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**Date: 23rd June 2015**

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, 29th June, 2015** at **10.00 am** to consider the matters contained in the following agenda.

Yours faithfully,

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

**Chris Burns**  
INTERIM CHIEF EXECUTIVE

## AGENDA

	Pages
1 To appoint a Chair and Vice Chair.	
2 To receive apologies for absence.	
3 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.	
4 To approve and sign the minutes of the Corporate Health and Safety Committee held on 24th February 2015.	

1 - 4

**A greener place Man gwyrdach**

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



To receive and consider the following reports/presentations:-

- 5 Annual Health and Safety Report - Presentation by Donna Jones, Service Manager, Health, Safety and Welfare.
- 6 Education Health and Safety Inspection Update. 5 - 8

To receive and consider the following information items\*:-

- 7 Accident Statistics Report for January - March 2015. 9 - 16
- 8 Recent HSE Updates. 17 - 20

*\* If a member of the Committee wishes for any of the above information items to be brought forward for discussion at the meeting please contact Sharon Kauczok, Tel. 01443 864243 by 10.00 am on Friday, 26<sup>th</sup> June 2015.*

**Circulation:**

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

Trade Union Representatives.

And Appropriate Officers



## CORPORATE HEALTH AND SAFETY COMMITTEE

MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN,  
ON TUESDAY, 24TH FEBRUARY 2015 AT 10.00 AM

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### PRESENT:

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

### Councillors:

M. Adams, A. Higgs.

### Together with:

D. Jones (Service Manager, Health, Safety and Welfare), E. Townsend (Deputy Health and Safety Manager), T. Phillips (Health and Safety Manager), P. James (Health and Safety Manager), R. Phillips (Asbestos Officer), M.S. Williams (Head of Community and Leisure Services), S. Hawkins (Community Leisure Officer), S. Wright (Service Manager - Learning Disability/Mental Health), S.M. Kauczok (Committee Services Officer).

### Trade Union Representatives:

S. Brassinne (UCATT), N. Funnell (GMB), J.A. Garcia (UNISON).

### 1. APOLOGIES

Apologies for absence had been received from D. Andrew Williams (UNITE), Councillor P.J. Bevan and G. Hardacre (Head of HR and Organisational Development).

### 2. DECLARATIONS OF INTEREST

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

### 3. MINUTES

RESOLVED that the minutes of the Corporate Health and Safety Committee held on 17th November 2014, be approved as a correct record and signed by the Chair.

#### **4. MATTERS ARISING FROM THE MINUTES**

Arising from discussions at the last meeting on the feasibility of statutory maintenance compliance inspections being undertaken by suitably qualified employees within the Authority, Donna Jones (Service Manager, Health, Safety and Welfare), advised that the Statutory Maintenance Group were exploring the potential of this being progressed.

#### **REPORTS OF OFFICERS**

Consideration was given to the following reports.

#### **5. RAMIS: STATUTORY MAINTENANCE COMPLIANCE - PRESENTATION**

Donna Jones, Service Manager, Health, Safety and Welfare, updated members on information provided at the last meeting of the Committee in November 2014 in relation to RAMIS (Risk Assessment Management Information System), which helps manage its statutory maintenance responsibilities for all of its workplace premises and provides a live record of compliance across all Authority premises, which now includes schools. RAMIS collates all statutory maintenance inspections undertaken by contractors, records all cyclical tasks to be undertaken by CCBC staff and all H&S inspections/audits of buildings. Building Managers receive emails reminding them of tasks due and overdue and reports are generated from the system on compliance.

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

By means of a Powerpoint presentation, the Committee's attention was drawn to information relating to High Risk Inspections i.e. Electrical reactive tasks, Legionella reactive tasks and Gas Safety reactive tasks. Details were received of the sites inspected together with the number of outstanding tasks as at November 2014 and February 2015. Members were informed that improvements had been made across all three high risk disciplines.

Arising from queries raised during the ensuing discussion, officers advised of the need to engage specialist contractors via the procurement process who have the ability to work with RAMIS and cope with the large volume of work involved. In terms of electrical inspections in schools, it is generally the older buildings that require further investigation and this work is usually scheduled to take place during the school holidays. Tasks are generally updated on RAMIS within the 10 day period but this can take longer if a contractor has a number of tasks to close down on the system.

The Chair thanked officers for the informative presentation and for responding to queries raised.

#### **6. POWERED GATES - HEALTH AND SAFETY INSPECTION UPDATE**

Terry Phillips, Health and Safety Manager, updated the Committee on ongoing developments and further inspections arranged by Health and Safety Officers within maintained Caerphilly schools and non Education premises in relation to automatic powered access gates.

It was noted that the Local Authority had found significant issues with powered gates installed at schools and depots. Five of the sites inspected in September 2014 did not comply with the standard guidance of BS EN 12453. Three of these were primary schools, the other two were depot sites. Six of the sites did not have an installation commissioning certificate or report for the gate on site. One had since obtained a certificate. Six of the site inspections revealed that no regular maintenance or servicing contract was in place. Two schools have agreements in place and are awaiting installation snags to be resolved before they sign the maintenance contract. Pressure gate testing had improved significantly with all but one site having up to date pressure tests.

Six of the sites on inspection revealed post installation faults that need rectification. The figure has not improved as schools and sites called in various contractors to undertake remedial improvements and the quotes are on hold pending an independent assessment of all sites. Those schools that did not have maintenance contracts, had not had appropriate pressure tests, or installation was not compliant with BS EN 12453, were instructed to switch the gates to manual and to open and close them manually.

The September reports on the non-compliances that had been passed to the Heads of the respective schools to initiate and rectify, resulted in schools and depots receiving very expensive quotes, some over £5k. When the quotes were reviewed, it was noted that some of the recommended actions e.g. flashing lights and alarms might not have been appropriate in the context of the school setting.

It was noted that the Health and Safety Section and Risk Management, in consultation with Building Consultancy, had decided to commission independent reports (by Gas Safe) for each site. These were completed on 20th and 21st January. Health and Safety will assess the reports when received and send them out to the schools and depots. It will be for the site itself to implement the recommendations and take appropriate remedial action. Further monitoring inspections at schools will be undertaken in the summer term 2015.

Following consideration and discussion, the Corporate Health and Safety Committee noted the report.

## **7. HEALTH AND SAFETY SUPPORT - SCHOOLS**

Donna Jones, Service Manager, Health, Safety and Welfare, gave an overview of changes to Health and Safety support services provided to schools since the beginning of this year.

Since 2009, a Health and Safety SLA has been provided to all schools in Caerphilly. The service provides 5 days Health and Safety officer time. Three of the 5 days per annum are allocated to mandatory inspections, general Health and Safety inspections, Fire Risk Assessment and Health and Safety Audit.

At the beginning of 2014 several primary head teachers expressed a need for a higher level of Health and Safety support for their school. A review was subsequently undertaken and a premium Health and Safety SLA was offered to primary schools.

Since 2009 secondary schools have been provided with an SLA and schools' business managers/bursars have been offered a place on a NEBOSH National General Certificate course. To date 9 out of 11 of the schools have sent officers on the course. Both PFI schools have taken out a bespoke Health and Safety SLA Service, which reflects the split of responsibilities at these schools between the school and the PFI managing agent.

Cwmcarn High School has also been offered a bespoke SLA service to reflect the duties of a Foundation Maintained School. The school is free to engage its own competent Health and Safety advice and to date has not taken up an SLA with the Council's Health and Safety Division. The Council will undertake a two yearly Health and Safety inspection of the school

to ensure a safe learning environment is provided to Caerphilly pupils funded by the Authority as well as to assess the working environment of Council staff allocated to work with specific pupils at the school.

From September 2014 primary schools were offered two options for an increased SLA service. The service provides a named Health and Safety Officer to work with each school. Typical tasks covered by the Premium SLA are listed in paragraph 3.5. Paragraphs 3.6 and 3.7 provide details of the level of Health and Safety support offered under Option 1 and 2 and the names of the schools that have taken up the service. Paragraph 3.8 lists the primary schools that have not taken up the Premium H&S SLA but are covered by the 5 day Core H&S SLA.

The Premium SLA commenced in January 2015 and feedback has been very positive. Headteachers have seen a positive effect on their workload and the cost of the SLA is able to be allocated from the school's building maintenance budget. The Council has seen an improvement on statutory maintenance compliance in terms of RAMIS statistics.

During the course of the ensuing discussion, during which questions were raised in terms of the suitability of some of the play equipment used in schools to encourage active learning, officers provided further information on the level of support they provide to schools in terms of health and safety.

Following consideration and discussion, the Corporate Health and Safety Committee noted the report.

## **8. INTERIM REPORT - ASBESTOS IN SCHOOLS REMOVAL PROGRAMME**

The report updated the Committee on progress with asbestos removal in occupied areas of Caerphilly owned schools. In July 2014 Cabinet approved the funding of a project to remove all amosite asbestos containing products from occupied areas of school buildings. This decision committed £800,000 of H&S budgets over two budget years for removal and reinstatement work across 37 schools.

Table 1, paragraph 5.1 in the report provides details of projects where asbestos removal works have been completed and schools re-categorised. Table 3 provides details of schools where work is still to be completed by December 2016. Photographs providing a visual account of schools where work has already been completed and showing the condition of premises before and after the asbestos removal works, were displayed.

Following consideration and discussion, the Corporate Health and Safety Committee noted the report.

## **9. INFORMATION ITEMS**

The following reports were received and noted: -

1. Accident Statistics Report for October - December 2014.
2. Recent HSE Updates.

The meeting closed at 11.20 am.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 29th June 2015, they were signed by the Chair.

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CHAIR



## CORPORATE HEALTH AND SAFETY COMMITTEE – 29TH JUNE 2015

**SUBJECT: EDUCATION HEALTH AND SAFETY INSPECTION UPDATE**

**REPORT BY: INTERIM CHIEF EXECUTIVE**

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### **1. PURPOSE OF REPORT**

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

### **2. SUMMARY**

- 2.1 In Bridgend on July 3<sup>rd</sup> 2010 a five year old girl was killed when she became trapped and crushed to death by an electric gate. The Health and Safety Executive have recently provided findings to the case. The child was trapped because :

- Their presence in the vicinity of the closing edge was not detected; and
- The closing force of the gate when they obstructed it was not limited to the values specified in standard BS EN 12453:2001.
- The higher level of risk is considered to be those installed at Primary schools due to the number of children accessing and egressing the schools sites compared to the Depot sites which are generally populated by adults.
- Health & Safety originally reported the level of non - compliance relating to the Local Authority installations in September 2014. The Health and Safety Section and Risk Management in consultation with Building Consultancy decided to commission independent reports for each site. These were completed on 20<sup>th</sup> & 21<sup>st</sup> January. The report cost the Health and Safety & Risk Management areas £2.5 k to commission.

### **3. LINKS TO STRATEGY**

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

### **4. THE REPORT**

- 4.1 Originally a total of 10 Inspections were completed, of which 7 were Primary schools between June and August 2014. Subsequently two further sites have been identified, one is an Authority Depot site and one at Llancaeath Manor House.

- 4.2 The authority officer audit initially in 2014 indicated a high level of non-compliance with the BS EN 12453 standard. Schools have subsequently received individual reports and feedback on remedial actions required.
- 4.3 The Authority has also arranged an independent assessor to provide schools with relevant written advice to achieve compliance on 27.03.2015.
- 4.4 This was financed and arranged by Health and Safety and Risk Management as a one off, to establish a base line from which the schools must upgrade their gates to the required standard.
- 4.5 It will be for the schools to keep the gates maintained to the relevant BS EN 12453 standard. The Authority will monitor the pressure testing maintenance of the gates via the RAMIS system and every two years via the school management audits.
- 4.6 The current situation for primary schools is:

School	Current Status Manual or Powered	Independent Report Issued	Completed or In progress	Pressure Test Completed
Bryn Primary	Manual	27.03.2015	Outstanding	Outstanding
YG Gilfach Fargoed	Manual	27.03.2015	Completed	Not required Set to Manual
Ty – Sign	Powered	27.03.2015	In Progress	19.06.2015
Pantside	Powered	27.03.2015	Completed	19.06.2015
YG Penalltau	Powered	27.03.2015	In Progress	19.06.2015
Ystrad Mynach	Powered	27.03.2015	In Progress	19.06.2015
Ysgol Cwm Derwen	Powered	27.03.2015	Completed	19.06.2015

- 4.7 Serious concerns have been raised by the monitoring exercise with regard to the installation of powered gates and must ensure it has robust arrangements in place to avoid this situation reoccurring. Those considering such installations should seriously balance if they truly need such equipment (and the foreseeable risks they present) against the installation, running and maintenance costs, which should be clearly established before they proceed. All sites should only progress with such installation if they have engaged the service of an Authority technical department, due to the technical and engineering specialism of this particular equipment.

## 5. EQUALITIES IMPLICATIONS

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

## 6. FINANCIAL IMPLICATIONS

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

## 7. PERSONNEL IMPLICATIONS

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



## **8. CONSULTATIONS**

8.1 All consultations have been reflected in the report.

## **9. RECOMMENDATIONS**

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

Author: Terry Phillips, Health and Safety Manager,  
Philt2@caerphilly.gov.uk Tel: 01443 864 858

Consultees: Donna Jones, Service Manager Health, Safety & Welfare  
Chris Burns, Interim Chief Executive  
Gail Williams, Acting Head of Legal and Democratic Services  
Cllr C. Forehead, Cabinet Member for Human Resources and  
Governance/Business Manager

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## **CORPORATE HEALTH AND SAFETY COMMITTEE – 29TH JUNE 2015**

**SUBJECT: ACCIDENT STATISTICS REPORT FOR JANUARY – MARCH 2015**

**REPORT BY: INTERIM CHIEF EXECUTIVE**

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### **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 2015.

### **2. SUMMARY**

- 2.1 The following report provides accident statistics for January to March 2015. Accident statistics are produced for each quarter and presented to the members of the Health and Safety Committee for information.

### **3. LINKS TO STRATEGY**

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

### **4. THE REPORT**

- 4.1 The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 require accidents which arise as a result of, or in connection with, work to be categorised as follows and reported to the Health and Safety Executive (HSE):
- Fatal accidents
  - 'Specified injury' (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 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 2015. 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 Reportable Accidents Per Directorate January to March 2015 and details those accidents that occurred to members of the public that were reported.

4.5 There were 2 RIDDOR-reportable accidents relating to schools – 1 concerning a primary school pupil, the other concerned a member of staff of a secondary school.

4.6 There were 3 reportable accidents in the Environment Directorate

4.7 There was 1 reportable accident in the Corporate Directorate.

4.8 There was 1 reportable accident in the Social Services Directorate

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

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. EQUALITIES IMPLICATIONS**

5.1 There are no equalities implications.

## **6. FINANCIAL IMPLICATIONS**

6.1 There are no financial implications contained in the report.

## **7. PERSONNEL IMPLICATIONS**

7.1 There are no personnel implications contained in the report.

## **8. CONSULTATIONS**

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

## **9. RECOMMENDATIONS**

9.1 That members note the contents of the report.

## **10. REASONS FOR THE RECOMMENDATIONS**

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

## **11. STATUTORY POWER**

11.1 Not applicable to the content of the report.

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Consultees: Chris Burns, Interim Chief Executive, [burnsc1@caerphilly.gov.uk](mailto:burnsc1@caerphilly.gov.uk)  
Cllr C. Forehead, Cabinet Member for Human Resources and Governance / Business  
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Donna Jones, Service Manager, Health, Safety and Welfare, [jonesd7@caerphilly.gov.uk](mailto:jonesd7@caerphilly.gov.uk)

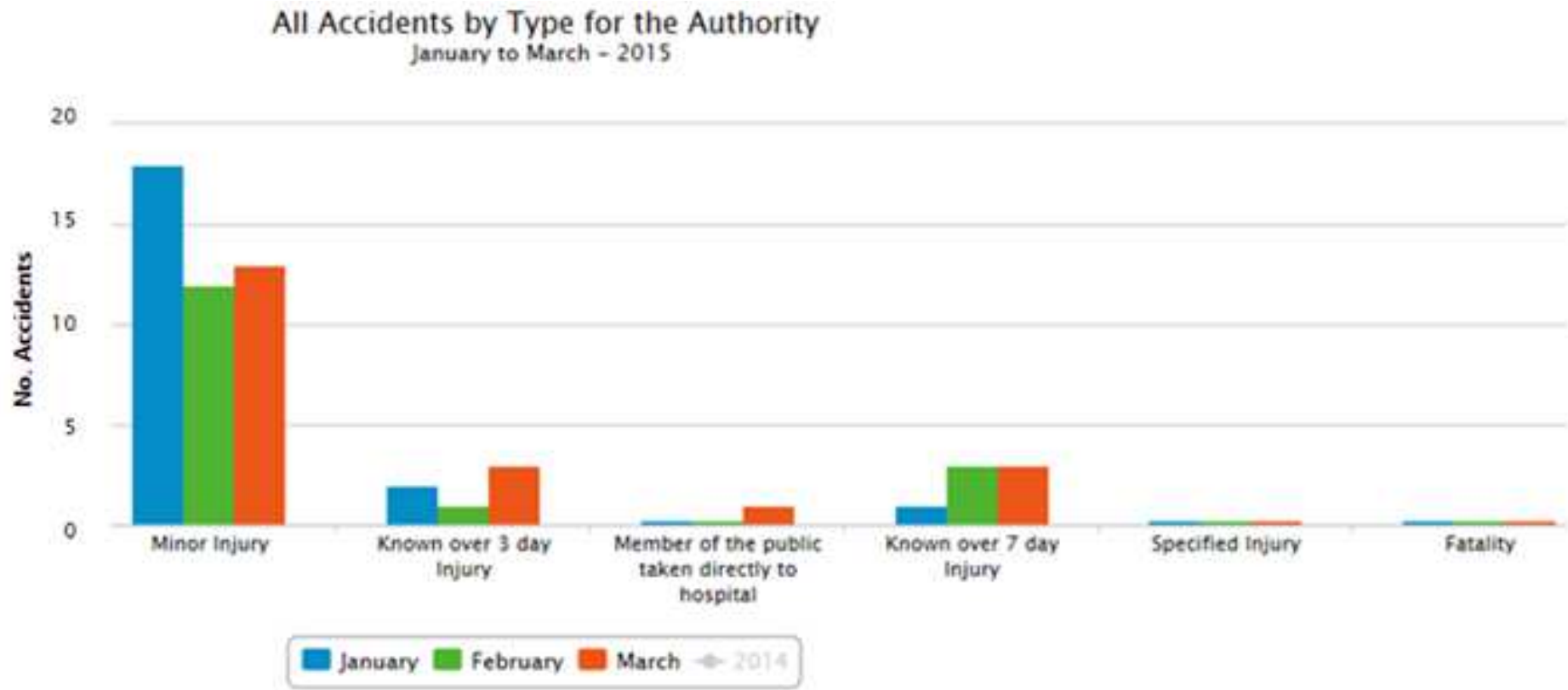
Appendices:

Appendix 1 - All accidents by Type for the Authority between January and March 2015

Appendix 2 - Reportable accidents by Type and Directorate between January and March 2015

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# Appendix 1 - All accidents by Type for the Authority between January and March 2015

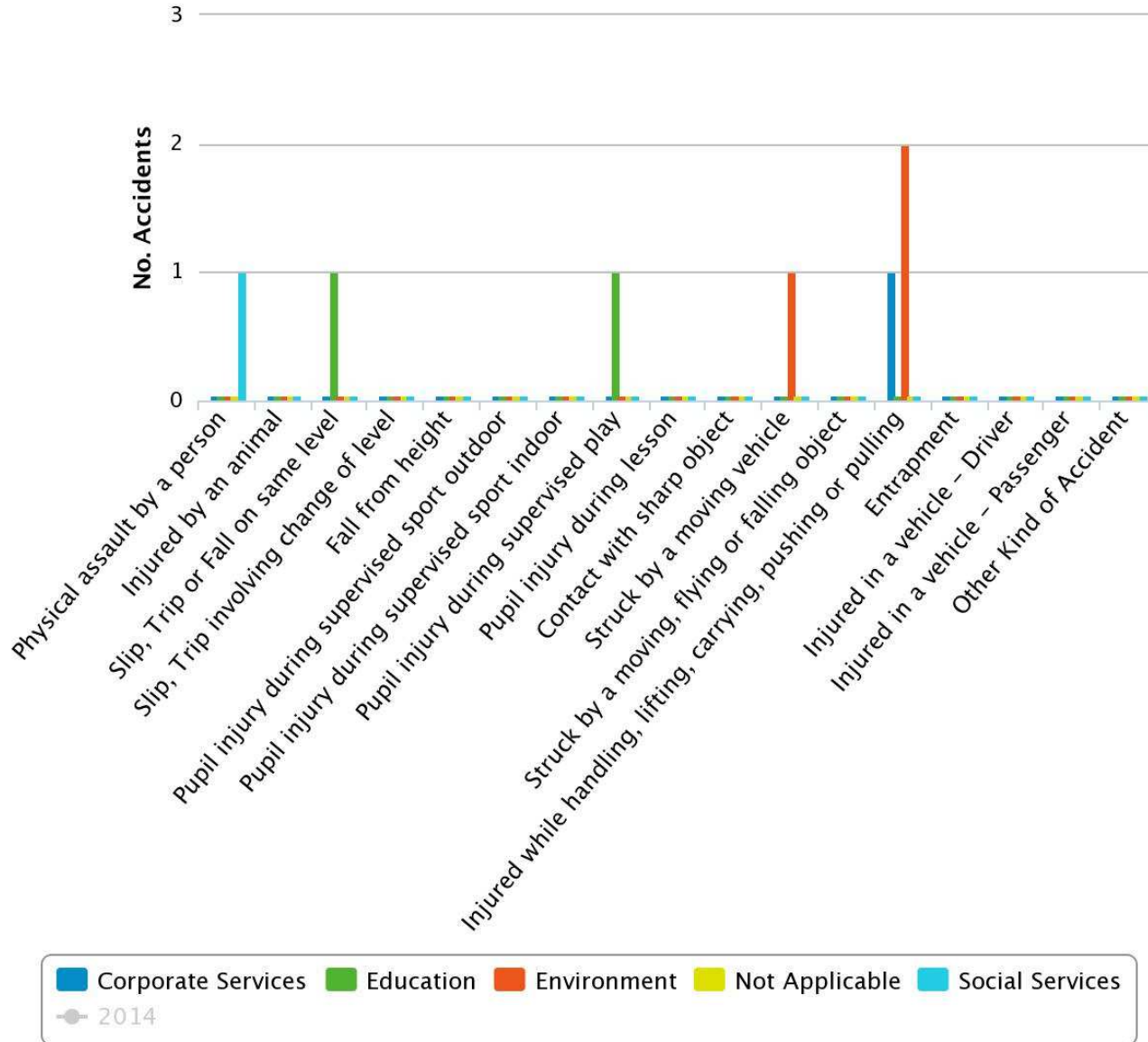


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# Appendix 2 – Reportable accidents by Type and Directorate between January and March 2015

RIDDOR Reportable Accidents by Cause and Directorate  
Between 01/01/2015 and 31/03/2015



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## **CORPORATE HEALTH AND SAFETY COMMITTEE - 29TH JUNE 2015**

**SUBJECT: RECENT HSE UPDATES**

**REPORT BY: INTERIM CHIEF EXECUTIVE**

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### **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 South Lakeland District Council has been prosecuted by the Health and Safety Executive (HSE). It was fined £120,000 and ordered to pay £50,000 in prosecution costs after pleading guilty after two women were killed by reversing rubbish trucks within a year of each other.

The first incident happened on a single-track in June 2010 when a woman was walking down a track and was struck by a reversing rubbish truck causing her fatal injuries. The driver pleaded guilty to causing death by careless driving in a separate prosecution. However, the HSE investigation also found that it was normal practice for 7.5 tonne bin lorries to reverse down the long track without a council employee acting as a banks man. The court was told the council should have reviewed all its bin collection rounds following the incident to eliminate reversing whenever possible, or to make sure employees guided drivers from behind vehicles when there was no other option but to reverse.

This did not happen and instead reversing was introduced at a primary school carrying out fortnightly collections of recycling waste. Refuse changed its system and began reversing the trucks onto the school grounds to collect the rubbish. In March 2011 a council employee was walking behind a rubbish truck to guide the driver when she was struck, causing fatal injuries. The driver of the vehicle was also convicted of causing death by careless driving but the HSE investigation concluded that there had been no need for council trucks to reverse onto the school grounds.

- 4.2 Waltham Forest Borough Council has been fined £66,000 and ordered to pay £16,862 in costs after pleading guilty to two breaches of the Health and Safety at Work etc Act 1974 and a breach of the Control of Asbestos Regulations 2006 after it exposed members of staff and visiting contractors to asbestos. It knew asbestos to be present in the Town Hall basement from a survey commissioned by the council in 2002, but failed to take adequate action to act on the findings and put effective controls in place, and subsequently employees and visiting contractors were allowed to carry on working in the basement regardless of the dangers for the next ten years.

The HSE found that the council had a second asbestos survey carried out in January 2012. This had quickly identified problems of asbestos in the boiler room and other areas of the basement. The survey also highlighted that areas identified in the 2002 survey had not been remedied.

The court heard the Council had no plan in place for managing the well-known risks of asbestos and there was an inadequate system in place for inspecting asbestos at the Town Hall. The HSE served an Improvement Notice on the council requiring them to put in place a proper management plan dealing with the presence of asbestos.

- 4.3 Bristol City Council has been fined a total of £20,000 and ordered to pay £4,700 in costs after admitting two breaches of the Provision and Use of Work Equipment Regulations 1998 after a park keeper suffered serious injuries when she was thrown from a tractor as it overturned. The 51-year-old worker broke her pelvis and badly damaged an Achilles tendon in the incident and remained off work for a year but has since returned and is undertaking an office job.

The park keeper was carrying out maintenance work and had braked as the tractor descended a slope. The vehicle skidded and overturned throwing her from the seat. The HSE found the tractor was not fitted with a seat belt or any type of restraint and the Council failed to ensure their employee had received adequate training on the use of the tractor.

- 4.4 The governors of a boys' school in Tonbridge have been prosecuted after a 14-year-old pupil was severely injured when he was hit by a shot put thrown by another boy.

The pupil had left a triple jump area and was standing on the edge of the shot put landing zone to check a friend's throw when he was struck on the back of his head by a shot. The pupil suffered life-threatening injuries and needed emergency brain surgery on a fractured skull. He has now returned to school but his injury has resulted in a permanent indentation at the base of his skull.

The HSE investigated and identified the school had not adopted measures in its own risk assessment and PE guidance on multi-event lessons had not been followed. Sevenoaks Magistrates were told that there were 24 boys in the lesson, divided into six groups and taking part in hurdles, long jump, triple jump, javelin, discus and shot put. It was a lesson format used regularly at the School and the pupils had participated in similar lessons in previous years.

The HSE found the school had carried out a risk assessment for PE lessons. However, although it had referenced the guidance by the Association for Physical Education, it did not follow their recommendation that such lessons be restricted to a maximum of four sports with only one to be a throwing event. The school's inclusion of six sports with three throwing events, had significantly increased the risks to pupils, as had the proximity of the triple jump pit to the shot put landing zone.

The Governing Body of The Judd School, Tonbridge, Kent, was fined £10,000 and ordered to pay £1,375 in costs after admitting a breach of Section 3(1) of the Health and Safety at Work etc Act 1974. Magistrates agreed with HSE that the safety breach had been 'substantial'.

- 4.5 The Construction (Design and Management) Regulations 2015 (CDM 2015) came into force on 6 April 2015, replacing CDM 2007.

The HSE have published new guidance on these legal requirements which describes the law that applies to the whole construction process on all construction projects, from concept to completion and what each duty holder must or should do to comply with the law to ensure projects are carried out in a way that secures health and safety. The publication includes the text of the CDM15 Regulations, and is available to download for free or to purchase in printed form from: [www.hse.gov.uk/pubns/books/l153.htm](http://www.hse.gov.uk/pubns/books/l153.htm)

## **5. EQUALITIES IMPLICATIONS**

5.1 There are no equalities implications.

## **6. FINANCIAL IMPLICATIONS**

6.1 There are no financial implications.

## **7. PERSONNEL IMPLICATIONS**

7.1 There are no personnel implications.

## **8. CONSULTATIONS**

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

## **9. RECOMMENDATIONS**

9.1 That the contents of the report be noted

## **10. REASONS FOR THE RECOMMENDATIONS**

10.1 For information only.

## **11. STATUTORY POWER**

11.1 Not applicable to this report.

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Cllr C. Forehead, Cabinet Member for Human Resources and Governance / Business Manager, [forehc@caerphilly.gov.uk](mailto:forehc@caerphilly.gov.uk)  
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