

**Report to:** Audit Committee  
**Agenda #:** 9  
**Date:** 04 December 2012  
**Subject:** BTPA Health and Safety Briefing  
**Sponsor:** Chief Executive  
**Author:** Lucy Yasin  
**For:** Information

---

The Forum  
5th Floor North  
74-80 Camden Street  
London NW1 0EG

T: 020 7383 0259  
F: 020 7383 2655  
E: general.enquiries  
@btpa.police.uk

[www.btpa.police.uk](http://www.btpa.police.uk)

## 1. Purpose of paper

- 1.1 This paper details BTPA's health and safety responsibilities and how they are fulfilled and complied with.

## 2. Background

- 2.1 The Committee asked for clarity as to how compliance to the Authority's Health & Safety Statement was tested. It was suggested that the Authority consider seeking professional guidance on compliance testing of the Health & Safety Statement. Further external guidance can be sought if the Committee requires further assurance.
- 2.2 The paper reviews the health and safety responsibilities of the BTPA, both with respect to BTPA Executive employees and officers and staff at BTP and how compliance is tested. The information is from a range of sources, including review of the Health and Safety at Work Act 1974, expertise available at BTP and the detailed guidance on the Health and Safety Executive website<sup>1</sup>.

## 3. BTPA Responsibilities

- 3.1 It is helpful to consider BTPA's health and safety responsibilities as two distinct roles.

### **Role 1 - BTPA Executive Team Staff and Members**

- 3.2 BTPA has the same basic health and safety responsibilities as all employers with respect to its Executive Team staff and its Members for whom it has day-to-day responsibility. BTPA has

---

<sup>1</sup> [www.hse.gov.uk](http://www.hse.gov.uk)

taken measures to ensure that it has implemented all the necessary duties for its Members and Executive Team staff to provide a healthy and safe working environment.

- 3.3 A table is attached at Appendix A detailing the relevant health and safety requirements, how they are fulfilled and the compliance with statutory obligations tested.

#### **Role 2 - BTP staff and officers**

- 3.4 As the legal employer of the officers and staff at BTP,<sup>2</sup> BTPA is also legally responsible for ensuring, *so far as reasonably practicable*, the health, safety and welfare at work<sup>3</sup> of these individuals. However, the day-to-day responsibility for officers and staff at BTP sits with the Chief Constable, therefore health and safety compliance has been delegated to the chief constable for those individuals under his direction and control.

## **4. Compliance Testing**

### **Role 1**

- 4.1 The BTPA Health and Safety Statement was formally approved in May 2009 and is reviewed annually by the Authority Business Manager. The Authority completes annual compliance testing each April against the duties reported in the Statement and produces an annual assurance report for the May Audit Committee to demonstrate that the appropriate duties are being fulfilled.
- 4.2 To ensure that BTPA keeps up to date with developments and good practice in health and safety throughout the year, the Business Manger regularly reviews the HSE website and receives weekly HSE email bulletins which include information on good practice, legislative changes and the outcomes of court cases etc. BTPA also works with BTP Health and Safety as part of its own assurance processes to ensure that it is aware of all developments.
- 4.3 All new staff at BTPA complete health and safety training as part of their induction and records are retained in staff files.

### **Role 2**

- 4.4 BTPA discharges its responsibility by way of the following mechanisms -
- an annual Health and Safety Report from BTP reporting on compliance against statutory obligations is received by the Audit Committee;

---

<sup>2</sup> Under s21, 22, 23, 24, 26 and 27 of the Railways and Transport Safety Act 2003 c.20

<sup>3</sup> s2(1) Health an Safety at Work Act 1974 c.37

- a lead member on health and safety has been assigned (currently Lew Adams); and
- the lead member has a seat on BTP's Central Health and Safety Committee.

4.5 The Committee need to be content that these measures provide sufficient oversight to satisfy BTPA's legal duty to ensure the health, safety and welfare at work of all BTP staff and officers. As such, the report must provide the Committee with assurance that BTP has an appropriate health and safety strategy in place alongside appropriate policies and procedures which are complied with.

4.6 When developing the assurance process other police authorities were approached to understand how they fulfilled this function and the feedback was used to inform the BTPA process. As a point of note, Home Office chief constables will become the legal employer of their staff from 1 April 2014. As such, the health and safety responsibility will be passed to them from the police and crime commissioners.

## **5. Recommendations**

- 5.1 Members note the contents of the report.
- 5.2 Members to advise if they would like to seek further external assurance that BTPA is adequately fulfilling its statutory obligations on health and safety.

## Appendix A: Basic Health and Safety Functions

The below table lists the minimum health and safety standards which employers employing more than 5 people are required to meet<sup>4</sup>. It then looks at how BTPA fulfils thee for its Executive Team staff and Members and how compliance against this is tested.

Basic H&S Functions for all Employers	How fulfilled	Compliance Testing
Appoint a competent person to help meet health and safety duties. A competent person is someone with the necessary skills, knowledge and experience to manage health and safety.	BTPA Business Manger has the senior management responsibility for health and safety and is supported by the Office Support Manager.	The compliance with this requirement is reviewed as part of annual compliance testing and it is ensured that the appropriate training/refresher training has been received.
Write a health and safety policy if you have 5 or more employees	BTPA has a Health and Safety Statement that is reviewed annually.	The statement is refreshed annually as part of annual compliance testing but can be refreshed in year if there are significant changes. BTPA keeps up to date with changes by monitoring the HSE website and receiving weekly emails. BTP health and safety also advise BTPA.
Manage the health and safety risks in your workplace by conducting risk assessments and implementing any necessary controls. Examples where risk assessments carried out fire, cleaning, equipment, trip hazards, lone working etc	Risk Assessments are conducted on an annual basis both by BTP health and safety and by BTPA using the HSE office template.	The completion of risk assessments and progress against action plans is reviewed as part of annual compliance testing.
Consult all employees on health and safety	Health and safety is a standing item on the fortnightly team meeting agenda.	It is ensured that this has remained on the agenda and has been working appropriately with health and safety

<sup>4</sup> List taken from hse.gov.uk guidance for new employers 27/11/12

		issues being picked up as part of annual compliance testing.
Provide clear information, instructions and adequate training for employees and keep training records	This is delivered via the Ivysoft elearning package and completed as part of the induction process.	Training records are kept on personal files and checked as part of annual compliance testing
<p>Provide</p> <ul style="list-style-type: none"> <li>welfare facilities (toilets and hand basins with soap and dryers, drinking water, a place to store clothing and somewhere to eat and rest),</li> <li>a healthy working environment (good ventilation, reasonable temperature, suitable lighting, enough space and suitable workstations and seating a clean workspace with appropriate waste containers)</li> <li>a safe working environment (properly maintained (e.g. water testing and PAT testing) clear floors, windows that can be opened and cleaned safely and all transparent doors/walls are protected or made of safety material).</li> </ul>	<p>The BTPA building provides suitable welfare facilities with a break room and water fountain included. BTPA staff also have access to Carefirst support services.</p> <p>BTPA provides a healthy working environment. The only issue being the lighting, with complaints from staff that it is too bright, but steps have been taken to address and the lighting levels adjusted.</p> <p>BTPA complies with all the stated requirements for a safe environment. BTP facilities arrange all the necessary annual checks such as PAT testing, water testing and boiler servicing.</p>	As part of annual compliance testing a review of these requirements is conducted to ensure that all continue to be met and where there has been issue this has satisfactorily addressed.
First-aid arrangements, including a suitably stocked first-aid box, an appointed person responsible for first-aid arrangements and information for all employees in first-aid arrangements. Record keeping arrangements for certain injuries, incidents and cases of work related disease.	BTPA has a suitably stocked first-aid box in the designated first aid cupboard in the kitchen area. A poster is attached to the cupboard to ensure all staff know who the first-aiders are. BTPA keeps an accident record book	As part of annual compliance testing the first-aid box is checked to ensure it is suitably stocked (this is done monthly by the Office Support Manager throughout the year). Training records are checked to ensure any required refresher training is completed.

	which is located in the first-aid cupboard.	The accident book is reviewed to ensure all lessons have been learned.
Display the health and safety law poster.	Poster displayed on Notice Board	New versions are provided by BTP H&S. The presence is confirmed as part of the annual compliance review.
Have valid employers' liability insurance	This is arranged by BTP and displayed on the BTPA Notice Board.	BTPA receives a copy of the certificate each year. The presence is confirmed as part of the annual compliance review.