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Date: 5th July 2016

Dear Sir/Madam,

A meeting of the **Corporate Health and Safety Committee** will be held in the **Sirhowy Room, Penallta House, Tredomen, Ystrad Mynach** on **Monday, 11th July, 2016** at **10.00 am** to consider the matters contained in the following agenda.

Yours faithfully,

A handwritten signature in blue ink that reads 'Chris Burns'.

Chris Burns
INTERIM CHIEF EXECUTIVE

A G E N D A

	Pages
1 To receive apologies for absence.	
2 Declarations of Interest.	

Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on this agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

To approve and sign the following minutes: -

- | | |
|---|--|
| 3 Corporate Health and Safety Meeting held on the 22nd February 2016. | |
|---|--|

1 - 4

A greener place Man gwyrdach

Correspondence may be in any language or format | Gallwch ohebu mewn unrhyw iaith neu fformat



To receive and consider the following reports:-

- | | | |
|---|---|---------|
| 4 | Hepatitis A Outbreak - Verbal Update from Environmental Health. | |
| 5 | Health and Safety Annual Report (15/16) - Presentation. | |
| 6 | Safety of Automated Gates - Update. | 5 - 8 |
| 7 | Control of Hand Arm Vibration Exposure at Work Policy. | 9 - 10 |
| 8 | Sentencing Guidelines (Manslaughter, Health and Safety Offences). | 11 - 14 |

To receive and consider the following information items*:-

- | | | |
|----|---|---------|
| 9 | Accident Statistics January - March 2016. | 15 - 20 |
| 10 | Recent HSE Updates. | 21 - 24 |

** If a member of the Committee wishes for either of the above information items to be brought forward for discussion at the meeting please contact Amy Dredge, Tel. 01443 863100 by 10.00 am on Friday 8th July 2016.*

Circulation:

Councillors M.A. Adams, P.J. Bevan, D.T. Hardacre, D. Havard, A.G. Higgs, G. J. Hughes and S. Kent

Trade Union Representatives.

And Appropriate Officers



CORPORATE HEALTH AND SAFETY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON MONDAY,
22ND FEBRUARY 2016 AT 10 A.M.

PRESENT:

Councillor M.A. Adams - Vice Chair (Presiding).

Councillors:

P.J. Bevan, D.T. Hardacre, A G Higgs.

Together with:

D Jones (Service Manager, Health Safety and Welfare), R. Phillips (Asbestos Officer),
T. Phillips (Health and Safety Manager), E. Townsend (Deputy Health and Safety Manager).
Mark Williams (Head of Community and Leisure) and A. Dredge (Committee Services Officer).

Trade Union Representatives:

N. Funnell (GMB), T. Hearne (GMB), and J. A. Garcia (UNISON)

Rhys Serkheld: (Synergy Health)

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors D. Havard (Chair), G.J. Hughes,
P. James (Health and Safety Manager), A. Wigley (Health and Safety Officer) and Simon
Brassinne (UCATT).

2. DECLARATIONS OF INTEREST

There were no declarations of interest made at the beginning or during the course of the
meeting.

3. MINUTES – 16TH NOVEMBER 2015

RESOLVED that the minutes of the Corporate Health and Safety Committee held on
Monday, 16th November 2015 be approved as a correct record and signed by the Vice
Chair.

REPORTS OF OFFICERS

Consideration was given to the following reports:

4. DRUG AND ALCOHOL TESTING – PRESENTATION BY SYNERGY HEALTH

The Chair gave permission for this item to be brought forward on the agenda.

Mr Rhys Serkheld of Synergy Health Laboratory Services, presented Members with an overview of how drug and alcohol testing can be undertaken in the workplace and set out the process involved. He confirmed that the Laboratory Services Division of Synergy Health offers on-site Toxicology and Pathology and is based in Abergavenny, South Wales. Synergy Health was established in 1986.

Members were informed that this testing is currently being used by some Authorities in Wales.

Examples were provided where reasons For-Cause Testing (Post Incident) apply, including:

- Accidents which results in a death or major injury to an employee or member of the public
- Any accident where an employee or member of the public requires medical treatment (other than an accident which requires basic first aid)
- Any accident or incident where there is non-trivial damage to property, equipment or company products, including all Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) as defined 'dangerous occurrences'
- Any accident where it is suspected an 'Unsafe Act' has occurred

Members were advised that For-Cause (Reasonable Suspicion) includes abnormal behaviour, difficulty in walking normally, incoherent speech, smell of alcohol, bruising and/or injection marks that have been observed by third party observations from employees, contractors and visitors etc, or following the discovery of illegal substances or empty alcohol containers on company property.

It was explained that site preparation is crucial and the importance of following the procedure when preparing the identified donor for testing. Details of the different types of testing and devices were discussed with regard to achieving legally defensible results in relation to blood and alcohol testing.

Urine drug testing was also discussed and the sampling process explained. Members noted that 'Drug Check 10' is an instant urine screening device that screens for the following: Cocaine, Amphetamines, Methamphetamines, Cannabis, Methadone, Opiates, Buprenorphine, Benzodiazepines, Barbiturates and Ketamine.

Clarification was sought in relation to response times and Mr Serkheld confirmed that the Testers can be on sight within 2 hours and the Company has a 98 percent success rate in achieving this target. Synergy Health is the only Company in Wales that offers this Service.

A Member queried the costing element and the Committee were informed that each call out/test will cost £230 and Caerphilly along with other Local Authorities across Wales are considering introducing this testing into a policy. The principles of this policy will require wider consultation and is currently being considered by Senior Management.

Concerns were expressed in relation to random drug and alcohol testing and Officers confirmed that consideration is being given to 'For Cause' testing and not random testing.

The Chair thanked Mr Serkheld for his informative presentation and for responding to the queries raised during the course of the debate.

5. STATUTORY MAINTENANCE – COMPLIANCE TESTING – PRESENTATION

Mrs Donna Jones (Service Manager, Health Safety and Welfare) updated the Committee on RAMIIS (Risk Assessment Management Information System), which is used by the Authority to help manage its statutory maintenance responsibilities for all of its workplace premises and provides a live record of compliance across all Authority premises. RAMIS collates all statutory maintenance inspections undertaken by contactors, records all tasks to be undertaken by CCBC staff and Health and Safety inspections/audits of buildings. Building Managers receive emails reminding them of tasks due and overdue and reports are generated from the system in relation to compliance.

A significant amount of work is undertaken to ensure the Authority is compliant, for example electrical testing is undertaken every 5 years, gas safety certificates are required annually and legionella risk assessments are required every 2 years. Regular water quality testing, fire alarm testing and fire fixed alarm wiring testing is also undertaken. In addition fire risk assessments corporate buildings and schools are undertaken and portable fire-fighting equipment is tested on an annual basis. Air conditioning/sprinkler systems are tested annually, emergency lighting 6 monthly, lifts 6 monthly, fixed ventilation every 14 months and asbestos surveys are carried out every 3 years.

By means of a powerpoint presentation, the Committee's attention was drawn to information relating to High Risk Inspections i.e. Electrical, Legionella and Gas Reactive Tasks. Details were received of the sites inspected together with the number of outstanding Tasks as at February 2016.

Arising from queries raised during the ensuing discussion, Officers advised Members that improvements have been made across all 3 high risk disciplines in relation to compliance statistics which continues to be scrutinised by Senior Management. A special thank you was expressed to the work undertaken by the Health and Safety Team, in their area of activity.

The Chair thanked the Officers for the informative presentation and for responding to queries raised during the course of the debate.

6. DOMESTIC ASBESTOS MANAGEMENT PLAN

Mr Richard Phillips (Asbestos Officer) provided an overview of the implementation of the Domestic Asbestos Management Plan (DAMP) that was appended to the report.

It was explained that the Authority has in place a Corporate Asbestos Management Plan which details how the management of asbestos must be undertaken within corporate buildings and communal areas where a council building consists of both domestic and corporate functions such as a sheltered housing scheme. However, previously there has not been an asbestos management plan for the Authority's domestic dwellings.

Members noted that whilst there is no duty to proactively manage Asbestos Containing Materials (ACMs) within domestic dwellings, there is a requirement to ensure that any planned maintenance/refurbishment or emergency works are undertaken without the risk of potential exposure to asbestos fibres. As such the DAMP is designed to provide guidance for the management of asbestos within domestic dwellings and has been produced to ensure compliance with the Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999 and the Control of Asbestos Regulations 2012. The plan sets out practical arrangements for the management of asbestos, preventing risk to tenants, Council employees and contractors.

Clarification was sought in relation to Council residences and Members were informed that properties include outbuildings such as sheds and garages and the Plan also applies to private grant schemes.

Following consideration and discussion, the Corporate Health and Safety Committee approved the new Domestic Asbestos Management Plan.

7. REPORTABLE INCIDENTS – VERBAL UPDATE

Mrs Donna Jones (Service Manager, Health Safety and Welfare) provided Members with a verbal update detailing reported incidents across the Caerphilly Borough. The Committee were pleased to note that the cases referred to had been dealt with and resolved by the Authority.

8. INFORMATION ITEMS

The Committee noted the following items for information, full details of which were included in the Officer's Reports:

1. Accident Statistics Report for October - December 2015.
2. Recent HSE Updates.

The meeting closed at 11:30 am.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 27th June 2016, they were signed by the Chair.

CHAIR



CORPORATE HEALTH AND SAFETY COMMITTEE – 11TH JULY 2016

SUBJECT: SAFETY OF AUTOMATED GATES - UPDATE.

REPORT BY: INTERIM CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to update the Corporate Health and Safety Group on developments arranged by H&S Officers within maintained Caerphilly Schools, in relation to automatic powered access gates as previously reported in September 2014 and February 2015. This is a further update in 2016.

2. SUMMARY

- 2.1 In Bridgend, on July 3rd 2010, a five year old girl was killed when she became trapped and crushed to death by an electric gate. The Health and Safety Executive have recently provided findings to the case. The child was trapped because :
- Their presence in the vicinity of the closing edge was not detected.
 - The closing force of the gate when they obstructed it was not limited to the values specified in standard BS EN 12453:2001.
 - The higher level of risk is considered to be those installed at Primary schools due to the number of children accessing and egressing the schools sites compared to the Depot sites, which are generally populated by adults.
 - Health & Safety originally reported the level of non - compliance relating to the Local Authority installations in September 2014. The Health and Safety Section and Risk Management in consultation with Building Consultancy decided to commission independent reports for each site. These were completed on 20th & 21st January 2015. The report cost the Health and Safety & Risk Management areas £2.5k to commission.

3. LINKS TO STRATEGY

- 3.1 The report links to the Authority's statutory duties in relation to Local Authority maintained education premises/activities.

4. THE REPORT

- 4.1 Originally, a total of 10 Inspections were completed, of which 7 were Primary schools between June and August 2014. Subsequently two further sites have been identified; one is an Authority Depot site and one at Llancaeath Manor House. These are not in the Education Directorate.
- 4.2 An H&S Audit in 2014, indicated a high level of non-compliance with the BS EN 12453 standard for design, installation and maintenance of powered gates. Schools have subsequently received, during 2015, individual reports and feedback on remedial actions required.
- 4.3 Schools will be required to maintain the gates to BS EN 12453 standard. The Authority will monitor the pressure testing maintenance of the gates via the RAMIS system and every two years via the school management audits.
- 4.4 The current position from the inspection programme is as follows with only one school (Bryn Primary) is now outstanding. The gates have been kept on manual operation for the whole period. The delays in progressing the improvements on these gates is due to a dispute around damage that occurred to the gates in an unrelated incident and who would therefore pay for the repair and upgrade the electrics. An agreement has been reached with the school and it is expected that the matter will be completed very soon.
- 4.5 In the interim period, one secondary school (Lewis Girls) has installed a new set of powered gates for traffic control purposes on a compact site. The school were provided with all the necessary standards and safety requirements that they were required to meet prior to the contractor installation.
- 4.6 These gates will be picked up on a school general inspection for compliance with the necessary BS standards and pressure testing, as all schools will be re-inspected as part of the two year rolling programme of general inspections by SLA or Core Officers.
- 4.7 The current situation for schools is:

School	Current Status Manual or Powered	Independent Report Issued	Completed or In progress	Pressure Test Completed
Bryn Primary	Manual	27.03.2015	In Progress	Outstanding
YG Gilfach Fargoed	Manual	27.03.2015	Completed	Not required Set to Manual Disconnected
Ty – Sign	Powered	27.03.2015	Completed	Ongoing each service
Pantside	Powered	27.03.2015	Completed	Ongoing each service
YG Penalltau	Powered	27.03.2015	Completed	Ongoing each service
Ystrad Mynach	Powered	27.03.2015	Completed	Ongoing each service
Ysgol Cwm Derwen	Powered	27.03.2015	Completed	Ongoing each service
Lewis Girls	Powered	Not required new install	Completed	On going each service

5. EQUALITIES IMPLICATIONS

5.1 There are no Equalities implications for the Council arising from this report.

6. FINANCIAL IMPLICATIONS

6.1 There are no direct financial implications for the Council arising from this report.

7. PERSONNEL IMPLICATIONS

7.1 There are no direct personnel implications arising from this report.

8. CONSULTATIONS

8.1 All consultations have been reflected in the report.

9. RECOMMENDATIONS

9.1 That the contents of this report are noted by Committee members.

Author: Terry Phillips, Health and Safety Manager
Philt2@caerphilly.gov.uk Tel: 01443 864 858
Consultees: Donna Jones, Service Manager Health, Safety & Welfare
Chris Burns, Interim Chief Executive
Gail Williams, Acting Head of Legal and Democratic Services
Cllr C. Forehead, Cabinet Member for Human Resources and
Governance/Business Manager

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CORPORATE HEALTH AND SAFETY COMMITTEE - 11TH JULY 2016

SUBJECT: CONTROL OF HAND ARM VIBRATION EXPOSURE AT WORK POLICY

REPORT BY: INTERIM CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 The following report is to inform Elected Members, Union Representatives and Officers of the Control of Hand Arm Vibration at Work Exposure Policy and corporate management arrangements.

2. BACKGROUND

- 2.1 The Control of Vibration at Work Regulations came into force in 2005 and places a duty on employers to manage the risks of exposure to vibration.
- 2.2 Hand arm vibration is vibration transmitted from work processes into operatives hands and arms. It can be caused by operating hand-held power tools such as road breakers, disc cutters and hand guided equipment such as lawn mowers.
- 2.3 Regular and frequent exposure to high levels of vibration can lead to potentially permanent and debilitating injuries to the hands and arms, collectively known as hand arm vibration syndrome (HAVS), such as vibration white finger and carpal tunnel syndrome.

3. REPORT

- 3.1 The introduction of this policy enforces the Control of Vibration at Work Regulations and requires relevant service areas to carry out a risk assessment to determine the amount of vibration an employee is being exposed to, and to put in place the necessary measures to prevent or adequately control the exposure.
- 3.2 The policy sets out an exposure action value (EAV) and a daily exposure limit value (ELV). The exposure action value is a daily amount of vibration exposure above which employers are required to take action to control exposure. The daily exposure limit value is the maximum amount of vibration an employee may be exposed to on any single day.
- 3.3 The policy requires that health surveillance is provided to employees who are likely to be exposed above the exposure action value.
- 3.4 The policy also requires that suitable information is provided to employees on the health risks associated with regular and frequent exposure to high levels of vibration, instruction is provided on how to operate the equipment and training is provided on the controls in place to reduce and management vibration exposure.

3.5 To reduce the exposure of vibration to employees, the policy requires Managers to have planned regular maintenance of their vibrating equipment and when purchasing or hiring equipment, low vibration and ergonomic design features are considered.

4. EQUALITIES IMPLICATIONS

4.1 There are no Equalities implications for the Council arising from this report.

5. FINANCIAL IMPLICATIONS

5.1 There are no direct financial implications for the Council arising from this report.

6. CONSULTATION

6.1 All consultations have been reflected in the report.

7. RECOMMENDATIONS

7.1 Committee members to note the content of the report and approve the policy.

8. REASONS FOR RECOMMENDATIONS

8.1 To control exposure of vibration and prevent the associated health effects of exposure to high levels of vibration.

Author: Paul James, Health and Safety Manager
Consultees: Chris Burns, Interim Chief Executive
Donna Jones, Service Manager for Health, Safety and Welfare
Lynne Donovan, Acting Head of Human Resources and Organisational Development
Cllr C. Forehead, Cabinet Member for Human Resources and Governance/Business Manager



CORPORATE HEALTH AND SAFETY COMMITTEE - 11TH JULY 2016

SUBJECT: SENTENCING GUIDELINES (MANSLAUGHTER, HEALTH AND SAFETY OFFENCES)

REPORT BY: INTERIM CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 This report is provided to advise members of the Corporate Health and Safety Forum of the changes to criminal sentencing guidelines for Health and Safety Offences by organisations and individuals.

2. SUMMARY

- 2.1 Under the Coroners and Justice Act 2009, the sentencing Council has issued a definitive guideline on sentencing. The guideline applies to all organisations and offenders aged 18 or older, who are sentenced on or after 1 February 2016, regardless of the date of the offence. When sentencing public authorities, the court may have regard to the fact that a very substantial financial penalty may inhibit the performance of the public function that the body was set up to fulfil. This is not to suggest that public bodies are subject to a lesser standard of duty of care in safety matters, but it is proper for the court to take into account all the facts of the case, including how any financial penalty will be paid.

3. THE REPORT

- 3.1 Historically sentences for health and safety offences in criminal courts have been relatively low in comparison with other criminal offences. In some cases the cost of the state taking the case to court has outweighed the level of fine issued. In this regard the threat of criminal action has been little deterrent to organisations who are not meeting their legal requirements in managing health and safety. The new guidelines will rectify this position and the incentive to manage health and safety and avoid breaches of duty are stronger than ever.

Organisations - Breach of Duty of Employers to Employees/Non Employees

- 3.2 The guidelines are very detailed and fines issued against organisations will depend on a number of factors including:-
1. The seriousness of the harm risked and the likelihood of that harm arising (this applies where the offence caused no actual harm).
 2. Whether the offence was a significant cause of harm (contributory negligence is not taken into account).
 3. The level of culpability, which ranges from flagrant disregard of the law, to the offence

being caused with little fault.

4. The fine will take into consideration the turnover of the organisation or for the public sector the total annual revenue budget.
5. Other aggravating factors affecting the fine include; previous convictions or enforcement action; the breach was a result of cost-cutting at the expense of safety, falsification of documentation or licences.

3.3 In most cases the fines levied are between 10 and 15 times higher than those issued by courts prior to the guideline. For example a case where the defendant (public body) failed to provide asbestos information to a contractor, who went on to disturb asbestos during refurbishment works, prior the guidelines the fine would have been in the region of £40,000 excluding costs. Based on the new sentencing guidelines if this case was sentenced after February 2016 the fine would be in the region of £600,000.

Organisations - Corporate Manslaughter

3.4 By definition the harm and culpability involved in corporate manslaughter will be very serious in such cases the fine is unlimited, however the guidelines provide a financial range which will be determined by:-

1. How Foreseeable was serious injury?
2. How far short of the appropriate standard did the offender fall?
3. How common is this kind of breach in the organisation?
4. Was there more than one death?

3.5 Where answers to the above indicate a high level of culpability for the fatality the offence is regarded as a category A offence. For a public body with a revenue budget of over 50 million the sentence would be between the ranges of between 4-20 million. Where answers to questions above indicate a lower level of culpability for the fatality the offence is regarded as a category B offence. For a public body with a revenue budget of over 50 million the sentence would be between 3-12 million.

Individuals - Breach of Duty of Employers towards Employees/Non-Employees

3.6 Individuals can be prosecuted under the Health and Safety at Work Act 1974 (section 33) for breaches under section 2, 3 and 7. Health and safety offences are concerned with failures to manage risks to health and safety and do not require proof that the offence caused any actual harm; the offence is in creating a risk of harm. Again the sentence depends on the seriousness of the harm risked or the harm caused by the breach as well as culpability, which ranges from; the offender intentionally breached, or flagrantly disregarded the law to the offence was committed with little fault. When tried on indictment the sentence will be a maximum of an unlimited fine and/or 2 years in custody. When tried summarily the sentence will be a maximum of an unlimited fine and/or 6 months in custody.

4. EQUALITIES IMPLICATIONS

4.1 There are no Equalities implications for the Council arising from this report.

5. FINANCIAL IMPLICATIONS

5.1 There are no direct financial implications for the Council arising from this report

6. PERSONNEL IMPLICATIONS

6.1 There are no direct personnel implications arising from this report.

7. CONSULTATIONS

7.1 All comments from consultees have been included in the report.

8. RECOMMENDATIONS

8.1 To note the contents of the report.

9. REASONS FOR THE RECOMMENDATIONS

9.1 Provide an understanding of the new sentencing guideline.

10. STATUTORY INSTRUMENTS

10.1 The Health and Safety at Work etc. Act 1974.

Author: Donna Jones, Service Manager, Health, Safety & Welfare
Consultees: Chris Burns, Interim Chief Executive, burnsc1@caerphilly.gov.uk
Cllr C. Forehead, Cabinet Member for Human Resources and Governance / Business
Manager, forehc@caerphilly.gov.uk

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CORPORATE HEALTH AND SAFETY COMMITTEE - 11TH JULY 2016

SUBJECT: ACCIDENT STATISTICS REPORT FOR JANUARY – MARCH 2016

REPORT BY: INTERIM CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to inform Members, Management and Trade Union Safety Representatives of the numbers and types of work related accidents/incidents that occurred during the period of January to March 2016.

2. SUMMARY

- 2.1 The following report provides accident statistics for January to March 2016. Accident statistics are produced for each quarter and presented to the members of the Health and Safety Committee for information.

3. LINKS TO STRATEGY

- 3.1 The recording and reporting of accidents is in line with the Council's H&S Policy.
- 3.2 The Local Authority under legislation is responsible for the reporting of injuries, diseases and dangerous occurrences to the HSE as well as implementing preventative and protective measures to prevent foreseeable workplace accidents occurring.

4. THE REPORT

- 4.1 The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 require accidents which arise as a result of, or in connection with, work to be categorised as follows and reported to the Health and Safety Executive (HSE):
- Fatal accidents
 - 'Specified injury' - including a fracture other than to fingers, thumbs and toes; amputation of an arm, hand, finger, thumb, leg, foot or toe; permanent loss or reduction of sight; crush injuries leading to internal organ damage; serious burns (covering more than 10% of the body, or damaging the eyes, respiratory system or other vital organs); scalpings (separation of skin from the head) which require hospital treatment; unconsciousness caused by head injury or asphyxia; and any other injury arising from working in an enclosed space, which leads to hypothermia, heat-induced illness or requires resuscitation or admittance to hospital for more than 24 hours.
 - Accidents which cause an employee to be away from work or unable to perform their normal work duties for more than seven consecutive days (not counting the day of the accident).

- Work-related accidents involving members of the public or people who are not at work (including pupils) if the injured person is taken from the scene of the accident to hospital for treatment to that injury.

4.2 The term 'non reportable' accident or incident refers to any accident or incident that is not included in point 4.1 and therefore is not reportable to the Health and Safety Executive. Most of these accidents result in minor injuries. Accidents in this classification are reported to the Health and Safety Division only if they affect:

- Employees while they are at work.
- Pupils, clients and members of the public who are injured as a result of a work activity while they are on Council premises or using the facilities.
- Any persons who are injured as a result of any work activity carried out by or on behalf of the Authority.

4.3 Appendix 1 provides details on all of the accidents for the Authority that have been reported to the Health and Safety Division between January and March 2016. These are categorised by accident type and by type of incident, e.g. non-reportable, over seven days' lost time or restricted duties, and specified injury.

4.4 Appendix 2 details the Reportable Accidents Per Directorate between January and March 2016 and details of those accidents that occurred to members of the public that were reported.

4.5 There were five accidents that were RIDDOR-reportable within the Environment Directorate, and two within social services and one in Education. Each had a separate causa; factor as shown in Appendix 2. Each separate incident was reportable as they caused the employees concerned to be away from work or unable to perform their normal work duties for more than seven consecutive days.

4.6 For the purposes of reporting, staff who are working for the Authority via an agency are treated as employees

5. EQUALITIES IMPLICATIONS

5.1 There are no equalities implications.

6. FINANCIAL IMPLICATIONS

6.1 There are no financial implications contained in the report.

7. PERSONNEL IMPLICATIONS

7.1 There are no personnel implications contained in the report.

8. CONSULTATIONS

8.1 All comments from consultees have been included in the report.

9. RECOMMENDATIONS

9.1 That members note the contents of the report.

10. REASONS FOR THE RECOMMENDATIONS

10.1 To keep members informed of the accident statistics on a quarterly basis.

11. STATUTORY POWER

11.1 Not applicable to the content of the report.

Author: Paul James, Health and Safety Manager

Consultees: Chris Burns, Interim Chief Executive

Cllr C. Forehead, Cabinet Member for Human Resources and Governance /Business
Manager

Donna Jones, Service Manager, Health, Safety and Welfare

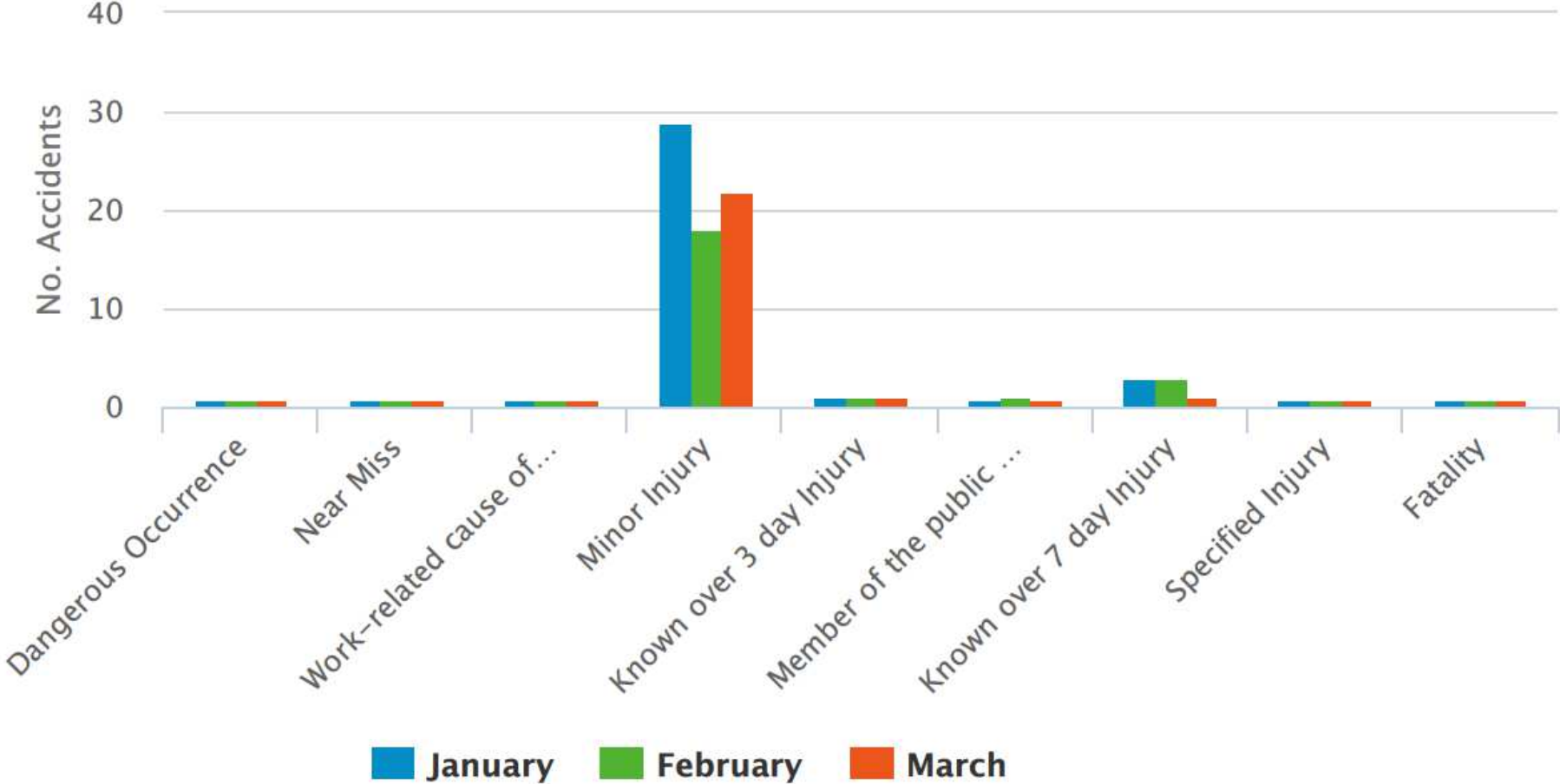
Appendix 1 - All accidents by Type for the Authority between January and March 2016

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Appendix 1 - All accidents by Type for the Authority between January and March 2016

All Accidents by Type for the Authority

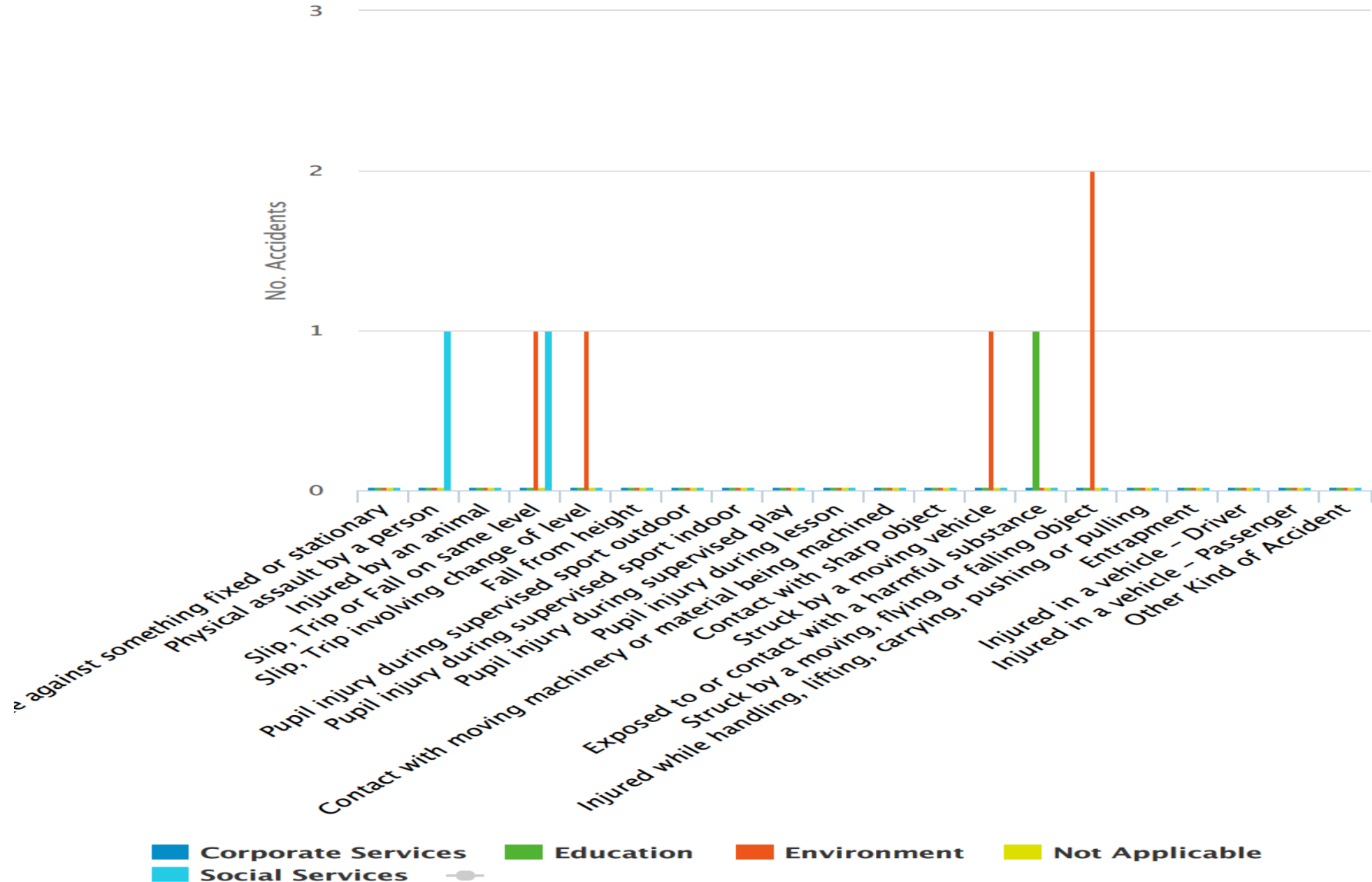
January to March - 2016



Appendix 2 – Reportable accidents by Type and Directorate between January and March 2016

RIDDOR Reportable Accidents by Cause and Directorate

Between 01/01/2016 and 31/03/2016





CORPORATE HEALTH AND SAFETY COMMITTEE - 11TH JULY 2016

SUBJECT: RECENT HSE UPDATES

REPORT BY: INTERIM CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to inform Members, Management and Trade Union Safety Representatives of recent updates in Health and Safety information, advice and guidance.

2. SUMMARY

- 2.1 The following report is provided as information for members of the Committee, to ensure they are kept informed of changes to health and safety legislation and approved codes of practice which will affect the Council, as well as advising of any relevant accidents, incidents and prosecutions.

3. LINKS TO STRATEGY

- 3.1 The report is provided as information to Members of the Health and Safety Committee in line with the Council's Health and Safety Policy.

4. THE REPORT

- 4.1 A Sheriff in Scotland has issued his findings following the fatal accident inquiry into the Glasgow bin lorry crash, which killed six people in December 2014. Sheriff Beckett's determination is critical in particular of driver Harry Clarke, stating outright that the crash might have been avoided had he not lied about his medical history.

But there are also implications for Glasgow City Council and potentially all local authorities; for doctors and GPs; and for the DVLA and driver licensing right across the UK. It includes appeals to government ministers and could see changes to the law.

As well as eight "reasonable precautions" which could have prevented the crash - all relating to Mr Clarke's health - the Sheriff outlined 19 recommendations which could reduce the chances of such an incident recurring in future.

Mr Clarke lost control after suffering an episode of neurocardiogenic syncope - "he fainted" - and the vehicle accelerated to speeds of up to 26.09mph and mounted the pavement which was busy with pedestrians and Christmas shoppers. The lorry collided with pedestrians, buildings and cars before crashing into the Millenium Hotel less than 20 seconds later.

The 58-year-old professional driver had appeared normal to colleagues throughout that day, had not been drinking or taking drugs, and medical tests following the crash "*revealed no abnormalities*" - until a "*tilt table*" test gave some confirmation of the "*already presumed diagnosis*", of neurocardiogenic syncope.

It was revealed during the inquiry that Mr Clarke had a history of fainting and dizziness, and had in fact previously suffered a similar episode while at the wheel of a bus, in 2010.

Sheriff Beckett said all councils, and any other organisation collecting refuse, should seek to have automatic emergency braking systems fitted to vehicles old and new, wherever practical.

He also made a number of other recommendations to Glasgow City Council, including:

- Do not let drivers start work before references are checked.
- Carry out an internal review of employment processes to improve checks on medical and sickness absence information.
- Provide crews with "some basic training" about the steering and braking controls of its vehicles.
- Map out routes between collection points in risk assessments.
- Take into account in risk assessments "*the potential for the presence of exceptional numbers of pedestrians at particular times*".

- 4.2 Three road traffic incidents involving a waste collection vehicle occurred in a two week period of April 2016.

On 8th April a 22-year-old refuse collection worker was killed following a collision with his own vehicle in Daventry. On 17th April an 85-year-old woman was killed following a collision with a refuse vehicle in Edinburgh. And on 19th April a 70-year-old man was pronounced dead at the scene of a road collision involving a refuse collection vehicle and another car. The driver of the refuse collection vehicle and his passenger, both in their 20s, of the most recent incident were airlifted to hospital with serious arm and shoulder injuries.

Provisional figures released by the Health and Safety Executive (HSE) in November 2015 reveal that six fatalities occurred to members of the public as a direct result of waste and recycling activities during the financial period of April 2014-March 2015. In addition, there were five fatal injuries to workers in waste and recycling.

- 4.3 The Health and Safety Executive have launched their new strategy for improving the UK's health and safety system. This emphasises the need to pay more attention to the 'health' in 'health and safety'.

Occupational health is frequently perceived to be more difficult to manage than safety. The causes and consequences of poor safety at work are immediate and noticeable, whereas work-related causes of ill health can be more difficult to spot. It can often take some time for symptoms to develop so the connection between cause and effect is often not obvious.

This is particularly true when it comes to noise and vibration exposure where permanent hearing loss or symptoms associated with hand-arm vibration (numbness, blanching of fingertips and inability to grip) usually develop over a long period of time and exposure can occur not just in the workplace.

- 4.4 The death of a pupil of Maesteg Comprehensive School, Bridgend County, on 10 December 2014 is being investigated by the Health and Safety Executive (HSE).

The 15-year-old pupil was struck by the school's minibus that was taking pupils to play a sports fixture against another local school, and was being driven by the school's Physical Education Teacher. The incident occurred at 3:05 pm when a large number of pupils were leaving the school.

In January 2016 South Wales Police issued a statement that they had questioned the Teacher who was driving the minibus, but confirmed no criminal action would be taken against him. In April 2016 they confirmed that, after consultation with the Crown Prosecution Service, the primacy of the ongoing criminal investigation into the incident will pass to the Health and Safety Executive.

It is very likely that the HSE's investigation will focus on the school's traffic movement management arrangements, particularly during peak pedestrian movements at the start and end of the school day that fall within the HSE's jurisdiction.

An inquest into the pupil's death was adjourned in November 2015 allowing the investigation to continue.

5. EQUALITIES IMPLICATIONS

5.1 There are no equalities implications.

6. FINANCIAL IMPLICATIONS

6.1 There are no financial implications.

7. PERSONNEL IMPLICATIONS

7.1 There are no personnel implications.

8. CONSULTATIONS

8.1 All comments from consultees have been included in the report.

9. RECOMMENDATIONS

9.1 That the contents of the report be noted.

10. REASONS FOR THE RECOMMENDATIONS

10.1 For information only.

11. STATUTORY POWER

11.1 Not applicable to this report.

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