



Meeting	Authority Meeting
Date	21 June 2023
Location	Apex Grassmarket, Edinburgh
Title of Paper	Annual Health & Safety Report
Presented By	Gillian Docherty, Chief Superintendent Governance, Audit & Assurance
Recommendation to Members	For Discussion
Appendix Attached	Appendix A – Health and Safety Annual Report 2022/23

PURPOSE

The purpose of this report is to provide a strategic overview in relation to health & safety within the Scottish Police Authority (SPA) and Police Scotland.

The SPA and Police Scotland have joint responsibility as “duty holders” in relation to health and safety, with corporate governance duties discharged through the Police Scotland Health and Safety Board. Relevant matters are thereafter escalated via executive members to the Police Scotland Strategic Leadership Board, the SPA People Committee and the SPA Board.

Members are invited to discuss the content of this report and the attached appendix.

1. BACKGROUND

- 1.1 Decisions in relation to Health & Safety are facilitated via a network of local Health & Safety committees/forums within SPA and Police Scotland, with national decisions made at the quarterly Health & Safety Board.

2. FURTHER DETAIL IN RELATION TO THE REPORT

- 2.1 The Health & Safety Annual Report, attached at Appendix A, details matters such as enforcement activity, proactive preventative work within Custody and Productions areas and accident statistics broken down into assaults and incidents occurring during arrest/custody. The report also provides updates regarding the development of policy and practice.

3. FINANCIAL IMPLICATIONS

- 3.1 While there are no financial implications arising directly from this report, there are financial implications from on-going health and safety related estates works including fire safety actions. A significant number of actions have been identified from the Fire Risk Assessments and also from the on-going Custody Audits.

4. PERSONNEL IMPLICATIONS

- 4.1 There may be issues in relation to Human Resources such as the link between RIDDORs and the number of lost working days. Having a robust Health and Safety Management System in place with appropriate resources can help the organisation in terms of challenges around physical resources and cost savings.

5. LEGAL IMPLICATIONS

- 5.1 There are legal implications associated with this paper. Police Scotland requires to be compliant with the Health & Safety at Work etc. Act 1974 and Fire (Scotland) Act 2005.

6. REPUTATIONAL IMPLICATIONS

- 6.1 There are reputational implications associated with this paper in relation to failures to comply with legislative requirements, health and safety guidance and established safe systems of work.

7. SOCIAL IMPLICATIONS

7.1 There are no current social implications.

8. COMMUNITY IMPACT

8.1 There are no current implications for community impact.

9. EQUALITIES IMPLICATIONS

9.1 There are no current implications for equalities.

10. ENVIRONMENT IMPLICATIONS

10.1 There are no current implications for environmental impact.

RECOMMENDATIONS

Members are invited to discuss this report and the attached appendix.

OFFICIAL



POLICE
SCOTLAND
POILEAS ALBA

SCOTTISH POLICE
AUTHORITY

HEALTH & SAFETY

SPA Board

Health and Safety Report - 2022/2023

Health & Safety Dashboard

Statutory enforcement

H&S enforcement notices

✓ No reportable incidents



Fire safety enforcement notices

✓ No reportable incidents



Breaches of legislation, health & safety guidance

✓ No reportable incidents



10 improvement actions identified and in progress. 8 actions now complete.

Preventative activities

Assurance programme progress

Progress completing programme



% complete for 2021/22

% complete for 2022/23

Progress implementing actions



Custody actions complete

Productions actions complete

Fire safety

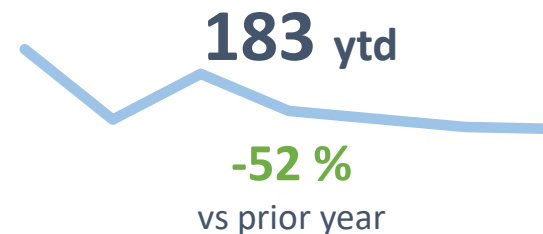
All fire risk assessments current / up to date



Actions complete (actions raised pre Feb 22)

Incident monitoring

RIDDOR Q1 - Q4 2022/23



Total reports Q1 - Q4 2022/23



Key movements in SCOPE accident reports (movement vs prior year to date for Q1 - Q4)

Assaults ▲ 1% 4820

Increase related to focus on increasing reporting

Slips, Trips & Falls ▲ 5% 323

Increase related to focus on increasing reporting

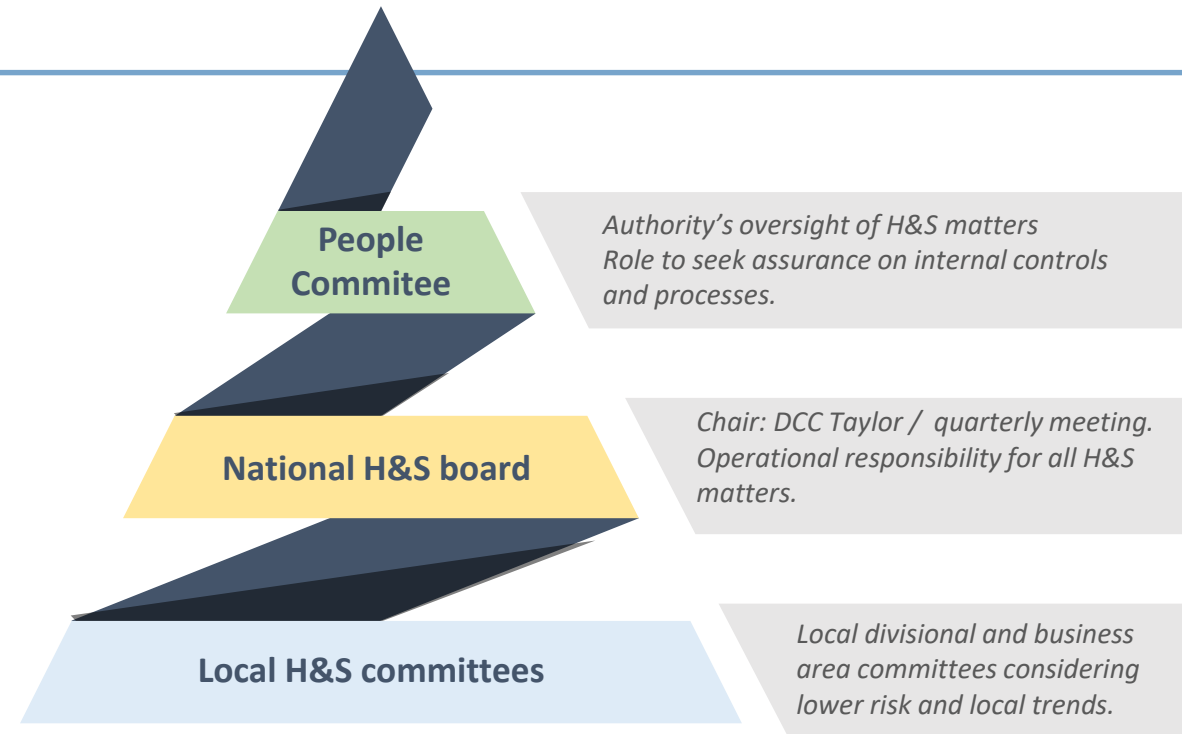
Manual handling ▼ 28% 223

Decrease shown - three year mean is 170

1. Assurance Process: Overview

Governance of health and safety

- Health and safety for both SPA and Police Scotland is internally managed by committee and principally the National Health & Safety Board (chaired by DCC Taylor).
- The Board meets quarterly and has representation from all business areas and has operational responsibility for the scrutiny of all health and safety matters.
- The SPA People Committees role is to have oversight that the ethical and legal health and safety obligations are being met.



Reporting and monitoring process



- The service has detailed operating procedures for recording and responding to all type of health and safety related incidents.
- All accidents, incidents or near misses are required to be recorded on the SCoPE system, completing an electronic report.
- Every report is considered by a member of the health and safety team who assesses the severity of the report and decides what level of investigation is required including if a RIDDOR report is required to the Health & Safety Executive (HSE).
- Serious reports, including all RIDDOR reports are passed to the H&S Manager who looks at the root cause, behavioural safety aspects, welfare considerations, etc. and liaises with local senior staff.
- Serious incidents are also escalated through local health and safety committees, National Health & Safety Board with the most serious or unusual incidents being highlighted to the People Committee.
- Following investigation, improvement actions may be raised and monitored.
- Detail of the incidents and responses will be reported and considered at all levels in governance.

1. Assurance Process: *Sources of Assurance*

- There are extensive health and safety controls and sources of assurance across the four lines of defence. This provides a level of assurance to the organisation that there are internal controls in place that can be relied upon to manage health and safety at an operational level. This allows the committee to focus on strategic and serious health and safety issues.
- The following diagram summaries the internal controls and sources of assurances. In addition, a current status update is provided on each control each.



Current update:

On-call continues to be well used. Team proactively assisting Divisions. Assurance Model audits carried out in Road Policing, "E" and "N" Divisions.

Custody and productions audits in progress. **On track** vs audit plan.

All recommendations underway and will be progressed as quickly as possible. There are **no overdue actions**.

There have been **no formal interventions** by HSE or the Scottish Fire & Rescue Service in the current financial year. The Health & Safety Manager continues to link in with Head of Enforcement at SFRS for advice & guidance.

2. Preventative Activities: *Internal Assurance Work*

Background

- The Health and Safety Team carry out a proactive annual assurance programme of audits every year. This is our second line of defence according to the Authority’s assurance framework. The types of inspection include general review of police stations and SPA premises as well as specific reviews of custody and production facilities.
- The purpose is broadly to check the safety of a building and ensure fire safety, legislation and other best practice guidance is being followed.
- The programme is focused on reviewing primary custody facilities and productions sites.

Data & trend analysis

- To date a total of 51 custody suites and 38 production stores have been audited and this is unique work across UK Forces.
- Police Scotland have designed an audit process based on Home Office standards.
- All findings are tracked and monitored with fortnightly update meetings between Health & Safety, Estates and Criminal Justice.
- Focus is on addressing higher risk actions first.
- Estates targeted actions raised prior to February 2022 with the aim to complete all of these items by end of the financial year 2022/23.
- 7 x Custody projects commenced in October 22 in following locations: Rothesay, Dunoon, Saltcoats, Kilmarnock, Inverurie, Clydebank, & Bowmore. Rothesay project stopped due to operational issues and will be captured in 2023. Outstanding actions (81 out standing) relate to Rothesay and to custody areas agreed with CSJD to be placed on hold.

Findings from inspections

- The main themes from the audits cover matters such as the standard of fire detections systems, compartmentation standards, possible ligature points, standards of paint and other surfaces.

Findings From Internal Assurance Work

Custody Audits

Priority	Completed	Out-standing	Total	% Complete		
				Oct 22	Jan 23	May 23
Very high	17	0	17	100%	100%	100%
High	281	47	328	68%	68%	85%
Medium	147	29	176	80%	80%	83%
Low	35	5	40	83%	83%	87%
Total	480	81	561	74%	74%	86%

Production Audits

Priority	Completed	Out-standing	Total	% Complete		
				Oct 22	Jan 23	May 23
Very high	0	0	0	-	-	-
High	20	8	28	57%	57%	71%
Medium	10	8	18	56%	56%	56%
Low	14	10	24	31%	33%	58%
Total	44	26	70	56%	49%	62%

Priority definitions:

Very high – risk has an immediate impact on safety where no mitigation is possible and cells or areas must be closed until resolved.

High – risk has a significant impact on safety and impacts on daily operations but CSJD has put temporary mitigation in place.

Medium – risk has a medium impact on safety. Includes BAU faults, typically reported as P3 – P4 to helpdesk.

Low – risk has minimal impact on safety.

2. Preventative Activities: *Fire Safety*

Background

- There is a legal requirement for all buildings to have a fire risk assessment. We operate a rolling three year programme of fire risk assessments across the estate (~467 properties). The frequency is every 1 to 3 years dependent on the type and size of building and its use based on a set criteria. (All Custody Suites and Residential Sleep risks are assessed annually.)
 - Currently all fire risk assessments are in place.
- On completion of a risk assessment there may be actions identified that require addressing. These are recorded and monitored by the Health and Safety Board.
- We provide fire safety training for all staff and also a specific package for Fire Marshals. Completion rates are monitored by the Health & Safety Board.

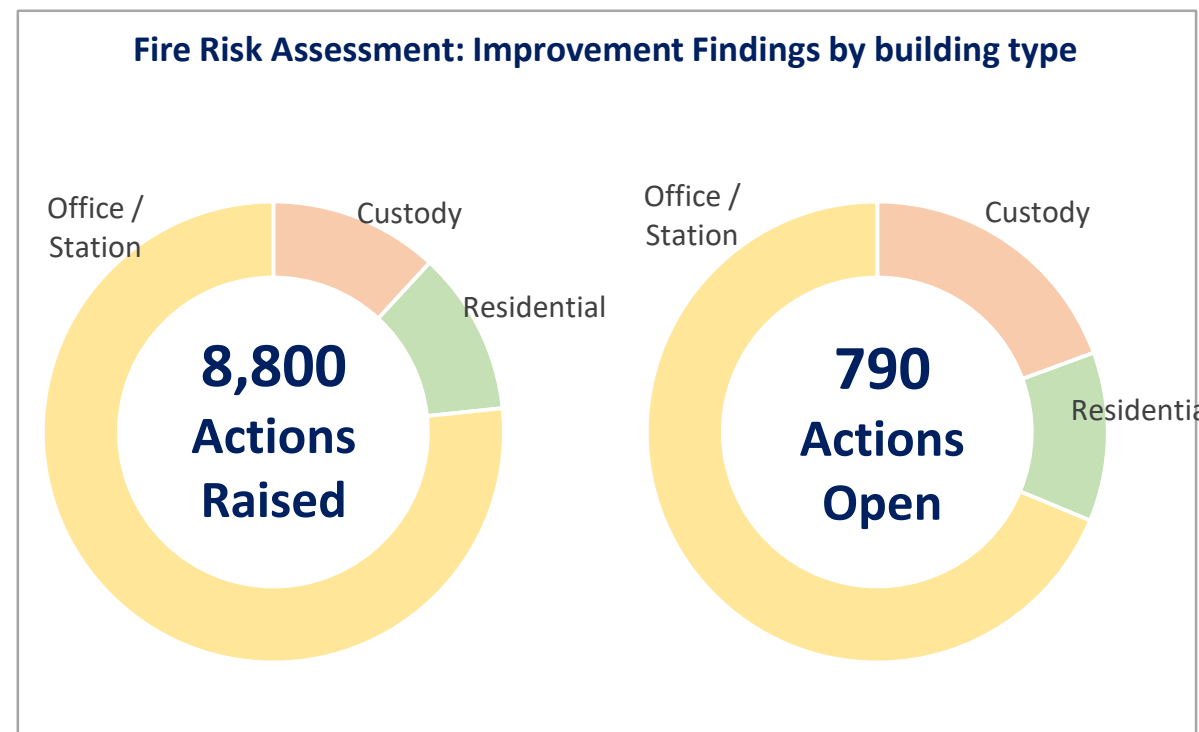
Data & trend analysis

- Estates set realistic targets based on the Mitie fire risk assessment action raised prior to February 2022 to close 775 actions by the end of the current financial year 22/23. The target set has been exceeded as indicated in the table on the right:
- The Estates Team continue to actively address outstanding actions. A number of capital projects in custody areas contributed to addressing actions in regard to fire issues.

Management response

- One of the most significant pieces of work has been to improve the standard of fire detection and warning systems based on the findings of the fire risk assessments. Specifically within custody where we have upgraded facilities to include VESDA. (very early smoke detection apparatus)
- Inadequate standards of compartmentation (i.e. fire doors or gaps in pipework) have also been a theme.

Number of actions:	Completed	Outstanding	Total	% Complete		
				Oct 22	Jan 23	May 23
Very high	10	0	10	-	-	-
High	1071	92	1,163	89%	90%	92%
Medium	6069	618	6687	79%	79%	90%
Low	838	74	912	84%	84%	91%
Very low	18	6	24	62%	75%	75%
Risk retained	n/a	n/a	4	-	-	-
Total	8006	790	8800	81%	81%	90%



3. Incident Monitoring: *Accident Reporting*

Background

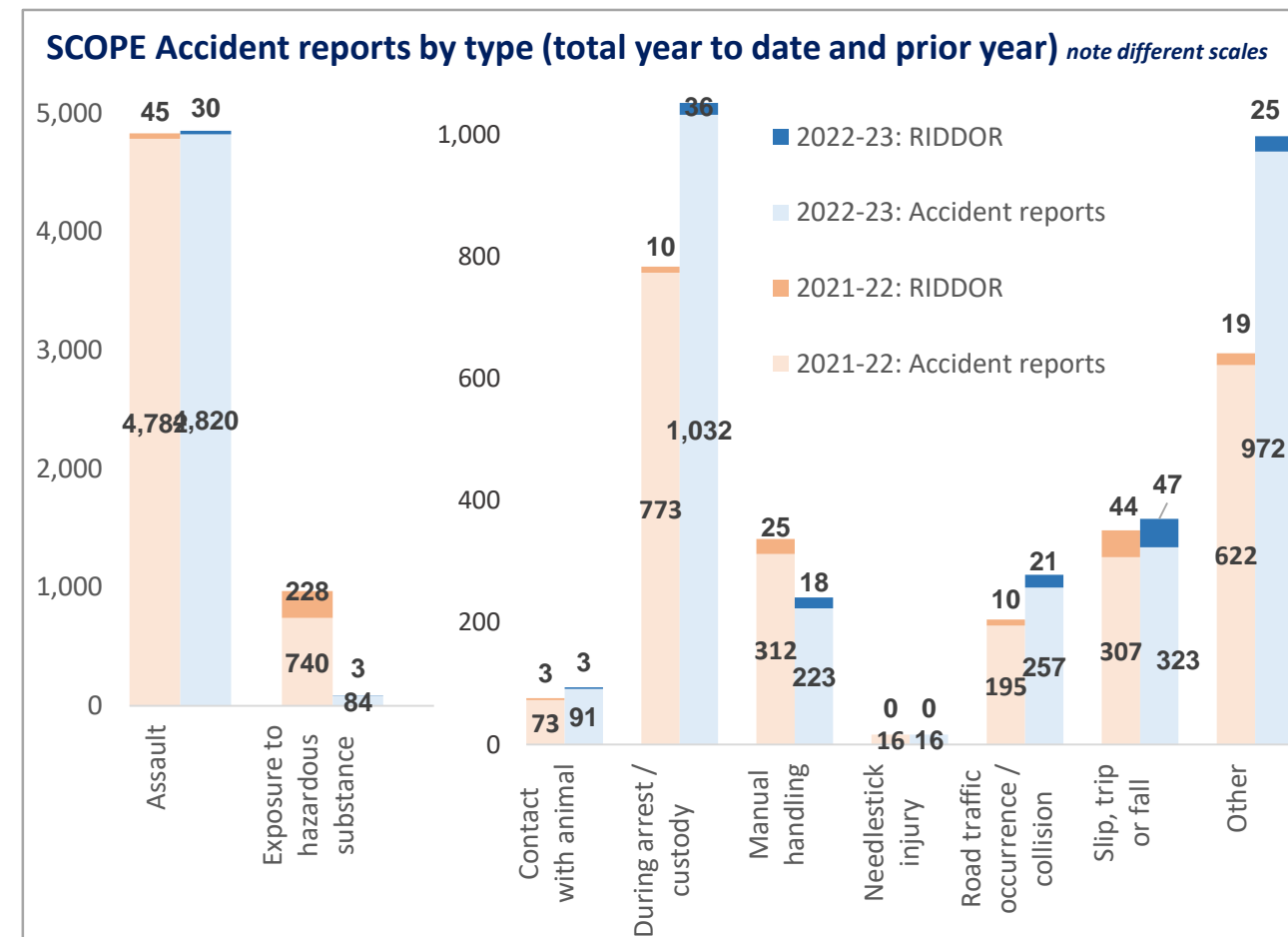
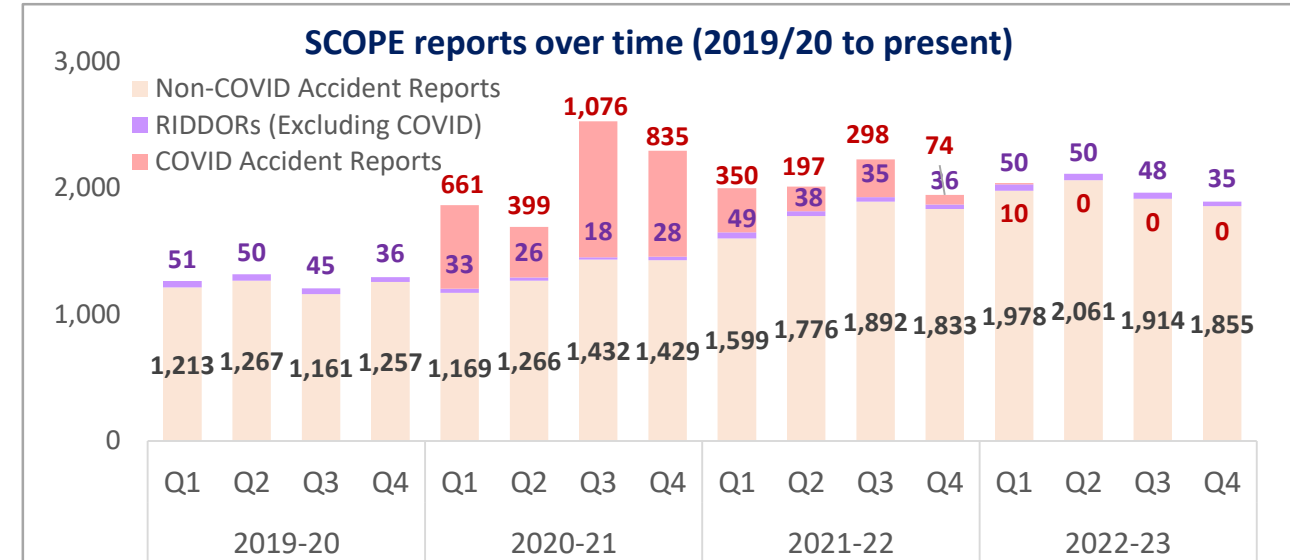
- An accident for this report is defined as unintended incident, which causes physical injury. Accidents can be classified as:
 - major i.e. RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013); or
 - other / less serious accident reports.

Data & trend analysis

- At this point, we can see that the number of RIDDORs remains consistent and within a range between 33-51 per quarter, with the exception of lockdown periods during 2020-21/22 as these had an impact on “normal” RIDDOR reporting rates.
- We can also see the number of RIDDORs are reflective as a proportion of the amount of SCoPE reports. i.e. as the number of reports rise, naturally the RIDDOR have too.
- Assaults and accidents during arrest / custody are shown in further detail on the following pages.
- We note the increased number of during arrest incidents. This could be as a result of the increased reporting in assaults as these incidents are similar in nature and environment.
- Fall in exposure to substances relates to Covid-19.
- Increase in reporting should be viewed positively and important to note that injuries and generally very minor in nature. Cuts, bruises, etc.
- Reactive and proactive work underway in relation to accidents.

Management response

- Work is on-going to review RIDDORs, manual handling and STFs, with updates reported to People Committee.



3. Incident Monitoring: Assault Reporting

Background

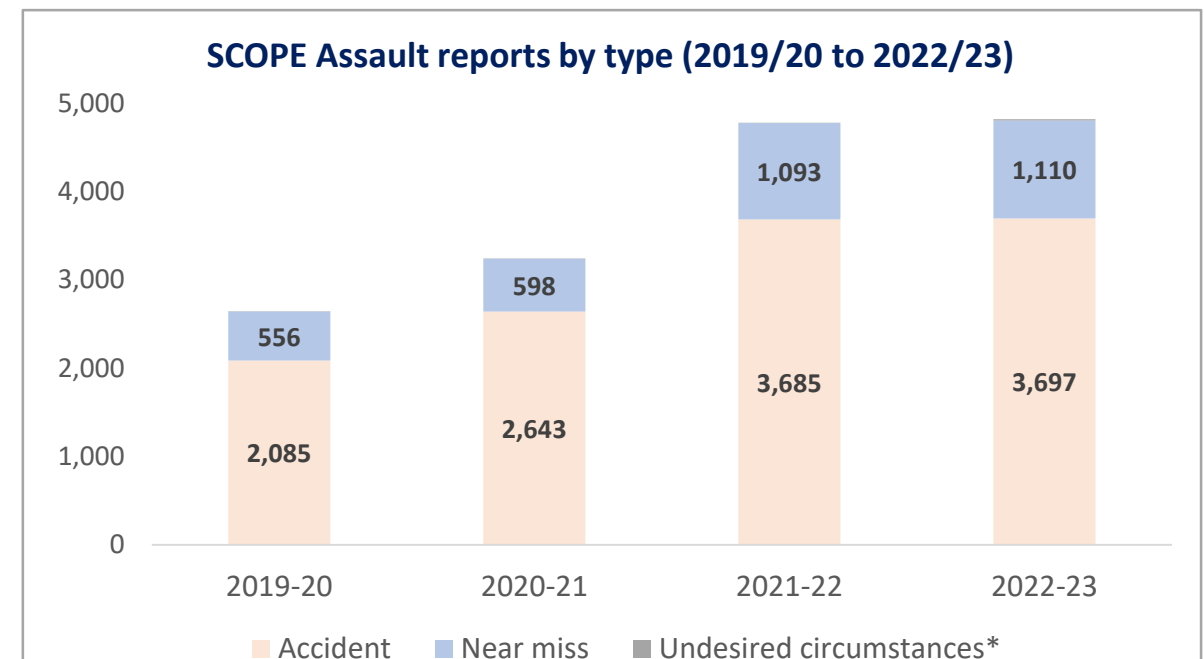
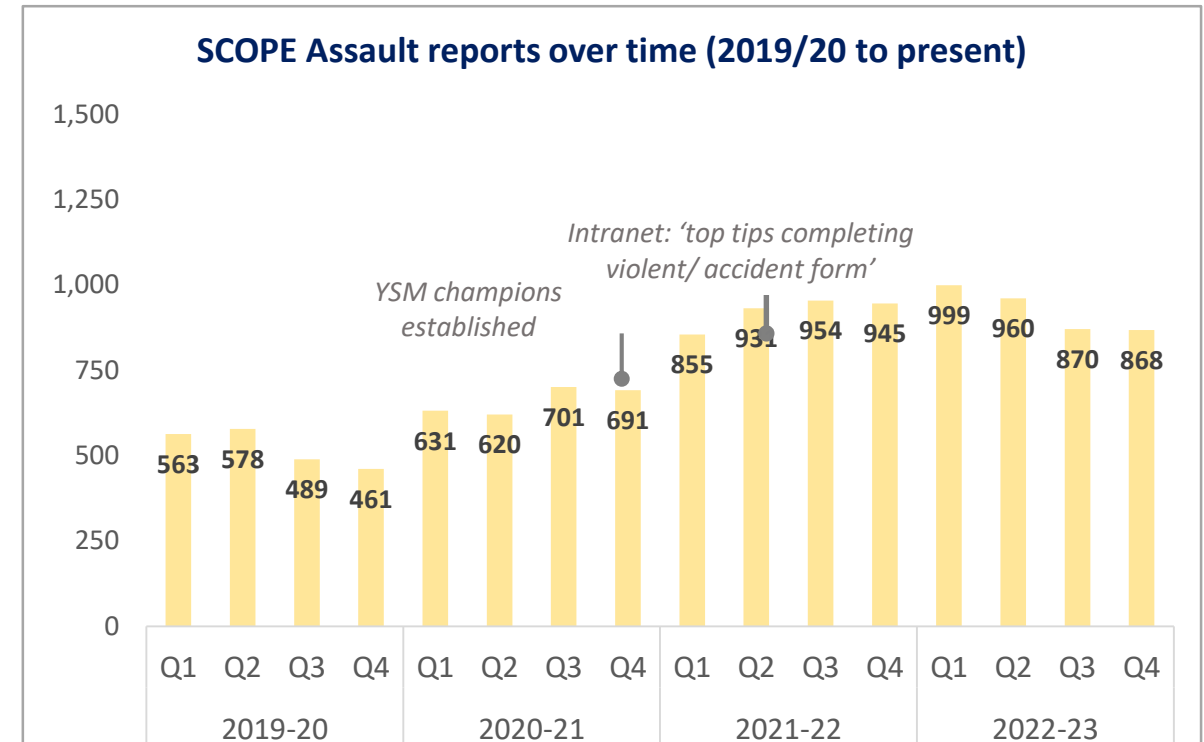
- An assault during arrest is an attack directed to take effect on the person of another. There must be criminal intent.
- An accidental injury, even although caused by a mischievous act or whilst restraining a subject, does not amount to assault.

Data & trend analysis

- The Your Safety Matters (YSM) campaign has aimed to close the reporting gap between crime figures and SCoPE reported assaults has been successful.
- The establishment of the YSM Champions Network encouraged local review, identifying and sharing best practise to improve reporting rates. Furthermore there was publication of a Health & Safety Guide for completing a Violent/Accident Form and the introduction of a process to cross refer all recorded crimes with relevant Health & Safety forms.

Management response

- The Health & Safety Manager will continue to monitor the trends around police assaults to ensure that any increases for other reasons do not go undetected.



* Undesired circumstances: 2019/20, 3 reports; 2020/21, 3 reports; 2021/22, 4 reports; 2022/23, 13 reports.

3. Incident Monitoring: *During Arrest/Custody*

Background

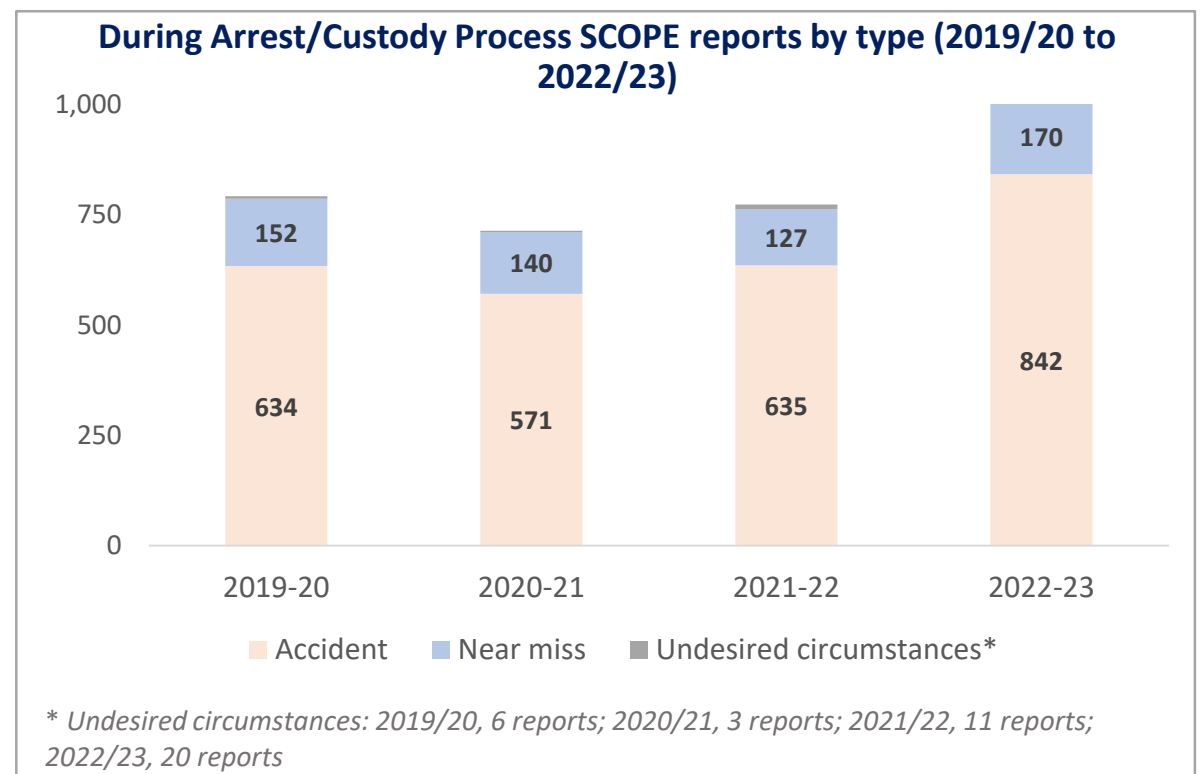
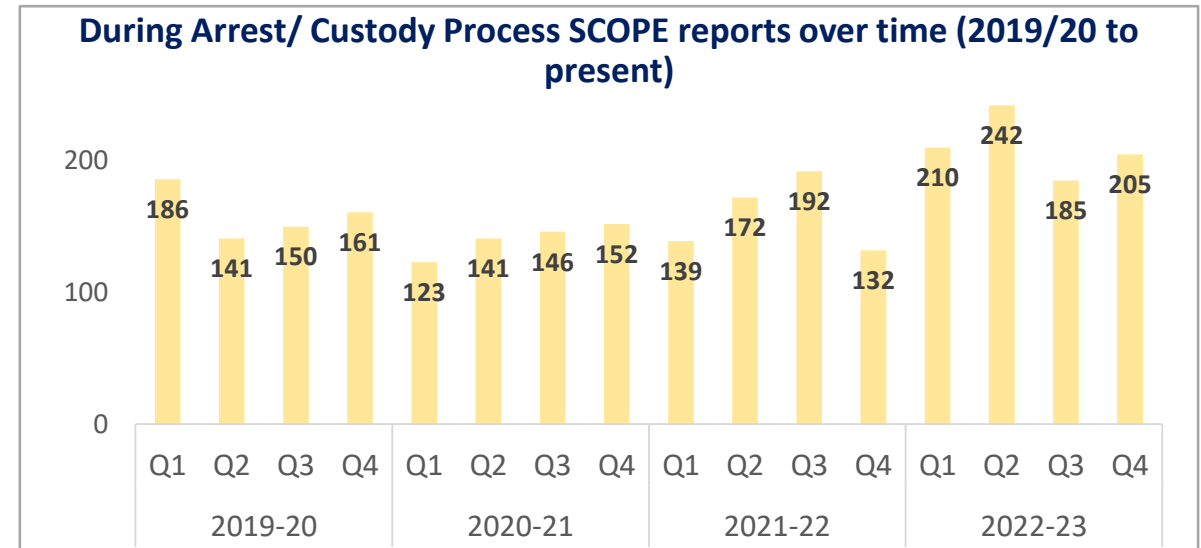
- Accidental/unintentional injury during arrest / restraint of a subject.
- Occurs from the point that a Police Officers detains a person. This includes the period where the individual is transported to custody by police vehicle.

Data & trend analysis

- From the data we can see that there is an upward trend in the reporting of occurrences categorised as During Arrest/Custody Process.
- It is believed that the reporting of these occurrences has been encouraged and influenced by the YSM project as they happen, generally, in similar environments as assaults.
- Examples :
 - An officer who hurt their back whilst restraining a violent person would be categorised as “During Arrest/Custody Process”.
 - A PCSO was assisting with placing a suspect in a cell. The suspect was resisting and during this the PCSO injured their arm on the cell door.

Management response

- Will continue to monitor to establish issues at an early stage.
- Proactive analysis of incidents in underway within CJSD with assistance provided by H&S Team.
- Worthwhile noting the cultural change in areas like this over the last few years where H&S is now right at the top of the agenda.



4. Other developments and preventative activities

Background

- The Health and Safety Team are also focused on initiatives in response to emerging issues as well as proactively seeking to address issues of concern.

RIDDOR Update

- It is difficult to make a direct comparison between this year and previous years RIDDORs due to the pandemic. 2019/20 saw a total of 182 RIDDORs with 109 in September 2019 and 77 in September 2022. A lot of work is going into reducing RIDDORs at this time.
- The Health & Safety Manager continues work to reduce the number of RIDDORs within SPA and Police Scotland.

Formal Inspections

- In the Autumn the Health & Safety Team became aware of what appeared to be an increase in issues across the Police Estate. Based on that Advisors have started a series of formal inspections of premises with a copy of the results sent to Brian Johnstone and Phil Collard. Work is ongoing between the Health & Safety Team and Estates to refine the reporting and recording process to manage issues identified during inspections and monitor resolution. Following implementation of the agreed process, progress updates regarding current inspection issues will be provided to the next Health & Safety Board.

Health & Safety 24/7 On Call

- Advisors continue to offer this function across SPA and Police Scotland and are being asked to assist at an ever increasing number of complex crime scenes where there are significant risks to officers and staff. Serious fires, often with Asbestos, are common, Cannabis Cultivations and aircraft incidents are among the most significant.
- Recent scenes include the triple fatal fire (“D” Division), officer with serious dog bite, member of the public falling from a police vehicle, etc.

Respiratory Protective Equipment (RPE) Standard Operating Procedure

- Police Scotland is currently drafting Respiratory Protective Equipment (RPE) procedures intended to enhance the protection provided to police officers and members of police/SPA staff from respiratory hazards encountered during routine operational activity.
- The draft RPE procedures identify the Filtering Face Piece 3 (FFP3) disposable face mask as the method of respiratory protection assessed as most suitable for routine policing activities. This type of mask has already been used successfully by officers and staff during the response to the COVID pandemic.
- As the effectiveness of the FFP3 face mask is impacted by the presence of facial hair between the mask seal and the wearer’s face, the draft RPE procedures contain provisions for individuals to be exempted from RPE requirements under criteria linked to various protected characteristics. An alternative form of RPE is available for those who are exempt. Statutory consultation with statutory staff associations, diversity staff associations, trades unions and the SPA concluded on 8 June. Further engagement will take place once consultation submissions have been reviewed and fully considered.