

Rachel Jones, from the Council's Health and Safety team, has provided the following information in response to questions raised by members at the last meeting.

### **Skeletal injuries that might result in a claim**

In the 12 months from July 2016 there were 651 incidents reported on the corporate incident reporting system. This includes personal accidents, violent incidents, near miss incidents, vehicle incidents etc, to staff, visitors and pupils. Of these incidents, 44 incidents resulted in musculoskeletal injuries to staff. The breakdown of the causes is as follows:

Slip trip or fall	16
Lifting handling carrying	14
Other	4
Physical assault	4
Struck against something	3
Struck by moving object	1
Fall from height	1
Unknown	1

Of these, any could potentially result in a claim (as could other injury types involving other categories of people affected, e.g. visitors or pupils). In making a claim, the claimant has to fulfil three rules:

- 1 A duty of care is owed to the individual (the Authority owes a duty of care to those who are affected by its business, this includes staff, visitors, and pupils, etc.)
- 2 The duty of care was breached
- 3 The breach led directly to the loss incurred by the individual

In defending a claim, one of the three rules has to be proved to be not fulfilled, or the employer has to be able to prove that what they did was reasonable. This would include having a suitable and sufficient risk assessment and that any training, instruction and supervision was also appropriate. The Insurance section would be able to provide more information on the successful defence of claims.

### **Flu Vaccinations**

We are not aware of any members of staff who receive the flu vaccination because of the people they work with (this would typically be social care and staff who work with vulnerable children) In the past, when we had the flu pandemics, staff were provided with the vaccination, this was in part to protect service delivery, as well as vulnerable clients.

The following is the guidance from our corporate working arrangements on immunisation (this covers all immunisation, not just influenza):

Primary control measures such as good personal hygiene practices and avoiding contact with potential sources of infection are the best ways to avoid infection. The current advice from the local health board is that immunisations should not be given as a matter of course for certain occupations, as has previously been the advice. Their advice is that primary control measures, and where required, post incident treatment, are the best practices.

If a service area feels that immunisation is required, then this should be demonstrated through the risk assessment process.