

HEALTH & SAFETY COMMITTEE PWYLLGOR IECHYD A DIOGELWCH

DYDDIAD Y CYFARFOD: DATE OF MEETING:	14 March 2022
TEITL YR ADRODDIAD: TITLE OF REPORT:	Estates Low Voltage (LV) Electricity Compliance
CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:	Andrew Carruthers, Director of Operations
SWYDDOG ADRODD: REPORTING OFFICER:	Paul Evans, Head of Estates Risk and Compliance

Pwrpas yr Adroddiad (dewiswch fel yn addas)

Purpose of the Report (select as appropriate)

Er Sicrwydd/For Assurance

ADRODDIAD SCAA SBAR REPORT

Sefyllfa / Situation

This report is being presented to the Health and Safety Committee (HSC) to provide assurance against a key area of the Health and Safety regulations. This report concerns the Electricity at Work Regulations 1989 (in particular to Low Voltage (LV) Electricity of <1000v).

The Health Board (HB) has a diverse property portfolio with a wide range of electrical installations, and electrical components in use in order to conduct its core business. The HB has introduced a range of policies and procedures to minimise the risks associated with the use of electrical equipment.

This report therefore sets out the following:

1. Identifies what legislation and guidance the HB is expected to comply with.
2. Provides information on what actions have been introduced by the HB to minimise risk.
3. Lists the recommendations, actions and timelines the HB has been issued with in order to improve compliance and resilience for Electricity by independent advisors.
4. Provide an overview of the ongoing Organisational Change Policy (OCP) within estates operations and compliance, with the inclusion of additional resources and what positive impact this will have once embedded.

Cefndir / Background and Aseiad / Assessment

1. The Health and Safety at Work etc. Act (HASAWA) 1974 is the primary piece of legislation covering health and safety in Great Britain. It has over 100 delegated regulations under it, many of which are applicable to the healthcare working environment.

The legislative requirements for complying with Electricity are set out by the Electricity at Work Regulations 1989, which are very broad, ranging from Regulation 1 through to Regulation 33 (these are identified in Appendix A for further information).

However, in healthcare estates and engineering, principle guidance documentation called Welsh Health Technical Memorandums (WHTMs) are followed. These are set out for each

operational discipline (for example - WHTM 06-02 for LV) as well as relevant British Standards, which combined, sets out clear definitive guidelines to ensure ongoing compliance is maintained.

This is also how the HB is measured in terms of compliance by our appointed authorising engineers at NHS Wales Shared Services Partnership (NWSSP)-Specialist Estates Services (SES) following their site audits and reports issued to the HB's designated person (DP).

2. The HB has introduced a range of measures to help support our compliance with the regulations and guidance and these are set out below:

- Officially appointed an Authorising Engineer (AE) from NWSSP-SES to provide expert advice and offer full independent audit & assurance for LV compliance.
- As an operational estates function, the HB has trained and officially appointed authorised persons (APs) for LV at each acute site to be the professional and technical lead.
- At each acute site, there are competent persons (CPs as electrical engineers) for LV to ensure safety and resilience of Electricity.
- The development and implementation of a HB wide Electrical Safety Policy.
- The establishment of a multi-disciplined Electrical Safety Group (ESG) for the HB to discuss and manage electrical safety compliance.
- Introduced a quarterly global e-mail campaign to ensure staff are made aware of the risks associated with electrical safety components and to report these defects.
- A Pre-Planned Maintenance system is in place to undertake specific checks of electrical infrastructure.
- An external contract to undertake both Portable Appliance Testing and Fixed Board testing across the HB.
- From a resilience perspective, a number of sites are equipped with emergency generators and IPS/UPS electricity backup systems that will ensure continued power to equipment in the event of power failure.

3. The HB's appointed AE has undertaken 2 triennial site based audits for LV to measure our compliance against the WHTM 06-02; these were undertaken at Bronglais General Hospital (BGH) on 17th June 2021 (report received July 2021) and at Withybush General Hospital (WGH) on 19th April 2021 (report received April 2021). A further HB wide annual audit report was received on 28th February 2022.

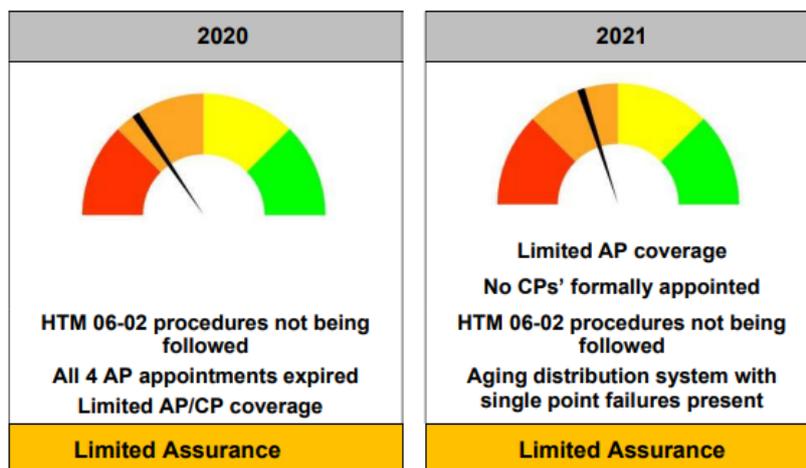
Despite the arrangements previously highlighted in section 2 above, there are a range of key recommendations and items to address as part of AE audits. Each recommendation received has been assigned to a specific staff lead and a timeline for its completion agreed. All recommendations are being carefully tracked by the estates compliance team, using a RAG (red, amber, green) rated tracker system. **Table 1.0** below provides an overview of the quantity of recommendations received and completed, and the spreadsheet trackers providing the complete picture of progress and the associated background of the recommendation (recs) as to what is currently outstanding is available upon request.

Table 1.0

Site	Number of Recs	H	M	L	Recs Completed to date	Recs Overdue agreed date	Assurance Rating
BGH	9	1	7	1	4	0	RA & LA
WBH	21	7	12	2	15	0 (note one item on action plan)	LA
HB Wide	13	3	4	6	2	0 (note one item on action plan)	LA (improved position)

Following the previous HB wide audit in 2020 and considering the pressures faced during the pandemic, the HB has continued to make steady progress as shown from the AE report dials below in Fig 1.0. However, it is appreciated there is still some further work that is required to be prioritised and completed. A range of core recommendations will be concentrated upon in the coming months and there is confidence that a reasonable assurance from our AE can be achieved following completion of these.

Fig 1.0



- Following a recent OCP within the Estates Operations Department, this has identified some key resource changes, which will make a significant positive impact on engineering compliance once fully embedded. These changes consist of the appointment of a dedicated Head of Estates Risk and Compliance (January 2022 appointment), a Head of Estates Engineering (May 2022 appointment). In addition to this, 1 additional operational officer for each of the acute sites (May 2022 appointments) will be appointed and significantly increasing the capacity of the Operational Compliance Team with a lead compliance manager (April 2022 appointment) and x3 compliance officers, one of whom will be dedicated to WHTM compliance arrangements (May 2022 appointments). This resource will allow the Department to introduce effective management arrangements and systems to ensure improved levels of compliance across the full suite of WHTM engineering guidance once fully embedded.

Appendix A – List of Regulation Titles within the Electricity at Work Act (EAWR) 1989.

Health and Safety Regulation Booklet (HSR) 25 – helps duty holder to meet the requirements of the Electricity at Work Act 1989.

Regulation (Reg) 1 to 33

- Reg 1: Citation and commencement
- Reg 2: Interpretation
- Reg 3: Persons on whom the duties are imposed by these regulations
- Reg 4: Systems, work activities and protective equipment
- Reg 5: Strength and capability of electrical equipment
- Reg 6: Adverse or hazardous environments
- Reg 7: Insulation protection and placing of conductors
- Reg 8: Earthing and other suitable precautions
- Reg 9: Integrity of referenced conductors.
- Reg 10: Connections
- Reg 11: Means for protecting from excess of current

Reg 12: Means for cutting off the supply and for isolation
 Reg 13: Precautions for work on equipment made dead
 Reg 14: Work on or near live conductors
 Reg 15: Working space access and lighting
 Reg 16: Persons to be competent to prevent danger and injury
 Reg 17-28: Revoked by the mines regulations 2014
 Reg 29: Defence
 Reg 30: Exemption Certificates.
 Reg 31: Extension outside the Great Britain.
 Reg 32: Disapplication of duties
 Reg 33: Revocations and modifications.

WHTM 06-01 Electricity services supply and distribution systems 2018.
 WHTM 06-02 Electricity safety guidance for low voltage systems 2006 is our principle guidance to assist duty holders to meet the requirements of the Electricity at Work Act 1989.
 Subsequent relevant British Standards such as BS 7671:2018 18th edition.

Argymhelliad / Recommendation

The Health and Safety Committee is requested to consider the information contained in this report and to acknowledge that whilst there are key aspects not currently being complied with, work has been undertaken and is also underway to ensure an improved position on compliance rating in the coming months. An update status report will be presented to the Committee in 6 months' time to measure this progress.

Amcanion: (rhaid cwblhau) Objectives: (must be completed)	
Committee ToR Reference: Cyfeirnod Cylch Gorchwyl y Pwyllgor:	2.1 Provide assurance around the UHB arrangements for ensuring the health, safety, welfare and security of all employees and of those who may be affected by work-related activities, such as patients, members of the public, volunteers contractors etc.
Cyfeirnod Cofrestr Risg Datix a Sgôr Cyfredol: Datix Risk Register Reference and Score:	Not applicable.
Safon(au) Gofal ac Iechyd: Health and Care Standard(s):	1. Staying Healthy 2. Safe Care 2.1 Managing Risk and Promoting Health and Safety 2.4 Infection Prevention and Control (IPC) and Decontamination
Nodau Gwella Ansawdd: Quality Improvement Goal(s):	All Quality Improvement Goals Apply Protect Patients From Avoidable Harm From Care Reduce Duplication and Eliminate Waste
Amcanion Strategol y BIP: UHB Strategic Objectives:	2. Living and working well.

Amcanion Llesiant BIP: UHB Well-being Objectives: Hyperlink to HDdUHB Well-being Objectives Annual Report	2. Develop a skilled and flexible workforce to meet the changing needs of the modern NHS
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Gwybodaeth Ychwanegol: Further Information:	
Ar sail tystiolaeth: Evidence Base:	Contained within the body of the report.
Rhestr Termiau: Glossary of Terms:	Contained within the body of the report.
Partïon / Pwyllgorau â ymgynhorwyd ymlaen llaw y Pwyllgor Iechyd a Diogelwch: Parties / Committees consulted prior to Health and Safety Committee:	Actions form part of the ESG or HB's Electricity Safety Group.

Effaith: (rhaid cwblhau) Impact: (must be completed)	
Ariannol / Gwerth am Arian: Financial / Service:	There may be financial implications if the issues identified require monetary rectification.
Ansawdd / Gofal Claf: Quality / Patient Care:	There is a positive impact on staff safety, health and wellbeing through compliance.
Gweithlu: Workforce:	Potential for adverse future staffing impacts if this legislation is not complied with as it relates to employee safety.
Risg: Risk:	Risk to health and safety management.
Cyfreithiol: Legal:	Potential for enforcement action including Improvement Notices/prosecutions and claims due to breaches in legislation.
Enw Da: Reputational:	Potential for enforcement action including Improvement Notices/prosecutions and claims due to breaches in legislation.
Gyfrinachedd: Privacy:	Not Applicable
Cydraddoldeb: Equality:	Has EqIA screening been undertaken? Yes as part of the HB Electricity Policy.