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

Date: 10th November 2020

Dear Sir/Madam,

A digital meeting of the **Corporate Health and Safety Committee** will be held via Microsoft Teams on **Monday, 16th November, 2020 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 day.

This meeting will be recorded and made available to view via the Council's website, except for discussions involving confidential or exempt items. Therefore the images/audio of those individuals speaking will be publicly available to all via the recording on the Council website at www.caerphilly.gov.uk

Yours faithfully,

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

Christina Harrhy
CHIEF EXECUTIVE

AGENDA

	Pages
1 To appoint a Chair of the Corporate Health and Safety Committee for the ensuing year.	
2 To appoint a Vice-Chair of the Corporate Health and Safety Committee for the ensuing year.	
3 To receive apologies for absence.	

A greener place Man gwyrdach



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

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 Committee held on the 17th February 2020. 1 - 4

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

- 6 Accident Statistics Report for January - September 2020. 5 - 28
- 7 Recent HSE Updates. 29 - 36
- 8 Health and Safety Updates. 37 - 40
- 9 Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) - Guidance and responsibility on reporting of COVID-19. (Discussion)
- 10 Home working DSE. (Discussion)

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

HOW WE WILL USE YOUR INFORMATION

Those individuals that attend committee meetings to speak/give evidence will be named in the minutes of that meeting, sometimes this will include their place of employment or business and opinions expressed. Minutes of Meetings including details of speakers will be publicly available to all via the Council website at www.caerphilly.gov.uk. except for discussions involving confidential or exempt items.

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CORPORATE HEALTH AND SAFETY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON MONDAY,
17TH FEBRUARY 2020 AT 10 A.M.

PRESENT:

Councillor D. Havard (Chair)
Councillor S. Kent (Vice-Chair)

Councillors:

M. Adams and A G Higgs.

Councillor C. Gordon (Cabinet Member for Corporate Services).

Together with:

E. Townsend (Health and Safety Manager), R. Phillips (Asbestos Officer), A. Wigley (Principal Health and Safety Officer), J. Edwards (Service Manager – Children's Services), S. Richards (Head of Education, Planning and Strategy) and A. Dredge (Committee Services Officer).

Trade Union Representatives:

N. Funnell (GMB), L. Dallimore (UNISON) and A. Williams (UNITE).

1. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors P.J. Bevan, D. T. Hardacre and W. Williams, R. Edmunds (Corporate Director for Education and Corporate Services), L. Donovan (Head of People Services), M. Williams (Interim Head of Property Services) and D. Beecham (Electoral Services Manager).

2. DECLARATIONS OF INTEREST

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

3. MINUTES – 24TH JUNE 2019

RESOLVED that the minutes of the Corporate Health and Safety Committee held on 24th June 2019 be approved as a correct record and signed by the Chair.

REPORTS OF OFFICERS

Consideration was given to the following reports.

4. UPDATED HEALTH AND SAFETY POLICIES

The Health and Safety Manager presented the report which provided Members with details of proposed minor updates to Health and Safety policies and sought Committee approval to implement the revised draft policies.

The Committee were advised that the Council has a number of policies in place, which set out the approach to managing key Health and Safety risks and a programme of policy review has recently commenced. Members were referred to paragraph 5 in the report which sets out the minor updates in relation to the following policies which were appended to the report:

- Corporate Health and Safety Policy (Appendix 1)
- Lone Working Policy (Appendix 2)
- Accident Reporting and Investigation Policy (Appendix 3)
- Risk Assessment Policy (Appendix 4)
- First Aid Policy (Appendix 5)

Emphasis was placed on the need to encourage near-miss reporting. Members noted that the updated policies will help to ensure that the Council is meeting its responsibilities under Health and Safety legislation and will assist in ensuring there is a robust framework in place to keep employees and others safe.

Representatives from Unison and GMB Trade Unions extended their gratitude to Officers for the highly welcomed communication whilst working together during the thorough process of consultation, in respect of updating the policies. In terms of raising policy awareness, the Officer explained that it is intended that staff briefings will be held in the Council Chamber in the next 4 – 6 weeks. Officers are looking to develop 'Team Talks' with an emphasis on communication, which is considered key. Posters will also be distributed encouraging staff to 'See it, Sort It and Report it'. The Trade Union Representatives offered their assistance in delivering this piece of work as they would like to ensure this is enforced throughout the workplace.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that the updated policies be approved.

5. LEGIONELLA MANAGEMENT POLICY

The Health and Safety Manager presented the report which sought the committee's approval of the draft policy in respect of Legionella Management prior to the report being referred to Cabinet for consideration.

It was noted that the Council has a number of policies setting out the approach to managing key health and safety risks. An electrical safety policy was introduced in December 2017 following HSE recommendations regarding the need for a policy setting out the Authority's commitment to and arrangement for managing electrical safety. Due to the similar high risk associated with legionella it was felt that a similar approach should be adopted and competent specialist advice was sought to assist with the development of a policy.

The Committee were advised that there are robust arrangements to manage water systems where there is a means of creating and transmitting breathable water droplets (aerosols), thus causing a reasonably foreseeable risk of exposure to legionella bacteria is fundamental to the safe and efficient operation of the Council's premises.

Legionella bacteria legionella pneumophilia and related bacteria are found in natural water sources and may also be found on water systems such as cooling towers evaporative condensers, hot and cold water systems and spa pools. If conditions are favourable, the bacteria may grow. The risk increases with age however some people are at higher risk including people over 45 years of age. In addition to this category, smokers and heavy drinkers, people suffering with chronic, respiratory or kidney disease, people with diabetes, lung or heart disease, and anyone with an impaired immune system.

The draft policy details the role and responsibilities at all levels for managing the risks associated with legionella, including ensuring there is a risk assessment and written scheme in place and that appropriate checks are in place. It also sets out the practical measures which will be undertaken to control any risks identified.

In responding to a Member's question, the Officer advised that the Policy has been compiled based on external advice provided by a Contractor. In terms of action to control any risk, the details would be placed on the RAMIS (Risk Assessment Management Information System) and its progress would be monitored. It was also explained that there had been no outbreaks in the County Borough and if there were any concerns raised then external Contractor's advice would be sought, if necessary.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained therein, the contents of the report are noted and the draft policy (Appendix 1) be approved and referred to Cabinet for consideration.

6. STATUTORY MAINTENANCE OF COUNCIL BUILDINGS

The Health and Safety Manager presented the report which sets out the current statutory maintenance compliance data for the four highest risk elements, namely electricity, gas, legionella and fire. It highlights the significant progress achieved and areas of concern. The report encompasses all Council buildings and housing together with external lighting and power installations where these are located on Council owned land. The report presents a position of continual improvement.

Members were advised that considerable effort continues to be focused on improving compliance and the safety of Council buildings and installations. Statutory Maintenance Group Meetings are held regularly and chaired by the Interim Head of Property Services. Positive progress is being made in all areas. Arrangements are also in place where there are cases of outstanding testing and remedials. The Committee were referred to paragraph 5 in the report which details the testing compliance within operational buildings and schools. They cover the quarter as of 31st October 2019 with the exception of Fire Risk Assessment tasks which are as of 13th January 2020. In all cases the corresponding data for 31st July 2019 is included.

The Committee discussed the statistics provided and were pleased to note the overall positive position. A Member referred to the WHQS programme and asked what the procedure would be in terms of gaining access to a property if this was denied. The Officer advised that if it was a gas test then advice would be sought from the Legal Department where court proceedings could be necessary. If access was required to undertake repairs, then Officers would look to further communicate and engage with the community. During the course of the debate, Members requested that an Officer from the Housing Department be invited to attend future Corporate Health and Safety Committee Meetings.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that the contents of the report be noted.

7. 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 for October - December 2019.

ANY OTHER BUSINESS

A. Williams (Unite) addressed the Committee to express his concerns regarding access for staff at the Tir-y-Berth Depot. He advised the Committee that currently staff from Parks are using the same lock up to store their machinery as Refuse and Cleansing and this is causing congestion at the site. It was explained that there is one storage lock up on site which houses wheelie bins and Mr Williams suggested that the bins could be stored outside and for the Parks Department to use that lock up to store their machinery. He asked Officers to undertake a risk assessment at the site prior to further work commencing at the end of March and this was echoed by the other Trade Union Representatives in attendance. The Officer advised that he has met with Building Consultancy, Facilities Management and Parks and there is a supervisor for each area concerned. At this stage, this was considered a scoping exercise which could then be followed by a risk assessment being undertaken, if necessary.

Members requested that any other business to feature as an agenda item for future meetings of the Corporate Health and Safety Committee.

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 16th November 2020, they were signed by the Chair.

CHAIR



CORPORATE HEALTH AND SAFETY COMMITTEE – 16TH NOVEMBER 2020

SUBJECT: ACCIDENT STATISTICS REPORT FOR JANUARY - SEPTEMBER 2020

REPORT BY: CORPORATE DIRECTOR – EDUCATION AND CORPORATE SERVICES

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 September 2020 (inclusive).

2. SUMMARY

- 2.1 The following report provides accident statistics for January to September 2020 (inclusive). Accident statistics are produced for each quarter and presented to the members of the Health and Safety Committee for information.

3. RECOMMENDATIONS

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

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To keep the Committee up to date on any health and issues that may be relevant or may require further consideration.

5. THE REPORT

5.1.1 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.

5.1.2 The term ‘non reportable’ accident or incident, refers to any accident or incident that is not included in point 5.1 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

5.1.3 Appendix 1 provides details on all of the accidents for the Authority that were reported to the Health and Safety Division between January – March 2020. Appendix 2 provides details for the period April to June 2020. Appendix 3 provides details for the period July to September 2020. 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, and ‘near-miss’. For comparison, tables for the same periods during 2018 and 2019 are also provided as Appendices 7-12.

5.1.4 Appendix 4 details the RIDDOR-reportable accidents per directorate between January – March 2020, and details those accidents that occurred to members of the public that were reported. Appendix 5 provides details for the period April to June 2020, and Appendix 6 for the period July to September 2020. For comparison, tables for the same periods during 2018 and 2018 are also provided as Appendices 13-18.

5.1.5 There were three RIDDOR-reportable accidents in the period January to March 2020, two during the period April to June 2020, and none for the period July to September in the Communities Directorate.

- 5.1.6 There was one RIDDOR-reportable accident in the period January to March 2020, none during the period April to June 2020, and one during the period July to September 2020 in the Social Services and Housing Directorate.
- 5.1.7 There was one RIDDOR-reportable accident in the period January to March 2020, none during the period April to June 2020, and one during the period July to September 2020 in the Education and Corporate Services Directorate.
- 5.1.8 For the purposes of reporting, staff who are working for the Authority via an agency are treated as employees. It should also be noted that when making comparisons with earlier years' reports there has been a change in the management structure within the Authority, with certain service areas now falling under different Directorates.
- 5.1.9 The Committee may wish to note that only one RIDDOR-reportable incident during the period January – September 2020 was due to a 'specified injury.'

5.2 **Conclusion**

- 5.2.1 Near-miss reporting remains low. The corporate Accident/Incident Reporting and Investigation Policy has been reviewed, and includes new arrangements for reporting near miss incidents to improve reporting rates.
- 5.2.2 RIDDOR-reportable incidents remain consistently low. This is encouraging and demonstrates the positive benefits of interventions of Health and Safety Officers regarding audits of workplaces and work activities, and the provision of health and safety related training.
- 5.2.3 The updated Accident/Reporting and Investigation Policy will need to be supported by a poster campaign, policy briefing sessions and a team talk for Managers to deliver as part of their team meetings. It is anticipated that increasing managers and employees understanding of the policy and its application will result in a better appreciation of the importance of reporting both accidents and near-misses. However, the covid-19 pandemic has significantly changed and increased workloads making this not possible to progress. Additionally, with staff increasingly working from home, new innovations such as video briefings may be necessary.

6. **ASSUMPTIONS**

- 6.1 No assumptions have been made regarding the information contained in this report.

7. **LINKS TO RELEVANT COUNCIL POLICIES**

- 7.1 The report links to the Corporate Health and Safety Policy and Accident/Incident Reporting and Investigation Policy.

7.2 Corporate Plan 2018-2023.

7.2.1 The report content contributes towards or impacts the Corporate Well-being Objectives:

Objective 1 - Improve education opportunities for all. Through using accident/incident statistics to affording Health and Safety training opportunities both for our employees and for others across the borough which will support with developing skills and improving employability.

Objective 2 - Enabling employment. Through collating and reviewing accident statistics and using the information to assist with ensuring that CCBC employees and others affected by our work activities are kept safe and healthy and able to remain in employment.

Objective 5 - Creating a county borough that supports a healthy lifestyle in accordance with the sustainable Development Principle within the Wellbeing of Future Generations (Wales) Act 2015. Through ensuring that information on work related ill-health is recorded and reviewed thereby ensuring that the health risks associated with work are assessed, controlled and managed and ensuring that Health and Safety policies and practises support good health and well-being.

Objective 6 - Support citizens to remain independent and improve their well-being. Through ensuring that our health and safety policies and practises are promote good health and well-being.

8. WELL-BEING OF FUTURE GENERATIONS

8.1.1 This report contributes to the Well-being Goals as set out in the Well-being of Future Generations (Wales) Act:-

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales

8.1.2 It is also consistent with the five ways of working as defined within the sustainable development principle in the Act in that we will review accident statistics and will use then when we seek to consider the long-term impact of occupational health and safety policies and practices, prevent any ongoing issues and ensure that occupational health and safety is integrated into good management. We will also ensure there is effective collaboration and involvement as required in order to meet our legal occupational health and safety objectives in line with the act. 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.

9. EQUALITIES IMPLICATIONS

9.1 There are no equalities implications within this report

10. FINANCIAL IMPLICATIONS

10.1 There are no financial implications within this report.

11. PERSONNEL IMPLICATIONS

11.1 There are no personnel implications within this report

12. CONSULTATIONS

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

13. STATUTORY POWER

13.1 The Health and Safety at Work etc. Act 1974 and the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.

Author: Andrew Wigley, Principal Health and Safety Officer,
wiglea@caerphilly.gov.uk

Consultees: Richard Edmunds, Corporate Director For Education & Corporate Services, edmunre@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

Appendices:

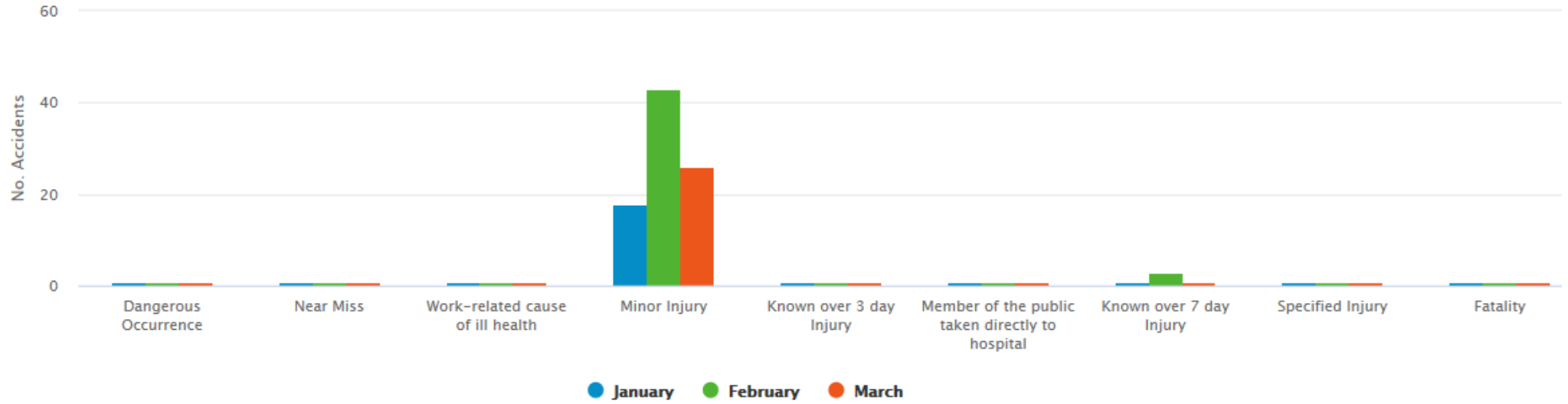
Appendix 1 All accidents by Type for the Authority between January – March 2020
Appendix 2 All accidents by Type for the Authority between April – June 2020
Appendix 3 All accidents by Type for the Authority between July - September 2020
Appendix 4 RIDDOR reportable accidents by Type and Directorate between January - March 2020
Appendix 5 RIDDOR reportable accidents by Type and Directorate between April - June 2020
Appendix 6 RIDDOR reportable accidents by Type and Directorate between July - September 2020
Appendix 7 All accidents by Type for the Authority between January – March 2018
Appendix 8 All accidents by Type for the Authority between April – June 2018
Appendix 9 All accidents by Type for the Authority between July - September 2018
Appendix 10 All accidents by Type for the Authority between January – March 2019
Appendix 11 All accidents by Type for the Authority between April – June 2019
Appendix 12 All accidents by Type for the Authority between July - September 2019
Appendix 13 RIDDOR reportable accidents by Type and Directorate between January - March 2018
Appendix 14 RIDDOR reportable accidents by Type and Directorate between April - June 2018

- Appendix 15 RIDDOR reportable accidents by Type and Directorate between July - September 2018
- Appendix 16 RIDDOR reportable accidents by Type and Directorate between January - March 2019
- Appendix 17 RIDDOR reportable accidents by Type and Directorate between April - June 2019
- Appendix 18 RIDDOR reportable accidents by Type and Directorate between July - September 2019

Appendix 1 - All accidents by Type for the Authority between January – March 2020

All Accidents by Type for the Authority

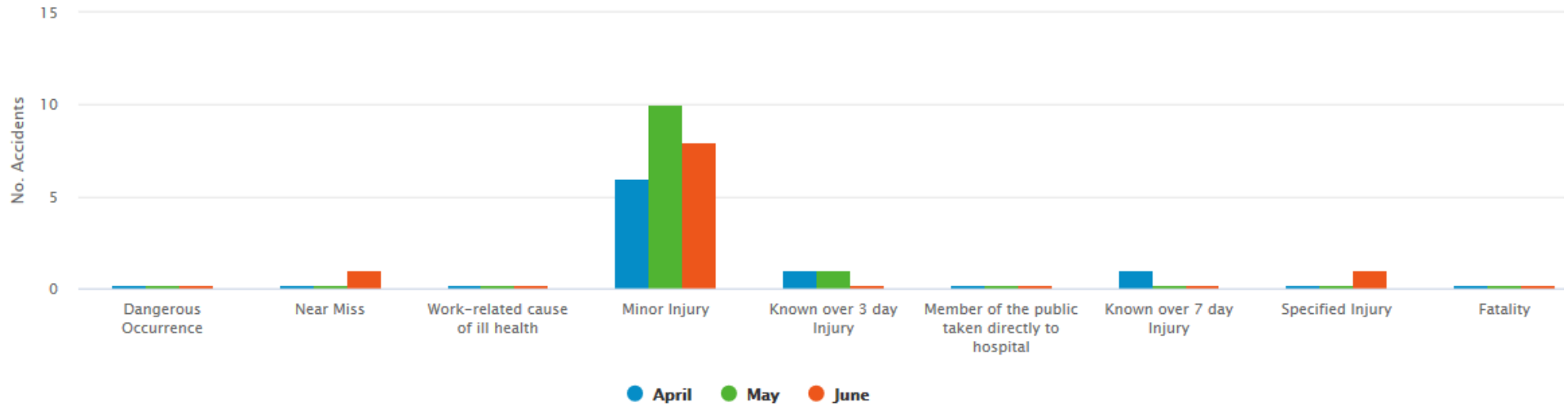
January to March – 2020



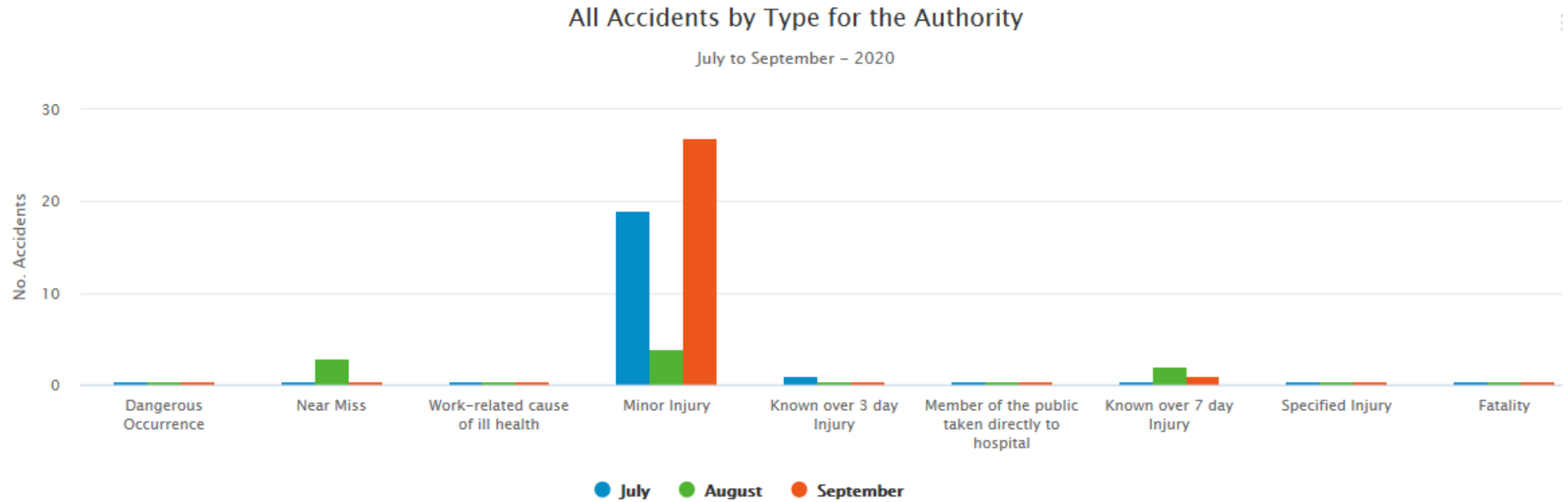
Appendix 2 - All accidents by Type for the Authority between April - June 2020

All Accidents by Type for the Authority

April to June - 2020



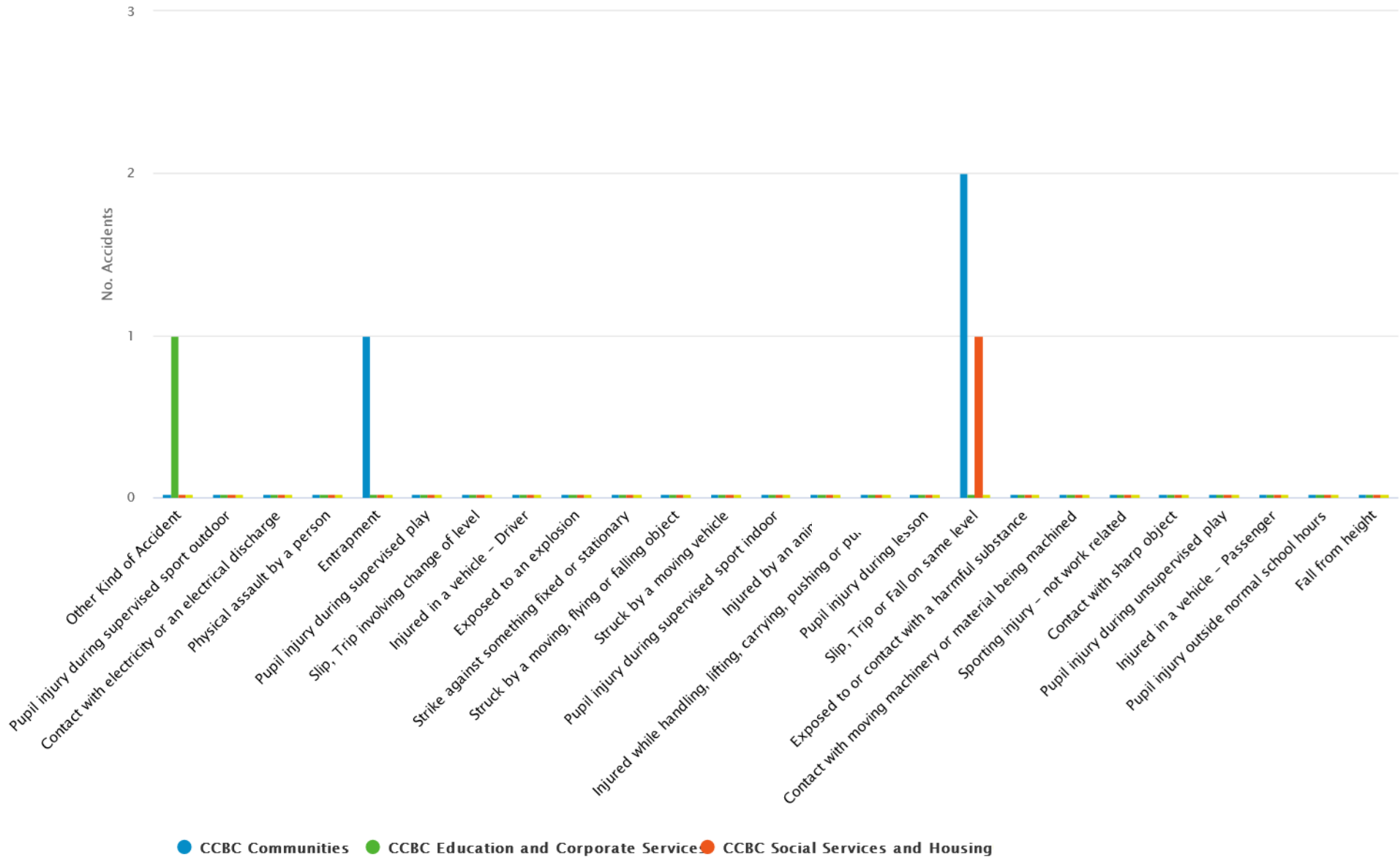
Appendix 3 - All accidents by Type for the Authority between July - September 2020



Appendix 4 – RIDDOR reportable accidents by Type and Directorate between January - March 2020

RIDDOR Reportable Accidents by Cause and Directorate

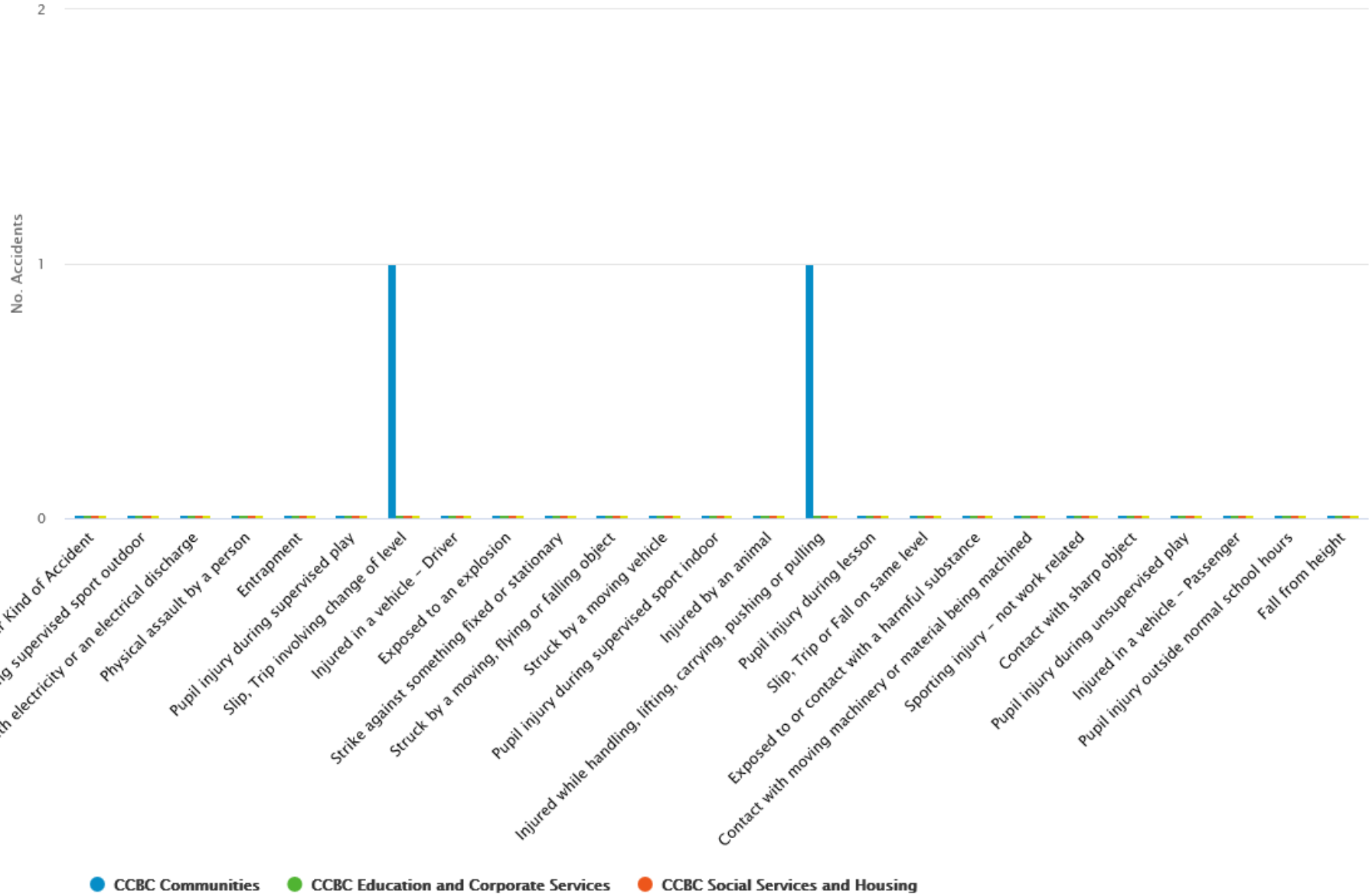
Between 01/01/2020 and 31/03/2020



Appendix 5 – RIDDOR reportable accidents by Type and Directorate between April – June 2020

RIDDOR Reportable Accidents by Cause and Directorate

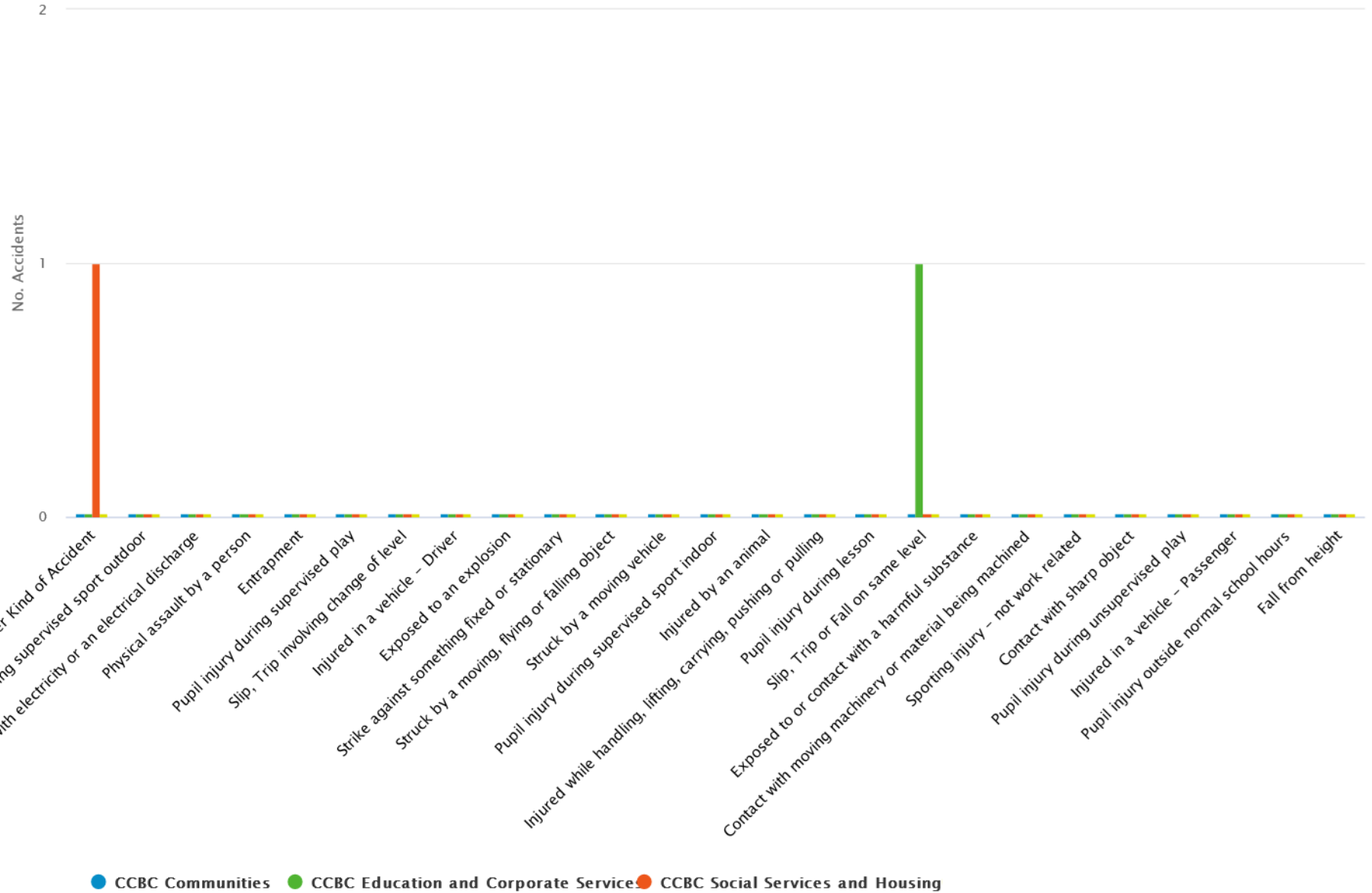
Between 01/04/2020 and 30/06/2020



Appendix 6 – RIDDOR reportable accidents by Type and Directorate between July - September 2020

RIDDOR Reportable Accidents by Cause and Directorate

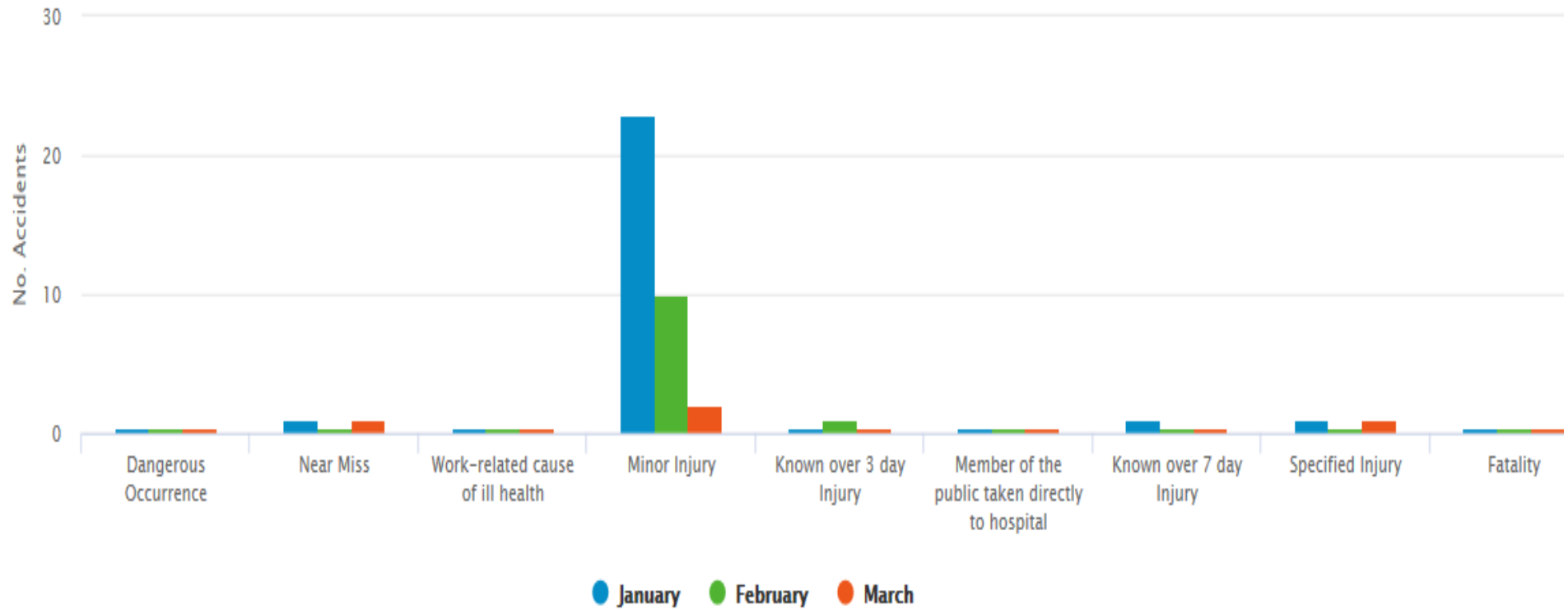
Between 01/07/2020 and 30/09/2020



Appendix 7 - All accidents by Type for the Authority between January – March 2018

All Accidents by Type for the Authority

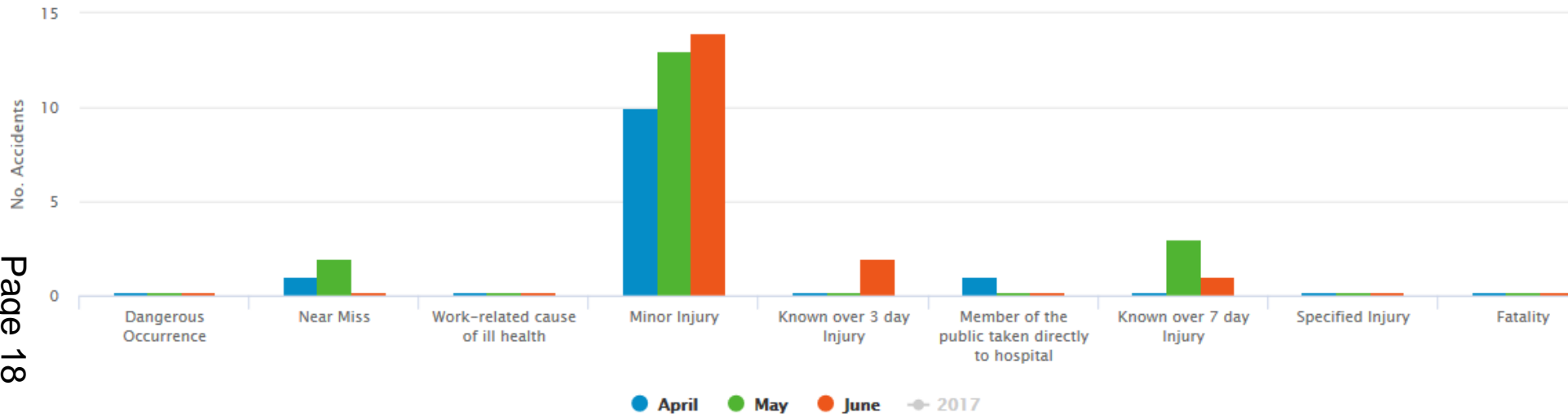
January to March - 2018



Appendix 8 - All accidents by Type for the Authority between April - June 2018

All Accidents by Type for the Authority

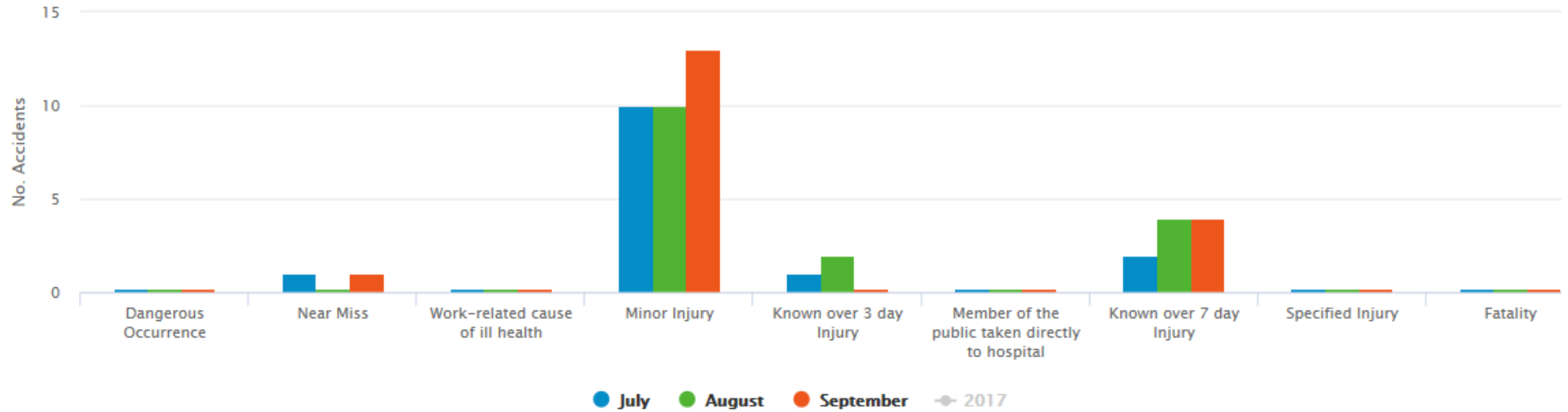
April to June - 2018
With comparison to previous year.



Appendix 9 - All accidents by Type for the Authority between July - September 2018

All Accidents by Type for the Authority

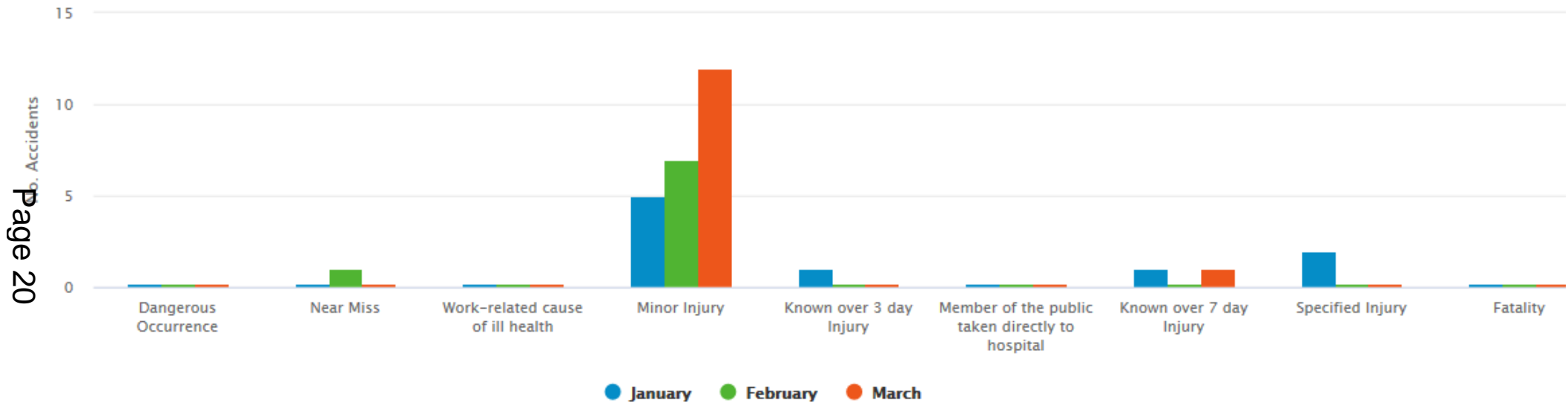
July to September - 2018
With comparison to previous year.



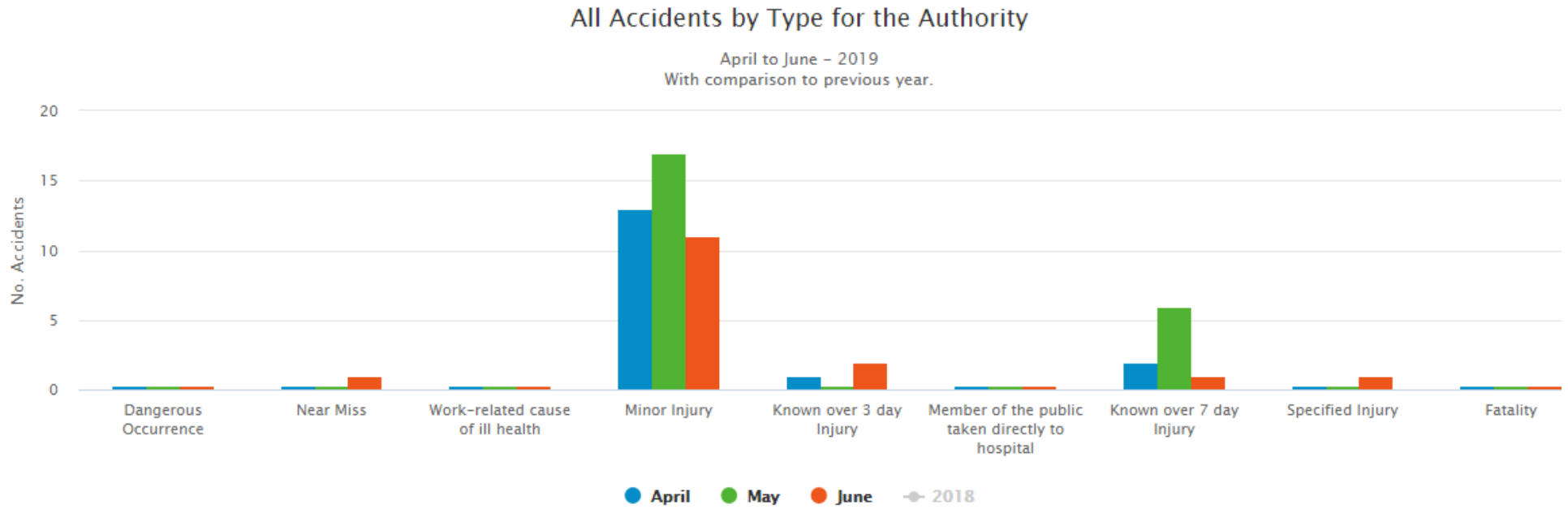
Appendix 10 - All accidents by Type for the Authority between January – March 2019

All Accidents by Type for the Authority

January to March - 2019



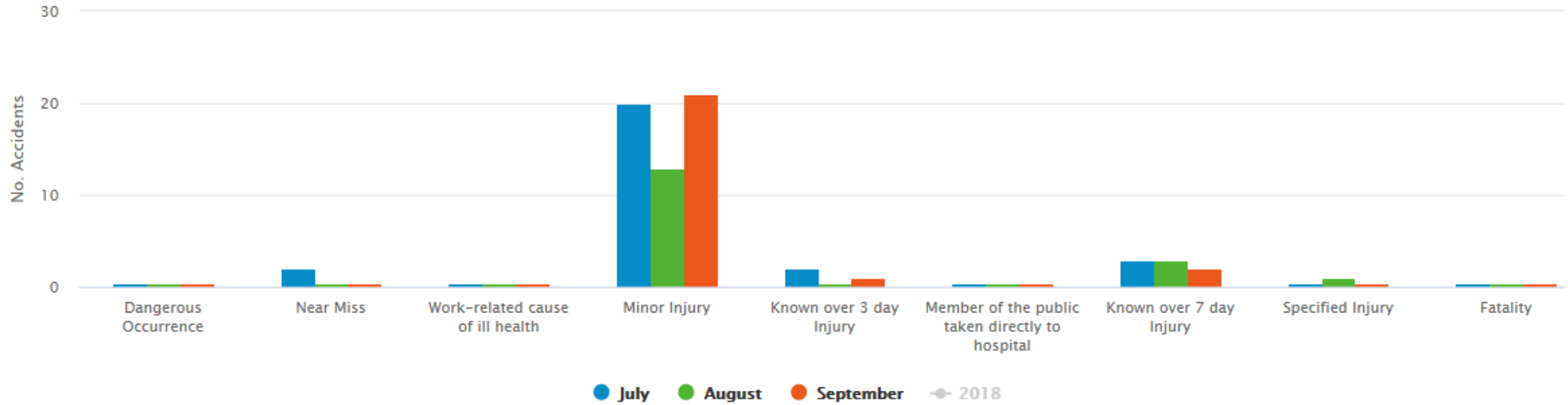
Appendix 11 - All accidents by Type for the Authority between April - June 2019



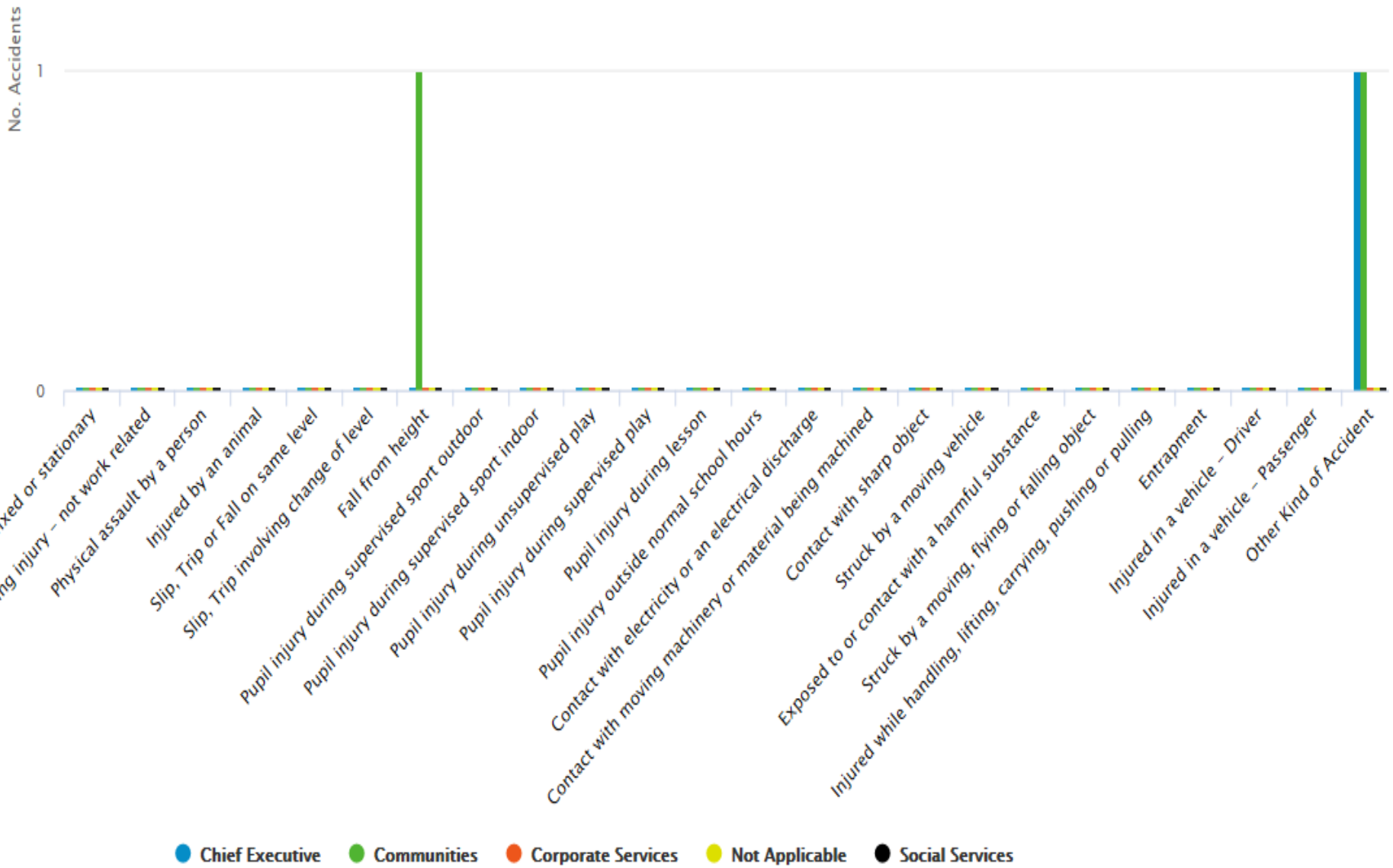
Appendix 12 - All accidents by Type for the Authority between July - September 2019

All Accidents by Type for the Authority

July to September - 2019
With comparison to previous year.

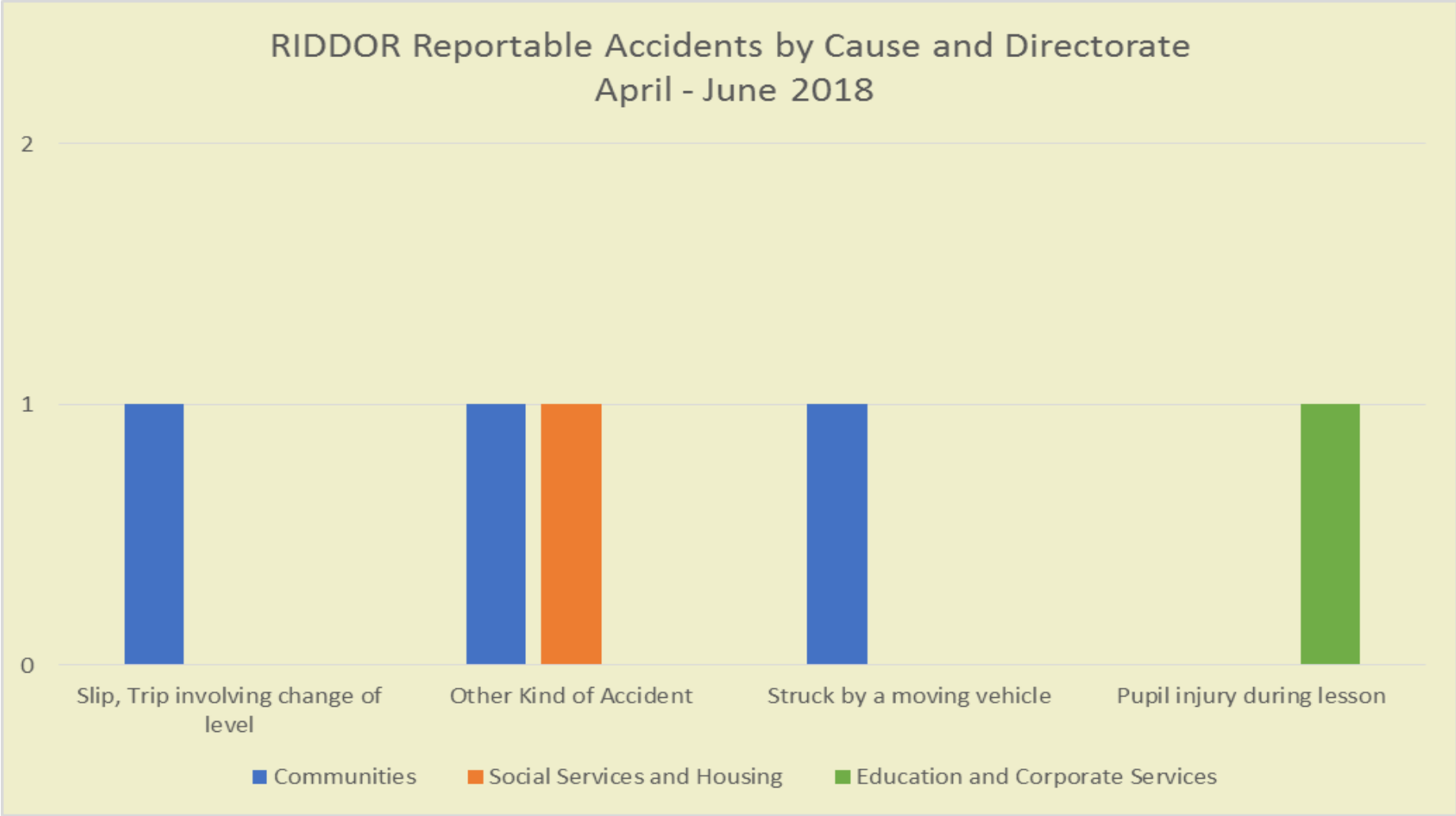


Appendix 13 RIDDOR reportable accidents by Type and Directorate between January - March 2018



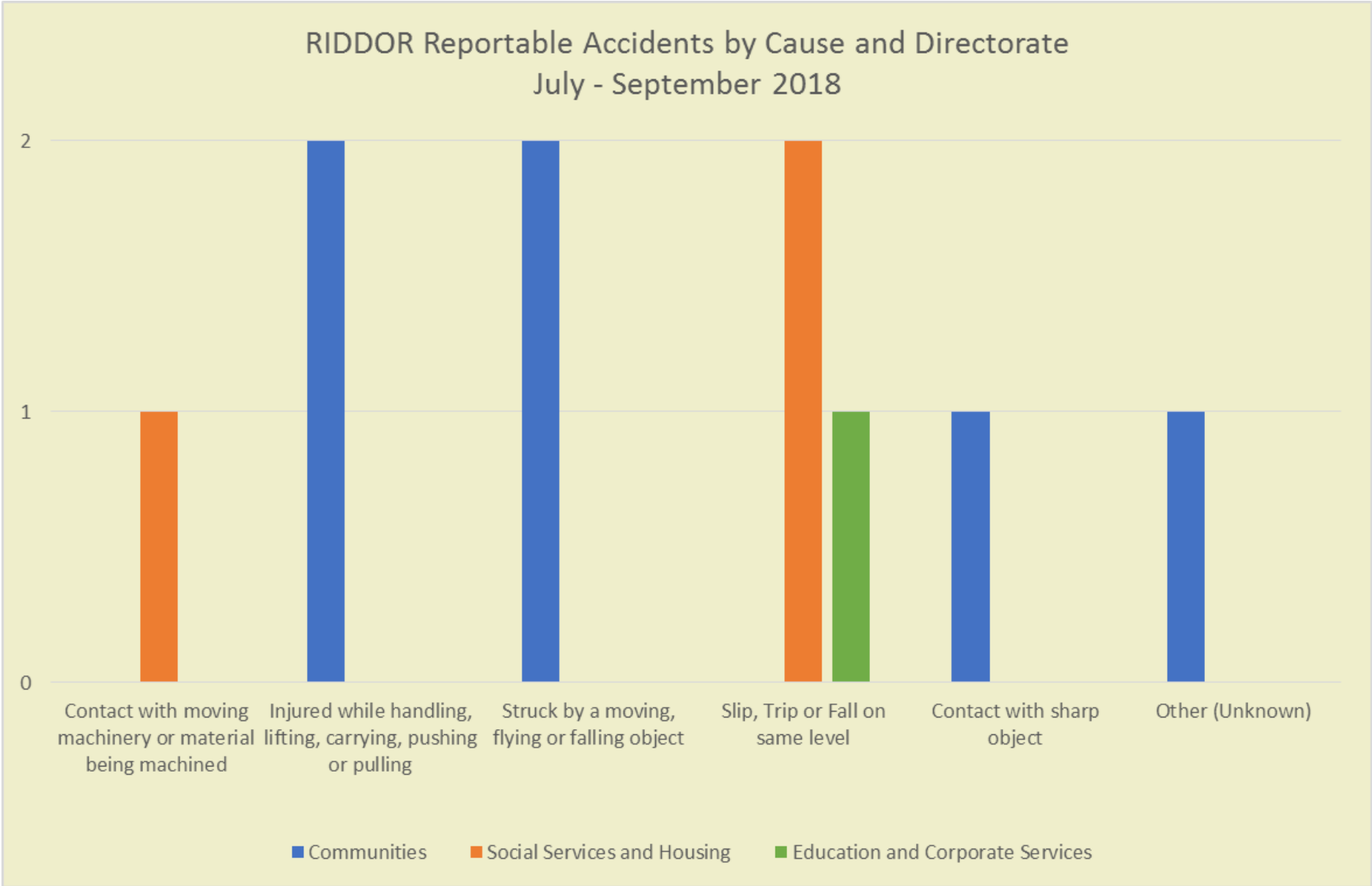
Appendix 14 RIDDOR reportable accidents by Type and Directorate between April – June 2018

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Appendix 15 RIDDOR reportable accidents by Type and Directorate between July - September 2018

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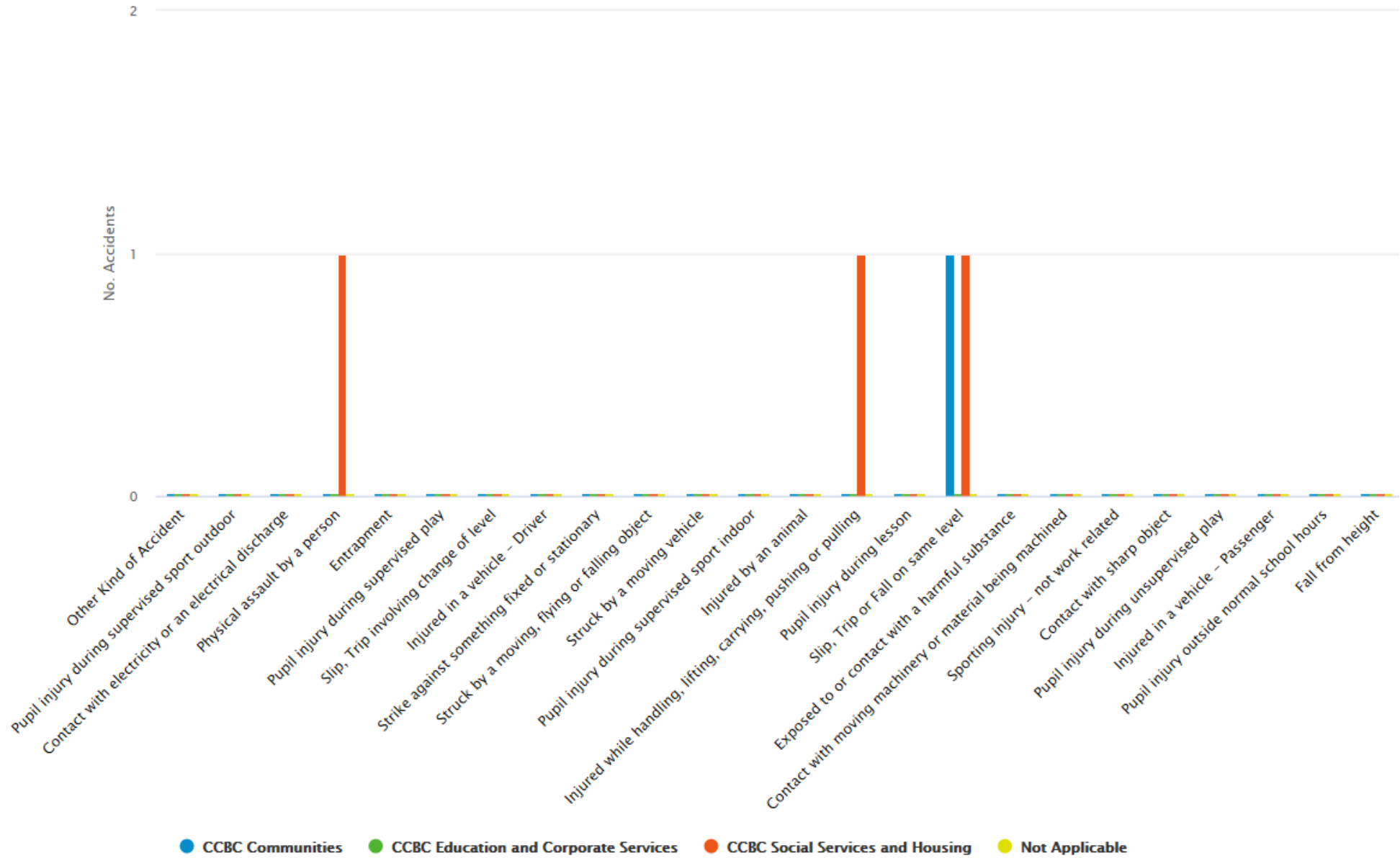


Appendix 16 RIDDOR reportable accidents by Type and Directorate between January - March 2019

RIDDOR Reportable Accidents by Cause and Directorate

Between 01/01/2019 and 31/03/2019

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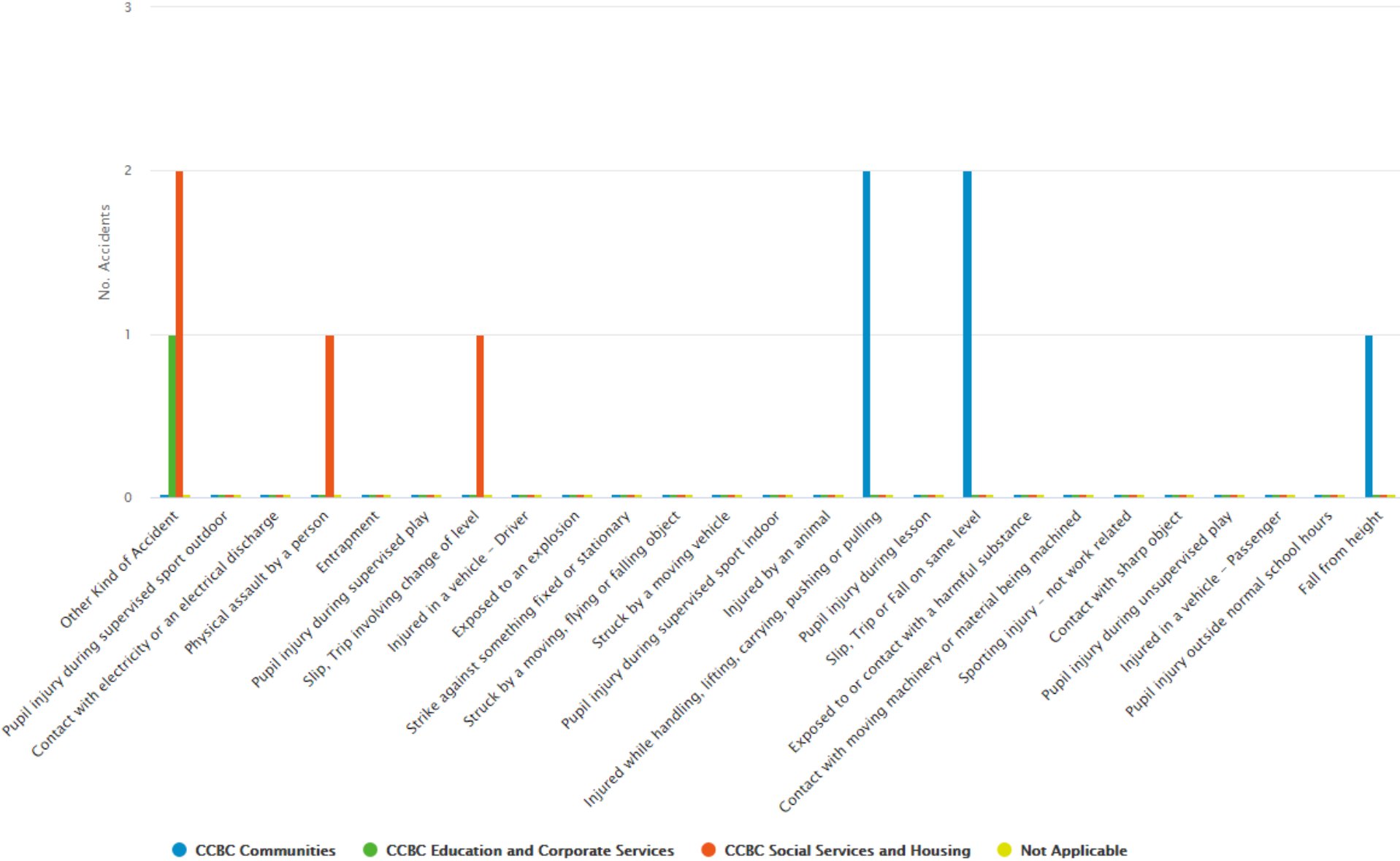


Appendix 17 RIDDOR reportable accidents by Type and Directorate between April – June 2019

RIDDOR Reportable Accidents by Cause and Directorate

Between 01/04/2019 and 30/06/2019

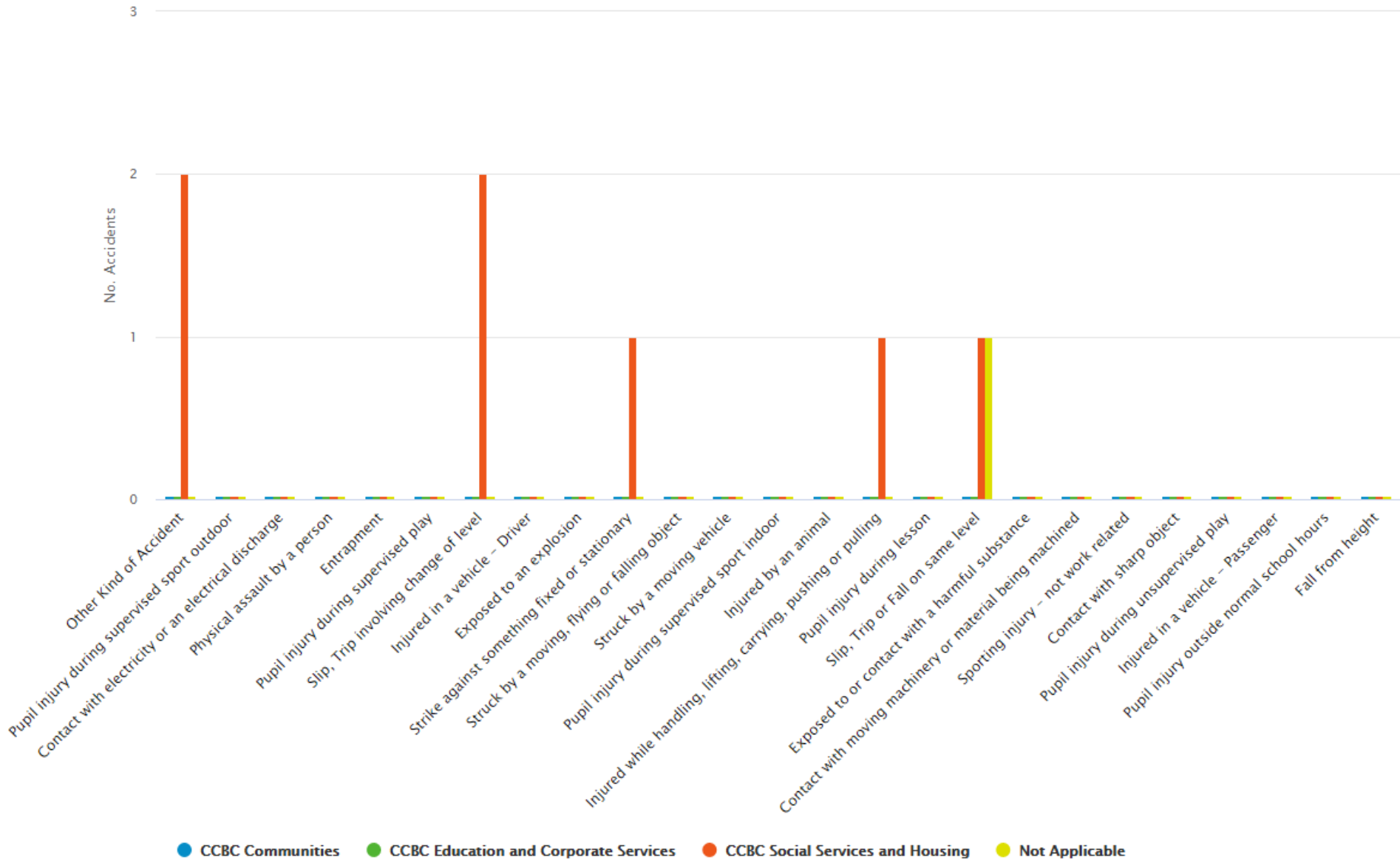
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Appendix 18 RIDDOR reportable accidents by Type and Directorate between July - September 2019

RIDDOR Reportable Accidents by Cause and Directorate

Between 01/07/2019 and 30/09/2019





CORPORATE HEALTH AND SAFETY COMMITTEE – 16TH NOVEMBER 2020

SUBJECT: RECENT HSE UPDATES

REPORT BY: CORPORATE DIRECTOR - EDUCATION AND CORPORATE SERVICES

1. PURPOSE OF REPORT 1

- 1.1 The purpose of this report is to inform the Committee about recent relevant accidents, incidents and prosecutions by the Health and Safety Executive (HSE).

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. RECOMMENDATIONS

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

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To keep the Committee up to date on any health and issues that may be relevant or may require further consideration.

5. THE REPORT

5.1 Six-year-old girl dies after being hit by falling tree at school.

- 5.1.1 A six-year-old girl has died after being hit by a falling tree at a school. The child was taken to hospital from Gosforth Park First School in Newcastle-upon-Tyne, and died the following day.
- 5.1.2 Meteorological Office data indicates Newcastle saw gusts of wind as strong as 32mph on the day of the incident.
- 5.1.3 Northumbria Police have launched an investigation alongside the HSE.

5.2 Local authority prosecution – roll over of an all-terrain vehicle.

- 5.2.1 West Dunbartonshire Council has been convicted of safety failures after two workers sustained serious injuries when a maintenance truck overturned on a golf course in Clydebank.
- 5.2.2 Donald McCandless and Alan McGrath were collecting flags from around the course when the all-terrain vehicle slipped on and toppled backwards. Both were thrown from the truck, which had no seatbelts or roll protection at Dalmuir Golf Club in July 2018.
- 5.2.3 Driver McCandless, 62, suffered a spinal fracture after the all-terrain vehicle rolled over him and passenger McGrath, 39, sustained a broken leg, dislocated ankle and a severe laceration to the leg after it landed on top of him.
- 5.2.4 According to investigators, no risk assessment had been carried out in relation to the vehicle and there appeared to be no steps taken by the council to install seat belts or protection.
- 5.2.5 The court heard there were two similar vehicles at the premises, both of which did contain seatbelts and crash protection.
- 5.2.6 The council admitted two breaches of the Health and Safety at Work Act, but was fined just £8,000 after the judge acknowledged the council was a not-for-profit organisation and had co-operated fully with the accident investigation and safety recommendations.

5.3 South Wales Police prosecuted – electric shock during installation of data cables

- 5.3.1 South Wales Police has been fined after an employee received an electric shock whilst installing computer data cables.
- 5.3.2 Cardiff Magistrates' Court heard that on the 16 October 2015, at Bridgend Police Station, Brackla Street, a 48-year-old civilian employee sustained damage to his heart muscles when he came into contact with an exposed end of a live 3-core electrical cable which had been left in a ceiling void.
- 5.3.3 An investigation by the HSE found South Wales Police had failed to ensure the electrical system was safe and that the ceiling void was a safe place of work.

5.3.4 South Wales Police Headquarters, Bridgend was found guilty of breaching Section 2 (2) of the Health and Safety at Work etc Act 1974, was fined £64,000 and ordered to pay £29,449.14 in costs.

5.3.5 The case highlights the need for careful planning and the sharing of information and co-operation between those in control of the premises (client) and contractors involved in the work.

5.4 School prosecuted for allowing pupils to operate unsafe machinery during lesson.

5.4.1 An independent school in Scotland has been prosecuted by the HSE after a pupil seriously damaged his hand in a technology lesson.

5.4.2 Between 1 September 2015 and 2 November 2017 pupils made wooden boxes using a band saw in Cargilfield School's construction design and technology workshop. One student was making a freehand cut when he sustained severe injuries to his middle and index finger on his right hand and serious tendon damage.

5.4.3 The HSE found that the pupil was using the machine without adequate workpiece support and was not adequately supervised. Investigators said the school had failed to make a suitable and sufficient assessment of the risks associated with the use of the band saw and failed to adequately supervise pupils while they were carrying out tasks using the equipment.

5.4.4 At Edinburgh Sheriff Court, the Edinburgh school admitted breaching section 3(1) of the Health and Safety at Work Act and was fined £3,350.

5.5 College fined for exposing employees and subcontractor to asbestos

5.5.1 Newnham College has been fined for failings that exposed employees and subcontractors to asbestos during refurbishment of a flat owned by the college.

5.5.2 Cambridge Magistrates' Court heard that in March 2018, employees of Newnham College and subcontractors were carrying out a refurbishment of a flat on Grange Road, Cambridge when asbestos insulation debris was discovered in the floor voids after work had been carried out in them. No asbestos refurbishment survey was carried out prior to insulation debris being found. One employee, who contaminated his gloves and clothing with loose asbestos debris, did not have asbestos awareness training and spread asbestos from his clothing outside the flat. Asbestos related diseases are currently untreatable and claim the lives of an estimated 5,000 people per year in the UK

5.5.3 An investigation by the Health & Safety Executive (HSE) found that there was inadequate planning and management of the refurbishment work of a flat on Grange Road, Cambridge when asbestos insulation debris was discovered in the floor voids after work had been carried out in them.

5.5.4 Newnham College of Sidgwick Avenue, Cambridge, pleaded guilty to breaching Regulations 5 and 16 of the Control of Asbestos Regulations 2012. It has been fined £12,000 and ordered to pay costs of £4,450.28.

5.6 Borough Council prosecution after a Teacher was assaulted by a pupil.

- 5.6.1 Luton Crown Court heard how on 17 June 2016, the Assistant Head Teacher at Putteridge High School was called to deal with a disruptive pupil who was refusing to go into a detention room. After clearing the classroom of the other pupils, the pupil launched a sustained assault on the teacher, using a mobile phone and inflicting life changing injuries.
- 5.6.2 An investigation by the HSE found that there were significant shortcomings in relation to the measures at the school, regarding violence and aggression posed by the pupils to others. No effective consideration was given to the risk of injury or death posed by the pupils to others and measures were not taken to reduce that threat to as low as reasonably practicable.
- 5.6.3 Luton Borough Council did not ensure that the school had people with sufficient competence in the management of health and safety involved in running the school to ensure that the threat was addressed. The Council did not see to it that staff members at the school had the training either to remedy that shortcoming or to deal with violent and aggressive pupils in a way which did not expose them to risk. The council also failed to monitor the adequacy of the measures Putteridge High School had in place and the council therefore failed to pick up and address the shortcomings.
- 5.6.4 Luton Borough Council pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 and was fined £104,000 with £60,000 costs. The fine was reduced from £300,000 due to the Council's lack of revenue as a result of the coronavirus pandemic.
- 5.6.5 Her Honour Judge Mensah in sentencing said: *"There is no doubt in my mind that this was a properly brought prosecution. Not to have brought a prosecution in this serious case would, apart from anything else, have sent a completely wrong message to the school, its governors, the staff and pupils, other local authorities with responsibilities under the Education Acts and to the public generally."*
- 5.6.6 Speaking after the hearing, HSE inspector Emma Page said: *"In community schools, where the local authority is the employer, the local authority must monitor the arrangements it's schools have in place to manage the risk from violence and aggression"*.

5.6 Conclusion

Health and Safety remains a key priority for Local Authority consideration. Although the HSE are less pro-active than previously, they will investigate and prosecute if there are health and safety failings. Ensuring that health and safety is considered and risks assessed and controlled, assists the Authority in meeting its legal obligations, in protecting the health and safety of employees and others.

6. ASSUMPTIONS

- 6.1 No assumptions have been made regarding the information contained in this report.

7. LINKS TO RELEVANT COUNCIL POLICIES

7.1 This report links to the Corporate Health and Safety policy and other CCBC Health and Safety Policies e.g. Asbestos, Lone Working etc.

7.2 Corporate Plan 2018-2023.

7.2.1 The report content contributes towards or impacts the Corporate Well-being Objectives:

7.2.2 Objective 1 - Improve education opportunities for all. Through ensuring that case law and relevant Health and Safety updates are communicated. This allows relevant information to be included in CCBC H&S Training which is afforded to employees and other across the borough.

7.2.3 Objective 2 - Enabling employment. Through provision of up to date H&S information which assists CCBC in ensuring that CCBC employees and others affected by our work activities are kept safe and healthy and able to remain in employment.

7.2.4 Objective 5 - Creating a County Borough that supports a healthy lifestyle in accordance with the sustainable Development Principle within the Wellbeing of Future Generations (Wales) Act 2015. Through ensuring that any relevant information on health risks associated with work is communicated allowing the risks to be assessed, controlled and managed and ensuring that Health & Safety policies and practises support good health and well-being.

7.2.5 Objective 6 - Support citizens to remain independent and improve their well-being. Through ensuring that relevant health and safety information is communication and can considered. This assists in ensuring that our health and safety policies and practises can be reviewed and updated as appropriate and continue to promote good health and well-being.

8. WELL-BEING OF FUTURE GENERATIONS

8.1 This report contributes to the Well-being Goals as set out in the Well-being of Future Generations (Wales) Act:-

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales

8.2 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 consider the long-term impact of Health & Safety policies and practices, prevent any ongoing issues and ensure that Health & Safety is integrated into good management. We will also ensure there is effective collaboration and involvement as required in order to meet our legal Health & Safety objectives in line with the act. 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.

9. EQUALITIES IMPLICATIONS

9.1 There are no equalities implications

10. FINANCIAL IMPLICATIONS

10.1 There are no financial implications.

11. PERSONNEL IMPLICATIONS

11.1 There are no personnel implications

12. CONSULTATIONS

12.1 If any consultee expresses views which differ from the recommendations, the author must include them in this section and as part of the main body of the report state whether the author is of the view that they have been addressed satisfactorily in the report, whether they can/should be incorporated in the recommendation and if not incorporated into the recommendation then why not.

13. STATUTORY POWER

13.1 The Health and Safety at Work etc. Act 1974 and Management of Health and Safety at Work Regulations 1999.

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CORPORATE HEALTH AND SAFETY COMMITTEE – 16TH NOVEMBER 2020

SUBJECT: HEALTH AND SAFETY UPDATE

REPORT BY: CORPORATE DIRECTOR - EDUCATION AND CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to provide Health and Safety Committee Members with an update on the workload and activities undertaken by the Health and Safety team since the start of the global pandemic.

2. SUMMARY

- 2.1 The Health and Safety Team workload has changed significantly reflecting the new challenges and risks associated with managing local authority services during a global pandemic. The report outlines the work undertaken by the team over the past months and also focuses on areas for attention moving forward.

3. RECOMMENDATIONS

- 3.1 That workload continues to be prioritised to reflect organisational needs whilst ensuring that the key team workload and legislative requirements are met.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To ensure that the Authority meets its statutory responsibilities under Health and Safety law whilst ensuring sufficient flexibility to meet frequently changing needs associated with the current global pandemic.

5. THE REPORT

- 5.1 The team have supported with advice and information on covid-19 since mid February 2020. This initiated from children and staff returning from holidays abroad requiring Managers and Heads needing advice on countries where quarantine was required on return. This quickly spread to advising on actions required on receiving notification of a positive case.

- 5.1.1 Written advice and up to date information have been provided in the form of a covid-19 bulletin, the bulletin was first issued on 14th February 2020 and is currently on version 17. It is updated to reflect changing Welsh Government Advice and sent out via the Communications Unit.

- 5.1.2 A covid-19 website has been developed pulling together links and information on managing covid-19. This is reviewed and kept up to date. Due to some CCBC staff not having access to the IT network required to access the intranet, a micro-site on the public CCBC website has also been created that staff may access in conjunction with IT. The page mirrors the information provided on the intranet portal and ensures more CCBC employees have access to H&S information.

- 5.1.3 Developed covid guidance on homeworking, Page 37

- 5.1.4 The team have taken responsibility for co-ordinating ordering and delivery of hand sanitiser for all CCBC Departments with the exception of Social Services who due to the quantities required sourced directly. This involved joint working with Procurement who liaised with suppliers, obtained technical information, prices etc. This also involved accepting delivery, arranging storage and co-ordinating delivery to service areas and schools. The delivery to schools was supported by both Highways and Parks who released staff to assist.
- 5.1.5 Coordinated the ordering and delivery of PPE across service areas and schools with the exception of social services.
- 5.1.6 Supporting with delivery of free school meals.
- 5.1.7 Coordinated the ordering and delivery of resources for school reopening in July including tape, floor signs, general signage, and posters.
- 5.1.8 Developed risk assessments for resuming services and building risk assessments taking into account additional covid considerations and risks introduced by buildings being temporarily taken out of use. This included a template for hubs and schools risk assessment.
- 5.1.9 Developed printable Health and Safety covid risk control related signage in line with the Health and Safety (Safety Signs and Signals) Regulations 1996, allowing Managers to print resources as required.
- 5.1.10 Onsite H&S support for education during the school closure period for children of essential workers or identified as particularly vulnerable. This initially involved daily visits and as practices and arrangements became embedded moved to weekly support. This involved supporting Hub leads and support staff with ensuring that arrangements were working effectively, providing onsite advice and support for ongoing issues. Support also included Sports and Art Hubs which provided summer childcare provision for Key workers.
- 5.1.11 Conducted site visits to prepare for school and service re-opening. This involved visiting all CCBC schools at least once prior to reopening in July and also visits to a number of other premises including Blackwood Miners Institute, the Winding House, Parc Cwm Darren, Communities Centres, Libraries.
- 5.1.12 Liaised with Facilities Management and specialist contractors to ensure that sites were recommissioned to allow safe operation e.g. sterilisation of water system prior to reopening.
- 5.1.13 Reviewed and advised on risk assessment and safe systems of work for various service areas including residential homes, refuse and cleansing, cleaning, trading standards, Community Safety, Telecare, Childrens Services, Links Day Care, destination and events premises etc.
- 5.1.14 Supported with HSE visits to CCBC schools to monitor the effectiveness of covid arrangement and practice.
- 5.1.15 Supported South Wales Fire and Rescue Service to continue with remote fire safety monitoring visits as required.
- 5.1.16 Developed alternative methods of training delivery allowing continuation of H&S training for internal and external clients. This was key in ensuring ongoing safe working and that workforces remain competent in their relevant skills.
- 5.1.17 Delivered team talks to service areas to refocus them on covid priorities where there was an identified need for support.

- 5.1.18 Traffic management support for free school meal delivery service running from Penallta House. This involved support with the risk assessment, a site visit to advise on traffic management considerations and allocation of H&S staff to assist with safe operation on a daily basis.
- 5.1.19 Advised on numerous queries from service areas and schools including isolation requirements, room ventilation, community/ public use of CCBC premises, track and trace processes, cleaning of building and vehicles, new technology and cleaning agents e.g. use of foggers.
- 5.1.20 Briefing of Refuse and Cleansing Supervisory staff to outlining key points of legislation in force at the time and current CCBC policy on covid related risk-controls measures.
- 5.1.21 Ongoing work includes developing a video to remind Managers and employees of the requirements to work safely with Display Screen Equipment, development of fire related training videos to support residential care, development of videos to support communication of the key changes in the revised H&S Policies to allow Managers to effectively implement, reprioritisation of fire risk assessment and asbestos surveying programme to take into account delays introduced by covid, EPR review, contractor vetting, Sypol COSHH assessments and a review of H&S Corporate and Directorate action plans to ensure that key H&S actions continue to be progressed.

5.2 **Conclusion**

Workload and work priorities have changed significantly as a direct result of the need to change the way the Authority operates in line with changing government guidance. This has introduced unique challenges in terms of balancing the need for immediate response and support with the need to continue to meet legislative requirements. This has been compounded by the team being two Officers short at the start of lockdown and releasing a Senior H&S Officer to support Environmental Health in line with wider organisational priorities. Whilst these challenges remain whilst covid is still a risk, as many services are now up and running the need for covid support should diminish. This will allow the team to direct resources to core health and safety priorities and continual improvement of H&S standards. This will help is to ensure that CCBC is meeting its legal responsibilities under health and safety legislation and will assist in ensuring there are robust health and safety processes in place to keep employees and others safe.

6. **ASSUMPTIONS**

- 6.1 No assumptions have been made regarding the information contained in this report.

7. **LINKS TO RELEVANT COUNCIL POLICIES**

- 7.1 This report links to the Corporate Health and Safety Policy and all other CCBC Health and Safety Policies listed above.

7.2 **Corporate Plan 2018-2023.**

The report content contributes towards or impacts the Corporate Well-being Objectives:

Objective 1 - Improve education opportunities for all. Through affording Health and Safety training opportunities both for our employees and for others across the borough which will support with developing skills and improving employability in a safe environment where the risks are effectively managed.

Objective 2 - Enabling employment. Through ensuring that CCBC employees and others affected by our work activities are kept safe and healthy whilst at work and able to remain in employment.

Objective 5 - Creating a County Borough that supports a healthy lifestyle in accordance with the sustainable Development Principle within the Wellbeing of Future Generations (Wales) Act 2015. Through ensuring that the health risks associated with work are assessed, controlled and managed in accordance with the relevant health and safety policy and that health and safety training provided in schools ensures that Managers and employees are aware of the Health and Safety policies and practises that support good health and well-being.

Objective 6 - Support citizens to remain independent and improve their well-being. Through ensuring that our health and safety policies and practises promote good health and well-being.

8. WELL-BEING OF FUTURE GENERATIONS

8.1 This report contributes to the Well-being Goals as set out in the Well-being of Future Generations (Wales) Act:-

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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 consider the long-term impact of Health and Safety policies, practices and training, we will seek to prevent any ongoing issues and ensure that Health and Safety training and subsequent practise is integrated into good management. We will also ensure there is effective collaboration and involvement as required in order to meet our legal Health and Safety objectives in line with the act. 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.

9. EQUALITIES IMPLICATIONS

9.1 There are no equalities implications

10. FINANCIAL IMPLICATIONS

10.1 There are no financial implications.

11. PERSONNEL IMPLICATIONS

11.1 There are no personnel implications.

12. CONSULTATIONS

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

13. STATUTORY POWER

13.1 The Health and Safety at Work etc. Act 1974 and the Management of Health and Safety at Work Regulations 1999. Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

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