

Ordinary Meeting of the Board

Urgent Business – Health & Safety

11.07.2024

Background Papers

None

Background and context

Health & Safety is a concern for all in Malvern Hills Trust. The Health and Safety at Work Act 1974 applies to every person over 14 years old in a salaried organisation, including volunteers. Ultimate accountability and liability remains with the Board; however, it can delegate day to day management of health and safety to the staff. The Governance Handbook contains the current delegation of duties including health & safety (pp 28-31).

In the MHT risk strategy, the following risks and their control measures this year (end of June 2023 to end of June 2024) have included:

- 2.6 Breach of Health & Safety legislation was set to moderate or ‘amber risk’ in 2023. To mitigate this risk, required controls over the past year have included to review the near-miss or ‘safety alert’ system to be more effective. A required control was to regularly review H&S processes and policy in light of any statutory or regulatory changes.
- 4.3 Security of Assets is a minor or ‘blue risk’, and a required control was to conduct an externally assessed fire risk assessment in 2023/24.
- 4.4 Employment issues is a minor or ‘blue risk’, and no control measures were set for 2023/24. However, ongoing control measures include regular Health & Safety at Work advisory information being obtained.
- 4.7.1 Health and Safety ongoing control measures are to maintain an ongoing review and update of H&S systems, including appointed persons and advisors.

Current position

By way of an update on control measures, Keith Tomkins who has a lot of H&S experience in the land-based conservation sector and is a Chartered H&S practitioner, was formally retained by the Trust to give service level support in April 2024. He provided online Trustee training on 19 June and undertook face to face training of the Senior Management Team on 1 July, followed by an audit of the Manor House and two sheds. Keith will return to the Trust for a day to provide some practical manual handling training, an H&S induction to the buildings (with staff leading thereafter) and provide some trustee briefing as required. Date to be advised. Keith has also prepared a draft MHT H&S statement and policy including latest changes for review and adoption.

The externally assessed fire risk assessment of all MHT buildings (including St Ann’s Well) was undertaken in June 2024 and reports are now available to act upon. The CEO together with SMT and Administrative Officer with responsibilities

for H&S will draw up a schedule of quick wins and longer-term opportunities for improvement to fulfil recommendations in the various assessments. Of note is that if a major project is initiated in the next six months to demolish Lower Shed, being at the end of its natural life, then opportunities for improvement would not feel appropriate.

Staff will undertake fire risk assessments for a maximum of five years before another external assessment is due. Control measures for 2023/24 will be provided for the annual refresh of the Risk Management Strategy, which is underway as instigated by FAR.

The Finance and Administration Manager has established a new budget line so that unbudgeted H&S expenditure may be tracked in 2024/25 with a view to setting a suitable budget in 2025/26.

Next steps

Staff to instigate quick wins. An initial budget of £10,000 seems fitting to delegate to staff to address any non-compliance. Any costs to address substantial issues will be presented to the Board for approval of a budget to address them.

The CEO will liaise with the tenant of St Ann's Well to agree what division of action and apportionment of costs is appropriate.

A staff H&S group will continue to meet regularly.

A number of trustees have declared skills in this area of work, and it may be beneficial to convene a working group to address findings of the various assessments and feedback to Staffing Committee. Initially this would be for six months with a decision taken on whether an ongoing sub-group might be beneficial.

RECOMMENDATIONS:

- That the Board appoints a working group of trustees and staff to review and address the findings of the fire risk assessments and health and safety assessment.
- That the Board provides an initial budget of £10,000 for staff to address quick wins and ensure compliance.

Deborah Fox
Chief Executive Officer
4 July 2024