

Committee Name and Date of Committee Meeting

Cabinet – 08 June 2026

Report Title

Health and Safety Policy and Statement of Intent

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Executive Director Approving Submission of the Report

Judith Badger, Executive Director of Corporate Services

Report Author(s)

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Ward(s) Affected

Borough-Wide

Report Summary

The Council is committed to protecting the health and safety of its employees and all those affected by its activities. This report outlines the statutory requirement for the Council to maintain a Health and Safety Policy that sets out the organisation's approach to managing health and safety. The revised Policy and Statement of Intent is presented for consideration and recommended for approval, following extensive consultation with a wide range of stakeholders.

The report summarises the key changes made since the Policy was last approved by Cabinet, reflecting findings from recent reviews and consultation exercises. It also sets out how the Policy's key objectives will be delivered and monitored, with specific Standard Operating Procedures (SOP's) referenced as the primary route through which the Policy will be implemented, embedded, and operationally managed across the Council. The Policy further takes account of the change in Chief Executive since the Policy was last approved.

Recommendations

That Cabinet:

1. Approve the revised Health and Safety Policy and Statement of Intent.
2. Agree to receive an annual report relating to Health and Safety performance.

List of Appendices Included

- Appendix 1 Health & Safety Policy & Statement of Intent
- Appendix 2 Organisational Arrangements for the Management of the Health and Safety Management System (HS 01)
- Appendix 3 Equality Analysis Part A
- Appendix 4 Equality Analysis Part B
- Appendix 5 Climate Impact Assessment

Background Papers

Prepare a health and safety Policy – HSE
Managing Health and Safety – HSE
Health and Safety at Work etc Act 1974
Rotherham Council Health and Safety Policy January 2025

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

Health and Safety Policy & Statement of Intent

1. Background

- 1.1 Section 2(3) of the Health and Safety at Work etc. Act 1974 places a statutory duty on the Council, as an employer, to prepare, implement and maintain a written Health and Safety Policy that sets out the organisation's approach to managing health and safety. The Act also requires the Council to ensure that this Policy is effectively communicated to all employees, so they understand the standards, responsibilities and procedures expected of them. Compliance with this duty is essential to ensure that the Council demonstrates robust governance, promotes safe working practices and fulfils its legal obligations in protecting employees and others affected by its activities.
- 1.2 Legislation states that any Health and Safety Policy should set out the general approach and commitment to health and safety and demonstrate how health and safety will be managed across the organisation. The Health and Safety Executive (HSE), who regulate Health and Safety Practice, state in their guidance that as a minimum the Policy should address three clear areas:
- A statement of intent – articulating a clear commitment from the organisation to protect the health and safety of its employees and those affected by its work activities. This should be signed by the most senior person in the organisation and reviewed regularly.
 - Responsibilities and accountability for health and safety - a clear expression of officers, positions and roles that have specific responsibilities for health and safety across the organisation, including reporting lines and any relevant delegations of this responsibility.
 - Arrangements for health and safety – aimed to provide details of the practical arrangements in place and how the Council will achieve its Policy aims.
- 1.3 Standard Operating Procedures (SOPs) act as a key mechanism to support the Health and Safety Policy by clearly defining how the Policy's requirements for responsibilities and accountability are implemented across the organisation.

Each Standard Operating Procedure will:

- Translate the Policy into operational responsibilities by specifying the officers, positions and roles that hold defined health and safety duties within that procedure.
- Show clear reporting lines and decision-making routes, demonstrating how delegated responsibilities flow from the organisation's Health and Safety Policy into day-to-day operational practice.
- Reinforce accountability by outlining how managers, supervisors, employees and specialist advisers are expected to fulfil their duties in line with the Policy.
- Ensure consistent interpretation of the Policy across all service areas by using standardised terminology for roles and responsibilities.

- Provide a direct link back to the organisation's governance framework, confirming how each role contributes to the fulfilment of corporate health and safety responsibilities described in the Policy.
- 1.4 The Council's Health and Safety Policy & Statement of Intent (Appendix 1), is constructed in line with the above guidance and good practice recommendations made through statutory bodies such as the Health and Safety Executive (HSE).
- 1.5 A well-designed Health & Safety Policy, supported by a robust Health & Safety Management System (HSMS) and clear Standard Operating Procedures (SOPs), delivers significant benefits to the Council. These include:
- Protecting staff and service users - ensures the safety and wellbeing of everyone working for, or receiving services from, the Council by establishing clear requirements and operational controls.
 - Demonstrating compliance and commitment - provides documented evidence of the Council's commitment to meeting relevant health and safety legislation and recognised best practice standards.
 - Clarifying roles, responsibilities, and expectations - offers clarity for members, senior leaders, managers, supervisors, and employees, ensuring accountability and consistent application of health and safety principles.
 - Providing a framework for setting, reviewing and monitoring objectives - supports structured planning, risk reduction, and continual improvement across services.
 - Ensuring employees understand their obligations - helps all employees understand what is expected of them and how their actions contribute to maintaining a safe workplace.
 - Supporting managers and supervisors - ensures those with managerial or supervisory responsibility fully understand their health and safety obligations and have clear processes to follow.
- 1.6 A detailed SOP representing the Organisational Arrangements for the Management of the Health and Safety Management System (HSMS) is referenced at Appendix 2 to provide assurance on the robust nature of the Council's arrangements for Health and Safety.
- 1.7 Embedding SOPs as clear operational guidance means the Council will effectively translate policy and system requirements into clear, task specific instructions, ensuring:
- Consistent and safe ways of working.
 - Reduced variability and errors.
 - Clear expectations for how tasks must be performed.
 - Improved training, onboarding and competency assurance.
 - Enhanced operational control, especially in higher risk tasks.

- 1.8 Enabling consultation, participation and communication strengthens engagement with employees, elected members, trade unions, and stakeholders, promoting shared ownership of health and safety issues. This results in continual improvement across the Council, through learning and periodic review, and systematic improvement of health and safety culture, performance, and operational practices.
- 1.9 This review further reflects the change in Chief Executive since the existing Policy was approved and is presented to Cabinet for formal approval and adoption as the Council's stated Health and Safety Policy.

2. Key Issues

- 2.1 The Health and Safety Policy and Statement of Intent has been reviewed in conjunction and consultation with key stakeholders including the Health, Welfare and Safety Panel.
- 2.2 To successfully deliver the key objectives as set out in the Health and Safety Policy and Statement of Intent, leaders and managers will demonstrate active delivery. This includes regular and routine health and safety related discussions at Directorate led management team meetings, including where appropriate trade union representatives. This builds an environment conducive to a positive Health and Safety culture, ensuring fit for purpose risk assessments are in place, staff are trained and competent, and ways of working are safe across Directorates.
- 2.3 The Policy and Statement of Intent ensures that risks to employees, contractors, customers, partners and others that could be affected by Council activities are suitably and sufficiently assessed and controlled as required by the Management of Health and Safety Regulations 1999.
- 2.4 The Policy highlights a broad overview of the arrangements that services must put in place to mitigate, control, monitor, and review these risks. Where additional detail is required, a corresponding Standard Operating Procedure (SOP) will be accessible. Each SOP is subject to an ongoing review programme to ensure that any changes in requirements or organisational learnings are reflected.
- 2.5 Service Areas are supported in the development and upkeep of risk assessments through the provision of guidance and templates.
- 2.6 To ensure the Council has a trained and skilled workforce that demonstrates key competencies required to support the effective delivery of the Health and Safety Policy, an annual programme of core training modules has been produced and is delivered by the Health and Safety Team.
- 2.7 Ongoing and continued delivery of the "Manager Responsibilities" training course outlining key legislative requirements, as well as highlighting the key components and expectations laid out in this Policy and roles within it, further complement embedding of the Council's Health and Safety responsibilities.

- 2.8 The Council's responsibilities for ensuring a network is maintained for Health and Safety concerns or issues to be highlighted through the governance structure is outlined within the Health and Safety Policy and Statement of Intent.
- 2.9 Continual improvement and performance management will be monitored through monthly and quarterly statistical and performance dashboards currently in place. These are regularly presented to the Senior Leadership Team (SLT) and the Health, Welfare and Safety Panel (chaired by the Cabinet Member for Finance and Community Safety).
- 2.10 Continued development of Directorate and Service performance dashboards, linked to the ongoing development of the accident and incident online reporting portal and associated performance monitoring capabilities, is undertaken.

3. Options considered and recommended proposal

- 3.1 The production of a Council wide Health and Safety Policy is a statutory requirement under the Health and Safety at Work etc. Act 1974, and the Management of Health and Safety Regulations 1999. Therefore, no other options are available for consideration.
- 3.2 The recommended proposal aligns with best practice. It sets out how the Policy's key objectives will be delivered and monitored, with specific Standard Operating Procedures (SOPs) referenced as the primary route through which the Policy will be implemented, embedded, and operationally managed across the Council. The Policy further takes account of the change in Chief Executive since the Policy was last approved.
- 3.3 The content of the Policy document reflects extensive engagement and consultation with stakeholder groups across the Council, alongside good practice identified by statutory bodies such as the Royal Society for the Prevention of Accidents (RoSPA). As a result, no alternative options are available for consideration.
- 3.4 It is recommended that Cabinet adopt the Health and Safety Policy. The Policy now clarifies that it is underpinned by the organisation's Health and Safety Management System (HSMS) and supported by a suite of Standard Operating Procedures (SOPs) that set out how requirements are implemented operationally. It also includes additional content that strengthens the ownership of tasks to reinforce statutory compliance and ensure accountability across services and responsible persons.
- 3.5 The introduction of an annual Health and Safety report into Cabinet will further strengthen corporate governance and oversight.

4. Consultation on proposal

- 4.1 The Health and Safety Policy has been subject to consultation with directorate representatives, the relevant Cabinet Member and the joint trade unions. The

Health, Welfare and Safety Panel have been consulted on the Policy and Statement of Intent and are supportive of the approach.

5. Timetable and Accountability for Implementing this Decision

- 5.1 Accountability for publishing and communicating the revised Policy will be with the Service Director for Human Resources and Organisational Development, supported by the Head of Health and Safety.
- 5.2 The quarterly performance dashboard will continue to be presented to SLT and the Health, Welfare and Safety Panel. Any areas of concern or under-performance will be identified and escalated through appropriate governance routes.
- 5.3 An annual report relating to Health and Safety performance will be presented to Cabinet.

6. Financial and Procurement Advice and Implications

- 6.1 The Health and Safety budget sits under the Human Resources and Organisational Development function within the Corporate Services directorate.
- 6.2 There are no direct financial implications arising from this report. However, in the event that any additional costs are subsequently identified in future, these will be highlighted and addressed through the monthly revenue budget monitoring and annual budget setting process as appropriate. Any additional costs should be managed within the existing service budget allocations and mitigations identified to ensure this does not result in an overspend position.
- 6.3 There are no direct procurement implications associated with the recommendations detailed in this report.

7. Legal Advice and Implications

- 7.1 The Health and Safety at Work etc. Act 1974 ["HSWA"] is the core legal framework in relation to workplace health and safety. This Act, along with other Regulations, sets out the legal duties placed upon employers in order to protect employees, workers, visitors and anyone else who may be affected by work activities such as contractors or members of the public.
- 7.2 Section 2(3) HSWA specifically states that '*except in such cases as may be prescribed, it shall be the duty of every employer to prepare and as often as may be appropriate revise a written statement of his general policy with respect to health and safety at work of his employees and the organisation and arrangements for the time being in force for carrying out that policy, and to bring the statement and any revision of it to the notice of all of his employees*'.
- 7.3 Regulation 5 of The Management of Health and Safety at Work Regulations 1999 goes further and prescribes that in relation to health and safety arrangements the legal requirement is to record the policy/arrangements in

writing where the employer employs five or more employees. Every employer must make and give effect to such arrangements as are appropriate, having regard to the nature of his activities and the size of his undertaking, for the effective planning, organisation, control, monitoring and review of the preventive and protective measures.

7.4 The Council is required by law to implement and keep under review a Health and Safety Policy. A failure to do so will leave the Council open to various legal risks which include: -

- Prosecution or other enforcement action by the Health and Safety Executive
- Civil claims by employees, visitors, members of the public etc.
- Judicial review
- Employment law claims

7.5 All of the above pose a significant financial and reputational risk to the Council, particularly where a serious incident occurs.

8. Human Resources Advice and Implications

8.1 The Health and Safety policy is an essential tool in ensuring all employees understand their responsibilities and are adequately supported to discharge their responsibilities in meeting statutory Health and Safety legislation.

9. Implications for Children and Young People and Vulnerable Adults

9.1 Young persons are specifically referenced within the Health and Safety Policy due to the particular risks that may affect them. These risks often stem from a lack of work experience, meaning managers must give additional consideration to young people when completing risk assessments. This includes ensuring appropriate levels of supervision, providing adequate training, and implementing any necessary control measures. Managers must also ensure that young persons are fully briefed on, and adhere to, all relevant Standard Operating Procedures (SOPs), as these form a key part of the safe systems of work designed to protect their health and safety.

9.2 More broadly, the identification of “persons affected” by a particular work activity is a requirement of the risk assessment process, which is an integral component of this Policy. The risk assessment process expects services to identify any person affected, by what risk or hazard, and how this is to be controlled.

10. Equalities and Human Rights Advice and Implications

10.1 An equalities impact assessment has been undertaken, attached at Appendix 3 and 4. Equality, Diversity and Inclusion is inherent to the Health and Safety Policy and Statement of Intent referenced.

11. Implications for CO2 Emissions and Climate Change

- 11.1 A carbon impact assessment has been undertaken, attached at Appendix 5. Recommended changes to the Council's Health and Safety Policy are unlikely to affect greenhouse gas emissions from the Council's activity, or otherwise negatively affect actions to mitigate climate change in Rotherham.
- 11.2 Changes to the Council's Health and Safety Policy may not affect climate change, but climate change will affect the Council's management of health and safety at work.

12. Implications for Partners

- 12.1 This Policy sets out the Council's approach to managing Health and Safety across the organisation. As a Council-driven framework, it also has implications for our partners, including contractors. All partners are expected to have robust Health and Safety arrangements in place and to ensure that any activities undertaken on behalf of the Council are managed in accordance with the standards outlined in this Policy and all relevant legislation. This ensures that work carried out for or on behalf of the Council is delivered safely, responsibly, and to the required level of compliance.

13. Risks and Mitigation

- 13.1 As the Council continues to implement its Health & Safety Management System, including the development and rollout of Standard Operating Procedures, sufficient resources are required to ensure consistent application and governance.
- 13.2 Enhancing the maturity of these processes will improve consistency of application, support effective hazard control, and provide clear evidence of conformity through transparent and auditable arrangements across all service areas.
- 13.3 All service areas are required to maintain up-to-date, suitable and sufficient risk assessments that identify significant risks to employees and others arising from work activities.

14. Accountable Officers

Lynsey Linton, Service Director Human Resources and Organisational Development

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	John Edwards	14/05/26
Executive Director of Corporate Services (S.151 Officer)	Judith Badger	13/05/26
Service Director of Legal Services (Monitoring Officer)	Phil Horsfield	11/05/26

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