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| <b>Meeting</b>                   | <b>SPA People Committee</b>  |
| <b>Date</b>                      | <b>29 August 2023</b>  |
| <b>Location</b>                  | <b>Video Conference</b>  |
| <b>Title of Paper</b>            | <b>Health &amp; Safety Report, Quarter 1 2023/24</b>                             |
| <b>Presented By</b>              | <b>Gillian Docherty, Chief Superintendent, Governance, Audit &amp; Assurance</b> |
| <b>Recommendation to Members</b> | <b>For Discussion</b>  |
| <b>Appendix Attached</b>         | <b>Yes – Appendix A – H&amp;S Report</b>   |

**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 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 Health & Safety Quarter 1 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 involving during arrest/custody. The report also provides updates on current and emerging health & safety issues and updates regarding the development of policy and practice.
- 2.2 Members are invited to discuss this report.

## **3. FINANCIAL IMPLICATIONS**

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

OFFICIAL



**POLICE**  
SCOTLAND  

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POILEAS ALBA

SCOTTISH POLICE  

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**AUTHORITY**

**HEALTH & SAFETY**

# SPA People Committee

**Health and Safety Manager's Report**  
**Quarter 1, 2023/24**

# 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 2022/23

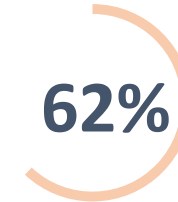


% complete for 2023/24 vs 25% target

#### Progress implementing actions



Custody actions complete



Productions actions complete

### Fire safety

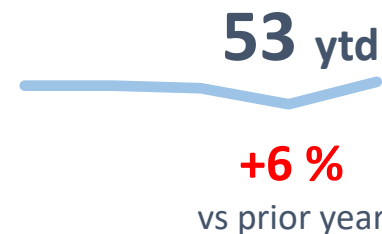
All fire risk assessments current / up to date



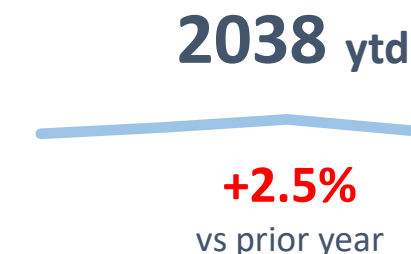
Actions complete (actions raised pre Feb 22)

## Incident monitoring

### RIDDOR Q1 2023/24



### Total reports Q1 2023/24



### Key movements in accident reports (movement vs prior year to date for Q1)

Assaults ▼ 1% **1296**  
*Decrease in overall Assaults reported*

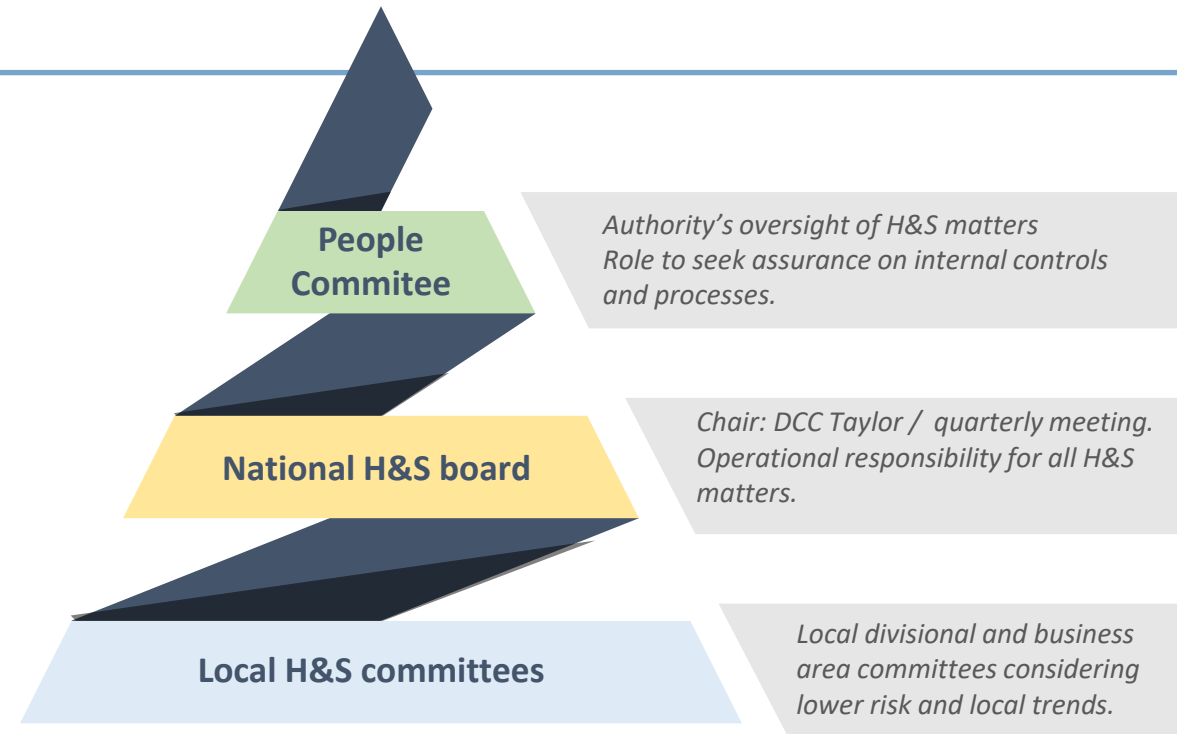
Slips, Trips & Falls ▲ 17% **89**  
*Increase related to focus on increasing reporting*

Manual handling ▲ 4% **57**  
*Increase shown - three year average is 55 across Q1*

# 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.  
Targeted Assurance Model audits will continue on an annual basis.

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 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 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.
- 7 x Custody projects carried out to address custody actions. Rothesay project stopped due to operational issues and will be captured in 2023. Outstanding actions (81 outstanding) relate to Rothesay and to custody areas agreed with CSJD to be placed on hold.
- Going forward all Custody identified issues will be reported and addressed through the normal business reporting process, Custody issues are prioritised and not part of triage process.
- As all custody projects have been completed this is the final report on custody identified issues.

## 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%        |
| <b>Total</b> | <b>480</b> | <b>81</b>    | <b>561</b> | <b>74%</b> | <b>74%</b> | <b>86%</b> |

End of report

### Production Audits

| Priority     | Completed | Out-standing | Total     | % Complete |            |            |
|--------------|-----------|--------------|-----------|------------|------------|------------|
|              |           |              |           | Jan 23     | May 23     | Aug 23     |
| Very high    | 0         | 0            | 0         | -          | -          | -          |
| High         | 20        | 8            | 28        | 57%        | 71%        | 71%        |
| Medium       | 10        | 8            | 18        | 56%        | 56%        | 56%        |
| Low          | 14        | 10           | 24        | 33%        | 58%        | 58%        |
| <b>Total</b> | <b>44</b> | <b>26</b>    | <b>70</b> | <b>49%</b> | <b>62%</b> | <b>62%</b> |

#### 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.

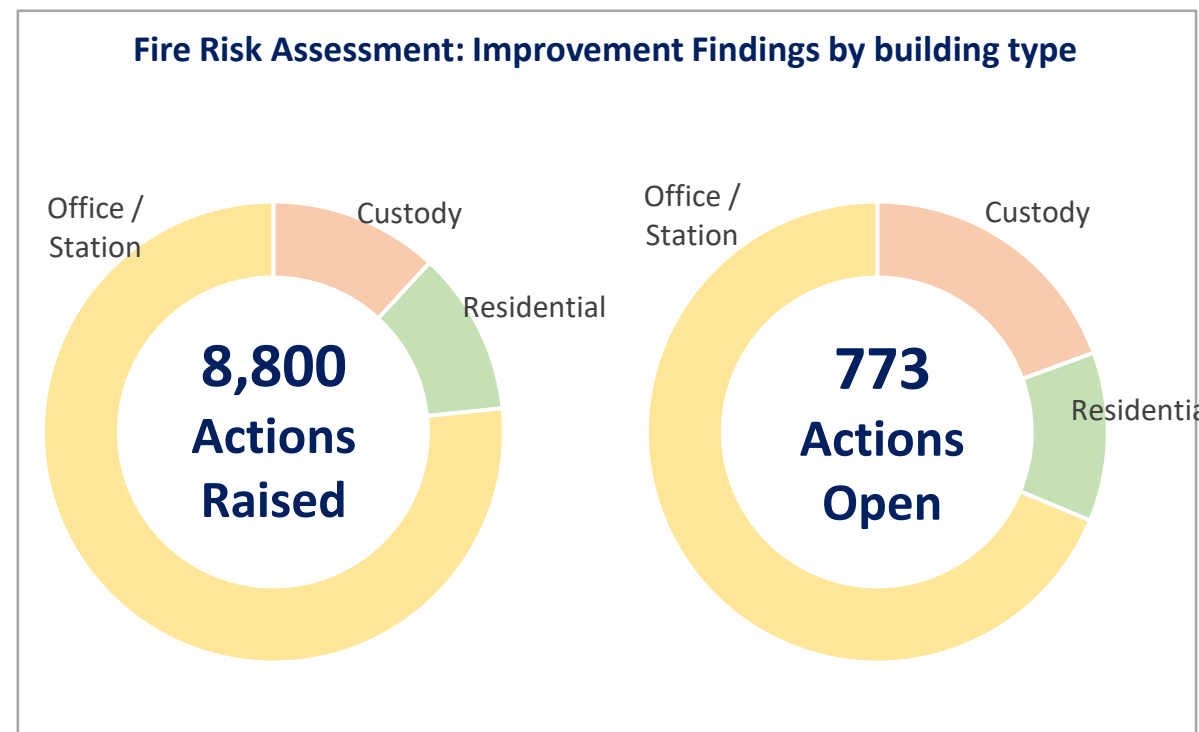
## Data & trend analysis

- 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 estates 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.
- H&S / Estates Departments will actively review the remaining Mitie FRA issues raised as the New FRA are being carried out due to the annual one-year review programme.

## 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 |            |            |
|--------------------|-------------|-------------|-------------|------------|------------|------------|
|                    |             |             |             | Jan 23     | May 23     | Aug 23     |
| Very high          | 10          | 0           | 10          | -          | -          | -          |
| High               | 1071        | 92          | 1,163       | 90%        | 92%        | 92%        |
| Medium             | 6086        | 601         | 6687        | 79%        | 90%        | 91%        |
| Low                | 838         | 74          | 912         | 84%        | 91%        | 91%        |
| Very low           | 18          | 6           | 24          | 75%        | 75%        | 75%        |
| Risk retained      | n/a         | n/a         | 4           | -          | -          | -          |
| <b>Total</b>       | <b>8023</b> | <b>773</b>  | <b>8800</b> | <b>81%</b> | <b>90%</b> | <b>91%</b> |



# 3. Incident Monitoring: *Accident Reporting*

## Background

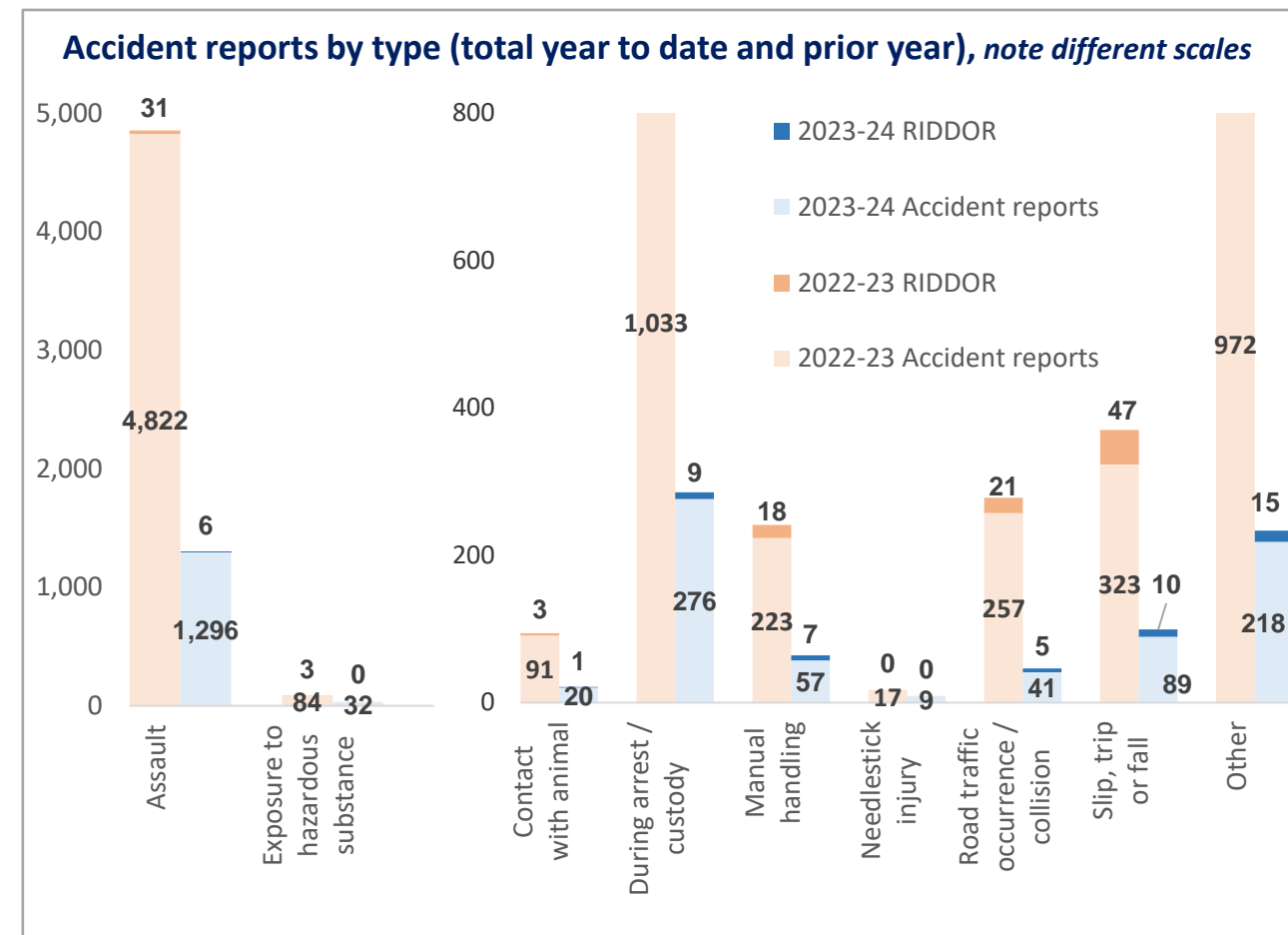
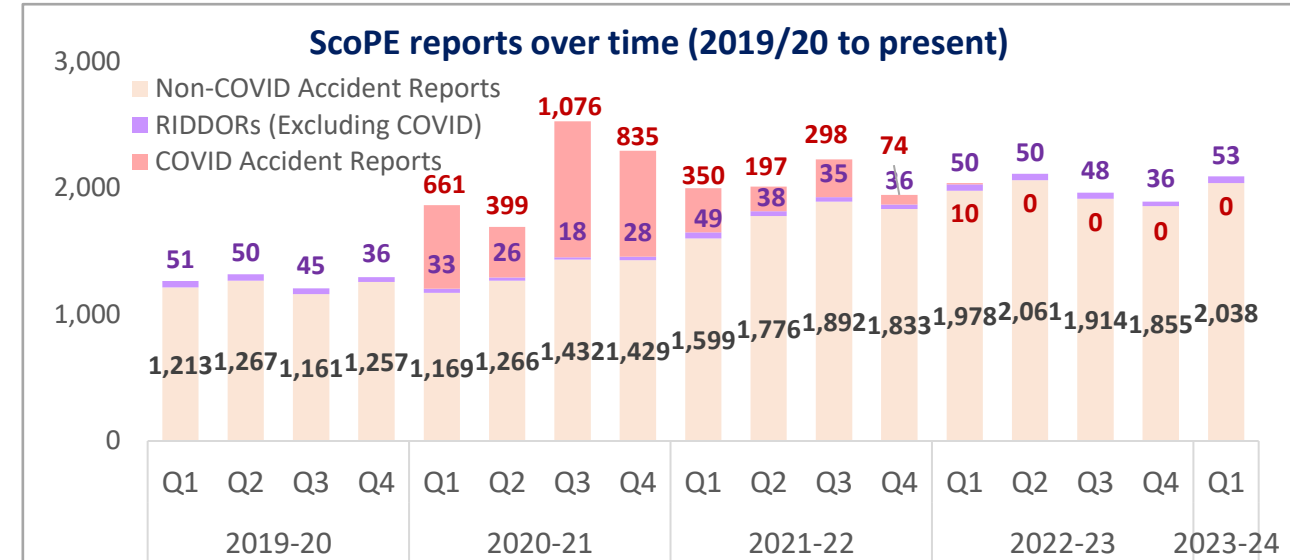
- An accident for this report is defined as unintended incident, which causes physical injury. Accidents can be classified as:
  - major i.e. RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013); or
  - other / less serious accident reports.

## Data & trend analysis

- At this point, we can see that the number of RIDDORs remains consistent and within a range between 33-53 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.
- 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 and will report back to Members.



# 3. Incident Monitoring: Assault Reporting

## Background

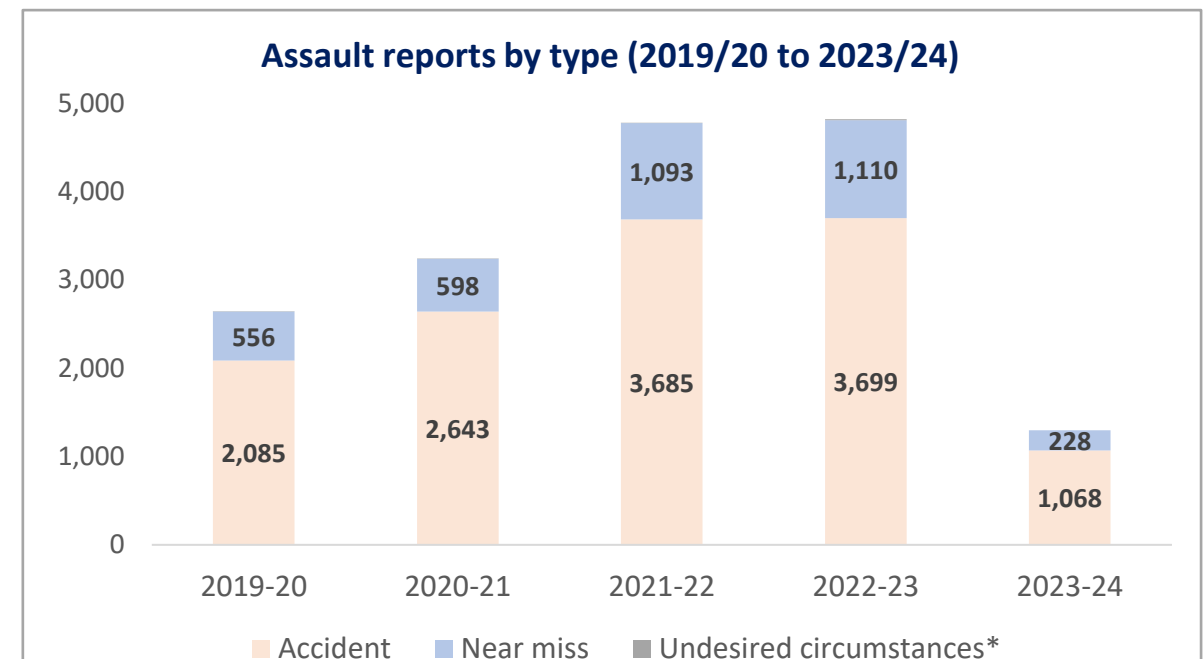
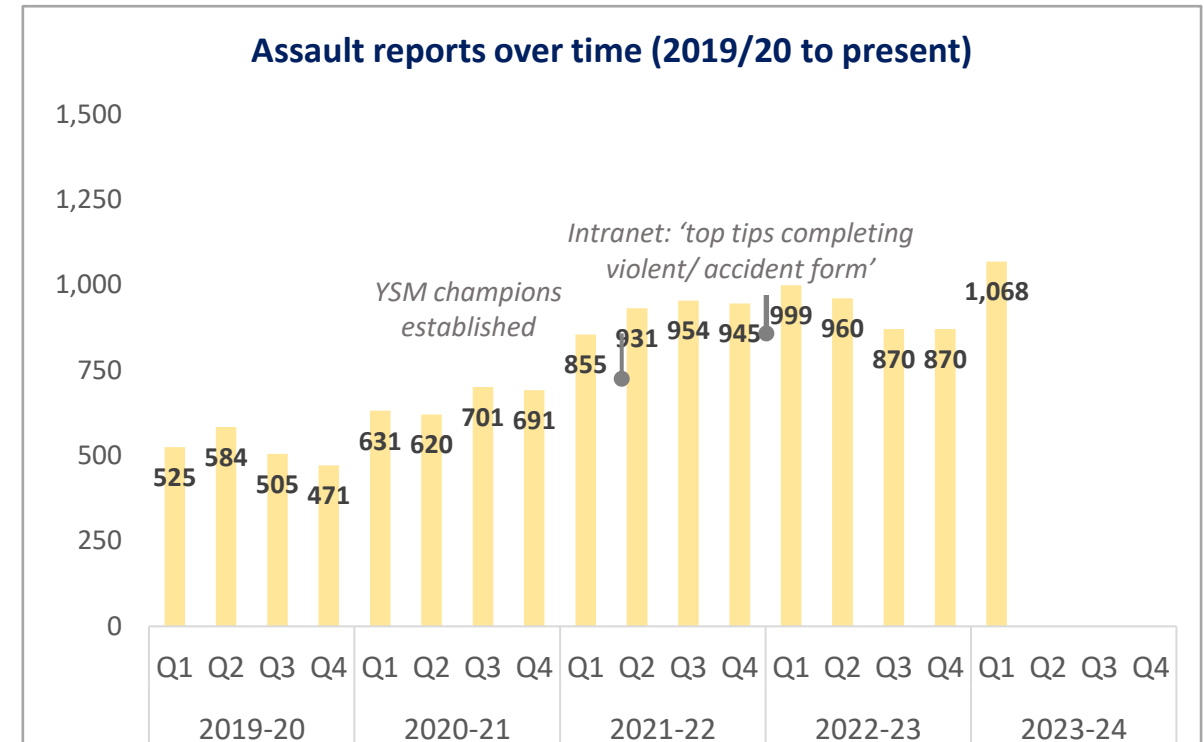
- An assault during arrest is an attack directed to take effect on the person of another. There must be criminal intent.
- An accidental injury, even although caused by a mischievous act or whilst restraining a subject, does not amount to assault.

## Data & trend analysis

- The 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.; 2023/24, 0 reports

# 3. Incident Monitoring: *During Arrest/Custody*

## Background

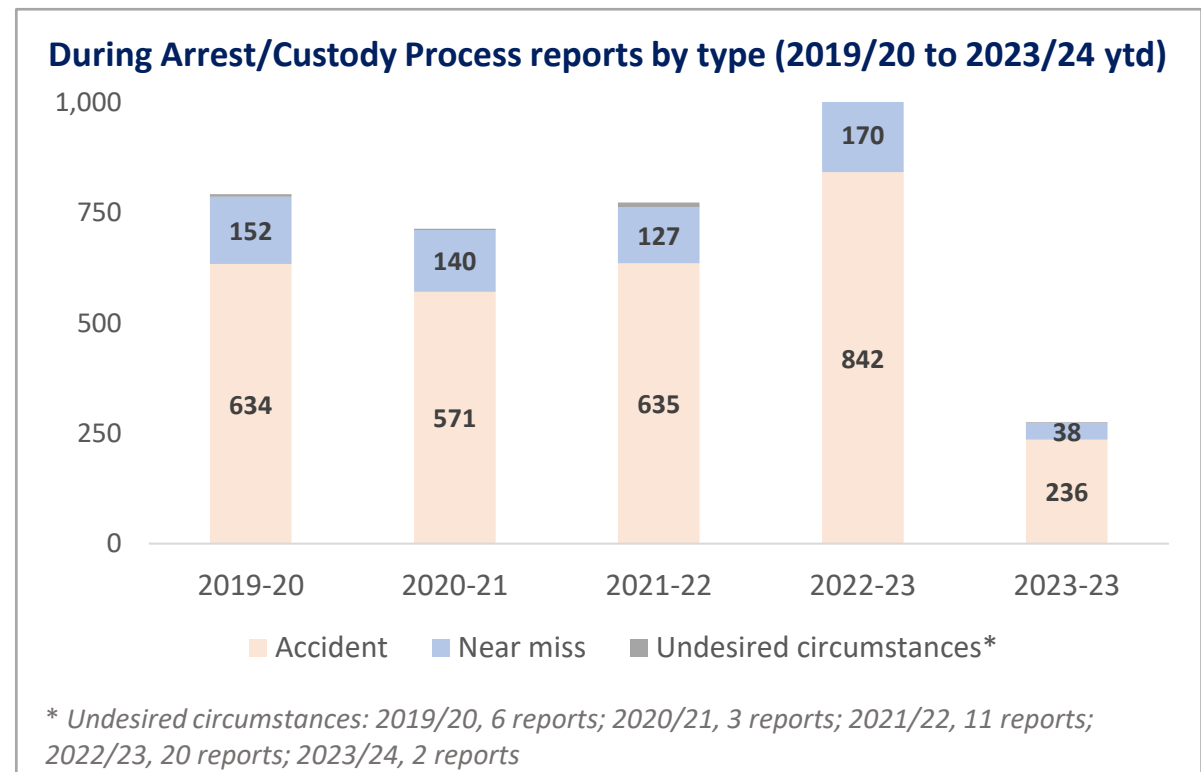
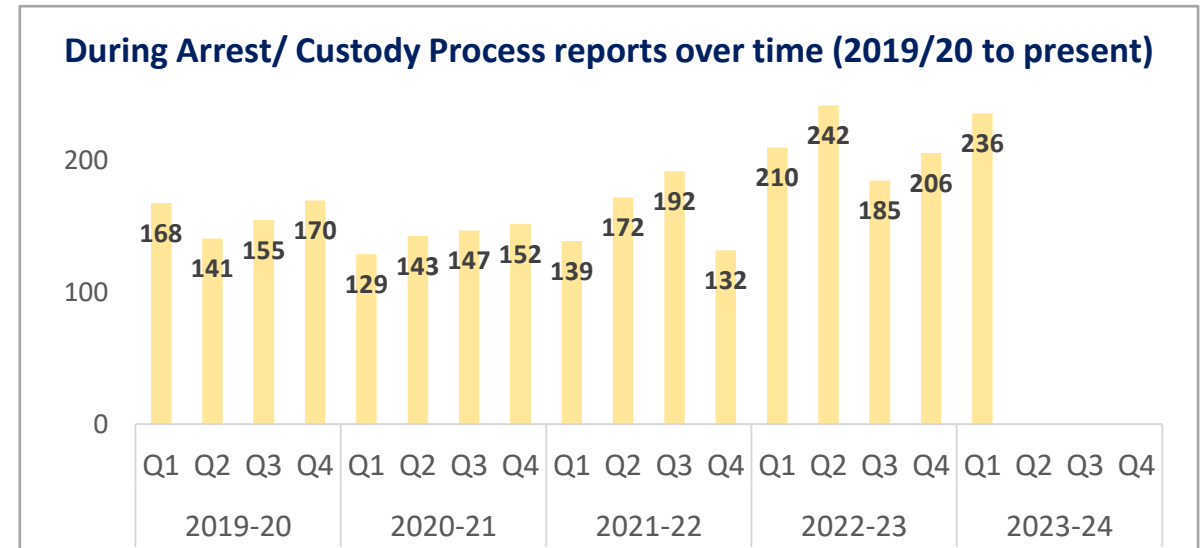
- Accidental/unintentional injury during arrest / restraint of a subject.
- Occurs from the point that a Police Officers detains a person. This includes the period where the individual is transported to custody by police vehicle.

## 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 there 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

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## 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

- Total RIDDORS in Q1 2023/24 was 53 compared with 50 in the same period 2022/23. Work remains ongoing to analyse RIDDORS, identify trends and resulting preventative opportunities.

## RPE Issues

- Following SLB discussion on 12 July, the introduction of the proposed RPE Policy has been postponed to allow further research and consultation to take place.

## Ongoing Protester Issues Op Table

- H&S continues to provide ongoing H&S advice to the protests at Grangemouth and other sites. Advisors have been at scene as well as providing advice over Teams and via telephone.

## Mobile Device Charger Plugs

- Following a further incident involving a charger plug malfunctioning, Police Scotland has informed the suppliers that it no longer has confidence in the devices. The suppliers have agreed to replace the VEO charger plugs with an alternative.

## Productions Incident

- CJSB recently reported a chemical leak linked to volatile chemicals that were being stored as productions. This resulted in a multi-agency incident. Following a Health and Safety investigation, a short life working group has been established with CBRN and CJSB to review the learning from this incident and consider any required policy changes.

## Review of Estates Health and Safety Compliance

- Azets recently submitted the Review of Estates Health and Safety Compliance audit report to the Chief Financial Officer. The audit report identifies a number of recommendations, and an action plan is now being developed. A new Estates Health & Safety Board has been established as part of wider Estates Improvement work, which will feed Estates health & safety management information into other boards, including the Health & Safety Board. Health and Safety Department will be a member of the new Estates Health & Safety Board and will support the action plan activities arising from the audit recommendations.

# 4. Other developments and preventative activities

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## **Firearms Review**

- N Division recently requested its Health and Safety Advisor conduct a review of the disposal of firearms and ammunition. Following the review, several issues were identified, with recommendations made. D Division has requested a similar review, which is currently ongoing. Health and Safety is liaising with Internal Assurance to ensure information captured during these inspections can be considered as part of broader review work relating to firearms licensing and associated matters.

## **Sure-fire Earpieces**

- Sure-fire sonic hearing protection is a set of moulded earplugs designed to protect against noise induced hearing loss by reducing passive noise levels associated with events and airwave use to a safe level. Airwave Lifetime Management and the Health and Safety Dept have been working jointly on this project to ensure the organisations meets the requirements of Regulation 7 of the Control of Noise at Work Regulations 2005.
- The Force currently has a large stock of earpieces (approx. 10 000) for national distribution. The equipment is regarded as PPE and will be added to officers SCOPE records, which will include a record the earpiece size issued. Distribution is being progressed via nominated divisional SPOCs, with G and Q divisions identified for initial rollout given the anticipated demand linked to various large scale events taking place across both divisions.
- Airwave Lifetime Management continues to engage with both divisions in relation to the initial rollout and will shortly engage with the remaining West divisions before developing bespoke distribution processes for North and East divisions.