

<b>Committee(s):</b> Corporate Services Committee	<b>Date:</b> 10 January 2024
<b>Subject:</b> Health & Safety Update	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	<b>1,2,3,4,5,8,9,10,11,12</b>
<b>Does this proposal require extra revenue and/or capital spending?</b>	<b>No</b>
<b>If so, how much?</b>	<b>N/A</b>
<b>What is the source of Funding?</b>	<b>N/A</b>
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	<b>N/A</b>
<b>Report of:</b> Town Clerk	<b>For Discussion</b>
<b>Report author:</b> Oliver Sanandres, Director of Health & Safety and Head of Profession (Interim)	

### **Summary**

The purpose of this report is to provide Corporate Services Committee with an update on the outcome of an independent strategic review of the City Corporation's health and safety arrangements, undertaken by Quadriga Health & Safety Ltd.

This review was commissioned by the Town Clerk and undertaken from September to November 2023. The review followed an internal audit report which highlighted a lack of second line of defence in relation to Health and Safety Management and, consequently, gave limited assurance; the Quadriga review was, therefore, commissioned to identify and make recommendations to rectify this position.

In summary, the Quadriga report concludes that several of the right actions to address identified issues have already recently been taken; however, there is a need for a strengthening of the health and safety function, greater clarity in the role of the central team and the health and safety specialists in higher risk departments, and a comprehensive change to the monitoring of health and safety standards and risk assessments throughout the City Corporation. The report also makes recommendations in relation to the operation and reporting of the Corporate Health and Safety Committee.

An action plan has been formulated to deliver on the nineteen recommendations identified by the report and action has already been taken to assure some of our highest risk departments' health and safety arrangements and to rebuild the associated governance mechanisms. This report presents these for Members' information; it should also be noted that health and safety update will now be a standing item on this Committee's agenda to ensure appropriate and effective Member oversight and awareness of this important area.

### **Recommendation(s)**

Members are asked to note the report and endorse the action plan prepared by officers.

## **Main Report**

### **Background**

1. In July 2023, Members were advised of a red risk on the effectiveness of the second line of defence mechanism for Health and Safety risk mitigation and associated governance arrangements. This emerged from an internal audit review, following which, the Town Clerk commissioned an external consultancy, Quadriga, to carry out a deep organisational review of Health and Safety arrangements across the City Corporation.
2. The Quadriga review involved visiting a number of key City of London locations, meetings with a number of different staff members, either in person or via remote calls, and consideration of a large amount of documentation including all the papers considered by the Health and Safety Committee during the last year, the minutes of that Committee, reports provided to the Executive Leadership Board, the draft overall Health and Safety Policy and Fire Safety Policy and a wider range of other documentation. A copy of the report in full is included as Appendix 1 (non-public).

### **Current Position: Quadriga Review (Key Findings)**

3. The City of London Corporation, given its diverse range of responsibilities and activities, has a very wide range of complex health and safety risks, translating into a large and complex risk profile. This needs specialist input and careful monitoring to be effectively controlled. The Quadriga report highlights significant management concern about having the appropriate health and safety resources in place. The Executive Leadership Board were briefed on this on 13 December 2023 by the report author.
4. The erosion of the second line function and loss of technical specialists was an unforeseen consequence of the changes implemented through the Target Operating Model (TOM). Through the TOM, the central Health & Safety team was repositioned into an operational supporting role which, in effect, removed the second line of defence. Many of the mechanisms, systems and monitoring arrangements did not change with the organisation and this impact was not considered. The changes made in the last year to appoint a qualified and experienced Health and Safety Director reporting at the executive level within the organisation, merging the property and corporate health and safety teams and reviewing the governance approaches was a sound approach, but there are key gaps.
5. The report found a lack of systems and processes in place for effective monitoring of the standards of health and safety in the organisation and legal compliance. Given the small size of the corporate Health & Safety team and the complexities in the organisation, it would not be possible to get effective assurance of the local standards maintained unless there is an adequate provision of health and safety support at these higher risk locations and activities. Such advisers need to be adequately trained, experienced, and updated; however apart from the Health and Safety Director, there is a lack of

fully qualified health and safety staff. The action plan set out at Appendix 2 (non public) has made an initial 'rough and ready' appreciation of the resources required in the high-risk departments; however, this needs further refinement to ensure we are accurate and proportionate.

6. There is no centrally adopted software system which allows the corporate team to mechanise the processes mentioned above, i.e. to verify their completion, monitor quality and/or compliance. For example, statutory requirements such as the recording and monitoring of risk assessments, the monitoring of close out of actions on risk assessments, employee health and safety training records to monitor completion of mandatory training, and so on. Currently, these are managed in a disaggregated fashion, on excel spreadsheets and various standalone systems. This presents difficulty for the corporate team to build a clear, reliable corporate picture of compliance making safety data difficult to gather and report on.
7. A number of changes to the terms of reference of the Health and Safety Committee (an officer body established pursuant to statutory obligations) had been 'paused' to allow for this review to conclude. The review has identified that the changes are generally sound; however, there is a need to separate Trade Union consultation from the actual driving and delivery of the health and safety agenda at a strategic level. The Policy will need to reposition the corporate Health & Safety team as a second line of defence function and reflect the structural arrangements that have already been made since the dissolution of the Chief Operating Officer function. The Health & Safety Function will now report into the Deputy Town Clerk, which in effect delivers this outcome.
8. There is an overall lack of high-level executive and senior management health and safety training.
9. The audit identified three specific hazards that required action, namely at Tower Bridge, Smithfield Market and at the London Gateway & Tilbury Ports. These have all been addressed and are in the process of being mitigated.
10. In total, the report makes nineteen recommendations for action: these have now been organised into an action plan. These are attached Appendix 2.

### **Next Steps**

11. An action plan has been developed which will function as a roadmap towards assurance, as well as delivering on the nineteen recommendations outlined in Appendix 2. The action plan will tackle these three areas within the first quarter of the year, viz.:-
  - a. Assessment of the effectiveness of Local Arrangements through localised assurance audits. The first areas to be audited are three high risk areas of the Environment Department: Natural Environment (City Commons), City Gardens & Cleansing, and Port Health Operations, commencing in January 2024.

- b. Re-establishing and defining the Governance and oversight mechanisms to the Senior Leadership Team / Executive Leadership Board and the Corporate Services Committee, by agreeing and publishing the Health & Safety Policy and Safety Management Framework.
- c. Scoping an appropriate program of safety governance education for Senior Leaders & Members, with a one-off briefing session taking place early in 2024. This training will be based on the leading health and safety at work guidance for Directors and Board members from the Institute of Directors.

### **Corporate & Strategic Implications**

- **Strategic implications** – Health & Safety is not currently an active strategic consideration, which must be addressed. Without this alignment we cannot effectively support emerging risks to support the Corporate Plan or reinforce health & safety as a cultural belief into the People Strategy.
- **Financial and resource implications** – Whilst it is not yet possible to quantify fully what additional resources (financial or otherwise) may be required in respect of addressing the recommendations of the audit, some will be necessary to rectify the position to a satisfactory standard. We will collaborate with the Chamberlain as data is collated and an informed assessment can be made, with proposals brought back for Member approval where required.
- **Legal implications** – As per the report there is some exposure for the City Corporation with not meeting requirements under the Health & Safety at Work Act and associated legislation. We are vulnerable, should a serious risk of harm manifest to potential criminal prosecution. The costs and reputational impact of such prosecutions can be considerable. Personal prosecutions, though unlikely, can result in custodial sentences. As a recent example of this is Newport Council, which was recently ordered to pay £2 million in fines following the death of a highway operative. Appendix 3 includes the article for Members' information.
- **Risk implications** – We cannot assure effective corporate mechanisms for the escalation and mitigation of risk from safety incidents there is a potential increase in risk and CR09 should be changed to reflect this. The action plans proposed will allow bring this risk into tolerable levels.
- **Equalities implications** – none.
- **Climate implications** – none.
- **Security implications** – none.

### **Conclusion**

12. The Quadriga Health and Safety review has recommended a need for a strengthening of the health and safety function, greater clarity in the role of the central team and the health and safety specialists in higher risk departments, and a comprehensive change to the monitoring of health and safety standards and risk assessments throughout the City Corporation. An action plan, as set out at Appendix 1, has been developed to address the nineteen

recommendations and Members are asked to endorse the approach summarised in paragraphs 11 a to c.

## **Appendices**

- Appendix 1 (non-public) - Independent Strategic Review of Health and Safety Management Arrangements by Quadriga
- Appendix 2 (non-public) - Quadriga Plan Impacts
- Appendix 3 – Institute of Safety & Health (IOSH) Magazine article – Newport Council Prosecution

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