



## Cabinet 25 June 2008

### Proposed Amalgamation of Central Safety and Joint Staff Consultative Panels (Jun08/06) and (Jun08/07)

#### 1. Background

- 1.1 On 7 May 2008 the Cabinet considered the Annual Review and Appointment of Cabinet Working Parties and Panels and resolved that (Minute 196 (c) refers) *'Subject to satisfactory consultation, the Head of Legal and Democratic Services be authorised to amalgamate the Joint Staff Consultative and Central Safety Panels'*.
- 1.2 A letter has been sent to all Members and Staff Representatives on the Joint Staff and Central Safety Panels requesting comments. In addition, an item was placed on the agenda for the Central Safety Panel meeting held on 16 June 2008 and on the agenda for the Joint Staff Consultative Panel Meeting held on 17 June 2008.

#### 2. Results of Consultation

##### 2.1 Central Safety Panel: 16 June 2008

- (a) During the discussion the Panel had regard to the guidance issued by the Health and Safety Executive on the Safety Representatives and Safety Committee Regulations which stated that *'Although the relationship of other works committees is a matter for local organisations, it is necessary to ensure that the work of the safety committee has a separate identity and that safety matters do not become interposed in the agenda of other meetings'*.
- (b) The Panel also had regard to the Corporate Manslaughter and Corporate Homicide Act 2007, which came into force on 6 April 2008 and in particular the 'duty of care' placed on the Borough Council. Although this was new legislation it was considered that assessing whether the Council had breached its 'duty of care' a jury would take into account evidence of any failure to comply with health and safety legislation and related guidance. It would further examine the Council's 'attitude' to health and safety, what policies were in place, risk assessment procedures and safe systems of work.
- (c) During the discussion the Panel overwhelmingly supported that the two Panels not be amalgamated for the reasons that included:-
- (i) the Panels had different specific and specialist roles. It was considered that the Central Safety Panel worked together as a 'team' but the roles and responsibilities of the Joint Staff Consultative Panel could lead to confrontation between the employers and employees sides;
  - (ii) the staff representatives on both Panels were specialists in different fields and the majority would not wish to be involved with the 'other' work;

- (iii) with the Local Government Review currently being undertaken and the reorganisation to take effect on 1 April 2010 it would be beneficial for the status quo to be maintained; and
  - (iv) the costs associated with maintaining two Panels were not significantly greater than operating one Panel.
- (d) The Central Safety Panel **RECOMMENDS** that the Joint Staff Consultative and Central Safety Panels be not amalgamated.

## 2.2 **Joint Staff Consultative Panel: 17 June 2008**

- (a) During the discussion the Panel overwhelmingly supported that the Panels be not amalgamated for the reasons that included:-
- (i) the Panels had different specific and specialist roles;
  - (ii) the staff representatives on both Panels were specialists in different fields and the majority would not wish to be involved with the 'other' work;
  - (iii) with the Local Government Review currently being undertaken and the reorganisation to take effect on 1 April 2010 it would be beneficial for the status quo to be maintained;
  - (iv) with all the staffing issues associated with the impending move of staff to West Suffolk House there would be a significant number of issues for this Panel to consider with its specialist knowledge;
  - (v) there would be a need for training for all members of the new Panel; and
  - (vi) the costs associated with maintaining two Panels were not significantly greater than operating one Panel.
- (b) The Joint Staff Consultative Panel **RECOMMENDS** that the Joint Staff Consultative and Central Safety Panels be not amalgamated.

## 3. **Decision**

- 3.1 The Cabinet is asked to determine whether it wishes to amalgamate the Joint Staff Consultative and Central Safety Panels.

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