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## ORGANISATION

### Introduction

This section describes the general organisational responsibilities and accountabilities for health and safety across the council for:

- Leader of the Council
- Elected Members
- Chief Executive
- Directors
- Assistant Directors
- Heads of Service
- Other Officers with Management/Supervisory Responsibility
- Health & Safety Team
- Employees, Trainees, Temporary Workers and Volunteers.

The section also outlines the general requirements for joint consultation.

Please note that although responsibilities can be delegated to a third party, accountability remains with the originally identified individual.

### Elected Members

#### Leader of the Council

The Leader of the Council ensures that the work of the Executive and full Council is conducted in accordance with the Council's policy and procedures for health and safety and with due regard for relevant statutory provisions.

#### All Elected Members


All Members ensure that all the decisions they make are in line with this policy and other Council policies and procedures. This ensures that they give due regard to health, safety & wellbeing and any relevant statutory provisions. This principle is upheld by all committees and during all contacts with employees and members of the public.

#### Chief Executive

The Chief Executive has overall personal responsibility for the effective leadership for health and safety in the Council. They will carry out the following duties;

- Ensure that the health and safety policy and management systems are an integral part of the Council's culture, of its values and performance targets
- Provide effective leadership to Directors by agreeing and reviewing targets for maintaining standards and, where appropriate, for achieving improvements in health and safety performance

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- Ensure that adequate resources are made available to achieve high standards of health and safety
- Monitor and review health and safety performance by receiving both specific (eg incident-led) and routine reports

### **Directors**

All Directors are responsible for the effective leadership of health and safety within their Directorates and/or sphere of influence. Directors carry out the following duties:

- Ensure that the health and safety policy and management systems are an integral part of the Directorate's culture, of its values and performance standards
- Ensure that the Directorate has a clear management structure and that health and safety responsibilities are effectively communicated and included in job descriptions
- Ensure that there are adequate and appropriate arrangements to encourage the trust, participation and involvement of all employees on health and safety issues
- Ensure there are adequate arrangements so that the required health and safety information is shared between those that need it
- Ensure that there are systems and arrangements to secure the competence and capability on health and safety related matters of all employees and others who are part of the conduct of the Directorate's undertakings
- Provide visible leadership on health and safety to senior managers by setting and reviewing targets for achieving improvements in health and safety performance
- Ensure that adequate resources are made available to achieve compliance with health and safety legislation and if practicable best practice
- Appoint a senior manager (Assistant Director or equivalent) to be the local health & safety champion
- Monitor health and safety performance by receiving both specific (eg incident-led) and routine reports
- Ensure that individuals' health and safety performance is considered at their annual appraisal
- Keep health and safety performance under review at Directorate Management Team meetings and ensure a formal annual review is carried out

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- Consult CYC Health and Safety Advisers and others where appropriate to ensure the monitoring or implementation of health and safety measures are in place

### **Director of Customer and Business Support Services**


In addition to the responsibilities outlined above, the Director of Customer and Business Support Services is also appointed as the 'health and safety director', to ensure that health and safety risk management issues are properly addressed by Corporate Management Team and more widely in the Council. This role includes maintaining an adequately resourced Health and Safety Team and ensuring that a Joint Health and Safety Committee is regularly held and significant concerns are escalated where appropriate. However, this role does not detract from the responsibilities of the Chief Executive and of other Corporate Directors for implementing this policy.

### **Assistant Directors**

Assistant Directors are responsible for the effective implementation of this health and safety policy and associated management systems in areas under their control. They are responsible for ensuring that managers are aware of their responsibilities for implementing the day-to-day operation of all health and safety systems and procedures within their service areas. In addition to these general duties, they will carry out the following:

- Ensure that the health and safety an is an integral part of the culture, values and performance standards in their service areas
- Ensure that their service area has a clear management structure and that health and safety responsibilities are effectively communicated and included in job descriptions
- Provide visible leadership on health and safety to Heads of Service and senior managers by setting and reviewing targets for achieving improvements in health and safety performance
- Oversee implementation of the Council's health and safety action plan and the relevant health and safety section of their Service Plan(s) in their service area and monitor its implementation
- To provide leadership on relevant corporate health and safety issues relevant to their role within the Council
- Ensure that adequate resources are made available to achieve compliance with health and safety legislation and if practicable best practice
- Monitor health and safety performance by receiving both specific (eg incident-led) and routine reports

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- Keep health and safety performance under review and play a full and active part in the review process at Department Management Team meetings
- Consult CYC Health and Safety Advisers and others where appropriate to ensure the monitoring or implementation of health and safety measures are in place

### **Heads of Service**


Heads of Service are responsible for the effective implementation of this policy in their areas of responsibility. They will carry out the following duties with advice, where required, from the Health and Safety Team, and other appropriate officers:

- Provide effective leadership on health and safety to their managers by setting and reviewing targets for achieving improvements in health and safety performance
- Implement the relevant health and safety requirements of their action plan(s) in their service area and monitor its implementation
- Ensure that health and safety issues are taken into account in all service performance plans and at the design stage of new initiatives
- Satisfy themselves that suitable health and safety standards are maintained and arrange for any shortcomings in safety standards, inspections, training and instruction to be rectified where practicable
- Ensure that arrangements are in place so they are advised of any accidents, incidents and health and safety issues occurring in their area of responsibility
- Monitor the need for any further health and safety measures, instruction and training
- Ensure that suitable and sufficient risk assessments are carried out in their area of responsibility. These should be recorded, communicated to the relevant staff and reviewed at least annually (or sooner if there is a significant change) and modified if necessary
- Ensure that all employees in their area of responsibility have been informed of any significant risks to their health and safety, and any control measures, workplace precautions, safe systems of work, etc that must be taken to minimise these risks.

### **Other Officers with Management/Supervisory Responsibility**

Staff who manage, supervise or have responsibility for employees, trainees or members of the public are responsible for health and safety within their management control. They carry out the following duties in consultation,

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where appropriate, with Health and Safety Advisers, Lead Officers and other appropriate officers:

- Provide effective leadership on health and safety to their staff and support improvements in health and safety
- Ensure that health and safety issues are taken into account at the design stage of any new initiatives and projects
- Take reasonably practicable steps to ensure the health, safety and welfare of all employees, trainees, temporary workers, volunteers and other persons who may be affected by work activities (eg visitors, pupils, service users, members of the public, contractors)
- Ensure health & safety inspections are carried out in their area of responsibility and ensure that any identified remedial actions are completed
- Ensure health and safety risks are assessed in their area of responsibility and ensure that all significant risks are adequately controlled. Record the significant findings of risk assessments and bring these to the attention of those affected where appropriate.
- Ensure that accidents and incidents in their area of responsibility are reported promptly, as required by the incident reporting procedure.
- Ensure that accidents and incidents (including near misses) are investigated and where possible, effective action is taken to prevent a reoccurrence
- Ensure that all employees in their area of responsibility receive appropriate health and safety training and they have sufficient knowledge, skills and information to carry out their work safely. Ensure that new staff are given a workplace health and safety induction during their first week at work
- Ensure that they and their staff are kept up to date with all relevant health and safety information
- Ensure that all employees, trainees, temporary workers and volunteers are supplied with appropriate personal protective equipment and clothing that is fit for purpose and used correctly, where it is required, and are given suitable information, training and instruction on its use, maintenance and storage

### **Directorate Health and Safety Champions**

Corporate Directors assign a senior manager as the Directorate Health and Safety Champion; they take a strategic role for health and safety within their specific Directorate. Their role is to co-ordinate the health and safety effort across the Directorate and to lead in health and safety planning, reporting and review. Champions hold regular meetings with their Corporate Directors and

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the relevant officers from the Health and Safety Team. They are also attend and actively participate in the Joint Health and Safety Committee and chair the Directorate Risk Management Groups, to ensure health and safety plans and performance are regularly reviewed.


### **Health and Safety Team**

The Council has appointed the Health & Safety Team as competent persons in accordance with the Management of Health & Safety at Work Regulations 1999. The Head of Health & Safety is a standing member of the Joint Health and Safety Committee. The team provides health & safety support services to Members, managers and employees. However, neither under the terms of this Policy, nor under health and safety statutory requirements, can the Health and Safety Team relieve either managers or supervisors of their operational health and safety responsibilities.

The Health & Safety Team carries out the following duties:

- Develop and advise on the implementation of health & safety policy, procedures and management systems for existing and new activities
- Support and empower managers to develop and implement effective health & safety risk management in their service areas
- Promote a positive health & safety culture, based on sensible risk management, to secure high standards of health and safety
- Advise on the development of health & safety action plans, including the setting of realistic short-term and long-term objectives
- Advise and inform on all aspects of health & safety and provide advice on new legislation affecting the work of the Council
- Advise on the implementation of the health & safety risk assessment system and prioritisation of control measures
- Advise on health & safety training for staff at all levels
- Monitor health and safety through inspection and audit
- Co-ordinate the incident reporting, recording and investigation system
- Report to Corporate Management Team and/or the Corporate Leadership Group management on health & safety performance and standards
- Be the main point of contact and maintain professional working relationships with health and safety enforcing authorities
- Exercise the authority to stop work in cases where there is an intolerable risk of serious injury or likelihood of fatality

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- Consult CYC Health and Safety Advisers where appropriate to ensure the monitoring or implementation of health and safety measures are in place
- Manage the Occupational Health contract which includes:
  - advice on employee fitness for work
  - advice on adjustments and restrictions for existing and potential employments
  - advice to managers on medical/health issues to prevent potential work related ill-health and inform individual risk assessments on employees who have underlying medical conditions
  - education and training to managers and individuals with regards to specific work related health issues, their prevention and management
  - appropriate health surveillance and advice to individuals and their managers on any risks to their health and the necessary measures to prevent the development of disease and ill-health
  - support via the Employee Assistance Programme to all employees experiencing personal and workplace difficulties

### **Property Services**

Property Services provides advice and guidance across all Directorates in relation to the development of new and the refurbishment and maintenance of existing buildings. Property Services liaises with Directorates and Contractors to ensure that suitable arrangements are in place for maintaining buildings, plant, equipment and services. In addition, the Service provides specific advice and guidance on the management of asbestos and legionella related matters.


### **Workforce Development Unit (WDU)**

The Workforce Development Unit work with Services, in consultation with the Health and Safety Team, to identify the requirements in relation to health and safety competencies. They commission the appropriate learning interventions to ensure all training needs are met. When it is not possible to meet these needs (eg due to lack of financial resource being available) then this is immediately escalated to the relevant manager, so that further consideration is given to the situation.

### **Trade Union Safety Representatives**

Trade Union Safety Representatives are fully consulted on matters affecting the health and safety of employees they represent, in compliance with relevant statutory requirements. Formal consultation with Trades Unions on health and safety takes place at Corporate and Directorate level through the various management and health and safety groups.

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### **All Employees, Trainees, Temporary Workers and Volunteers**

All employees, trainees, temporary workers and volunteers have an important part to play in protecting themselves and others. Health and safety responsibilities are based on legal obligations and are subject to the Council's disciplinary procedures. In particular, all employees, trainees, temporary workers and volunteers are required to:

- Take reasonable care for the health and safety of themselves and others, who may be affected by what they do or fail to do at work
- Co-operate with all managers, supervisors and the Health and Safety Team on health and safety matters
- Familiarise themselves with, and to act in accordance with, any health and safety procedures that have been issued to them or otherwise brought to their attention
- Act in accordance with any safety training, or any verbal safety instructions that has been provided to them
- Make full and proper use of any personal protective equipment (PPE) and clothing provided to them, in accordance with instructions or training received. Report any loss of, or obvious defect in, such PPE to their supervisor or manager
- Adopt safe behaviour and avoid interfering with or misusing anything provided in the interest of health, safety or welfare
- Report any accident/incident or near miss to their supervisor or manager (to be done on the day of accident/incident or as soon as possible thereafter). This includes reporting any accident/incident involving a non-employee while on Council premises or sites or affected by Council activities, which comes to their attention
- Report to their supervisor or manager any work situation they consider to represent a serious and immediate danger to health and safety, or any matter that they consider to represent a shortcoming in current arrangements for health and safety
- Follow any laid down emergency procedures in the event of serious imminent danger, such as emergency evacuations

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## Responsibilities regarding schools

The Health & Safety at Work Act 1974 places overall responsibility for health and safety with the employer. The employer in a school must take reasonable steps to ensure that staff, pupils and visitors are not exposed to risks to their health and safety. This also applies to activities on or off school premises.

Who the employer is varies with the type of school:

- For community schools, community special schools, voluntary controlled schools, maintained nursery schools and pupil referral units the employer is the Local Authority
- For foundation schools, foundation special schools and voluntary aided schools the employer is the Governing Body
- For academies and free schools the employer is usually the Academy Trust
- For Private Finance Initiative (PFI) schools, teachers and administrative staff are generally employed by the local authority however other staff in ancillary services ie cleaning and catering staff may be employed by the organisation contracted to provide these ancillary services.

This document can be used as information and guidance for the governing bodies of such schools where the local authority is not the employer.

## Responsibilities of School Governors


It is the responsibility of the Governing Bodies to adopt a detailed policy on Health and Safety for the school.

As the management body, the governors should ensure that school management and staff comply with this health and safety policy and City of York Council's health and safety arrangements and associated compliance notes. The governing body, having control of premises, must take reasonable steps to ensure that buildings, equipment and materials are safe and do not put persons at risk whilst they are on the premises.

Specific responsibilities of governors are to:

- Take all measures within their power, as a body, to ensure the establishment premises are safe and not hazardous to the health and safety of staff, pupils, service users or visitors
- Carry out monitoring, including consideration of inspection reports
- Prioritise actions where resources are required
- Monitor the effectiveness of remedial actions taken
- Include health and safety on the agenda of governors' meetings

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## Responsibilities of Headteachers


The Headteacher is responsible for all health and safety matters affecting the school. In the Headteacher's absence, the teacher with deputising responsibility will fulfil this role. The Headteacher's main duties are to:

- Be responsible for the day to day operational health and safety management within the school and activities outside school (eg educational visits)
- Assume the role of 'controller of premises' when dealing with visitors, contractors and others, including other organisations that may share the same site
- Organise, control, monitor and review the health and safety arrangements within the school so as to ensure the health, safety and welfare of staff, pupils and others, as far as is reasonably practicable
- Ensure the school complies with the Health and Safety at Work Act 1974 and other relevant health and safety legislation
- Work with the governing body and senior management team to implement an effective health and safety policy for their school
- Apply and support the policies of City of York Council and the school
- Ensure that risk assessments are carried out for all appropriate activities and that the actions and preventative measures that come out of these assessments are implemented and adhered to by everyone concerned. The results of the risk assessments must be communicated as appropriate to all those concerned, eg staff, pupils, visitors and contractors.
- Ensure effective monitoring of health and safety eg including consideration of safety inspection reports and the recording all accidents and incidents (including near miss reports)
- Prioritise actions where resources are concerned and ensure their implementation.
- Include health and safety on the agenda of all staff and management team meetings
- Ensure approval of educational visits in consultation with the governors, educational visits co-ordinator and City of York Council procedures, as appropriate
- Comply with the duties of all employees

## Health and Safety Arrangements

The Council develops arrangements for the management of health and safety, which we systematically apply in all activities and services throughout the Council. In addition to these arrangements, supplementary procedures, guidance and other health and safety systems are developed at service, premises and/or local level; where such arrangements are in place, Council

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arrangements will take precedence, unless an appropriate risk assessment has been carried out to justify any such deviation.

The detailed health and safety arrangements are on the Council's [intranet](#). This enables document control, the sharing of best practice and promoting transparency. Schools without access to the Council's intranet can obtain access to the appropriate [arrangements](#).

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