



2020/21

# Annual Health & Safety Report

First Community Health and Care C.I.C

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## 1 EXECUTIVE SUMMARY

This report provides the Board with a strategic overview of the Health & Safety (H&S) management arrangements within First Community and summarises our activity during 2020/21. This report focuses on the core elements as seen in the Health and Safety Management System Assurance Framework and 2020/21 performance.

First Community operate a Health & Safety Operational Group which represents the organisation at all levels, which meets on a quarterly basis throughout the year. This group feeds into the Senior Health & Safety Steering Group which is attended by the First Community Senior Management.

Despite the enormous, unprecedented challenges of 2020/21 with the nation being within the midst of a global pandemic, First Community have remained absolutely focused on the health and safety and welfare of its stakeholders. We ensured our COVID response, our staff, our sites, and our patient care continually met the rapidly changing requirements and guidance to remain as safe as we could make them.

It has been this focus, coupled with a robust Health and Safety Management system and clear Health and Safety Strategy that has allowed First Community to build on our success in becoming ISO45001 accredited in March 2020. Due to the pandemic, the annual re-accreditation was postponed until the new 2021/22 financial year (May 2021), however throughout 2020/21 we continued to deliver the identified actions in our Health & Safety Framework, we continued to improve on our assurance and systems in place to provide assurance and we prepared ourselves for the extension of scope of the ISO accreditation to cover four sites.

In addition, during 2020/21, we went out to procurement for our “business as usual” Health & Safety support. NEL CSU were successful and on 1<sup>st</sup> November 2020 took over the provision of our Health and Safety (H&S) services – As our new H&S professional, as well as mobilising the new contract, with their NHS H&S background they have been building upon our turnaround success to improve and streamline processes, training, and assurances.



Original Approval: 09/03/2020  
Current Certificate: 09/03/2021  
Certificate Expiry: 08/03/2024  
Certificate number: 324432020

## 2 LEGISLATION

The Health and Safety at Work Act 1974, (HSWA), is the main piece of UK Health and Safety legislation. It places a duty on all employers to ensure so far as reasonably practicable the health, safety, and welfare at work of all their employees. The Act also extends to include all “relevant persons” such as members of the public/contractors, sub-contractors.

The HSWA is an enabling act which allows for the creation of the (Management of Health and Safety at Work Regulations 1992, as amended 1999) (MHSWR) which underpins the main legislation and should there be a breach of the Act this will give rise to prosecution. Section 2.2 – 2.7 of the act states the specific duties of the employer to its employees:

- Safe plant and systems of work
- Safe use, handling, storage and transport of articles and substances
- Information, instruction, training, and supervision
- A safe workplace and safe access to and egress from it
- A safe working environment and adequate welfare facilities
- Written Health and Safety Policy which is brought to the attention of all employees
- The appointment of, and the consultation with safety representatives
- The establishment of a safety committee

## 3 THE HEALTH AND SAFETY EXECUTIVE (HSE)

The HSE is a crown executive non-departmental public body responsible for the encouragement of regulations and enforcement in the workplace health and safety, welfare, and its research into occupation risks.

Powers of the Health and Safety Executive Inspector allows for the issuing of two types of enforcement notices: Improvement Notices which are issued under section 21 of the HSWA, and Prohibition notices issued under section 22 and section 23. An improvement notice is issued when an inspector believes that Health and Safety law is being breached or a breach has occurred and there is a likelihood that it will continue to be breached. A prohibition notice is issued when an inspector believes that the work activity gives rise to the risk of serious personal injury. The prohibition notice requires you to stop the activity immediately. You must not resume the activity until you have taken action to remove or control the risk, as doing so could result in prosecution.

## 4 FIRST COMMUNITY - HEALTH AND SAFETY GOVERNANCE ARRANGEMENTS

First Community’s Health and Safety and Welfare Policy, reflects the requirements of the HSE and is written accordingly. The current policy was ratified by the Finance Committee on the 13/02/20 and is scheduled for review February 2022.

The Health and Safety Operational Group and the Health & Safety Steering Group is chaired by the Director of Finance and Resources, these are the formal groups that have the authority and play a key role in monitoring compliance in relation to current legislation and guidance and requirements of the HSE. These groups report into the Finance Committee.

## 5 HEALTH AND SAFETY MANAGEMENT

In accordance with the Management of Health and Safety at Work Regulations (MHSWR) 1999, First Community is required to have suitable means of competent advice with regard to Health and Safety. First Community appointed North East London Commissioning Support Unit (NEL CSU), to provide this service to First Community for a contracted period of 3 years, commencing 16/11/20. A variation to the contract was agreed 01/02/2021 to include the provision of Fire Service elements. Specialist advice where required, and not available from within First Community or NEL CSU, will be sourced externally to ensure that First Community maintains compliance with safe systems of work.

NEL CSU Health and Safety Team consist of the Fire, Health and Safety Manager (NEL FHSM), two Fire, Health and Safety Leads (FHSL) and one Fire, Health and Safety Officer (FHSO). The team have the ability to matrix work thus offering greater resilience in service delivery. The Health and Safety Manager and Health and Safety Leads are accredited and appropriately qualified to hold the titles of Competent Persons as defined in Regulation 7 of the MHSWR. The team are directly managed by the Head of Business Resilience NEL. The agreed direct reporting line into First Community is that of the Director of Finance and Resources.

For matters of Construction and Design management imposed by the Construction Design and Management Regulations 2015 (CDM), specialist advice where required will be sought externally via the First Community Estates and Facilities Team, in order to maintain compliance and safe systems of work.

## 6 THE HEALTH AND SAFETY MANAGEMENT SYSTEM ASSURANCE FRAMEWORK (HSMSAF)

To systematically manage Health & Safety, First Community has a Health & Safety Management System Assurance Framework (HSMSAF) which documents how we manage Health & Safety and meet the requirements of the ISO45001 standard. At the start of the year the framework was reviewed with an action plan agreed for the coming year, which was monitored throughout the year.

Setting this framework and baseline has allowed First Community to clearly manage and highlight the continual progress that has been made over the past 12 months. As a result of implementing a robust HSMSAF, it has been possible not only to lay the foundations but to continue to build in a very progressive way.

### 2020/21 Performance

	Progress Against Requirements			
	Requirement	Red	Amber	Green
BASELINE POSITION	101	0	12	89
POSITION @ 31/03/2021	101	0	12	89
PROGRESS		0	0	0

Actions	Progress Against Action Plan		
	Red	Amber	Green
12	0	12	0
	0	5	7
	0	-7	7

At the start of 2020/21 12 actions were identified - with the impact of COVID and the transition to a new H&S provider, 7 out of the 12 actions were complete with the remaining 5 being carried forward in to 2021/22.

## 7 2020-2021 HEALTH AND SAFETY SUMMARY PERFORMANCE DASHBOARD

Having successfully implemented our HSMSAF and having achieved accreditation to the ISO45001 standard, this put us in a strong position to respond to the COVID pandemic as our management system was able to continue to operate whilst we had to reprioritise our Health & Safety support to:

- respond to the need of COVID,
- ensure we had COVID safe environments,
- respond to the rapidly changing regulations and guidelines
- respond to restricted access to sites & changed models for delivering services due to COVID restriction
- ensure our operational staff and management were freed up to focus on the clinical response, by providing a light governance approach and pausing actions which required operational input

This did impact on our dashboard performance, which was in place to manage our HSMSAF during normal time. Our new H&S provider inherited and mobilised our new contract during the second half of 2020/21 and using their experience the dashboard will be refreshed for 2021/22  
The 2020/21 dashboard performance was:

2019/20		2020/21		Notes
		Target	Performance	
88%	<b>Policies - in place &amp; uptodate</b>	100%	100%	
	<b>Audits (Workplace Inspections)</b>			
10	Audits Complete	26	9	- Note 7.1
--	- Number of Recommendations	--	16	
100%	- Recommendations Actioned	100%	56%	
	<b>External Audits</b>			
1	Audits Complete	2	1	- Note 7.2
--	- Number of Recommendations	--	0	
100%	- Recommendations Actioned	100%	100%	
68%	<b>Estates Compliance</b>	90%	80%	- Note 7.3
	<b>Training</b>			
96%	- Basic Life Support	90%	96%	- Note 7.4
88%	- Fire Awareness	90%	85%	
86%	- Health & Safety	90%	85%	
88%	- Manual Handling	90%	89%	
--	- DSE Training	90%	27%	- Note 7.5
6	IOSH - Leading Safely Training	9	3	
6	IOSH - Managing Safely Training	45	5	- Note 7.6
9	IOSH - Working Safely Training	73	3	
	<b>Incidents</b>			
164	- Incidents	reducing	125	
2	- Near Misses	increasing	1	- Note 7.7
3	- RIDDORS	--	3	
23	<b>MDA CAS Alerts</b>		40	
100%	- MDA Alerts Actioned	100%	100%	
1	<b>Estates &amp; Facilities Alerts</b>		4	
100%	- Estates & Facilities Alerts Actioned	100%	100%	
	<b>Resources</b>			
7	- 1st Aiders	12	4	
32	- Fire Wardens	40	20	- Note 7.8
6	- DSE Assessors	8	0	
15	- H&S Chmpions	13	0	
12	<b>Fire Evacuation Exercises Completed</b>	100%	60%	- Note 7.9
83%	<b>Risk Assessment in Date</b>	95%	81%	- Note 7.10

## 7.1 Audits (Workplace Inspections)

The workplace inspection plan of 26 site visits was based upon the 2019/20 programme being rolled forward into 2020/21. With COVID all site visits were suspended as government emergency legislation and restrictions were put in place and First Community implemented its emergency management response.

As we came out of the first wave, we transitioned to our H&S provider to NEL CSU, in Q3, who immediately put in place a plan to visit every site, to re-establish the workplace inspection programme and to provide them site orientation. They have completed workplace inspection for all our sites and identified 16 actions which are being worked through with 56% being completed before the end of the financial year.

## 7.2 External Audits

Due to COVID the annual ISO45001 reaccreditation and external audit by QMS, due in March 2021, was postponed until May 2021. QMS extended our accreditation from March 21 to May 21 to keep our certification in place.

## 7.3 Estates Compliance

Estates Compliance looks to provide us with assurance that the required tenant and landlord checks (such as Fire Risk Assessments, Legionella, 5-year electrical testing etc) are in place and current.

During COVID, we took a lighter approach to chasing for compliance evidence; to balance the need to ensure the safety documentation of our sites are in place, whilst recognising our landlords (such as NHS Property Services, East Surrey Hospital, Crawley Hospital, Horsham Hospital, GP practices) were all in emergency response responding to the pandemic. This did require our landlords take a risk-based approach to reprioritise compliance.

We have restored our normal chasing approach and at the end of 2020/21 we had maintained and achieved 80% evidence of compliance. The remaining gap of 20% doesn't mean the compliance isn't in place but we don't have the evidence. The key landlord we are missing the evidence from is East Surrey Hospital, however we are confident they have compliance in place but we have not received the evidence. This has been escalated to Director level to resolve.

## 7.4 Statutory and Mandatory Training

At the end of 2020/21 our statutory & mandatory training rates for the key Health and Safety training were:

2020/21			
Basic Life Skills	Fire Awareness	Health, Safety & Welfare	Moving & Handling
95.9%	84.6%	84.6%	88.7%

Our target is 90% and during this COVID year we have been able to broadly maintain compliance level compared to 2019/20. This has been achieved despite staff not working in the office and having to focus on the pandemic response, by utilising online and virtual training. Basic Life support has been a challenge as this has remained face-to-face training throughout, requiring us to have a larger number of smaller socially distanced training sessions.

## 7.5 Display Screen Equipment (DSE)

With home working, initially as staff were sent home to work, they took home their screen, keyboard, chair as they needed them. As this situation and home working become a sustained response, we reviewed the support we had in place which wasn't designed for home working – so with NEL CSU, we developed a paper-based training slide pack and self-assessment form which was rolled out to all staff on 1<sup>st</sup> January 2021 together with a new financial support package to ensure our staff had appropriate and safe DSE equipment whilst working from home.

By the end of March 2021, 27% of our staff had completed this training & self-assessment.

This highlighted a gap in our HSMSAF, and we have procured a combined e-Training & self-assessment system, from Cardinus, which will replace our paper-based system in 2021/22. This e-System will support agile working.

## 7.6 Training Needs Analysis (TNA)

During the Covid incident response, IOSH training courses for the first half of 2020/21 were cancelled. This combined with the transition to a new H&S specialist provider, necessitated a Training Needs Analysis. The TNA's key recommendation was to move away from IOSH, due to time commitment, and focus on basic training, for example fire warden; risk assessment and COSHH. The TNA will inform the training plan for 2021/22 and beyond.

As well as continuing with the statutory and mandatory training the key finding is that First Community need to focus on the basics (i.e. fire warden training, risk assessment training, COSHH training) and move away from the IOSH training (which required a 3 day commitment for managers and identified that the IOSH courses covered H&S requirements in non-health environments (i.e. factory)), to a more tailored and focused management training option which whilst at the IOSH standard would focus on the elements as required by the First Community's' managers.

## 7.7 Investigating and Reporting of Incidents, Accidents and Near Misses

First Community has a duty to report certain accidents and incidents to the HSE in accordance with the Reporting of Injuries and Dangerous Occurrences Regulations 2013 (RIDDOR), within ten days. With COVID, HSE updated their guidance and requirements to report COVID 19 cases as infectious diseases.

Given the nature of COVID-19 and complexity in knowing if it was caught at work or home, a decision tree was agreed. During 2020/21 four COVID 19 RIDDOR were reported to HSE.

Incident Breakdown:

	Fire Alarm Activation	Health & Safety	Security	Slip, Trips & Falls	Verbal & Physical Abuse	Staff Injury	Near Misses	RIDDORs (exc COVID 19 RIDDORs)
2019/20	1	14	19	92	30	8	24	2
2020/21	1	12	7	49	35	21	1	3

Due to COVID, services being paused & staff working from home there has been a clear decrease in incidents across many of the detailed elements during the past 12 months.

As we have come out of lockdown and started to reopen services, we started seeing an increase in verbal abuse with a large number of these being from audiology patients. Specific training has been created for our audiology staff to support them to manage and defuse the patient frustrations they are experiencing. Staff injury is also up which will be the focus for 2021/22, to investigate and understand this trend.

NHSe&i are introducing a new risk-based framework; Violence, Prevention and Reduction Standard 2021/22, which will allow First Community to recognise where improvement can be achieved in relation to staff welfare.

## 7.8 Resourcing

H&S Resourcing	Appointed	Trained	Target
Fire Wardens	30	17	40
First Aiders	4	3	12
H&S Champions	8	0	13
DSE Assessors	7	0	8

With the impact of COVID and staff working from home, this translated into fewer staff on site, almost a quarter of the original number of staff, therefore reducing both the requirement and availability of Fire Wardens and First Aiders.

This made planning and managing of H&S resourcing difficult during 2020/21 with sites making local decisions as appropriate. As First Community move out of COVID and into new ways of working, for 2021/22 we will need to consider how we manage this resource, as the traditional model may no longer work given agile working and therefore seeing key staff potentially home working.

Members of the H&S Operations Group will become our H&S Champions and for our DSE Assessors this support is being picked up as part of our NEL contract and will be enhanced when we move to the new e-Training and Self-Assessment system.

## 7.9 Fire Evacuation

Extracting the required compliance information from a number of Landlords remains somewhat challenging. Progress has been made with Property Services and we have proposed that the Property Services Fire Safety Group be re-instated and NEL FHSL are invited on our behalf.

For the three hospitals (East Surrey Hospital, Crawley Hospital & Horsham Hospital) we have been told they hold “desk-top” drills as opposed to real drills. For 2021/22 we will need to understand how we can be involved in these desk-top exercise or undertake our own evacuations.

## 7.10 Health and Safety Risk Assessment

Key For % Risk Assessments Read

	Under 20%
	Between 20% and 80%
	Over 80%

Department	% of Risk Assessments In Date	No. of Risk Assessments	No. of Staff Added To Log	% of Risk Assessments Read	Comments
0-19	0%	1	0	0.0%	
Audiology	7%	30	12	6.7%	
Bed Based Care	100%	12	0	0.0%	
Childrens Therapies	100%	3	29	100.0%	
Community Services	100%	24	106	38.6%	
Corporate		0	0	No Risks	No risks, confirmed on 17/12/20
Dietetics	100%	12	16	0.0%	
ICATS	100%	82	14	65.8%	
Long Term Conditions	100%	51	55	100.0%	
MIU	88%	8	0	0.0%	
MSK Physio & Cardiac Rehab	100%	74	36	90.0%	
Podiatry & Orthotics	100%	22	8	28.6%	
<b>TOTAL</b>	<b>81%</b>	<b>319</b>	<b>276</b>	<b>25%</b>	

Great progress has been made by Service Leads/Managers since the launch of the Risk Assessment Log, with 81% of risk assessments in-date. The next phase of this project is to increase the evidence that staff have read the risk assessments, which will give us assurance that we have current risk assessments in place and staff who need to know them have read them. This is an important enabler in driving health and safety and promoting safe systems of work and people.

## 8 GOING FORWARD

Whilst 2020/21 was a difficult year, with the pandemic and the need to reprioritise activity, we have maintained our Health & Safety Management system and assurances ready for ISO reaccreditation in May 2021. We have also started on several actions as we come out of COVID to continually improve and build on our assurance framework.

These include.

- Widening the ISO accreditation to incorporate Phoenix House, Oxted Therapies Unit & Horley (May 2021)
- Implement the new procured DSE e-Training & Self-Assessment package
- Preparing for the second phase of the Risk Assessment project to incorporate assurance that staff have read the documents &
- Using the Risk Assessment model to implements a new COSHH risk Assessment monitoring process

We see the next three years as an exciting time to work with our new H&S partner, NEL CSU, to consolidate and embed our Health & Safety Management System Assurance Framework, to continually improve it evidenced by our successful ISO45001 re-accreditation.