Think about how well you understand the issues in the service areas that you're involved with – not just for employees, but for service users and members of the public too.

We've identified the top five issues for local authorities – these are arguably the main 'hot spots' for the sort of work your authority carries out. You'll no doubt find that other issues make the headlines in your organisation – but this is a good starting point for your thinking. Remember, too, that different activities can be put under different headings. For example, injuries from falls from a height are a common cause of death, but they don't just happen in construction – you'll need to consider places including schools and offices as well.

> **Construction** – this covers a huge range of operations, including property maintenance and management, refurbishment, demolition and excavation, as well as specific problem areas such as asbestos and legionella
> **Transport** – again, there's a lot covered in this category, including highways maintenance, road safety, depot management, pedestrian access, school transport and occupational road risks. Just think about how many people in the authority are involved in transport in one form or another
> **Fire** – the sheer size of your authority's property portfolio makes this an important area. Think about, in particular, places like care homes, where some people will need special 'evacuation plans' because of disability
> **Mental health problems** – these are the biggest cause of sickness absence in local government. Stress, anxiety and depression are the main issues
> **Musculoskeletal injuries** – bad backs, muscle damage and sprains are all too common. Injuries aren't just caused by lifting or moving heavy things – repetitive tasks such as intensive keyboard use can also be to blame, along with slip or trip accidents

Need to know more?

'Leading health and safety at work', Institute of Directors and Health and Safety Commission, www.hse.gov.uk/leadership/index.htm

'Your council's role in health and safety regulation' – this councillor's handbook explains the council's enforcing role, HSE/LACORS, http://news.hse.gov.uk/2008/07/07/your-councilss-role-in-health-and-safety-regulation

Useful weblinks

www.iosh.co.uk
www.ohtoolkit.co.uk
www.wiseup2work.co.uk/whac
www.cosla.gov.uk
www.gmb.org.uk
www.hse.gov.uk
www.hse.gov.uk/myth
www.lge.gov.uk
www.unison.org.uk

IOSH
The Grange
Highfield Drive
Wigston
Leicestershire
LE18 1NN
UK

t +44 (0)116 257 3100
f +44 (0)116 257 3101
www.iosh.co.uk

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The Institution was founded in 1945 and is an independent, not-for-profit organisation that sets professional standards, supports and develops members and provides authoritative advice and guidance on health and safety issues. IOSH is formally recognised by the ILO as an international non-governmental organisation.

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