

Time commenced - 9.00am  
Time finished - 10.55am

## CORPORATE HEALTH AND SAFETY COMMITTEE 27 May 2004

Present: **Employer's Side**

Councillor M Carr (in the Chair)

Mr D Heywood (Health and Safety Advisor – Property Services)  
Mr W Deverill (Asbestos Manager - Property Services)  
Mr M Simms (Water Manager – Property Services)  
Mr C Edwards (Assistant Director – Property Services)  
Mr M Gasston (Health and Safety Advisor/Central Services)  
Ms C Smythe (Health and Safety Advisor – D & CS)  
Mr N Parkes-Rolfe (Corporate Personnel Advisor Occupational  
Health Safety Welfare)  
Mr D Parnham (Personnel Officer – Education)  
Ms S Scott (Chief Personnel Officer)  
Miss G Barlow (Members Services Officer)  
Ms J Stone (Head of Service – Education Personnel)  
Mr S Longley (Assistant Director – Education)  
Councillor L Allen  
Mr R Cowlshaw (Chief Executive)

**Trade Unions' Side**

Mr D Wilkinson (NASUWT)  
Mr N Pheasant (UNISON)  
Mr J Pass (AMICUS)  
Mr S Ward (UCATT)  
Mr M Nelson (UCATT)  
Ms Y Burrell (UNISON)  
Ms L Sumner (UNISON)  
Mr D Mellors (UNISON)  
Ms A Howitt (UNISON)  
Mr I Jennison (NUT)  
Mr R Heath (UNISON)  
Mr S Fogell (UNISON)  
Mr D Redfern (UNISON)  
Mr M Moody (UNISON)

Apologies: Mr J Swain (T&GWU)  
Mr R Morgan (GMB)  
Ms M Hobson (NAHT)

## 45/03 Late Items Introduced by the Chair

There were no late items.

## 46/03 Minutes of Meeting held on 4 March 2004

The minutes of the meeting held on 4 March 2004 were agreed as a correct record and signed by the Chair.

## 47/03 Matters Arising

The following matters arising from the meeting held on 4 March 2004 were discussed:

### **(1) Health and Safety Risk Assessment Policy and Guidance (Minute 38/03 (2) refers)**

Nirmal Pheasant asked if the Risk Assessment Policy would be discussed at the Education Health and Safety Working Group prior to going to schools. Nigel Parkes-Rolfe responded that he that it would.

**NPR**

### **(2) Contractors' Issues (Minute 38/03 (8) refers)**

Nirmal Pheasant expressed his thanks to Dave Heywood for dealing with issues he had.

### **(3) Health and Safety Representatives' Charter (Minute 40/03 refers)**

A member of the Trade Union asked if the Health and Safety Representatives Charter would be distributed to all departments. Nigel Parkes-Rolfe responded that the Charter was almost at a stage ready to be distributed, but wanted to talk to Health and Safety Advisers before distributing.

It was considered that the Charter did not contain anything further than already existed in current legislation.

Councillor Carr suggested that the Health and Safety Representatives' Charter should be an item for discussion at the next Corporate Health and Safety Committee meeting.

## EMPLOYER'S SIDE ITEMS

### 48/03 Management of Asbestos

Chris Edwards presented a report from the Director of Corporate Services which set out a reply to queries submitted by the Unison Health and Safety Officer on the Asbestos Policy. It was noted that the deadline to have the Asbestos Policy in place was 21 May 2004, however this deadline had not been met, therefore the revised date for the Policy to be in place was 11 June 2004.

Nirmal Pheasant expressed his thanks to Chris Edwards for responding to his letter and agreed with the comments contained in it. He considered the Policy to be a good one that would hopefully prevent injury. Concerns were raised that not everyone would be able to access the Policy if it was to be placed on the intranet/internet or on a cd. Chris Edwards responded that ways to provide access to the Policy needed to be looked at in more detail. It was reported that employees without access to the intranet/internet or able to use a cd would be able to view the Policy from any Council library.

Dave Wilkinson considered that the Council needed a plan to disseminate the information of the Asbestos Policy to departments and establish any training needs.

The Trade Unions considered that a long-term plan for asbestos removal needed to be put in place. Chris Edwards responded that there was no funding available for a long term removal plan, as there was currently only £125,000 in the budget, but that the money would be found in an emergency.

A member of the Trade Union asked if the Equalities department had been consulted on the plan not to translate the Policy into other languages. Sue Scott responded that Managers of departments would make provision for individual needs.

It was also agreed to add a reference to the Charter for Health and Safety Representatives to the Asbestos Policy.

### 49/03 Water Hygiene

Chris Edwards presented a report from the Director of Corporate Services that provided an update on the current situation in respect of water hygiene in Council buildings. Martin Simms was introduced as the new Water Manager, appointed in 2003. It was noted that the Water Hygiene Policy needed to be implemented at site level and Martin Simms would be providing on site training and further formalized training for staff was being planned.

It was noted that most schools have had risk assessments and log books created, however a few had not taken up the corporate offer for the work to be done. Nirmal Pheasant raised concerns that classroom training was not suitable or sufficient on its own.

A member of the Trade Union stated that he had hoped that the involvement of Health and Safety Representatives would mean that water hygiene issues would not have to be revisited. Nirmal asked if staff that had received 'insufficient' training originally would have to redo it.

Chris Edwards responded that although all schools had been offered training, many did not attend. He advised staff would be offered further training if they wanted to undertake it.

The Trade Unions also asked that the issue for training for schools was overseen by the Education Health and safety Working Group.

## **50/03            Departmental Health and Safety Advisers – Dual Reporting Arrangements**

Sue Scott presented a report that explained the background to the current dual reporting system and actions that had been taken to improve the system in 2003. It was reported that the action plan devised for the departmental Health and Safety Advisers – HSA's - had been agreed by the HSA's and COG and was reviewed at the Health and Safety Advisers team meeting in February 2004. There was a consensus that the health and safety culture in the Council was improving. It was considered that previous reasons for not centralising the operational safety management function remained valid. It was noted that Nigel Parkes-Rolfe – Corporate Personnel Adviser – would not have the capacity to take on the day-to-day line management of the HSA's, as it would be to the detriment of his proactive work.

The Trade Unions considered that dual reporting was not the ideal way of dealing with Health and Safety within the Council and an opportunity was being missed to put that right. They considered the reasons for not centralising Health and Safety were weak.

The Chief Executive suggested that dual reporting mirrored other reporting mechanisms within the Council.

As the Trade Unions were not fully convinced of the argument they asked for a review in a years time. The Chief Executive agreed to this review.

## **51/03            Occupational Health Service Update**

Sue Scott presented a report from the Director of Policy that set out a review of the first month of operation of the Occupational Health Service. It was reported that the in-house Occupational Health Service became fully operational on 1 April 2004. It was reported that in the first month, the

Occupational Health Service had processed 160 pre-employment screening forms with a turnaround of four working days. It was noted that 63 medicals had already been booked for May 2004 and more people had been seen since the beginning of the new in-house service than had been seen in the previous 6 months by the previous service provider.

It was agreed that the Trade Union Health and Safety Representatives be included in the 'Future Plans' section, as they would be working jointly with the Occupational Health Service.

**Resolved to note the report.**

## 52/03 Managing Contractors Safely Policy

The Committee considered a report from the Director of Policy that set out a draft corporate policy on managing contractors safely. It was reported that the Policy had been developed following increasing concerns about the variety of risks that needed to be controlled to protect the Council, its employees and service users.

Nirmal Pheasant raised concerns about the use of volunteers carrying out Council work and how we would ensure safe systems for them to work.

A member of the Trade Union requested that the 3 lines at 4.6 in the report, regarding volunteers, were removed. It was asked if risk assessments were carried out for volunteers and how would the competence of the volunteers be established.

Nigel Parkes-Rolfe responded that it was vital that risk assessments were carried out for volunteers. He considered that it would not be a problem to take the 3 lines on volunteers out of the report.

Simon Fogell requested that a reference be included in the Policy regarding risk assessments.

**Resolved to note the report.**

## TRADES UNIONS' SIDE ITEMS

### 53/03 Silverhill School

Dave Wilkinson presented the Trade Unions concerns about the major breach in health and safety at Silverhill School with regard to the exposure of pupils and staff to asbestos. He believed that an interim report had been produced which should be shared and published for information.

Simon Longley responded that there had been no interim report produced and when there were any findings they would be reported, possibly after the internal audit investigation.

Nirmal Pheasant asked if Regulation 5 of the Health and Safety Management Regulations was being met.

Nigel Parkes-Rolfe responded that we were not meeting Regulation 5 in many areas, including Education, but was currently involved in work to remedy this.

The Chief Executive noted that the matter would probably be subject to legal proceedings.

Simon Fogell agreed and considered that the Council needed to look at what had occurred and what lessons needed to be learnt.

Chris Edwards considered that school that didn't buy into the Council's package were a problem as they were unsure of what they needed to do. He reported that Property Services were going into schools that were not controlled by the Council to see what work they have done and what their future plans were.

Councillor Allen considered that it was imperative to maintain a good education for the children and spoke about the difficulty of setting up Silverhill School from scratch. He confirmed that an internal enquiry had been set up, however all of the information that was available at the time was given out. He undertook to put in place remedies to ensure that this would not happen again

Nirmal Pheasant suggested that he and Nigel Parkes-Rolfe meet with the Health and Safety Executive to discuss some of these issues.

The Chief Executive responded that he would discuss the matter outside of the meeting. RC

## **54/03      European Health and Safety at Work Week**

A member of the Trade Union said this item had been put onto the agenda before the meeting that had been held with the Chief Executive.

The Trade Unions thanked the Chief Executive for agreeing to their proposal of a conference based on health and safety issues around contractors. The Trade Unions were asked to formally apply for 'time off' for the event through the appropriate channels. It was agreed that all liaison over the week would be done through the Health Safety and Welfare Development Group.

## **55/03      Flag Flying Protocol**

Phil O'Brien presented a report on the flag flying protocol following a refusal of a request from the Trade Union to fly a flag at half-mast for

Workers Memorial Day.

The Chief Executive responded that the Policy had been adopted for administrative convenience. He considered that the request to fly a half-mast flag for Workers Memorial Day was not unreasonable and that a decision would be reported back to the Committee.

CE  
PO'B

## **56/03      Role of Departmental Health and Safety Advisers**

Nirmal Pheasant considered that the role of departmental Health and Safety Advisers had been covered in a previous item and through correspondence with Nigel Parkes-Rolfe.

## **57/03      Disposal of Fluorescent Tubes**

A member of the Trade Union raised their concerns about the appropriate disposal of fluorescent lighting tubes. It was considered that smaller tubes were being thrown into general waste bins, leading to a potential hazard, instead of being placed in purpose built containers and then disposed of appropriately. It was asked what interim measures were being taken to ensure the safe disposal of the tubing. It was also considered that caretakers and attendants should be made aware of the protocol for correct disposal.

Nigel Parkes-Rolfe responded that the law for the correct disposal of fluorescent tubing would become operational in 2005. He stated that a number of storage sites had been located and 70 schools had been provided with disposal containers. He considered that ordinary waste bins should be signposted to ensure that no lighting tubes were disposed of in them. If the tubes were in the appropriate containers they would then be collected and recycled.

Nirmal Pheasant asked what would happen to ensure compliance by none Council package schools.

Chris Edwards responded that the schools could only be advised of how to dispose of the tubing correctly.

## **58/03      Middleton House and St Mary's Gate complex**

A member of the Trade Union expressed concerns about who was responsible for the Middleton House and St Mary's Gate complex for health and safety. It was considered that a clear directive was required as to who was responsible for the buildings.

Nigel Parkes-Rolfe responded that it was departmental managers, taking advice from their own departmental Health and Safety Advisers –HSA's that should deal with all health and safety issues initially. There was no scope to seek specialist advice from other HSA's but responsibility for taking matters forward still lay with the department where the issue originated.

## 59/03 Authority's Planned Inspection Programme

Nirmal Pheasant presented the Trade Unions request to have a copy of the planned inspection programme.

The Trade Unions were informed that some departments had programmes but there was nothing published council-wide. A managed system of health and safety in each department would have such a programme at the heart of their monitoring activities.

NPR

Nirmal Pheasant agreed that the programme should be managed and monitored corporately

## 60/03 Risk Assessments

Nirmal Pheasant presented some Health and Safety Executive that recommended a move away from generic risk assessments and move towards site and service/role specific risk assessments.

Nigel Parkes-Rolfe responded that research was suggesting what many people knew through practices – that generic assessments were not doing the job that they should have done. We would only know if they were being used inappropriately around the Council when adequate monitoring arrangements were out into place.

NPR

MINUTES END