

# SAFETY COMMITTEE

**18<sup>TH</sup> APRIL 2011  
AT 1400 HOURS  
COMMITTEE ROOM  
ONE**

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Minicom: 01246 242450 Fax: 01246 242423

Sherwood Lodge  
Bolsover  
Derbyshire  
S44 6NF

Date: 1<sup>st</sup> April 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 Monday 18<sup>th</sup> April 2011 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 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 14.

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](mailto:enquiries@bolsover.gov.uk) Web [www.bolsover.gov.uk](http://www.bolsover.gov.uk)

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 Friday, 4<sup>th</sup> February 2011 at 1400 hours.

### **PRESENT:-**

Councillor D. McGregor - Chair

### **Members:-**

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

### **Unison:-**

R. Farnsworth, R. Frisby, W. Hatton and N. Potter.

### **Unite:-**

S. Sambrooks.

### **Officers:-**

S. Tomlinson (Director of Neighbourhoods) (to minute no. 797), L. Keeling (Head of Human Resources and Payroll), T. Walker (Health and Safety Officer) and R. Leadbeater (Democratic Services Officer).

### **792. APOLOGIES**

There were no apologies.

### **793. URGENT ITEMS**

There were no urgent items of business to consider.

### **794. DECLARATION OF INTEREST**

There were no declarations of interest submitted.

## **SAFETY COMMITTEE**

### **795. MINUTES – 27<sup>TH</sup> OCTOBER 2010**

Moved by Councillor J.A. Clifton, seconded by Councillor B.R. Murray-Carr  
**RESOLVED** that the minutes of a meeting of the Safety Committee held on 27<sup>th</sup> October 2010 be approved as a true record.

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

Councillor Murray-Carr confirmed that the issue of trolleys for transporting materials at the depot had been satisfactorily resolved.

#### Minute No. 479 General Health and Safety Report

The Health and Safety Officer confirmed that the Asbestos Policy was still to be updated and would be brought to a future meeting of the Safety Committee.

(Health and Safety Officer)

### **796. DRIVING AT WORK POLICY**

The Director of Neighbourhoods presented the report to seek Committee approval to adopt the Driving at Work Policy and to recommend that the proposed disciplinary procedures be incorporated into employees' Conditions of Contract.

The policy had been developed by the Fleet Review Group and had been based upon the best practice of other organisations. Members were advised that the primary aim of the policy was to protect the health and safety of Council employees, members of the public and other road users. The Director of Neighbourhoods further added that the Council's Operators Licence could potentially be revoked if road safety was compromised by the Council's or its employees' negligence, either as a result of unsafe driving or poorly maintained vehicles. It was added that this would have a catastrophic affect on the Council's ability to deliver a number of its essential services.

On introduction of the policy, drivers of Council vehicles would be required to carry out a daily check of their vehicle before starting their journey. Vehicle faults would then be reported to immediate line managers. Housing Repairs employees on mobile working had been allowed five minutes for these checks.

Members were advised that the policy would introduce sanctions for employees who had two or more 'at fault' accidents. Stage one would be an informal meeting where Managers would arrange for a Driver Assessment to be undertaken, stage two would invoke the formal disciplinary procedure.

## SAFETY COMMITTEE

Employees would be banned from driving Council vehicles when nine points had been incurred on their license.

Members questioned whether the five minutes that it was proposed to be allocated to undertake the vehicle checklist was adequate. The Director of Neighbourhoods responded that most of the checks were simple and policies introduced by other organisations also provided for a similar time allowance to undertake these vehicle checks. It was added that the checks undertaken would not be over and above those carried out by any responsible driver to ensure their vehicle was in a roadworthy condition.

Union representatives responded that whilst the purpose of the policy was accepted, there were concerns that this may result in job losses. It was further added that the time allocated for the vehicle checks was in no way adequate and that most drivers would not have the facility to measure a vehicle's exhaust emissions as part of a general check. Further concerns were raised over the proposal to ban employees with 9 penalty points from driving Council vehicles when the limit set by the DVLA was 12 points. Questions were raised as to whether this would apply to volunteers as well as permanent staff. Union Representatives maintained that they had not been given sufficient opportunity to consider the policy and information from meetings involving Heads of Service had not been disseminated.

The Director of Neighbourhoods responded to the points raised:

- a specific time allowance was not included in the policy itself and had only been referred to in the report. This had been based on best practice at other authorities but could be subject to discussion.
- the checks were not over and above those that any responsible driver would carry out but the point raised in respect of exhaust emissions was acknowledged and could be discussed further.
- the issue in relation to volunteers had not been raised by the relevant managers who had been in attendance at the Fleet Review Group meetings.
- the ban on driving Council vehicles with 9 penalty points had been based on best practice. Some organisations had set their limits at 6 and in a few cases 3 penalty points.
- The Head of Human Resources and Payroll confirmed that the invites to the Fleet Review Group had been sent to the Union Branch Secretaries.
- The Director of Neighbourhoods also confirmed that copies of the draft policy had been forwarded to both Branch Secretaries for comment prior to Christmas offering a discussion. This had been taken up by Unison, prior to wider discussion at the Management Team Trade Union Liaison meeting.

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Trade Unions suggested that the meeting be adjourned or the item be deferred to allow further discussion to take place.

The Chair concluded by acknowledging the concerns of the Trade Unions but added that implementation of the policy from a health and safety perspective was of too great importance to delay. The issues in respect of the number of penalty points allowed before disqualification from driving occurred and the time provided to undertake the vehicle checklist were noted. It was added that further discussions could take place to agree how these concerns could be addressed. The inclusion of exhaust emissions on the vehicle checklist may also need further change but these issues need not prevent the policy being put in place.

Moved by Councillor B.R. Murray-Carr, seconded by Councillor D. McGregor

**RESOLVED** that (1) the proposed Driving at Work Policy as outlined in the report be approved, subject to further discussions taking place between Management and Unions in respect of the time allowed for vehicle checks and whether exhaust emissions should be included in the checklist.

**RECOMMENDED** that (1) the disciplinary action for breaches of the policy be incorporated into employees' Conditions of Contract.

(Director of Neighbourhoods/Democratic Services)

The Director of Neighbourhoods left the meeting.

### **797. SICKNESS ABSENCE/OCCUPATIONAL HEALTH STATISTICS OCTOBER TO DECEMBER 2010**

The Head of Human Resources and Payroll presented the report to update Members on sickness absence and Occupational Health statistics for the period 1<sup>st</sup> October to 31<sup>st</sup> December 2010. Comparative figures for the previous year were also provided.

The outturn for October to December 2010 was 2.01 days per full time equivalent which was lower than the target of 2.10 days. The overall target for 2010/11 was 8.5 days with the outturn currently standing at 5.62 days for the 9 month period from April to December.

A full breakdown of long term and short term sickness absence by department was included for Members' information.

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Occupational Health referrals had increased to 9 from 5 for the equivalent period last year.

Members expressed their disappointment with regard to the high levels of sickness absence recorded for apprentices. The Head of Human Resources and Payroll acknowledged that the absences were significant and advised Members that a proportion of these were due to those apprentices employed at hospitals being requested to stay off work as part of their infection control measures. However overall, the high levels of absence were of concern and Members were assured that the Council's sickness absence procedure was being applied. The Apprenticeship Programme Co-ordinator had also emphasised the importance of regular attendance with the apprentices.

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

### **798. GENERAL HEALTH AND SAFETY REPORT AND PERSONAL PROTECTIVE EQUIPMENT POLICY**

The Health and Safety Officer presented the report to update Members on a number of Health and Safety issues. Members were also requested to consider and approve the revisions to the Personal and Protective Equipment Policy.

Members' attention was drawn to a number of issues including:

- Asbestos Management – an asbestos resurvey would be undertaken. Very little asbestos had been found during the last survey.
- Stress Risk Assessments – following a discussion at Extended Management Team, a revised procedure for Stress Risk Assessments would be considered by the Joint Senior Management Team/Extended Management Team on 24 February 2011. A large proportion of Heads of Service had failed to complete the current Stress Risk Assessments and would now be given a maximum of three months to complete these under the new procedure, the three months being from April to June 2011. Members raised concerns that the Stress Risk Assessments remained outstanding and requested that an update be provided to the next meeting by the Head of Human Resources and Payroll.
- Improvement Notice Action Plan (Vibration) – Work activity continued to be surveyed. No further incidents of exposure over the maximum limits had been recorded.
- Occupational Health Contract – A new Occupational Health Contract would be in place by 1<sup>st</sup> June 2011. The Health and Safety Officer was requested to check that representatives from both Unions had been invited to meetings to undertake the tendering process.

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- Policy Reviews – Details of policies that had been subject to review were provided for Members' information. These could be provided to Members on request.
- Legionella – Legionella had been detected in the water system of one of the Council's properties. Checks had been carried out and a site visit would take place with the Health Protection Agency. The Health and Safety Officer was requested to provide an update to the next Safety Committee meeting.

Members' considered the revised Personal Protective Equipment Policy. The Health and Safety Officer was requested to contact the CAN Rangers' Manager with regard to the supply of high visibility vests.

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

(Head of Human Resources and Payroll/Health  
and Safety Officer/Democratic Services)

### **799. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Moved by Councillor D. McGregor, seconded by Councillor J.A. Clifton.  
**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.

### **800. ACCIDENT AND STRESS STATISTICS OCTOBER TO DECEMBER 2010 EXEMPT – PARAGRAPH 2**

The Health and Safety Officer presented the report to advise Members of the accident and stress statistics for the period 1<sup>st</sup> October to 31<sup>st</sup> December 2010.

Members were advised that there had been no lost time or reportable accidents during the period and overall accidents had reduced from 16 in 2009 to 11 for the same period in 2010.



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

### **801. DATE OF NEXT MEETING**

The date of the next meeting was confirmed as 18<sup>th</sup> April 2011.

The meeting concluded at 1133 hours.

Committee:	Safety Committee	Agenda Item No.:	6.
Date:	18 <sup>th</sup> April 2011	Category	
Subject:	General Health and Safety Report	Status	Open
Report by:	Health and Safety Officer		
Other Officers involved:	Head of Human Resources and Payroll		
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**

The Asbestos Guidance and Management Plan has been updated in line with the Health and Safety Executive's revised requirements for surveying. The plan is available on ERIC.

All surveying work will in any case be undertaken by external contractors, not by BDC employees. Contractors currently being used are Interserve and Cordtape.

### **Stress Risk Assessments**

A new stress risk assessment questionnaire has been developed for managers to complete. Outstanding stress risk assessments will be completed within a three month period, i.e. by the end of June 2011. Responses will be monitored and audited by HR and reported back to Safety Committee.

### **Workplace Inspection**

Workplace inspections have been carried out at Creswell and Kissingate Leisure Centres. No major issues or issues which could not be easily resolved were recorded.

### **Fire Risk Assessments**

All reports for fire risk assessment for 2010 have been received and an action plan developed to address any outstanding issues.

No 'intolerable' risks were identified.

41 'substantial' risks were identified.

Progress will be reported back to the Safety Committee.

### **Training**

Induction training was undertaken for twenty three apprentices on 6<sup>th</sup> April.

Four apprentices have received asbestos awareness training in February.

Fire warden training was undertaken for twenty four Kissingate and Creswell Leisure Centre personnel at the end of January.

Induction training for new employees has now been handed over to the respective service areas. An audit of new starters has been undertaken, and progress will be reported back to the next Safety Committee.

Bansman training and road safety awareness training has been undertaken for eight operatives in January.

### **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 ( $5\text{ms}^2/400$  points) have been recorded.

Street Services and Housing will be introducing electronic measuring equipment, which each operative will be able to use to measure their exposure to vibration as they do their work. Information can then be collated at the end of the working day.

### **Occupational Health Contract**

The procurement process for a new three year occupational health service provision contract has been completed, however the final successful bidder has not yet been officially confirmed, as of 22<sup>nd</sup> March 2011.

Five contractors were assessed at the pre-qualification stage, three contractors were assessed at the last stage of the process, which were ranked on a basis of 60% quality, as assessed by the presentation and response to questions and 40% price, based on a schedule of rates for services offered.

The three contractors at the last stage of the selection process were:

Wellwork  
RPS  
Hobson Health (the current provider)

Notification will be provided of the successful bidder at the meeting.

### **Policy Reviews**

The Workplace Inspection Policy has been updated:

Only minor amendments were made to formatting and occasional typos 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.

### **Legionella - Valley View**

The affected flat has had the water tank cleaned and disinfected, follow up tests show that it is clear of legionella. The flat remains unoccupied.

Temperature checks have been carried out on the three flats in each of the following

Shirebrook  
Parkfields  
Jubilee Court  
Woburn house  
Valley View

At least some cold water temperatures in each of the group dwellings were found to be too warm, and in the range that *could* promote legionella growth.

The initial solution trialled at Valley View to insulate the pipework in the affected flat failed to reduce the temperature of the water in the cold water storage tank.

A meeting was held on the 5<sup>th</sup> April with Housing and Regeneration to put together a plan to determine future action to resolve the issue.

A verbal update will be provided at the meeting.

### **Sherwood Lodge**

Following the reorganisation at Sherwood Lodge, many teams have been moved around to different locations, and an area of the building has been allocated for the new tenant, Bolsover Police.

The fire evacuation procedure has been amended to reflect the changes, and Bolsover police will be integrated into this when they arrive.

The revised evacuation procedure has been communicated to all employees at Sherwood Lodge via the bulletin and via their heads of Service.

There are no alterations which affect Elected Members.

### **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:

## SAFETY COMMITTEE

### AGENDA

18<sup>th</sup> April 2011 at 1400 hours

<b>Item No.</b>		<b>Page No.(s)</b>
	<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 of the Safety Committee held on 4 <sup>th</sup> February 2011.	3 to 9
5.	Sickness Absence/Occupational Health Statistics October to December 2010.	To Follow
6.	General Health and Safety Report <b><i>Recommendation on Page 13</i></b>	10 to 13
	<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>	
7.	Accident and Stress Statistics October to December 2011	To Follow