

COUNCIL'S HEALTH AND SAFETY COMMITTEE

Minutes of the meeting held at the Town Hall, Worksop, on Tuesday, 4th October 2011

Present:

Employer's Representatives:

Councillor D Challinor (Chairman):

Councillors Mrs V A Bowles, K Bullivant, G Freeman, B Hopkinson, C Palmer and J B Rickells.

Employee Safety Representatives:

K Circuit, P Rodgers and J Rose.

Officers in attendance: P Clark, L Dore, M Ladyman, S Meakin, J Moran and J Proudman.

Others present: G Davies (Bassetlaw Contract Manager, Barnsley Premier Leisure)

ACTION BY

The Chairman welcomed all to the meeting and read out the Fire Alarm/Evacuation Procedure.

10. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors I Jones and J Scott and from Employee Safety Representatives A Dainty, P Thompson and G Watson.

11. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

(a) Members

There were no declarations of interest by Members.

(b) Officers

There were no declarations of interest by officers.

12. MINUTES OF THE MEETING HELD ON 12TH JULY 2011

RESOLVED that the Minutes of the meeting held on 12th July 2011 be approved.

13. MINUTES FOR ACTION

RESOLVED that the Minutes for Action be received.

14. OUTSTANDING MINUTES LIST

RESOLVED that the Outstanding Minutes List be received.

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None.

Other Decisions

15. REPORT(S) OF THE DIRECTOR OF COMMUNITY SERVICES

(a) Prosecution by the Health and Safety Executive

The Director of Community Services (DCS) attended the meeting to report that the Council had received a letter advising the Health and Safety Executive (HSE) are to prosecute the Council following the incident on 10th July 2008 when a member of the public was fatally injured by a reversing refuse collection truck. The Coroners Court at the time had determined that the Council and driver had not been responsible, however, the HSE has decided to prosecute under Section 3 of the Health and Safety at Work Act 1974.

The Principal Safety Officer (PSO) reminded the Committee that the driver of the vehicle had been sent alone to empty a missed bin when the accident occurred. The HSE considers that reversing a large vehicle is a hazard to the public and that Section 3, which requires employers to ensure that non employees do not have their health and safety adversely affected by the employer's actions, had been breached. A Hearing has been scheduled for 26th October 2011 at Worksop Magistrates Court, however, the Council Solicitor is to ask for the Hearing to be deferred to enable time to collate information and to determine whether the Council will plead guilty or not guilty.

In response to Member queries, the PSO advised that: the vehicle had been fully checked and tested at the time and all safety devices were fully operational; no blame had been attached to the driver; risk assessment on reversing procedures after the incident had been modified; every refuse collection round was now monitored twice annually. The Safety Officer added that driver and management handbooks had been updated and that charge-hands and been trained to deliver continual training.

The DCS advised that if found guilty, the Council could be fined. The Chair of the Committee sought reassurance that the driver would be given assistance through the Court process.

RESOLVED that

1. The verbal report be noted.
2. The Committee be provided with updates on developments of the case.

Director of Community Services

(b) Verbal Update on Pigeon Control at Retford Town Hall

The Principal Environmental Health Manager (PEHM) advised that there were plans to install a trap to catch pigeons on the flat roof area above the Bar at Retford Town Hall after a full risk assessment. Pigeons caught would be humanely dispatched. The scaffolding currently situated to the front of Retford Town Hall had already enabled the

removal of nests, eggs and the dispatch of older/slower pigeons. Netting to prevent nesting/roosting will be re-affixed to the frontage as soon as stonework repairs are complete, however, this would not prevent pigeons settling on pitched roofs. It is hoped that by using the trap that the pigeon population will be reduced to a manageable level.

In response to a Member query concerning members of the public feeding corn to pigeons in the Square, the PEHM advised that it was difficult to stop, however, if details of these people were known, the matter could be investigated and hopefully resolved. He commented that the corn was more likely to be eaten by rats than pigeons.

RESOLVED that the update be received.

(c) Verbal Update from Barnsley Premier Leisure

The Leisure and Cultural Services Manager (LCSM) reminded the Committee that the contract with Barnsley Premier Leisure (BPL) for the management of three leisure centres and Kilton Forest Golf Course had commenced in April 2010. Within the contract there is a requirement to forward monthly reports to the Council concerning Accidents/Incidents.

The Contract Manager for BPL explained to the Committee how health and safety matters were dealt with by site, area and collectively throughout the company. A high level of emphasis is placed on good practice with a sub-group carrying out regular internal inspections and an independent audit commissioned annually by an external health and safety specialist company. Health and safety is part of the company performance management framework with a benchmark of 75%.

There had been a problem sharing information on microbiological inspections between the Council and BPL but this now been resolved. The electrical installation certificates had been updated for all premises in August 2011 regardless of whether they were due for renewal or not.

The priority during the last year had been an induction training exercise for all staff in health and safety matters as part of working towards the attainment of 'Quest' accreditation and the Retford and Worksop centres had now achieved this. The future plan is to train more managers to a higher level in health and safety as part of a continuous improvement programme.

The LCSM agreed that a clear flow of information had been missing between BPL and BDC and from now on a report will be submitted by BPL to the Council's Health and Safety Committee twice per year. The Council will monitor the overall contract through audit on an annual basis.

In response to questions from Members, the Contract Manager for BPL explained that: the overall responsibility for health and safety matters at the Bassetlaw sites remained with one manager but that there were NEBOSH qualified staff on all sites; funding for any work required can be agreed quite quickly and a mobile technical team deals with issues that cannot be dealt with by on-site staff; Bircotes and Kilton Forest sites will be assessed for 'Quest' accreditation later this year; additional recruitment and training will ensure previous problems with monitoring water, asbestos etc. should not occur again in the future.

In response to questions from Members, the LCSM advised that: any claims for injury by the public against an employee would be referred to BPL and in the matter of the

premises would be referred to the PFI and BPL; remedial works at the Bircotes site to further prevent any issues relating to Legionella will be subject to funds to support capital works following a new joint use agreement.

RESOLVED that:

1. The update be received.
2. An update on health and safety matters at the Council's leisure centres and Kilton Forest Golf Course as managed under contract by BPL be presented to the Health and Safety Committee twice per year.

Principal Safety Officer/Leisure and Cultural Services Manager

(d) Accident Report for the period 1st April 2011 to 30th June 2011

The Committee was presented with details of all reported injuries for the period April to June 2011 and a comparison with the same period in 2010 was given. There had been a total of fifteen injuries compared to nine in the same period in 2010.

There were two 'over 3 day' reportable injuries during this reporting period, compared with none during the same period in 2010. Seven working days were lost as a result of two accidents in this report period compared to zero working days during the same period in 2010. The two reportable injuries were from the same incident.

A summary of all accidents by injury type and accident cause and a summary of all accidents occurring within each Service was also provided, together with a comparison with other District and Borough Council's within the East Midlands Region. The Principal Safety Officer commented that on this occasion, the Council's accident rate for April to June 2011 was slightly higher than the East Midlands Region average.

The Vice Chairman advised that a member of staff who had been involved in an incident with a member of the public had expressed dissatisfaction to the Union about how matters had been dealt with by the Council. The matter, which was being pursued through a private prosecution, is to be discussed at a meeting next week.

The PSO was unaware of the dissatisfaction in this particular case and thought the matter resolved. He commented that he had been disappointed at the uptake of the 'Identicom' lone worker devices (as reported at Council's Health and Safety Committee meeting 18th January 2011) which were simple to use. The benefits of the devices had also been presented in a brief to the Corporate Management Team.

In response to a question from a Member, the PSO advised that A1 Housing accidents and incidents were not reported through the Council's Health and Safety Committee but that a report was received on an annual basis.

RESOLVED that:

1. Unit Managers ensure that they continually provide their employees with the necessary information, training, instruction and supervision to enable them to carry out their job safely, in order to eliminate further accidents.
2. Unit Managers continue to investigate the cause(s) of all accidents arising from work activities in their areas of responsibilities in line with Council Policy.

Unit Managers/Principal Safety Officer

Unit Managers/Principal Safety Officer

3. Unit Managers ensure that any remedial works identified by the above investigations are implemented as soon as possible.

Unit Managers/Principal Safety Officer

(e) Progress Report on Health, Safety and Emergency Planning Priorities

The Committee was informed of the progress made within the agreed priorities of the Health and Safety and Emergency Planning Programmes, specifically: Risk Assessments ie Hand Arm Vibration, Joint Safety Inspections at Leisure Facilities; Legionella, First Aid Procedures, Dangerous Substances and Explosive Atmospheres Regulations, Sports Development Paintball Arena, Training and Emergency Planning i.e. Emergency Plan and Business Continuity Management.

Members and Employee Safety Representatives raised questions regarding the use of sandbags, why permission is given for new properties to be built on flood plains, the lack of drain cleaning and also first aid procedures at Queen's Buildings. It was confirmed that staff requiring a first aider at Queen's Buildings should still dial '0' for the switchboard.

RESOLVED that the report on the health and safety priorities be noted.

Principal Safety Officer

SECTION B – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None.

Other Decisions

None.

16. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

As there was no further business to be discussed, the Chairman closed the meeting.