



<b>Meeting</b>	<b>SPA People Committee</b>
<b>Date</b>	<b>28 February 2023</b>
<b>Location</b>	<b>Virtual Conference</b>
<b>Title of Paper</b>	<b>Health &amp; Safety Report Quarter 3 2022/23</b>
<b>Presented By</b>	<b>James Bertram</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 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  

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POILEAS ALBA

SCOTTISH POLICE  

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**AUTHORITY**

**HEALTH & SAFETY**

# SPA People Committee

**Health & Safety Report**  
**Quarter 3, 2022/23**

# 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 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 - Q3 2022/23

**148** ytd



**-54%**

vs prior year

Total reports Q1 - Q3 2022/23

**5954** ytd



**+0.7%**

vs prior year

### Key movements in accident reports

(movement vs prior year to date for Q1 – Q3)

Assaults **▲ 6%** **3707**

Increase related to focus on increasing reporting

Slips, Trips & Falls **▲ 3%** **246**

Increase related to focus on increasing reporting

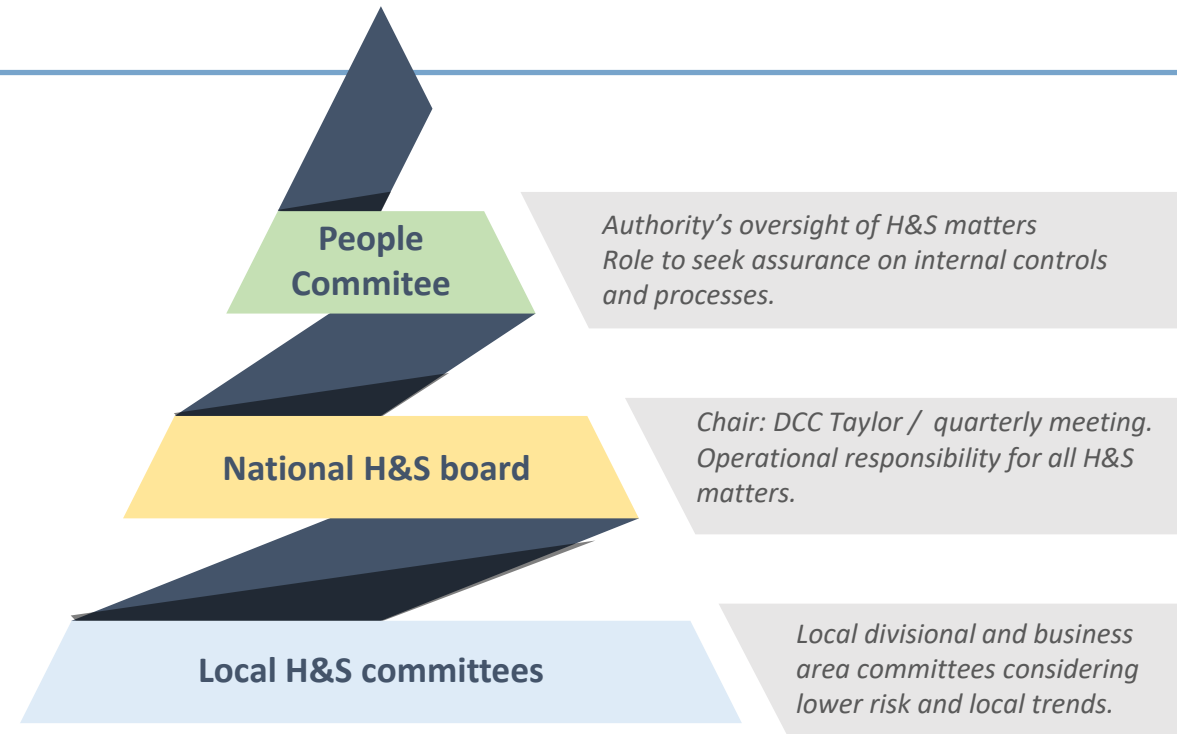
Manual handling **▼ 21%** **178**

Decrease shown - three year average is 121 across Q1-Q3

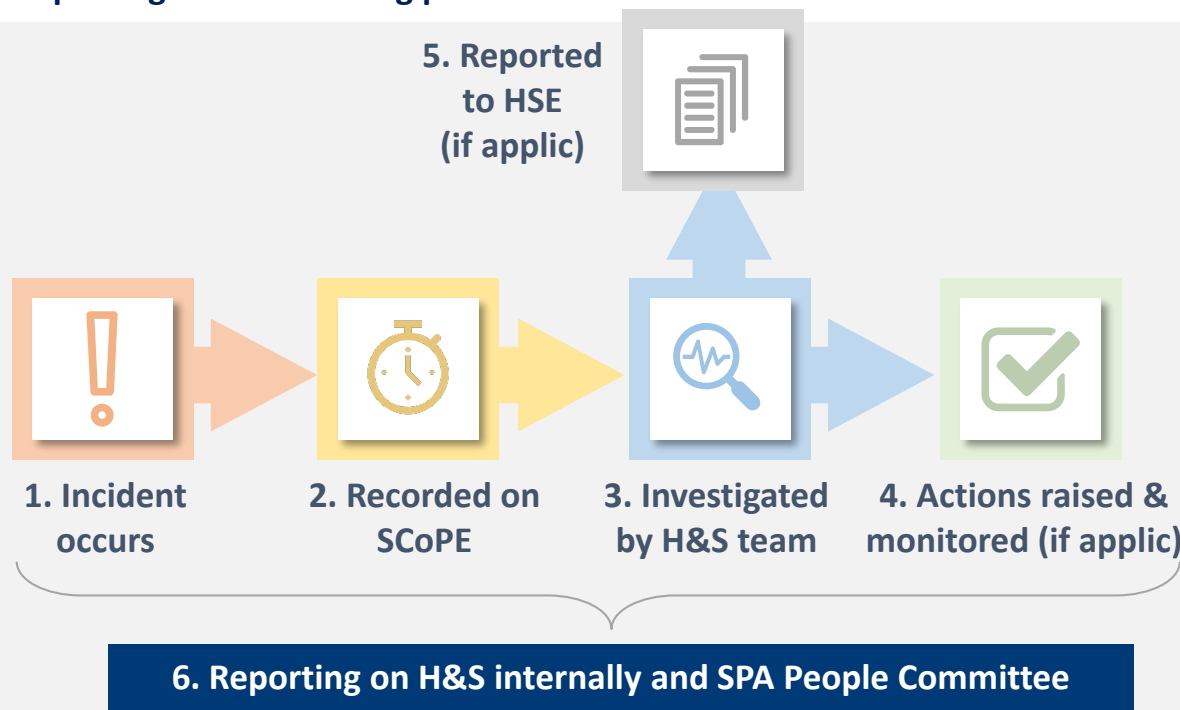
# 1. Assurance Process: Overview

## Governance of health and safety

- Health and safety for both SPA and Police Scotland is internally managed by committee and principally by the National Health & Safety Board (chaired by DCC Taylor).
- The Health & Safety Policy has been reviewed and was approved at the Health & Safety Board. It will now progress to SLB and then to SPA People Committee.
- 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*

- 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 proactive assisting Divisions.  
 Continue to monitor Covid throughout the winter period.  
 Assurance Model audits carried out in Road Policing, "L", "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.**

A visit was carried out by the Health & Safety Executive in response to Legionella found within the water supply at Tulliallan. They are content and will return Summer 2023.  
 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.
- 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.
- 7 x Custody projects are in progress for the following locations: **Rothesay**, Dunoon, Saltcoats, Kilmarnock, Inverurie, Clydebank, & Bowmore. The projects have commenced and will address issues identified – projects are all planned for completion by end March 23. *Rothesay project may be placed on hold due to access to areas.*

## 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		
				July 22	October 22	Jan 23
Very high	17	0	17	100%	100%	100%
High	224	104	328	68%	68%	68%
Medium	141	35	176	80%	80%	80%
Low	33	7	40	83%	83%	83%
<b>Total</b>	<b>415</b>	<b>146</b>	<b>561</b>	<b>74%</b>	<b>74%</b>	<b>74%</b>

### Production Audits

Priority	Completed	Out-standing	Total	% Complete		
				July 22	Oct 22	Jan 23
Very high	0	0	0	-	-	-
High	16	12	28	57%	57%	57%
Medium	10	8	18	56%	56%	56%
Low	8	16	24	33%	33%	33%
<b>Total</b>	<b>34</b>	<b>36</b>	<b>70</b>	<b>49%</b>	<b>49%</b>	<b>49%</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 CJSJ 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 fire 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

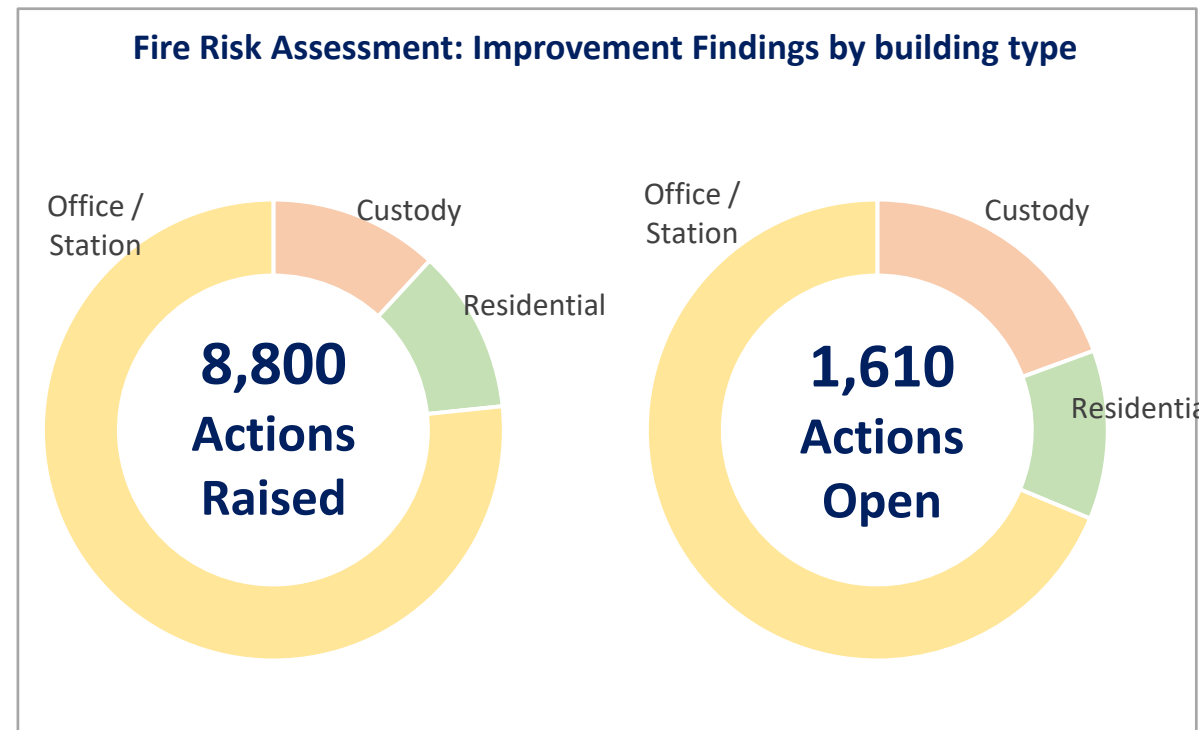
- Estates have set realistic targets based on the Mitie fire risk assessment action raised prior to February 2022 to close 775 actions by the end of the current financial year. The targets comprise:
  - all 'high risk' actions (247 actions); and
  - 30% of 'medium risk' actions (528).
- The Estates Team continue to actively address outstanding actions. Limited progress due to budget challenges – a number of capital projects are underway which will address a number of issues going forward.

## 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) and have a projects underway to check and ensure the VESDA systems are operational the standards.
- Inadequate standards of compartmentation (i.e. fire doors or gaps in pipework) have also been a theme.

**Fire Risk Assessment: Improvement Findings Progress**

Number of actions:	Completed	Outstanding	Total	% Complete		
				July 22	Oct 22	Jan 23
Very high	10	0	10	-	-	-
High	1048	115	1,163	89%	89%	90%
Medium	5340	1347	6687	79%	79%	79%
Low	770	142	912	84%	84%	84%
Very low	18	6	24	62%	62%	75%
Risk retained	n/a	n/a	4	-	-	-
<b>Total</b>	<b>7186</b>	<b>1,610</b>	<b>8800</b>	<b>81%</b>	<b>81%</b>	<b>82%</b>



# 3. Incident Monitoring: *Accident Reporting*

## Background

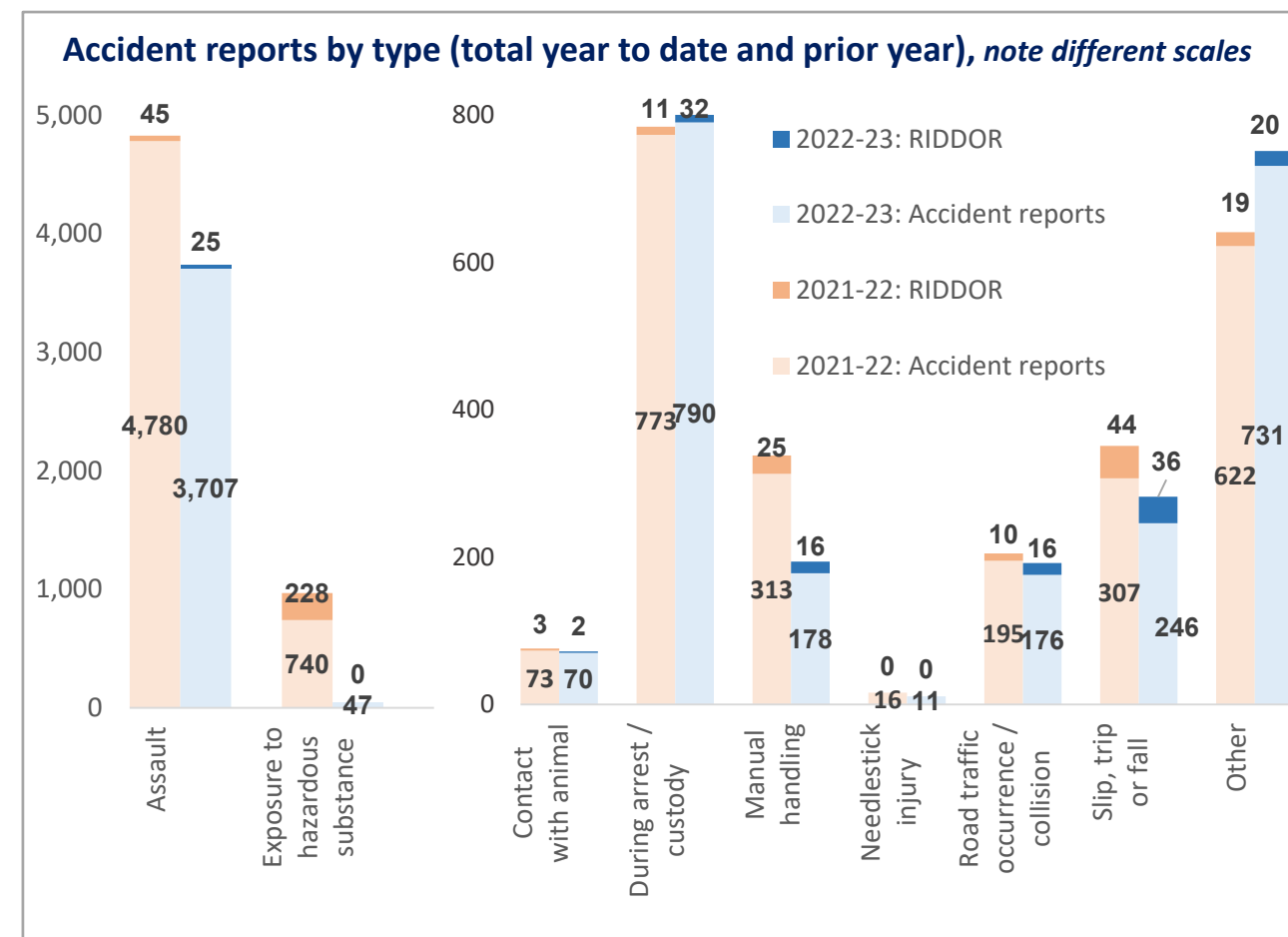
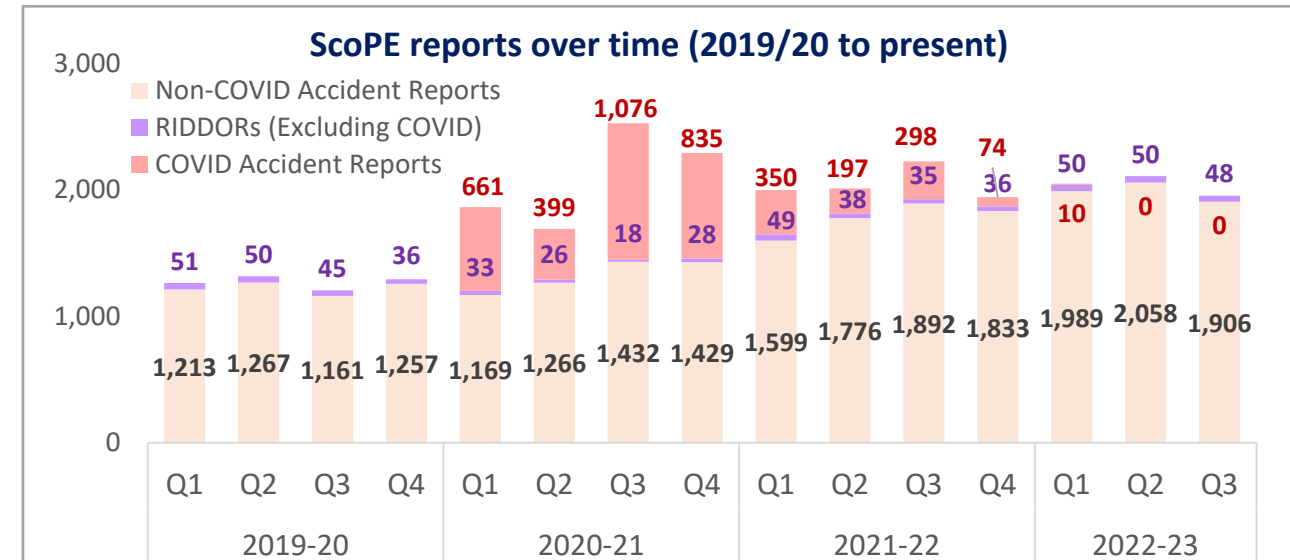
- An accident for this report is defined as unintended incident, which causes physical injury. Accidents can be classified as:
  - major i.e. RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013); or
  - other / less serious accident reports.

## Data & trend analysis

- At this point, we can see that the number of RIDDORs remains consistent and within a range between 33-51 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 and will report back to Members.



# 3. Incident Monitoring: Assault Reporting

## Background

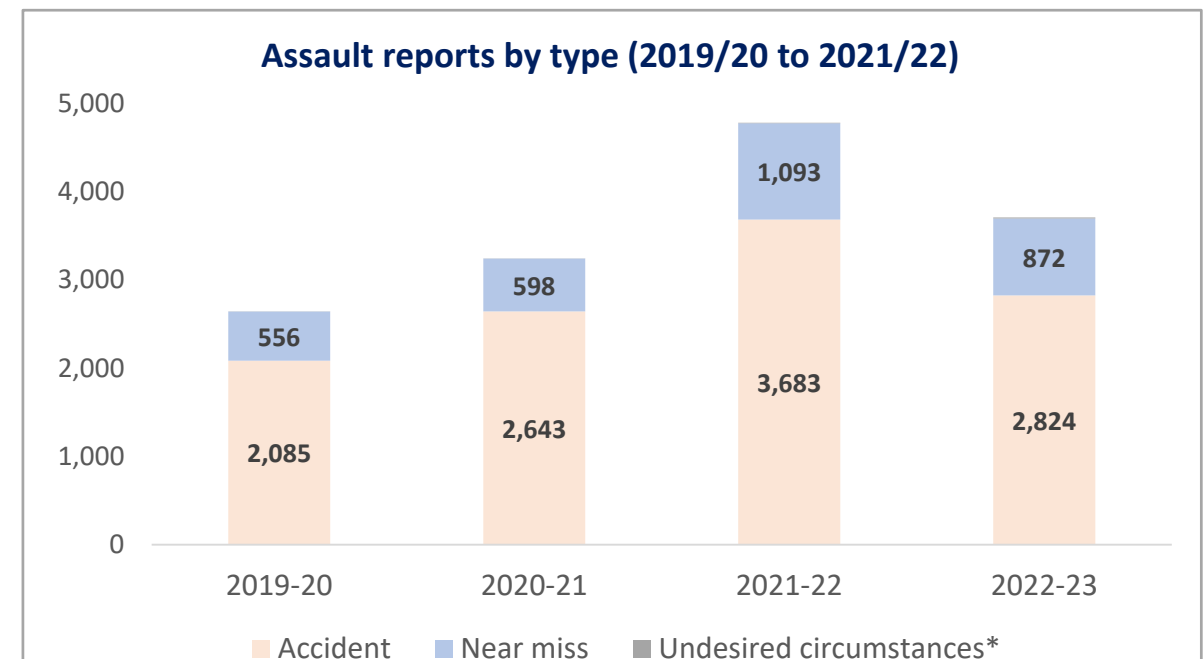
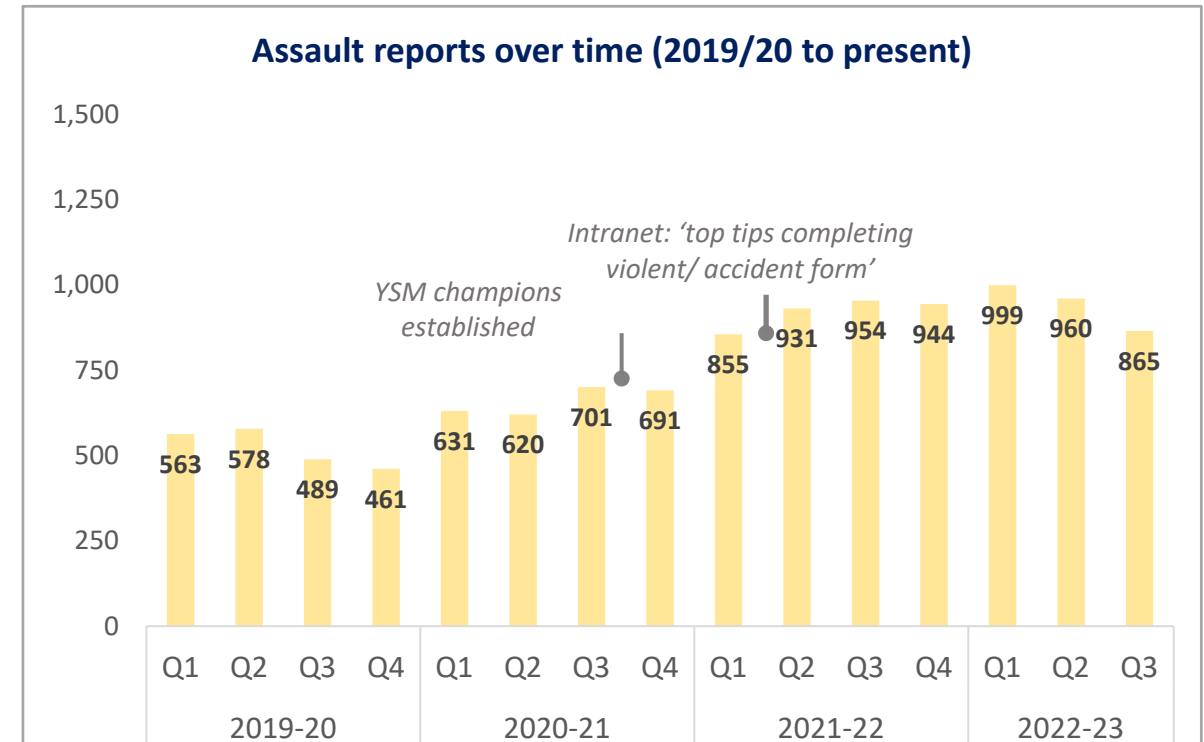
- An assault during arrest is an attack directed to take effect on the person of another. There must be criminal intent.
- An accidental injury, even although caused by a mischievous act or whilst restraining a subject, does not amount to assault.

## 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, 11 reports.

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

## Background

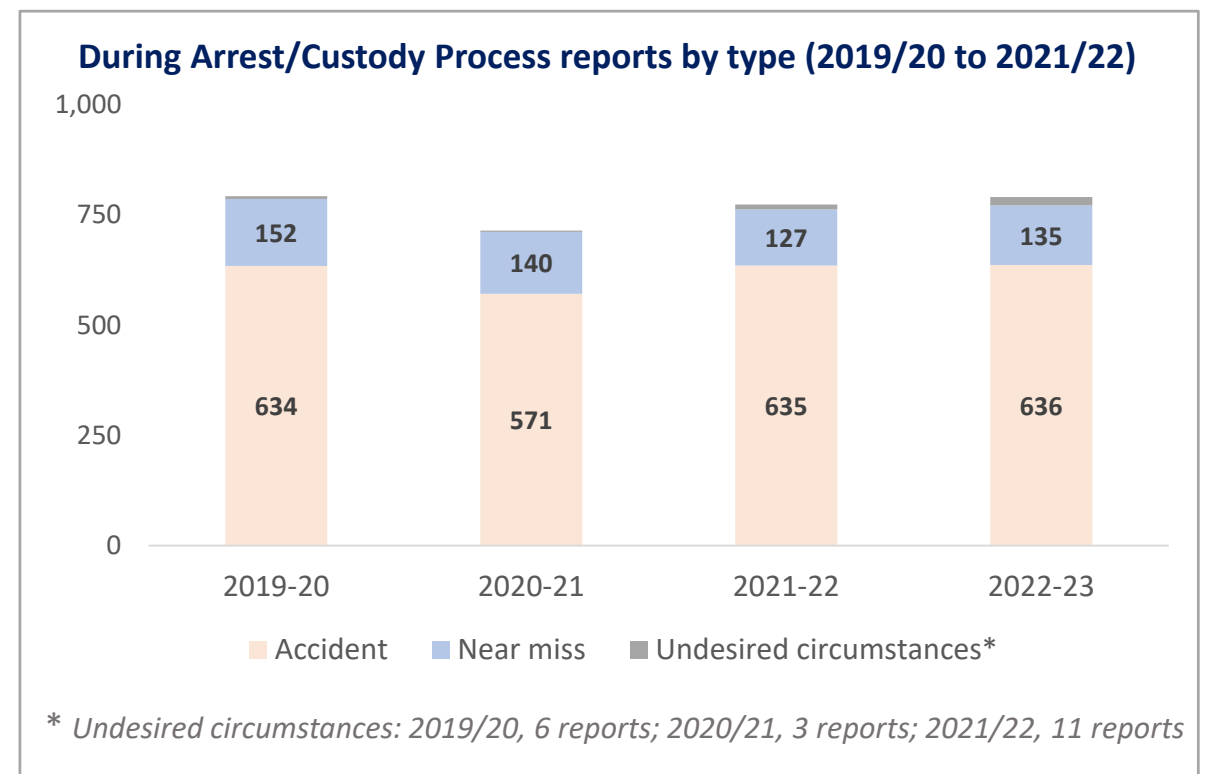
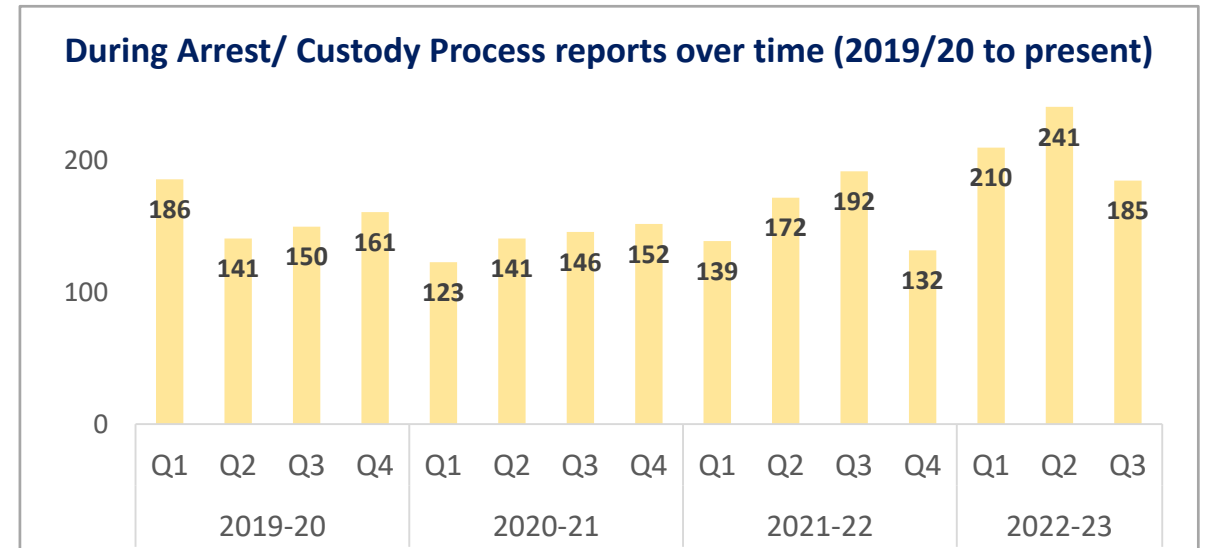
- Accidental/unintentional injury during arrest / restraint of a subject.
- Occurs from the point that a Police Officers detains a person. This includes the period where the individual is transported to custody by police vehicle.

## 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

- 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 and so far this year we have seen 148 RIDDORs.
- The Health & Safety Manager continues work to try to reduce the number of RIDDORs within SPA and Police Scotland.

## Dangerous Dogs

- Work is underway with OSD following some significant dog bites to officers. Information has been obtained in relation to protective suits worn by other Forces and Safety Advisors have also looked at external agencies who are specifically trained to deal with dangerous dogs. A paper will go to the Health & Safety Board.

## Legionella

- Legionella detected in the water supply at Tulliallan via proactive testing which resulted in the closure of the site with training moved to Stirling University.
- Health & Safety Manager and Assistant Health & Safety Manager attended Gold and Silver meetings throughout where our advice was to bring in a Water Safety Specialist competent in the HSE ACOP L8.
- A draft risk has been created by the Risk Manager to reflect the risk from Legionella.
- The Scottish Police Federation had requested copied of the Safety Representatives and Safety Committees Regulations and then highlighted the issue to the HSE.
- There are possible implications for the rest of the estate and in particular other residential sites and custody suites.
- The HSE attended Tulliallan on 02 February to review Legionella documentation relating to that site and discuss mitigation activity.
- The HSE requested access to further areas of the police estate and on 16 February, visits were facilitated to police premises at Baird Street, Glasgow and Mill Street, Paisley. Following these visits, the HSE confirmed it was content with Legionella mitigation activity undertaken to date and advised it would conduct a further visit in June/July 2023 to review the implementation of enhanced Legionella risk management processes across the police estate.

## 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 with the results passed to Estates colleagues. All actions are captured on a spreadsheet and updates will be provided via the Health & Safety Board.