

# SAFETY COMMITTEE

**4<sup>TH</sup> FEBRUARY 2011  
AT 1000 HOURS  
COMMITTEE ROOM  
ONE**

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Sherwood Lodge  
Bolsover  
Derbyshire  
S44 6NF

Date: 21<sup>st</sup> January 2011

Dear Sir or Madam,

You are hereby summoned to attend a meeting of the Safety Committee of Bolsover District Council to be held in Committee Room One Sherwood Lodge, Bolsover, on Friday, 4<sup>th</sup> February 2011 at 1000 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 16<sup>th</sup> 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 54.

Yours faithfully,



Chief Executive Officer

To: Chair and Members of the Safety Committee

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

## **SAFETY COMMITTEE**

Minutes of a meeting of the Safety Committee of the Bolsover District Council held in Committee Room One, Sherwood Lodge, Bolsover, on Wednesday 27<sup>th</sup> October 2010 at 1400 hours.

### **PRESENT:-**

R. Farnsworth – In the Chair

### **Members:-**

Councillors R.J. Bowler, P.M Bowmer, J.A. Clifton and B.R. Murray-Carr.

### **Unison:-**

R. Frisby and J. Hendy.

### **Unite:-**

S. Sambrooks.

### **Officers:-**

W. Lumley (Chief Executive Officer), T. Walker (Health and Safety Officer), L. Hickin (Head of Leisure), D. Bonsor (Housing Needs Manager) (to minute no. 478) and R. Leadbeater (Democratic Services Officer).

### **474. APOLOGIES**

Apologies for absence were received from Councillor D. McGregor and L. Keeling (Head of Human Resources and Payroll).

### **475. URGENT ITEMS**

There were no urgent items of business to consider.

### **476. DECLARATION OF INTEREST**

There were no declarations of interest submitted.

## SAFETY COMMITTEE

### 477. MINUTES – 28<sup>TH</sup> JULY 2010

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 28<sup>th</sup> July 2010 be approved as a true record.

#### Minute No. 194 (897 and 720) Update on Fire Risk Assessments

The Housing Needs Manager advised the meeting that work on installation of smoke alarms was currently in progress. Some revisions had been made to the proposed works since the item was last reported to the Safety Committee, mainly that independent smoke alarm units would be installed rather than a combination door entry/smoke alarm and that communal entrance areas in all of the Council's group dwellings, including general needs flats, would be fitted with smoke alarms. Work was expected to be completed in all cases by 31<sup>st</sup> March 2011.

Derbyshire Fire and Rescue had been contacted with regard to fitting temporary smoke alarms. Members were advised that the Fire Service had been satisfied with the proposed programme of works and had advised that since the completion date was March 2011, the fitting of temporary smoke alarms was not considered necessary.

The Housing Needs Manager left the meeting.

#### Minute No. 197 General Health and Safety Report

The Health and Safety Officer advised Members that Housing Services were currently considering the purchase of replacement trolleys for loading of supplies at the depot. Members raised concerns that this issue had first been noted at the July meeting of the Safety Committee and that little progress had been made to date.

Councillor Murray-Carr requested that the matter should be progressed with urgency. The Health and Safety Officer agreed to contact the Head of Housing.

In response to Members' questions the Health and Safety Officer confirmed that noise risk assessments were currently being reviewed and provision and maintenance of ear protection equipment would be considered.

(Health and Safety Officer)

## **SAFETY COMMITTEE**

### **478. SICKNESS ABSENCE/OCCUPATIONAL HEALTH STATISTICS JULY TO SEPTEMBER 2010**

The Health and Safety Officer presented the report to advise Members on sickness absence and occupational health statistics for the period July to September 2010. The outturn for 2010 was 1.97 days per full time equivalent against 2.65 days per full time equivalent in 2009 which had been a significant reduction. Long term sickness absence was also improved on the previous year and the overall target for 2010/11 was expected to be achieved if the current trends continued.

Referrals to Occupational Health had reduced from last year and 2 health surveillance clinics had been held.

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

### **479. GENERAL HEALTH AND SAFETY REPORT**

The Health and Safety Officer presented the report to update Members on a number of health and safety issues.

Members were advised that there had been recent changes in the asbestos guidance with regard to management surveys and refurbishment and demolition surveys. This new guidance had been provided to staff with management responsibility for asbestos related work and the Council's Asbestos Policy would be updated in due course.

The Health and Safety Officer added that the Council was planning to outsource its asbestos survey work due to the stringent competency requirements.

Members were advised that Stress Risk Assessments had begun to be received from Managers and had so far not shown any serious issues.

An update was provided on the Improvement Notice Action Plan. The Improvement Notice had now been lifted however monitoring and surveying of some items of seasonal equipment was continuing. Some equipment had been replaced with models with a lower vibration level output.

Positive feedback had been received from staff who had attended first aid courses run by the Mines Rescue Service in Mansfield.

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The procurement process for a new Occupation Health contract had commenced. Chesterfield Borough Council had confirmed they would join the consortium for their internal staff.

Members asked questions with regard to training undertaken in respect of Legionella. The Health and Safety Officer advised that 2½ hour's training was provided by a specialist company on theory and management practice. A new electronic recording system was also being introduced. Members were advised that relevant staff members, mainly Leisure Services, received refresher training every 2 years. Risk Assessments and Management Plans were also maintained to ensure best practice.

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

### **480, THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Moved by Councillor J.A. Clifton, seconded by Councillor P.M. Bowmer  
**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.

### **481. ACCIDENT AND STRESS STATISTICS APRIL TO JUNE 2010 EXEMPT - PARAGRAPH 2**

The Health and Safety Officer presented the report to update Members on the Accident and Stress Statistics from April to June 2010. Members were advised that the number of accidents had reduced from the same period in 2009 with no reportable accidents. Days lost due to stress had also reduced.

The Head of Leisure provided Members with a detailed explanation in respect of the reasons for the increase in extreme sports accidents.

Members were advised that a number of factors were involved:

- The numbers of participants had massively increased since last year. In the first 5 months of 2010, more young people had taken part in extreme sports than in the whole of 2009.

## SAFETY COMMITTEE

- The number of accidents was equivalent to 1 accident for every 143 participants, or every 5 events held.
- An analysis had been done of the accidents reported and the key age group having most accidents was the 10 to 11 year olds. It was added that this was an age when young people started to become more confident and were keen to attempt to increase their bike riding and skateboarding skills.
- The majority of the accidents reported were bruises, cuts and grazes as a result of falls.
- There had been a significant increase in the use of BMX bikes in preference to skate boards from which a fall was more likely to occur.
- The number of accidents was lower than the national average for these types of activities.
- Robust risk management practices were in place with risk assessments done on an ongoing basis.
- Helmets were provided as a minimum for all supervised skate park sessions and informal BMX sessions.
- Specifically designed safety equipment was provided for BMX competitions.
- Equipment used in extreme sports was regularly inspected.
- Ramps provided for mobile events were no more than 2 feet in height.
- Comprehensive Operating Guides (COGs) were provided to every department. These detailed all the identified risks and safety checks in place. Copies were tabled for Members' information.
- Young people who did not appear to be safe due to their limited riding skills were removed from the scheme.

Members asked questions with regard to the Council's legal liability. The Head of Leisure advised that the Comprehensive Operating Guides outlined the safety precautions and responsibilities in place and offered liability protection for the Council

In response to Members' questions in respect of safety measures at the fixed skate park at Kissingate Leisure Centre, the Health and Safety Officer advised that this was inspected daily to ensure the site was fit for purpose.

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

The Head of Leisure left the meeting.

## **SAFETY COMMITTEE**

### **482. ACCIDENT AND STRESS STATISTICS JULY TO SEPTEMBER 2010 EXEMPT - PARAGRAPH 2**

The Health and Safety Officer presented the report to update Members on the Accident and Stress Statistics from July to September 2010.

Members were advised that accidents had risen slightly during this period compared to the previous quarter.

A detailed list of all accidents during the July to September period was included in the report for Members' information.

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

The meeting concluded at 1540 hours.



Committee:	Safety Committee	Agenda Item No.:	5.
Date:	4 <sup>th</sup> February 2011	Category	3
Subject:	Driving at Work Policy	Status	Open
Report by:	Director of Neighbourhoods		
Other Officers involved:	Fleet Review Group Senior Management Team		
Director	Director of Neighbourhoods		
Relevant Portfolio Holder	Councillor D. Kelly, Portfolio Holder for Environment and Climate Change Champion		

### **RELEVANT CORPORATE AIMS**

ENVIRONMENT – Promoting and enhancing a clean and sustainable environment  
 STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.

### **TARGETS**

There are no specific targets but through training of drivers and monitoring by management this policy will contribute towards achieving by 2011 the target to reduce fuel consumption of the Council's vehicle fleet by 10% from 2009 levels.

### **VALUE FOR MONEY**

The proposals contained in this report propose arrangements for the use of Council vehicles to ensure they are driven and maintained in a safe manner and through regular monitoring by management should contribute to reducing the number of accidents involving Council vehicles, which may lead to reductions in insurance premiums and settlement of claims.

### **THE REPORT**

As part of the Fleet Review a draft Driving at Work Policy and Guidance has been prepared based upon best practice from elsewhere. It is attached as Appendix A.

The primary aim of the proposed policy is to protect the health and safety of employees who drive for the Council and minimise the risk to any person from driving activities undertaken in the course of work, whether employees, other

road users or pedestrians. Primarily the policy would apply to all driving activity carried out at work using Council vehicles, with a small number of items also affecting employees use of their own vehicles for works purposes.

The proposed policy details the responsibilities of various tiers of management and employees.

Under the Council's Operators "O" Licence various requirements must be complied with. Failure to meet these requirements could result in the Council's "O" Licence being removed and individual action being taken against the "O" Licence holder and any relevant senior manager, e.g. Director of Neighbourhoods. In the event of such drastic action, the Council would be unable to continue any service delivery through its fleet vehicles. It is therefore essential that suitable processes are in place to minimize the risk of the "O" Licence being compromised and for managers and employees to assist the "O" Licence holder in meeting their obligations. The draft policy makes provision to ensure this is achieved.

The Council's obligations under Health and Safety legislation can also be scrutinised with the potential for prosecution for failing to have adequate safeguards to protect others from the actions of our employees. The policy proposes that driver medical assessments are undertaken for certain categories of driver to ensure that relevant employees are fit to drive.

A copy of the draft policy has been provided to the Trade Unions for comment prior to the preparation of this report and a short meeting held with Unison where the only issue raised was vehicle checks by drivers.

### **ISSUES FOR CONSIDERATION**

Daily vehicle checks are proposed and training has already commenced on this. This will require a short period of "non-productive" time each day which may need to be repeated if there is more than one driver for each vehicle. A period of five minutes for these checks has previously been agreed for Housing repairs employees as part of mobile working arrangements.

It is proposed that arrangements be introduced for management action in respect of "at fault" accidents or convictions whilst driving at work. "Informal action" would be introduced for assessing employees' fitness to drive in the event of 2 or more "at fault" incidents within a rolling 12 month period or for convictions whilst driving at work. Any further incidents should trigger formal disciplinary action and possible suspension from driving. It is therefore proposed that disciplinary action be incorporated into Conditions of Contract for Council drivers (but not "grey" fleet drivers).

There are also a number of requirements on drivers to protect the Council from legal action and to mitigate risks. These relate to employees competency to drive where failure to supply changes to an employee's ability to drive or their licence will be regarded as a disciplinary offence. Drivers who receive a certain number of penalty points will not be permitted to drive Council vehicles

and where ability to drive is part of the job description this could lead to dismissal (but not “grey” fleet drivers).

Members are requested to consider and approve the proposed changes to the Policy.

### **IMPLICATIONS**

Financial : There may be a need for some driver training and assessments but it is anticipated that these will be contained within existing budgets.

There may be some financial benefits to the Council as a result of possible reduced insurance premiums and reductions in settlement claims following accidents, though these cannot be quantified at this time.

Legal : Contained within the body of the report and the attached draft policy.

Human Resources : Contained within the body of the report and the attached draft policy, including a need for daily vehicle checks and the introduction of disciplinary action for “at fault” accidents, convictions whilst driving at work and employees competency to drive.

### **RECOMMENDATIONS**

**It is recommended that:**

- 1. Members approve the proposed driving at Work Policy as outlined in the report; and**
- 2. recommend to Council the incorporation of disciplinary action for breaches of the policy into employees Conditions of Contract.**

### **REASON FOR DECISION**

To assist the Council in ensuring that our health and safety obligations in relation to driving whilst at work are complied with.

ATTACHMENT: Driving at Work Policy  
FILE REFERENCE: Director of Neighbourhoods file  
SOURCE DOCUMENT: Driving at Work Policy

**BOLSOVER DISTRICT COUNCIL**  
**Driving at Work**  
**Policy and Guidance**  
2010



**This Policy addresses the following Corporate Aims**



COMMUNITY  
SAFETY



COUNCIL  
SERVICES



STRATEGIC ORGANISATIONAL  
DEVELOPMENT

## **Bolsover District Council Equalities Statement**

Bolsover District Council is committed to equalities as an employer and in all the services provided to all sections of the community.

- The Council believes that no person should be treated unfairly and is committed to eliminate all forms of discrimination in compliance with the Equality Strategy.
- The Council also has due regard to eliminate racial discrimination and to proactively promote equality of opportunity and good relations between persons of different racial groups when performing its functions.

This document is available in large print and other formats from any of the Council offices or by contacting the Chief Executives Directorate on 01246 242323. Please bear in mind we will need a few days to arrange this facility.

If you need help to read this document please do not hesitate to contact us.

Our Equality and Improvement Officer can be contacted via [Email](#) or by telephoning 01246 242407.

Minicom: 01246 242450

Fax: 01246 242423

## CONTROL SHEET

<b>Details of Document</b>	<b>Comments / Confirmation</b>
Title	Driving at Work Policy and Guidance
Document type – i.e. draft or final version	Draft
Location of Policy	Human Resources
Author of Policy	Health and Safety Officer
Member route for Approval & Cabinet Member concerned	Cllr. J.E. Bennett Cabinet Member for Performance Cllr. Dennis Kelly Cabinet Member for Environment
Date Risk Assessment completed	
Date Equality Impact Assessment approved	
Partnership Involvement (if applicable)	Nil
Date added to the Forward Plan	Not applicable
Policy Approved by	Council
Date Approved	
Policy Review Date	2 years from approval, or following changes in legislation, codes of practice etc.
Date forwarded to CSPD (to include on Intranet and Internet if applicable to the public)	

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## 1. INTRODUCTION

It has been estimated that up to a third of all road traffic accidents involve someone who is at work at the time. This may account for over 20 fatalities and 250 serious injuries every week. Some employers believe, incorrectly, that provided they comply with certain road traffic law requirements, e.g. company vehicles have a valid MOT certificate, and that drivers hold a valid licence, this is enough to ensure the safety of their employees, and others, when they are on the road. However, health and safety law applies to on-the-road work activities just as it does to all other work activities. The risks must be effectively managed within a health and safety management system.

The benefits from managing work-related road accidents can be considerable. The true costs of accidents in the work place are always higher than just the cost of repairs and insurance claims. Having an effective Driving Policy can result in the following benefits:-

- fewer days lost due to injury;
- reducing the risk of work related ill-health;
- reducing stress and improving morale;
- less need for investigation and paperwork;
- less lost time due to work rescheduling;
- fewer vehicles off the road for repairs;
- reduced running costs through better driving standards;
- reduced risk of employees being banned from driving, e.g. as a result of driving convictions.
- reduction in insurance claims.
- reduced risk of enforcement action from VOSA or Traffic commissioners etc.

## 2. SCOPE

Bolsover District Council has a duty of care towards its employees and anyone else who may be affected by its work activities.

The purpose of the Policy is to minimise the risk to any person from driving activities at work, both for employees and or for other road users and pedestrians.

The Policy requirements are in **addition** to the duties under road traffic law, e.g. the Road Traffic Act 2006 and Road Vehicle (Construction and Use) Regulations 1986.

The Policy will apply to all driving activity carried out at work using Council vehicles, (however procured) including journeys to initial appointments and from final appointments by those who drive a Council vehicle from their home address.

Council vehicles includes council owned, leased or hired etc vehicles.



**The Policy does not cover the use of the drivers own vehicle when used for work purposes unless that is specifically noted as being included in that particular section.**

**Employees' use of their own vehicle is covered in Appendix II.**

Breaches of this Policy will be deemed to be acts of misconduct or gross misconduct which will require an investigation prior to referral to a Disciplinary Hearing with the Head of Service/Director.

### **3. PRINCIPLES AND LEGAL REQUIREMENTS**

#### **3.1 Principles**

The Policy seeks to address the following corporate aims:

**Community Safety** – Ensuring communities are safe and secure, by reducing the risk of road and vehicle accidents involving Bolsover District Council drivers.

**Customer Focused Services** – Providing excellent customer focused services – by controlling the risk of service disruption resulting from vehicle accidents and incidents.

**Strategic Organisational Development** – Continually improving our organisation – by ensuring that we comply with current health and safety legislation, road traffic legislation and best practice.

#### **3.2 Legal Requirements**

The Policy seeks to meet the legal requirements of the following legislation:

**The Health and Safety at Work etc. Act 1974** requires the Council to ensure, so far as is reasonably practicable, the health and safety of all employees while at work. This includes a responsibility to ensure that others are not put at risk by our work-related driving activities.

**The Management of Health and Safety at Work Regulations 1999** requires the Council to carry out (and regularly review) assessments to manage risk to our employees and other people who may be affected by their work.

HSE and other guidance

#### **Driving at Work**

<http://www.hse.gov.uk/pubns/indg382.pdf>

#### **Highway Code**

<http://www.direct.gov.uk/en/TravelAndTransport/Highwaycode/index.htm>

Specific road safety legislation is listed in Appendix 1

#### **4. POLICY STATEMENT**

Bolsover District Council's Policy is to have clear procedures for the safe management of driving at work. Specifically we will:

- Undertake risk assessment for driving activity and work involving driving.
- Report, investigate and record accidents, incidents, near misses and trend analysis.
- Ensure drivers are trained and competent for the work they undertake.
- Provide a driver handbook and general guidance.
- Undertake training to increase awareness of driving safety issues.
- Ensure we have adequate vehicle maintenance and inspection procedures.
- Provide guidance on breakdown, accident and personal safety issues, and the use of mobile phones.
- Undertake journey scheduling as part of the risk assessment and planning process.
- Consider incentive programmes to promote safe driving.
- Ensure concise, understandable information is available for drivers in a robust, portable and usable form.

#### **5 RESPONSIBILITIES**

##### **5.1 Chief Executive Officer**

The Chief Executive Officer is responsible for ensuring that there are effective measures in operation to protect employees and others from the risks of driving at work.

##### **5.2 Senior Management Team**

Directors are accountable to the Chief Executive Officer for the operations and activities carried out within their areas of responsibility and for ensuring that effective arrangements are in place to manage the risks from driving at work: specifically they will ensure:

- Compliance with the Council's Driving at Work Policy within their area of responsibility.
- Employees in their area are aware of, accept and carry out their responsibilities under the Policy.

##### **5.3 Heads of Service**

Heads of Service are accountable to their Director for ensuring that the Driving at Work Policy is complied with in their Service Area. Additionally they will ensure:

- Adequate resources are available to manage and control driving safety risks.
- Risk assessments are carried out and recorded in the risk register.
- There is a safe system of work for any work which involves driving.
- Employees are subject to appropriate occupational health surveillance, assessment and examinations – this to be organised in co-operation with Human Resources and Payroll.
- Employees have the licenses/permits for the vehicles they use/drive.
- Employees have appropriate competence and information, including, driver induction, training for minibus driving (MIDAS), hauling trailers and other specialist vehicles/equipment.
- Reasonable adaptations are made to meet the needs of disabled employees.
- Where casual and agency drivers are employed that they meet our own or equivalent standards and are both fit and competent to drive the vehicles which they will use.

#### **5.4 Managers and Team Leaders**

Managers and Team Leaders are accountable to their Head of Service for ensuring that the Driving at Work Policy is complied with in their area of responsibility. Additionally they will:

- Understand the scope and content of the Policy where this is relevant to work in their area,
- Undertake any necessary training.
- Ensure employees understand their duties under this Policy.
- Bring to the attention of their line manager / Head of Service driving safety issues of which they are aware, including accidents, near misses, incidents of ill health and any breach of this policy.
- Ensure the requirements relating to drivers hours and working time are met.
- Employees complete daily inspection sheets and that these are monitored then passed to the transport manager.
- At induction, checking employees have the correct licence for the vehicles they will be driving

#### **5.5 All Employees**

All employees at **all** levels have a responsibility to take care of their own and others health and safety. Employees, specifically drivers will:

- Only drive vehicles which they are licensed, insured and competent to drive.
- Work in accordance with instruction and training.
- Complete the regular pre-drive vehicle inspections, and report any defects to their Line Manager.
- Comply with the requirements of the Highway Code.
- Cooperate with health surveillance or assessment schemes.

- Report any health issues (including the taking of medication) which may affect their fitness/ability to drive safely to their Line Manager.
- Ensure that unattended vehicles are locked with the brakes applied.
- Report any accidents, injuries or near misses to their line manager.
- Report any driving convictions and any addition of points on their licences to their line manager and Human Resources immediately.
- Report any training needs to their Line Manager.
- Make relevant documents available when requested to do so.
- Meet specified eyesight requirements by having regular eye tests and ensure that any glasses required for driving are worn.
- Not use mobile phones whilst driving.
- Not smoke whilst driving a council vehicle or whilst carrying passengers in work time.
- Pay any fines associated with their driving actions.
- Not drive if their ability is impaired by alcohol or any other drug, whether prescription or non-prescription.
- Ensure any loads are loaded and unloaded safely and secured in transit.
- Do not exceed the maximum loads permitted for any vehicle or trailer.

## **5.6 Transport Manager**

The Transport Manager will:

- Ensure all Council vehicles purchased or leased are suitable and fit for purpose.
- Ensure all vehicles are maintained in a safe and roadworthy condition, through a programme of planned preventive maintenance.
- Ensure maintenance etc. of vehicles is undertaken by competent personnel.
- Maintain records of vehicle servicing, maintenance and drivers daily checks (from information supplied by Heads of Service).
- Organise training for servicing and maintenance tasks.
- Risk assess driving tasks related to maintenance of vehicles and movement of vehicles around the lower yard of the Riverside Depot.

## **5.7 Operator Licence (“O Licence”) “Competent Person”**

The O licence Holder’s “Competent Person” must ensure that legal requirements are met relating to:

- Rules on drivers’ hours are observed and proper records are kept.
- Motor vehicles and trailers are not overloaded.
- Vehicles will operate within speed limits.
- Vehicles and trailers, including hired vehicles and trailers, are kept fit and serviceable.
- Drivers report promptly on defects or symptoms of defects that could prevent the safe operation of vehicles and/or trailers.
- The number of vehicles and trailers kept at the Operating Centre will not exceed the maximum number authorized for the Operating Centre.

- Driver Licence checks.
- Suitability of their vehicle maintenance facilities and management.
- Safe loading of vehicles.
- Road traffic offences in relation to vehicles.

## **5.8 Specialist Permits**

Specialist permits will be managed by the relevant Heads of Service, whose activities require the permit, in consultation with the O Licence 'Competent Person'

### **'Section 19 Permits'**

Section 19 permits allow certain organisations to use a passenger vehicle for hire or reward without an O Licence and a minibus for hire or reward without a pcv licensed driver. Charging for a service, such as a leisure activity, which involves travel, brings the activity into the scope of 'hire and reward'.

There are two types of Permit, **type one** for vehicles with 9 to 16 passengers, and **type 2** for vehicles with 17 or more passengers.

Each minibus requires a permit and all permit vehicles must display a permit disc.

## **5.9 Insurance Officer**

The Insurance Officer will:

- Gather and co-ordinate information on accidents and insurance issues, and report to the Risk Management Group, Transport Manager and O Licence "Competent Person".
- Provide accident data to the Health and Safety Officer.
- Liaise with the Councils insurers.

## **5.10 Head of Human Resources & Payroll**

The Head of Human Resources & Payroll will ensure:

- That there are adequate policies and procedures in place to control the risks from driving at work.
- That there is an adequate occupational health programme to manage employee health issues where these can have an impact on driving.
- Adequate training is made available to employees.

## **5.11 Health and Safety Officer**

The Health and Safety Officer will assist managers and employees in carrying out their roles under this policy by:

- Reviewing policy and procedure at not less than two year intervals.
- Assisting with risk assessment and control measures.
- Advising on occupational health issues and interventions.
- Assisting in the provision of training.
- Auditing compliance with this policy.

## **GUIDANCE ON THE POLICY**

### **6 RISK ASSESSMENT**

Risk assessments for any work-related driving activity should follow the same principles as risk assessments for any other work activity. For example assessing each waste collection round could identify needs for the use of reversing assistants or specific types of vehicles. Failure to properly manage work-related road safety is more likely to endanger other people than a failure to properly manage risks in the workplace.

The risk assessment is nothing more than a careful examination of what at work activities can cause harm to people. It must be **appropriate** to the task and **proportional** to the risk. It needs to be carried out by a competent person with a practical knowledge of the work activities being assessed.

See the Health and Safety Executive's **Five Steps to Risk Assessment** ([link](#))

Bolsover District Council Health and Safety Risk Assessment Policy (See ERIC).

Bolsover's Risk Management Strategy. (See ERIC)

#### **Assessments must consider:**

- Types of vehicles and their suitability.
- Types of journeys and routes.
- Purpose of journeys.
- Review of accident history.
- Daily vehicle checks.
- Competence, capability and suitability of drivers (licenses, health, accidents etc.)

### **7. FITNESS TO DRIVE**

It is every individual's responsibility to ensure that they are medically fit to drive, including eyesight requirements.

All drivers of Bolsover vehicles, who drive, on average for three hours or more a day will be required to undergo driver medical assessments with the Council's Occupational Health Provider. This will also apply to drivers who are frequently required to drive at night or who drive minibuses.

These drivers (only) are 'occupational' drivers.

These assessments will take place every three years, except for those 'driver health checks' required for driving LGV's, which vary with the age of the driver.

Employees must not drive at work under any circumstances which they know may affect their ability to drive safely. Drivers must declare to their line manager if they are suffering from any medical condition, or are taking any medication which might adversely affect their ability to drive safely, (e.g. epilepsy, diabetes, visual impairment or other relevant medical condition). Reference may then be made to Occupational Health, via Human Resources and Payroll.

Employees must not drive at work when they are under the influence of drugs, (whether prescription, non-prescription, legal or not legal) or alcohol.

Where a driver is deemed medically unfit to drive they will be removed from driving duties. The Council will seek to support individuals to ensure that fitness to drive is achieved, where the person is required to drive either as an essential part of their employment, or is connected to a work activity.

This support includes:-

- Pre-employment medical screening.
- Payment for eyesight examinations upon commencement and at regular intervals, for 'occupational' drivers.
- Health checks via Occupational Health at regular intervals for 'occupational' drivers.
- Reasonable adaptations required to meet the needs of disabled employees, or employees with health issues which may affect their driving.

## **7.1 Drivers Health Checks for Employees**

The responsibility for ensuring that employees driving commercial HGV and LGV vehicles have the required medical checks to ensure they are fit to drive lies with the Head of Service and the "O" Licence 'Competent Person'. Medical checks must be undertaken prior to an employee taking up driving responsibilities, then as required having regard for age and medical conditions. The Council will pay medical fees associated with these checks and with driver medical assessments.

If there is any doubt as to the driver's fitness to drive further medical examinations may be called for at any time.

**LGV (Large Goods Vehicle)** - A medical certificate (DVLA Form D4) is to be completed by the drivers' doctor before applying for a LGV driver's licence. A further examination and completed medical certificate is required for each

renewal application from the age of 45 (usually 5-yearly). After reaching 65 years a medical examination is required for each annual renewal of the entitlement.

**Class C1** - Since 1st January 1997 new drivers of vehicles over 3.5 tonnes gross weight (covered by driving licence category C1) require the same medical examination as LGV drivers with 5 yearly renewals after age 45 years and annually after age 65 years.

## **8 DRIVER RESPONSIBILITIES**

All drivers must follow the rules laid out in the forthcoming "Drivers Handbook" to be issued to all drivers, which will be updated from time to time.

### **8.1 Vehicle checks and defects to vehicles**

Drivers of Council vehicles must use the daily vehicle checklist before they start driving. These must be signed off and logged with management to ensure an audit trail of inspections.

These checks will include:

- General cleanliness and tidiness of the vehicle.
- Seat belts.
- Fuel/Oil/Water levels.
- Fuel/Oil/Water leaks.
- Tyres; pressure, wear, cuts and other damage including the spare.
- Wheel security & wheel brace (appropriate size).
- Wipers/Washers/Windscreen.
- Lights/Reflectors/Battery.
- Steering/Brakes.
- Body/wings condition and damage.
- Load, racking and ladder security.
- Mirrors/Indicators/Horn.
- Speed Limiter (if fitted).
- Speedometer.
- Exhaust emissions.
- Fire extinguisher.
- First Aid Kit.

Additionally the operation of tailifts, bin lifts, cameras and any specialised adaptations or equipment must be tested.

Where a Council vehicle is used, the driver must always report any suspected vehicle defects to their immediate manager. In the event that a defect is suspected that vehicle should not be used until a competent person has checked it and any identified fault rectified. The employee must check with their line Manager whether the vehicle should be driven in for repairs.

At the commencement of each working shift the driver should always carry out basic checks and complete the driver's daily defect report. If there are no



defects, drivers must still submit a return to their Line Manager. Line Managers will in turn submit these to the Depot and Resources Manager.

## **8.2 Smoking**

Smoking is not permitted by law in any work vehicle that may be used by more than one person or by different people.

The Councils policy is that there will be no smoking within any work vehicles and that those providing their own vehicles will not carry passengers if they smoke in that vehicle.

All Council vehicles have a 'no smoking' sign.

The Councils policy on smoking can be found on ERIC.

## **8.3 Accident and Incident Reporting**

In the event of a road traffic accident, regardless of whether this results in any apparent damage or any injury to anyone involved, the Line Manager must be notified as soon as possible. Details of the circumstances, (e.g. date, time, location, persons involved, details of witnesses) should be recorded and forwarded to the Head of Service, Transport Manager and Insurance Officer as soon as possible.

A Vehicle Damage report form will need to be completed regardless of who was at fault

Incident report forms are available from the Insurance Officer.

Employees should not admit responsibility for the accident 'on the spot'.

In the event of a personal injury either to an employee or another person as a result of a road traffic accident, then this needs to be reported using the accident book. The employee's manager should complete a 'manager's investigation form', available on ERIC or through this link:

[http://intranet/intranet/images/docs/Forms/accident\\_investigation\\_form.doc](http://intranet/intranet/images/docs/Forms/accident_investigation_form.doc)

In the event of an incident involving a vehicle the insurance vehicle accident report form must be used.

[http://intranet/intranet/images/pdfs/Forms/vehilce\\_accident\\_claim\\_form.pdf](http://intranet/intranet/images/pdfs/Forms/vehilce_accident_claim_form.pdf)

For these purposes a vehicle incident/accident is defined as any incident which involves either a Bolsover vehicle or Bolsover employee who is driving a vehicle either on the public highway, Council owned property, or at any other location, and which includes damage or loss to the vehicle or any person or property.

## **8.4 Roadside Penalties**

VOSA can issue fixed penalty notices at the roadside for violations of driver Certificate of Professional Competence, (CPC) and driver hours.

The Police can issue fixed penalty fines for road traffic offences, vehicle 'defect rectification' notices and demand breath samples.

Fixed penalties are normally in the region of £60 to £200 and further action may result which could result in points being added to the drivers licence. In all cases the **driver** is responsible for payment of any fines.

## **8.5 Action Following 'at fault' Accidents**

Where an employee driving a Bolsover vehicle has 2 or more 'at fault' accidents within a rolling 12 month period, or has a conviction for a road traffic offence whilst driving at work, the following process will apply:

### Stage 1

The employee will be invited to a meeting with their management in accordance with the Disciplinary Guidance Note/Chart "Informal Action" and Specimen Letters 1-5 under HR Policies on ERIC. At this informal meeting the manager shall arrange for Driver Assessment to determine if there is any lack of driving skills, aptitude or unacceptable risk taking behaviour, followed by driver training for those drivers where this would be beneficial. These assessments and decisions must be formally recorded by management and communicated to the employee.

Driver assessment and training will be organised through the Transport Manager.

### Stage 2

Where any further accidents occur following this, the formal disciplinary procedure will be invoked.

If the manager feels it is appropriate to suspend the employee from driving duties at any point due to the nature or number of incidents, they must seek the approval for this suspension from their Director in advance of implementing any period of suspension.

See 10.1 for information on license endorsements and penalty points.

## **9. DRIVER FATIGUE AND WORKING TIME**

Driver fatigue is a serious problem resulting in many thousands of road accidents each year. Sleepiness reduces reaction time, vigilance, alertness and concentration so that the risk of accidents is increased.

The Council will monitor drivers of LGV and HGV vehicles to ensure strict compliance with “driver hour’s rules”.

Employees driving their own vehicles or cars on Council business are not covered by “driver hour’s rules” but are subject to the Working Time Directive. If it is identified that an employee is driving/working an excessive amount of hours they will be instructed by their line manager to reduce their weekly working time to a more acceptable level.

### **9.1 Drivers’ Hours Rules (Domestic) –**

- The maximum daily driving time is 9 hours. However this may be extended to 10 hours on not more than two occasions per week.
- A daily duty limit of 11 hours in any 24 hours. Duty covers any time spent on duty for a driving employer, not just time spent driving or in connection with the vehicle and its load. This limit does not apply on non-driving days. Neither do breaks for refreshment count towards the driver’s total time.
- After a maximum of 4.5 hours driving, a break of at least 45 minutes must be taken. The driver must not carry out any work during the break period.

### **9.2 Working Time Directive**

The working time directive lays down the following maximum working periods:

- A maximum of 60 hours worked in any one week.
- An average of no more than 48 hours when averaged over a 17 week period.
- A maximum of 6 hours continuous work before a minimum of 30 minutes break must be taken.
- Any work other than that at the Council must be taken into consideration when calculating these periods. It is therefore essential that all employees advise their line manager of any other work that they might do. Any secondary employment (paid or unpaid) must be approved by the Council on a form available from Human Resources.

## **10. COMPETENCY TO DRIVE**

### **10.1 Driver Qualification**

All employees driving Council vehicles, as a minimum be legally qualified to drive the relevant type of vehicle. It is the responsibility of the Head of Service, or of the “O” Licence ‘competent person’ (Transport Manager) responsible for commercial vehicles to check the licenses of any employee required to drive these.

All Council drivers who drive on Council business will present their driving licence, on request.

New employees will have their licences checked by their line manager, at either interview or induction.

In the event of **any** changes to their licence, endorsement, medical restrictions or ability to drive etc. Council drivers **must** provide the updated information to Human Resources immediately. Failure to provide this information will be regarded as a disciplinary offence.

Drivers who receive **6 points** on their licence will not be permitted to drive minibuses or 3.5t vehicles.

Drivers who receive **9 points** on their licence will not be permitted to drive any Council vehicles.

Drivers must be aware that where the requirement to drive is part of their job description, the loss of the entitlement to drive under the Councils rules will lead to disciplinary action, which may lead to dismissal.

Where occupational health assessments are required and where driver assessments are required, employees will not be permitted to drive unless the results of these are satisfactory.



## 10.2 Driver Assessment and Training

Formal driver training will be organised by the respective heads of service in conjunction with the Transport Manager.

The Service Areas will provide driver assessments and familiarisation sessions for drivers of Council vehicles for those categories outlined in 10.4, 10.5, 10.6, 10.7 and 10.8.

Drivers who are involved in at fault accidents or who undertake 'high mileage' driving work or drive Heavy Vehicles or specialist vehicles may be required to undertake additional training or assessment.

### 10.3 Driver Induction

Delivering driver induction is the responsibility of the Service Area for which the driver works:

Induction training for all drivers of Council vehicles will cover:

- Handling the specific vehicles to be used.
- Driver's hours and record keeping.
- Vehicle maintenance and checks.
- Correct control of speed.
- Safe, secure and legal loading and unloading..
- Safe and secure parking, both at base and away from it.
- Refuelling procedure.
- Driver behaviour.
- Occupational road risk.
- The Council's Driver Handbook.
- Council policies and procedures.
- Route knowledge, planning and assessment.
- Smoking.
- Use of mobile phones.
- Reversing and the use of reversing assistants or "banksmen".
- Use of specialist on board equipment.
- Carrying passengers.
- Use of trailers.

### 10.4 Large Goods Vehicles (LGV) (Over 3.5t)

Use of vehicles over 3.5t is restricted to named professional drivers only.

A class **C licence** is required (see s.10.8 for exceptions). As this is a specific licence, a familiarisation session and competency test (organised by the Depot and Resources Manager) must be provided for the new driver, this should cover the features of specialised vehicles, such as refuse collection vehicles. The driver will be permitted to drive **only** following a satisfactory occupational health assessment including eyesight examination.

### 10.5 Light Van Drivers

Drivers of Vans up to 3.5t on Council business are subject to a familiarisation drive and instruction on use of a tail lift, safe loading and any other features prior to their first use of the vehicle.

### 10.6 Minibus Drivers

UK law requires all minibus drivers to be over 21 years of age, have held a UK car licence for 2 years and have an entitlement to drive vehicles with a D1 classification.

All minibus drivers will be required to undertake MIDAS training, regardless of 'grandfather rights'.

In order to drive a minibus on Council business you must have **less than 6** penalty points and must be authorised by the Head of Service who will require a copy of your drivers licence annually.

Separate guidance for minibus driving will be provided.

### **10.7 Use of Trailers**

UK Law requires all trailer drivers to have the "B+E" (car plus trailer), "C1+E" (van plus trailer) or "D1+E" (minibus plus trailer) entitlement on their licence.

Drivers who gained their licence before 1<sup>st</sup> January 1997 will have this entitlement on their licence, but this will not entitle drivers to use trailers without further training or assessment.

All drivers who use trailers, unless they have a specific post 1997 qualification, must undergo specific training and assessment in trailer use, which will include pre-checks for lights and hitches, and driving characteristics of vehicles with trailers and how this may affect stopping distances, turning circles, reversing, use of banksmen and clearances.

### **10.8 Leisure Project Vehicles**

In the case of heavy vehicles primarily used for leisure/educational purposes, ('mobile project vehicles') there is a legal exemption for drivers who are not required to hold the above licence. In this case it is essential that the driver undergoes competency training and familiarisation training. This will be organised by the Transport Manager.

Drivers of mobile project vehicles will in any case need to be over 21 and have held their licence for two years, and will be deemed 'occupational drivers' for driver medical purposes.

### **10.9 Agency Drivers**

Managers will require agency drivers to meet our standards for driver fitness to drive and qualifications, which they will verify through the agency they use. It is expected that the agency will supply drivers who are fully competent, qualified and experienced in the work that we hire them to do.

## **11 USE OF MOBILE PHONES WHILST DRIVING A VEHICLE**

It is a legal offence for the driver of a vehicle to use a mobile phone at any time when the engine is running. This includes when stationary at traffic lights or when parked on or adjacent to roads when the engine is running. **No**

**Council employee will use a mobile phone (even 'hands free') whilst in the driving seat of a vehicle at work and when the engine is running.**

## **12 VEHICLE INSPECTION & MAINTENANCE**

All vehicles provided by the Council will be included in a planned preventative maintenance programme in accordance with the manufacturer's recommendations.

Vehicle maintenance will be managed by the Transport Manager, with the assistance and co-operation of the Heads of Service who operate the vehicles.

The Transport Manager may remove any vehicle from service if they have significant concerns about its suitability, roadworthiness or any other significant safety concern.

The Council is responsible for ensuring that any vehicle it provides (owned, leased or hired) has a valid MOT certificate, a valid tax disc and is adequately insured.

All Council vehicles will be equipped with a suitable fire extinguisher, warning triangle and a travelling first aid kit.

Drivers are required to carry out daily vehicle checks using the BDC checklist. These will be recorded and a register kept by the Transport Manager.

### **12.1 Commercial Vehicles**

The responsibility for ensuring that commercial vehicles are maintained to an adequate level to ensure they are roadworthy lies with the relevant Head of Service or, where vehicles are under an "O" licence, the holder(s) of the Goods Vehicle Operators Licence.

All Heads of Service must have a written management plan in place for their commercial vehicles. This should include:

- Maintenance.
- Replacement schedule.
- Functional requirements.
- Deployment.
- Personnel and training requirements.
- Risk assessment.
- Route/Round assessment where appropriate.

Full legal responsibility for the vehicles covered by the Operator's Licence falls to the "O" Licence holder(s).

It is essential that the Heads of Service responsible ensure that anyone entrusted with this responsibility has adequate resources and support to ensure effective control of the vehicle fleet.

The management plan must take into account the type of vehicles, the uses and any statutorily imposed standards. All management plans should include details on frequency of servicing, maintenance, checks or safety examinations.

## **12.2 Route Planning and Assessment**

Regular routes and rounds will be risk assessed by the appropriate service area

This assessment will include:

- Access issues.
- Reversing and manoeuvring.
- Vehicle suitability.
- Route distance.
- Waste disposal and disposal/refuelling etc requirements.
- Timing to avoid conflicting activities.



## **APPENDIX I – Legislation and Further Information**

### *The Highway Code*

The Stationery Office 2001 ISBN 0 11 552290 5

Can also be viewed on [www.highwaycode.gov.uk](http://www.highwaycode.gov.uk)

### *The Management of Health and Safety at Work Regulations 1999 SI 1999/3242*

The Stationery Office ISBN 0 11 085625 2

### *Five steps to risk assessment* Leaflet INDG163(rev1)

HSE Books 1998 (single copy free or priced packs of 10 ISBN 0 7176 1565 0)

### *Managing road risk. An introductory guide for employers* Available from Brake

Tel: 01484 559909 e-mail: [brake@brake.org.uk](mailto:brake@brake.org.uk) or

[fleetsafetyforum@brake.org.uk](mailto:fleetsafetyforum@brake.org.uk)

*Managing occupational road risk* Royal Society for the Prevention of Accidents available from Edgbaston Park, 353 Bristol Road, Birmingham B5 7ST Tel: 0121 248 2000

### *Code of Practice. Safety of loads on vehicles* Third edition The Stationery Office 2002

ISBN 0 11 552547 5 available online at

[www.dft.gov.uk/stellent/groups/dft\\_roads/documents/page/dft\\_roads\\_506864.pdf](http://www.dft.gov.uk/stellent/groups/dft_roads/documents/page/dft_roads_506864.pdf)

### *Management of work related road safety* RR018 HSE Books 2002

ISBN 0 7176 2549 4 Case studies can be viewed on

[www.hse.gov.uk/roadsafety/experience.htm](http://www.hse.gov.uk/roadsafety/experience.htm).

### *Successful health and safety management* HSG65 (Second edition)

HSE Books 1997 ISBN 0 7176 1276 7

For specific information about driving at work and road safety, visit the Department for Transport (DfT) website:

[www.dft.gov.uk/roadsafety](http://www.dft.gov.uk/roadsafety)

[www.thinkroadsafety.gov.uk](http://www.thinkroadsafety.gov.uk)

## **APPENDIX 2 – Employees Own Vehicles ('Grey Fleet' Drivers)**

Employees using their own vehicles for work purposes are classed as 'grey fleet' drivers.

### **Insurance for drivers using their own vehicle**

Any person driving **their own vehicle** whilst at work must certify that:

- They have a current valid driving licence for the vehicle they are using on Council business
- They have business use cover with their insurance company for this vehicle
- The vehicle is in a roadworthy condition

The above declaration will be included in all contracts of employment issued (from a date to be agreed) and in the Claiming Expenses Guidelines and Expense Claim Form.

New Employees who are designated as Essential or Casual Car Users will be asked to complete a Driving Licence Questionnaire as part of pre-employment checks, which will include the above declaration, and submit this to Human Resources. This information is then retained on electronic personal files.

The following statement will be added to the expense claim form as follows:-

**I certify that**, prior to using my car on Council business I will ensure that I have a current valid driving licence, business use on my insurance and that the vehicle being used on Council business is in a roadworthy condition. The journeys listed on this claim form were necessary to enable me to carry out my duties and were arranged so that the minimum of expense was incurred.

All employees who drive Council owned or leased or hired vehicles are covered by the Councils insurance policy, provided they have the correct licence.

Committee:	Safety Committee	Agenda Item No.:	7.
Date:	4 <sup>th</sup> February 2011	Category	
Subject:	General Health and Safety Report and Personal Protective Equipment Policy	Status	Open
Report by:	Health and Safety Officer		
Other Officers involved:	Human Resources and Payroll Manager		
Director	Chief Executive Officer		
Relevant Portfolio Holder	Councillor J.E. Bennett, Portfolio Holder for Performance and Heritage Champion		

#### **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**

### **Asbestos Management**

Condition surveys of asbestos discovered by previous surveys will be undertaken.

An additional 5% cross section of house archetypes will be surveyed.

Surveys will be undertaken by specialist contractor (interserve).

### **Stress Risk Assessments**

All those assessments completed show satisfactory levels of compliance with policies and procedures in place to manage stress.

The Head of Human Resources and Payroll is to take a report to Extended Management Team regarding those Service Areas which have not fully completed their assessments.

### **Workplace Inspection**

A workplace inspection of the Riverside Depot was carried out on January 18<sup>th</sup>.

**Training** – since the previous meeting:

Manual handling training for 23 Grounds Maintenance and Cleansing operatives was delivered in October.

Induction training was undertaken for nine apprentices and one new employee in November.

Legionella refresher training was delivered to ten employees in December.

Fire warden training was delivered to approximately 40 employees in January. Leisure Services have had additional training courses on site at Kissingate and at Creswell.

Induction training for new employees has now been handed over to the respective service areas, in response to suggestions from Investors in People Group and a decision by Extended Management Team. A new Health and Safety Induction booklet has been developed for managers to use, based around the material used in the previous induction session, with corporate items for all new starters and optional specialised areas which will be used as required depending on the new starters duties.

Bansman training and road safety awareness training will be undertaken for Street Services in the next quarter.

Abrasive Wheels training and Cable Avoidance Training will be undertaken for Housing employees in the next quarter.

### **Improvement Notice Action Plan (Vibration)**

Work activity continues to be surveyed – all operatives (Garage, Grounds Maintenance and Cleansing, Housing trades) are continuing to record their daily exposure to vibration as before. No further incidents of exposure over the legal maximum (5ms<sup>2</sup>/400 points) have been recorded.

Vibration measuring equipment has been widely used and the vast majority of equipment has been tested. Some 'seasonal' pieces of grounds maintenance equipment and some Housing tools are yet to be measured. All testing will be completed by 18<sup>th</sup> February 2011. No tools have been found to be significantly in excess of manufacturer's figures.

### **First Aid**

Additional personnel at Sherwood Lodge are to be given first aid and defibrillator training, to replace personnel who no longer wish to be first aiders/defibrillator operators.

### **Occupational Health Contract**

The procurement process for a new Occupational Health contract progresses:

The consortium consists of:

Bolsover District Council  
North East Derbyshire District Council  
Rykneld Homes  
Chesterfield Borough Council (who have now confirmed the inclusion of their remaining 'in house' employees).

Amber Valley and Erewash did not wish to join the consortium, after requesting further information.

Prequalification Questionnaires will be assessed on 26<sup>th</sup> January.  
Tenders will be evaluated on 1<sup>st</sup> of March.

Unison have been invited to attend the above meetings.

### **Policy Reviews**

The following policies have been reviewed.

Employee Protection Policy and Guidance.  
Working at Height Policy and Guidance.

Only minor amendments were made to formatting and occasional typographical errors and to reflect changes in organisation and acquisition/disposal of properties, and the removal of duplicated information. Copies have not been attached but are available if required.

The Personal Protective Equipment Policy and Guidance additionally has had the following amendments:

- S3 becomes 3.2 and has been condensed.
- S4 has been added - this states what we need to do as an employer.
- S5: responsibilities, has been expanded, as previously only 'employees' had responsibilities - no mention of management responsibilities.
- S7 - The list of PPE has had respirators, dust masks, overalls, fire retardant overalls and welders aprons added and 'aprons' (presumably for computer users) and breathing apparatus removed. We no longer carry out work that requires breathing apparatus.
- S10 added - Wearing of high visibility clothing and safety footwear in the lower yard at Riverside Depot.

The Revised Personal Protective Equipment policy is attached.

## **IMPLICATIONS**

Financial: No direct financial implications or additional commitments

Legal: None

Human Resources: No direct implications

## **RECOMMENDATION**

**That the report and changes to policies outlined be accepted.**

ATTACHMENT: Yes

FILE REFERENCE:

SOURCE DOCUMENT:

**BOLSOVER DISTRICT COUNCIL**  
**Personal Protective Equipment**  
**(PPE) Policy and Guidance**

November 2010



**This Policy addresses the following Corporate Aims (show those which are appropriate to the policy only):**



STRATEGIC ORGANISATIONAL  
DEVELOPMENT

## **Bolsover District Council Equalities Statement**

Bolsover District Council is committed to equalities as an employer and in all the services provided to all sections of the community.

- The Council believes that no person should be treated unfairly and is committed to eliminate all forms of discrimination in compliance with the Equality Strategy.
- The Council also has due regard to eliminate racial discrimination and to proactively promote equality of opportunity and good relations between persons of different racial groups when performing its functions.

This document is available in large print and other formats from any of the Council offices or by contacting the Chief Executives Directorate on 01246 242323. Please bear in mind we will need a few days to arrange this facility.

If you need help to read this document please do not hesitate to contact us.

Our Equality and Improvement Officer can be contacted via [Email](#) or by telephoning 01246 242407.

Minicom: 01246 242450

Fax: 01246 242423



## CONTROL SHEET

<b>Details of Document</b>	<b>Comments / Confirmation</b>
Title	Personal Protective Equipment Policy
Document type – i.e. draft or final version	Draft
Location of Policy	Human Resources and Payroll
Author of Policy	Health and Safety Officer
Member route for Approval & Cabinet Member concerned	
Date Risk Assessment completed	05/11/10
Date Equality Impact Assessment approved	05/11/10
Partnership Involvement (if applicable)	Nil
Date added to the Forward Plan	N/A
Policy Approved by	
Date Approved	
Policy Review Date	
Date forwarded to CSPD (to include on Intranet and Internet if applicable to the public)	

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## 1. INTRODUCTION

Bolsover District council is committed to protecting the health, safety and welfare of its employees.

The council will seek to ensure that where hazards and risks to employees are identified these are controlled by a safe system of work, which will include the use of **personal protective equipment (PPE)** where appropriate.

## 2. SCOPE

The Council will provide personal protective equipment when a risk presented by a work activity cannot be adequately controlled by other means.

PPE should be regarded as a last resort when controlling risks to employee health.

The policy will apply to all employees (including volunteers, casual employees and apprentices).

Agency workers will be provided with hi vis clothing and gloves only, other PPE to be provided by the agency/worker. Agency workers are not permitted to work without having an equivalent standard of protection to that provided to BDC workers.

## 3 PRINCIPLES OF THE POLICY and LEGAL REQUIREMENTS

### 3.1 Principles of the policy

The purpose of the policy is to control health and safety risks to employees through the use of personal protective equipment as part of a wider risk management programme. The policy seeks to address the following corporate aims:

**Strategic Organisational Development** - Continually improving our organisation by ensuring that we comply with the personal Protective Equipment Regulations 1992 and current best practice.

Personal Protective Equipment (PPE) includes: All equipment and clothing provided for use at work as protections against safety risks.

### 3.2 Legal Requirements

**Health and Safety at Work etc. Act (HASWA) 1974** places a duty on the Council that in order to ensure the health and safety of employees, they may require the provision of PPE and that any PPE deemed necessary to meet statutory obligations must be provided free of charge.

**The Management of Health and Safety Regulations 1992** requires the Council to assess risks arising from work activities.

**Personal Protective Equipment at Work Regs. (PPEWR) 1992** requires the council to provide appropriate personal protection to employees.

#### **4. POLICY STATEMENT**

Bolsover District Council Policy is to provide adequate personal protective equipment for all employees who require it.

**The PPE Regulations** place the following duties on the Council

- Ensure that PPE is provided.
- Ensure it is suitable for those who may be exposed to a risk to their health and safety whilst at work.
- If more than one risk exists and it is necessary to wear simultaneously more than one item of PPE, such equipment shall be compatible and continue to provide effective protection against the risks identified.
- Requires the Authority to assess the suitability of PPE.
- Maintain any PPE in an efficient state and ensure PPE is in working order and in a good state of repair.
- Provide suitable storage.
- Provide employees with understandable information, instruction and training so they understand the purpose of PPE, the risks it protects against, the correct method of use and how to maintain it in an efficient state.

#### **5. RESPONSIBILITIES**

##### **5.1 Chief Executive Officer**

The Chief Executive Officer is responsible for ensuring that there are effective measures in place to use PPE to control health and safety risks to employees.

##### **5.2 Senior Management Team**

Directors are accountable to the Chief Executive officer for ensuring that arrangements are in place for the effective use of PPE within their area, that policy and guidance is complied with and that employees will carryout their responsibilities under the policy.

##### **5.3 Heads of service**

Heads of Service are accountable to their Director for ensuring that the PPE Policy and guidance is complied with within their area.

Additionally they will ensure that:

- The personal Protective Equipment Regulations are complied with within their area.
- Adequate resources are made available to provide and maintain PPE.

- Risk assessments incorporating PPE considerations are carried out and recorded.
- Employees receive adequate information and training.
- Reasonable adaptations are made to equipment procedures and processes to meet the needs of disabled employees.

#### **5.4 Managers and Team Leaders**

Are accountable to their Head of Service for ensuring that this policy is followed in their area of responsibility, and will ensure that employees understand and comply with their duties under this policy.

#### **5.5 All Employees (including those in the categories above)**

All employees at all levels have responsibilities for health and safety.

Employees will

- Use PPE in accordance with instruction and training.
- Clean, maintain and store PPE appropriately.
- Report any lost, damaged, missing or ineffective PPE to their line manager.
- Participate in risk assessment and occupational health programmes as required.
- Report their training needs to their line manager.
- Report unsafe practices to their line manager.

### **6. ARRANGEMENTS FOR SECURING THE HEALTH AND SAFETY OF WORKERS**

The Council will, in consultation with employees and their representatives:

- Carry out an assessment of proposed PPE to determine its suitability.
- Take any measures necessary to remedy any risks found as a result of an assessment.
- Ensure that where two (or more) items of PPE are used simultaneously, they are compatible.
- Ensure that PPE is suitable and reasonably comfortable for all the individuals who are expected to use it.
- Arrange for adequate accommodation for the correct storage of PPE.
- Implement steps for the checking, maintenance, cleaning and repair of PPE.
- Train employees in the safe use of PPE.
- Re-assess needs if work procedures, process etc., change.
- Carry out fit testing where required.
- Take into account the needs of disabled employees and make reasonable adjustments to equipment, work processes or the management of activities to accommodate these needs.
- Provide the required PPE at zero cost to employees.

It is important to remember that PPE is only part of the system of controls that we use to protect employees from risks to their health and safety.

## **7. SAFE SYSTEMS OF WORK**

To ensure that the use of PPE is effective, the manufacturer's instructions for correct use must always be followed.

- Ensure protective clothing fits properly and is comfortable, when working.
- Make sure PPE is functioning correctly and any defects are reported.
- Ensure all PPE is compatible when used together and that combined use does not impair effectiveness.
- Report any symptoms of ill health.
- Report any training needs to your line manager.
- Report any equipment which is past its 'sell by date'.
- Ensure all filters and cartridges are refilled or recharged as required.
- Do not re-use disposable equipment.

## **8 PERSONAL PROTECTIVE EQUIPMENT TYPES**

The following PPE is provided:

- Overalls and fire retardant overalls.
- Wet and cold weather clothing.
- Gloves and gauntlets.
- Safety footwear.
- Safety helmets.
- High visibility clothing.
- Eye protectors (see section 9).
- Life jackets.
- Respirators and dust masks.
- Safety harnesses.
- Welders aprons.

This list does not of course exclude any other items that may be required.

## **9 EYE PROTECTION**

Eye protection includes:

- Spectacles, goggles, face shields and visors, welding masks.

All eye protection will conform to E.N. Standards and be C.E. Marked.

The following grades of protection will be provided:

Grade I	-	Chemical splashes etc, major impact
Grade II	-	Impact
Grade III	-	General purpose

## **10. HIGH VISIBILITY CLOTHING**

All employees working on or adjacent to the highway must as a minimum wear high visibility clothing to BS/EN class B standard for high visibility garments and accessories for use on the highway, and bear the C.E. Mark.

All wet weather clothing issued to employees who work on highways must conform to EN 471 and bear the C.E. Mark.

High visibility clothing must be worn at all times irrespective of weather conditions.

## **11. RIVERSIDE DEPOT LOWER YARD**

All persons on foot in Riverside Depot Lower Yard will at all times wear safety footwear and high-visibility vests.

## SAFETY COMMITTEE

### AGENDA

4<sup>th</sup> February 2011 at 1000 hours

Item No.		Page No.(s)
<b>PART 1 – OPEN ITEMS</b>		
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.	
4.	To approve the minutes of a meeting held on 27 <sup>th</sup> October 2010.	3 to 8
5.	Driving at Work Policy <b>Recommendation on Page 11</b>	9 to 34
6.	Sickness Absence/Occupational Health Statistics October to December 2010.	To Follow
7.	General Health and Safety Report and Personal Protective Equipment Policy <b>Recommendation on Page 38</b>	35 to 47
<b>PART 2 – EXEMPT ITEMS</b> <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 October to December 2010 <b>Recommendation on Page 49</b>	48 to 53
9.	Date of Next Meeting – 18 <sup>th</sup> April 2011 at 1400 hours Executive Meeting Room. Deadline for reports to be received - 28 <sup>th</sup> March 2011.	



Committee:	Safety Committee	Agenda Item No.:	6.
Date:	4 <sup>th</sup> February 2011	Category	
Subject:	Sickness Absence/Occupational Health Statistics October – December 2010	Status	Open
Report by:	Head of Human Resources/ Payroll		
Other Officers involved:	Human Resources Officer		
Director	Chief Executive Officer		
Relevant Portfolio Holder	Councillor J.E. Bennett, Portfolio Holder for Performance and Heritage Champion		

#### **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 October to December 2010 and 2009.
  - 1.1 The sickness absence outturn for the third quarter of 2010 (October to December) is shown below, with comparisons for the same period during 2009:

October to December 2010	October to December 2009
2.01 days per FTE	1.76 days per FTE

The target for October to December 2010 was 2.10 days per FTE.

The target for 2010/11 is 8.5 days, with the outturn for the nine month period to the end of December being 5.62 days.

A breakdown of these figures by Department and Long Term/Short Term Sickness Absence is provided at page 4 for information.

The overall sickness figure is on track to outturn on target, but is higher than the same quarter last year due to an increase in long term sickness absence as can be seen from the breakdown of figures below.

	Long Term	Short Term
October to December 2010	1.00 days per FTE	1.02 days per FTE
October to December 2009	0.65 days per FTE	1.12 days per FTE

However, the long term sickness figure is still lower than the same quarter in 2008, when long term sickness was running at 1.19 days per FTE.

- 1.2 The outcome of occupational health referrals for the third quarter of 2009, with comparisons for the same period during 2008 are shown below:

	Oct- Dec 2010	Oct-Dec 2009
Rehabilitation	7	5
Resigned	0	0
Dismissal	1	0
Ill Health Retirement	0	0
Outstanding	1	0
<b>TOTAL</b>	<b>9</b>	<b>5</b>

1.3 As requested a breakdown of the reasons for absence is given below:

<b>Reasons for Long Term Sickness Absence</b>		
<b>Reason for Absence</b>	<b>No. of Employees Citing this Reason Apr-June 2010</b>	<b>No. of Employees Citing this Reason Apr-June 2009</b>
Muscular Skeletal	2	2
Stress/Depression	2	1
Back/Neck	2	0
Neurological	1	0
Ear/Nose/Mouth	1	1
Chest	1	0
Heart/Blood Pressure	0	1
<b>TOTAL</b>	<b>9</b>	<b>5</b>

1.4 Details of health surveillance events, held during the period October - December 2010, are given below:

Three clinics were held during this period audiometry, driver medicals and hand arm vibration assessments for 46 employees.

There have been 4 employees undergoing counselling during this period.

### **ISSUES FOR CONSIDERATION**

Members of the Committee are asked to note the statistical information provided and action taken to address any adverse trends.

### **IMPLICATIONS**

Financial : None

Legal : None

Human Resources: Compliance with employment legislation relating to managing sickness absence

### **RECOMMENDATION**

**The report be received.**

ATTACHMENT: Y (1)

FILE REFERENCE: N/A

SOURCE DOCUMENT: N/A

## BVPI12 - OCTOBER TO DECEMBER 2010 LONG TERM/SHORT TERM SPLIT

DEPARTMENT	AVERAGE FTE 9 MTHS	DAYS LOST	FTE DAYS	LONG TERM ABSENCE NO OF DAYS	SHORT TERM ABSENCE NO OF DAYS	LT ABSENCE PER FTE	ST ABSENCE PER FTE
<b>CHIEF EXEC'S DIRECTORATE</b>							
CHIEF EXECUTIVES AND PARTNERSHIP	6.00	7	1.17	0	7	0.00	1.17
CONTACT CENTRES	23.75	26	1.09	0	26	0.00	1.09
CUSTOMER SERVICE/PERFORMANCE	11.93	13	1.09	0	13	0.00	1.09
HUMAN RESOURCES AND PAYROLL	10.90	15	1.38	0	15	0.00	1.38
APPRENTICES	54.50	184.5	3.39	45	139.5	0.83	2.56
<b>LEGAL/DEMOCRATIC DIRECTORATE</b>							
DEMOCRATIC	11.10	34	3.06	27	7	2.43	0.63
LEGAL/LICENSING AND LAND CHARGES	12.10	14	1.16	7	7	0.58	0.58
<b>RESOURCES DIRECTORATE</b>							
FINANCE	11.04	2.5	0.23	0	2.5	0.00	0.23
PROCUREMENT	3.00	0	0.00	0	0	0.00	0.00
ICT	9.50	5	0.53	0	5	0.00	0.53
REVENUES	37.98	38	1.00	0	38	0.00	1.00
<b>NEIGHBOURHOODS</b>							
LEISURE	46.86	40.5	0.86	20	20.5	0.43	0.44
COMMUNITY	15.00	10	0.67	0	10	0.00	0.67
STREET SERVICES	97.69	278	2.85	168	110	1.72	1.13
HOUSING (REPAIRS AND MANAGEMENT)	115.67	351.5	3.04	263	88.5	2.27	0.77
<b>DEVELOPMENT</b>							
PLANNING/ENVIRONMENTAL HEALTH	34.60	15.5	0.45	0	15.5	0.00	0.45
REGENERATION	40.70	61	1.50	16	45	0.39	1.11
DEVELOPMENT ADMIN	5.26	7	1.33	0	7	0.00	1.33
<b>GRAND TOTAL</b>	<b>547.58</b>	<b>1102.50</b>	<b>2.01</b>	<b>546</b>	<b>556.50</b>	<b>1.00</b>	<b>1.02</b>

Street Services include Depot Resources, GM and Cleansing and Waste Services      Legal includes Land Charges and Licensing  
Housing includes Repairs and Maintenance and Warden Service      Regeneration includes Security, Markets, Env Health Residential