

Meeting	People Committee
Date	01 June 2022
Location	Video Conference
Title of Paper	Health & Safety Report Quarter 3 2022
Presented By	James Bertram, Health & Safety Manager
Recommendation to Members	For Discussion
Appendix Attached	Appendix "A" – H&S Report

PURPOSE

The purpose of this report is to provide a strategic overview in relation to Health & Safety within the Scottish Police Authority and Police Scotland.

Police Scotland and the Scottish Police Authority have joint responsibility as "duty holders" in many areas and this responsibility is then discharged through the Police Scotland Health and Safety Board. Matters are currently escalated via Executive Members to the SPA People Committee and then to the SPA Board.

Members are invited to discuss the content of this report.

1. BACKGROUND

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

2. FURTHER DETAIL IN RELATION TO THE REPORT

- 2.1 The report details matters such as enforcement activity, proactive preventative work within Custody and Productions areas as well as accident stats broken down into assaults and incidents involving during arrest/custody.

3. FINANCIAL IMPLICATIONS

- 3.1 There are considerable financial implications from on-going 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. It is essential that SPA/Police Scotland are provided with sufficient budget to allow them to operate safely and to comply with Health & Safety and Fire Safety legislation. The age of the Estate and the financial restrictions placed on the organisation mean that costs will only continue to rise.

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 & 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. Failure to ensure compliance both in terms of our Estates and working practices may lead to enforcement action against SPA/Police Scotland by the Health & Safety Executive and/or the Scottish Fire & Rescue Service. The Health & Safety Executive also charge a "fee for intervention" on an hourly basis should they have to come into the organisation to investigate a breach.

6. REPUTATIONAL IMPLICATIONS

6.1 There are reputational implications associated with this paper. The potential for enforcement action by the Health & Safety Executive and/or the Scottish Fire and Rescue Service due to unsafe working practices and/or breaches of legislation leaves SPA/Police Scotland exposed to reputational harm. In particular the Health & Safety Executive have the power to issue publicity orders to highlight any breaches found.

7. SOCIAL IMPLICATIONS

7.1 There are no currently no 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 the content of this report.

OFFICIAL



POLICE
SCOTLAND

POILEAS ALBA

SCOTTISH POLICE

AUTHORITY

HEALTH & SAFETY

People Committee

Health & Safety Report
Quarter 3, 2021/22

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

Preventative activities

Assurance programme progress

Progress completing programme



% complete for 2021/22 % complete for 2022/23 vs 25% target

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, excl COVID (Year to Q3)

122 ytd



+ 16% vs prior year

Accident reports (Year to Q3)

8,046 ytd



- 3% vs prior year

Key movements in accident reports

(movement vs prior year to date)

Assaults ▲ 48% 4,820 ytd

Increase related to focus on increasing reporting.

Exposure to hazardous substances ▼ 68% 943 ytd

Reduction related to COVID-19.

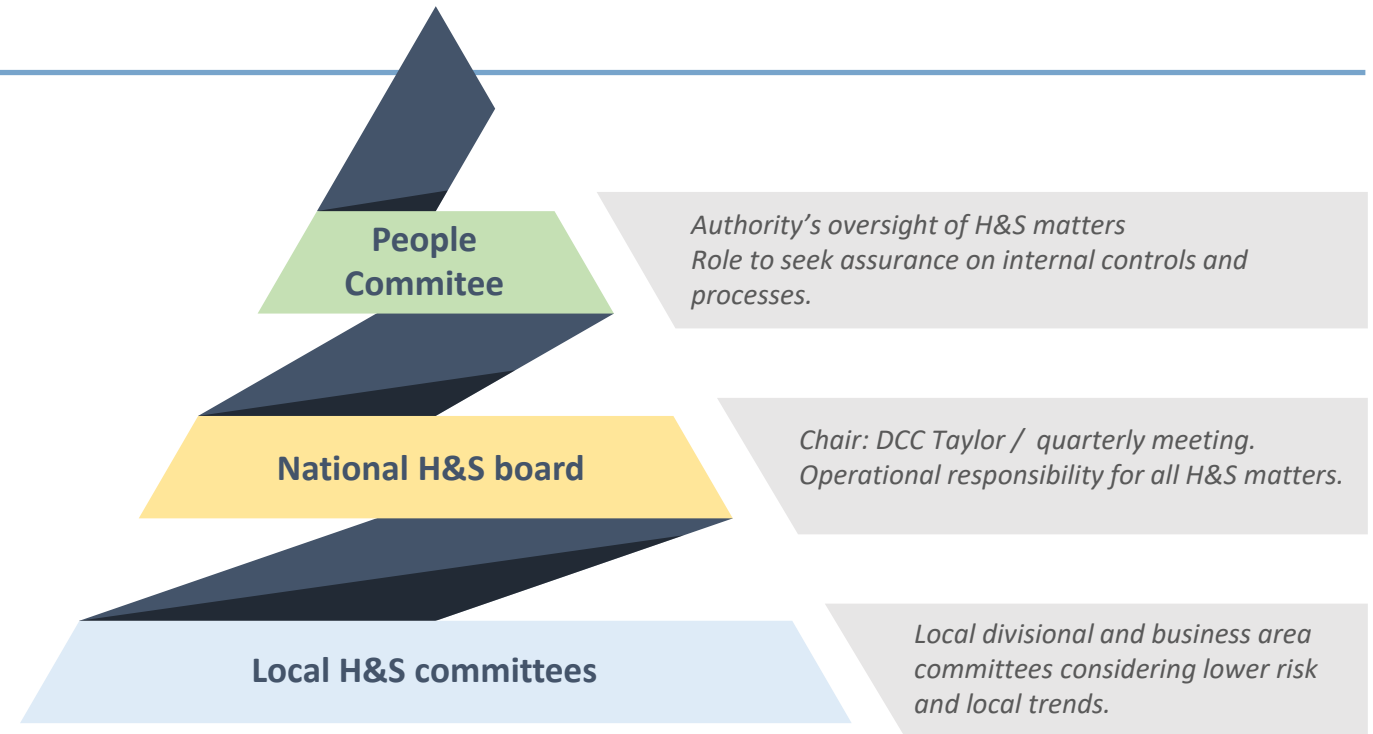
Manual handling ▲ 66% 943 ytd

Increase around struggles with detained persons and physical movement of objects. Further monitoring required.

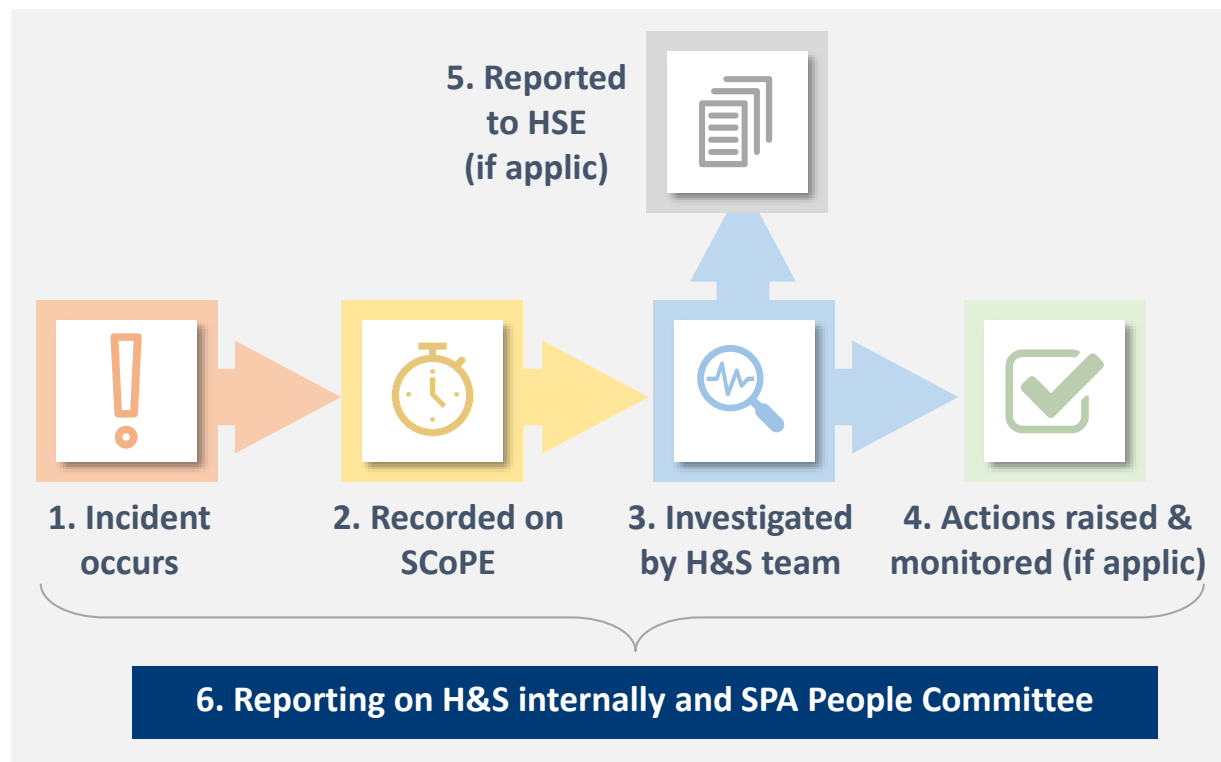
1. Assurance Process: Overview

Governance of health and safety

- Health and safety for both SPA and Police Scotland is internally managed by internal 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 Authority's People Committee role is to have oversight that the ethical and legal health and safety obligations are being met. This paper provides the Committee with assurance over the internal processes.



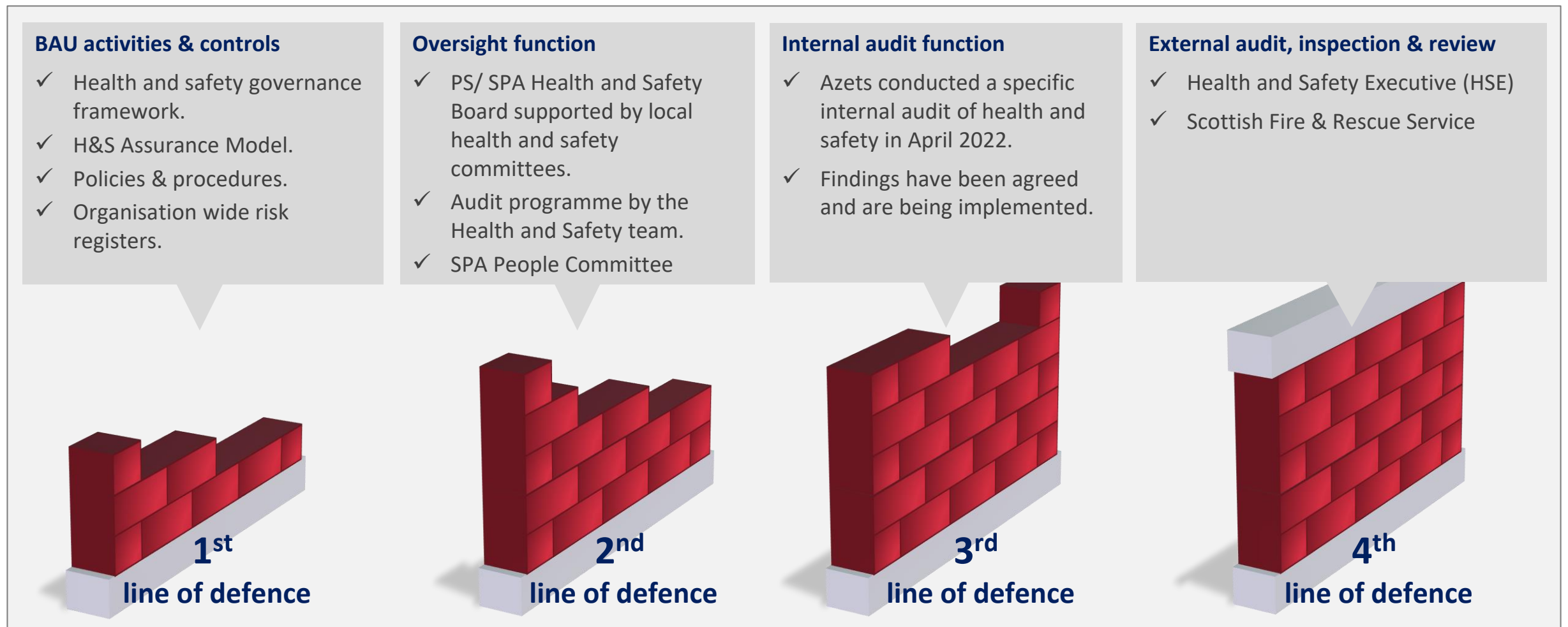
Reporting and monitoring process



- 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*

- The Authority has extensive health and safety controls and sources of assurance across the four lines of defence. This provides a level of assurance to the People Committee 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:

Updated Governance Framework going to Health & Safety Board (June 2022).

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 reportable incidents** in the current financial year to HSE or the Scottish Fire & Rescue Service.

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 2021/22 programme is focused on reviewing primary custody facilities and productions sites.

Data & trend analysis

- To date a total of 51 custody suites and 36 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 are targeting actions raised prior to February 2022 with the aim to complete all of these items by end of the financial year 2022/23.

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	Outstanding	Total	% Complete	
				March 22	April 22
Very high	17	0	17	100%	100%
High	215	106	321	66%	67%
Medium	133	32	165	80%	81%
Low	31	4	35	0%	89%
Total	396	142	538	73%	74%

Production audits

Priority	Completed	Outstanding	Total	% Complete	
				March 22	April 22
Very high	0	0	0	-	-
High	16	13	29	55%	55%
Medium	8	13	21	38%	38%
Low	10	1	11	91%	91%
Total	34	27	61	56%	56%

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 CJSD has put temporary mitigation in place.

Medium – risk has a medium impact on safety. Includes BAU faults, typically reported as P3 – P5 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 up to date.
- 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

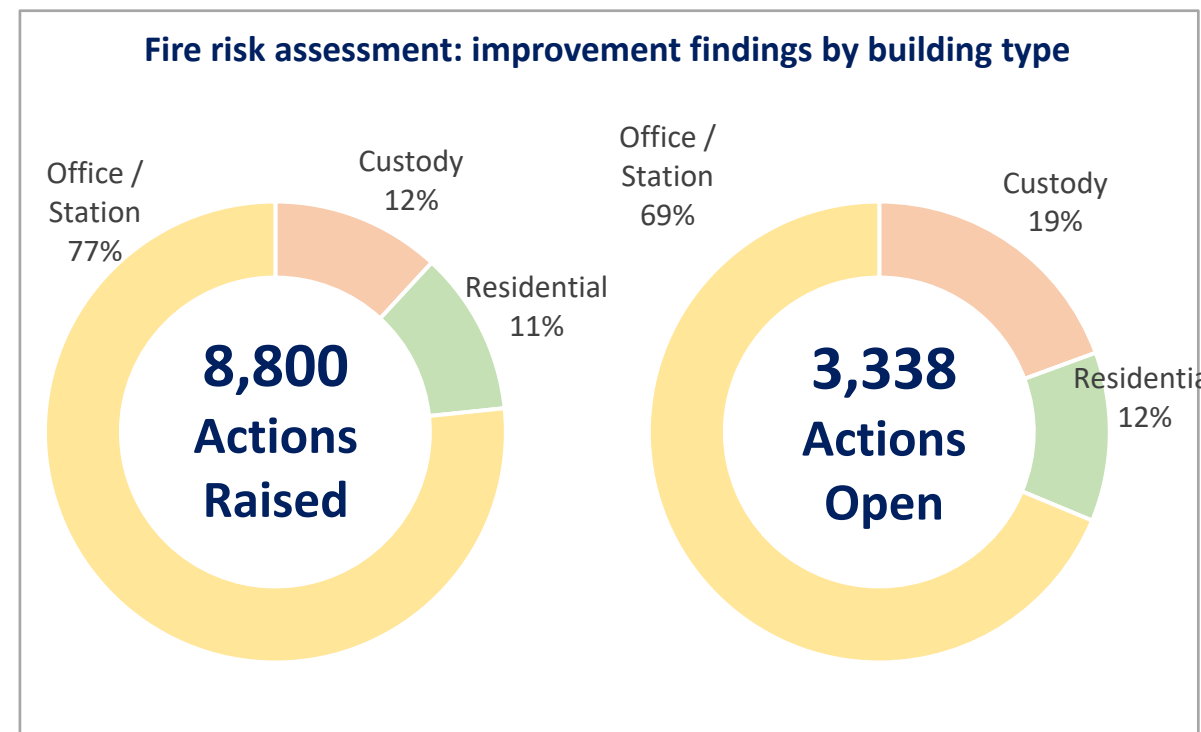
- Estates have set realistic targets based on the fire risk assessment action raised prior to February 2022 by the end of the current financial year. These targets are to close 775 actions comprised:
 - all 'high risk' actions (247 actions); and
 - 30% of 'medium risk' actions (528).

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.

Fire risk assessment: improvement findings progress

Priority	Completed	Outstanding	Total	% Complete	
				March 22	April 22
Very high	10	0	10	100%	100%
High	859	304	1,163	74%	74%
Medium	4,032	2,655	6,687	60%	60%
Low	543	369	912	59%	59%
Very low	14	10	24	58%	58%
Risk retained	n/a	n/a	4	n/a	-
Total	5,458	3,338	8,800	62%	62%



3. Incident Monitoring: *Accident Reporting*

Background

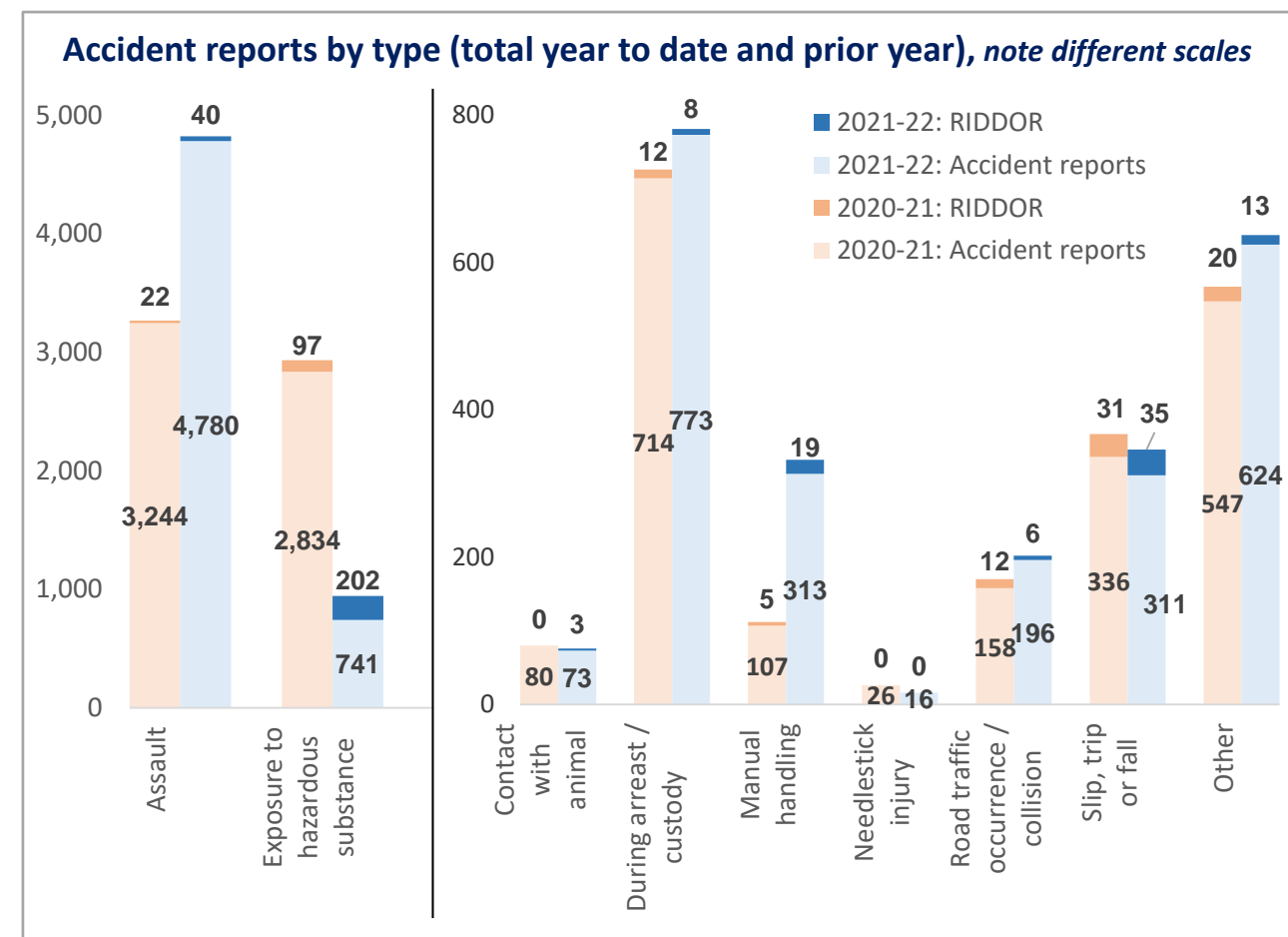
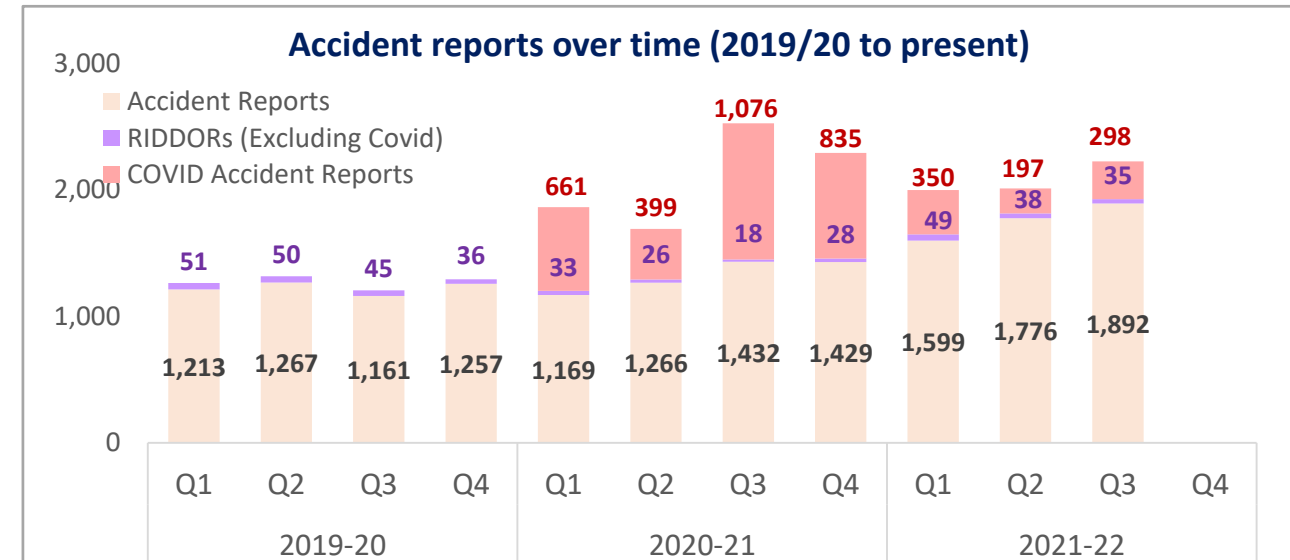
- An accident for this report is defined as unintended incident, which causes physical injury. Accidents can be classified as:
 - major ie RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013); or
 - other / less serious accident reports.

Data & trend analysis

- At this point the number of RIDDORs (excluding Covid-19) have fallen from a high of 182 in 2019/20 to 122 YTD. However, we have come through a pandemic which has affected trends. We cannot become complacent and RIDDOR reduction work will now resume.
- Assaults and accidents during arrest / custody are shown in further detail on the following pages.
- We note the increased number of manual handling incidents. The trend indicates issues around struggles with detained persons and physical movement of objects. 13 incidents reported at the Scottish Crime Campus which would indicate better than average reporting by staff at that location.
- We note number of slips, trips and falls (STF) and work is already underway to review these incidents. Number of possible reasons but often relates to challenging foot pursuits. We would also like to consider the impact of police issue footwear now that it has been rolled out.
- Fall in exposure to substances relates to Covid-19.

Management response

- Work is on-going to review RIDDORs, manual handling and STFs and will report back to Members.



3. Incident Monitoring: Assault Reporting

Background

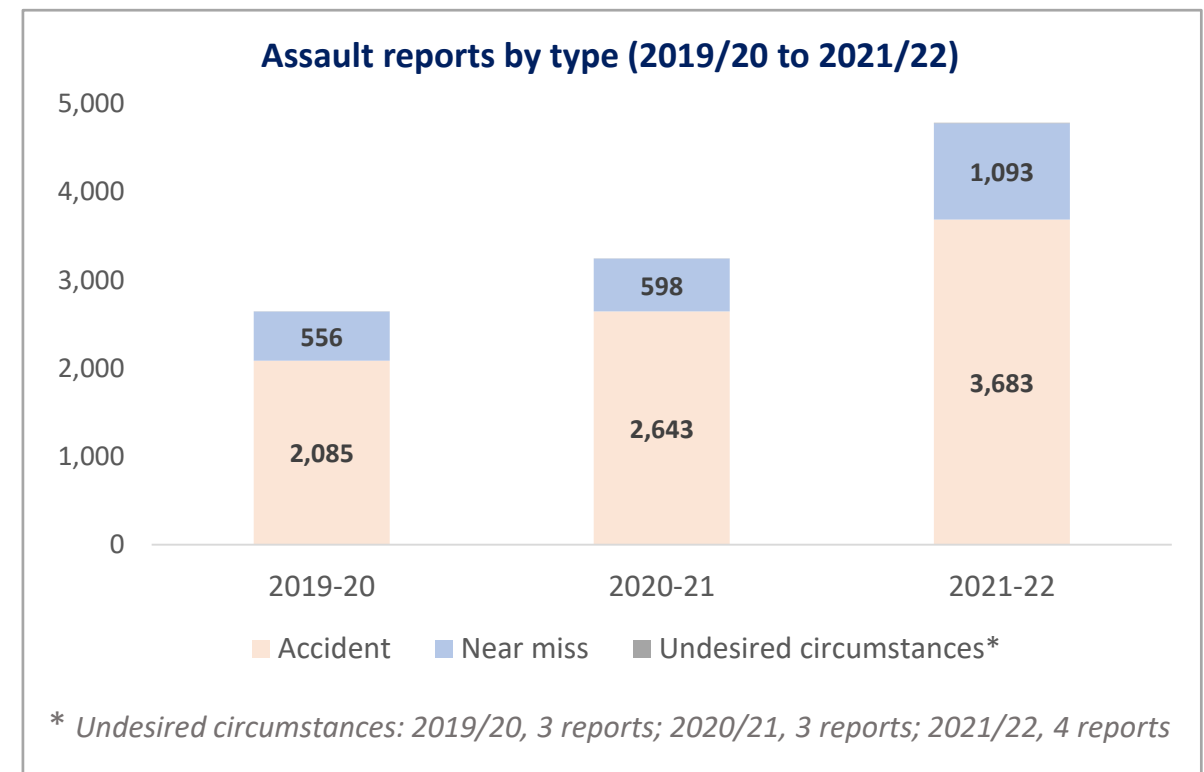
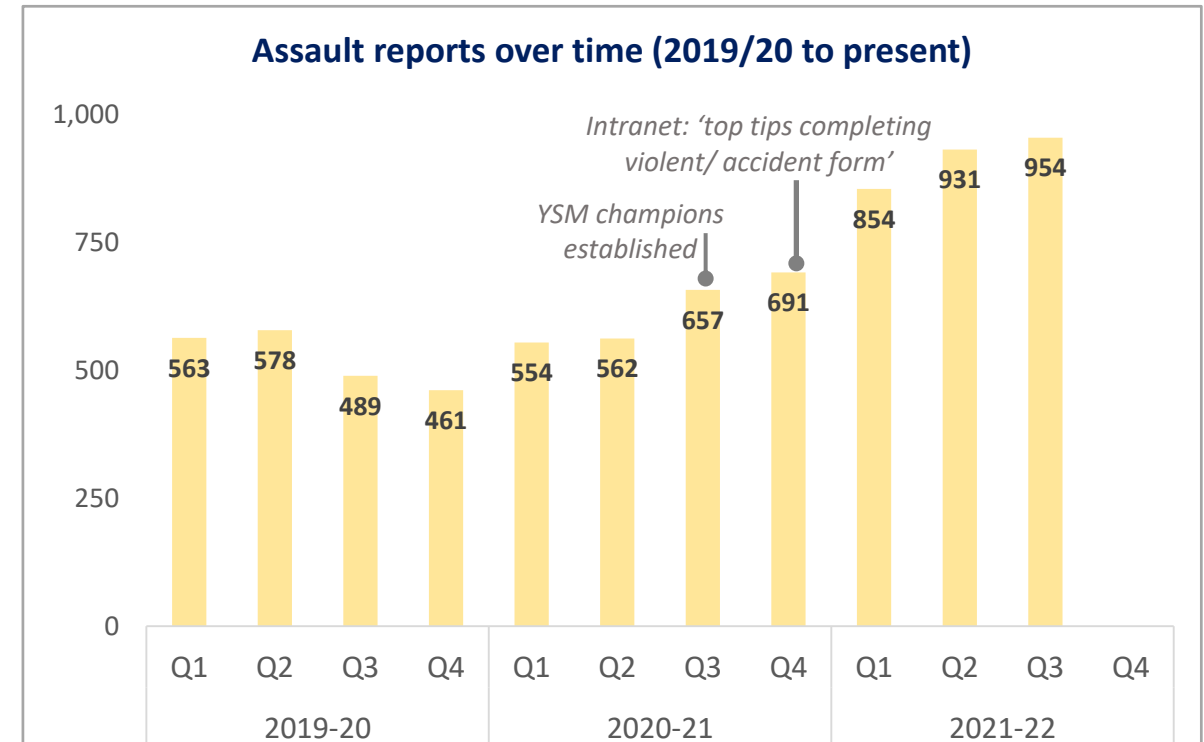
- An assault during arrest is an attack directed to take effect on the person of another. There must be criminal intent.
- An accidental injury, even although caused by a mischievous act or whilst restraining a subject, does not amount to assault.

Data & trend analysis

- The main reason for the increase in assaults is better reporting.
- 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.



3. Incident Monitoring: *During Arrest/Custody*

Background

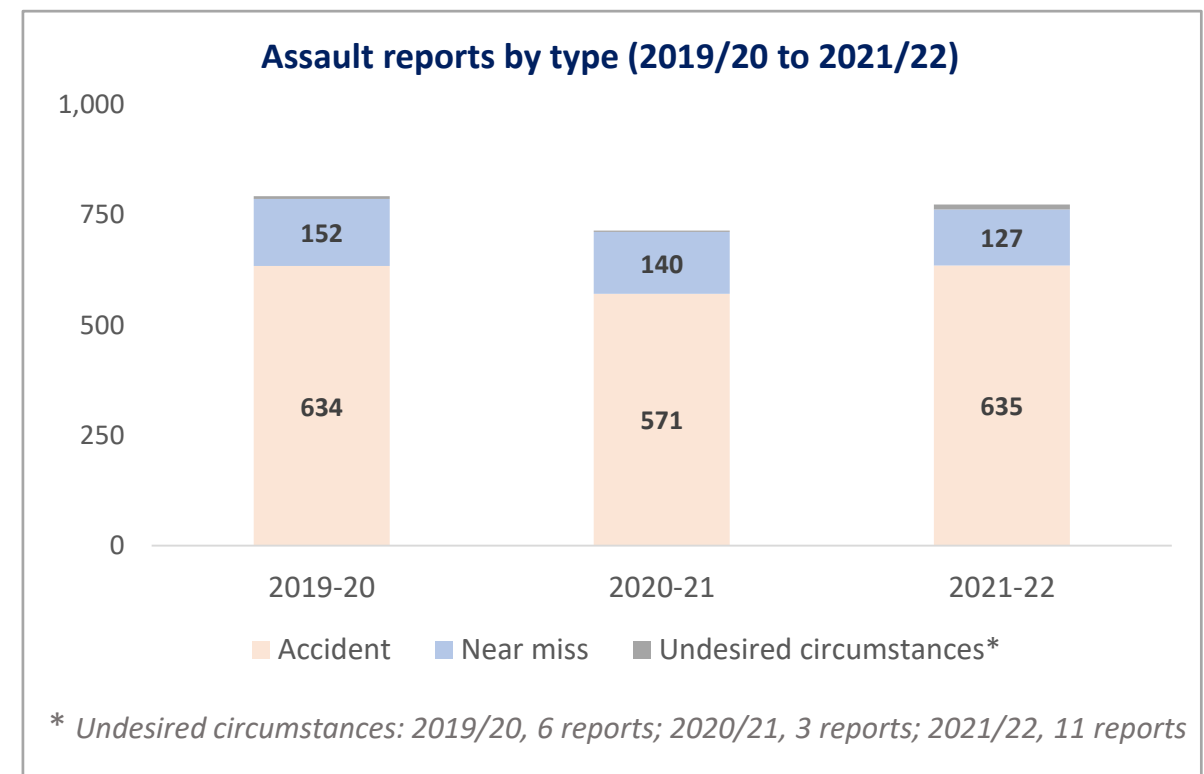
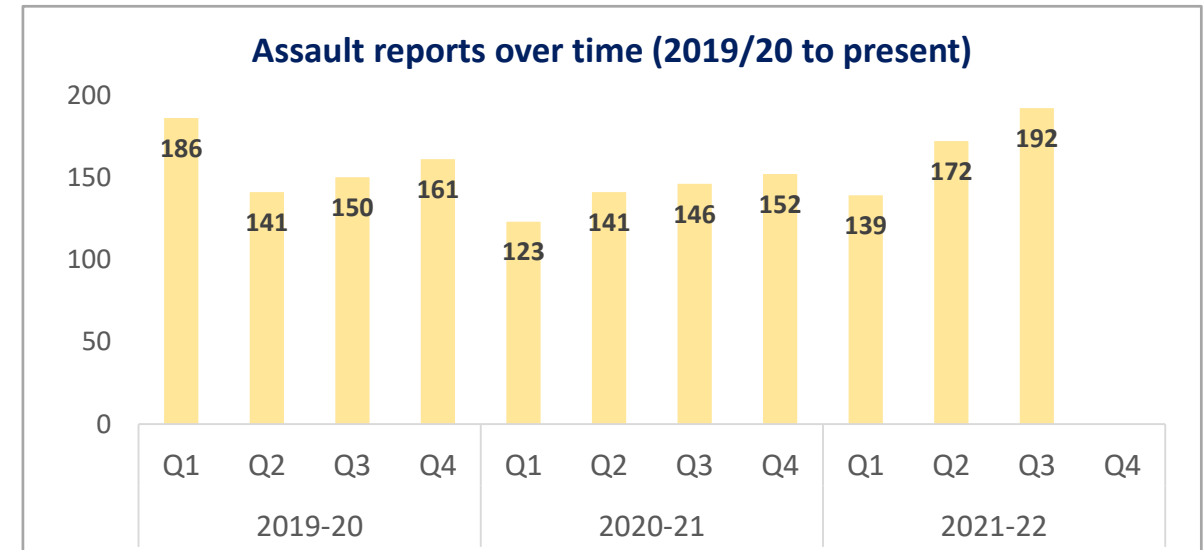
- Accidental/unintentional injury during arrest / restraint of a subject.
- Occurs from the point that a Police Officers detains a person. This includes the period where the individual is transported to custody by police vehicle.

Data & trend analysis

- Figures have trended downwards since 2017 with the occasional spike.
- This may be due to the significant H&S input within the Criminal Justice Services Division including the introduction of audits. There has also been increased training and PPE provided for staff.

Management response

- Will continue to monitor to establish issues at an early stage.



4. Other developments and preventative activities

Background

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

Control of Vibration at Work

- Work carried out under the Control of Vibration at Work Regulations
- Areas where there is exposure to vibration include:
 - Vehicle workshops: staff were found to be working below any limit. A process to issue police owned vibrating tools is in place and all privately owned tools have been withdrawn.
 - Ground maintenance team (Tulliallan). Identified as having a residual vibration risk. An electronic monitoring system has been identified and this has been moved through the Data Protection and Information Security process. The verification process is almost complete and it is anticipated that this system will be in place by the June Health & Safety Board. The implementation of this system will include awareness training which will confirm that Police Scotland is compliant with the legislation.
 - Motorcyclists, air support, and protestor removal units were considered and evaluated as not at risk.

Control of Noise at Work

- Work carried out under the Control of Noise at Work Regulations.
- The various locations where staff are likely to encounter excessive noise have been identified and suitable hearing protection provided. For those most at risk areas, hearing surveillance will restart following the easing of COVID-19 restrictions.
- Specific areas of focus include:
 - Vehicle workshops. Noise awareness training is in the final stage of being developed.
 - C3 staff. A specific noise awareness training package is also being developed.
 - Police Officers attending high noise level incident or events. A solution has been identified and successfully trailed. The procurement process is underway and being led by ICT colleagues.

4. Other developments and preventative activities

Annual Health & Safety Assurance Model

- Assurance Model is complete for 2022/23.
- All forms have been submitted from SPA, Divisions and Business Areas across the organisation.
- It shows a compliance rate across SPA and Police Scotland of 99%. A series of audits will be carried out in 2022/23.

HSG 65 Self-assessment

- HSG65 is the standard by which effective Health and Safety Management is gauged. An experienced H&S Advisor was tasked to assess the policies and documents from Police Scotland against this guidance.
- The areas examined were: Policy, Organising, Control, Co-operation, Communication, Competent workforce, Competent H&S advice, Planning and Implementing, Measuring Performance, Reactive monitoring– after things go wrong, Reviewing and Auditing.
- There finding from the 62 areas reviewed were:
 - 40 (65%) were found to be compliant,
 - 2 (3%) were minor non conformities and
 - 20 (32%) opportunities for improvement were identified.
- Actions were allocated and currently 57 actions are complete, 5 are in progress (which were all opportunities for improvement) and no actions are overdue.
- A second element of the Audit was to review the Health and Safety legislation in force. 115 separate items were assessed leading to 10 actions to check levels of compliance. Currently 5 are in progress and none are overdue. This preparatory work improved compliance and assisted the subsequent audits of the management arrangements.

Covid-19 RIDDOR Status

- The Health and Safety Executive have now confirmed that there is no longer a requirement to report the workplace transmission of Coronavirus as a RIDDOR.
- To date the organisation has reported 472 instances under the RIDDOR Regulations.