

SAFETY COMMITTEE

**TUESDAY
27TH APRIL 2010
AT 1400 HOURS
COMMITTEE ROOM
ONE**

PROVIDING ACCESS FOR ALL

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Minicom: 01246 242450 Fax: 01246 242423

Sherwood Lodge
Bolsover
Derbyshire
S44 6NF

Date: 13th April 2010

Dear Sir or Madam,

You are hereby summoned to attend a meeting of the Safety Committee of the Bolsover District Council to be held in Committee Room One Sherwood Lodge, Bolsover, on Tuesday 27th April 2010 at 1400 hours.

Members are reminded that under Section 51 of the Local Government Act 2000 the Bolsover Code of Conduct was adopted by the Council on 16th May 2007. It is a Councillor's duty to familiarise him or herself with the rules of personal conduct by which Councillors must conduct themselves in public life. In addition, Members should review their personal circumstances on a regular basis with these rules in mind and bearing in mind the matters listed on the Agenda for discussion at this meeting.

Copies of the Bolsover Code of Conduct for Members will be available for inspection by any Member at the meeting.

Register of Members' Interest - Members are reminded that a Member must within 28 days of becoming aware of any changes to their interests under paragraph 14 or 15 of the Code of Conduct provide written notification to the Authority's Monitoring Officer.

Members are reminded of the provisions of Section 106 of the Local Government Finance Act 1992 and the responsibility of Members to make a declaration at this meeting if affected by the Section and not to vote on any matter before this meeting which would have an affect on the Council's budget.

You will find the contents of the agenda itemised on page 28.

Yours faithfully,



Chief Executive Officer

To: Chair and Members of the Safety Committee

Tel 01246 242424 Fax 01246 242423 Minicom 01246 242450 Text 07729 421737

Email enquiries@bolsover.gov.uk Web www.bolsover.gov.uk

Chief Executive Officer: Wes Lumley, B.Sc.,F.C.C.A.

DECLARATION OF INTERESTS

COMMITTEE: SAFETY COMMITTEE DATE: 27TH APRIL 2010

NAME OF MEMBER- _____

Levels of Interest 1. Personal
 2. Personal and prejudicial

Nature of Interest _____

AGENDA ITEM	SUBJECT	LEVEL OF INTEREST
Signed		
Dated		

Note

- Completion of this form is to aid the accurate recording of your interest in the minutes only. This form, duly signed, should be provided to the Clerk at the conclusion of the meeting.

- Good practice to give nature of interest – without declaring any confidentiality.

- It is still your responsibility to disclose any interests which you may have at the commencement of the meeting, and before the relevant item on the agenda is discussed.

- A nil return is not required.

SAFETY COMMITTEE

Minutes of a meeting of the Safety Committee of the Bolsover District Council held in Committee Room 1, Sherwood Lodge, Bolsover, on Tuesday 9th February 2010 at 1400 hours.

PRESENT:-

R. Farnsworth - Chairman

Members:-

Councillors P.M Bowmer, J.A. Clifton, D. McGregor (to Minute No. 722), B.R. Murray-Carr and K.F. Walker.

Unison:-

R. Frisby and J. Hendy.

Unite:-

C. Dodsworth and S. Sambrooks.

Officers:-

W. Lumley (Chief Executive Officer), L. Keeling (Head of Human Resources and Payroll), T. Walker (Health and Safety Officer), T. Robinson (Property and Estates Manager), A. Lowery (Street Services Manager) and R. Leadbeater (Democratic Services Officer).

713. APOLOGIES

There were no apologies received.

714. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

715. DECLARATIONS OF INTEREST

There were no declarations of interest submitted.

SAFETY COMMITTEE

716. MINUTES – 5TH OCTOBER 2009

Moved by Councillor B.R. Murray-Carr, seconded by Councillor J.A. Clifton
RESOLVED that the minutes of a meeting of the Safety Committee held on 5th October 2009 be approved as a true record.

717. SICKNESS ABSENCE – JULY TO SEPTEMBER 2009

The Head of Human Resources and Payroll presented the report to advise Members of sickness absence and Occupational Health referrals between July and September 2009.

There had been a sharp increase in long term sickness absence during the period which had resulted in an outturn of 2.65 days per full time employee against the target of 2.13 days.

Members' attention was drawn to the Occupational Health referrals, the reasons for long term sickness absence and the breakdown of long and short term sickness absence by department.

Moved by Councillor D. McGregor, seconded by Councillor B. R. Murray-Carr
RESOLVED that the report be received.

718. SICKNESS ABSENCE – OCTOBER TO DECEMBER 2009

The Head of Human Resources presented the report to advise Members of sickness absence and Occupational Health referrals for the period October to December 2009.

The outturn had improved significantly from the previous period at 1.76 days per full time equivalent compared to the target of 2.13 days per full time equivalent.

The target for 2009/10 was 8.5 days with the outturn for the nine month period to the end of December currently standing at 6.56 days, bringing the target for the year back on track. This was as a result of a reduction in the number of long term sickness cases during this period.

Members were advised that 4 staff with Occupational Health referrals had been rehabilitated back to work with only 1 outstanding and due to return to work shortly.

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Moved by Councillor J.A. Clifton, seconded by Councillor D. McGregor
RESOLVED that the report be received.

R. Frisby (Unison) joined the meeting during the following minute.

719. GENERAL HEALTH AND SAFETY REPORT

The Health and Safety Officer presented the report to advise Members on the current status of a number of health and safety matters.

Revised fire procedures had been introduced at Sherwood Lodge and further fire warden training would be carried out for new employees. Induction training had been rearranged for 2 weeks time.

Outstanding safety inspection reports had been received from Housing and Leisure Services.

In response to Members' questions the Health and Safety Officer confirmed that the responsible officer had been identified in the asbestos policy. It was added that the new asbestos database would be useful to draw together departmental information to assist in the management of Council properties containing asbestos.

The Street Services Manager advised that refuse operatives had recently undertaken manual handling training that was more job specific. This had been well received by the workforce and some very positive feedback had been provided. It was intended to arrange similar bespoke training for Grounds Maintenance Operatives.

The Chief Executive Officer raised questions with regard to the outstanding Health and Safety Audits. The Health and Safety Officer responded that these had identified some unexpected issues that required attention and a structured timetable would be drawn up. Training and Risk Assessments had been completed.

Moved by Councillor B. R. Murray-Carr, seconded by Councillor D. McGregor
RESOLVED that the report be received

SAFETY COMMITTEE

720. UPDATE ON FIRE RISK ASSESSMENT REVIEW

The Property and Estates Manager introduced the report to advise Members of the progress on Fire Risk Assessments.

In 2009, the Council had again employed consultants to review Fire Risk Assessments and identify any items not implemented since the last assessment. At the Safety Committee held on 27th April 2009 it had been agreed that Heads of Service be given a deadline of 30th June 2009 to action any outstanding priority 1 and 2 items identified by the review.

A summary of the current situation was provided in the report for Members' information. All priority 1 and 2 risks had been rectified with the exception of the installation of smoke detectors in common lobbies to blocks of flats to which Members raised concerns. This had been identified in the Consultants' report, however following discussion with the Housing Needs Manager, the Consultants had confirmed that smoke alarms were not a requirement but their interpretation of the recommendations. The recommendation was to be reviewed and the outcome provided to the Housing Needs Manager. Clarification was still awaited and the Property and Estates Manager agreed to chase a response from the Housing Needs Manager by formal letter. Members discussed the issue at length and were minded to agree that smoke alarms should be provided in lobby areas. It was requested that the matter be pursued with some urgency.

Moved by Councillor D. McGregor, seconded by Councillor B.R. Murray-Carr
RESOLVED that (1) the report be noted;

(2) that the issue of smoke alarms in small lobbies of multiple dwellings be pursued with urgency.

(Property and Estates Manager/Housing Needs Manager)

721. STREET SERVICES

The Street Services Manager presented the report in respect of health and safety issues at the Riverside depot which had been provided at the request of an appeal hearing panel held on 13th October 2009.

The report provided details of:

- documented health and safety training including accident and ill health, work equipment, hazardous substances, workplace safety, fire prevention and first aid.
- communication on health and safety matters including the Health and Safety Policy.

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- Risk Assessments (in particular in relation to COSHH)
- ensuring adherence by employees to safe systems of work.

A Member in attendance at the appeal hearing on the 13th October had raised a number of issues in respect of the report. The Chief Executive Officer acknowledged the comments adding that there were a number of useful points raised particularly with regard to timescales, however some were corporate issues that were outside of the Safety Committee's remit. It was suggested that these matters be considered at a more appropriate forum.

Members confirmed that the Street Services Managers' report had answered issues raised at the appeal hearing and the expectations and assurances with regard to outcomes had been addressed. It was added that other Members had made some valid points with regard to timescales being implemented with some urgency, which should be reflected in the recommendations.

The Street Services Manger added that it was intended to develop an action plan and report progress to future meetings of the Safety Committee.

Moved by Councillor D. McGregor, seconded by Councillor B.R. Murray-Carr **RESOLVED** that (1) the report be noted;

(2) Street Services develops and implements an action plan with some urgency and reports progress to the next meeting of the Safety Committee.

Councillor McGregor left the meeting at this point.

722. ASBESTOS MANAGEMENT POLICY, PLAN AND GUIDANCE

The Health and Safety Officer presented the report and policy which replaced the existing document adopted in 2004 which no longer met the current legislation, guidance or best practice.

The report set out the Council's duties and responsibilities under the Control of Asbestos at Work Regulations 2006 (CAR 2006) and the Hazardous Waste Regulations 2005.

Members were advised that the Head of Regeneration was the Duty Holder for the Council and was charged with ensuring the Authority carried out its responsibilities.

Extensive training had already taken place to assist employees fulfil their roles.

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Further to questions from Members the Health and Safety Officer advised that asbestos was managed rather than removed from buildings. It was added that provided the material was monitored to ensure it remained in good condition, it presented no problems.

A full copy of the policy and guidance was included in the agenda for Members' consideration.

Moved by Councillor B. R. Murray-Carr, seconded by Councillor K.F. Walker
RECOMMENDED that the Asbestos Management Policy and Asbestos Management Plan and Procedure be referred to Council for adoption.

(Head of Human Resources and Payroll/Council)

723. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Moved by Councillor J.A. Clifton, seconded by Councillor B.R. Murray-Carr
RESOLVED that under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the stated Paragraph of Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed.

724. ACCIDENT AND STRESS STATISTICS JULY TO SEPTEMBER 2009

The Health and Safety Officer presented the report to advise Members of Accident and Stress Statistics for the quarter July to September 2009.

An analysis of accidents by type was included in the report for information. The main reasons being manual handling and slips, trips and falls.

Members were asked to note that vehicle accidents now included any which occurred to and from the workplace involving those operatives who were now able to take their work vehicles home.

A detailed breakdown of all accidents was included for information.

Moved by Councillor B. R. Murray-Carr, seconded by Councillor J.A. Clifton
RESOLVED that the report be received.

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725. ACCIDENT AND STRESS STATISTICS OCTOBER TO DECEMBER 2009

The Health and Safety Officer presented the report to advise Members of the Accident and Stress Statistics for the quarter October to December 2009.

An analysis of accidents by type was included in the report for information.

There had been a reduction in accidents since the last quarter with working days lost down by 50%.

Stress statistics for both the October to December and July to September quarters was higher than the comparable quarters in 2008, however 75-80% was unrelated to work.

A detailed breakdown of all accidents was included for information.

Moved by Councillor J. A. Clifton, seconded by Councillor B.R. Murray-Carr **RESOLVED** that the report be received.

The meeting closed at 1458 hours.

Committee:	Safety Committee	Agenda Item No.:	5
Date:	27 th April 2010	Category	
Subject:	Sickness Absence/Occupational Health Statistics 2009/10	Status	Open
Report by:	Head of Human Resources and Payroll		
Other Officers involved:	Human Resources Officer		
Director	Chief Executive Officer		
Relevant Portfolio Holder	Councillor J.E. Bennett – Portfolio Holder for People and Performance		

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation by providing monitoring information which can be used to shape future policy decisions

TARGETS

The subject matter of this report does not contribute to any specific targets in the Corporate Plan.

VALUE FOR MONEY

As this report relates to retrospective monitoring data value for money criteria is not applicable

THE REPORT

1. Sickness Absence/Occupational Health Referral Statistics 2009/10 and 2008/9.

1.1 The sickness absence outturns for 2009/10 are shown below, with comparisons for 2008/9:

Target 2009/10	Out turn 2009/10	Out turn 2008/9
8.5 days	8.39 days	8.43 days per FTE

A breakdown of these figures for 2009/10 by Department, and by long term/short term sickness absence, is attached for information.

- 1.2 The outcome of occupational health referrals 2009/10, with comparisons for 2008/9 is shown below:

	2009/10	2008/9
Rehabilitation	41	44
Resigned	0	1
Ill Health Retirement	0	1
Dismissed	1	3
Outstanding	4	0
TOTAL	46	49

The ill health retirement in 2008/9 was at tier 3 under the new ill health scheme.

- 1.3 The top three causes of sickness absence for 2009/10 and 2008/9 are as follows:

2009/10		2008/9	
Cause	Days Lost	Cause	Days Lost
Musc/Skeletal	934	Musc/Skeletal	1199
Stress	522	Stress	478
Infections	467	Infections	661
TOTAL	1923	TOTAL	2338

- 1.4 A breakdown of the reasons for all long term sickness absence is as follows:

Reasons for Long Term Sickness Absence 2009/10	
Reason for Absence	No. of Employees Citing this Reason
Muscular Skeletal	16
Stress/Depression	11
Heart/Blood Pressure	4
Miscellaneous	3
Back/Neck	3
Genito/Gynaechological	2
Ear/Nose/Mouth	2
Pregnancy	1
Infections	1
Chest	1
Stomach/Digestive	1
Neurological	1

1.5 The following routine health surveillance clinics have been held during the period January to March 2010:

- 26 January 2010
- 24 March 2010

and covered topics such as Hand Arm Vibration, audiometry, driver medicals, blood tests and hepatitis B immunisation to 'at risk' groups.

There have been 10 employees undergoing counselling during this period.

ISSUES FOR CONSIDERATION

The report is for monitoring purposes only and there are no specific issues for consideration.

IMPLICATIONS

Financial : None
Legal : None
Human Resources : None

RECOMMENDATION

That the report be received.

ATTACHMENT: Y (1)
FILE REFERENCE: N/A
SOURCE DOCUMENT: N/A

LPI12 - 2009_10 OUT-TURN LONG TERM/SHORT TERM SPLIT

DEPARTMENT	AVERAGE FTE	DAYS LOST	FTE DAYS	LONG TERM ABSENCE NO OF DAYS	SHORT TERM ABSENCE NO OF DAYS	LT ABSENCE PER FTE	ST ABSENCE PER FTE
CHIEF EXECS DIRECTORATE							
CHIEF EXECUTIVES AND PARTNERSHIP	5.00	1	0.20	0	1	0.00	0.20
CONTACT CENTRES	23.15	159.59	6.89	66.19	93.4	2.86	4.03
CUSTOMER SERVICE/PERFORMANCE	12.57	94	7.48	51	43	4.06	3.42
HUMAN RESOURCES AND PAYROLL	10.13	12	1.18	0	12	0.00	1.18
APPRENTICES	13.50	17	1.26	0	17	0.00	1.26
LEGAL/DEMOCRATIC DIRECTORATE							
DEMOCRATIC	11.10	100	9.01	57	43	5.14	3.87
LEGAL/LICENSING AND LAND CHARGES	12.10	69	5.70	38	31	3.14	2.56
RESOURCES DIRECTORATE							
FINANCE	11.76	69.1	5.88	46.2	22.9	3.93	1.95
PROCUREMENT	4.00	7	1.75	0	7	0.00	1.75
ICT	11.50	35	3.04	0	35	0.00	3.04
REVENUES	38.07	315.29	8.28	110.5	204.79	2.90	5.38
NEIGHBOURHOODS							
LEISURE	36.48	279	7.65	187	92	5.13	2.52
COMMUNITY	15.88	135	8.50	119	16	7.49	1.01
STREET SERVICES	103.28	1425.58	13.80	981	444.58	9.50	4.30
HOUSING (REPAIRS AND MANAGEMENT)	118.82	1190.41	10.02	772.23	418.18	6.50	3.52
DEVELOPMENT							
PLANNING	22.20	106.32	4.79	71.4	34.92	3.22	1.57
ENVIRONMENTAL HEALTH COMMERCIAL ONLY	15.00	47.23	3.15	0	47.23	0.00	3.15
REGENERATION	50.08	224.96	4.49	63	161.96	1.26	3.23
DEVELOPMENT ADMIN	5.26	72.5	13.78	51.5	21	9.79	3.99
GRAND TOTAL	519.88	4359.98	8.39	2614.02	1745.96	5.03	3.36

Committee:	Safety Committee	Agenda Item No.:	6.
Date:	27 th April 2010	Category	
Subject:	General Health and Safety Report	Status	Open
Report by:	Health and Safety Officer		
Other Officers involved:			
Director	Chief Executive Officer		
Relevant Portfolio Holder	Councillor J.E. Bennett – Portfolio Holder for People and Performance		

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation, by ensuring we comply with legislation and best practice.

TARGETS

The subject matter does not relate to any targets specified in the Corporate Plan.

VALUE FOR MONEY

Helping ensure that the Council discharges its legal responsibilities and does not incur legal costs, fines or civil penalties.

THE REPORT

Fire Safety

Fire drill was undertaken at Pleasley Vale on 26th February. Issues regarding non evacuation of two units and unauthorised disarming of the alarm system have been taken up with the tenants concerned by Innis England (site managers).

Asbestos Management

The asbestos survey contract, carrying out a representative sample of the housing stock has shown a very small number of sites where asbestos was present, and no high risks were identified as needing immediate attention. No action other than 'label and manage' was identified for the housing stock; the two items noted for removal on non domestic housing stock have been dealt with.

No hot spots in terms of building types or locations were identified.

It is proposed to link next year's survey activity to programmed works for kitchens and void properties.

The next stage is to use the information to carry out risk assessments and develop a management plan, and determine what further surveys are needed.

Training

In the last quarter:

Induction training has been undertaken 31 employees (mostly apprentices)

Basic Health and Safety Training, covering coshh, fire, first, aid etc has been delivered to 87 employees in Housing and Grounds Maintenance/Cleansing.

Fire Warden Training has been delivered to 10 persons.

Scaffold inspection training has been delivered to 11 personnel.

Asbestos task training was delivered to 10 employees

Working at heights training, vibration awareness training (including training for managers), health and safety risk assessment training and legionella awareness training will be held in the next quarter.

Swine Flu

Swine flu figures are no longer being collected, there have been no cases reported since January. Should the situation change monitoring can be restarted.

Employee Survey

Details of the employee survey have been received, results and employees comments will be analysed and a report will be prepared for the next Committee meeting.

Improvement Notice

On 19th February we were visited by Health and Safety Executive inspectors following up a RIDDOR report of carpal tunnel syndrome to an employee who had used vibrating tools.

An improvement notice was served in regard to the management of vibration risk. This requires us to demonstrate to the Inspector improvements in our management system, by carrying out a suitable and sufficient risk assessment of activities involving the use of vibrating tools by 24th May 2010.

Specifically they require us to:

Identify those activities which present a risk of hand arm vibration, including non routine activities:

1. Take account of the way in which work is organised and the effects this can have in terms of hand arm vibration
2. Evaluate the risks from the identified hazards by:
 - a. Observing the actual practice and consulting with employees
 - b. Addressing what happens during the work activity
 - c. Taking account of existing preventive measures and, if they are inadequate, assessing what more could be done to reduce the risks sufficiently
3. Identify measures which may be able to eliminate this risk
4. Where elimination is not possible. Identify preventive measures already in place and additional measures which may be able to control the risks
5. Record the significant findings.
6. We were also asked to look at the following specific areas of work and activity outside of the notice:

Removal of manhole covers
Handling of paving slabs
Handling and setting of fence posts
Use of breakers and pneumatic drills
Regularise the servicing and maintenance of tools and equipment
Revising information carried by mobile operatives.

The action plan is summarised below:

- a) Purchasing and distributing appropriate information.
- b) Carrying out tool box talks to all operatives on vibration issues
- c) Identifying vibrating tools and their vibration output
- d) Identifying tasks which are undertaken using vibrating tools by operatives' logsheets and managers' direct observations of work
- e) Calculating exposure using the HSE's point calculator, produce reports identifying areas where exposure is at or near the exposure action value of 2.5 ms^2 .
- f) Carry out detailed risk assessment for activities involving vibrating tools
- g) Re-assessing the activities under 6 above: removal of manhole covers, handling of paving slabs, handling and setting of fence posts, use of breakers and pneumatic drills and also regularise the servicing and maintenance of tools and equipment, revising information carried by mobile operatives.

The HSE letter, improvement notice and our response are included as attachments.

Brief details of the notice will be (but are not yet) available for public examination on the HSE website.

IMPLICATIONS

Financial: No direct financial implications or additional commitments

Legal: In the event of failure to satisfactorily comply with the improvement notice there is a high likelihood of a successful prosecution by the HSE.

Human Resources: No direct implications

RECOMMENDATION

That the report be accepted.

ATTACHMENT: Yes

FILE REFERENCE:

SOURCE DOCUMENT:

Field Operations Directorate

Fiona Coffey

Midlands Division

HSE
City Gate West
Toll House Hill
Nottingham
NG1 5AT

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fiona.coffey@hse.gsi.gov.uk

<http://www.hse.gov.uk/>

HM Principal Inspector of Health
and Safety
Dr Andrew Turner

Mr W Lumley
Chief Executive Officer
Bolsover District Council
Sherwood Lodge
Bolsover
S44 6NF

Date: 1st March 2010

Reference 4195814/01

Dear Mr Lumley

HEALTH & SAFETY AT WORK ETC. ACT 1974

I refer to my visit to your premises at Sherwood Lodge, of 19th February 2010 with my colleague Linda Hoskins (HM Inspector of Health and Safety – Occupational Health).

I am writing to confirm the matters discussed with Mr Walker (Health & Safety Officer) as part of our investigation into the RIDDOR report concerning Mr Gary Carby, bricklayer. The report stated that Mr Carby had suffered Carpal Tunnel Syndrome in both hands.

Risk Assessment for Hand Arm Vibration

The work you are carrying out at Bolsover District Council is liable to expose your employees to risk from vibration. The Control of Vibration at Work Regulations 2005 requires you to do all that is reasonably practicable to reduce vibration exposures. Regulation 5(1) requires you to make a suitable and sufficient assessment of the risk to your employees resulting from their exposure to vibration.

Some of the tools that your employees use are likely to expose them to significant levels of vibration, and therefore, to assess the magnitude, type and duration of exposure to vibration, you should conduct risk assessments, for all high risk areas, which will identify measures to eliminate or control the risk of exposure to vibration. These risk assessments should account for vibration levels of tools and the trigger times for employees.

Risk assessments should consider the effects of exposure to vibration on employees whose health is at particular risk from exposure to vibration, any information given by manufacturers of the work equipment, availability of replacement equipment which would reduce exposure to vibration, specific working conditions such as low temperatures and any appropriate information obtained from health surveillance.

It may be worthwhile in your assessment to consider the following:

- 1) Whether the process can be eliminated by design i.e. mechanisation of processes
- 2) Provide information, instruction and training to employees
- 3) Introduce a policy of buying low vibration equipment as and when equipment is replaced.
- 4) Maintain equipment

- 5) Keep the operator's hands warm, to act contrary to the onset of symptoms. Ensure air tools or anti-vibration handles do not blow cold air onto the hand.
- 6) Consider whether job rotation could reduce the time spent with the tools.

As discussed with Mr Walker it is important for Bolsover District Council to take a proactive approach to the hand arm vibration exposure of your employees in order to eliminate or control the risk so far as is reasonably practicable.

At the time of the visit, Mr Walker was not able to produce risk assessments for all tasks which expose your employees to hand arm vibration, only a risk assessment for garage activities. I have therefore served an improvement notice (FC4195814) requiring you to conduct a suitable and sufficient assessment of the activities within your house refurbishment/construction department, which put them at risk of hand arm vibration, and identify the steps that need to be taken to eliminate or control those risks.

The Improvement Notice expires on 24th May 2010, by which time you must have confirmed to me in writing what measures you have taken to comply with this notice, and have sent me a copy of the risk assessment you have carried out for activities exposing employees to hand arm vibration.

You should read carefully the notes accompanying the Notice, particularly the potential penalties for non-compliance with a Notice. **Failure to comply with an Improvement Notice before the expiry date is an offence which will leave you liable to prosecution.** The notes also outline your right to appeal against a Notice to an Employment Tribunal, further details of which are provided in the leaflet enclosed.

Your attention is drawn to the provision to extend the Improvement Notice. In the event of any unavoidable delay in carrying out the work required by the Notice, you should get in touch with me in good time so that an extension may be considered. **An extension of an Improvement Notice cannot be considered if that request is made after the expiry date of the Improvement Notice.**

May I also draw your attention to the section headed "Public Availability of Information on Other Notices", which informs you of a 14 day period to notify HSE if the Notice contain commercially confidential information.

Information for Employees

In accordance with duties placed upon me by section 28(8) of the Health and Safety at Work etc. Act 1974 to provide information to employees, I enclose a copy of this letter and the notice for their attention. I would be grateful if you could ensure these copies are displayed in a prominent position within the workshop.

You should confirm to me in writing by 24th May 2010 what action you have taken to comply with the notice.

Should you require any further information or advice contact me at the address above.

Yours sincerely

**Fiona Coffey
HM Inspector of Health and Safety**

Your Ref:
Our Ref: WL/TH
Please Ask For: Wes Lumley
Direct Line: 01246 242462
E-mail: wes.lumley@bolsover.gov.uk
Date: 5th March 2010

Ms. F. Coffey,
Health and Safety Executive,
City Gate West,
Toll House Hill,
Nottingham. NG1 6AT

Dear Ms. Coffey,

Thank you for your communication of the 26th of March 2010, which we have received by email and as a hard copy.

We acknowledge receipt of the Improvement Notice number FC4195814 and accept that the practices outlined must and will be improved before 24th May 2010.

We do not intend to appeal against the order.

The following personnel hold copies of the Prohibition Order:

Wes Lumley, Chief Executive Officer
John Brooks, Director of Resources
Sarah Sternberg, Solicitor to the Council
Stuart Tomlinson, Director of Neighbourhoods

These four persons form Bolsover District Council's Senior Management Team.

Tim Walker, Health and Safety Officer
Unite and Unison Representatives

Additionally a copy has been posted in the Canteen at the Riverside Depot.

We have agreed an action plan which we are sure will enable us to comply with the requirements of your notice and verbal guidance given during your visit.

1. Employees to receive tool box talk and HSE pocket card INDG296 within the next two weeks.
2. Employees and managers to have longer half day session within three months.
3. Week long survey of vibrating tools exposure for all appropriate employees.
4. Managers to verify same by sample on the job observation.
5. New information from manufacturers to be obtained to 2006/42/EC standard.
6. Information from 3, 4, 5 above to assess exposure levels.

7. Activities involving vibrating tools to be reassessed or identified where not already assessed.
8. Maintenance and servicing arrangements for tools to be brought into line with manufacturers recommendations.
9. Revise H&S information held by employees.
10. H&S risk assessment training for a quota of managers.
11. Ensure vibration and other safety considerations receive prominent consideration in procurement.
12. Review of the following, which were noted by your colleague but not included under the notice.

Removal/replacement of manhole covers
Handling of paving slabs
Handling setting of fence posts
Use of breakers/pneumatics

Yours sincerely,

Wes Lumley
Chief Executive Officer

SAFETY COMMITTEE

AGENDA

27th April 2010 at 1400 hours

Item No.		Page No.(s)
PART 1 – OPEN ITEMS		
1.	To receive apologies for absence, if any.	
2.	To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4 (b) of the Local Government Act 1972.	
3.	Members should declare the existence and nature of any personal or prejudicial interests in respect of:- a) any business on the agenda b) any urgent additional items to be considered c) any matters arising out of those items and if appropriate, withdraw from the meeting at the relevant time.	3
4.	To approve the minutes of a meeting held on 9 th February 2010.	4 to 10
5.	Sickness Absence/Occupational Health Statistics 2009/2010	To follow
6.	General Health and Safety Report	11 to 21
7.	Street Services Improvement Plan	To follow
PART 2 – EXEMPT ITEMS <i>The Local Government (Access to Information) Act 1985, Local Government Act 1972, Part 1, Schedule 12a</i>		
<u>Paragraph 2</u>		
8.	Accident and Stress Statistics January to March 2010	22 to 27