

Brighton & Hove City Council

Cabinet

Agenda Item 41

Subject: Corporate Health, Safety and Wellbeing Policy

Date of meeting: 25th September 2025

Report of: Cabinet Member for Customer Services and Public Realm

Contact Officer: Name: Brent Schwarz
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Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 The purpose of this report is to inform Cabinet of the outcome of engagement with senior officers, staff, trade unions and other stakeholders on developing a new Corporate Health, Safety and Wellbeing Policy.
- 1.2 To seek approval for the new refreshed Corporate Health, Safety and Wellbeing Policy within the Council.
- 1.3 This report is aligned to all four council plan outcomes and contributes to the councils five pillars of a learning organisation, forming the backbone of the delivery of the council's services to our community and statutory obligations to its staff.
- 1.4 This policy has been produced in accordance with the requirements of Section 2(3) of The Health and Safety at Work etc. Act and applies to the council in its entirety. The policy forms the foundation for compliance to the requirements set out with health and safety legislation. It ensures the council discharges the duties placed on the council by regulatory requirements. It also forms a reset to the health, safety and wellbeing culture across the council, from a regulatory enforcement response culture to a proactive safety culture.

2. Recommendations

- 2.1 That Cabinet approves the new corporate health, safety and wellbeing policy.

3. Context and background information

- 3.1 The Health and Safety at Work etc. Act places duties on employers, i.e. Brighton and Hove City Council to ensure, as far as is reasonably practicable, the health, safety, and welfare of their employees and members of the public affected by their work activities. The Management of Health and Safety at Work Regulations are UK laws that require employers to manage

health and safety risks in the workplace, key requirements include conducting comprehensive risk assessments, having a documented health and safety policy, appointing a competent person for health and safety matters, providing adequate training and information, and establishing emergency procedures.

- 3.2 The proposed new health, safety and wellbeing policy will pave the way for cultural change, provide clarity on roles and accountability and will embed a learning organisation approach. A renewed commitment from the Council Leader, Chief Executive Officer and Council Leadership team and establishes a clear model leadership for health, safety and wellbeing, from the top to front line staff.
- 3.3 The proposed health, safety and wellbeing policy has been created following the enforcing authority's Guidance HSG 65, implementing a plan, do, check and act model. It instils a true learning organisation culture, in line with our learning framework, and will continue to develop and grow with the council. It establishes an overarching framework which will be supported by subsequent health, safety and wellbeing policies known as arrangements that are subject specific.
- 3.4 The key features of the proposed policy are:
- Rationale: The Council requires a new health, safety and wellbeing policy to address historic challenges and cultures, ensure proactive regulatory compliance, and shift from a reactive to a proactive safety culture.
 - Governance and Learning Organisation Model: Establishes clear lines of accountability, clarity over roles, embeds our Learning Organisation framework, particularly being healthy and psychologically safe and introduces a governance framework that promotes learning through challenge, scrutiny, and ongoing improvement.
 - Contract Management Focus: Enhanced contract management focus, ensuring monitoring and performance are addressed early and robustly. This aims to prevent compliance failures and maintain statutory obligations.
 - Learning: directly responds to previous learning, promoting training, increased communications and awareness, clear roles, and improved oversight, helping to prevent repetition of past issues.
 - Risk based approach: designed to mitigate risks—including health and wellbeing, reputational damage, prosecution, and fines—by protecting staff, residents, and visitors and keeping them safe and well from potential health and safety risks and issues.

4. Analysis and consideration of alternative options

- 4.1 A reset of the council's health, safety and wellbeing policy and culture with associated governance is critical to the organisation and our duties to keep staff, stakeholders and communities safe, securing delivery of the council's 4 outcomes. This is considered an essential reset.

5. Community engagement and consultation

- 5.1 Key stakeholders from the council have been involved with the development of the policy. These include:
- Corporate Health, Safety and Wellbeing department subject matter experts
 - Health and Safety Executive (HSE)
 - Key stakeholders from all council directorates directorate
 - Key stakeholders from central hub services
 - Key stakeholders from Trade Unions
 - Senior officers of the council
- 5.2 Feedback received during the engagement and consultation was significantly positive, suggesting the new policy and approach is welcomed amongst key stakeholders and assist address historical challenges.
- 5.3 Agreed at the People and Innovation Directorate Leadership Team meeting on the 16th July 2025.
- 5.4 Agreed at the Corporate Leadership Team on the 29th July 2025 subject to Cabinet approval.

6. Financial implications

- 6.1 There are no direct implications associated with the recommendation in this report. Day-to-day costs associated with the Health & Safety policy are currently part of the council's established budget and monitored in line with the council's TBM process.
- 6.2 Individual business cases following any Health & Safety reports will be taken forward on their own merit and approved in line with the councils Financial Regulations and Financial Procedures.

Name of finance officer consulted: Craig Garoghan

Date consulted: 02-09-2025

7. Legal implications

- 7.1 Health and safety is a critical part of employer responsibility. It must be treated with the greatest importance. Failure to deal with health and safety in an effective manner places the Council in a vulnerable position, including risk of prosecution. The reference to building is important as they represent a work place under the act and so are integral to the way of H&S should be viewed. Learning from errors is also of critical importance to ensure mistakes are not repeated. Also important is to note that not every eventuality can be specifically addressed and so a policy has to be robust enough to endure that unusual circumstances can be dealt with, within the framework.

Name of lawyer consulted: Simon Court
Date consulted: 01-09-2025

8. Risk implications

- 8.1 Critical Impact – Failure to ensure and secure the council wide learning from previous incidents such as New England House may result in fatal injuries, occupational diseases like asbestosis and legionellosis, prosecution, and imprisonment. Ongoing deterioration of our buildings may also affect the psychological impact of staff working in poor work environments, tenants from unsafe commercial premises and residents from unsatisfactory compliance and safe accommodation.
- 8.2 It may also result in prosecution and breaches of statutory requirements. The Council has a statutory duty for managing health and safety risks, securing compliance of which may potentially impact the council's reputation significantly should adverse events occur and/or if enforcement action is taken. The impact of the New England house is an example of this learning which will continue to impact the council's reputation for a prolonged period.

9. Equalities implications

- 9.1 The Council has a statutory duty for managing health and safety risks regardless of their abilities or disabilities. The residual hazards and risks could impact on all who use our buildings including staff, visitors, service users, pupils and contractors. The new proposed policy supports an all inclusive framework enhancing the councils equality agenda while suitably and effectively managing health, safety and wellbeing through a risk based approach.

10. Sustainability implications

- 10.1 The approval and implementation of the new policy will support promoting a health, safe and secure environment(s) for the council's staff and community to live and work in.

11. Other Implications

Social Value and procurement implications

- 11.1 There are no social value and procurement implications.

Crime & disorder implications:

- 11.2 There are no crime and disorder implications

Public health implications:

- 11.3 An effective Provision of Health, Safety and Wellbeing to Council staff and positive compliance to statutory requirements will mean that provision and impact on service delivery, custom and practices becomes transparent and

equitable. The risk of non-compliance and health, safety and wellbeing issues arising decrease for services that deliver to the community for proactive positive safety cultures.

12. Conclusion

- 12.1 The new proposed policy reflects the council's strengthened health, safety and wellbeing agenda and includes recommendations and follows engagement with a broad range of stakeholders including our trade unions, workers forums, and senior officers to provide a more supportive policy for our workforce and properties.
- 12.2 It is aligned to the council plan and enables the four council outcomes to be achieved, embedding our five pillars of a learning organisation securing a Healthy and Psychologically safe council. It supports securing employee health, safety and wellbeing at work.

Supporting Documentation

1. Appendices

- 1. New Corporate Health, Safety and Wellbeing Policy

