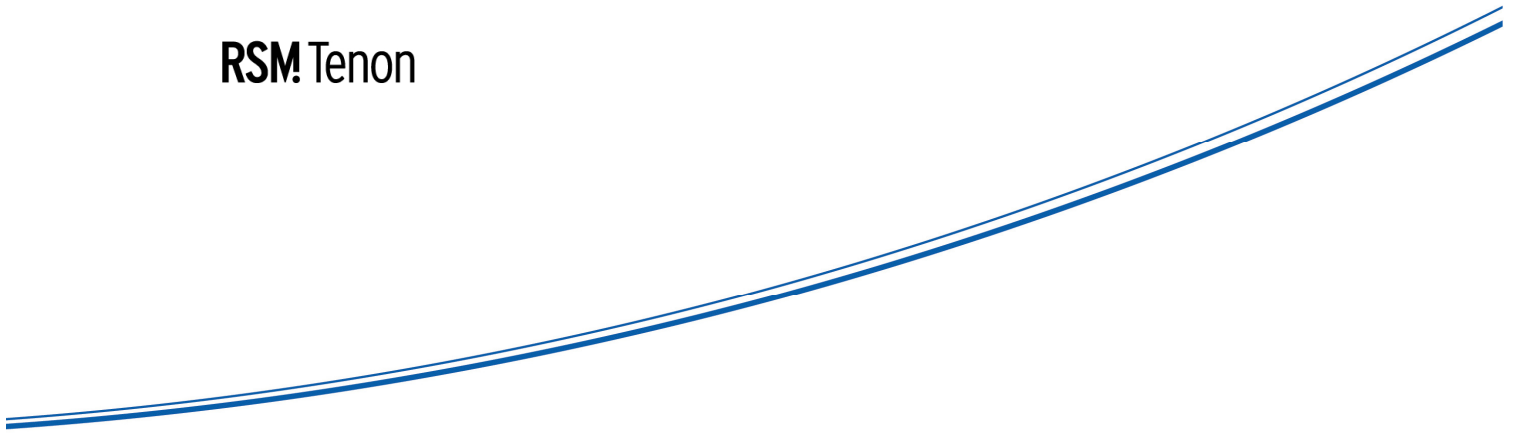


RSM Tenon



LEICESTERSHIRE POLICE AUTHORITY

Health & Safety Governance – Comparative Report

21 May 2010

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1. INTRODUCTION

1.1. THEMATIC REVIEW OF HEALTH AND SAFETY GOVERNANCE

From 2009/10, Bedfordshire, Derbyshire, Leicestershire, Northamptonshire and Nottinghamshire Police Authorities jointly procure internal audit services from RSM Tenon. As part of this arrangement, a review of the authorities' governance of health and safety matters was completed as part of 2009/10 internal audit plans. Findings specific to each Authority and Force were reported to each Authority on an individual basis.

This report provides comparative information and data based on information provided by each Authority.

1.2. DATA INCLUDED WITHIN THIS REPORT

The information provided by each Authority and Force has not been verified by RSM Tenon and this report brings together data provided by each Authority or Force, along with information published in meeting papers or in public reports.

The data and information within this report has been anonymised, with each Authority receiving a report that highlights the relevant information for that Authority / Force, and data for other Authorities having been anonymised.

A version of this report which has been fully anonymised will also be provided to Lincolnshire Police Authority which joins the internal audit group from 2010/2011.

2. GOVERNANCE

2.1. AUTHORITY COMMITTEES OVERSEEING HEALTH AND SAFETY

We asked Authorities which committee or panel had overall responsibility for overseeing health and safety matters. In some cases, there is more than one group with health and safety responsibilities or oversight. Forces also have their own arrangements; given that this focus of our governance audits were on how the Authorities were informed and involved, we have focused here on Authority arrangements.

Table 1: Authority Committees that Oversee Health and Safety		
Authority	Committee or Panel	Reports to
A	HR Committee	Authority
B	Corporate Governance Committee	Authority
	HR Committee	Authority
Leicestershire	Finance and General Purposes Committee	Authority
D	Performance Monitoring Committee (with regards ongoing monitoring)	Authority
	Resources Committee (with regards changes to policy)	Authority
E	Human Resources & Diversity Panel	Performance Committee (which reports to the Authority)
	Corporate Governance and Resources Panel	Performance Committee (which reports to the Authority)

2.1.1. COMMITTEE TERMS OF REFERENCE

Table 2: Functions / Responsibilities of Committees with oversight of Health & Safety	
Authority	Committee / Panel Terms of Reference
	This only includes those elements that relate to health & safety.
A (HR Committee)	To ensure that both the Force and the Authority have an appropriate Health and Safety strategy, policy and procedures in place and to actively monitor the effectiveness of those arrangements.
B (Corporate Governance Committee)	To review, and exceptionally to request, the carrying out of audits and reviews of health and safety management systems, policies, arrangements and procedures, as necessary, and to review progress with the implementation of recommendations arising from such audits.
(HR Committee)	To ensure that the Force delivers its legal duties in relation to health and safety with particular regard to the health and welfare of police officers, police staff and people in the care and custody of the Force and including members of the public on police premises or property.
Leicestershire (Finance & General Purposes Committee)	Referred Function: Health and Safety Delegated Function: Agree policies and protocols within its terms of reference
D (Resources Committee)	Delegated Function: Approval of Health and Safety Plan
(Performance Monitoring Committee)	Referred and delegated functions do not specifically set out health and safety responsibilities, but the Committee does receive reports on health and safety matters.
E (HR & Diversity Panel)	To receive reports on HR issues and issues with HR implications including health and safety (except so far as considered by Corporate Governance and Resources Panel).
(Corporate Governance and Resources Panel)	To consider, monitor and make recommendations to the Performance Committee in relation to: The health and safety function including recommending [Authority] priorities for health and safety in the overall strategy, monitoring the force discharge or its legal duties in respect of health & safety, ensuring the force has appropriate Health & Safety Management Systems in place, exceptionally requesting carrying out of audits by the Force on health and Safety issues, providing a forum for discussion of Health & Safety issues, in particular issues referred by the Force Health and Safety Committee.

2.1.2. ASSIGNED LEAD MEMBER FOR HEALTH AND SAFETY

Table 3: Lead Members for Health and Safety		
Authority	Lead member ?	Lead member attends Force Meetings for H&S liaison?
A	Yes	Yes
B	Yes	Not at time of internal audit review
Leicestershire	Yes	Yes – H&S matters flagged through Force Executive Group (FEG) are fed back to the Authority by the Chief Executive and Lead Member.
D	Yes	Not at time of internal audit review
E	Yes	Yes

3. REPORTING TO THE AUTHORITY / COMMITTEES

3.1. COMMITTEE REPORTING

The level and nature of health and safety information reported to Authorities or their committees is diverse. We set out below a high level overview of some of the reporting to the Authorities where the reporting particularly stood out as useful reporting for Authority members (see also section 4 of this report which highlights other areas of good practice).

3.1.1. AUTHORITY A

- Health and safety is discussed under a separate agenda item at each quarterly meeting of the HR Committee.
- Long term targets (to 2010) have been set (based on the HSE's *Revitalising Health & Safety*) and are reported against. Targets include:
 - To reduce the number of working days lost from work related injury and ill health by 35%;
 - To reduce the incidence rates of fatalities and major targets by 15%; and
 - To reduce the annual incidence rate of new cases of work related ill health by 25%.

3.1.2. AUTHORITY D

Health and safety reporting includes:

- Annual Health & Safety plan taken to Resources Committee for discussion and approval
- Regular health & safety reports to Performance Monitoring Committee
- Annual accident and monitoring report

3.2. DEFINING A 'NEAR MISS'

Most authorities receive some form of periodic reporting of near misses as part of health and safety reporting, as this near miss data provides useful insight into health and safety issues within the organisations. Four of the forces have defined what a near miss is; the fifth is currently reviewing this as part of an update of Health & Safety policy.

Authority	Definition of Near Miss
A	An accident where injury or damage does not arise, but may do so should a re-occurrence take place, and over which the Force may have some reasonable control.
B	An incident which could have resulted in injury, harm or damage to property but didn't.
Leicestershire	An undesired event, which under slightly different circumstances could have resulted in harm to people or damage to property.
D	An undesired event, which under slightly different circumstances could have resulted in harm to people or damage to property, or loss of a process, for example articles falling near to people, short circuits on electrical equipment at work.

4. RISK MANAGEMENT

4.1. HEALTH AND SAFETY RISKS IDENTIFIED BY THE AUTHORITIES

Table 5 set out the risks identified by the Authorities relating to health and safety.

Table 5: Risks linked to Health & Safety included in Police Authority Risk Registers	
Authority	Risks
A	<ul style="list-style-type: none"> ▪ Failure to manage safeguarding responsibilities, including: <ul style="list-style-type: none"> - Cause: Balancing Health & Safety and Operational need - Effect: Preventable death of police officer - Effect: Preventable death of member of the public
B	<ul style="list-style-type: none"> ▪ PA3.1: Failure to publicise information. Ineffective disaster recovery arrangements leading to overall loss of functionality. Health and safety policies not effective or out of date. Police authority not engaged in developing force initiatives. ▪ PA5.5: Failure to comply with corporate governance requirements e.g. legal obligations, diversity agenda, professional standards, codes of conduct, health & safety. Failure to have appropriate professional advice in accordance with statute (Treasurer as section 151 officer and Chief Executive as Monitoring Officer).
Leicestershire	Failure to comply with corporate governance arrangements. Note: This risk relates to the statutory and other duties the Authority has to ensure it has sound corporate governance systems in place such as Diversity, Standards, Health and Safety and all legal obligations.
D	Non compliance with legislation (to include health and safety)

4.2. HEALTH AND SAFETY RISKS IDENTIFIED BY POLICE FORCES

Table 6: Risks linked to Health & Safety included in Police Force Risk Registers	
Force	Risks
A	Various health and safety related risks including: <ul style="list-style-type: none"> ▪ Pandemic flu ▪ Attendance management
B	<ul style="list-style-type: none"> ▪ Failure to address operational hazards resulting in injury or death e.g. member of public or a contractor. ▪ Lack of staff training / written procedures for Fire / Bomb evacuation from force owned buildings could result in the loss of life or serious injury to employees / visitors in the event of an emergency incident. ▪ Failure to comply with legislative requirements, e.g. Health and Safety, Environment, Data Protection, Human Rights, Equal Opportunities, Diversity, Procurement, Employment and PACE.
Leicestershire	<ul style="list-style-type: none"> ▪ Major incident as a result of not, or incorrectly, managing health and safety risk(s).
D	<ul style="list-style-type: none"> ▪ Death of an officer, police staff or public due to failure to manage obligations across force functions such as Custody, Communications, Deployment, Road Policing, Health and Safety obligations in relation to the Corporate Manslaughter Act. ▪ Fatality, serious injury or illness of officers at major incidents due to inadequate supplies of PPE [Personal Protective Equipment], resulting in failure to meet health and safety duty of care.
E	<ul style="list-style-type: none"> ▪ Major incident as a result of not, or incorrectly, managing health and safety risk(s). ▪ Risk of significant enforcement action, as a result of regulatory investigation or inspection. ▪ Increased sickness absence, due to a failure to manage significant risks.

5. GOOD PRACTICES AND IDEAS

Here we set out some of the practices and arrangements in place that we noted during our audits and consider worth sharing with all authorities.

5.1. REPORTING AND INFORMATION FLOWS BETWEEN AUTHORITY AND FORCE

5.1.1. COMMUNICATION WITH SENIOR LEADERSHIP TEAM (AUTHORITY A)

The Annual Health and Safety Plan is communicated to the Force Strategy Board to provide a link to the Senior Leadership Team. The Senior Leadership team also discusses Health and Safety at their meetings and this is now a standing agenda item.

5.1.2. AVOIDING WORKING “IN SILOS” (AUTHORITY A)

Good links have been formed between the Health & Safety team and the Estates Management Team to providing a good liaison mechanism to identify potential health and safety issues at an early stage.

5.2. MANAGING RISK

5.2.1. RECORDING HEALTH AND SAFETY RISK INFORMATION (LEICESTERSHIRE)

The Force is progressing plans to add health and safety risks to a specific section of its Orchid Risk Management system alongside corporate and operational risks. This allows for the filing of evidence documents alongside health and safety risks and will facilitate reporting with real time data. Eventually this will replace hard copy evidence retained of health and safety risk assessments.

5.2.2. HEALTH & SAFETY AUDITS (AUTHORITY A)

The Health and Safety Team has drawn up a Health and Safety audit plan to gain assurances over health and safety arrangements within divisions. Results are reported to the Force's Health & Safety Committee.

We have also noted a particularly strong health and safety audit process at one of our clients outside of this group of police authorities: Audits and checks are undertaken by the Health and Safety Manager to check that each building, site or department is complying with central requirements. The checks include:

- That each department maintains a health and safety file containing relevant documents;
- That local staff have access to the Health & Safety Policy;
- Where appropriate, that each department's local procedures or safe working practices relating to health & safety are available to local staff and are up to date; and
- That risk assessments are suitable, sufficient and up to date and that any further action identified as necessary has been completed.

5.3. COMMUNICATION

5.3.1. HEALTH AND SAFETY INFORMATION GUIDE (AUTHORITY B)

In May 2009 the Constabulary published a booklet: Constabulary Health and Safety Information Guide, which gives basic information on a number of Health and Safety issues. It also contains details of who to contact where to look for more information on Health and Safety both within and externally to the Constabulary. The Guide clearly sets out the Authority role in relation to Health & Safety (i.e. that the Police Authority is the employer of all Constabulary employees and as such must ensure that the Chief Constable has adequate finances to effectively manage Health & Safety), and the Chief Constable's role (who provides the focus, environment and leadership necessary for the establishment and development of a positive safety culture).

