Health and Safety West Suffolk Sub-Committee Council

Title	Agenda					
Date	Monday 16 October 2023					
Time	4.00 pm					
Venue	Facilitated by Microsoft Teams virtual meetings platform only Members and officers attending this meeting are requested to see their separate Outlook meeting invitation to join the meeting.					
Full Members	Chair To be appointed by the Health and					
	Vice Chair Safety Sub-Committee on 16 October 2023					
		West SuffolkStaffCouncil (6)Representat(Employer's side)(6)(Employees' side)(Employees' side)				
	Conservative Group (2)	Mike Chester Ian Houlder	Lance Alexander Sylvia Bayford			
	Independents (2)	Andy Neal Phil Wittam	Nigel Dulieu Stephanie Grayling			
	Progressive Alliance Grouping (2)	Peter Armitage Janne Jarvis	Gary Quilter Vacancy			
Substitutes	Conservative Group (1)	Vacancy	Natasha Holdgate			
	Independents (1)	Richard Alecock				
Information rule (Meetings and A Council. Theref public.	committee is not gov es (The Local Author Access to Information ore, these meetings	ities (Executive Ar n) (England) Regu are not open to at	rangements) lations 2012) in the tendance by the			
Interests – declaration and restriction on participation	Members are reminded of their responsibility to declare any disclosable pecuniary interest, other registerable or non- registrable interest which they have in any item of business on the agenda, no later than when that item is reached and, when appropriate, to leave the meeting prior to discussion and voting on the item.					
Quorum	Four members, comprising at least two employee representatives and two members of the council.					
Committee administrator	Christine Brain Democratic Services Officer Telephone 01638 719729 Email <u>democratic.services@westsuffolk.gov.uk</u>					

Agenda

Note: Whilst these agenda papers are not covered by the normal Access to Information Rules (see agenda front), where items are listed as containing exempt/confidential information, members of the Sub-Committee are requested to treat them as such.

1. Substitutes

Any member (which includes councillors and staff representatives) who is substituting for another member should so indicate, together with the name of the relevant absent member.

2. Appointment of Chair: 2023 to 2024

The approved Terms of Reference for the Health and Safety Sub-Committee, requires that Chairmanship of the Sub-Committee shall alternate between the Employer's and Employees' side. When the Chair is a Member of one side of the Sub-Committee, the Vice-Chair shall be a Member of the other side.

In 2023 to 2024, a Chair is required to be elected from the Employer's side.

The Sub-Committee is requested to **ELECT** a Chair in accordance with this arrangement.

3. Appointment of Vice-Chair: 2023 to 2024

The approved Terms of Reference for the Health and Safety Sub-Committee, requires that Vice-Chairmanship of the Sub-Committee shall alternate between the Employer's and Employees' side.

As the Chair of the Sub-Committee shall be from the Employer's side in 2023 to 2024, the Vice-Chair is required to be appointed from the Employees' side.

The Sub-Committee is requested to **APPOINT** a Vice-Chair in accordance with this arrangement.

4. Apologies for absence

5. Minutes

To confirm the minutes of the meeting held on 13 February 2023 (copy attached.)

1 - 6

6. Declarations of interest

Members are reminded of their responsibility to declare any disclosable pecuniary interest or other registerable interest which they have in any item of business on the agenda, **no later than when that item is reached** and to leave the meeting prior to discussion and voting on the item.

7.Minutes of the meeting of West Suffolk Health and Safety7 - 12Group: 31 August 2023

Paper number: HSS/WS/23/003

8. Health and Safety Presentation

13 - 28

Presentation (attached) which covers:

- Health and Safety updates
- Legislation updates and other news
- Training.

9. Dates of future meetings

The following dates for future meeting(s) of the Sub-Committee are listed below. All dates are Mondays starting at 4pm as indicated:

• 26 February 2024 (MS Teams)

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Health and Safety Sub-Committee

West Suffolk Council

Minutes of a meeting of the Health and Safety Sub-Committee facilitated by Microsoft Teams virtual meetings platform on Monday 13 February 2023 at 4.00pm

Present: Councillors

Chair Ian Houlder (employer's side)

Members (employer's side) Nick Clarke Andy Neal

Robert Nobbs Cliff Waterman

Staff representatives (employees' side)Stephanie GraylingAndrew SamsonGary QuilterStephanie Grayling

Substitutes attending for a staff representative (employees' side) Natasha Holdgate

119. Substitutes

The following substitution was declared:

Natasha Holdgate substituting for Sylvia Bayford (staff representative).

120. Apologies for absence

Apologies for absence were received from Sylvia Bayford and Nigel Dulieu (staff representatives).

Apologies for absence were also received from Councillor Carol Bull, Cabinet Member for Governance.

Councillor James Lay and Lance Alexander (staff representative) were also unable to attend the meeting.

121. Minutes

The minutes of the meeting held on 10 October 2022 were confirmed as a correct record by the Chair.

122. Declarations of interest

Members' declarations of interest are recorded under the item to which the declaration relates.

123. Minutes of the meeting of West Suffolk Health and Safety Group: 4 January 2023

The Sub-Committee received and **noted** paper number: HSS/WS/23/001, which were the minutes of the West Suffolk Health and Safety Group meeting held on 4 January 2023.

124. Employee and members of the public incidents

The Sub-Committee received and **noted** report number: HSS/WS/23/002, which provided statistics relating to accidents/incidents involving West Suffolk Council employees and members of the public from 1 April 2022 to 30 November 2022.

The Service Manager (Health and Safety) drew relevant issues to the attention of the Sub-Committee, including providing details of the types and locations of accidents/incidents of employees and members of the public during the reporting period. He then reported the amount of days lost due to workplace accidents/incidents and compared them with statistics from the past three years.

The Sub-Committee discussed the report and asked questions to which responses were provided. In particular detailed discussions were held on the injury involving a member of staff grazing their leg on a heating pipe. The Service Manager (Health and Safety) advised that back in 2011 when the council took over the building this was highlighted as a hazard. At the time solutions were looked into, however no feasible solution could be found to eliminate the hazard.

The Sub-Committee suggested that a review should be carried out on how the council could better protect staff from injury from these heating pipes and that it looks again at possible new solutions with a report of the review being presented to the Sub-Committee's next meeting in June 2023. In response the Service Manager (Health and Safety) agreed to progress this request with Property Services.

125. Legislative Update - Verbal

The Sub-Committee was informed that there were no legislative updates to report at the present time and nothing expected in the near future.

However, the Protect Duty, otherwise known as "Martyn's Law" was going through Parliament and further details would be released in the coming months.

126. Health and Safety Training - Verbal

The Sub-Committee received a verbal report from the Service Manager (Health and Safety) on the following health and safety training updates:

- 1) Drug and alcohol safe chain of custody training.
- 2) IOSH Managing Safely: 29 to 31 March 2023.

3) Ongoing first aid training; annual refreshers and 3-yearly requalification.

In response to a question raised as to whether Verse custodians were first aid trained, the Sub-Committee was informed that all Verse custodians must be first aid trained as they provide the main cover for all West Suffolk Council buildings.

There being no decision required, the Sub-Committee **noted** the health and safety training update.

127. Health and Safety Corporate Update (including Wellbeing) - Verbal

The Sub-Committee received a verbal report from the Service Manager (Health and Safety) on health and safety corporate updates and wellbeing as follows:

- Occupational health mini health checks
- NHS health checks
- Men's health events
- Atrial fibrillation testing
- Flu vaccination vouchers
- Intranet articles
- Organisational engagement sessions
- Webinars on sleep; menopause; woman's and men's health
- CPR training
- Fire risk assessments/Audits: 25 out of 32 planned audits had been completed and 22 out of 23 fire risk assessments completed and informal visits providing advice.

The Health and Safety team is a small team of 3. Unfortunately, the Senior Health and Safety Adviser had found another job and left the Council last week. Moving forward the Service Manager (Health and Safety) would be prioritising work according to risk until a suitable replacement was found. Also, the Service Manager (Health and Safety) had decided to leave the Council and retire with his last day being 6 April 2023.

The Sub-Committee considered and **noted** the verbal update, including Service Manager's news that he was retiring on 6 April 2023.

128. Health and Safety Lessons Learnt (Local Authority Specific) - Verbal

The Sub-Committee received a verbal report from the Service Manager (Health and Safety) on the following health and safety updates:

1) Newcastle City Council: Fined over a 6-year-olds death from a falling tree. The young girl was hit by a falling tree at Gosforth Park First School on 25 September 2020, and subsequently died the following morning in hospital.

The tree had become an "accident waiting to happen" after the council failed to properly investigate its condition following an inspection in

February 2018 which identified the need for another detailed look at it within six months.

Newcastle City Council pleaded guilty on 10 January 2023 under Section 3(1) of the Health and Safety at Work etc. Act 1974 and were fined £280,000 and ordered to pay costs of £8,020.

2) BUPA: On 8 January 2021 a girl was out for an evening jog with her father. As she was running on a pavement outside the entrance to the care home, a lime tree fell on her. She suffered serious crush injuries and her leg had to be amputated. It was subsequently found that the tree was diseased with a common fungus and had likely been rotting for several years prior to the accident.

Bupa Care Homes pleaded guilty to a breach of Section 3(1) of the Health and Safety at Work etc. Act 1974 and received a fine of $\pounds400,000$. The company was also ordered to pay costs of $\pounds3,275$ and an undisclosed victim surcharge.

 Stress: Absence from work resulting from stress continues to be the highest cause of sickness absence and increasingly employers were introducing or consolidating steps to address both work related and non-work related stress.

Th estimated number of workers in Great Britain suffering a workrelated illness was 1.8 million with stress, depression, and anxiety making up around half of cases, new figures showed.

The Health and Safety Executive (HSE) had published its annual statistics on work-related ill health and workplace injuries. The figures from Great Britain's workplace regulator showed there was an estimated 914,000 cases of work-related stress, depression, or anxiety in 2021/22.

An estimated 17 million working days were lost due to work-related stress, depression, or anxiety in 2021/22. This is over half of all working days lost due to work-related ill health.

The HSE Stress Working Group which will identify its priorities within this work strand going forward.

The Sub-Committee considered the lessons learnt and asked questions to which responses were provided.

In particular detailed discussions were held tree inspections, and whether the council was confident that its own trees had been inspected and were safe. The Sub-Committee was advised that all trees owned by the council were inspected and logged on an electronic system called Arbi-trace. Tree inspections were generated, and any defects were recorded and put into a scheduled of works.

In response to a question raised about trees and parish councils, the Sub-Committee was informed that the council's tree officers worked with parish councils but did not have the resource to carry out additional tree inspections.

The Service Manger (Health and Safety) advised that he was happy to provide the locality officers with the slides for information. It was also suggested whether some advice could be provided to SALC on trees to be circulated to parish councils to make them aware of the dangers of not inspecting trees regularly.

There being no decisions required the Sub-Committee **noted** the verbal report.

129. Dates of future meetings

The Service Manager (Health and Safety) informed the Sub-Committee that the calendar of meeting dates for 2023 to 2024 would be approved by Council at its meeting on 21 February 2023.

There being no decision required, the Sub-Committee **noted** the following future meetings, as listed below. All dates were Mondays starting at 4pm and would be held as indicated:

- June 2023 (Virtual meeting)
- October 2023 (Virtual meeting)
- February 2024 (Virtual meeting)

Prior to closing the meeting, the Chair on behalf of the Sub-Committee wished the Service Manager (Health and Safety) all the best in his retirement as this would be his last meeting.

The meeting concluded at 5.20pm

Signed by:

Chair

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Agenda Item 7

Health and Safety Sub-Committee – 16 October 2023 – HSS/WS/23/003



Minutes of the Meeting of the Health and Safety Group held on 31 August 2023

Report number:	HSS/WS/23/003					
Report to and date(s):	Health and Safety Sub Committee	16 October 2023				
Cabinet member:		Councillor Gerald Kelly Cabinet Member for Governance and Regulatory Email: gerald.kelly@westsuffolk.gov.uk				
Lead officer:	Richard King Health and Safety Manage Tel: 01284 757010 Email: richard.king@wests					

Decisions Plan: This item is not required to be included in the Decisions Plan.

Wards impacted: All

Recommendation: That the Health and Safety Sub-Committee are requested to **note** the minutes of the Health Safety Group meeting held on 31 August 2023.

1. **Context to this report**

- 1.1 Legislation requires Employers to consult with their employees, or their representatives, on health and safety matters. There are two regulations that require employers to consult with their workforce and they are:
 - The Safety Representatives and Safety Committees Regulations 1977 (as amended)
 - The Health and Safety (Consultation with Employees) Regulations 1996

2. **Proposals within this report**

2.1 To note the minutes of the Health and Safety Group meeting

3. Alternative options that have been considered

3.1 None

4. Consultation and engagement undertaken

4.1 Health and Safety representatives from the health and Safety Group, work with employers on health and safety by representing their colleagues in health and safety interests.

5. **Risks associated with the proposals**

5.1 Legal non-compliance.

6. Implications arising from the proposals

- 6.1 Financial None
- 6.2 Legal Compliance Statutory duties under Health and Safety legislation.
- 6.3 Personal Data Processing Personal data maintained in line with GDPR.
- 6.4 Equalities Not applicable
- 6.5 Crime and Disorder Not applicable
- 6.6 Environment or Sustainability Not applicable

- 6.7 HR or Staffing Not applicable
- 6.8 Changes to existing policies Not applicable
- 6.9 External organisations (such as businesses, community groups) Not applicable

7. **Appendices referenced in this report**

7.1 Appendix A – West Suffolk Health and Safety Group Minutes 31 August 2023

8. Background documents associated with this report

8.1 Not applicable

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West Suffolk Health & Safety Group

DATE: 31st August 2023 - MS Teams

- **PRESENT:** Charlotte Fuller (CF), Sylvia Bayford (SB), Robert Cooper (RC), Lee Dingwall (LD), Richard King (RK), Gary Quilter (GQ).
- **APOLOGIES:** Nigel Dulieu, Lance Alexander, Gary Quilter, Stephanie Grayling, Wendy Canham.

ADDITIONAL DISTRIBUTION: None

	Item	Points Raised	Action
1.	Apologies	1.1 Apologies as above	
2.	Minutes of Last Meeting	2.1 RK went through the minutes of last meeting, no issues were raised. All actions have been carried out.	
		2.2 RK gave an update about the Warwick system. A point of entry form has been submitted as the current system is not deemed suitable for use.	
		2.3. RK asked SB if there was any further update about claims for an incident back in Aug 2022. No further contact was made by the claimant.	
-		2.4 LD said a toolbox talk is being released for Violence at work and this will be circulated out to respective teams in due course by managers.	
3.	Health & Safety Statistics	3.1 RK presented the accident statistics for employees and members of the public April to July 2023.	
		3.2 The Health and Safety Team continues to monitor, investigate, and recommend/implement remedial actions where necessary to reduce the likelihood of similar incidents/accidents occurring in the future.	
		3.4 There is no significant correlations in the graphs presented for incidents. The Health and Safety Team will investigate any other patterns that can be found within the incident data.	H&S team
4.	Legislation Update	 4.1 RK discussed the following legislation updates: Retained EU Law (Revocation and reform Act 2023) There is no current law replating to Local Authority within this. HSE statistics update for 2022/2023 Local Government update about access to bins since the Corrie McKeague incident. Reinforced Autoclaved Aerated Concrete (RAAC) updates. Property Services have confirmed that we do not have this in our buildings. Protect Duty (Martyn's Law), no further updates 	

		issued out from government. Expected to start being implemented from 2025.	
5.	Training	 5.1 There are ongoing first aid training courses for annual refreshers and requalification's across the authority. 5.2 RK reminded all to complete Health and Safety Modules on iLearn. 	
6.	Health & Safety risks and opportunities - around the table	6.1 The Warwick system is not being used correctly by all members of staff causing vital information and investigation to not be completed. Further training will be considered for staff. There are user guides available for staff to use if required.	H&S team
		6.2 CF asked SB if a claim had been put in for an incident that happened in August 2022. SB confirmed that a claim form was requested however no further communication happened.	
		6.3 RC asked about a risk assessment for lone working of waste operatives on the markets. The waste operatives do not have body worn camaras unlike the market officers. Staff numbers have been reduced to one market officer and one waste operative on market days. The H&S team to contact manager/supervisors to check risk assessment is in place.	H&S team
		6.4 RC discussed that iLearn was not accessible for operatives. WC stated that following the learning and development review that other options of training were being considered for operational staff to support a different way of learning that is less IT reliant. RC to contact Craig Masters (Waste and Street Scene Manager) to discuss options.	RC
		6.5 LD raised that following a tour of West Suffolk House, fire signage was in complete with the necessary assembly point information. LD to discuss action with facilities management and H&S team.	LD
7.	Any other Business	None raised.	

Next meetings

HSSC – 19th June 2023 – 4pm (MS Teams)

HSG – 16^{TH} January 2024 – 10am (Teams TBC)



West Suffolk Health and Safety Sub Committee 16th October 2023

Microsoft Teams

Agenda Item 8



<u>Agenda</u>

Introduction

Health and Safety Statistics

Legislation updates and other news

Training



Purpose of the Health and Safety Sub-Committee Meeting:

• To consider the Health and Safety arrangements and provide guidance to support the development of executive action by the Portfolio Holder with responsibility for health and safety and/or officers of the Council.

What does that mean:

- Monitor the Council's Health and Safety performance
- Monitor the occurrence of Health and Safety related incidents / accidents, identifying any implications for the development of Health and Safety policies / procedures
- Act as the formal consultative committee of the Council in relation to Health and Safety matters
- To be kept informed of trends and developments in Health and Safety legislation and welfare standards
- To consider and comment on projects and work that have significant Health and Safety implications across the Council.

Employee incidents

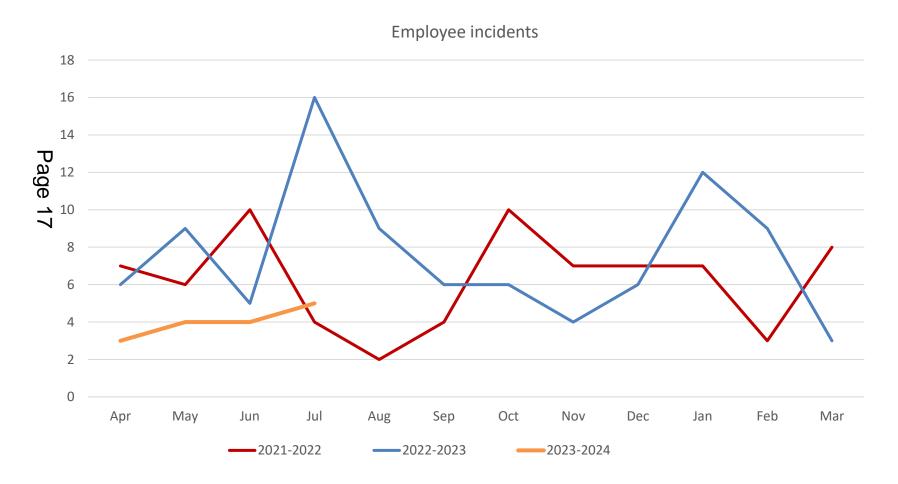
	2023				Grand Total
Row Labels	Apr	Мау	Jun	Jul	
Non Reportable Injury	2	1	2	1	6
Cuts or Abrasions	1				1
Other		1			1
Road traffic accident	1				1
Slips/Trips			1		1
Struck by equipment/furniture			1		1
Taken III or Unwell				1	1
Non-Injury Incident	1	2			3
Other	1	1			2
Road traffic accident		1			1
Violence at Work		1	1	2	4
Threatening Behaviour			1		1
Verbal Abuse		1		1	2
Aggression				1	1
Reportable Disease			1		1
Carpal tunnel Syndrome			1		1
Reportable Injury				2	2
Manual Handling				1	1
Contact with machinery				1	1
Grand Total	3	4	4	5	16

West Suffolk

Council

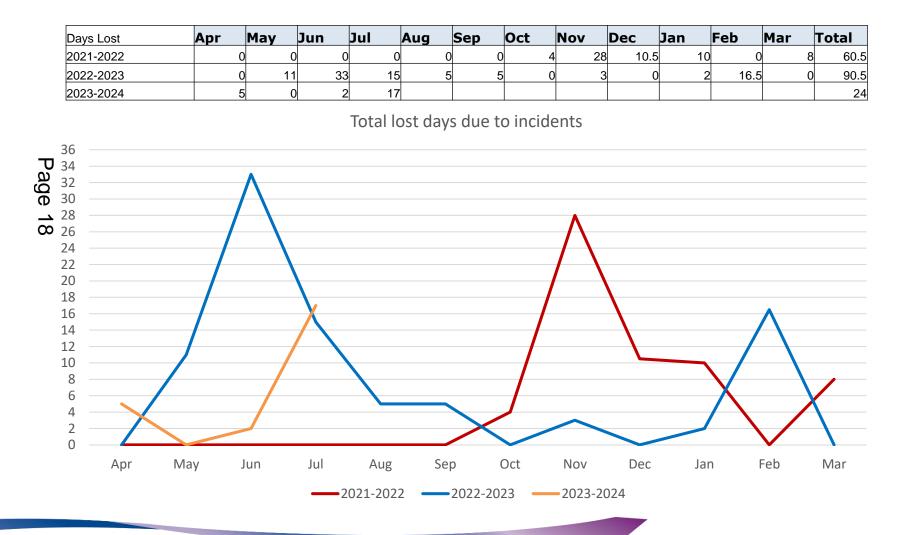


Employee incidents





Total days lost for employees



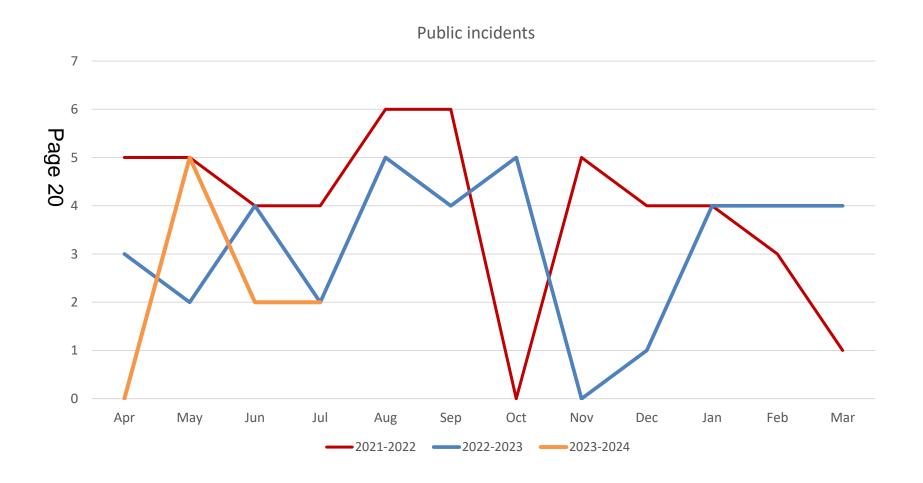


Public and contractor incidents

		2023			Grand Total
	Apr	May	Jun	Jul	
Non Reportable Injury		1	1	1	3
Fall on same level			1		1
Cut by non-surgical or clean sharp		1			1
Struck by falling/moving object				1	1
Non-Injury Incident		1		1	2
Other		1		1	2
Violence at Work		3	1		4
Threatening Behaviour		3			3
Verbal Abuse			1		1
Grand Total	0	5	2	2	9



Public and contractor incidents



Legislation updates and Other News



Legislation

The Retained EU Law (Revocation and Reform) Act 2023 received Royal Assent on 29th June 2023.

The Act will automatically revoke (or 'sunset') a list of around 600 Retained EU laws by the end of 2023. Not the original 5000 pieces of legislation envisaged. **Note**: There are a few pieces of legislation relating to health and safety in civil viation, maritime, nuclear industry and football matches but nothing relating to the alth and safety.

So initially there does not seem to be an immediate impact and we can only await any relevant developments in the case law and any government proposals regarding the future of health and safety law. Legislation updates & Other News



<u>Legislation</u>

The Building Safety Act 2022 – Section 156

 1^{st} October – New fire safety legislation in addition to Fire Safety (England) Regs 2022 and Fire Safety Act 2021.

- Page
 - Applies to ALL non-domestic premises and non-domestic parts of multi-
- ℵ occupied residential buildings (e.g., communal corridors, stairways and plant rooms)
- Responsible person must record their fire risk assessment and fire safety arrangements for their premises.
- Responsible persons must co-operate / co-ordinate with other responsible persons in shared buildings.
- FRA's appointed by responsible person must be suitably trained and competent.

We are currently compliant with the new changes to fire legislation.

Legislation updates and Other News



Other news

• Work related fatality figures 2022/23 published.

135 workers and 68 members of the public were killed in work-related accidents. The number of deaths has fallen considerably over the last 40 years although the trend is broadly flat for the last decade and the figures for 2022/23 are similar to pre-coronavirus pandemic levels.

ື່ອ Ghe three most common causes of fatal injuries for workers:

- \tilde{N} falls from height (40),
 - being struck by a moving object (29),
 - being struck by a moving vehicle (20).

The highest number of deaths was found in construction. However, when considering the fatal injury rate in terms of the number of fatalities per 100,000 workers employed, agriculture, forestry and fishing comes out worst but the next worst is **waste and recycling** with a rate 10 times higher than the average across all sectors.



Other news cont.

- Following the Coroner's report over missing airman Corrie McKeague, LGA have reminded local authorities of the guidance provided by the waste Industry Safety and Health forum on managing access to large waste and recycling bins. In reaction, Operations have recently communicated a 'Look before you lift' procedure to all its operators.
- RAAC (Reinforced Autoclaved Aerated Concrete) recent concern of this material failing in school and NHS buildings (ceiling collapses), has highlighted the likelihood of RAAC having a much wider presence in local authority premises. This was investigated by Property Services with specialist engineers over the past two years, confirming that currently there is no RAAC materials in any of our buildings.



Other news cont.

 Protect Duty (Martyn's Law) – Still no guidance (ACOP) produced by government and currently no regulator has been announced. Lead time for implementation currently envisaged is 2025. We continue to attend regular official government update webinars.

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Training





- Continuation of First aid training registers of first aiders have been reviewed / risk assessed to ensure that suitable cover is in place throughout our premises / workplaces following the introduction of agile working.
- Health and Safety mandatory modules have been introduced onto the I-Learn platform.
- Page No Addition
 - Additional job specific Health and Safety modules have been reviewed and are being added to I-Learn for specific departments (risk assessments, COSHH, working at height etc).
 - Fire Risk Assessors course have been completed by Health and Safety Manager and Senior Advisor.
 - Event safety management training (December) to ensure specific employees who are involved with events on our properties (such as Abbey Gardens, Nowton Park, BCC etc.) have suitable knowledge and training to carry out their supervisory roles and provide an internal support network.





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