

## Bundle Public Board 30 July 2020

3.5

Report of the Health & Safety Assurance Committee / Adroddiad y Pwyllgor Sicrwydd Iechyd a Diogelwch

*Presenter: Judith Hardisty*

HSAC Update Report from meeting on 22 June 2020

Appendix 1 - H&SEPSC Annual Report 2019/20

<b>Enw'r Pwyllgor / Name of Committee</b>	Health and Safety Assurance Committee (HSAC)
<b>Cadeirydd y Pwyllgor/ Chair of Committee:</b>	Mrs Judith Hardisty
<b>Cyfnod Adrodd/ Reporting Period:</b>	Meeting held on 22 <sup>nd</sup> June 2020
<b>Y Penderfyniadau a'r Materion a Ystyriodd y Pwyllgor / Key Decisions and Matters Considered by the Committee:</b>	
<ul style="list-style-type: none"> <li> <p><b>Health &amp; Safety and Emergency Planning Sub-Committee Annual Report 2019/20:</b> the Committee received the Health &amp; Safety and Emergency Planning Sub-Committee Annual Report 2019/20, representing the first such annual report from a Health &amp; Safety perspective. The Committee noted that the Annual Report reflects the previous status of Health &amp; Safety as a Sub-Committee of the Board, and provides a summary of the work undertaken during the reporting period. 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 Internal Audit 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 the issues involved. It was therefore agreed that this would be added to the Committee annual workplan.</p> <p>Members suggested that as a point of clarity additional narrative should be included to confirm the establishment of the HSAC. With the inclusion of the suggested amendment, Members approved the Health &amp; Safety and Emergency Planning Sub-Committee Annual Report 2019/20 for onward submission to the Board in July 2020 (Appendix 1).</p> </li> <li> <p><b>HDdUHB Health &amp; Safety Governance Team/Arrangements:</b> the Committee received the HDdUHB Health &amp; Safety Governance Team and Arrangements Report, noting that whilst discussions have been taking place on an appropriate approach in respect of Health &amp; Safety across the Health Board, an outcome has been delayed due to COVID-19. It was noted 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 was proposed that Health &amp; Safety and Fire are joint standing agenda items at local forums and Directorate level meetings. It was further noted that going forward the Health &amp; Safety team will act in an advisory capacity and support Directorates in discharging their duties.</p> </li> <li> <p><b>HSE Action Update:</b> the Committee received the Health and Safety Executive (HSE) Action Update Report and whilst welcoming the progress made to date, acknowledged that red areas would require further focus in order to resolve the issues involved. Concerns were expressed regarding the number of notices received, and that the HSE are not currently aware that the Health Board will not be compliant by the 31st July 2020 deadline, meaning the Committee will not be in a position to provide an assurance to the Board without being aware of the</p> </li> </ul>	

expectations of the HSE. The Committee was informed that the enforcement notices which had only been issued in October 2019, represent a culmination of years of under-investment in the service, and for the Committee's assurance, the Health Board has increased its focus and investment in Health & Safety. Members 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.

**Outcome from HSE meeting 25<sup>th</sup> June 2020:** whilst the HSE welcomed the significant progress made by HDdUHB to date to complete the majority of actions, additional information/assurance on a number of specific areas including lone working arrangements and moving and handling compliance, was requested. It is anticipated that on receipt of the Health Board's further response, this additional assurance will enable the enforcement action currently in place to be lifted by the deadline of 31st July 2020 or an agreed extension authorised, whichever the HSE consider appropriate. Work will continue to be undertaken to further improve working practices, many of which are recognised as long term initiatives.

- **Fire Action Update (Including Notices and Action Plans):** the Committee received the Fire Action Update report, following a meeting held with the Mid and West Wales Fire and Rescue Service (MWWFRS) on 16th June 2020, providing an update in regard to the detailed delivery programme for Glangwili General Hospital (GGH) which the MWWFRS are currently considering and the revised action plan for Worthybush General Hospital (WGH). The Committee noted that a tracker has been developed to monitor progress of the actions required, with the MWWFRS supportive of HDdUHB's approach in all areas. It was suggested that 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. It was therefore proposed that the next update to HSAC should include the further information required and identify the lead for each action in order to provide a level of assurance for the Committee. Given that the Health Board had only received verbal confirmation that the MWWFRS has accepted the revised timescale, Members proposed that in order to formalise the process, formal correspondence should be issued to the MWWFRS.
- **Health & Safety Internal Audit Report and Management Response:** the Committee received an update on the Health and Safety Internal Audit Report and Management Response, noting the plan to produce a Health and Safety Annual Report for 2020/21. It was noted that actions identified within the audit are progressing well, with further actions completed since the Internal Audit report had been issued. It was further noted that following an increase in resources within the team, a more proactive approach to Health & Safety audits could now be taken, with concerns being identified at an earlier stage. The Committee was informed that the management response was 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, provide the appropriate assurance.

- Corporate Risks Assigned To HSAC:** the Committee received the Corporate Risks Assigned to HSAC Report, and advised that *Risk 718 “Failure to undertake proactive health and safety (H&S) management”* has been reviewed and that in light of the significant progress undertaken by the team, the risk score has now been reduced to 8. In relation to *Risk 813 “Failure to fully comply with the requirements of the Regulatory Reform Order (Fire Safety) 2005 (RRO)”*, the Committee was advised that challenges with capital expenditure would delay a reduction in this risk score. It was noted that as the Health Board resumes more normal services following COVID-19, discussions will be required with the Head of Risk and Assurance and senior managers to agree on the management and prioritisation of risks. It was further noted that risks take into account potential events and should be aligned to the organisational objectives.

**Materion y mae angen Ystyriaeth neu Gymeradwyaeth Lefel y Bwrdd are u cyfer /**

**Matters Requiring Board Level Consideration or Approval:**

- Health & Safety and Emergency Planning Sub-Committee Annual Report 2019/20 (Appendix 1).

**Risgiau Allweddol a Materion Pryder /**

**Key Risks and Issues/ Matters of Concern:**

- HSE Action Update:** given the number of enforcement notices received and the fact that the HSE are unaware that the Health Board will not be compliant by the 31st July 2020 deadline, it was agreed that the outcome of the follow-up discussions should be included within the HSAC Update Report to Board in July 2020 (see **Outcome from HSE meeting 25<sup>th</sup> June 2020** section above).
- Fire Action Update (Including Notices and Action Plans):** given that the report did not include the detail required, the Committee is not in a position to provide assurance, or otherwise, to the Board that these notices have been appropriately actioned. It has therefore been agreed that the next update to HSAC will include the further information required and identify the lead for each action, in order to provide a level of assurance for the Committee.

**Busnes Cynlluniedig y Pwyllgor ar gyfer y Cyfnod Adrodd Nesaf / Planned Committee Business for the Next Reporting Period:**

**Adrodd yn y Dyfodol / Future Reporting:**

In addition to the items scheduled to be reviewed as part of the Committee’s work programme, following up progress of the various actions identified above will be undertaken.

**Dyddiad y Cyfarfod Nesaf / Date of Next Meeting:**

7<sup>th</sup> September 2020.



## HEALTH & SAFETY ASSURANCE COMMITTEE PWYLLGOR ANSAWDD IECHYD A DIOGELWCH

<b>DYDDIAD Y CYFARFOD: DATE OF MEETING:</b>	22 June 2020
<b>TEITL YR ADRODDIAD: TITLE OF REPORT:</b>	Health & Safety and Emergency Planning Sub-Committee Annual Report 2019/20
<b>CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:</b>	Mandy Rayani, Executive Director of Nursing, Quality and Patient Experience
<b>SWYDDOG ADRODD: REPORTING OFFICER:</b>	Tim Harrison, Head of Health, Safety and Security

**Pwrpas yr Adroddiad (dewiswch fel yn addas)**

**Purpose of the Report (select as appropriate)**

Ar Gyfer Trafodaeth/For Discussion

### ADRODDIAD SCAA SBAR REPORT

#### Sefyllfa / Situation

The purpose of this paper is to present the Health & Safety and Emergency Planning Sub-Committee Annual Report 2019/20 to the Health and Safety Assurance Committee. The report aims to provide information in respect of the work that has been undertaken within the Health Board during the previous financial year.

#### Cefndir / Background

The Annual Report specifically provides information on key issues considered by the Sub-Committee during 2019/20, together with key achievements and unexpected challenges particularly in relation to a comprehensive Health and Safety Executive Inspection, Fire Safety enforcement and more recently the health and safety implications of the COVID-19 Pandemic.

During 2019/20, the Health & Safety and Emergency Planning Sub-Committee met on the following dates:

- 14<sup>th</sup> May 2019
- 17<sup>th</sup> July 2019
- 10<sup>th</sup> September 2019
- 5<sup>th</sup> November 2019
- 23<sup>rd</sup> January 2020
- 10<sup>th</sup> March 2020

Over the reporting period, groups reporting to the Health & Safety and Emergency Planning Sub-Committee included:

- Fire Safety Group
- Water Safety Group
- Medical Gasses Group

Following the Health and Safety Executive (HSE) Inspection in July 2019, the following additional Groups also reported into this Sub-Committee.

- Violence and Aggression

- Manual Handling
- Lifting Equipment Management
- Sharps Safety/Needle Stick Injuries
- Control of Contractors

## Asesiad / Assessment

### **Sub-Committee Terms of Reference and Principal Duties**

In discharging its duties, the Health & Safety and Emergency Planning Sub-Committee has undertaken work during 2019/20 against areas of responsibility including the following:

- North Road Clinic Health and Safety Concerns
- Review of Health and Safety conditions within Community Premises
- Respiratory fit testing programme
- Violent and Aggressive Patient Warning Marker Procedure
- Prevent Duty
- Serious Organised Crime Profile
- Estates and Facilities Health Technical Memorandum (HTM) Compliance
- HSE enforcement action
- Fire Safety enforcement action
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR)

### **North Road Clinic Health and Safety Concerns**

The Sub-Committee monitored the positive progress made to the working environment at North Road Clinic, Aberystwyth. Considerable environmental changes were made to the clinic to improve the health and safety of staff. This included improvements to the ventilation, patient waiting areas, mains drainage, storage of medical notes and general décor improvements. The Health Board successfully defended a civil court case brought against the Board by a retired Ophthalmic Consultant who had at one time worked in the North Road Clinic, which linked to the environmental conditions

### **Community Premises Audits**

The Sub-Committee monitored progress and completion of the health and safety audits undertaken at all Health Board owned community premises. This involved the production of improvement plans for each of the premises that identified both Estates and local management recommendations.

### **Respiratory fit testing programme**

The Health and Safety Manager introduced a programme of providing respiratory fit testing training to staff to become fit testers in order to perform tests on their own departmental staff. This was primarily to protect staff from the common flu virus. A positive benefit of this work was realised in February 2020 when over 224 staff had been trained which enabled the Health Board to be better equipped in preparation for COVID-19.

### **Violent Patient Warning Marker Procedure**

During 2019, work to develop a Health Board procedure to improve the way in which violence and aggression information sharing was undertaken, resulting in an approved procedure being introduced in July 2019.

### **Prevent strategy**

In relation to the Government's strategy on Counter Terrorism, the Health Board's Security Manager continued to represent the Health Board at the three Local Authority CONTEST and Channel Panel meetings as well as the Regional CONTEST Board during 2019/20.

Improvements included introducing formal referral arrangements to the Local Authority Channel Panels, which are now embedded within the Health Boards existing safeguarding arrangements, and the Safeguarding Team continued to contribute to the Channel Panel meetings throughout 2019/20.

Both the Local and Regional CONTEST Board discusses serious and organised crime matters. As part of this extended agenda, the Health Board has been requested to provide data linked to Serious Organised Crime topics including gangs or drug networks, child sexual exploitation, child criminal exploitation and human trafficking or modern slavery. This data sharing has aided and improved Serious Organised Crime Profiles held for each county.

### **Estates and Facilities Health Technical Memorandum (HTM) Compliance**

The Sub-Committee was provided with assurance against HTM disciplines, for example, medical gas pipeline systems, ventilation systems, water services, fire safety and electricity services, all of which are governed by HTM best practice engineering guidance documents. The assurance was presented by way of a dashboard depicting in month positions to assess the number of risks remaining to be addressed, followed by a month by month tracker to assess when all actions would be addressed/closed.

### **HSE enforcement action**

As part of a national programme of inspections for 2019/20, the HSE attended Hywel Dda University Health Board (HDdUHB) between 2<sup>nd</sup> and 11<sup>th</sup> July 2019 with the targeted intention of examining the management arrangements for violence and aggression, musculoskeletal disorders (MSDs) and asbestos.

The Sub-Committee oversaw the monitoring of actions completed by the individual Control Groups as detailed earlier in this report.

### **Fire Safety Compliance**

Throughout 2019/20 Fire Safety, compliance issues have been reported to the Sub-Committee including the following issues: Fire safety training compliance, Fire risk assessments.

During 2019/20, the Fire Safety Management team has increased its workforce resource with the provision of a dedicated Head of Fire Management together with an additional two Fire Safety Advisors. This enables there to be a dedicated Fire Safety Advisor to be present on each of the acute hospital sites. The Advisors also have responsibility for fire safety in Community Hospitals and other properties as appropriate, together with other fire safety related matters such as fire safety training.

### **Fire Safety enforcement action**

The Mid and West Wales Fire & Rescue Service visited both Withybush General Hospital and Glangwili General Hospital to undertake Inspections on Fire Safety. A number of Enforcement Notices and Letters of Fire Safety were served against the Health Board in relation to Withybush General Hospital. In addition, on 17th April 2020, Glangwili General Hospital received a Fire Enforcement Notice.

## Emergency Planning Element - Brexit

Throughout 2019/20, the Emergency Planning remit of the Sub-Committee was fully committed to co-ordinating the Health Boards preparation plans in relation to exiting Europe and the implications for the organisation.

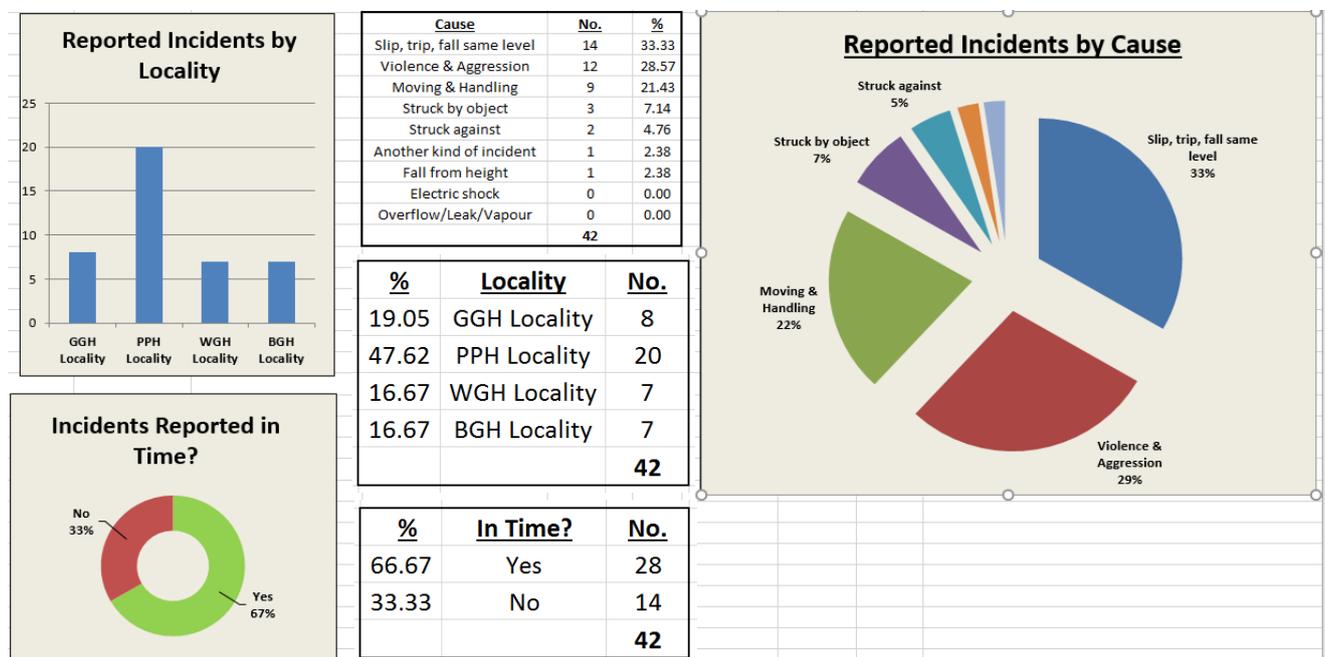
Managed through the Brexit Steering Group, HDdUHB continued to meet and maintain the required enhanced level of preparedness.

## Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR)

The Sub-Committee received regular reports on the number and type of RIDDOR notifications made to the HSE.

During 2019/20 there were 42 incidents in total reported to the HSE including 14 slip, trip fall, 11 violence and aggression and 9 moving and handling incidents.

## Rolling Totals & Percentages for 2019-20



## Key Risks discussed/reported at the Sub-Committee

The main focus of discussion and scrutiny during 2019/20 has been related to both Fire and Health and Safety enforcement actions. The Fire Safety enforcement was undertaken with little advance notice whereas the HSE inspection provided the Health Board with a two month period where a considerable amount of work was undertaken to prepare for the inspection and thanks to some key individuals the inspection schedule was well managed.

In addition to the formal Improvement Notices issued, the HSE identified a lack of resource for the Health, Safety and Security Team, having only three members of staff employed. This had also been noted by the Sub-Committee during the 2019/20 period.

## Violence and Aggression Training - "Behaviours that Challenge in Older Adults"

Discussions throughout 2019/20 noted the benefits from ward staff who had received this training. Training needs analysis has also identified that this training is required with over 1,000 employees indicating it would have a positive impact on how they manage certain situations where ordinarily they would call for portering assistance. This is being taken forward by the Violence and Aggression Control Group.

### **Fire Safety Inspection**

The Sub-Committee was advised of four concerns raised by the Mid & West Wales Fire & Rescue Service (MWWFRS), 2 Enforcement Notices and 2 Letters of Fire Safety Action. Plans are in place for the four concerns, with a number of actions now completed. In discussion with the MWWFRS and Welsh Government (WG), a business case is being developed and will be submitted to WG setting out the Health Board's proposal for a phased plan. However, patient disruption and closure of services and possible decant will need to be taken into consideration.

### **Conveyance of Mental Health Patients**

This followed a number of safety concerns expressed by staff working within the Gorwellion Resource Centre, Aberystwyth. This was also identified during the HSE inspection process and actions are being monitored by the Violence and Aggression Control Group. A number of short, medium and long term solutions have been established during 2019/20 that focus on documentation, training, use of vehicles and changes in service.

### **Health, Safety & Security Team Resource**

During 2019/20, the team has increased its workforce resource with the provision of a dedicated Violence and Aggression Case Manager together with two additional Health and Safety Advisors. This effectively has doubled the size of the team which has already enabled improvements in support for staff involved in violence and aggression incidents, continuation of proactive Health and Safety audits as well as compliance with outstanding Internal Audit recommendations first identified in 2016.

Prior to the end of the 2019/20 financial year, it was proposed that the Health, Safety & Security Team transfer from the Estates and Facilities Directorate to the Nursing Quality and Patient Experience structure. This was officially completed in April 2020.

### **Updated Health and Safety Governance Arrangements**

In August 2019, a review of the corporate governance arrangements in consultation with all board members and senior staff, was undertaken. Amongst other changes it resulted in the disestablishment of the Business Planning and Performance Committee and associated Sub-Committees e.g. The Health & Safety and Emergency Planning Sub-Committee.

In addition, the Health and Safety Executives scrutiny and subsequent critical analysis of legislative compliance has enabled the creation of the newly established Health and Safety Assurance Committee which is now a sub-committee of the Board.

### **Argymhelliad / Recommendation**

To receive the Health & Safety and Emergency Planning Sub-Committee Annual Report 2019/20.

### **Amcanion: (rhaid cwblhau)**

#### **Objectives: (must be completed)**

Committee ToR Reference Cyfeirnod Cylch Gorchwyl y Pwyllgor	5.11 Ensure production of an annual report of the Health Board's safety management systems to measure effectiveness, performance and provide assurance to the Board of compliance.
Cyfeirnod Cofrestr Risg Risk Register Reference:	Not Applicable

Safon(au) Gofal ac Iechyd: Health and Care Standard(s):	Governance, Leadership and Accountability 2.1 Managing Risk and Promoting Health and Safety 1.1 Health Promotion, Protection and Improvement 2.9 Medical Devices, Equipment and Diagnostic Systems
Amcanion Strategol y BIP: UHB Strategic Objectives:	9. To improve the productivity and quality of our services using the principles of prudent health care and the opportunities to innovate and work with partners.
Amcanion Llesiant BIP: UHB Well-being Objectives: <a href="#">Hyperlink to HDdUHB Well-being Statement</a>	Support people to live active, happy and healthy lives  Develop a sustainable skilled workforce

<b>Gwybodaeth Ychwanegol: Further Information:</b>	
Ar sail tystiolaeth: Evidence Base:	Agendas, papers and minutes of the Health & Safety and Emergency Planning Sub-Committee meetings 2019/20
Rhestr Termiau: Glossary of Terms:	Included within the body of the report.
Partïon / Pwyllgorau â ymgynhorwyd ymlaen llaw y Pwyllgor Cynllunio Busnes a Sicrhau Perfformiad: Parties / Committees consulted prior to Business Planning and Performance Assurance Committee:	Health & Safety and Emergency Planning Sub-Committee Chair/Lead Director

<b>Effaith: (rhaid cwblhau) Impact: (must be completed)</b>	
<b>Ariannol / Gwerth am Arian: Financial / Service:</b>	A sound system of internal control, as evidenced in the Health & Safety and Emergency Planning Sub-Committee's Annual Report, will assist with ensuring financial control, and the safeguard of public funds.
<b>Ansawdd / Gofal Claf: Quality / Patient Care:</b>	Delivery of a robust and effective Health, Safety and Emergency Planning provision for the HDdUHB has a direct impact on the quality of services provided by the UHB.
<b>Gweithlu: Workforce:</b>	Delivery of a robust and effective Health, Safety and Emergency Planning provision for the HDdUHB has a direct impact on the welfare and safety of its staff.
<b>Risg: Risk:</b>	Wherever possible mitigation plans are developed to minimise risk. Failure to manage these challenges effectively will impact on staff and patient safety and possibly lead to enforcement action.
<b>Cyfreithiol: Legal:</b>	The UHB has a responsibility to comply with the Health and Safety at Work Act, Fire Regulatory Reform Order.

<b>Enw Da: Reputational:</b>	The outcome of the above has a direct bearing on the reputational status of the HDdUHB.
<b>Gyfrinachedd: Privacy:</b>	Not Applicable
<b>Cydraddoldeb: Equality:</b>	At this stage no formal EqIA has been undertaken