

Members/Trades Unions Joint Consultation & Safety Panel

Tuesday 9 December 2014

A meeting of the above Panel will be held at Riverside House, Royal Leamington Spa on Tuesday 9 December 2014 at 2.30pm.

Panel Membership:

Employers representatives

Councillor Barrott
Councillor Copping
Councillor Kinson
Councillor Kirton

Trades Unions representatives

Mr R Chapleo
Mr A Crump
Mr A Foster
Mr J Lynch

Emergency Procedure

At the commencement of the meeting, the Chairman will announce the emergency procedure for the Town Hall.

Agenda

1. Substitutes

To receive the name of any Member of the Panel who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Member of the Panel for whom they are acting.

2. Declarations of Interest

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be entered on the form to be circulated with the attendance sheet and declared during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

3. **Minutes**

To consider the minutes of the meeting held on 4 June 2014

(Item 3/Page 1)

PART 1
HEALTH & SAFETY MATTERS

4. **Corporate Health & Safety**

To receive a report from Health and Community Protection

(Item 4/Page 1)

5. **Health & Safety Protection**

To discuss the impact of the Health & Safety Advisor vacancy

(Item 5/Page 1)

PART 2
JOINT CONSULTATIVE MATTERS

5. **Local Government Pay Award**

To receive a verbal report from Unison

6. **Cleaning Contract – Ocean CC Update**

To receive a verbal update from Unison

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General Enquiries:

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Enquiries about specific reports: Please contact the officers named in the reports.

Members/Trades Unions Joint Consultation & Safety Panel

Minutes of the meeting held on Wednesday 4 June 2014, at the Town Hall, Royal Leamington Spa at 4.30pm.

Present:

Employers representatives: Councillors Barrott and Kinson.

Trades Unions' representatives: Mr Crump, Mr Foster and Mr Lynch.

Also present: Amy Carnall (Civic and Committee Services Officer), Alan Richardson (Health and Safety Adviser) and Clare Morgan (HR Officer).

Apologies for absence were received from Councillors Copping and Kirton, Mr Chapleo, Chris Elliott (Chief Executive) and Tracy Dolphin (HR Manager).

1. Appointment Of Chairs

Resolved that Councillor Kinson be appointed as the Chair for the Employer's side.

Resolved that Mr Crump be appointed as the Chair for the Trades Unions' representatives.

It was the Trades Unions' turn to Chair the meeting, so Mr Crump took the Chair.

2. Declarations of Interest

There were no declarations of interest.

3. Minutes

The minutes of the meeting held on 4 December 2013 were taken as read and signed by the Chair as a correct record.

The Panel noted that the implications of Minutes 15 and 16 would be dealt with under the current agenda.

In relation to Minute 18, Member Behaviour and the Effect on Staff, Councillor Barrott questioned the Trades Unions' representatives as to the current situation. Mr Crump advised that a number of the issues raised in December 2013 had been resolved and there appeared to be no problems with Member/Officer relations at the present time.

4. Corporate Health and Safety

The Panel received a report from the Health and Safety Adviser which summarised the lost working time accidents that had occurred from the end of December 2013 to the end of April 2014.

The report included a table showing comparative accident data tracked over the same period and updated on actions taken following a previously reported incident.

In addition, the report updated on the status of the recent Fire Risk Assessment Audit recommendations and the functionality of the newly installed panic alarm system at Riverside House.

The meeting discussed the circumstances surrounding an accident which occurred within the Warwick Response team in March 2014. The Panel asked questions of the Health and Safety Adviser about the condition of the furniture and whether this had been a factor in the accident. The Panel was happy that the correct procedures had been followed and no further action was required.

However, it was requested that Service Area Managers be asked to include an item on their next team meeting agendas to remind staff about the importance of sitting on chairs properly and not tipping or overextending on them.

Sections 8.2 and 8.3 of the report outlined the steps taken to improve the Council's fire risk management arrangements and to address a number of issues raised in December 2013's audit on the subject.

The Health and Safety Adviser explained that the Assessnet system would be used to track review dates and would alert the individuals tasked to complete the reviews. In addition, it was agreed that a policy should be produced and a draft document had been circulated to the relevant individuals.

Mr Crump asked if this was to be highlighted as a regular item on the Senior Management Team agenda and was assured that SMT were fully aware of the policy and the new system being introduced to control reviews.

The Health and Safety Adviser answered questions from the Panel about the frequency of fire drills and fire reviews and advised that each building should be undergoing a weekly inspection. The recent changes to staffing structure in Housing and Property Services were discussed and the impact these had had on reviews not being carried out.

The Panel was pleased that the Corporate Asset Compliance Group had been established to help push these works through but Mr Foster stated that it was important to avoid complacency now. The Panel thanked the Health and Safety Adviser for highlighting the issues and appreciated that this was a difficult job under difficult circumstances.

The Panel agreed that due to the concerns it had with this item it would like to invite the Deputy Chief Executive, Mr Hunt, and the lead officer, Mr Jones, to attend the next meeting of the Panel to provide an update on any outstanding actions.

Sections 8.4 onwards outlined the new panic alarm system which had been installed in Riverside House in February 2014. The system was installed to ensure the safety of the Council's Frontline, Reception and Housing Advice teams should they feel threatened by a member of the public.

The alarm system and call list was fully explained and the Panel was pleased to hear that the system had been thoroughly tested and worked well.

Councillor Barrott was very pleased about this project, especially with its installation in the PACE room and he hoped that the same system would be installed at any new Council offices in the future.

Resolved that

- (1) the report be noted; and
- (2) the Deputy Chief Executive, Mr Hunt, and the lead officer, Mr Jones be invited to the next meeting of the Panel to update it on any outstanding actions regarding the Fire Risk Assessments.

5. National Pay Award 2014/15

The Panel received a letter circulated by Mr Foster on behalf of Unison regarding the 2014-15 NJC pay claim. The letter asked branches to consult widely with their Members on the two options for the proposed pay claim.

Mr Foster reminded the Panel that there was support from elected Members and the general feeling was that a 1% pay award was not acceptable. He reminded the Panel that the country was coming out of a recession and local government officers had endured a four year pay freeze. Compared to workers in the private sector, local government staff pay was much lower.

Ballot papers had now been dispatched to consult on potential strike action.

Mr Crump advised that the ballot could be close because although the proposed pay increase was not considered good enough, staff would not want to lose money by striking either.

Resolved that the report be noted.

6. Pay and Working Conditions – Contractual Companies Working For Warwick District Council

Mr Foster updated the Panel on the discussions that Unison had with the Council's three contractors regarding the pay and conditions for their employees.

Two of the companies Sita and Veolia had a high number of employees who were members of Unison. Mr Foster advised that these employees had secured a 2% pay award back dated to April last year.

However, employees of Ocean CC, who won the Council's cleaning contract, had encountered a number of difficulties since the TUPE transfer of contracts. Many of the staff were on the minimum wage and had no pay awards in the past two years, often working 7 days a week. Mr Foster had concerns that the relationship between Unison and Ocean CC was poor and despite many invitations to attend meetings and open discussions, Ocean CC had failed to respond.

Councillor Kinson enquired as to who monitored this contract and was advised that it would probably be Neighbourhood Services, although there was some confusion as to whether it was the role of the Contracts Manager. Officers agreed to clarify who was the appropriate individual to raise the Panel's issues with.

Members were aware that although this was a Council contract, it was difficult to enforce rules on the company regarding their employees.


The Panel agreed that it would like a meeting with the Head of Service and/or the Contract Manager for the cleaning contract and a letter would be sent from the Panel, inviting them to attend the next meeting.

Mr Foster assured the Panel that relations between the other companies working for the Council were good.

Resolved that

- (1) the update be noted; and
- (2) the officer responsible for monitoring the Ocean CC contract be invited to the next MTU/JCSP meeting to discuss the Panel's concerns.

(The meeting ended at 5.35 pm)

 Members / Trades Unions Joint Consultation & Safety Panel - 4 June 2014		Agenda Item No. <div style="font-size: 2em; float: right;">4</div>
Title	Corporate Health & Safety	
For further information about this report please contact	(Alan Richardson – Health & Safety Adviser, WDC, Riverside House, Leamington Spa, tel: 456734)	
Wards of the District directly affected	N/A	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	4 th December 2013	
Background Papers	Accident Reports, SMT Reports and Fire Risk Assessment Audit	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No
Equality & Sustainability Impact Assessment Undertaken	Yes/No (If No state why below)

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	16/05/14	Bill Hunt
Head of Service	14/05/14	Richard Hall
CMT		
Section 151 Officer		
Monitoring Officer		
Finance	13/05/14	Jenny Clayton
Portfolio Holder(s)	14/05/14	Michael Coker
Consultation & Community Engagement		
Insert details of any consultation undertaken or proposed to be undertaken with regard to this report.		
Final Decision?		Yes/No
Suggested next steps (if not final decision please set out below)		

1. SUMMARY

- 1.1 This document summarises applicable employee lost working time accidents that were reported from the end of December 2013 to the end of April 2014 with a table below showing comparative accident data tracked over this same period. It also gives an update on actions taken following a previously reported incident.
- 1.2 The report also gives updates on the status of the recent Fire Risk Assessment Audit recommendations and the functionality of the newly installed panic alarm system at Riverside House.

2. RECOMMENDATION

- 2.1 That the contents of this report be noted.

3. REASONS FOR THE RECOMMENDATION

- 3.1 To summarise applicable incidents for the period above, in a format that will hopefully be useful to members and staff and will allow comparative accident data to be tracked over time. In addition, to update the panel on work undertaken with regards to improvements in Fire Risk Assessment processes and Riverside House Panic Alarm system.

4. POLICY FRAMEWORK & FIT FOR THE FUTURE

- 4.1 The Council's Health & Safety Policy and Codes of Practice continue to follow the HSE's guidance recently revised document HSG65 –'Managing for Health & Safety', complying with legislation and the various codes of practice.

5. BUDGETARY FRAMEWORK

- 5.1 Remedial works undertaken within existing resources. However, Lost Working Time as a result of workplace accidents is a hidden cost to the Council, as staff will be unable to work whilst they recover from the accident.

6. RISKS

- 6.1 There is significant risk to the organization if health and safety is not managed effectively. The report informs of a reportable accident (that requires no further actions) and work undertaken with regards improvements in fire safety management and installation of panic alarm system to evidence that these risks are adequately controlled.

7. ALTERNATIVE OPTION CONSIDERED

- 7.1 Not Applicable

8. BACKGROUND

8.1 Lost Working Time Accidents from end of Dec 13 – End of Apr 14

Staff Member of Housing & Property Services at Warwick Response on 25/03/14.

Whilst working a shift at Warwick Response on 25th March 2014, the staff member was carrying out administration duties in one of the offices on the ground floor. At 22:45 hours whilst sat in their office chair, the employee leant forward on the desk to read a document and it was at this point that the chair the person was sat on fell from underneath her.

The person then fell sideways hurting their back. 10 working days were lost due to the incident and for the purposes of HSE reporting requirements, the accident was reported to the HSE as per RIDDOR Regulations (report no. 0A31DF1721)

Actions –

The accident was investigated. The H&S Adviser visited the site along with Dean Guy of SH&D Smith (chair specialist).

Upon visiting the office and the scene in which the accident took place, there were no obvious defects evident that one could say contributed to the accident. Dean Guy examined the chair (also present were the IP's line manager and colleagues) and reasonable efforts were made to try and recreate the tipping of the chair, however it was not possible to destabilise the chair in the same way. There were also no significant defects with floor area in which the chair was used.

Upon visually examining the chair, it was found that there was a small crack in one of the castor legs. However, with the input of the chair specialist it was deemed unlikely that this contributed to the accident and more likely that it was caused as a result of the chair falling to the ground.

The injured employee and witness descriptions, also do not point to any chair component failings but more likely to user error. As the injured person describes how they leant forward on the desk to view documents and is therefore reasonable to conclude that the motion / posture of leaning perhaps too far forwards on the desk, pushed the chair on its castors in the other direction, resulting in the fall.

Having been in contact with the injured person's line manager, it is understood that the staff member returned to work after 10 days of the reported absence and is performing normal work duties with no apparent ill effects.

As a precaution, the chair was removed due to its damage and has since been disposed of.

No further action required.

- 8.2 **Fire Risk Assessments** – Since the last H&S Update, a number of steps have been taken in an effort to improve the Councils fire risk management arrangements and to address a number of issues raised in last Decembers audit on the subject.
- 8.3 SMT agreed that Assessnet's Fire Risk Assessment (FRA) module should be used to assign specific actions generated by the risk assessments and to keep track of the actions and the assessment review dates. Work is currently underway with the cooperation of Building Control and colleagues in Housing & Property Services to begin using the system, which will be ready to trial in the next few weeks. Use of the Assessnet system to record FRA's will address the following concerns raised during the audit:
- FRA's not being reviewed annually. Assessnet will keep track of review dates and alert those tasked with this.
 - Actions not assigned to individuals. The Fire Risk Assessor will be able to assign actions to building managers, Property Services or other individuals on the system as appropriate.
 - Lack of management process to ensure completion of actions. FRA's overdue for review or with outstanding actions can be reported to SMT for their intervention in the same way as general Health & Safety risk assessments.
 - Reports not being available to building managers of individual sites. Once the FRA's are entered into Assessnet, they will be stored online and will therefore be accessible to all who need to view them.
 - A Fire Risk Management Policy should be produced. The Health & Safety Adviser has put together a draft policy document, which has been circulated to the newly formed Corporate Asset Compliance Group for their comments. Once comments are received, the document will be circulated to SMT to further comment.
- 8.4 **Interview Rooms and Reception Panic Alarms** - A new panic alarm system was installed in Riverside House in February 2014. It can be activated from the four interview rooms in the staff side the frontline area and the main reception desk.
- 8.5 Once activated, the alarm auto dials to the CCTV Control Room informing the CCTV Operator by telephone of which area the emergency is taking place. This in turn prompts the operator to check the CCTV camera image to ascertain if there is an actual emergency taking place, e.g. violence or threat of. If it is clear that there is an incident is taking place, the CCTV Operator will contact Police quickly and request urgent assistance at Riverside House (the CCTV footage can also be used for evidence purposes). No doubt if frontline staff witness a serious situation taking place, they too should call the Police.
- 8.6 Flowchart procedures have been produced showing: CCTV's Response to the alarm, Frontlines response, key staff who will also be notified automatically via the alarm system (Staff on the Call list) and guidance note for staff on when to use the panic alarm.

- 8.7 With regards to 'staff on the call list', a number of Council Officers have nominated themselves as those who will also receive an automated phone call of an emergency. The purpose of this role is to ensure that the emergency services have been called, observe and offer assistance to staff in the area (from a safe location) and ensure others are alerted to the situation. At no point should the person responding to the alarm put themselves at risk.
- 8.8 The alarm system has the capacity to telephone up to 8 individuals on a cascade basis, who as well as CCTV Control will be notified of an emergency. To make the system as effective as possible, and to take into account people who may not be available at the time of an emergency, it requires other officers to be available to help with the response effort.
- 8.9 Those that have so far volunteered themselves to be added to the 'call list' are:
- Health & Safety Adviser – Health & Community Protection
 - Civil Contingencies Officer – Health & Community Protection
 - Development Manager – Development Services
 - Audit & Risk Manager – Finance
 - Benefits & Fraud Manager – Finance
 - 2 x Team Leaders – Warwickshire Direct
- 8.10 Upon installation and on a number of occasions since, the alarm system has been tested in conjunction with CCTV Control, staff on Frontline and those on the call list. Tests have been successful with CCTV and others being alerted of each alarm activation with a future periodic testing regime agreed with frontline staff.