

UNAPPROVED MINUTES OF THE HEALTH & SAFETY ASSURANCE COMMITTEE COFNODION HEB EU CYMERADWYO O PWYLLGOR ANSAWDD IECHYD A DIOGELWCH

Date and Time of Meeting:	9.00am, 22 nd June 2020
Venue:	Boardroom, Ystwyth Building, St. David's Park, Carmarthen/ MS Teams

Present:	Mrs Judith Hardisty, HDdUHB Vice Chair (Committee Chair) (VC) Mr Owen Burt, Independent Member (VC) Mr Simon Hancock, Independent Member (VC)
In Attendance:	Mrs Mandy Rayani, Executive Director of Nursing, Quality & Patient Experience Mr Andrew Carruthers, Executive Director of Operations (VC) (part) Ms Natalie Vanderlinden, Assistant Director of Therapies and Health Science deputising for Ms Alison Shakeshaft, Executive Director of Therapies and Health Science (VC) Mrs Joanne Wilson, Board Secretary (VC) Ms Ann Taylor-Griffiths, RCN/Joint Chair HDdUHB Staff Partnership Forum/Chair of Ceredigion County Partnership Forum (VC) (part) Mr Rob Elliott, Director of Estates, Facilities and Capital Management (VC) Mr Tim Harrison, Head of Health, Safety and Security Mrs Charlotte Beare, Head of Risk and Assurance (VC) Ms Karen Richardson, Committee Services Officer (Minutes)

	INTRODUCTIONS AND APOLOGIES FOR ABSENCE	Action
HSAC (20)13	The Chair, Mrs Judith Hardisty welcomed all to the meeting. Apologies for absence were received from: <ul style="list-style-type: none"> Ms Alison Shakeshaft, Executive Director of Therapies and Health Science Ms Ann Murphy, Committee Vice-Chair, Independent Member Mr Mike Lewis, Independent Member Mrs Delyth Raynsford, Independent Member 	

HSAC (20)14	DECLARATIONS OF INTERESTS No declarations of interests were made.	
--------------------	---	--

HSAC (20)15	MINUTES AND MATTERS ARISING FROM THE MEETING HELD ON 14TH MAY 2020 RESOLVED - that the minutes of the meeting of the Health & Safety Assurance Committee (H&SAC) held on 14 th May 2020 be approved as a correct record.	
--------------------	--	--

HSAC (20)16	TABLE OF ACTIONS FROM THE MEETING HELD ON 14TH MAY 2020 (INCLUDING PPPAC ACTIONS ASSIGNED TO HEALTH & SAFETY ASSURANCE COMMITTEE - HSAC)	
	An update was provided on the Table of Actions from the meeting held on 14 th May 2020, with confirmation received that all actions were complete.	
HSAC (20)17	HEALTH & SAFETY AND EMERGENCY PLANNING SUB-COMMITTEE ANNUAL REPORT 2019/20	
	The Health & Safety and Emergency Planning Sub-Committee Annual Report 2019/20 was presented to Committee.	
	Mrs Mandy Rayani expressed thanks to Mr Tim Harrison, Head of Health, Safety and Security for the report, which represents the first annual report from a Health & Safety perspective, and as such closes one of the recommendations following the Internal Audit Review. The Annual Report reflects the previous status of Health & Safety as a Sub-Committee of the Board, and provides a summary of the work undertaken during the reporting period. For 2020/21, the annual report will replicate the Safeguarding Annual Report, in order to provide an assurance on Health & Safety activity across the Health Board.	
	Mr Harrison advised that for the majority of 2019/20, the Health & Safety team only comprised two members off staff, however with the increase in resources, Mrs Rayani confirmed that activity should improve going forward.	
	Mrs Hardisty welcomed the Annual Report and as a point of clarity suggested that additional narrative should be included to confirm the establishment of the HSAC.	TH
	With the inclusion of the suggested amendment, Members approved the Health & Safety and Emergency Planning Sub-Committee Annual Report 2019/20 for onward submission to Board in July 2020.	JH/KR
	The Committee acknowledged that whilst the Sub-Committee Annual Report sets out the issues and achievements of the Committee/Sub-Committee, it does not fulfil the requirement (as recommended in the IA Health and Safety Report June 2020) to produce an annual health and safety report to provide assurance of the Health Board's compliance with legislation and the work undertaken by the Health Board over the previous 12 months to address issues. It was agreed that this would be added to the Committee annual workplan.	
	The Committee APPROVED the Health & Safety and Emergency Planning Sub-Committee Annual Report 2019/20, subject to the proposed amendment.	
HSAC (20)18	HDdUHB HEALTH & SAFETY GOVERNANCE TEAM/ARRANGEMENTS	
	The HDdUHB Health & Safety Governance Team and Arrangements Report was presented to Committee.	

	<p>Mrs Rayani advised that whilst discussions have been taking place on an appropriate approach in respect of Health & Safety across the Health Board, an outcome has been delayed due to COVID-19. The proposal is that Health & Safety will be a standing agenda item at local forums and directorate level meetings going forward. In addition, whilst a Health & Safety representative attends the Partnership Forum, additional meetings are planned with Health & Safety representatives and trade unions to progress this between HSAC meetings.</p> <p>Mrs Joanne Wilson advised that the findings of the Fire Governance Review identified a duplication of meetings on Health Board sites, and whilst this is being progressed by the Executive Director of Operations, it is proposed that Health & Safety and Fire are joint standing agenda items at these meetings.</p> <p>Mrs Hardisty requested clarification regarding the role of the Health, Safety and Security Team at these meetings. In response, Mr Harrison confirmed that the team will be responsible for providing reports. From her perspective, Mrs Rayani anticipated that the Health & Safety team will act in an advisory capacity and support the directorates in discharging their duties, similar to the model established by the Safeguarding Team and the Infection, Prevention & Control Team. Mrs Hardisty acknowledged the distinction and welcomed the clarification provided.</p>	TH/RE
	<p>The Committee SUPPORTED the following recommendations:</p> <ul style="list-style-type: none"> • For Health and Safety to form an integral part of the existing Directorate Quality/Governance meeting structures. • To consider a re-branding of the Directorate Quality & Safety Groups, in order that Health and Safety is clearly understood and that it forms part of the revised terms of reference for these groups. • To develop/amend terms of reference for the directorate level groups to include the type of reporting topics requiring escalation to the most appropriate Health Board Committee. 	

HSAC (20)19	<p>HSE ACTION UPDATE</p> <p>The Health & Safety Executive (HSE) Action Update Report was presented to Committee.</p> <p>Mrs Hardisty reminded Members that following discussion at the previous HSAC meeting in May 2020, the Committee requested a further update be provided.</p> <p>Mrs Rayani confirmed that a meeting had taken place the previous week with the Health & Safety Team to discuss the outstanding actions and whilst good progress has been made to date, accepted that red areas will require a further focus in order to resolve.</p> <p>Following comments received at the previous HSAC meeting, Mr Harrison advised that further detail has been included within the report, in order to provide an assurance to the Committee. Whilst detailed action plans have been developed, this report provides an overview of what has been achieved and which actions are still outstanding.</p>	
----------------	---	--

Mr Andrew Carruthers joined the Committee meeting.

Mr Harrison emphasised that the situation is evolving and since the report's preparation, a number of amber actions are now green. In relation to the red actions on page 5 of the report, whilst compliance with these actions has been delayed due to COVID-19, Mr Harrison provided the following update:

- **Prevention and Management of Violence & Aggression (PAMOVA) training for A&E staff:** the HSE do not expect staff to be trained by the end of July 2020, however do expect a plan to be in place.
- **Sharps:** the HSE are aware of this delay and acknowledge the challenges faced by the Health Board. It was confirmed that a meeting is due to take place imminently with the HSE to discuss progress.

In response to a query from Mrs Joanne Wilson regarding the timescale for Material Breaches: 3,4,6, 7 and 9, in relation to PAMOVA training, Mr Harrison advised that as a specific date has not been agreed with the trainers, only the year has been identified. Mrs Rayani advised of an appointment process delay, and that in the interim a hybrid model is being considered, which will be presented to Executive Team for discussion. Mrs Wilson commented that the HSE will expect a more definitive timeline and suggested amending this to December 2021. Mr Harrison agreed to amend the date as suggested, prior to sharing the action plan with the HSE.

In response to a query from Mrs Wilson, Mr Harrison confirm that any outstanding red actions are included within the Directorate Risk Register.

Mr Harrison confirmed that the team have met with inspectors following issue of the enforcement notices and that the HSE has been supportive of the suggested approach and have, in principle, agreed to an extension. For assurance, Mrs Rayani confirmed that no actions are amended to green until evidence is received of the work undertaken.

Mr Harrison advised Members that whilst the HSE are not currently aware that the Health Board will not be compliant by the 31st July 2020 deadline, a meeting is due to take place where this will be discussed. Mrs Rayani added that prior to the challenges of COVID-19, given the scale of the work required, it would have been challenging to have completed the actions on time, and anticipated that the HSE will accept a delay, providing a robust plan is presented. Once specific timelines have been agreed, the team will determine which actions to prioritise.

Ms Ann Taylor-Griffiths joined the Committee meeting.

Mr Harrison advised that implementation of the lone working device will mean seven actions can close at once. Furthermore, given the proactive work of the team to progress actions, it is anticipated that by the time of the HSE meeting, more actions will be green.

Mrs Hardisty expressed concern that a date for the next meeting with the HSE has not yet been agreed, and that the Committee will not be in a

MR
TH

	<p>position to provide an assurance to the Board without being aware of the expectations of the HSE. Whilst acknowledging the concern, and recognising the importance of the meeting, Mrs Rayani confirmed her intention to be present at the meeting with the HSE and undertook to confirm the date of the meeting to Members.</p> <p>In response to a query from Mrs Hardisty regarding Health & Safety training for managers, Mr Harrison confirmed that this will be included within both Manager's Passport and induction training. However, recognising that the Manager's Passport programme can take some time to progress, Mrs Rayani advised that other development programmes are being considered to progress this training in addition to directorate level mechanisms. Mr Harrison commented that senior managers have expressed an interest in completing the National Examination Board in Occupational Safety and Health (NEBOSH) level, which has been referenced in the action. Mrs Hardisty suggested that the training plan should be included as a standalone plan.</p> <p>Noting the omission of financial costs within the report, Mrs Hardisty enquired whether these are being monitored, given her understanding that the Health Board would be subject to a daily non-compliance charge. Mr Harrison advised that he was unaware of any invoices in relation to this. In response, Mrs Rayani agreed to discuss the matter with the Executive Director of Finance.</p> <p>Whilst expressing concern regarding the number of notices received, Mrs Hardisty appreciated the progress made to date and that a further meeting is planned with the HSE, however emphasised that the Committee is required to provide an assurance to the Board that this situation will not occur again. Mrs Rayani responded that whilst the enforcement notices had only been issued in October 2019, they represent a culmination of years of underinvestment in the service, and that for the Committee's assurance, the Health Board has increased its focus and investment in Health & Safety. However, in relation to lone working systems, further discussions will be required to ensure that an appropriate level of investment is provided and confirmation of which budget they will be purchased from.</p> <p>Mrs Hardisty proposed that following the meeting with the HSE, the outcome of the discussions should be included within the HSAC Update Report to Board in July 2020.</p> <p>The Committee RECEIVED ASSURANCE from the report that the necessary work is being undertaken towards compliance with the notices served against the Health Board by the Health and Safety Executive.</p>	<p>MR</p> <p>TH</p> <p>MR</p> <p>JH/KR</p>
<p>HSAC (20)20</p>	<p>FIRE ACTION UPDATE (INCLUDING NOTICES AND ACTION PLANS)</p> <p>Mr Rob Elliott presented the Fire Action update, advising that the report provides an update following a meeting with the Mid and West Wales Fire and Rescue Service (MWWFRS) on 16th June 2020. The team discussed the detailed delivery programme for Glangwili General Hospital (GGH) with the MWWFRS, which had been developed following advice received from</p>	

	<p>HDdUHB Infection Control Teams. The plan is now being considered by the MWWFRS.</p> <p>In relation to the plans for Withybush General Hospital (WGH), whilst these had been approved by the MWWFRS prior to COVID-19, Mr Elliott advised that revised plans have now been produced, highlighting the impact of COVID-19 in relation to the priority workstreams. Mr Elliott confirmed that the MWWFRS have been supportive of HDdUHB's approach in all areas.</p> <p>Mr Elliott further advised that the MWWFRS are currently in WGH and GGH reviewing the work to date, and if in agreement with the progress, will close these actions from the enforcement notice. Mr Elliott added that a tracker has been developed to monitor progress of the actions required, which is an iterative document and that it could be shared with Members if required.</p> <p>Mrs Wilson suggested that it would be beneficial for HSAC to receive a similar report to the HSE Action Update report, as without the detailed information in respect of each enforcement notice the HSAC would not be in a position to provide assurance (or otherwise) to the Board that these notices were being appropriately actioned. Members agreed to this approach, suggesting that the next update to HSAC should identify the lead for each action, in order to provide a level of assurance for the Committee.</p> <p>Cllr. Simon Hancock enquired whether the MWWFRS has agreed to the revised timescales and as such will issue revised enforcement notices. Mr Elliott responded that the MWWFRS has agreed verbally to the revised timescale, however will not be issuing revised enforcement notices. The Health Board is still awaiting formal correspondence following the meeting held on 16th June 2020 in order to provide assurance to the Board that the MWWFRS has accepted the revised timescale. Mrs Wilson enquired whether Mr Elliott has written to the MWWFRS outlining what had been agreed at the meeting to assist further discussions and to ensure formal documentation was in place. In response, Mr Elliott confirmed that this has not been undertaken, however agreed to undertake this via email to the MWWFRS. Mrs Wilson proposed that in order to formalise the process, this should constitute formal correspondence as opposed to an email. Members agreed to this approach, and also proposed that the response should include the CEO to ensure that it is centrally recorded.</p>	RE
	<p>The Committee:</p> <ul style="list-style-type: none"> • NOTED the update on the progress on the Fire Safety Enforcement Notices and Letters of Fire Safety at GGH and WGH. • AGREED to receive further reports as the delivery programme progresses. 	
HSAC (20)21	<p>HEALTH AND SAFETY INTERNAL AUDIT REPORT AND MANAGEMENT RESPONSE</p> <p>Mr Harrison provided Members with an update on the Health and Safety Internal Audit Report and Management Response recommendations.</p>	

	<p>Mrs Rayani drew Members attention to the Health & Safety and Emergency Planning Sub-Committee Annual Report, presented earlier in the agenda, and noting the plan for a Health and Safety Annual Report the following year, advised that actions are progressing well, with further actions completed since the Internal Audit report had been issued. The Committee agreed that an annual health and safety report detailing the issues and actions undertaken over the previous 12 months to provide assurance on compliance with legislation should be added to the Committee annual workplan. The health and safety annual report should detail what the Health Board is doing to protect its staff, patients and visitors, identify any gaps, link directly to the organisation's health and safety objectives and provide an overview of key performance indicators (with commentary).</p> <p>Mr Harrison commented that following an increase in resources within the team, a more proactive approach to Health & Safety audits would now be possible, with concerns being identified at an earlier stage.</p> <p>Mrs Hardisty enquired whether Health & Safety representatives across the Health Board are being utilised effectively. In response, Ms Ann Taylor-Griffiths advised that Health & Safety representatives are now more engaged and attending regular meetings across the Health Board.</p> <p>Mrs Hardisty noted that the management response is due for presentation at the Audit and Risk Assurance Committee (ARAC) on 23rd June 2020 and that ARAC would determine whether the actions against the five recommendations, together with the specified timescales for completion, are appropriate.</p> <p>The Committee DISCUSSED and CONSIDERED progress made in respect of the recommendations from the Internal Audit report on Health and Safety.</p>	
--	--	--

HSAC (20)22	<p>CORPORATE RISKS ASSIGNED TO HSAC</p> <p>Mrs Rayani presented the Corporate Risks Assigned to HSAC advising that <i>Risk 718 "Failure to undertake proactive health and safety (H&S) management"</i> has been reviewed and that in light of the significant progress undertaken by the team, the risk score has now been reduced to 8. The next stage will be to improve utilisation of staff side representatives in the newly established control groups. Mrs Rayani further advised that the risk will be reviewed monthly to establish whether it can be further reduced.</p> <p>In relation to <i>Risk 813 "Failure to fully comply with the requirements of the Regulatory Reform Order (Fire Safety) 2005 (RRO)"</i>, Mr Andrew Carruthers advised that challenges with capital expenditure would delay a reduction in this risk score.</p> <p>Mr Carruthers further advised that as the Health Board resumes normal services, discussions will be required with the Head of Risk and Assurance and senior managers to agree on the management and prioritisation of risks. For example, prior to COVID-19, the pandemic flu risk had been low, however the impact of a pandemic is now recognised as significant. Given that COVID-19 or a derivative of this is likely to be present for a significant</p>	
------------------------	--	--

	<p>period of time, taking into account social distancing regulations, the Health Board will need to agree which risks can be managed during this time.</p> <p>Mrs Charlotte Beare commented that risks take into account potential events and should be aligned to the organisational objectives, and that now would be an appropriate time to progress any risks that have stagnated.</p> <p>Mrs Hardisty noted that the date of the HSAC meeting in the update section of Risk 813 is incomplete, and requested for clarity purposes that this should be provided in full.</p>	KR
	<p>The Committee RECEIVED ASSURANCE that:</p> <ul style="list-style-type: none"> • All identified controls are in place and working effectively. • All planned actions will be implemented within stated timescales and will reduce the risk further and/or mitigate the impact, if the risk materialises. 	

HSAC (20)23	ANY OTHER BUSINESS	
	No other business was discussed.	

HSAC (20)25	REFLECTIVE SUMMARY	
	<p>Mrs Rayani highlighted the following from the meeting:</p> <ul style="list-style-type: none"> • Members' suggestion that future reports to HSAC should include an appropriate level of detail, in order to provide assurance to the Committee. • Members welcomed the progress made following the enforcement notices issued against the Health Board and agreed that in order to formalise the process, correspondence should include the CEO to ensure that these are centrally recorded. 	

HSAC (20)26	DATE & TIME OF NEXT MEETING	
	1.30pm, 7th September 2020	