

Item: 9

Policy and Resources Committee: 22 November 2022.

Evaluation of Service Health and Safety Performance.

Report by Corporate Director for Neighbourhood Services and Infrastructure.

1. Purpose of Report

To present the Evaluation of Service Health and Safety Performance for 2021/22.

2. Recommendations

The Committee is invited to scrutinise:

2.1.

The Evaluation of Service Health and Safety Performance for 2021/22, attached as Appendix 1 to this report.

3. Evaluation of Service Health and Safety Performance

3.1.

In accordance with the Health and Safety Policy, an annual report, evaluating the health and safety performance of each Service, should be prepared.

3.2.

The Evaluation of Service Health and Safety Performance report, attached as Appendix 1 to this report, has been prepared for the year ending 31 March 2022 and is based on accident reports received by the Safety and Resilience Service covering the period 1 April 2021 to 31 March 2022.

3.3.

The report is based on the previous Council structure as it was in place for the majority of the reporting period. Future reports will report along lines on the new Council structure.

3.4.

The report is specific to work related accidents and ill health in relation to Council employees. Accidents to school pupils, service users in care establishments and members of the public in general are not included in this evaluation although all such accident reports are recorded and, when deemed necessary, investigated.

3.5.

The total number of accidents/incidents occurring during the period increased from 69 for the previous reporting year to 84 (108 including COVID-19 figures).

3.6.

The total number of reportable accidents under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (over seven days lost time and specified injuries) was 32, which is 27 more than the previous year. This large increase is due almost entirely to two COVID-19 outbreaks in Council run premises.

3.7.

There were 24 incidents of work-related ill health which were reported to the HSE under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 recorded for the period, all of these relate to work acquired COVID-19.

3.8.

In accordance with the existing Health and Safety Policy, all accidents and work-related ill health conditions will continue to be recorded and a copy of the adverse event report forwarded to the Council's Safety and Resilience service.

4. Corporate Governance

This report relates to the Council complying with its duties as an employer and therefore does not directly support and contribute to improved outcomes for communities as outlined in the Council Plan and the Local Outcomes Improvement Plan.

5. Financial Aspects

There are no financial implications arising directly from this report.

6. Legal Aspects

6.1.

Section 2 of the Health and Safety at Work etc Act 1974 states among other matters that it shall be the duty of every employer to prepare a written statement of its general policy with respect to the health and safety at work of its employees and the organisation and arrangements for carrying out that policy.

6.2.

Annual evaluation of the Council's health and safety performance is a requirement in terms of the Council's Health and Safety Policy.

7. Contact Officers

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8. Appendix

Appendix 1: Evaluation of Service Health and Safety Performance.



Evaluation of Service Health and Safety Performance 2021/22

1. Introduction

- 1.1. In accordance with Orkney Islands Council's (the Council) Health and Safety Policy, an annual report, evaluating the health and safety performance of each Service, should be prepared.
- 1.2. This report has been prepared for the year ending 31 March 2022 and is based on the Council's adverse event reports received by the Safety and Resilience Service covering the period 1 April 2021 to 31 March 2022.
- 1.3. The report is specific to work related accidents and ill health in relation to the Council's employees. Adverse events affecting school pupils, service users in care establishments and members of the public in general are not included in this evaluation although any such reports are recorded and, where necessary, investigated.
- 1.4. This report is based on the previous service structure as this was in place for most of the period being reported. Next year's report will follow the new service structure.

2. General Observations

- 2.1. Table 1 below compares the number and types of accidents between 2019/20 and 2021/22. In the year 2019/20, the Council started to use the same categories of accident causes as the Health and Safety Executive (HSE). These are:
 - Slip, trip or fall on same level.
 - Handling, lifting or carrying.
 - Struck by moving object.
 - Falls from a height.
 - Acts of violence.
 - Contact with moving machinery.
 - Strike against something fixed or stationary.
 - Other kinds of accidents.

Table 1: Breakdown of accident and incident data.

Category.	2019/20.	2020/21.	2021/22.
Total accidents reported to Safety and Resilience.	71.	69.	84**. (108 including COVID figures).
RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013) categories:			
Reportable diseases (this figure includes COVID-19 cases contracted in the workplace).	0.	0.	24.
Specified injuries.	2.	1.	0.
More than seven days off work.	6*	4.	8.
<p>* Seven RIDDOR accidents were reported, however on investigation, it was concluded that one of those accidents did not occur as described and therefore was not work related.</p> <p>** Includes accidents recorded under AIRIS by Roads and Environmental Services between 5 July 2021 and 31 March 2022.</p>			
Dangerous occurrences.	1.	0.	0.
Fatalities at work.	0.	0.	0.
Total RIDDOR reportable.	9.	5.	32.
Accident Incidence Rate.	3.53.	1.86.	2.96. (11.83 including COVID figures).
Slip, trip or fall on same level.	25.	20.	15.
Handling, lifting or carrying.	13.	13.	13.
Struck by moving object.	7.	3.	3.
Falls from a height.	0.	0.	2.
Acts of violence.	8.	14.	22
Contact with moving machinery.	1.	0.	1.
Strike against something fixed or stationary.	5.	2.	6.
Other kinds of accidents.	12.	17.	46.

2.2. The total number of accidents / incidents occurring during the period increased from 69 for the previous reporting year to 108 this year. Analysis of these figures reveal that the increase is primarily as a result of 24 staff members who were deemed to have contracted COVID-19 whilst at work during two outbreaks of the virus together with accidents recorded following the introduction of AIRIS recording within Roads and Environmental Services. Table 2 shows the number of accidents per year for the last eight years.

Table 2: Total number of accidents year on year.

Year.	Total number of accidents reported.
2014 to 2015.	73.
2015 to 2016.	91.
2016 to 2017.	79.
2017 to 2018.	82.
2018 to 2019.	72.
2019 to 2020.	71.
2020 to 2021.	69.
2021 to 2022.	84. (108 including COVID-19 figures).

2.3. Under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) all employers are required to report certain accidents and incidents to the HSE. These include accidents which result in employees missing over seven days of work, fatalities and specified injuries, as well as incidents which do not lead to any injuries, but which may involve the overturning of lifting equipment etc.

2.4. At the beginning of the pandemic in 2020, the HSE confirmed that a person at work (a worker) that has been diagnosed as having COVID-19 attributed to an occupational exposure to coronavirus should be reported as a case of occupational disease. Cases of COVID-19 were only to be reported where in all likelihood the virus was contracted in the workplace, if there was any doubt in this, then the case should not be reported. This requirement lasted until April/May 2022 when the changes to the legislation relating to COVID-19 controls meant that it would be extremely challenging for employers to ascertain the source of any transmission.

2.5. The total number of RIDDOR reportable accidents was 32 which is 27 more than the previous year. Table 3 shows the number of RIDDOR reportable accidents per year over the last eight years.

2.6. Eight of the RIDDOR reportable accidents related to over seven-day injuries, the remaining 24 were as a result of COVID-19. There were no RIDDOR reportable work-related ill health or dangerous occurrences incidents recorded for the period. These totals are broadly in line with the average number of RIDDOR reportable adverse events experienced within the Council of 9.8.

2.7. Since August 2019, all RIDDOR reportable accidents have been investigated by the Safety and Resilience Officer and a report produced which details causal factors and recommendations, where appropriate, for prevention of a recurrence. This report is shared with the Service and an Executive Summary is shared with the Safety Committee.

Table 3: RIDDOR reportable accidents year on year.

Year.	Total number of RIDDOR accidents reported.
2014 to 2015.	5.
2015 to 2016.	5.
2016 to 2017.	6.
2017 to 2018.	7.
2018 to 2019.	10.
2019 to 2020.	9.
2020 to 2021.	5.
2021 to 2022.	8 (32 including COVID figures)
Average	7(10).

2.8. The Accident Incidence Rate (AIR) figure is widely used to compare health and safety performance. The AIR is based on the number of RIDDOR reportable accidents per 1,000 employees. This does not include dangerous occurrences. The AIR is calculated using the number of reportable accidents, multiplied by 1,000 then divided by the number of employees. The figure of 2,705 has been used as the average total number of employees. It should be noted that this number also includes part time staff but does not include relief staff – the number is not FTE (full-time) equivalent. These figures are provided by the Council’s Human Resources section. Table 4 shows the AIR each year for the last eight years.

Table 4: Accident Incident Rate year on year.

Year.	Accident Incident Rate.
2014 to 2015.	2.38.
2015 to 2016.	2.04.
2016 to 2017.	2.44.
2017 to 2018.	2.81.
2018 to 2019.	4.45.
2019 to 2020.	3.53.
2020 to 2021.	1.86.
2021 to 2022.	2.96. / 11.83 (including COVID figures).

- 2.9. The increase in the AIR from 1.86 to 2.96 /11.83 is due to an increase in the number of reportable accidents.
- 2.10. Table 5, which compares the Council's AIR to other local authorities within the North of Scotland (includes both other Island Authorities), is shown below. The other Local Authorities have not included those staff who contracted COVID-19 at work in their figures as in many cases they were unable to confidently ascertain whether the virus was contracted in the workplace.
- 2.11. Although the other local authorities are comparable from a geographical point of view, the internal arrangements for Health and Safety reporting and differences with Integration Joint Boards between National Health Service (NHS) and the particular local authorities means that the figures are not directly comparable.

Table 5: Accident Incident Rate Comparison.

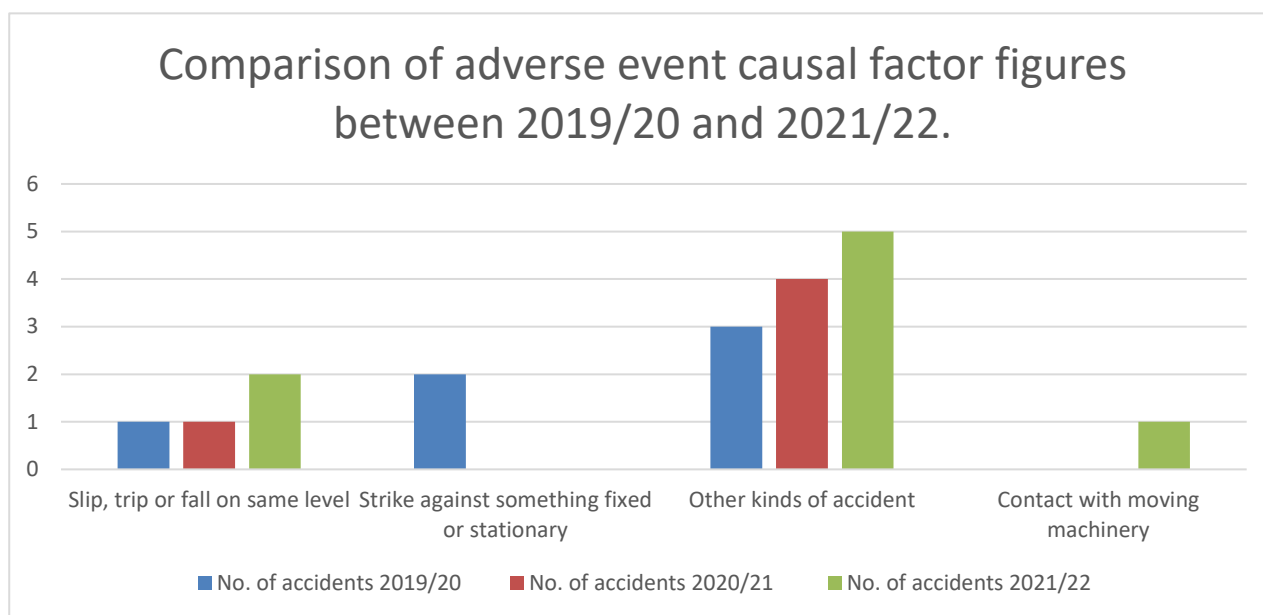
Authority.	Accident Incident Rate.
Orkney Islands Council AIR.	2.96 / 11.83.
Local authority 1.	1.25.
Local authority 2.	3.85.
Local authority 3.	1.3.
Local authority 4.	2.125.

3. Statistical Evaluation

3.1. The service breakdown of accidents is shown below. As stated above, as the accident causal categories were updated in 2019/20, as a consequence the annual data comparison is not directly comparable for those years. This means there is only two years' worth of directly comparable data available.

Corporate Services.

Category.	2019/20.	2020/21.	2021/22.
Total.	6.	5.	8.
Reportable.	0.	0.	0.



3.2. Comments: An increase in the number of accidents from 5 to 8 over the course of the previous 12 months. 5 of the 8 accidents involved cleaning staff in various locations. The other accidents involved catering staff within school kitchens.

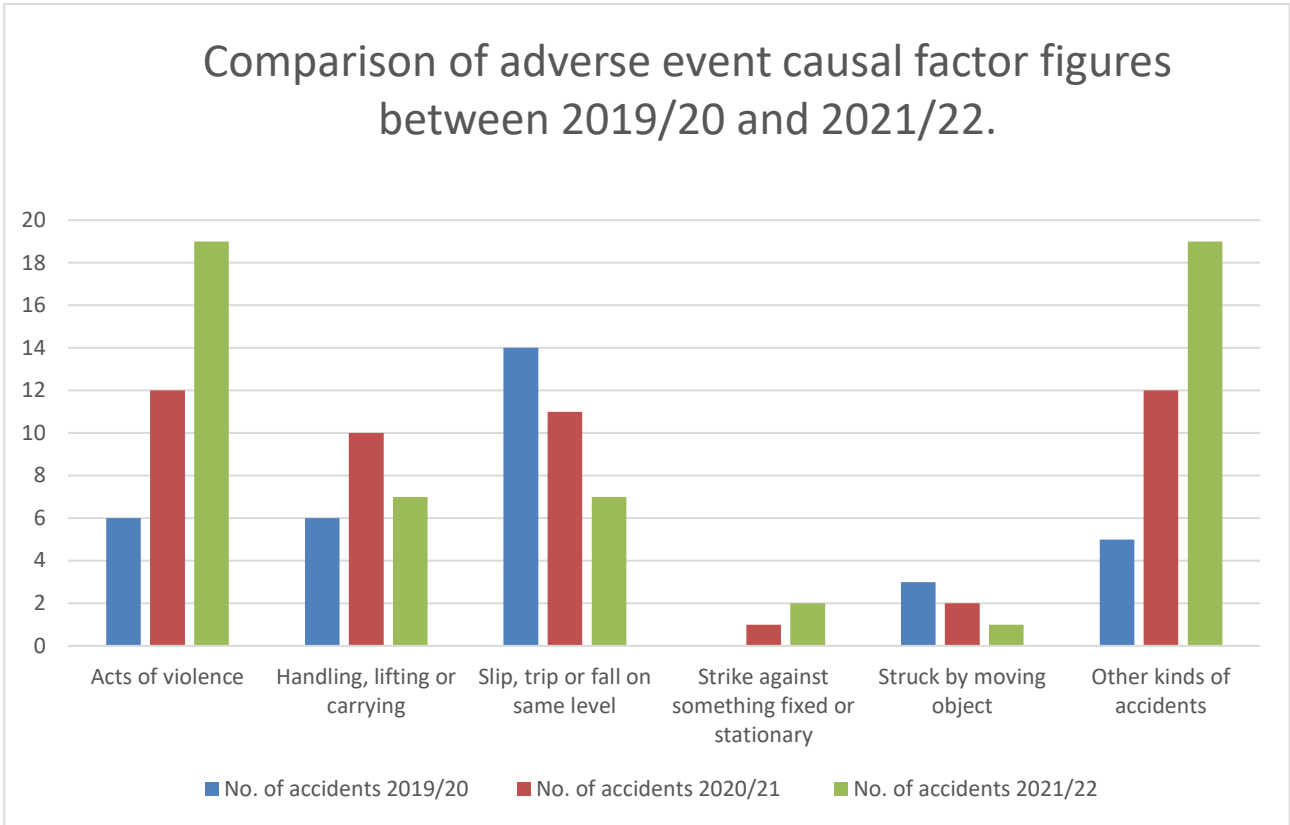
Chief Executive's Service.

Category.	2019/20.	2020/21.	2021/22.
Total.	0.	0.	0.
Reportable.	0.	0.	0.

3.3. Comments: There were no accidents reported from the Chief Executive's Service for this period.

Orkney Health and Care.

Category.	2019/20	2020/21.	2021/22
Total.	34.	48.	55. (13 COVID-19)
Reportable.	3.	2.	3. (13 COVID-19).

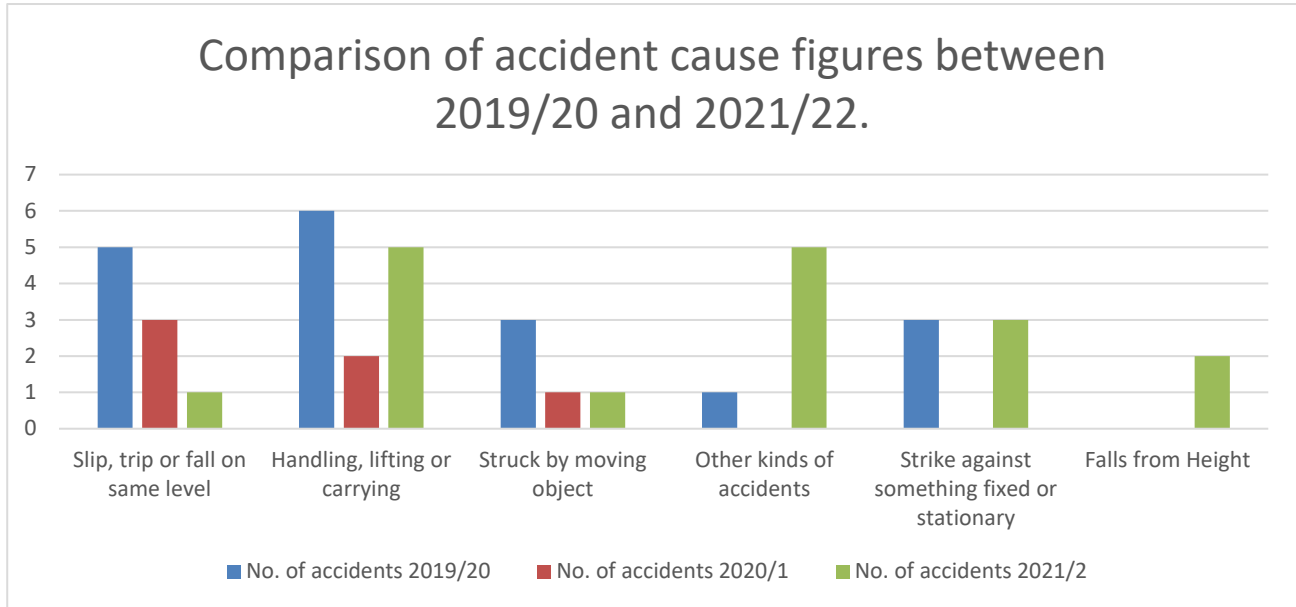


3.4. Comments: An increase in the number of adverse events from 48 to 55 over the 12-month period. A COVID-19 outbreak in a Care Home resulted in 13 staff members contracting the virus. The increase in Acts of Violence against staff may be related to the restricted visiting residents of Care Homes by friends and family and service users in the community. Again, the increase in “other kinds of accidents” is down to the COVID-19 outbreak in a Care Home setting.

The service is currently reviewing the training provided to staff with a view to offering the Promoting Positive Behaviour Programme.

Development and Infrastructure.

Category.	2019/20.	2020/21	2021/22.
Total.	18.	6.	17.
Reportable.	5.	2.	3.

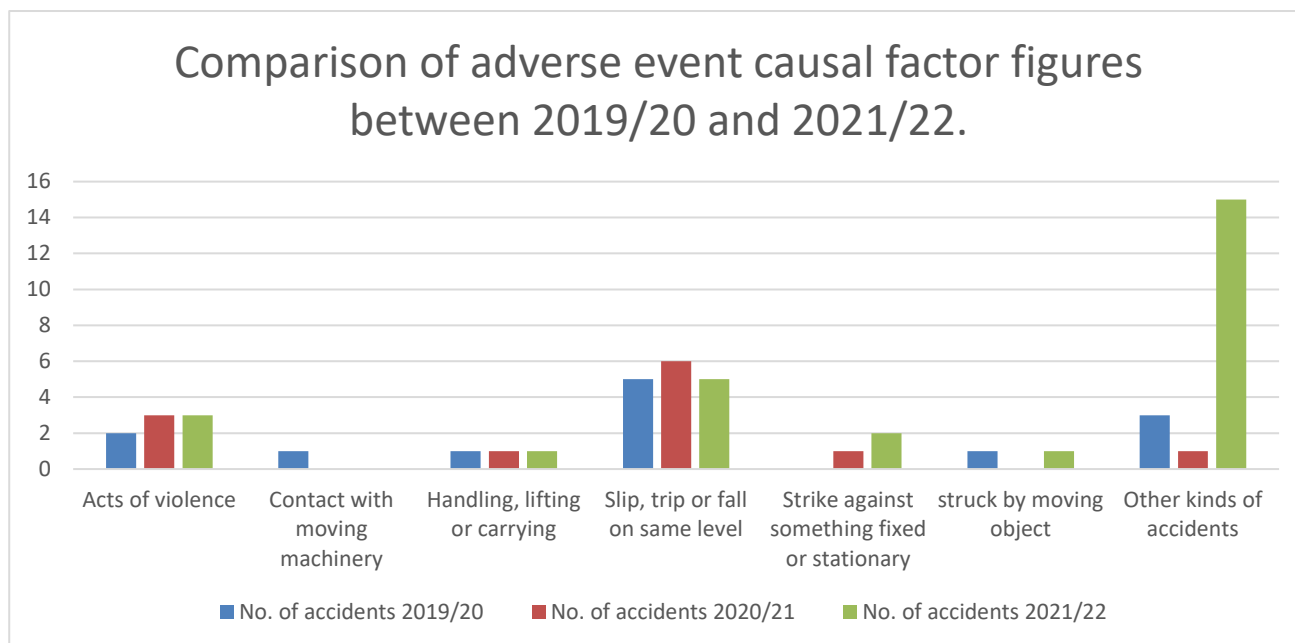


3.5. Comments: The 17 adverse events recorded by this Service were spread across the different categories with no clear causal factor ahead of others. The 3 RIDDOR reportable accidents were as a result of over 7-day injuries.

On 5 July 2021, the Roads and Environmental Service introduced Accident and Incident Recording Information System (AIRIS) to improve the recording and investigation of adverse events occurring within that Service. The above data has been collated through that system and added to the accident data from the other teams within Development and Infrastructure.

Education, Leisure and Housing.

Category.	2019/20.	2020/21.	2021/22.
Total	13.	12.	28 (11 COVID-19)
Reportable	1.	1.	2 (11 COVID-19)



3.6. Comments: The number of acts of violence remains the same as it did in the previous year. The large increase in accidents is due to the increase in “other kinds of accidents”, 12 of which were as a result of staff contracting COVID-19 whilst at work, during an outbreak in a Primary School.

4. Health and Safety Management System Review

- 4.1. In January 2020, the Council’s Senior Management Team (SMT) agreed to a review of the Council’s Health and Safety Management System (HSMS) by introducing the HSE’s health and safety management system ‘HSG65: Managing for Health and Safety’.
- 4.2. The Health and Safety Risk Assessment Guidance, passed by the SMT on 10 December 2019, included the requirement for all Services to centrally store their risk assessments, allowing access by all employees. This centralisation of risk assessments simplifies the process for each Service to identify and review its highest risks.
- 4.3. Through the revitalisation of the Council’s Health and Safety Management System and Health and Safety Policy, the Safety and Resilience Service has reduced the number of health and safety related policies, subsuming them as guidance associated with the overarching Policy.

4.4. Implementation of the system has introduced a more formal reporting system for adverse events with a pathway from the relevant service through the Safety and Resilience Service to the Council's Safety Committee, the Corporate Leadership Team and finally the Policy and Resources Committee of the Council. This reporting structure is used for accident investigation reports and non-conforming health and safety inspection reports, as well as the Annual Health and Safety Report.

5. Near Misses

5.1. Near misses are defined by the HSE as an event not causing harm but has the potential to cause injury or ill health and includes dangerous occurrences. Table 6 shows the number of near misses recorded by services over the last three years.

5.2. By taking action on reported near misses, the Council can prevent future accidents by putting in further controls. It is known that near misses are universally underreported.

Table 6: Number of Near Misses Recorded

Service.	Number of near misses reported in 2019/20.	Number of near misses reported in 2020/21.	Number of near misses reported in 2021/22.
Orkney Health and Care.	7.	28.	44.
Corporate Services.	3.	0.	3.
Development and Infrastructure.	15.	5.	28.
Education, Leisure and Housing.	4.	2.	5.
Chief Executive.	0.	0.	0.

5.3. The majority of near misses within Orkney Health and Care relate to acts of violence perpetrated upon staff members which did not cause any physical injury, a quarter of the cases of violence were perpetrated by a single service user. 5 cases were as a result of vehicle collisions.

5.4. The Roads and Environmental Services AIRIS data has shown that there were 13 near misses within their teams. Each near miss was investigated and control measures introduced, where appropriate, to prevent future accidents.

6. Health and Safety Management System

6.1. In accordance with the Council's Performance Management System, Services monitor their Health and Safety performance, using the last six months' accident data, taken from the previous 12-monthly period in performance reports and in subsequent reports to service management teams and service committees.

6.2. Other measures include:

6.2.1. Corporate:

- Health and Safety Committee.
- Health, Safety and Facilities Forum (HSFF).
- Inspections of Council premises and services carried out by the Safety and Resilience Officer.
- Engagement with Safety and Resilience staff.

6.2.2. Service Wide:

- Development and Infrastructure:
 - Operational team meetings and toolbox briefs.
 - Works Representative Committee.
 - Service representative at Safety Committee and HSFF.
 - Weekly Senior Management Team meeting.
 - Quarterly Union engagement meetings, which include Health and Safety as standing item.
 - Harbour Authority holds monthly meetings at which health and safety is a standard agenda item.
 - Quality Management System and Designated Person Audits.
- Orkney Health and Care:
 - Service Manager meetings.
 - Lead Professional meetings.
 - Team meetings.
 - Staff supervision processes.
 - Service representative at Safety Committee and HSFF.
- Corporate Services:
 - Regular management meetings.
 - Executive Director chair of Safety Committee.
 - Head of Property, Asset Management and Facilities chair of HSFF meetings.
 - Representative at Safety Committee and HSFF.
- Education, Leisure and Housing:
 - Regular Manager, Section Head, Admin and staff meetings.
 - Education Resource Meetings.
 - Orkney Joint Negotiating Committee.
 - Leisure Management meetings.
 - Papdale Halls of Residence Management meetings.
 - Service representatives at Safety Committee and HSFF.

- Chief Executive's Service:
 - Regular management meetings.
 - Staff meetings.
 - Briefings.
 - Performance monitoring.
 - Service representatives at Safety Committee and HSFF.
- 6.3. As a result of the COVID-19 pandemic, the planned campaigns for the 2020/21 period were postponed allowing staff to concentrate on the Council's major emergency response. In order to reflect the Council position with a plethora of national and sector guidance documents, Safety and Resilience staff have produced and reviewed guidance to reflect the Council's position including 'COVID-19 Guidance and Working Procedures for Staff', 'Homeworking Guidance for Staff' and, through working with colleagues in Orkney Health and Care, staff have produced "PPE Guidance for Care Home and Home Care Staff". All of the guidance is available on the Council website.
- 6.4. Throughout the pandemic response, colleagues in Human Resources have issued staff emails with content to help tackle stress and mental health issues. Through the Care for People Group, which was set up in response to the COVID-19 pandemic, the Council was able to access information and websites used by other agencies. The Care for People Group is made up of representatives from Orkney Islands Council, NHS Orkney, Police Scotland and Third Sector agencies such as Enable, Blide Trust and Voluntary Action Orkney.

7. Legal Implications

- 7.1. In terms of Section 2(1) of the Health and Safety at Work etc. Act 1974 the Council has a duty to ensure, so far as is reasonably practicable, the health, safety and welfare of all its employees.
- 7.2. In terms of Section 2(2) of the Health and Safety at Work etc. Act 1974 the Council has a duty to prepare a written statement of its general policy with respect to the health and safety at work of its employees and the organisation and arrangements for carrying out that policy.
- 7.3. In terms of The Management of Health and Safety at Work Regulations 1999, Regulation 5, the Council shall make and give effect to such arrangements as are appropriate, having regard to the nature of its activities and the size of its undertaking, for the effective planning, organisation, control, monitoring and review of preventative and protective measures.
- 7.4. This evaluation of performance is a requirement of the Council's Health and Safety duties and Policy.

8. Financial Implications

- 8.1. The costs associated with workplace accidents result from a variety of sources and not all are covered by employer's liability insurance. Such costs include:
- Work delays.
 - Overtime pay.

- Sick pay.
- Fines.
- HSE fees for intervention.
- Legal costs.
- Extra wages.
- Accident investigation.
- Excess on insurance.
- Staff injury / ill health.
- Damage to equipment.

8.2. The HSE, in their report 'Costs to Great Britain of workplace injuries and new cases of work-related Ill Health – 2018/19' have produced cost estimates of injuries and ill health.

8.3. The estimated cost to the employer for a non-fatal injury was reportedly £8,800, with the average time taken off for a workplace injury being 8 days.

8.4. The estimated cost to the employer for work-related ill health was reportedly £19,000, with the average time taken off for workplace ill-health being 18 days.

9. Conclusion

9.1. Although there has been a reduction in the number of accidents reportable to the HSE by 44%, the overall number of accidents has remained almost static.

9.2. It is the policy of Orkney Islands Council to take all reasonably practicable steps to ensure the health, safety and welfare at work of all its employees.

9.3. This statistical evaluation implements one of the requirements of the Council's Health and Safety Policy, and highlights areas which may require further investigation or management investigation, with the aim of reducing the numbers of accidents and incidents.

9.4. Although not included in the statistical analysis for this reporting year, following the tragic circumstances surrounding the death of our employee, Keith Johnstone, a Fatal Accident Inquiry was held at Kirkwall Sheriff Court between 7 and 10 June 2022. Following the evidence, as a result of the work undertaken within the service in the immediate aftermath of the accident in 2017, the Sheriff had no additional recommendations beyond those identified by the Council. The approach therefore that we are trying to achieve is to ensure that everyone comes to a safe working environment and returns home unharmed.

10. Recommendations

10.1. All adverse events, including accidents, near misses, dangerous occurrences and work-related ill health conditions, should continue to be recorded and a copy of the accident / incident report should be forwarded to the Council's Safety and Resilience service.

11. References

11.1. HSE - Costs to Great Britain of workplace injuries and new cases of work-related Ill Health – 2018/19.