



# Tiverton Town Council

## Health & Safety Policy

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| Policy Name   | Health & Safety Policy               |
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### 1. Introduction

Tiverton Town Council is committed to providing and maintaining a healthy and safe environment for all its employees, and in ensuring that their work does not adversely affect the health and safety of other people.

### 2. Purpose

This document contains the guidelines and procedures adopted by Tiverton Town Council for the health, safety and welfare of the Council's employees, councillors, contractors, users of the Council's facilities and other members of the public.

### 3. Scope

This policy applies to all people who work for or with the Council, users of Council property and tenants of Council allotment sites.

### 4. Process

- 4.1. The Finance and General Purposes Committee will be responsible for reviewing this document on an annual basis unless new legislation requires that the guidelines or procedures need to be revised between this annual period. The document will also be revisited following a serious accident or incident.
- 4.2. For the purposes of clarity a serious injury shall be one that requires reporting under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.

- 4.3. The Council will adopt a clear communication system that ensures that all employees and users of the Council's facilities, which includes contractors working on or near any properties of the Town Council, are fully aware of the relevant procedures and guidelines so that a high level of health and safety protection is maintained on all Council sites as far as is practicably possible.
- 4.4. The Town Clerk shall be the Council's Safety Officer and is responsible for keeping up to date with changes in Health and Safety legislation as far as the Council's properties and sites are concerned.
- 4.5. The Hall Manager will be responsible for ensuring that procedures are complied with at the New Hall and for ensuring that users of the facilities have suitable and sufficient instruction prior to any event taking place.
- 4.6. The Council has a duty of care to their employees under the Health and Safety at Work Act 1974. The Council also has a duty under the Management of Health and Safety at Work Regulations 1999 to carry out suitable and sufficient formal risk assessments of its properties and sites.

## 5. Health & Safety Policy

- 5.1. This policy is prepared within the provisions of Section 2(3) of the Health and Safety at Work Act 1974.
- 5.2. Tiverton Town Council is committed to ensuring, as far as is practicably possible, that its employees work in a safe environment, and that where hazards in the workplace are identified a risk assessment takes place with the objective of either eliminating the risk or, if that is not practically possible, reducing the risk to an acceptable level.
- 5.3. The Council is committed to providing training and instruction to all employees to enable them to carry out their duties in a safe way and to ensure that their health or welfare is not affected by their duties
- 5.4. To ensure that this objective is complied with the full co-operation of every employee is required. Employees must not operate equipment to which they have not been trained to use or ignore health and safety procedures that have been put into place for their own protection; and the protection of others.
- 5.5. Employees must ensure that they work in a safe way at all times and that any action that they take does not endanger other employees or users of the Council's properties or facilities.
- 5.6. Employees have a statutory duty to comply with health and safety legislation and to co-operate with their employer on matters of health, safety and welfare issues.
- 5.7. Persons hiring the facilities of the New Hall or other properties of the Council must be informed that the hire agreement is made on the condition that they are responsible, as far as can be practically expected of the hirer, to comply with all relevant health and safety procedures that have been introduced by the Council. Failure to comply with this aspect of the hire arrangement could result in the hire arrangements being terminated by the Council.

- 5.8. The main objective behind modern health and safety regulations, procedures and guidelines is the prevention of unsafe incidents, accidents and the prevention of short or long term poor health problems caused by exposure to chemicals or other substances or by poor work practices leading to short or long term Upper Limb Disorders like repetitive strain.
- 5.9. The Town Council wishes to propagate a culture that encourages employees and other users of the Council's facilities to report incidents that under certain other conditions could have resulted in injury, damage to property or death. This is to ensure that such incidents are investigated so that possible action can be implemented to avoid escalation of an incident to a more critical level.

## 6. Risk Assessment

- 6.1. Every employer shall make a suitable and sufficient assessment of:-
  - 6.1.1. the risks to the health and safety of his employees to which they are exposed whilst they are at work; and
  - 6.1.2. the risks to the health and safety of persons not in his employment arising out of or in conjunction with the conduct by him of his undertaking.
- 6.2. The Town Clerk will ensure that a suitable and sufficient risk assessment is made of the New Hall, Allotment sites and other properties operated in the name of Tiverton Town Council.
- 6.3. The risk assessment will identify the hazards and risks associated with each operation under applicable conditions.
- 6.4. For the purpose of clarity the definition used for the term hazard shall be anything that could cause harm or damage, and the definition of risk shall be the potential harm or damage that could be caused.
- 6.5. The principle purpose of carrying out a risk assessment is therefore clearly to identify hazards and their risks and, having identified them, to set about working on either eliminating the risk or reducing the risk to an acceptable level.
- 6.6. To this end the guidance provided by HSE in their publication A Guide to Risk Assessment Requirements and the HSE leaflet Five Steps to Risk Assessment will be used as guidance for anyone undertaking risk assessments on behalf of the Council.
- 6.7. A copy of these two publications is available on request.
- 6.8. In studying the possible risks present legislation needs to be taken into account. The principle Acts and Regulations being:
  - The Health and Safety at Work Act 1974
  - The Management of Health and Safety at work Regulations 1999
  - Manual Handling Regulations 1992 (as amended by the Health and Safety Miscellaneous Amendments) Regulations 2002
  - Personal Protective Equipment at Work (PPE) Regulations 1992
  - Health and Safety (Display Screen Equipment) Regulations 1992 (as amended by the Health and Safety (Miscellaneous Amendments) Regulations 2002
  - The Noise at Work Regulations 1989
  - The Control of Substances Hazardous to Health (COSHH) Regulations 2002
  - The Control of Asbestos at Work Regulations 2002

- The Control of Lead at Work Regulations 2002.
  - Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.
- 6.9. In addition to the normal risk assessment of the premises and work places of the Council it is necessary to ensure that a risk assessment takes place prior to any event taking place which is the overall responsibility of the town council.
- 6.10. A risk assessment must take place prior to a parade or any street event taking place.
- 6.11. Special risk assessments must be made when disabled persons are employed by the council. This will require a specific individual risk assessment as each disabled person would have their own unique disability; therefore a one off disability risk assessment to cover disabled employees would not be sufficient.
- 6.12. The Disability Discrimination Act requires that reasonable adjustments are made to the workplace to accommodate an employee with a disability.
- 6.13. Special risk assessments are required for a female member of staff who is pregnant to ensure that her health is not affected by her normal duties. Reasonable adjustments may need to be made to such duties if the risk assessment identifies a potential risk to the employee's health.
- 6.14. The employer also has a duty of care towards any young person working on the Council's premises. This could include a young person working under any work experience scheme. The fact that the young person is not being employed by the council, and indeed may not be receiving any remuneration does not eliminate the need to carry out a specific risk assessment of the proposed duties being undertaken by a young person.
- 6.15. Young people must not be given tasks or operate machinery that could cause harm or injury. Where a specific risk is identified that cannot be avoided the risks associated with the task, together with the correct method of operation to avoid the possibilities of injury or damage to health or property must be fully explained to the young person. Suitable and sufficient training must be given to ensure that the young person is competent and will not be subjected to harm. In addition to this the young person's parents or guardians must be informed, and their written permission received, before the young person can be permitted to undertake any such duties.
- 6.16. A special risk assessment must be undertaken where it is identified that there are possible risks outside of the normal day to day operation of the Council. Work should not commence until the risk assessment has been undertaken, the risks identified, and protective measures put into place to prevent, as far as is reasonably possible, injury or damage to health or property.
- 6.17. It may not be possible for the risk assessment to be undertaken by the usual employee if the risks require specialist knowledge of the dangers and possible measures required to avoid such risks. Under such circumstances arrangements will be made for a suitably qualified person to undertake the risk assessment. They will then provide a written report to the Town Clerk on their findings.
- 6.18. Having undertaken a risk assessment a document will be prepared for the relevant committee of the town council. This will list the identified hazards and their risks under certain conditions, and, where possible, the document will contain the suggested actions to be taken to either eliminate the risk, or, where that is not deemed to be practicable, the suggested actions to be taken to reduce the risk to an acceptable level.

- 6.19. Where a risk assessment reveals that a certain operation is operating at an unacceptable risk, therefore revealing the fact that there is a high probability of serious injury, death, long term health problems or the potential for damage to property it may be necessary to cease that operation until acceptable safety levels can be introduced.
- 6.20. Should this action be necessary an employee will inform the Town Clerk as soon as possible of the action taken. The Town Clerk will then review the situation with the Chairman of the Committee involved with that particular operation and the Chairman of the Finance & General Purposes Committee. If necessary an emergency meeting will be called of the council or that committee to discuss the problems to agree an acceptable solution that complies with health and safety legislation.
- 6.21. Items that are identified under a risk assessment should be dealt with as quickly as possible taking into account the seriousness of the risk. Items that cannot be dealt with within a reasonable timeframe should be listed.

## 7. Corrective Action Report

- 7.1. Every identified risk that needs attention shall be entered onto the applicable Corrective Action Report (CAR).
- 7.2. A CAR must remain on the list until the required action has been dealt with and it has been agreed by the applicable committee or council that the item can now be closed.
- 7.3. A resolution, in the appropriate minute book, will be made to confirm that the appropriate action has been taken to rectify the CAR and that the item is now closed; therefore creating an audit trail.
- 7.4. A review of all risk assessments must take place on a regular basis. The regularity being agreed by the committee based on the severity of the risks involved.
- 7.5. A new risk assessment must take place following an accident or when significant changes are made to the operation or the layout.

## 8. Fire Risk Assessment

- 8.1. Recent changes in legislation has resulted in the assessment of risk of fire being linked to the process of risk assessment.
- 8.2. The proforma used consists of a series of prompts and considerations to steer the assessor through the existing fire safety features of a building, and enable decisions as to their adequacy to be made.
- 8.3. A fire risk assessment will be carried out by the Town Clerk and the Hall Manager as required.

## 9. Safety on Allotment Sites

- 9.1. Allotment Gardens pose a great risk of dangers from inflammable materials partially due to the fact that sites remain unsupervised for most of the time. Tenants have all received letters informing them that the storage of inflammable materials must be kept to an absolute minimum.
- 9.2. All tenants have a duty of care to others to prevent, as far as is reasonably possible, injury from their actions or injury or poor health resulting from items left on the site, or incorrectly used.

- 9.3. Used in the correct way, by a qualified person, under the right conditions, there should be little problem with the use of chemicals, however when the above conditions are not adhered to, or when chemicals are left unattended, they can of course be a great hazard, leading to injury, potential damage to property and in extreme cases to possible loss of life.
- 9.4. The Control of Substances Hazardous to Health (COSHH) Regulations cover this subject in great detail, however, plot holders have been asked to only keep chemicals on the site that they are actually using, to follow the manufacturer's instructions and to remove or lock away all chemicals when not in use.