

Guildford Borough Council

Report to: Executive
Date: 27 March 2025
Ward(s) affected: All
Report of Strategic Director of: Economy, Planning and Place
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Lead Executive Member: Cllr Merel Rehorst-Smith
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Status: Open
Key decision: No

JOINT CORPORATE HEALTH AND SAFETY MANAGEMENT

1.0 Executive Summary

- 1.1 The councils' Joint Corporate Management Board has recently reviewed resources in the area of Corporate Health & Safety. This has identified an opportunity for both councils to improve the provision of resilient and robust health and safety compliance. It has been recognised that due to a longstanding vacancy at Waverley and the recent retirement of an officer at Guildford there is currently a lack of resource which has the potential to impact council employees, visitors and service users.
- 1.2 Legislation places duties on the councils to maintain health, safety and welfare standards. The Health & Safety Executive (HSE) is responsible for enforcing these standards in local authorities. It is essential that this function is appropriately resourced to mitigate the risk to both councils, and enable continuous improvement. Over the long term both councils wish to reach a position of good assurance in maintaining corporate health and safety.

- 1.3 A growth bid has been approved by Waverley for 2025/26 which, along with existing establishment budgets at both councils, provides the necessary investment in this service area. It is recommended that creation of a joint post will provide a further enhancement for collaborative workings across both councils and reduce duplication, securing efficiencies and good practice. Type here

2.0 Recommendation to Executive

That the Executive resolves to:

- 2.1 approve the Head of Paid Service's proposal to create a new post of Joint Corporate Health and Safety Manager as set out in this report.
- 2.2 delegate authority to the Monitoring Officer to amend the current inter-authority agreement between Guildford Borough Council and Waverley Borough Council to include the new joint role as set out in this report.

3.0 Reasons for Recommendations

- 3.1 Both councils have committed to working together to further the collaboration including the creation of joints posts where this is demonstrably in the interests of both councils. The council has a legal and moral responsibility to operate in accordance with the Health & Safety at Work etc. Act 1974 and the regulations set out under this legislation. The requirements ensure that as an employer the council operates in a safe manner, so as not to expose employees, visitors and persons impacted by council services, to health and safety risk. The same responsibility applies to both councils, however, at Guildford inhouse waste and grounds maintenance services, and the internal operation of the depot, require additional health and safety management. A review of corporate health and safety arrangements has identified gaps in compliance attributed to a long-standing vacant post at Waverley, and the recent retirement at a key post at Guildford. This presents

an opportunity to exploit efficiencies across both councils and to share good practice.

- 3.2 The recommendations will deliver capacity and capability to enable health and safety management at all levels of both organisations.
- 3.3 To respond to the concerns raised in recent months by staff, service managers and UNISON representatives in relation to the robustness of health and safety arrangements for both councils.
- 3.4 This will deliver the capacity and capability needed to embed successes in ongoing collaboration efforts and enhance the pace of future collaboration, transition to shared services and continuous improvement in service delivery and realisation of cashable and non-cashable savings.
- 3.5 To create the framework for the corporate health and safety services function which will reduce dependency on expensive external resources and further implement succession planning and career development.

4.0 Status of Report

- 4.1 The report is open.

5.0 Strategic Priorities

- 5.1 A resilient and well-managed council – the Council is committed to operating in accordance with health and safety law.

6.0 Background

- 6.1 Both councils are subject to health and safety regulation by the Health & Safety Executive to ensure that services are operated in a way that does not place any person at risk to their health and safety. In line with legislation and best practice, both councils have an overarching health and safety policy signed by respective Leaders and Chief Officers, who commit to maintaining standards. A hierarchy of further policy, procedures and good working practice are

required to extend from the overarching Health & Safety Policy to ensure that all health and safety risks are well managed.

- 6.2 It is recognised that the burden of health and safety compliance at Guildford is greater than that at Waverley because of more in-house services, including waste and grounds maintenance services including the depot facility.
- 6.3 Currently, both councils manage their corporate health and safety function separately. At Waverley there is a 1FTE Corporate Health and Safety Officer post. This post has been vacant for over 12 months despite a number of advertisement rounds, and as a result has been filled by an interim officer. This post reports directly into the Joint Assistant Director. At Guildford, there are 2FTE Corporate Health and Safety Lead posts, one of which is vacant due to a recent retirement. These posts report to the Food, Safety and Licensing Lead who in turn reports to the Joint Assistant Director.
- 6.4 The current structure provides little resilience for either council in relation to the corporate health and safety functions and fails to offer any opportunity to exploit potential joint operational efficiencies.
- 6.5 In an attempt to build resilience in the management of corporate health and safety at both councils, it is proposed to appoint a Joint Health and Safety Manager who will be supported by two existing Corporate Health and Safety Officer/Lead posts, one in each authority. This will enable best practice to be shared as well as, the development of mirrored policy, procedure and training material. The reporting line for the new role will be directly into the Assistant Director.
- 6.6 The proposal will create a new role at Waverley improving resilience and at Guildford it will enable the Food, Safety and Licensing Lead to focus on the improvements which need to be made in this area. It is proposed that the joint post will be split 40% to Waverley Borough Council and 60% to Guildford Borough Council to reflect the increased requirements at Guildford Borough Council as set out above.

7.0 Options

- 7.1 In relation to the need to meet our obligations under the Health & Safety at Work etc. Act 1974, two options are considered:
Option 1 - Do nothing, and reappoint to vacant existing posts in both councils; or
Option 2 - Create a Joint Corporate Health & Safety Manager post to lead this function in both councils.
- 7.2 Option 1 means that both councils would continue with arrangements which are currently considered unsatisfactory. The Joint Corporate Health & Safety Board has indicated that these arrangements do not provide adequate provision of corporate health and safety support which leaves the councils at risk.
- 7.3 Option 2 is an approach aligned with work in other corporate service areas in both councils to provide joint oversight and efficiency in health and safety compliance. It would provide increased resilience and address the concerns that have been highlighted by the Joint Corporate Health & Safety Board.

8.0 Consultation

- 8.1 Human Resources, Finance, and Corporate Management Board have been consulted.
- 8.2 The new role description has been prepared, reviewed and agreed by the Job Evaluation Panel in February 2025 in accordance with the interim policy adopted by both councils.
- 8.3 Consultation has been undertaken with the remaining staff member who will be impacted by the changes and their line manager. They have been involved throughout the process and central to the development of the proposal.
- 8.4 Consultation has also been undertaken with the Trade Unions at both councils. At the time of writing the report no response has been received on behalf of Guildford Unison but there has been a positive, and supportive, response on behalf of Waverley Unison as it is recognised that this role will improve the position for our staff.

9.0 Key Risks

- 9.1 The Health & Safety at Work etc. Act 1974 outlines clear responsibilities for corporate health and safety. At present, the lack of key staff to manage corporate health and safety at both councils presents a risk of accidents, work related ill health. There is also a risk of enforcement action by the Health & Safety Executive by way of criminal prosecution against either the council and/or individuals including those in leadership roles. This risk will be mitigated by having a robust and resilient structure in place.
- 9.2 A failure to properly resource the corporate health and safety function reduces the assurance that can be provided that the council is meeting its statutory obligations. Approving the recommendations in this report will address this risk by providing an appropriate level of management for this function.
- 9.3 There is a risk if the recommendations are not approved there will continue to be financial dependency on expensive external interim resources. This also impacts on the councils' ability to undertake career development and succession planning. The recommendations made mitigate these key risks as by developing the post into a joint role it will be more attractive and enable learning across the organisations whilst building resilience.

10.0 Legal and Governance Implications

- 10.1 As set out in the body of the report the council has legal obligations to maintain the health and safety of employees and others under The Health & Safety at Work etc. Act 1974. Adequate resources need to be allocated to ensure that the council is able to robustly meet its legal obligations.
- 10.2 Under section 112 Local Government Act 1972 the council has the power to appoint staff as necessary for the proper discharge of functions. The Head of Paid Service has delegated authority, through the scheme of delegation, to make all decisions in relation to Human Resources functions, subject to exclusions which are not applicable to this report.
- 10.3 The council has already entered in to an inter-authority agreement between Guildford Borough Council and Waverley Borough Council to enable sharing of staff which is provided for under section 113 of

the Local Government Act 1972. The inter-authority agreement sets out the appropriate governance, reporting and other arrangements. It is part of the recommendations that the inter-authority agreement is updated to include the proposed new joint post.

10.4 Due process in relation to the proposed restructure to create the joint post will be followed and as set out in the report consultation has already been undertaken with impacted staff and the Trade Unions.

11.0 Financial Implications

11.1 This report proposes that the Joint Corporate Health and Safety Manager post will be employed by Waverley Borough Council in accordance with the agreed policy. Waverley Borough Council has recently approved a growth bid to enable 40% of establishment costs to be met within the existing Waverley budget. Guildford is able to meet 60% of establishment costs within existing budgets.

12.0 Human Resources Implications

12.1 We anticipate that there may be opportunities for internal promotion in the creation of the new post. However, to ensure that we are attracting the best talent we will also look to advertise the vacancy externally.

13.0 Equality and Diversity Implications

13.1 An Equalities Impact Assessment will be completed to underpin these proposals and ensure that full consideration is given to any equality and diversity implications.

13.2 In relation to recruitment related activities as a matter of course we set out that we welcome applications from all underrepresented communities.

14.0 Climate Change and Sustainability Implications

14.1 There are no direct climate change or sustainability implications.

15.0 Next Steps

15.1 A new Joint Corporate Health and Safety role is required to deliver robust health and safety compliance and to manage risk across both Councils.

16.0 Background Papers

16.1 None

17.0 Appendices

17.1 Appendix 1 – proposed organisation chart

Report clearance progress:

Finance	Richard Bates	20.02.25
Legal & Governance	Claire Beesly	04.03.25
Human Resources	Ali Homan	21.02.25
Equalities	Ali Homan	21.02.25
Strategic Director	Insert name	Insert date cleared