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For all enquiries relating to this agenda please contact Amy Dredge
(Tel: 01443 863100 Email: dredga@caerphilly.gov.uk)

Date: 19th June 2018

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, 25th June, 2018** at **10.00 am** to consider the matters contained in the following agenda. Councillors and the public wishing to speak on any item can do so by making a request to the Chair. You are also welcome to use Welsh at the meeting, both these requests require a minimum notice period of 3 working days, and a simultaneous translation will be provided if requested.

All Committee meetings are open to the Press and Public, observers and participants are asked to conduct themselves with respect and consideration for others. Please note that failure to do so will result in you being asked to leave the meetings and you may be escorted from the premises.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Chrissy'.

Christina Harrhy
INTERIM CHIEF EXECUTIVE

AGENDA

Pages

- 1 To receive apologies for absence.

A greener place Man gwyrddach

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



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 Committee held on the 19th February 2018. 1 - 4

To receive and consider the following report(s):-

- 4 Enforcement Action (Verbal Update).
- 5 Health and Safety SLA Update. 5 - 8

To receive and consider the following information item(s)*:-

- 6 Accident Statistics Report for January - March 2018. 9 - 18
- 7 Recent HSE Updates. 19 - 22

** 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 22nd June 2018.*

Circulation:

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

Trade Union Representatives.

And Appropriate Officers



CORPORATE HEALTH AND SAFETY COMMITTEE

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON MONDAY,
19TH FEBRUARY 2018 AT 10 A.M.**

PRESENT:

Councillor D. Havard (Chair)

Councillor C. Gordon (Cabinet Member for Corporate Services)

Councillors:

D.T. Hardacre, A.G. Higgs and W. Williams

Together with:

E. Townsend (Acting Senior Health and Safety Manager), P. James (Health and Safety Manager), Mark Williams (Interim Head of Property Services), L. Donovan (Acting Head of Human Resources and Organisational Development), S. Richards (Interim Head of Service – Education, Planning and Strategy) and A. Dredge (Committee Services Officer).

Trade Union Representatives:

J. A. Garcia (UNISON) and A. Williams (UNITE).

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors M. Adams, P.J. Bevan, S. Kent (Vice-Chair) and D. Beecham (Electoral Services Manager).

2. DECLARATIONS OF INTEREST

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

3. MINUTES – 20TH NOVEMBER 2017

RESOLVED that the minutes of the Corporate Health and Safety Committee held on Monday, 20th November 2017 be approved as a correct record and signed by the Chair.

REPORTS OF OFFICERS

Consideration was given to the following reports:

4. STATUTORY MAINTENANCE OF COUNCIL BUILDINGS (EXCLUDING HOUSING)

The report presented Members with the current statutory maintenance compliance data for the four highest risk elements, namely electricity, gas, legionella and fire. The progress made and areas of concern were highlighted and the report also encompasses operational buildings and the sites they occupy but excludes street lighting and housing. The status of the buildings leased was also included.

Reference was made to the current status of the statutory maintenance of the Council's built assets and the significant improvements to processes implemented in 2017.

The Committee were advised that following the electrical safety issue experienced at Bargoed Rugby Football Club (RFC) in 2017 and subsequent Involvement of the HSE, much effort has been made to strengthen procedures and processes. This will help ensure the safety of those who use and maintain Council buildings.

An overview was provided in relation to the Key actions and developments that include:

- Statutory Testing meetings are chaired by Interim Director of Corporate Services.
- The situation within leased out properties has been discussed at separate meetings.
- An Electrical Safety Policy has been produced and copied to the HSE.
- Property Services (PS) statutory maintenance team has been strengthened by the addition of an Electrical Inspector.
- An external consultant electrical engineer has been appointed to assist with quality control.
- External flood lighting has been identified and tested.
- A legionella 'responsible person' is now in place within the PS team.
- A full schedule of buildings that are currently being tested via PS was circulated to all Heads of Service to ensure all assets are captured.
- It has been agreed that Priority 1 and 2 remedial tasks highlighted during testing should be closed out within 90 days of testing. General move towards zero tolerance for overdue remedial tasks with priority given to the high risk electricity, gas, fire and legionella elements.
- A responsibility matrix setting out who is responsible for actioning testing and remedials has been produced, disseminated, agreed and implemented from September 2017. Property Services is now progressing most outstanding remedial tasks without further instruction.
- Training for building managers proposed and building manager's handbook is being compiled. A Building Manager checklist is being produced.

Members discussed the figures relating to Legionella Assessments without current certification and queried if assessments are undertaken in Rugby Clubs prior to the start of a season (September). Officers confirmed this information would be obtained and made available to Members following the meeting.

In terms of outstanding fire risk assessments in Schools, it was explained that an escalation process is being developed to ensure that the Acting Head of Human Resources and Organisational Development and the Acting Head of Service for Education, Planning and Strategy are made aware of outstanding tasks in schools, in order that they can be addressed with schools. In addition, the outstanding tasks will require a concerted effort from Head Teachers in implementing this process. The Chair asked the Cabinet Member for Corporate Services to relay the Committees concerns in relation to the outstanding tasks to the Cabinet Member for Education and Achievement.

Having fully considered the content the Corporate Health and Safety Committee noted the report.

5. ENFORCEMENT ACTION - VERBAL UPDATE

The Senior Health and Safety Manager provided the Committee with a detailed overview of the Health and Safety enforcement activity that has taken place.

Members noted enforcement action has been undertaken across a number of sites where cases are ongoing. The Officer confirmed that work is ongoing with South Wales Fire and Rescue Service with fire risk assessments undertaken in schools. Assessments are being undertaken on a school by school basis. It was confirmed that the Department are acting on advice from the Fire Service in respect of individual schools. All schools across the Borough are legally compliant and there are no changes to the regulations. This is a national approach to how fire safety is effectively managed. In terms of potential costs to schools, it was confirmed that the Local Authority would bear any cost from within the Capital Fund.

The Committee were informed that in relation to the incident at Bargoed RFC, no further communication has been received from the Health and Safety Executive (HSE), since the last Corporate Health and Safety Meeting held on the 20th November 2017.

The Chair thanked the Officer for providing the update and responding to questions raised during the course of the debate.

6. INFORMATION ITEMS

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

1. Recent HSE Updates.
2. Accident Statistics Report for October - December 2017.

The meeting closed at 10.45 am.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on Monday 25th June 2018, they were signed by the Chair.

CHAIR

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CORPORATE HEALTH AND SAFETY COMMITTEE - 25TH JUNE 2018

SUBJECT: HEALTH AND SAFETY SLA UPDATE

REPORT BY: INTERIM CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to update Health and Safety Committee Members on the Health and Safety SLA Service offered to schools.

2. SUMMARY

- 2.1 Since 2009 a health and safety SLA has been provided to all Caerphilly schools. Following requests from Head Teachers for additional health and safety support a premium SLA service was introduced in 2015. This report provides an overview of the support provided to Caerphilly Schools

3. LINKS TO STRATEGY

- 3.1 The report links to the Authority's statutory duties in relation to the management of health and safety and is in line with the Council's Corporate Health and Safety Policy.

4. THE REPORT

- 4.1 All Caerphilly Schools buy into a health and safety SLA which is a fully income funded service providing specific health and safety support to schools. The core SLA provides 5 days of health and safety officer time of which 3 days per annum are allocated to mandatory inspections; General Health and Safety Inspection, Fire Risk Assessment and Health and Safety Management Audit. The 2 remaining days can be used by the schools as they see fit to assist them with managing their health and safety risk.

- 4.2 Premium Health and Safety SLA

The Premium Health and Safety SLA Service provide the schools with a named Health and Safety Officer who visits the school on a monthly or fortnightly basis. The range of tasks undertaken by the Health and Safety SLA Officer is vast and includes:

- Completion of risk assessments
- Completion of DSE assessments
- Pupil and staff assessments
- Site Inspections
- Updating RAMIS for statutory inspections
- Physical Access Strategy Reviews

- Supporting the School Educational visit Co-ordinator in developing and reviewing risk assessments for offsite visits.
- Accident reporting and investigation
- Arranging specialist training e.g. choking, epilepsy
- Legionella Temperature Checks
- Monitoring Asbestos in Situ
- Production of Governors Health and Safety Reports and attending Governors Meetings to report/update on health and safety

Health and Safety training is a significant part of the role and ensures that the schools comply with their legal obligation to provide staff with information, instruction and training on health and safety. During 17/18 the following training briefings were provided:-

| | Number of Sessions | Number Trained |
|---|--------------------|----------------|
| Fire Awareness/Fire Awareness Refresher | 48 | 877 |
| Midday Supervisors | 4 | 26 |
| Ladder Training | 3 | 3 |
| Caretaker Induction | 1 | 1 |
| Legionella | 2 | 3 |

Most Primary Schools (67 out of 75 for 17/18) bought into the Premium Health and Safety SLA Service. The Learning Centre, Pupil Referral Unit and Trinity Fields School and Resource Centre also opted into the Premium H&S SLA Service.

The service is valued by Head Teachers with only one school having dropped out of the service since its introduction.

4.3 Secondary Schools

Only one Secondary School has opted into the Premium Health and Safety SLA however all opt into the core SLA ensuring that they receive period inspections and access to advice and support.

Most secondary schools have a Business Manager/Bursar who is trained to NEBOSH National General Certificate level which gives them the skills to undertake health and safety responsibilities for the site. Health and Safety advice is always available through their core SLA service and a variety of health and safety support resources are also available on RAMIS4Schools.

4.4 Health and Safety SLA 18/19

All schools have opted to buy into an SLA for 18/19 including 68 schools who have opting for the premium level service.

10 schools have moved from a fortnightly to a monthly service. This decision is usually made in consultation with their SLA Health and Safety Officer and is based on the schools health and safety performance and the level on ongoing support required. This is a positive reflection of the level of service delivered to date and demonstrates the schools increased confidence in managing their health and safety risk.

Health and Safety performance is increasingly being scrutinised both internally and externally. The Health and Safety Division will continue to work closely with schools and to review and monitor their performance, ensuring that the level and type of health and safety support provided remains appropriate.

5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 This report contributes to the Well-being Goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that we will seek to support schools to manage their health and safety risks and to fully comply with health and safety legislation. This will assist in safeguarding the health and safety of our employees, residents, pupils users and visitors and ensure that the Council as a public body meets its regulatory duties and corporate objectives.

6. EQUALITIES IMPLICATIONS

- 6.1 There are no equalities implications.

7. FINANCIAL IMPLICATIONS

- 7.1 There are no financial implications.

8. PERSONNEL IMPLICATIONS

- 8.1 There are no personnel implications.

9. CONSULTATIONS

- 9.1 All comments from consultees have been included in the report.

10. RECOMMENDATIONS

- 10.1 That the contents of the report be noted.

11. REASONS FOR THE RECOMMENDATIONS

- 11.1 For information only.

12. STATUTORY POWER

- 12.1 Not applicable to this report.

Author: Emma Townsend, Acting Senior Health and Safety Manager,
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Consultees: Christina Harrhy, Interim Chief Executive, HARRHC@caerphilly.gov.uk
Lynne Donovan, Head of People Services, donovl@caerphilly.gov.uk
Cllr Gordon, Cabinet Member for Corporate Services, gordocj@caerphilly.gov.uk
Emma Townsend, Senior Health and Safety Manager, townsej@caerphilly.gov.uk

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CORPORATE HEALTH AND SAFETY COMMITTEE - 25TH JUNE 2018

SUBJECT: ACCIDENT STATISTICS REPORT FOR JANUARY - MARCH 2018

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 2018 (inclusive).

2. SUMMARY

- 2.1 The following report provides accident statistics for January to March 2018 (inclusive). 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 Health and Safety 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 (RIDDOR) 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' (formerly referred to as a 'major 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 directly 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 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 to March 2018. 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' (formerly referred to as a 'major') injury.
- 4.4 Appendix 2 details the RIDDOR-reportable accidents per directorate between January to March 2018, and details those accidents that occurred to members of the public that were reported.
- 4.5 There was 1 reportable accident in the period January to March 2018 in the Chief Executive's Directorate.
- 4.6 There were 2 reportable accident in the period January to March 2018 in the Communities Directorate.
- 4.7 There were no reportable accidents in the period January to March 2018 in the Social Services Directorate.
- 4.8 There were no reportable accidents in the period January to March 2018 in the Corporate Services Directorate
- 4.9 Near-miss reporting remains disappointingly low and a plan is being developed to improve this.
- 4.10 For the purposes of reporting, staff who are working for the Authority via an agency are treated as employees.
- 4.11 It should be noted that when making comparisons with last years' report there has been a change in the management structure within the Authority, with certain service areas now falling under different Directorates.

5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 This report contributes to the Well-being Goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that we will seek to prevent accidents and incidents re-occurring. This will assist in safeguarding the health and safety of our employees, residents, service users and visitors and ensure that the Council as a public body and social landlord meets its regulatory duties and corporate objectives.

6. EQUALITIES IMPLICATIONS

6.1 There are no equalities implications.

7. FINANCIAL IMPLICATIONS

7.1 There are no financial implications contained in the report.

8. PERSONNEL IMPLICATIONS

8.1 There are no personnel implications contained in the report.

9. CONSULTATIONS

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

10. RECOMMENDATIONS

10.1 That members note the contents of the report.

11. REASONS FOR THE RECOMMENDATIONS

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

12. STATUTORY POWER

12.1 Not applicable to the content of the report.

Author: Andrew Wigley, Senior Health and Safety Officer, wiglea@caerphilly.gov.uk
Consultees: Christina HARRY, Interim Chief Executive, HARRHC@caerphilly.gov.uk
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Cllr Gordon, Cabinet Member for Corporate Services, gordocj@caerphilly.gov.uk
Emma Townsend, Acting Senior Health and Safety Manager,
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Appendices:

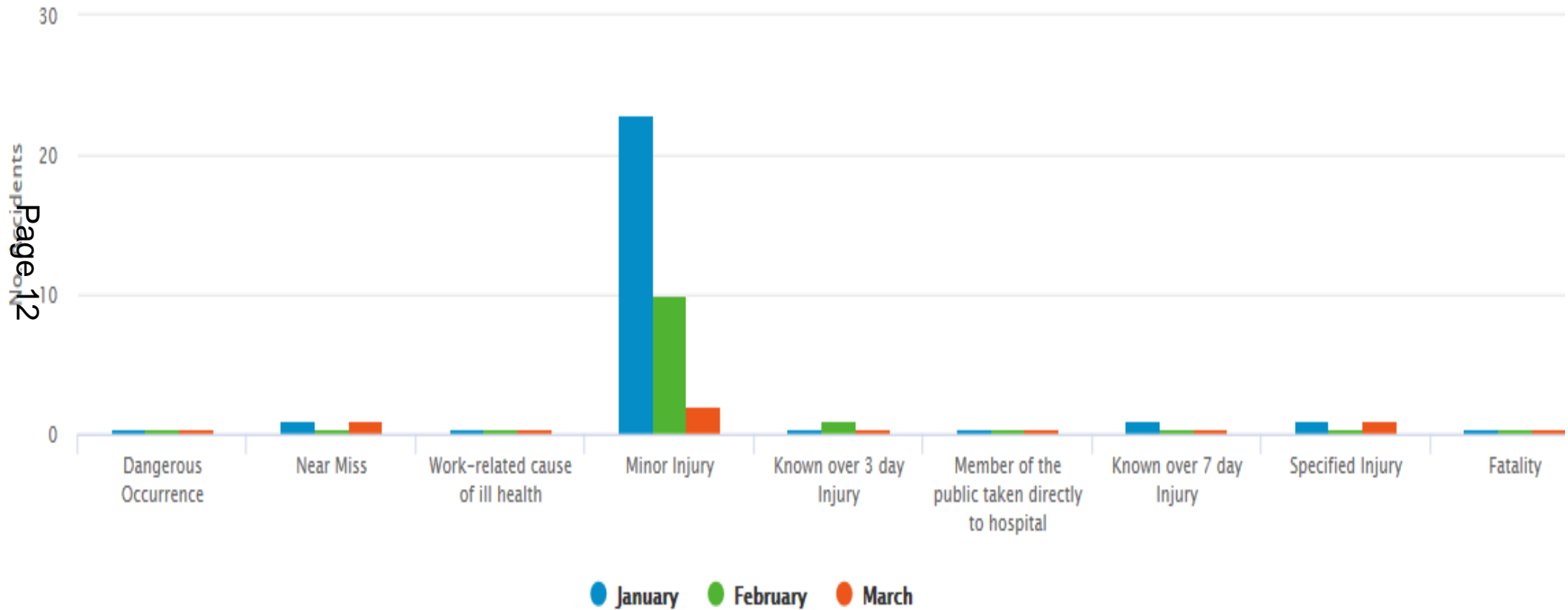
Appendix 1 - All accidents by Type for the Authority between January – March 2018

Appendix 2 - Reportable accidents by Type and Directorate between January – March 2018

Appendix 1 - All accidents by Type for the Authority between January – March 2018

All Accidents by Type for the Authority

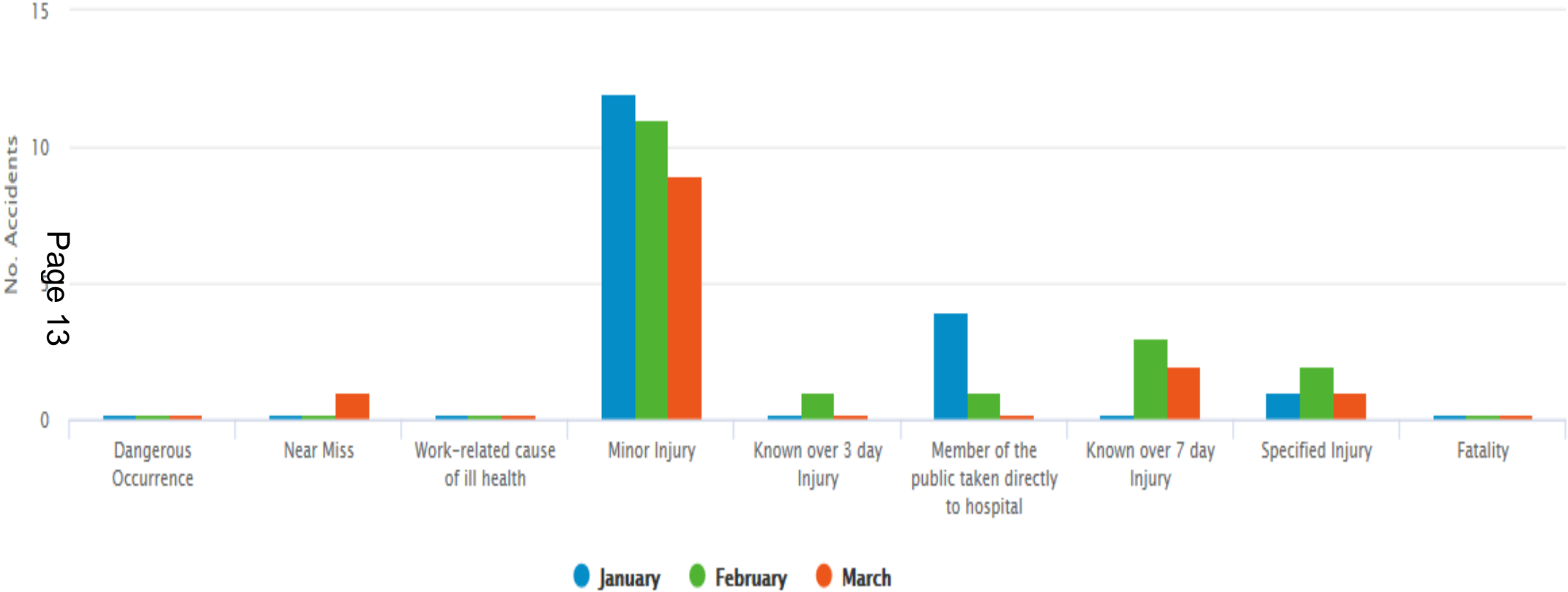
January to March - 2018



All accidents by Type for the Authority between January and March 2017

All Accidents by Type for the Authority

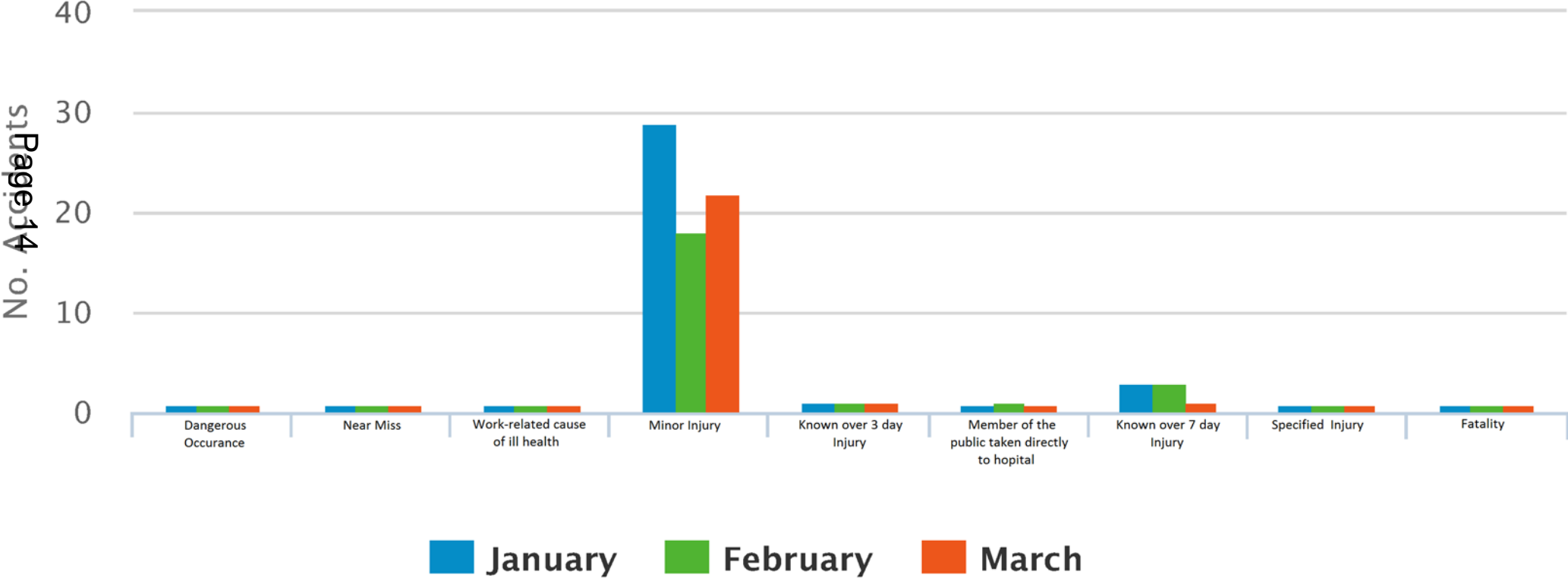
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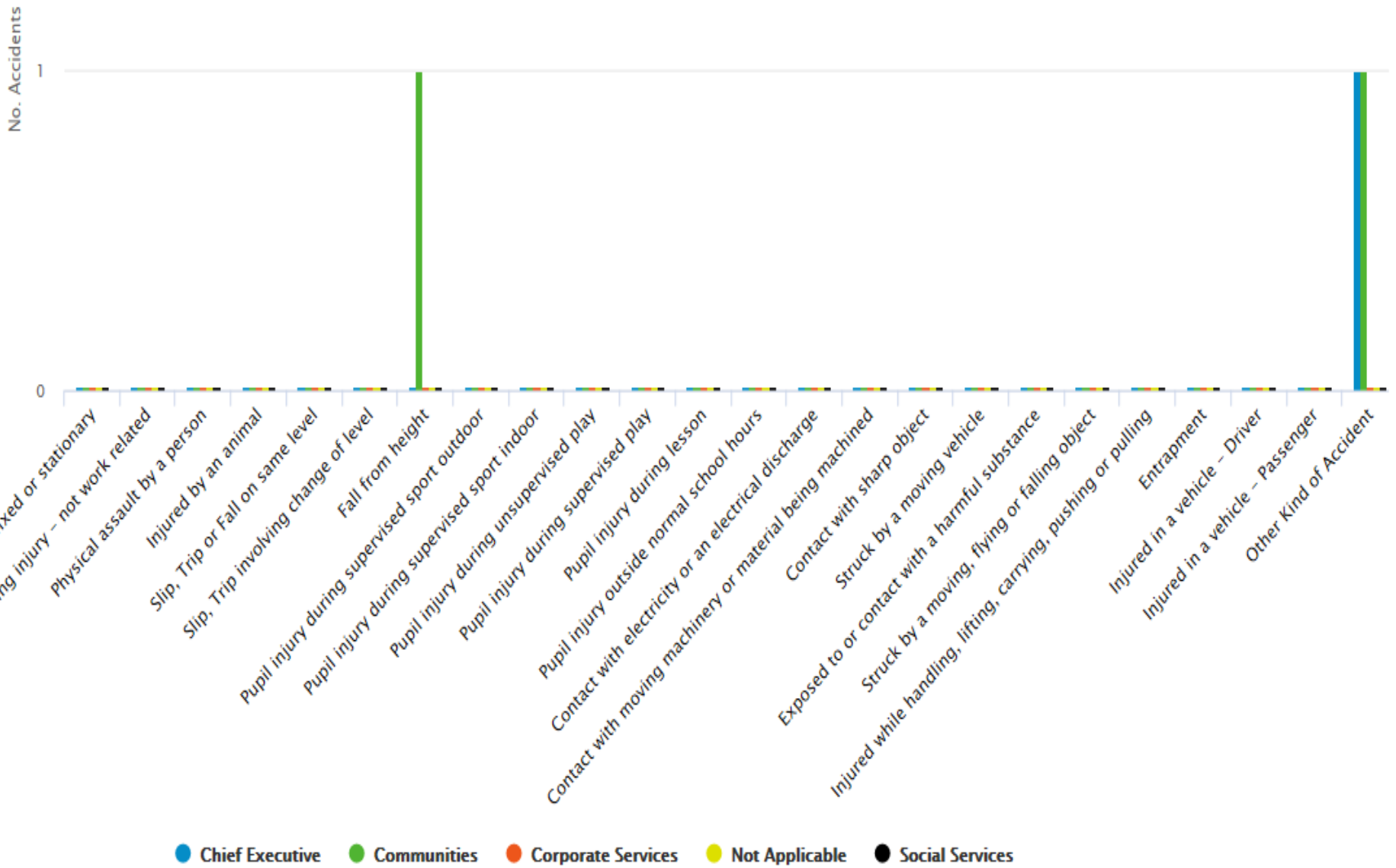
All accidents by Type for the Authority between January and March 2016

All Accidents by Type for the Authority

January to March - 2016

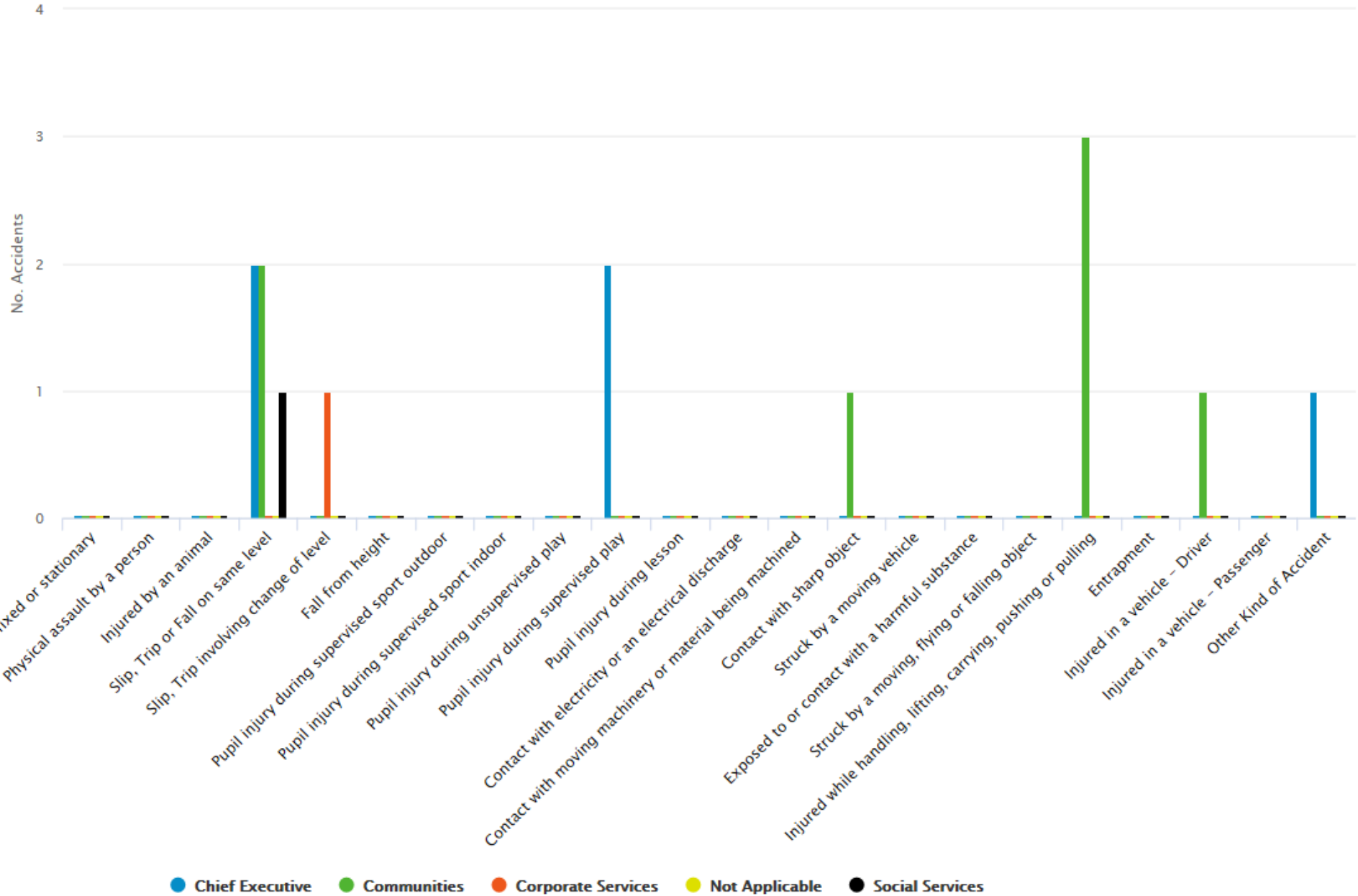


Appendix 2 - Reportable accidents by Type and Directorate between January – March 2018



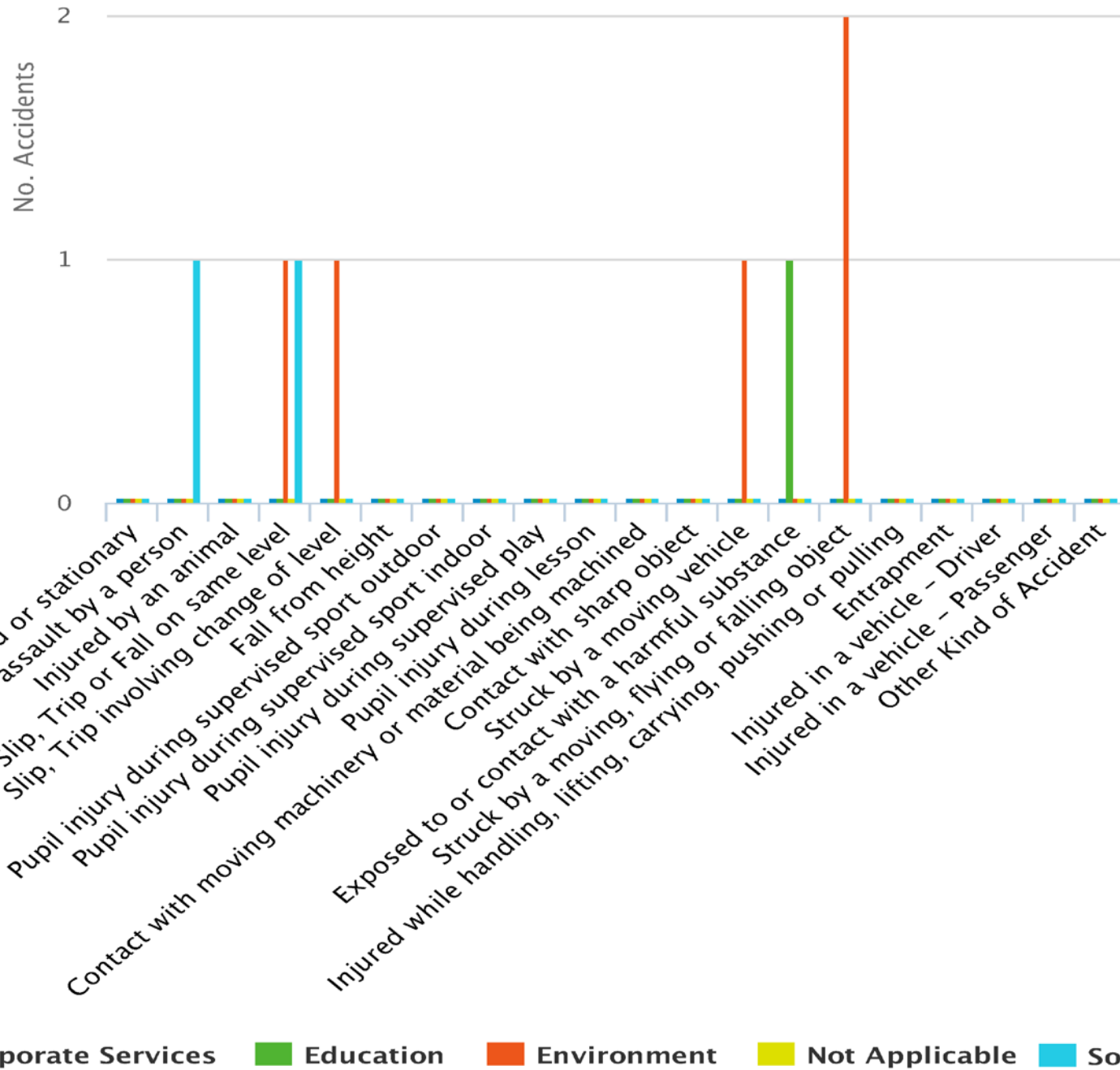
Reportable accidents by Type and Directorate between January – March 2017

Page 16



Reportable accidents by Type and Directorate between January – March 2016

Page 17



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CORPORATE HEALTH AND SAFETY COMMITTEE - 25TH JUNE 2018

SUBJECT: RECENT HSE UPDATES

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES

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 London Borough of Croydon Council and Veolia ES (UK) Limited, a large waste company, have been fined after a worker was crushed by a reversing dust cart, suffering significant injury.

Southwark Crown Court heard how an employee of London Borough of Croydon, working within the motor vehicle repair undertaking of Veolia ES (UK) Ltd as a workshop cleaner, was struck by a reversing 17½ tonne dust cart.

The worker suffered multiple fractures to his right fibula, femur, knee, ankle, wrist and hand. He also suffered a de-gloving injury to his right hand requiring a skin graft.

An investigation by the Health and Safety Executive (HSE) found the workshop cleaner was employed as a 'supported employee' due to his learning difficulties with a recognised need for heightened supervision. Due to his work, he was often required to work in parts of the site, such as the workshop, where large vehicles with low rear visibility for drivers were manoeuvring. He was known to have a history of standing in the path of moving vehicles, an issue known to both duty holders which they failed to address adequately.

It was later found that London Borough of Croydon had relied upon a historical 'agreement' from 2003 whereby their previous waste contractor had agreed to supervise the workshop cleaner.

Southwark Crown Court heard that direct management or supervision of the individual had diminished over time and the worker was left with no active management. It was found that London Borough of Croydon failed due to their presumption that Veolia were managing the injured party and that they should have communicated with Veolia to keep their employee safe.

Veolia ES (UK) Limited did not recognise this 'agreement' nor did they require the services of the workshop cleaner but, nevertheless, the worker continued to operate within their workshop and had done since their contract began.

It was found in court that Veolia failed to take reasonably practicable precautions to ensure the injured party was safe whilst working within their workshop due to a lack of implementation of adequate controls for workplace transport such as use of a banksman.

The court also heard both duty holders failed to take into account the specific capabilities of this vulnerable worker and to take reasonably practicable steps to ensure the safety of this individual working within a high-risk environment.

London Borough of Croydon Council pleaded guilty to breaching section 2(1) of the Health and Safety at Work Act 1974 and has been fined £100,000 and ordered to pay costs of £10,842.83

Veolia ES (UK) Limited of Pentonville Road, London pleaded guilty to breaching section 3(1) of the Health and Safety at Work Act 1974, and was fined £250,000 and ordered to pay costs of £11,359.83

- 4.2 A 28-year-old employee has been sentenced to 26 weeks in prison, suspended for one year, and to 100 hours of community service after working at height without suitable and sufficient safety measures in place. He was also ordered to pay costs of £500 and a victim surcharge of £115.

Greater Manchester Magistrates' Court heard how the scaffolder was witnessed erecting scaffold in an unsafe manner by a concerned member of the public. Photographs were taken of him standing on top of the scaffold with no edge protection and no harness attached to any part of the scaffold or building. The fall height was estimated at between 13 and 18 metres. If he had fallen from this height into the concrete deck of the car park below there is a high probability that he would have sustained fatal injuries.

An investigation by the Health and Safety Executive (HSE) found that his employers had taken reasonable steps to avoid working unsafely at height. The employee was well trained and experienced, and had the correct equipment available to him in order to work safely. He acted alone against his better interest and training to work without edge protection and safety measures in place. The employee was also accompanied by a trainee scaffolder at the time and so was setting an unsafe example.

The employee pleaded guilty to breaching Section 7(a) of the Health and Safety at Work etc. Act 1974.

This case highlights the fact that employees can face prosecution for failing to take reasonable care for themselves and others, or failing to follow safety instructions and/or use safety equipment provided by their employer.

5. WELL-BEING OF FUTURE GENERATIONS

- 5.1 This report contributes to the Well-being Goals as set out in Links to Strategy above. It is consistent with the five ways of working as defined within the sustainable development principle in the Act in that we will seek to review accidents/incidents and to work in accordance with any HSE/Industry recommendations. This will assist in safeguarding the health and safety of our employees, residents, service users and visitors and ensure that the Council as a public body and social landlord meets its regulatory duties and corporate objectives.

6. EQUALITIES IMPLICATIONS

- 6.1 There are no equalities implications.

7. FINANCIAL IMPLICATIONS

- 7.1 There are no financial implications.

8. PERSONNEL IMPLICATIONS

- 8.1 There are no personnel implications.

9. CONSULTATIONS

- 9.1 All comments from consultees have been included in the report.

10. RECOMMENDATIONS

- 10.1 That the contents of the report be noted.

11. REASONS FOR THE RECOMMENDATIONS

- 11.1 For information only.

12. STATUTORY POWER

- 12.1 Not applicable to this report.

Author: Andrew Wigley, Senior Health and Safety Officer, wiglea@caerphilly.gov.uk
Consultees: Christina HARRY, Interim Chief Executive, HARRHC@caerphilly.gov.uk
Lynne Donovan, Head of People Services, donovl@caerphilly.gov.uk
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