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Date: 13th November 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, 19th November, 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 'Christina Harrhy'.

Christina Harrhy
INTERIM CHIEF EXECUTIVE

AGENDA

	Pages
1 To elect a Chair of the Committee for the ensuing year.	
2 To elect a Vice-Chair of the Committee for the ensuing year.	

A greener place Man gwyrddach

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



3 To receive apologies for absence.

4 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:-

5 Corporate Health and Safety Meeting held on the 25th June 2018. 1 - 4

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

6 Accident Statistics Report for April - September 2018. 5 - 12

7 Recent Health and Safety Executive Updates. 13 - 18

Circulation:

Councillors C.J. Gordon, 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

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CORPORATE HEALTH AND SAFETY COMMITTEE

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, YSTRAD MYNACH ON
MONDAY, 25TH JUNE 2018 AT 10.00 A.M.**

PRESENT:

Councillors:

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

Councillor C. Gordon (Cabinet Member for Corporate Services)

Together with:

E. Townsend (Acting Senior Health and Safety Manager), L. Donovan (Head of People Services), S. Richards (Head of Education, Planning & Strategy), M. Williams (Interim Head of Property Services), A. Wigley (Senior Health and Safety Officer) and R. Barrett (Committee Services Officer)

Trade Union Representatives:

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

1. PRESIDING CHAIR

It was noted that the appointment of Chair and Vice-Chair for the ensuing year would be placed on the agenda for November's meeting.

The Committee unanimously voted to elect Councillor D. Havard to preside as Chair for the duration of the meeting.

2. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor D.T. Hardacre.

3. DECLARATIONS OF INTEREST

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

4. MINUTES – 19TH FEBRUARY 2018

RESOLVED that the minutes of the Corporate Health and Safety Committee held on 19th February 2018 be approved as a correct record and signed by the Chair.

REPORTS OF OFFICERS

Consideration was given to the following reports.

5. ENFORCEMENT ACTION - VERBAL UPDATE

Emma Townsend (Acting Senior Health and Safety Manager) provided a verbal overview of the Health and Safety Enforcement Action that has taken place across the Authority.

Members were advised that there had been no further developments in respect of the electrical safety notice relating to the incident at Bargoed Rugby Club in 2017. Enforcement action appears unlikely at this stage. This will be taken off the agenda for future meetings but if there are any further developments, these will be brought back to the Committee for information.

Work is continuing in regards to fire risk assessments across the Authority's schools and an action plan has been developed for Heolddu Comprehensive School, arising from the required changes identified at the site. To date, the school has completed 37 out of 40 housekeeping tasks and has been granted an extension to 31st August 2018 to complete the tasks. Building Consultancy is acting as the technical division and structural work will be progressed. The fire safety work required has been split into two separate packages, comprising of compartmentalisation works and fire alarm and emergency lighting works. Works are progressing well and on target, with a final update to be given at the next meeting.

6. HEALTH AND SAFETY SLA UPDATE

Consideration was given to the report, which provided an update on the Health and Safety SLA Service offered to all schools.

It was explained that since 2009, a health and safety Service Level Agreement (SLA) has been provided to all Caerphilly schools. All schools have opted into the core SLA for 2018-2019. Following requests from Head Teachers for additional health and safety support, a premium SLA service was introduced in 2015. Officers outlined details of the service offer for both the core and premium SLA as set out in the report.

Members noted that the premium SLA has been exceptionally well received and that 68 out of 75 primary schools have bought into the premium agreement for 2018-2019. The service is valued by Head Teachers and only one school has dropped out of the service since its introduction. Only one secondary school has opted into the premium SLA, but it was explained that the lack of take-up may be due to most secondary schools having a Business Manager/Bursar who is already trained to undertake health and safety responsibilities for their site.

Discussion took place regarding the SLA arrangements and Members commented on the positive relationships that have been established between schools and their nominated SLA Health and Safety Officer. The benefits of this can be seen by improvements across RAMIS statistics and a number of schools moving from a fortnightly to monthly service, which reflects the level of service delivered to date and the schools' increased confidence in managing their health and safety risk.

Clarification was sought on the reasons for why several primary schools have not opted to take up the premium SLA offer. It was explained that this may be due to budgetary considerations, schools already having the support arrangements in place, or the Headteacher already having specialist health and safety knowledge in this regard.

However it was noted that the number of schools choosing to buy into the premium SLA service is increasing year on year, which is a positive reflection of the quality of the service.

Discussion took place regarding the frequency and monitoring of school fire evacuation drills. Officers confirmed that they are able to evidence these are taking place as details of the drills are recorded on RAMIS. All schools carry out a fire evacuation drill every term. Under the premium SLA, Health and Safety Officers observe the drills and encourage schools to carry these out at inconvenient times. The drills are observed upon request from the school under the core SLA.

Having fully considered the report, Members noted its contents and thanked the Officers for responding to queries raised during the course of the debate.

7. 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 January - March 2018.
2. Recent HSE Updates.

The meeting closed at 10.34 a.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on Monday 19th November 2018, they were signed by the Chair.

CHAIR

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CORPORATE HEALTH AND SAFETY COMMITTEE – 19TH NOVEMBER 2019

SUBJECT: ACCIDENT STATISTICS REPORT FOR APRIL– SEPTEMBER 2018

REPORT BY: DIRECTOR OF EDUCATION AND CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to inform the Committee of the numbers and types of work related accidents/incidents that occurred during the period of April to September 2018 (inclusive).

2. SUMMARY

- 2.1 In accordance with legislation, the Council is responsible for the reporting of injuries, diseases and dangerous occurrences to the Health and Safety Executive (HSE) as well as implementing preventative and protective measures to prevent foreseeable workplace accidents occurring.
- 2.2 This report provides accident statistics for April to September 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 3.1 The recommendations set out in this report contribute to the following Well-being goals within the Well-being of Future Generations Act (Wales) 2015, in that the monitoring and reporting of accidents should lead to a safer work environment in accordance with the Council's Health and Safety Policies, which take account of relevant legislation:

- *A healthier Wales*
- *A more equal Wales*

3.2

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 April to June 2018. Appendix 2 provides details for the period July to September 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’ injury.

4.4 Appendix 3 details the RIDDOR-reportable accidents per directorate between April to June 2018, and details those accidents that occurred to members of the public that were reported. Appendix 4 provides details for the period July to September 2018.

4.5 There was 1 RIDDOR-reportable accident in the period April – June, and 1 in the period July – September 2018 in the Education and Corporate Services Directorate.

4.6 There were 3 reportable accidents in the period April – June, and a further 6 in the period July – September 2017 in the Communities Directorate.

4.7 There was 1 reportable accident in the period April – June, and a further 3 in the period July – September 2017 in the Social Services and Housing Directorate.

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

4.9 The Committee should note that there were no RIDDOR-reportable incidents during the time frame detailed within this report as illustrated in the graphs of the Appendices.

4.10 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 also 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 The Council's Health and Safety policies take account of any equalities related issues.

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 There are no consultation responses that have not been reflected in this report.

10. RECOMMENDATIONS

10.1 That the Committee note the contents of the report.

11. REASONS FOR THE RECOMMENDATIONS

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

12. STATUTORY POWER

12.1 Local Government Act 1972
Health and Safety at Work Act 1974

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Cllr Gordon, Cabinet Member for Corporate Services, gordocj@caerphilly.gov.uk
Emma Townsend, Senior Health and Safety Manager, townsej@caerphilly.gov.uk

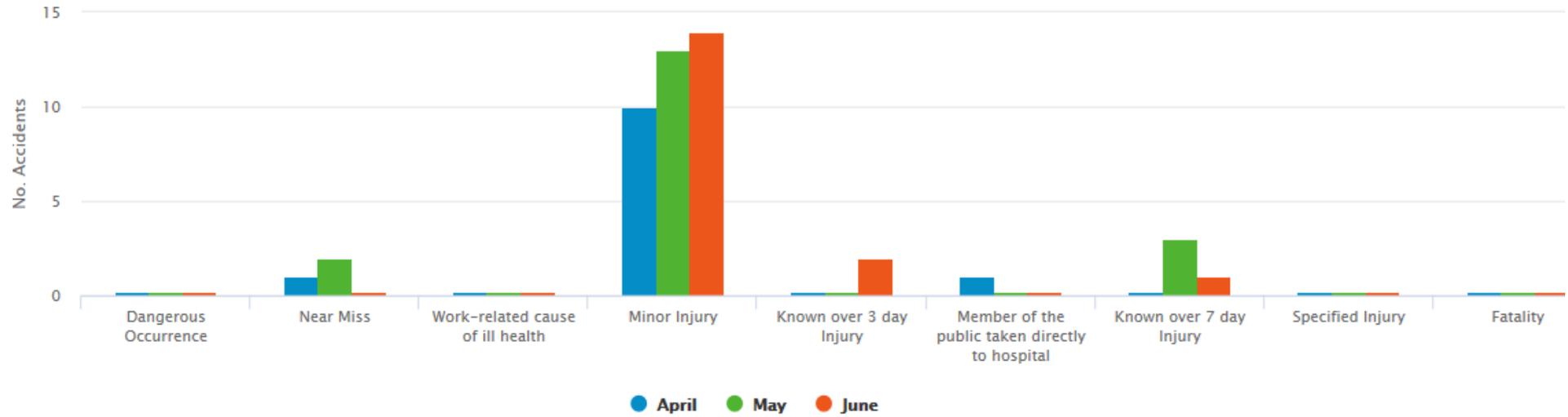
Appendix 1 – 4 All accidents by Type for the Authority between April and June 2018

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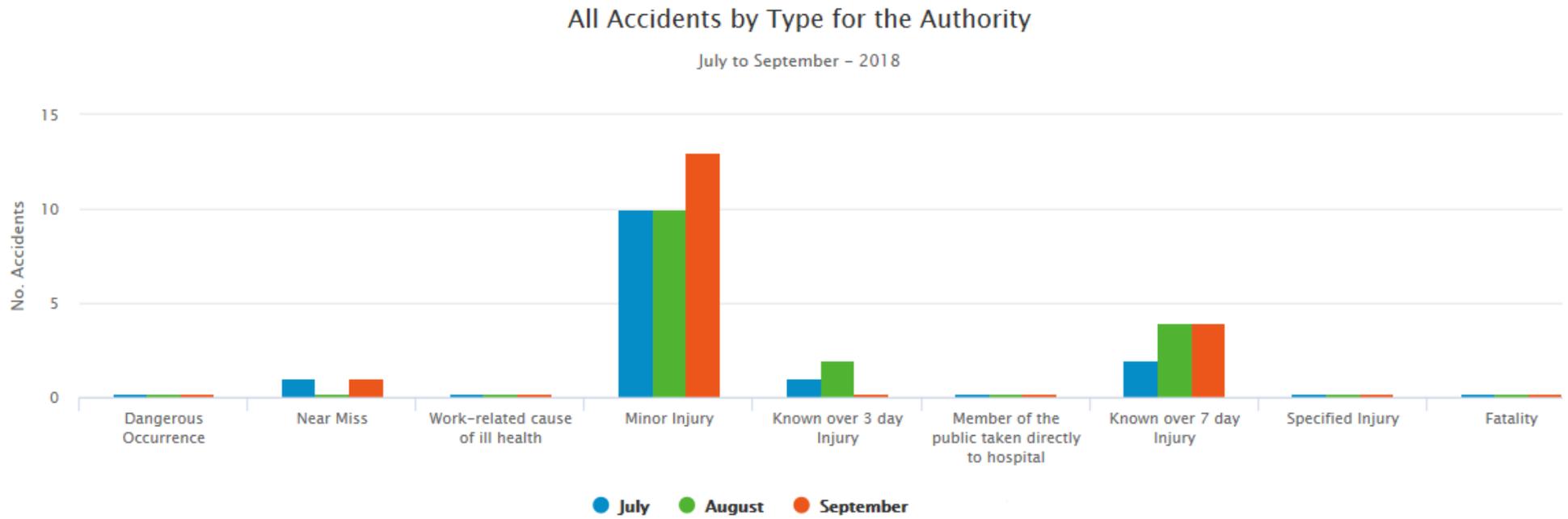
Appendix 1 - All accidents by Type for the Authority between April and June 2018

All Accidents by Type for the Authority

April to June - 2018

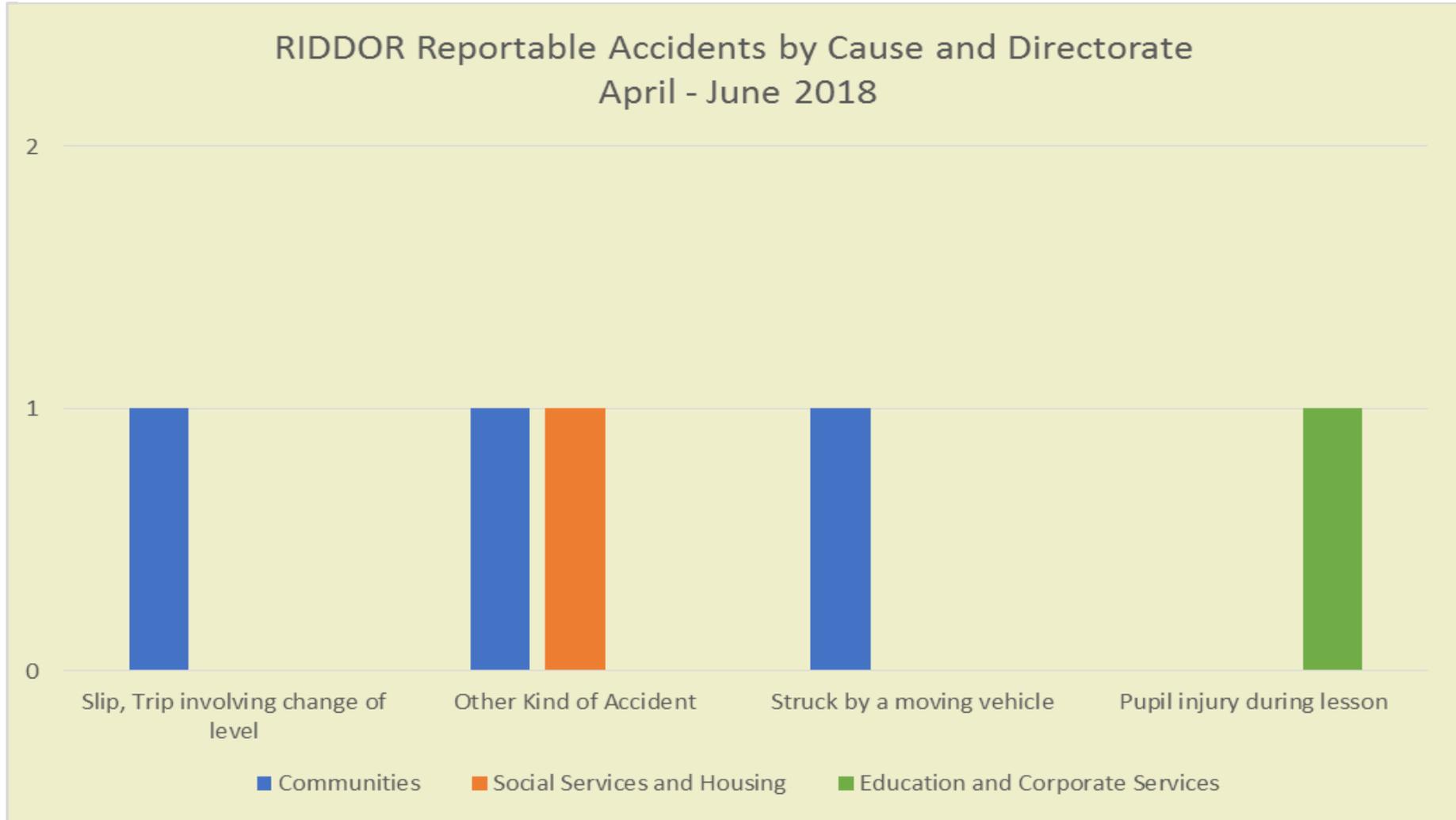


Appendix 2 - All accidents by Type for the Authority between July and September 2018



Appendix 3

RIDDOR Reportable Accidents by Cause and Directorate
April - June 2018



Appendix 4

RIDDOR Reportable Accidents by Cause and Directorate
July - September 2018





CORPORATE HEALTH AND SAFETY COMMITTEE - 19TH NOVEMBER 2018

SUBJECT: RECENT HEALTH AND SAFETY EXECUTIVE UPDATES

REPORT BY: DIRECTOR OF EDUCATION AND CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to inform the Committee about recent relevant accidents, incidents and prosecutions.

2. SUMMARY

- 2.1 The report is provided as information for members of the Committee, to ensure that they are kept informed of any matters that could impact on the management of health and safety within the Council.

3. LINKS TO STRATEGY

- 3.1 3.1 T The recommendations set out in this report contribute to the following Well-being goals within the Well-being of Future Generations Act (Wales) 2015, in that the monitoring and reporting of accidents should lead to a safer work environment in accordance with the Council's Health and Safety Policies, which take account of relevant legislation:

- *A healthier Wales*
- *A more equal Wales*

4. THE REPORT

Bridgend Council

- 4.1 Bridgend Council has been fined £300,000 and ordered to pay £29,228 and in costs after a pupil was killed when he was hit by a minibus on school grounds. The hearing at Cardiff Crown Court on Friday 2nd November 2018 was told that the pupil's death could have been avoided.
- 4.2 The fifteen-year-old pupil died when he was hit by a school minibus on December 10th 2014, at Maesteg School in Bridgend. He suffered multiple injuries and was pronounced dead at the scene. Another child, who cannot be named for legal reasons, was also involved in the incident. The extent of their injuries is unknown but believed to be minor.
- 4.3 The driver of the bus, PE teacher, was unable to avoid the pupil after he ran into the road to catch his school bus home. No police action was taken against the teacher after an inquest ruled that the pupil's death was accidental.

- 4.4 The court heard that concerns were raised before the school was opened regarding risks to pedestrians from moving vehicles.
- 4.5 The school was a new build which opened in September 2008, the date the prosecution say the breach of health and safety regulations began.
- 4.6 The prosecutor informed the court that the design of the school's traffic arrangements, including parking, bus bays, drop off point and walkways, needed to be costed early and done right first time as changing it retrospectively would be expensive and difficult to implement, and that avoiding the risks was not achieved at the design stage, was not rectified and was not monitored throughout the process.
- 4.7 The court heard that the Council's Principal Health and Safety Adviser visited the school while it was at an advanced construction stage. He raised a number of concerns with the project manager that the design of the car park and the bus bays appeared to "not be as safe as they could be". One of the issues was the provision of only five bus bays despite eight buses being contracted by the school. Other issues included provisions for drop offs, walk ways, narrow gates and parking on the road. Although a number of concerns were repeated and options to improve risk control measures were suggested, the Principal Health and Safety Adviser was informed by the Project Manager that the school was 'built now' and it was too late to make changes.
- 4.8 The solution for the shortage of 3 bus parking bays was for the surplus buses to park on the other side of the road to the bus bays. Subsequently pupils were required to cross the roadway between parked buses to gain access to the other buses on the opposite side of the road at the end of the school day.
- 4.9 The court heard that school personnel were not provided with appropriate support and there was no proactive management by the Council. The court also heard about a number of unreported incidents in the run up to the pupil's death, which were characterised as 'near misses,' with there was no system for them to be reported and discussed.
- 4.10 Just three weeks before the pupil's death, another pupil ran out between two parked buses causing a school mini-bus to break harshly to avoid a collision.
- 4.11 Following the death Bridgend Council has conducted a review of pedestrian and vehicle movement at all schools and premises under council ownership, and an observation programme developed to check compliance with risk-control measures and instructions made to ensure vehicle risk assessments were completed.

Kent County Council

- 4.12 Kent County Council has been fined £200,000 after asbestos was disturbed at Lansdowne Primary School.
- 4.13 Canterbury Crown Court heard how, on 6 November 2014, an Environmental Health Officer was carrying out a routine food inspection when they noticed what looked like asbestos rope hanging from the ceiling.
- 4.14 A prohibition notice was served on the now independent educational trust. An investigation found that the asbestos flue and rope were disturbed when it was under the control of the County Council 18 months beforehand.
- 4.15 The Health and Safety Executive (HSE) found that the flue and gasket rope were attached to a steriliser unit that was removed by the caretaker. The investigation also found that neither the caretaker nor the head teacher had any asbestos management or awareness training. The council failed to effectively to prevent exposure and failed to provide suitable training to those liable to be exposed to asbestos.

- 4.16 Kent County Council pleaded guilty to breaching Regulation 10 (1) of the Control of Asbestos Regulations 2012 and was fined £200,000 and ordered to pay costs of £21,500.

Comhairle Nan Eilean Siar

- 4.17 Comhairle Nan Eilean Siar, the Local Authority which covers the Western Isles, has been fined after a boy suffered chemical burns.
- 4.18 Stornoway Sheriff Court heard how, on 11 July 2017, employees of the local authority had cleaned the slipway and steps of the pier at Valtos Pier in Uig using sodium hypochlorite. Later that day, two children were crabbing and lying on the steps of the pier, when one of the children felt a stinging sensation across his left leg. The child noticed a white substance on his trousers and his skin had developed red and brown patches. The children returned to their holiday home and the child was showered by his mother before he was taken to hospital by his father. The hospital confirmed the child had sustained a chemical burn from the sodium hypochlorite.
- 4.19 An investigation by the Health and Safety Executive (HSE) found that due to the Council's failure to wash away the solution, or cordon off the area, the children were able to access the area. The investigation also found the risk assessment in place did not consider there was a risk to members of the public.
- 4.20 Comhairle Nan Eilean Siar of Sandwick Road, Stornoway, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974 and was fined £12,000 and ordered to pay a compensation order of £6,000.

Hull City Council

- 4.21 Hull City Council has been fined £185,000 and ordered to pay an additional £44,442.71 in costs after being prosecuted by the HSE for failing to control the risk of employees working on ice at The Hull Ice Arena.
- 4.22 The worker was marking lines for the ice hockey pitch at the venue, walking towards the centre of the ice rink, when he slipped and fell heavily onto the ice, suffering head injuries and breaking three ribs.
- 4.23 An investigation by the HSE found there had been a number of previous incidents of employees slipping and falling on ice.
- 4.24 Hull City Council pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974.

Cambus Limited

- 4.25 A bus driver has been sentenced to 12 weeks imprisonment, suspended for 12 months, and ordered to pay costs of £2,000 after he lost control of the bus he was driving, injuring five of his passengers.
- 4.26 Huntingdon Magistrates' Court heard how, on 22 February 2016, the employee of Cambus Limited, trading as Stagecoach East, lost control of the bus he was driving as he negotiated a gap in the guided section of the track. The bus jumped over the track, travelled across an adjacent path and came to rest up the side of a grassy embankment. As a result, five of his passengers suffered injuries which included a fractured spine, pelvis, ribs and whiplash.
- 4.27 An investigation by the Health and Safety Executive (HSE) found the driver was reading a time duty card whilst driving and therefore had no vision of the busway ahead nor did he have a grip of the steering wheel. The investigation also found he was driving at speeds of 52mph when the maximum recommended speed in that area was 30mph.

4.28 The driver pleaded guilty to breaching Section 7(1) of the Health and Safety at Work etc Act 1974 that places a legal duty upon employees to take reasonable care for themselves and others who may be affected by their acts or omissions, and to co-operate with their employer to ensure their employer is able to comply with their own legal obligations (e.g. follow safety instructions and/or use safety equipment provided by their employer in the manner instructed and trained).

Health and Safety Executive annual data

4.29 The Health and Safety Executive (HSE) has released its annual figures for work-related fatal injuries for 2017/18, as well as the number of people known to have died from the asbestos-related cancer, mesothelioma, in 2016.

Key figures are:-

- 1.4 million working people suffering from a work-related illness – of these 44% (600,000) related to stress, depression or anxiety, 35% (500,000) associated with musculoskeletal disorders, and 21% (300,000) other types of illness collectively.
- 12000 lung disease deaths each year estimated to be linked to past exposures at work, of these 2,595 confirmed mesothelioma deaths due to past asbestos exposures (2016)
- 144 workers killed at work
- 555,000 workers sustained a non-fatal injury at work
- 71,062 injuries to employees reported under RIDDOR, a quarter of which were for injuries with over 7 days absence.
- 30.7 million working days lost due to work-related illness and non-fatal workplace injury
- £15 billion estimated cost of work related injuries and ill health from current working conditions (2016/17)

4.30 Mesothelioma, contracted through past exposure to asbestos and one of the few work-related diseases where deaths can be counted directly, killed 2,595 in Great Britain in 2016. The current figures are largely a consequence of occupational asbestos exposures that occurred before 1980. Annual deaths are expected to remain broadly at current levels for the rest of the decade before beginning to decline.

4.30 The HSE has become aware of two suppliers of scientific equipment that have supplied mesh gauzes with asbestos-containing centres. The material on the gauzes is used for its heat-resistant properties. The gauzes are conventionally used with tripods and Bunsen burners

4.31 Although suppliers identified so far are required to contact everyone they have supplied, the HSE has advised that users of such equipment should initially adopt a precautionary approach as gauzes containing asbestos cannot be easily distinguished from those that do not. As such, teaching establishments should not handle, use or move their current stock of wire/mesh gauzes until they have checked with their supplier to find out whether they are likely to contain asbestos.

4.32 When sourcing replacement gauzes, buyers should seek confirmation from their suppliers that the supply chain is assured and that new gauzes do not contain any level of asbestos.

4.33 The only certain way of assuring this is for items originating outside the EU to be analysed by a laboratory accredited for asbestos identification by the UK Accreditation Service (UKAS), for which a copy of a valid UKAS test certificate for the gauze from the supplier should be obtained.

4.34 The Health and Safety team will work with Managers to review policies and processes related to any of the incidents detailed within this report to ensure that the Council is managing risk appropriately.

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 also 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 The Council's Health and Safety policies take account of any equalities related issues.

7. FINANCIAL IMPLICATIONS

- 7.1 There are no financial implications.

8. PERSONNEL IMPLICATIONS

- 8.1 There are no personnel implications.

9. CONSULTATIONS

- 9.1 There are no consultation responses that have not been reflected in this report.

10. RECOMMENDATIONS

- 10.1 That the Committee note the contents of the report.

11. REASONS FOR THE RECOMMENDATIONS

- 11.1 To keep the Committee up to date

12. STATUTORY POWER

- 12.1 Local Government Act 1972
Health and Safety at Work Act 1974

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