



**CHESTERFIELD**  
BOROUGH COUNCIL

# Corporate Health and Safety Policy: Organisation document

Owner: Strategic Health, Safety and Risk

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## **SECTION 1: Introduction**

- 1.1 This section of the Health and Safety policy outlines roles and responsibilities for health and safety.
- 1.2 This document should be read in conjunction with the Corporate Health and Safety Policy Statement and the Arrangements document.

## **SECTION 2: Chesterfield Borough Council**

- 2.1 Chesterfield Borough Council (the Council) has responsibility for:
  - The safety, health and welfare of all Council's employees and others who are working in the Council's functions or premises. This duty lies with the Council as a corporate body rather than with any specific individual.
  - The constitution enables a mechanism for Council elected members to delegate health and safety issues to appropriate officers.
  - The Council recognises its responsibilities under the Health and Safety at Work etc. Act 1974 (HSW) and other applicable health, safety and environmental legislation.
  - The Council notes the offences applicable to 'bodies corporate' (Section 37 of the HSW).
  - The Council will put arrangements in place to ensure the safety, health and welfare of the public and other persons not in their employ, that could be reasonably affected by Council work activities.
  - The Council will put monitoring and scrutiny arrangements in place to check and challenge health and safety arrangements.
  - Corporate Health and Safety is an executive function in relation to health and safety matters affecting employees of the Council.
  - The Scrutiny Select Committee – Resilient Council has the responsibility for scrutinising health and safety matters.
  - The Council will ensure that a dedicated Health and Safety committee is in place to enable formal consultation on health and safety matters.
  - Health and Safety policy decisions will be approved by the Council's Employment and General Committee.
- 2.2 The Council will fulfil its role as an enforcing body for workplace health and safety. These delegations are covered in the Council's constitution and officer delegations are in place for the Service Director – Leisure, Culture and

Community Wellbeing. Enforcement duties are managed by the Environmental Health team under the responsibility of the Head of Community Safety and Regulatory Services.

### **SECTION 3: Elected members**

- 3.1 Elected Members have a duty to:
- Comply with the requirements of this policy
  - Ensure that suitable resources and strategic direction are available to discharge the Council's health and safety responsibilities
  - Approve and monitor the Council's health and safety policies and arrangements
- 3.2 Elected Members will also:
- Be positive role models for health and safety
  - Recognise the potential implications their decisions can have on the ability for the authority to fulfil the aims of the corporate health and safety policy and wider health and safety arrangements.

### **SECTION 4: Chief Executive (Head of Paid Service)**

- 4.1 The Chief Executive as Head of Paid Service is responsible for all health and safety matters.
- 4.2 The Chief Executive acknowledges and accepts their statutory responsibilities for Health and Safety, including:
- Having a comprehensive understanding of the aims of the corporate Health and Safety Policy.
  - Ensuring that adequate resources are made available to enable the Health and Safety policy and arrangements to be fully implemented.
  - Ensuring that appropriate monitoring, check and challenge is undertaken to review and improve the application of the corporate Health and Safety Policy and its aims.
  - Ensuring health and safety is an integral part of the overall corporate leadership approach.

- Having a positive attitude to health and safety and visibly demonstrating personal commitment to achieving a high standard of health and safety performance.
- Ensuring that competent health and safety assistance is provided to officers and elected members.
- Ensuring that the Council is sufficiently organised and has sufficient competent resources to meet its enforcing authority responsibilities for safety, health and welfare within the borough boundaries
- Ensuring that Council partners are informed of any changes to the health and safety policy or arrangements that could affect their health, safety or welfare
- Ensuring that the Corporate Leadership Team have the appropriate level of competence and resources to effectively manage health and safety.

4.2 The Chief Executive can delegate some of their health and safety responsibilities. This is due to the size and scale of the services the Council provides. In the absence of the Chief Executive, the Executive Director will act as their deputy and assume their responsibilities.

## **SECTION 5: Senior management**

- 5.1 The senior management structure chart is available [here](#).
- 5.2 All Directors 'so far as is reasonably practicable' are responsible for compliance with the corporate Health and Safety Policy and arrangements within their respective service areas.
- 5.3 Directors will maintain a comprehensive understanding of the content of the corporate Health and Safety policy. They will ensure adequate resources are made available to enable the Council's policy to be fully implemented.
- 5.4 Directors will be inquisitive in ensuring that the Council is implementing, monitoring and reviewing the application of the corporate Health and Safety policy within their service areas. They have the responsibility for the management of health and safety within their service areas, and for undertaking reviews of the health and safety needs of their services.

- 5.5 Directors will develop, promote and maintain a positive attitude to health and safety matters and ensure effective communication of health and safety across their services.
- 5.6 Directors responsibilities include:
- Ensuring compliance with corporate Health and Safety Policies and associated guidance and instructions
  - Ensuring that a review of all health and safety accidents and incidents are carried out within their services and that remedial action is taken
  - Ensuring that employees within their service areas are aware of their obligations in respect of health and safety matters
  - Ensuring that adequate resources are made available to implement the management of health and safety within their service areas
  - Ensuring that risk assessments are developed and are reviewed
  - Ensuring that service area safe systems of work are developed and implemented
  - Seeking the advice of the corporate Health, Safety and Risk service as necessary
  - Setting a good personal example including have a positive attitude to health and safety and demonstrating personal commitment to achieving a high standard of health and safety performance
  - Informing partners of changes to the Council's Health and Safety Policy or working practices.
- 5.7 Directors can delegate responsibilities to Heads of Service or other officers to assist them in fulfilling the corporate Health and Safety Policy requirements. In the event of a vacant director post, the responsibility will revert to the respective Directors' line manager.

## **SECTION 6: Tier 4 Managers / Line Managers**

- 6.1 Managers are responsible to their Director for all matters relating to health and safety within their service areas. Managers must ensure high standards of health and safety are practised at all times. Managers responsibilities include:

- Ensuring corporate Health and Safety Policies are understood and implemented within their service areas
- Ensuring they read and follow corporate guidance documents (where available) and use them as a template to develop local in-service arrangements. Managers should contact their health and safety advisor for further information where there is uncertainty
- Consulting with their workforce (both unionised and non-unionised) when developing and reviewing local health and safety arrangements
- Providing their employees and other workers with comprehensible and relevant information on:
  - The risks to their health and safety which are identified within a risk assessment and any preventative and protective measures
  - The procedures for serious and imminent danger and the people appointed to take charge for such procedures
- Ensuring suitable and sufficient supervision and training is in place for health and safety arrangements within their service areas.
- Maintaining and updating their own skills, information and knowledge for health and safety.

## **SECTION 7: Employees and other workers**

- 7.1 All employees shall be responsible to their immediate Line Manager or supervisor for the health and safety of their work environment.
- 7.2 All employees have a duty to co-operate with their employer so far as is necessary to enable the employer to comply with their legal obligations. This includes other workers (e.g. agency staff) whilst under the Council's responsibility (also referred to as the Council's undertaking).
- 7.3 Section 7 of the Health and Safety at Work etc. Act 1974 places a legal duty on all employees whilst at work to "take reasonable care of their own health and safety and that of other persons who may be affected by their acts or omissions at work." This means that they must co-operate with work instructions and are expected to report any health or safety concerns to their Head of Service, Line Manager or supervisor.

7.4 Employees are required to:

- Work with due regard for health and safety of themselves and others
- Read, understand and follow the Council's corporate Health and Safety Policy
- Understand and follow all health and safety rules and procedures
- Co-operate with and support management in meeting their legal health and safety duties
- Ensure that any personal protective equipment is worn, used and is maintained in efficient working condition
- Inform management of working conditions that are considered unhealthy, unsafe, or where there is an existence of serious hazards or defects to plant, equipment, machinery or buildings
- Not intentionally or recklessly interfere with or misuse items provided for health and safety
- Attend and complete all health and safety training
- Attend all Occupational Health sessions
- Report all accidents, incidents, near misses and hazards immediately to their line manager or supervisor and co-operate with investigations
- Ensure any absence is reported to management as soon as possible
- Offer suggestions which may improve the quality of health and safety at the Council. These suggestions may be passed to a manager, a trade union safety representative, their Service Director or to the Health, Safety and Risk team.
- Employees are reminded of the Councils' whistleblowing policy and are urged to report any dangerous activity witnessed.

7.5 Failure to comply with health and safety instructions, intentional or reckless interference with, or misuse of anything provided in the interests of health, safety or welfare may lead to disciplinary action including dismissal.

7.6 Unacceptable delays in reporting an accident may affect any claim for industrial injury. It could also lead to avoidable repeated incidents.



## **SECTION 8a: Other people**

- 8.1 Any person who is not at work, whilst on Council premises or site, are legally obliged to not intentionally or recklessly interfere with or misuse items provided for health and safety.

## **SECTION 8b: Health and safety officers**

- 8.2 The Strategic Health, Safety and Risk manager (SHSRM) is the lead professional for all health and safety activity across all directorates.
- 8.3 The Health, Safety and Risk service will provide officers and elected members with health and safety competent advice and support (reference: Regulation 7 – Management of H&S Regs 1999) (Health and safety assistance).
- 8.3 The Health, Safety and Risk service forms part of the Directorate – Digital, Human Resources and Customer Services.
- 8.4 Health and safety advisors are responsible for:
- Providing clear, visible, and motivational health and safety leadership, helping nurture a strong health and safety culture.
  - Developing, implementing, monitoring and reviewing all corporate Health and Safety policies and associated corporate guidance and templates
  - Advising and supporting Council officers and elected members in fulfilling their health and safety responsibilities
  - Providing competent advice to the Corporate Risk Management Group and Health and Safety Committee
  - Providing advice on the development and implementation of safe systems of work, including the selection, provision and use of appropriate equipment and clothing and health and safety aspects in the design and use of Council fleet, plant and equipment
  - Promoting and assisting in delivering regular blended health and safety training (internal, external and online facilitated training) for Council services
  - Delivering a proactive health and safety monitoring program, including health and safety inspections, and audits
  - Delivering effective and engaging two-way H&S communication to all employees, other workers, elected members and others as appropriate
  - Undertaking and supporting management in the analysis of all health and safety performance and compliance data sets
  - Completing periodic health and safety reports, briefings, and presentations

- Providing constructive challenge for any non-compliance health and safety matters
- 8.5 In addition to these responsibilities, the Strategic Health, Safety and Risk Manager will act as the Information Asset Assistant for all Health, Safety and Risk software.
- 8.6 All health and safety advisors have the authority to order the cessation of work where dangerous working practices or unsafe conditions are identified. This authority helps to minimise serious risk of accidents and incidents and ensure that steps are swiftly taken to mitigate poor practice.
- 8.7 Where a Health and Safety advisor requests that work is ceased, this will be undertaken in consultation with the relevant service director where reasonably practicable. The overriding priority is safeguarding the health and safety and wellbeing of all persons and protecting Council property from damage. Action must not be delayed where the need to stop dangerous practices is identified.
- 8.8 Health and Safety advisors who use this authority, will inform the Strategic Health, Safety and Risk Manager and therefore enabling the Portfolio Holder – Governance and Health and Safety Committee to be briefed on the incident.

## **SECTION 9: Health and Safety consultation**

- 9.1 By law, managers must consult with employees and their representatives about health and safety matters that affect them, such as :
- the introduction of new equipment, technology and safe systems of work.
  - The planning and organisation of health and safety training
  - The development of Policies and Guidance

This includes discussing risks and measures to mitigate them.

- 9.2 Consultation is undertaken with employees and recognised Trade Unions. In relation to corporate Health and Safety arrangements, the Council's Health and Safety Forum and the Council's Health and Safety Committee will also be consulted prior to adoption of changed documents.
- 9.3 The consultation arrangements in place meet the Safety Representatives and Safety Committees Regulations 1977 (as amended) and the Health and Safety (Consultation with Employees) Regulations 1996 (as amended).

- 9.4 In addition, the Council regularly holds Directorate Joint Consultative Committees which are important forums where employment matters including health, safety and welfare can be discussed.

## **SECTION 10: Building Safety Act 2024 – Named person**

- 10.1 The Building Safety Act 2024 includes a number of provisions which are relevant to the corporate Health and Safety Policy. Section 126B requires that the Council appoints a named person as the health and safety lead for Housing domestic stock. The Council will appoint and publish the named person on its website.
- 10.2 Section 126C of the act sets out the duties of the health and safety lead.
- (1) A registered provider must—
    - (a) ensure that the health and safety lead—
      - (i) has sufficient authority (including, in particular, authority to obtain information) within the provider's organisation, and
      - (ii) can devote sufficient time to the functions of the health and safety lead, to perform the role of health and safety lead effectively:
    - (b) provide the health and safety lead with the resources needed to carry out those functions.
  - (2) A registered provider must, in accordance with requirements published by the regulator—
    - (a) notify the regulator of the name and contact details of the health and safety lead, and
    - (b) publish that information.