

Time commenced - 9.00am
Time finished - 10.40am

CORPORATE SAFETY COMMITTEE 4 December 2003

Present: **Employer's Side**

Councillor M Carr (in the Chair)
Mr C Edwards (Assistant Director – Property Services)
Ms K Gibson (Administrative Assistant - Education Personnel)
Mr D Heywood (Health and Safety Advisor)
Mr N Parkes-Rolfe (Corporate Personnel Adviser)
Mr D Parnham (Personnel Officer – Education)
Ms J Stone (Head of Service – Education Personnel)
Mrs K Taylor (Members Services Officer)

Trade Unions' Side

Mr S Fogell (UNISON)
Mr A Franik (UNISON)
Ms M Greenshields (UNISON)
Mr R Harrison (AEEU)
Mr S Harrison (UCATT)
Ms A Howitt (UNISON)
Mr I Jennison (NUT)
Mr R Morgan (GMB)
Mr M O'Neill (NASTHE)
Ms K Parker (UNISON)
Mr M Perry (NASUWT)
Mr N Pheasant (UNISON)
Mr B Seagrave (UNISON)
Mr Tony Tokarski (NASUWT)

Apologies: Mr R Cowlshaw (Chief Executive)
Ms B Daniel
Mr A Flowers (Corporate Personnel Advisor)
Mr R Heath (UNISON)
Ms S Scott (Chief Personnel Officer)
Mr M Thomas (UNISON)
Mr D Wilkinson (UNISON)

24/03 Late Items Introduced by the Chair

There were no late items.

25/03 Minutes of Meeting held on 25 September 2003

The minutes of the meeting held on 25 September 2003 were agreed as a correct record and signed by the Chair subject to the following amendments.

That the third paragraph of item three in matters arising (minute number 14/03) should read:

Moz Greenshields was clear that the trade unions would want input into the policy to ensure that all departments would abide by any protocol made.

26/03 Matters Arising

The following matters arising from the meeting held on 25 September 2003 were discussed:

(1) Occupational Health Service (Minute 14/03 refers)

Nirmal Pheasant asked for an update on the premises for the Occupational Health Service.

Nigel Parkes-Rolfe could not confirm that premises had been finalised but that premises at Norman House, Heritage Gate were being looked at.

(2) Health and Safety Representation on the Chief Officer Group (Minute 21/03 refers)

Simon Fogell commented that he was pleased that Sue Glithero had been identified as Health and Safety Champion. He suggested that Nigel Parkes-Rolfe be permitted to sit on the Chief Officer Group.

Resolved to note his comments.

EMPLOYER'S SIDE ITEMS

27/03 Health and Safety Risk Assessment Policy and Guidance

The Committee received a report from the Director of Policy, which set out some changes, which had been made to the Health and Safety Risk Assessment Policy and its Guidance. The revised documents were attached to the report for approval by the Committee.

Nigel Parkes-Rolfe drew the Committees attention to the main change that the document strengthened the policy document and could be used independently of the guidance. He reported that departments were now fully responsible for making their own health and safety arrangements to comply with the policy.

Nirmal Pheasant commented that he felt that the document was now headed in the right direction and spoke positively of it.

Resolved to approve the revised Policy and draft Guidance.

28/03 Mobile Phones and Driving

The Committee received a report from the Director of Policy, which set out the new legislation, which governed the use of hand held mobile phones whilst driving from 1 December 2003. Nigel Parkes-Rolfe commented that the work related to health and safety road and driving risks was increasingly important from the Health and Safety Executive's perspective. The Council, who had a responsibility to adhere to the new legislation, sought the Committee's approval for an immediate corporate ban on the use of mobile phones by employees whilst driving for work.

Andy Franik commented that, whilst he noted the legal reason why this report had been brought to the Committee, it went beyond the law by recommending an all out ban. He went on to say that legally his members could use a hands free set whilst driving and wanted them to be consulted first before they agreed to the corporate ban. Simon Fogell supported Andy's comments and stated that if an all out ban was to be agreed then all hand held devices should be taken into consideration.

Nigel Parkes-Rolfe responded by stating that though the recommendation went beyond the mobile phone law he considered that it complied with the Management of Health and Safety at Work Regulations – general principles of prevention and also with the Royal Society for the Prevention of Accidents advice.

Moz Greenshields commented that she wished to support the recommendation but was already receiving queries from her members about using hand free kits and would find it difficult to accept this policy without thorough consultation with her members.

Therefore UNISON could not agree to endorse the policy at that time.

Councillor Carr stated that as the law had come into effect on 1 December 2003 it would be difficult to not accept the policy and that in the mean time the Council would have to proceed to protect Council employees and itself.

Moz Greenshields commented that the date of the document had made it difficult for the trade unions to consult with their members.

Nigel Parkes- Rolfe commented that he too had been informed of the detail of the new legislation at short notice too and had made the information available as soon as he received it.

Resolved to note the report and the comments of the Trade Unions.

29/03 Health and Safety Management System

The Committee received a report from the Director of Policy, which set out a proposed managed system of health and safety across the Council.

Some minor amendments to the report were suggested. Paragraph 3.3 would be amended to read:

Chief Officer Group agreed that the Corporate Personnel Adviser – Occupational Health, Safety and Welfare should meet with each departmental health and safety adviser to consider how the managed system of health and safety would be introduced into each department.

The following paragraphs of the Health and Safety Management System would be changed to:

Paragraph 1.6

Over the next five years, a significant proportion of departmental training budgets will need to be dedicated to health and safety training for managers.

Paragraph 4.15

Normally a proportion of these inspections would be done in conjunction with trade union health and safety representatives who would be invited to participate.

Agreed that regular updates on the Health and Safety Management System would be brought to the Joint Consultative Committees and the Corporate Safety Committee.

NPR

30/03 Abuse, Aggression and Violence Trends- April 2002 – March 2003.

The Committee received a report from the Director of Policy, which set out the third annual Abuse, Aggression, and Violence Trend report, which compared the figures for the year 2002/03 with those for the previous year 2001/02.

Nigel Parkes-Rolfe stated that the local figures had already been taken to the Joint Consultative Committees by the Health and Safety Advisors. There had been a 15% decrease overall in occurrences of incidents which was accounted for by a reduction in Social Services but unfortunately there had been an increase within Education. He went on to comment that there were still problems associated with collating the information, which was partly due to the way the figures were reported to the Joint Consultative Committee and that the Vision system would hopefully alleviate this problem. He informed the Committee that Abuse, Aggression and Violence remained a priority for the Health, Safety and Welfare Development Group, over the next few months.

Andy Franik commented that in paragraph 10 of the report which analysed chart 2, reference was made to Social Services which had set up a working party with management and trade union representatives to co-ordinate their response to the task force. He enquired whether this Working Party had met in the last five years.

Moz Greenshields commented that the Working Party had been set up by the Government as a result of health care staff experiencing abuse and violence at work in 2001/02 and that the Working Party had not met for a significant period within Social Services.

Nigel Parkes-Rolfe made a commitment to follow up the status of the Working Party.

31/03 Feedback on European Week for Safety and Health at Work - ESHW

The Committee received a report from the Director of Policy, which noted the feedback on the Council's participation in the European Week for Safety and Health at Work 2003.

Nigel Parkes-Rolfe drew the Committees attention to the 3 main themes that the campaign focussed on:

- Encouraging more employees to become Trade Union Health and Safety representatives
- Developing a new COSHH Policy

NPR

- Spreading the health and safety message to more of our establishments and employees.

He noted that the final programme of events was much smaller than in previous years and that the feedback from attendees was that it had met peoples' expectations and they had enjoyed the event. He thanked Councillor Carr for attending and chairing the day and for Sue Glithero's key note address at the meeting.

The Health, Safety and Welfare Development Group dedicated one meeting during ESHW 2003 to brainstorm ideas and issues to include in a new corporate COSHH policy and guidance that would be developed.

He reported that there was excellent support from the Trade Unions who had helped with the organisation of the conference, and mounted 16 displays to spread the Health and Safety message to more of the Council's establishments and employees.

The report attached with the papers had been sent to the Health and Safety Executive and a response from them was awaited.

A Trade Union representative commented that he had only heard about the conference second hand and the information had not been passed to all the Health and Safety representatives.

Nigel Parkes-Rolfe responded that senior Health and Safety representatives were notified through the Health, Safety and Welfare Development Group who were responsible for taking this information back to their members. The Trade Unions requested that the Disability Discrimination Act – DDA and contractors would be included in next year's event.

Nirmal Pheasant commented that he had received positive feedback from his members especially with regard to cross Trade Union working, but he wished to draw the Committees attention to two issues within the report:

- That Contractors should be involved in next year's event
- That there had been no decision over whether there would be an event next year.

Moz Greenshields commented that of all the displays only Derby Homes had experienced any difficulty, which was taken down. She committed to follow this up.

MG

32/03 Health and Safety Training

The Committee received an oral report on Health and Safety training which described training at first and second tier levels. Training would then be followed up across the Council and Nigel Parkes-Rolfe reported that he

was looking at Health and Safety training, which would form part of any Health and Safety Management System.

He stated that Commercial Services had done a lot of Health and Safety training and that part of his consultation would be to look at how they had decided upon the training needs and the duration of their courses. He reported that the first tier, second tier and Council Cabinet training had been accredited by the Institute of Safety and Health – IOSH. The Council would need to consider the significance of the charge for accreditation. He stated that departments across the Council were at different levels with respect to their training and commitment to it.

TRADE UNIONS' SIDE ITEMS

33/03 Asbestos

Nirmal Pheasant requested that the Asbestos register be updated and made available in hard copy in order to comply with the legislation and to identify where Asbestos was located.

Chris Edwards responded that as far as he was aware, each building manager had received a hard copy of the asbestos register. Buildings had been re-surveyed this year. An Asbestos Manager had been appointed with the intention of improving the management of asbestos.

Simon Fogell commented that he would like to see this as a standing item on the Committee's agenda.

Chris Edwards commented that it would be a huge task to bring a detailed report to each meeting on where asbestos had been located and asked the Trade Unions to be precise about what they were asking to be reported.

Moz Greenshields commented that she was pleased to hear that the Manager had been put in place but she would want up to date information to be made available on a quarterly basis. She stated that from the trade unions there were concerns about the conditions of some of the buildings and believed that the Committee should be a monitoring role for Asbestos. She emphasised that she would not expect to see a detailed report at each meeting but would want a report on the control of Asbestos only.

Nirmal Pheasant commented that an annual assessment would be necessary as a minimum and that is why he had requested the records. He also stated that he did not have the second stage of the survey information.

Chris Edwards responded that the database was currently being updated with the re-survey information. In due course the information would be placed on the new Asset Management System which was being installed.

This would make information easier to access and eventually it could be available on the internet. Although some guidance had been issued to building managers on the management of asbestos there was a training issue, but this would form part of the new Asbestos Manager's job, one of his early tasks would be to complete the new Asbestos Policy by the end of January 2004 on which the Trade Unions had already been consulted.

Nigel Parkes-Rolfe reported that the new manager had been invited to attend the Health, Safety and Welfare Development Group and that he could discuss how often Asbestos reporting could be made to the Committee.

Moz Greenshields requested that an Asbestos report be brought to the next Committee meeting and that after that time the issue could then be added as a standing item on the agenda.

Resolved to bring the Asbestos report to the next meeting.

34/03 Contractors' Issues

Nirmal Pheasant raised concerns about certain Health and Safety issues with regard to contractors. He referred to a letter which he had sent to Chris Edwards and highlighted Chris's responses.

Chris Edwards responded that over 100 major contracts were let and approximately 15 thousand maintenance orders were sent out each year. A system was in place and staff were well trained in Health and Safety matters. In accordance with the Construction (Design and Management) Regulations, no contractor was allowed to start work until a Health and Safety Plan was in place. He commented that there would be capacity issues if Representatives were to be involved. Programmes were tight and it would not be possible to wait for the plans to be inspected. The Council had a good Health and Safety record and he could not recall any major Health and Safety incident.

Richard Morgan commented that he felt that the Health and Safety representative should be told well in advance of contractors being on site.

Nirmal Pheasant commented that Head Teachers did not always have a full appreciation of Health and Safety law and that the Health and Safety representatives worked with the management regulations in order to avoid any breaches Health and Safety.

Nigel Parkes-Rolfe stated that the Health, Safety and Welfare Development Group continued to look at contracts as a priority in its work. He suggested that a meeting with Dave Heywood would be a useful step to allay fears on both sides with regard to contractors' work. He considered that a lot of contractors work was sound but no matter how good plans were this would not necessarily prevent problems occurring on site.

CE

Chris Edwards suggested that a quarterly meeting was held between David Heywood and Nirmal Pheasant. David could bring a programme of planned jobs to the first meeting of the financial year and then provide an update at each meeting.

CE/DH

Nirmal Pheasant stated that he would appreciate it if this were done.

Moz Greenshields drew the Committees attention to the letter and that the Council should be planning involvement with the Health and Safety representatives and while the quarterly meeting was a good way of reviewing the issues the Committee needed to consider how effectively that was working.

Councillor Carr stated that he would be happy for this to happen.

35/03 Condition of Buildings

Nirmal Pheasant commented on a response that Chris Edwards had sent to him in a letter in which he had referred to a lack of resources and demands in excess of resources.

Chris Edwards commented that he had been working with the Education Department and that unfortunately they could not service all of the Department's needs. He had to prioritise the use of those resources that were available to him. He reported that that in the last year a lot of effort had been put into managing Health and Safety issues including invasive surveys into the structure of buildings. Condition surveys had been updated by desktop exercise. A new asset management system was to be installed that would help collection of data and make reports easier to produce in a more reader friendly format. It was intended that detailed condition surveys would begin in April 2004. Once completed, hard copies of the surveys would be available.

Nirmal Pheasant responded that schools had had no investment in their buildings for such a long time and gave examples of electrical and gas surveys that were not up to date.

Chris Edwards responded that the required testing was carried out and results were available where schools bought Property Services consultancy service, but that schools had delegated budgets for such items. They had been advised of the need for such work to be carried out. He stated that a working group, led by the Education Service, had met in the past to discuss further guidance for schools on such matters, but thought that it had not met for some time.

Moz Greenshields commented that the Committee needed to clarify with whom the responsibility for carrying out surveys lay. She considered that the process needed tracking or it would continue to bounce back between

the Committee and the Education Joint Consultative Committee.

Chris Edwards stated that there was no doubt that responsibility for condition surveys lay with the Authority.

Andy Franik stated that the Commercial Services Joint Consultative Committee was always happy to advise schools if and when necessary and that as a Governor he was also keen to pursue Health and Safety within schools.

Dave Parnham commented that many Head teachers and Governors were aware of the responsibility they had but often there was a lack of formal training to support them. In his experience he considered that they were prompt to ask for help with those issues for which they needed guidance.

Nirmal Pheasant considered that this was a different picture than the Health and Safety representatives had and that he was not confident that Head Teachers would take the advice given to them. He considered that the system should be tightened up and that the guidance in Schools needed to be reissued.

Jayne Stone asked how the working group would be reconvened and Nirmal Pheasant responded that he thought that Jayne was to organise this with Simon. Jayne said she would do this.

JS

MINUTES END