



Council

Mon 19 Jun
2017
7.00 pm

Council Chamber
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL

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a
difference*

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**If you have any queries on this Agenda please contact
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Council

Monday, 19th June, 2017

7.00 pm

Council Chamber Town Hall

Agenda

Membership:

Cllrs:	Jennifer Wheeler (Mayor)	Andrew Fry
	Nina Wood-Ford (Deputy Mayor)	Bill Hartnett
	Joe Baker	Pattie Hill
	Tom Baker-Price	Gay Hopkins
	Roger Bennett	Wanda King
	Natalie Brookes	Jane Potter
	Juliet Brunner	Gareth Prosser
	David Bush	Antonia Pulsford
	Michael Chalk	Mark Shurmer
	Debbie Chance	Rachael Smith
	Greg Chance	Yvonne Smith
	Anita Clayton	Paul Swansborough
	Brandon Clayton	David Thain
	Matthew Dormer	Pat Witherspoon
	John Fisher	

- 1.** Welcome
- 2.** Apologies for Absence
- 3.** Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

- 4.** Minutes (Pages 1 - 22)

To confirm as a correct record the minutes of the meeting of the Council held on 22nd May 2017.

- 5.** Announcements

To consider Announcements under Procedure Rule 10:

- a) Mayor's Announcements
- b) The Leader's Announcements
- c) Chief Executive's Announcements.

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6. Questions on Notice (Procedure Rule 9.2) (if any)

None received.

7. Motions on Notice (Procedure Rule 11) (if any)

None received.

8. Executive Committee - minutes of the meeting held on 6th June 2017 (Pages 23 - 32)

To receive the minutes and consider the recommendations for the following items :

8 .1 Health and Safety Policies - Statutory Inspection, Driving at Work and Corporate Health and Safety (Minute No. 5) (Pages 33 - 112)

8 .2 Community Engagement Strategy (Minute No. 6) (Pages 113 - 124)

8 .3 Equality Strategy (Minute No. 7) (Pages 125 - 150)

8 .4 Finance Monitoring Outturn 2016/17 (Minute No. 8) (Pages 151 - 166)

8 .5 Legal, Equalities and Democratic Services - Service Review Business Plan (Minute No. 15) (Pages 167 - 182)

NOTE: the confidential report and appendices attached to this recommendation have only been made available to Members and relevant Officers. Should Members wish to discuss the report and / or attachments in any detail, a decision will be required to exclude the public and press from the meeting on the grounds that exempt information is likely to be divulged, as defined in paragraph 4 of Schedule 12 (a) of Section 100 1 of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.)

(Paragraph 4: Subject to the “public interest” test, information relating to labour relations matters.)

8.6 Facility Management and Cleaning Services Review - Business Case
(Minute No. 16) (Pages 183 - 214)

NOTE: the confidential report and appendices attached to this recommendation have only been made available to Members and relevant Officers. Should Members wish to discuss the report and / or attachments in any detail, a decision will be required to exclude the public and press from the meeting on the grounds that exempt information is likely to be divulged, as defined in paragraph 4 of Schedule 12 (a) of Section 100 1 of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.)

(Paragraph 4: Subject to the “public interest” test, information relating to labour relations matters.)

8.7 Parks and Green Space Stewardship Services Review - Business Case
(Minute No. 17) (Pages 215 - 268)

NOTE: the confidential report and appendices attached to this recommendation have only been made available to Members and relevant Officers. Should Members wish to discuss the report and / or attachments in any detail, a decision will be required to exclude the public and press from the meeting on the grounds that exempt information is likely to be divulged, as defined in paragraph 4 of Schedule 12 (a) of Section 100 1 of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.)

(Paragraph 4: Subject to the “public interest” test, information relating to labour relations matters.)

9. Regulatory Committees

9.1 Minutes of the meeting of the Licensing Committee held on 6th March 2017 (Pages 269 - 280)

9.2 Minutes of the Planning Committee meeting held on 12th April 2017
(Pages 281 - 284)

10. Urgent Business - Record of Decisions

To note any decisions taken in accordance with the Council's Urgency Procedure Rules (Part 6, Paragraph 5 and/or Part 7, Paragraph 15 of the Constitution), as specified.

(None to date)

11. Urgent Business - general (if any)

To consider any additional items exceptionally agreed by the Mayor as Urgent Business in accordance with the powers vested in him by virtue of Section 100(B)(4)(b) of the Local Government Act 1972.

(This power should be exercised only in cases where there are genuinely special circumstances which require consideration of an item which has not previously been published on the Order of Business for the meeting.)

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Monday, 22 May 2017

MINUTES

Present:

Councillor Joe Baker (Mayor), Councillor Jennifer Wheeler (Deputy Mayor) and Councillors Tom Baker-Price, Roger Bennett, Natalie Brookes, David Bush, Michael Chalk, Debbie Chance, Greg Chance, Brandon Clayton, Matthew Dormer, John Fisher, Andrew Fry, Bill Hartnett, Pattie Hill, Gay Hopkins, Wanda King, Jane Potter, Mark Shurmer, Yvonne Smith, Paul Swansborough, David Thain, Pat Witherspoon and Nina Wood-Ford

Officers:

Kevin Dicks, Claire Felton and Sue Hanley

Democratic Services Officer:

Jess Bayley

1. WELCOME

The Mayor welcomed all those present to the annual meeting of Council.

2. APOLOGIES

Apologies for absence were received on behalf of Councillors Juliet Brunner, Anita Clayton, Gareth Prosser, Antonia Pulsford and Rachael Smith.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. MAYOR'S OPENING REMARKS

The Mayor advised that he had experienced an enjoyable and busy tenure as Mayor. During the year acceptance, tolerance and equality had been key themes which had influenced the Mayor's activities and every effort had been made to bring people from diverse communities and backgrounds together. There had been a number of highlights of the Mayoralty including meeting the

.....
Chair

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Archbishop of Canterbury, the Astwood Bank Carnival, the Mayor's Civic Event and various activities involving the Army Cadets. The Mayor also explained that he had been proud to serve as the first openly gay Mayor of the Borough of Redditch and he thanked the local community for the warm welcome they had extended to him and his partner.

During the course of this item the Mayor presented a number of individuals and organisations with awards including the following:

a) Army Cadets

The Mayor presented a group of Army Cadets with awards in recognition of the support that they had provided to him during the year. Particular thanks were extended for the help that the Army Cadets had provided at the Mayor's Civic Event.

b) Community Champion's Award – Ms Danuta Zdanko

The Mayor also awarded Ms Danuta Zdanko a Community Champion's Award in recognition of her work on behalf of the Polish community within Redditch. Ms Zdanko had helped the community to integrate within Redditch and had raised awareness of the valuable contribution of Polish people within the Borough.

c) Community Champion's Award – Mrs Karen Martin and Mr Oliver Martin

Mrs Karen Martin was presented with a community award in recognition of her and her husband's work at the organisation Inspire Community Training CIC. The organisation enabled Redditch residents to undertake training and learn new skills which were very valuable to the local economy.

The Mayor also presented gifts to a number of people who had provided him with support during the year including:

a) Councillor Wanda King

Councillor King was thanked for attending civic events during the year when the Mayor's consort had been unavailable.

b) Ms Irene Stickley

Ms Stickley had helped to manage Councillor Baker's business diary to enable him to attend Mayoral events during the year.

c) Sarah Carroll – Personal Assistant

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Sarah was thanked for her hard work supporting the Mayor's Secretary during the year.

d) Susan Lisle – Personal Assistant to the Mayor

Susan was thanked for the hard work and support that she had provided to the Mayor throughout the year.

e) Councillor Hartnett

The Mayor thanked Councillor Hartnett for his support, noting that the Leader of the Council had attended a significant number of civic events alongside the Mayor.

f) Mr Peter Willis – The Mayor's Consort

The Mayor thanked Mr Willis for his steadfast support throughout his Mayoralty.

The Mayor advised that he had raised a total of £5,200 for his three charities. This would be shared between Charlotte and Craig's Saving Heart, who worked tirelessly to provide defibrillators throughout the Borough, Redditch Mental Health Action Group (MHAG), whose aim was to raise awareness and support those suffering from mental health problems, and the Samaritans, who provided listening and befriending support to those in need at very difficult times.

During consideration of this item the Mayor delivered a presentation, comprising visual images of civic events that had taken place in 2016/17. He concluded by quoting Gloria Gaynor's 'I am what I am' and thanking Council for the support that he had received during his Mayoral year.

5. ELECTION OF THE MAYOR FOR 2017-18

Councillor Jenny Wheeler was elected Mayor of the Borough for the forthcoming year, following which she made the statutory declaration of Acceptance of office and was then invested with the Chain of Office by the outgoing Mayor, Councillor Joe Baker. Councillor Wheeler thanked the outgoing Mayor and, on behalf of the Council, expressed gratitude for the work he had carried out as an ambassador for the town.

RESOLVED that

- 1) **Councillor Jenny Wheeler be elected Mayor of the Borough of Redditch to serve until the next Annual Meeting of the Council; and**

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- 2) **the Council formally express, and record, its gratitude to Councillor Joe Baker for his excellent service to the town over the last 12 months as Mayor.**

6. ELECTION OF DEPUTY MAYOR

Councillor Nina Wood-Ford was elected Deputy Mayor of the Borough of Redditch for the forthcoming year, following which she made the statutory declaration of acceptance of office and was then invested with the Deputy Mayor's Badge of Office by the Mayor, Councillor Jenny Wheeler.

RESOLVED that

Councillor Nina Wood-Ford be appointed Deputy Mayor of the Borough of Redditch to serve until the next Annual Meeting of the Council.

7. ANNOUNCEMENTS

a) Mayor's announcements

Councillor Wheeler thanked Members for providing her with an opportunity to serve as Mayor of the Borough of Redditch. She explained that her Mayoralty would be influenced by considerations in relation to mental health and wellbeing.

During 2016/17 Councillor Wheeler had served as a member of the Mental Health Services for Young People Task Group. The group had discovered that there were higher levels of mental health and wellbeing problems amongst young Redditch residents than in other parts of Worcestershire, partly due to the higher levels of deprivation and a larger youth population in the Borough. There were plans to reconvene the Task Group later in the municipal year to assess the progress that had been achieved in addressing mental health and wellbeing problems within the community. In the meantime to ensure that Members and Officers remained mindful of the subject the Mayor would be supporting two charities that supported vulnerable young people. The first of these charities was the Redditch branch of St Basils, which provided supported accommodation to young people aged 16 – 25 at risk of becoming homeless. The second charity was Young Minds, which was dedicated to improving the mental health and wellbeing of young people.

The Mayor advised that she would not have a Chaplain during the course of her Mayoralty. Instead speakers would be invited to talk at the start of Council meetings throughout the year on the subject of one of the five steps to mental wellbeing, as detailed below:

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- Connect with people
- Be active
- Keep learning
- Give to others
- Be mindful

The Mayor advised that her upcoming events included attending an event due to be held by Redditch MHAG on 25th May.

b) The Leader's Announcements

The Leader noted that Karen Lumley, due to stand down as the MP of Redditch, was in hospital. On behalf of the Council he wished Ms Lumley a speedy and full recovery.

The following announcements were made by the Leader:

- The Leader had written to Mr Roberts, Head teacher of St Bedes Catholic Middle School, to congratulate the Year 8 Boys' team who had won the English Schools' Football Association PlayStation Schools' Cup.
- Officers were congratulated for their hard work and for securing the Council a runner up position in the West Midlands Regional Energy Efficiency and Healthy Homes awards.
- The Leader had met with the newly elected Mayor of the West Midlands Combined Authority and had invited him to visit Redditch at a future date.
- The third Redditch Faith Walk had been another highlight during the period.
- Alongside other Members the Leader had also taken part in the March for Callum through the town.
- The Leader had attended the Polish Heritage weekend and taken part in the flag raising ceremony.
- The Mayor had also attended the Gurdwara at Ridgeway Academy.
- The latest Redditch Bike Race had taken place in early May and the Leader hoped to arrange for the race to take place again in the Borough in 2018.
- The Leader had attended a regional track meeting of BMX riders, involving a range of competitors in different age groups.
- The Victorian Day at RYCE had been another highlight in May.
- Finally, the Leader commented that he had attended the 1940s themed open day at Forge Mill Needle Museum earlier in the month which had been a very enjoyable day.

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c) Chief Executive's Announcements

There were no announcements from the Chief Executive.

8. MINUTES

RESOLVED that

the minutes of the meeting of Council held on Monday 24th April 2017 be agreed as a correct record and signed by the Mayor.

9. LEADER'S APPOINTMENTS

The Leader announced his appointments as set out below:

Executive Committee

Leader of the Council by office, Councillor Bill Hartnett, and Deputy Leader by Office, Councillor Greg Chance, and Councillors with portfolio Joe Baker, Debbie Chance, John Fisher, Mark Shurmer, and Pat Witherspoon.

With Councillors Juliet Brunner and Brandon Clayton sitting without portfolios.

Portfolio Holders

Community Leadership and Partnership (including Voluntary Sector and Health Services) – normally the Leader of the Council – Councillor Bill Hartnett.

Local Environment – aligned to 'keep my place safe and looking good' – Councillor Debbie Chance (covering licensing impacts, better environment, cleansing and waste management, regulatory services, climate change, landscape including trees, woodland and grounds maintenance and bereavement services).

Corporate Management – aligned to 'help me to be financially independent (including education and skills)' and enabling – Councillor John Fisher (covering internal systems, support services: administration, audit, finance, Human Resources, IT, conduct of Council, Committee business, local democracy and licensing process, revenues and benefits).

Planning, Regeneration, Economic Development and Transport – aligned to 'help me run a successful business' – Councillor Greg Chance (covering planning and land use, economic development and public transport).

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Community Safety and Regulatory Services – aligned to ‘help me to live my life independently (including health and activity)’ – Councillor Joe Baker (covering children, youth, children’s centres, community safety, crime and disorder, safer communities, corporate parenting and emergency planning).

Housing – aligned to ‘help me find somewhere to live in my locality’ – Councillor Mark Shurmer (covering housing services).

Leisure and Tourism – aligned to ‘provide good things for me to do, see and visit – Councillor Pat Witherspoon (covering culture and recreation including management of facilities including sports centre, theatres and community centres, parks and open spaces strategy, including allotments, playing pitches and play areas, sports, arts and physical activity development, community training, education, learning and skills).

RESOLVED that

the appointment by the Leader of Members of the Executive Committee, as detailed in the preamble above, be noted.

10. APPOINTMENT OF COMMITTEES, PANELS ETC AND THEIR CHAIRS AND VICE CHAIRS

The Council considered the report setting out the proposed political balance of the Council’s Committees and lists of nominations to Committees, Sub-Committees and other bodies.

RESOLVED that

- 1) the Political balance of the Committees of the Council be agreed as set out in the report;**
- 2) the arrangement where the seats on the Overview and Scrutiny Committee are not allocated in accordance with the political balance requirements be continued;**
- 3) the arrangement where the seats on the Crime and Disorder Scrutiny Panel are not allocated in accordance with the political balance requirements be continued;**
- 4) appointments by political group leaders to the places on each Committee, as attached at Appendix 1 to these minutes, be noted;**
- 5) the Council appoints the non-aligned Councillor, Paul Swansborough, to the Overview and Scrutiny Committee and Crime and Disorder Scrutiny Panel;**

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- 6) the Council appoints Chairs and Vice-Chairs to the Committees and other bodies, as set out in Appendix 1 to these minutes;
- 7) appointments to Working Groups and other bodies listed in Appendix 1 to these minutes be agreed.

11. OUTSIDE BODIES

RESOLVED that

appointments to the places on each of the Outside Bodies, as detailed in Appendix 2 attached to these Minutes, be agreed.

12. URGENT BUSINESS - RECORD OF DECISIONS

There were no urgent decisions to note.

13. URGENT BUSINESS - GENERAL (IF ANY)

There were no additional items of urgent business.

The Meeting commenced at 6.58 pm
and closed at 8.09 pm

**Annual Meeting
of the Council****Appendix 1**

22nd May 2017

**Nominations and Appointments to Offices,
Committees, Sub-Committees etc.**

Committee / Sub- Committee etc.	Size (Members)	Labour	Conservative appointments	Other appointment
Audit, Governance and Standards Committee	9	5 Cllrs Brookes Fry Y Smith Shurmer Witherspoon	4 Baker-Price(V- Ch) Chalk Potter (Ch) Thain	0 Plus 2 non- voting independent co- optees
Licensing Committee (note the sub- committees are now selected from the committee membership)	11	6 Cllrs Brookes Fry (V-Ch) Hill R Smith Wheeler Witherspoon (Ch)	5 Cllrs Baker-Price Bennett A Clayton Hopkins Pulsford	0
Planning Committee	9	5 Cllrs Fry (Ch) King Y Smith (V-Ch) Wheeler Wood-Ford	4 Cllrs Bennett Chalk Dormer Prosser	0
Overview and Scrutiny Committee	9	4 Cllrs Fry Hill Wheeler Wood-Ford	4 Cllrs Baker-Price (Ch) Dormer Hopkins Potter (V-Ch)	1 Cllr Swansborough

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Committee / Sub- Committee etc.	Size (Members)	Labour	Conservative appointments	Other appointment
Crime and Disorder Scrutiny Panel	5	2 Cllrs Hill Wood-Ford	2 Cllrs Dormer(Ch) Baker-Price	1 Cllr Swansborough
Employment Appeals Committee	5	3 Members Cllrs G Chance (Ch) Witherspoon (V-Ch) Wood-Ford	2 Members (from pool) Cllrs Baker-Price Bennett Brunner Chalk A Clayton B Clayton Dormer Hopkins Potter Prosser Pulsford	
Corporate Health, Safety and Welfare Committee	1	1 Member Baker	-	-
Shared Services Board	4	3 Members Cllrs Hartnett (Ch) D Chance G Chance (Cllrs Fisher, Shurmer and Witherspoon Substitutes).	1 Member Cllr Brunner	-
Members' Support Steering Group	5	3 Members Cllrs Brookes Fisher (Ch) Hartnett (V-Ch)	2 Members Cllrs Baker-Price Brunner	-

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Committee / Sub- Committee etc.	Size (Members)	Labour	Conservative appointments	Other appointment
Worcestershire Shared Services Joint Committee	2 (+ 2 subs)	1 Member Cllr Fisher (Cllr Witherspoon – Substitute)	1 Member Cllr B Clayton (Cllr Baker- Price, Substitute)	-
Planning Advisory Panel	5	3 Members Cllrs D Chance G Chance (Ch) Hartnett (V-Ch)	2 Members Cllrs Bush B Clayton	-
Constitutional Review Working Party	5	3 Members Cllrs Baker Fisher (V-Ch) Hartnett (Ch)	2 Members Cllrs Baker-Price Brunner	-
Grants Panel	5	3 Members Cllrs Chance (V-Ch) Shurmer Y Smith	2 Members Cllrs Bush Hopkins (Ch)	-
Holocaust Memorial Steering Group	5	3 Members Cllrs Hartnett (Ch) Wheeler (V- Ch) Witherspoon	2 Members Cllrs A Clayton Pulsford	-
Redditch Matters Editorial Panel	3	2 Members Cllrs Hartnett (Ch) D Chance (V- Ch)	1 Member Cllr Baker-Price	-

**Annual Meeting
of the Council****Appendix 1**

22nd May 2017

Scrutiny Groups**(political proportionality not required)**

Working Group / Task Group / Short Sharp Review	Size (Members)	Labour	Conservative appointments	Other appointments
Budget Scrutiny Working Group	5 (maximum)	Cllrs Y Smith Wheeler	Dormer Potter (Ch) Thain	
Homelessness Short, Sharp Review	5 (maximum)	Cllrs Brookes Hill Wood-Ford (Ch)	A Clayton Pulsford	
Performance Scrutiny Working Group	5 (maximum)	Brookes Wood-Ford	Baker-Price (Ch) Dormer Thain	
Staff, Survey Joint Scrutiny Task Group	3 Redditch Members	Wheeler	Baker-Price Potter (V Ch)	

*The Chair, and Vice Chair in the case of the Joint Scrutiny Task Group, must be a member of the Overview and Scrutiny Committee.

**It is highly recommended that the membership of the Staff Survey Joint Scrutiny Task Group remains the same for consistency purposes.

**BOROUGH COUNCIL REPRESENTATIVES ON
OUTSIDE BODIES – NOMINATIONS FOR 2017/2018**

STRATEGIC APPOINTMENTS – TO NOTE:

Body	2016/2017 Representative(s)	Notes / Terms	Nominees for 2017/2018
Local Government Association	Cllr B Hartnett	1 Representative (usually Leader) must be a Councillor Term : 1 year No liability issues identified.	Cllr B Hartnett
West Mercia Police and Crime Panel	Cllr Y Smith Sub: Cllr B Hartnett	1 representative (Relevant Portfolio Holder) and 1 substitute Term: 1 year No liability issues identified	Cllr J Baker Sub: Cllr B Hartnett
West Midlands Employers	Cllr J Fisher Sub: Cllr P Witherspoon	1 Nominated Representative. Either Relevant Portfolio Holder responsible for Resources and / or Employment or alternatively, the Leader of the Council. Term: To each RBC AGM No liability issues envisaged.	Cllr J Fisher Sub: Cllr P Witherspoon
Assembly of the District Councils' Network	Cllr B Hartnett (as Leader of the Council)	1 Nomination To represent the Council on the Assembly of this body which is a voice for District Councils within the Local Government Association. The Assembly of the DCN comprises the Leaders of the Member Authorities or equivalent. Term : 1 year No liability issues identified.	Cllr B Hartnett (as Leader of the Council)
Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP)	Cllr G Chance Redditch BC Sub: Cllr I Hardiman, Wyre Forest DC	1 (plus 1 Substitute) representing the 3 North Worcestershire District Councils.	Cllr G Chance Redditch BC Sub: Cllr I Hardiman, Wyre Forest DC

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APPENDIX 2

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GBSLEP – Joint Committee (Local Supervisory Board)	Cllr B Hartnett Leader Ex-officio for Redditch Borough Council. Cllr G Chance Deputy Leader Ex-officio for Redditch Borough Council	1 Member (Leader) from each constituent Authority plus substitute	Cllr B Hartnett Leader Ex-officio for Redditch Redditch BC. Cllr G Chance Deputy Leader Ex-officio for Redditch BC
GBSLEP - Local Enterprise Partnership - EU Structural and Investment Fund Strategy Committee (ESIF)	Cllr J Fisher Sub: Dean Piper, North Worcs Economic Development & Regeneration (NWEDR)	1 Representative and 1 Substitute from the three North Worcestershire Districts.	Councillor I Hardiman (Wyre Forest) Sub: Dean Piper, NWEDR
Worcestershire Local Enterprise Partnership (LEP)	Councillor Sherrey, Bromsgrove District Council Sub: Leader from Redditch or Wyre Forest tbc	1 representative on behalf of the 3 North Worcestershire authorities – required by LEP constitution. Plus 1 substitute	Councillor K May (Bromsgrove District Council) Sub: Leader or relevant Executive Committee Member from Redditch or Wyre Forest)
Worcestershire Local Transport Board (WLTB)	Cllrs G Chance, Redditch BC and I Hardiman, Wyre Forest DC Sub: Cllr R Laight, Bromsgrove DC	2 representatives from North Worcestershire Councils plus one substitute. 2 representatives not to be drawn from the Council supplying the “main” representative on Worcestershire LEP	Councillor I Hardiman (Wyre Forest) Councillor G Chance (Redditch)

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Worcestershire Local Enterprise Partnership - EU Structural and Investment Fund Strategy Committee (ESIF)	Cllr J Fisher Redditch BC Sub: Dean Piper NWEDR	1 representative from the North Worcestershire Councils and 1 substitute	Councillor I Hardiman (Wyre Forest) Sub: Dean Piper, NWEDR
Corporate Parenting Steering Group (Worcestershire County Council)	Cllr Y Smith	1 RBC Representative (elected) <u>Must be relevant Portfolio Holder</u> Until next RBC Annual Meeting. (Monthly meetings – approx. 2 hrs each time – generally Friday mornings – 9.30a.m. start) No liability issues identified.	Cllr J Baker
Redditch Partnership (Local Strategic Partnership)	Cllr Hartnett Leader by Office	1 Member Representative Leader Term : 1 year No liability issues identified.	Cllr B Hartnett Leader by Office
Redditch Partnership Economic Theme Group (formerly an Executive Panel)	Cllr B Hartnett Cllr G Chance Cllr J Brunner	3 representatives required, all by office: <ul style="list-style-type: none"> • Leader • Economic Development Portfolio Holder • Shadow Economic Development Portfolio Holder 	Cllr B Hartnett Cllr G Chance Cllr J Brunner
North Worcestershire Community Safety Partnership	Cllr Y Smith	1 representative and one named substitute Term: 1 year Terms of Reference indicate the representative should be the relevant Portfolio Holder. Each district Council has a place on the Partnership Board as an Invitee to Participate. No liability issues identified.	Cllr J Baker

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APPENDIX 2

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Waste Management Board (Lead Officer – Guy Revans)	Cllr D Chance (as relevant Portfolio Holder)	1 representative Representative must be a Councillor and relevant Portfolio Holder Term : 1 year <u>Note: Meets Friday mornings - 4 times per year</u> No liability issues identified	Cllr D Chance (as relevant Portfolio Holder)
Worcestershire Health and Wellbeing Board	Cllr M Sherrey, Bromsgrove DC Sub: Cllr P Witherspoon, Redditch BC	1 representative and 1 substitute from North Worcestershire Councils	Councillor M Sherrey (Bromsgrove District Council) Sub: Councillor C Rogers (Wyre Forest)
Health Improvement Group	Cllr P Witherspoon	1 RBC Representative (Elected) Relevant Portfolio	Councillor B Hartnett Sub: Cllr P Witherspoon
Place Partnership	Cllr J Fisher (Relevant Portfolio Holder) Kevin Dicks – Chief Executive	1 RBC Elected Member representative <u>Must be relevant Portfolio Holder (function to include Corporate Property Management)</u> 1 Officer Representative - Chief Executive Appointments by Office. Both representatives are able to nominate substitutes to attend Shareholder meetings in their absence.	Cllr J Fisher (Relevant Portfolio Holder) Kevin Dicks – Chief Executive
West Midlands Combined Authority Board	Cllr B Hartnett Sub: Cllr P Witherspoon	1 nomination and one substitute Leader by office	Cllr B Hartnett Sub: Cllr P Witherspoon

Annual Council22nd May 2017**LOCAL APPOINTMENTS**

West Midlands Combined Authority Audit Committee	Cllr J Fisher Sub: Cllr M Shurmer	1 nomination and one substitute Must be members of the majority group	Cllr J Fisher Sub: Cllr M Shurmer
West Midlands Combined Authority Overview and Scrutiny Committee	Cllr J Wheeler Sub: Cllr Wood-Ford	1 nomination and one substitute Must be members of the majority group and ideally members of O&S	Cllr N Wood-Ford Sub: Cllr J Wheeler
Greater Birmingham & Solihull Local Enterprise Partnership (GBSLEP) – Joint Scrutiny Board	Cllr P Witherspoon Cllr M Shurmer (alternate)	1 representative and 1 substitute Term: 1 year	Cllr P Witherspoon Cllr M Shurmer (alternate)
Health Overview and Scrutiny Committee (Worcestershire County Council)	Cllr N Wood-Ford	1 representative (Must be a member of Redditch Borough Council's Overview and Scrutiny Committee). Term: 1 year. Comprises 8 County Councillors and 6 District Councillors who scrutinise the local NHS and are consulted by the NHS on any proposed substantial changes to local health services. Liability issues <u>unlikely to be an issue</u> .	Cllr N Wood-Ford
Redditch Highways & Transportation Forum Members Discussion Group (Worcestershire County Council)	Cllr P Hill Cllr R Bennett	Up to 2 Representatives (Must be Councillors) Term: To RBC AGM Role is that of non-voting observers only. No liability issues identified.	Cllr P Hill To be confirmed

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Worcestershire Local Access Forum (Worcestershire County Council)	Cllr P Witherspoon Membership comprises 1 County Council Member; one Member from North District Councils and one Member from the Southern Districts Bromsgrove DC do not participate.	1 nomination from north Worcestershire District Councils (must be a Councillor) Term : 1 year (<i>Note: Would be beneficial if the representative had a keen interest in countryside access and recreation issues.</i>) <i>Wyre Forest 2014/15 (not taken up – Redditch appointment)</i> <i>Redditch BC 2015/16</i> <i>Wyre Forest – 2016/17 (not taking up appointment - Redditch appointment)</i> <i>Redditch BC – 2017/18</i> Liability issues to be determined. No information to hand at present time. <u>Unlikely to be an issue.</u>	Cllr P Witherspoon Membership comprises 1 County Council Member; one Member from North District Councils and one Member from the Southern Districts Bromsgrove DC do not participate.
Redditch Children's Centres Advisory Board (Contact Officer: Judith Willis)	Cllr P Hill	1 Representative (must be a Councillor) Term : 1 year Informally advised that there are unlikely to be any liability issues for members of the Advisory Board.	Cllr P Hill
Town Centre Partnership (Lead Officer – Lyndsey Berry)	Cllr J Wheeler Cllr A Clayton	2 Representatives (must be Councillors – one from each Political Group) Term : 1 year No liability issues identified.	Cllr J Wheeler Cllr A Clayton
Citizens Advice Bromsgrove and Redditch	New 2016 No appointments made	1 representative and 1 substitute Appointments will be trustees of the CAB which is a charitable company limited by guarantee Term: 3 years	2017 No appointments made

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Disability Action Redditch	Cllr N Brookes Cllr G Prosser	2 Representatives Must be Councillors Term : 1 year Advised advisory and representative only, no decision-making role. No liability issues identified.	Cllr N Brookes Cllr G Prosser
Eadie Mews Trust (formerly Smallwood Almshouses Trust)	Cllr Fry (to AGM 2017)	1 Nomination (Must be a Councillor) Term: 4 years to 2021 Nature of representation: to represent the Borough Council but note Trustee status. No indemnity referred to. Liabilities of Trustees therefore presumed to be governed by Charities legislation.	Cllr A Fry
Feckenham Education Endowment (Blue Coat School)	Cllr M Chalk (to AGM 2017)	1 Representative (Does not need to be a Cllr.) Term: 4 years (to AGM 2021) The nature of the representation is that of a Nominative Trustee under the Charity's Constitution rules for a period of 4 years. No information has been provided in regard to liabilities. It has been confirmed that limited annual funds are available for donation and capital investment with the Charities Commission. Regular financial advice is taken as is auditing of accounts.	Cllr B Clayton

REDDITCH BOROUGH COUNCIL

APPENDIX 2

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Redditch Co-operative Homes	Cllrs P Witherspoon, A Fry, G Prosser, D Thain (Cllr Fry appointed as Cllr Hartnett's replacement at 25 th July 16 Council mtg.)	4 Nominations (must be Councillors) Term : 1 year Nature of representation: to primarily represent the Organisation and not the Borough Council. Notified in 2014 that only 4 nominations were now required . Liability appears appear to be limited providing there are no breaches of duty or trust.	Cllrs P Witherspoon, B Hartnett, A Pulsford (and one vacancy)
Redditch One World Link Executive Committee	Cllrs R Smith and N Brookes	4 Representatives 2 Councillors, 1 Council Officer and 2 non-elected representative Nominations should not include the Mayor who is a Member ex-officio*. Term : 1 year Liability appears to be limited, provided there are no breaches of duty or trust.	Cllrs R Smith and N Brookes
St Stephen's Church, Redditch Project Group (Lead Officer – Lyndsey Berry)	Cllr P Witherspoon	1 Member Representative (Must be a Councillor) Term: not specified by Group but suggest AGM to AGM Day time meetings. Full nature of role and issues of liability not determined. Advised in 2010 the Group was seeking legal advice regarding measures to indemnify Project Group members. No update received to date.	Cllr P Witherspoon

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PATROL Traffic Penalty Tribunal (Civil Parking Enforcement)	Cllr Baker	1 Representative plus 1 Deputy (must be Councillors) Term: AGM to AGM No liabilities identified / unlikely to be any liabilities.	Cllr J Baker
'Where Next' Association	Cllr W King Cllr M Dormer	2 Representative must be Councillors – <i>2 places variation previously agreed</i> Term : 1 year to Council's AGM Nature of representation: to represent the Borough Council. Liability appears to be limited.	Cllr W King Cllr M Dormer

NOTES:

- 1) This list does not include all Council appointments to outside bodies, since some are made at other times during the year, or less frequently than once per year.
- 2) The Council has delegated authority to the Chief Executive to make Officer appointments as appropriate; and to fill Member vacancies, in consultation with Party Group Leaders, where the full Council has agreed which party(ies) is/are due which places.
- 3) This list does not contain reference to places on those bodies which are occupied by the Mayor by virtue of his/her official capacity, namely:-

Twinning Bodies:

The Mayor is appointed to the following bodies by office:

Friends of Auxerre (FoA) – President

Friends of Gruchet-le-Valasse (FroG) – President.

Redditch One World Link (ROWL - Mtwara Twinning) – President

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Executive Committee

Tuesday, 6 June 2017

MINUTES

Present:

Councillor Bill Hartnett (Chair), Councillor Greg Chance (Vice-Chair – during Minute No's 3 to 17) and Councillors Joe Baker, Juliet Brunner, Debbie Chance, Brandon Clayton and Pat Witherspoon

Officers:

Ray Cooke, Clare Flanagan, John Godwin, Sue Hanley, Julie Heyes, Jayne Pickering, Deb Poole and Becky Talbot

Democratic Services Officer:

Debbie Parker-Jones

1. APOLOGIES

An apology for absence was received from Councillor Mark Shurmer.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. LEADER'S ANNOUNCEMENTS

Councillor Joe Baker

The Leader welcomed Councillor Baker to his first meeting of the Executive Committee following his appointment, at the Annual Meeting, as Portfolio Holder for Community Safety and Regulatory Services. Congratulations were also expressed to Councillor Baker on his recent marriage.

Additional Papers

It was noted that there were no Additional Papers for consideration, and that the 1st June 2017 Overview and Scrutiny Committee's pre-scrutiny of the Community Engagement Strategy at Agenda Item 6

.....
Chair

Executive Committee

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had not resulted in any urgent Minute extract and/or opposing recommendation for Members' consideration.

Work Programme

The following reports which were due to be considered, or possibly considered, at the meeting had been deferred to a later date:

- Anti-Fraud and Corruption Policy;
- Council Procedure Rules;
- Financial Regulations;
- Leisure Intervention Update (this report would combine with the previously listed separate 'Options for a Leisure Trust' report, to form a single report);
- Planning Fees;
- Planning Policy Review Business Case;
- Policy for HRA Gas Maintenance Service and Review of Service Delivery Options – HRA Gas Maintenance Service (these two reports would combine to form a single 'Service Delivery Options – HRA Gas Maintenance' report);
- Review of Saturday Opening Hours; and
- Write Offs April 2016 to March 2017 Annual Report.

The following reports had been removed from the Work Programme:

- Housing Business Case (removed pending work on Housing Locality Strategic Intervention); and
- Partnership with a Licensed Energy Company for the Provision of Energy (put on hold as a consequence of changes in national policy).

4. MINUTES OF THE MEETING OF THE EXECUTIVE COMMITTEE HELD ON 4TH APRIL 2017

RESOLVED that

the minutes of the meeting of the Executive Committee held on 4th April 2017 be agreed as a correct record and signed by the Chair.

5. HEALTH AND SAFETY POLICIES - STATUTORY INSPECTION, DRIVING AT WORK AND CORPORATE HEALTH AND SAFETY

Members considered three Health and Safety policies (the Policies), all of which had been updated in accordance with recent changes in legislation, with only minor changes being required to these.

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It was noted that, as an employer, the Council had a legal duty to have these policies in place for its employees, and that whilst the Corporate Health and Safety Policy was an overarching policy, there was a requirement to also have specific (additional) policies in place.

Members supported the Policies and thanked Officers for their work on these, which set out the Council's commitment to its staff and the public. It was noted that all three Policies had been approved by the Council's Health and Safety Committee and trade unions.

RECOMMENDED that

the Statutory Inspection Policy and Table, Driving/Riding at Work Policy and Corporate Health and Safety Policy and Procedures Manual, as appended to the report, be approved.

6. COMMUNITY ENGAGEMENT STRATEGY

Members considered a new (updated) Community Engagement Strategy (the Strategy) for 2017-2020. It was noted that the Strategy had been considered and supported by the Overview and Scrutiny Committee at its meeting on 1st June 2017.

Officers advised that the Strategy addressed the legal standards surrounding consultation and would be reviewed every 4 years or sooner to comply with changes to the law or policy and practice. The Strategy would enable the community to be informed, involved and influential in the Council's decision-making process. The Strategy also supported the Council's approach to equality and diversity and would form overarching principles for how the Council engaged with all members of the community. Housing Services had been involved in the development of the Strategy, which had also been considered by the Housing Strategy Group. Officers advised that, in relation to Tenant Involvement and Engagement, the first survey would be going out to tenants shortly.

Members supported the Strategy and thanked all who had been involved with this. It was noted that this was a high level strategy which would be underpinned by an accompanying Action Plan, which Officers advised the Overview and Scrutiny Committee had asked to see. Members highlighted the importance of the Council continually seeking to find new ways of engaging with the community, particularly with hard to reach groups.

RECOMMENDED that

the Community Engagement Strategy, attached at Appendix 1 to the report, be approved and adopted.

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7. EQUALITY STRATEGY

Members considered a new (updated) Equality Strategy (the Strategy) for 2017-2020.

Officers advised that the Strategy worked closely with the Community Engagement Strategy detailed under the previous agenda item. The Strategy contributed to how the Council met the Public Sector Equality Duty established under the Equality Act 2010, and also tied in with the current Council Plan. Officers highlighted an amendment under section 4 (The Protected Characteristics) of the updated draft Equal Opportunity Policy May 2017, as appended to the report, which related to a change in current trans/transgender accepted terminology.

Members supported the Strategy and thanked all who had been involved with this. It was noted that this was a high level strategy which would be underpinned by an accompanying Action Plan. Members requested that in light of recent events reference be made within the appropriate documentation to hate crimes, which it was agreed would be included in the resulting detail of the Strategy.

RECOMMENDED that

the Equality Strategy, attached at Appendix 1 to the report, be approved and adopted.

8. FINANCE MONITORING OUTTURN 2016/17

Members considered a report which detailed the Council's draft final financial position for 2016/17, for both the General Fund and Housing Revenue Account (HRA).

Officers advised that the figures before Members were draft as they were subject to external audit, with the draft accounts due to be issued to Grant Thornton (the Council's external auditors) later that week. Officers were pleased to report that the draft accounts had been produced a month earlier than usual, in anticipation of the earlier statutory deadline for submission of accounts which was due to be introduced from 2017/18.

Officers proceeded to highlight the key elements of the report, which included:

- additional income generated on the back of the Council's commercialisation agenda;

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- as a result of the savings made, additional 1 year reserves which had been set aside (if required) for specific projects to improve the services and community infrastructure; and
- a financial accounting error which had occurred in relation to the recharge calculation for the HRA. Members were advised that the error had been made, identified and reported/acted on by Officers. New processes had since been put in place by Officers to ensure that there would not be any repeat of this issue in the future. Officers had spoken with Grant Thornton on the error and Grant Thornton had stated that this had not impacted on the Council's general accounts. The related shortfall had been met by other savings in 2016/17 and Officers were currently addressing the impact of this for 2017/18, and would report back to Members on this in due course.

Officers acknowledged that certain of the variances were quite significant and that there had been some issues in predicting budgets. The online system for Managers to monitor their budgets direct was due to be rolled out later in the year which should help to address this issue. The loss of income in dwelling rents as a result of the Government's rent reduction and increased right to buys was noted, as were the measures which the Council was putting place to try and offset this.

Officers responded to Members' questions and in doing so agreed to provide further details to Members outside of the meeting on:

- the community safety underspend in relation to anti-social behaviour (a HRA saving); and
- the significant variation for the Repairs and Maintenance service, including the high demand for ad-hoc property repairs and unpaid past repair works on void properties – including numbers of properties involved, types of repairs undertaken and separate breakdown of costs for ad-hoc and void properties, set against the context of the overall budget.

RECOMMENDED that

- 1) **the financial position on Revenue and Capital for the financial year 2016/17 as detailed in the report, and the transfer to balances of £348k as at 31st March 2017, be noted;**
- 2) **the movements of £170k in existing General Fund Reserves as included in Appendix 4 which reflects the approval required for April 2016 to March 2017 be approved;**

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- 3) the addition of new General Fund Reserves of £557k as included in Appendix 4 which reflects the approval required for April 2016 to March 2017 be approved; and
- 4) the movements of £540k in existing HRA Reserves as included in Appendix 2 which reflects the approval required for April 2016 to March 2017 be approved.

9. MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE HELD ON 28TH MARCH 2017

The Committee received the minutes of the meeting of the Overview and Scrutiny Committee held on 28th March 2017.

It was noted that there were no recommendations to consider as the recommendations from the Mental Health Services for Young People Task Group had been dealt with at the 4th April 2017 Executive Committee.

10. MINUTES / REFERRALS - TO RECEIVE AND CONSIDER ANY OUTSTANDING MINUTES OR REFERRALS FROM THE OVERVIEW AND SCRUTINY COMMITTEE, EXECUTIVE PANELS ETC.

There were no outstanding referrals to consider.

11. CORPORATE PARENTING BOARD - VERBAL UPDATE FROM PORTFOLIO HOLDER FOR COMMUNITY SAFETY AND REGULATORY SERVICES

It was noted that as Councillor Baker had only been appointed as the new Portfolio Holder for Community Safety and Regulatory Services at the Annual Meeting of the Council in May, he had not, at that point, attended any meetings of the Corporate Parenting Board and therefore had no update to give on this. Councillor Baker commented that he had met with Officers to discuss the various different bodies to which he had been appointed in his capacity as Portfolio Holder, and that he and Councillor Smith had also met for a handover briefing.

Members took this opportunity of expressing their thanks to Councillor Yvonne Smith for all of her hard work in carrying out the role of Portfolio Holder for Community Safety and Regulatory Services, which was much appreciated.

RESOLVED that

the position be noted.

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12. ADVISORY PANELS - UPDATE REPORT

Members received the regular update report on the work of the Executive Committee's Advisory Panels and similar bodies which reported via the Executive Committee.

A Member noted that the last meeting of the Constitutional Review Working Party (the Party) had taken place on 27th January 2015 and queried when the next meeting of this was due to take place. Officers confirmed their understanding that no future meeting date was currently planned. The Member responded that two items of business within the Party's remit currently remained outstanding, namely:

- the change of day on which the Overview and Scrutiny (O&S) Committee met; and
- an issue which had arisen some two years previously in relation to Members of the Council speaking during the pre-election period/'purdah'.

In relation to the change of O&S meeting day, Officers advised that it was their understanding that following the Notice of Motion which had been submitted to full Council in this regard earlier in this year – and which was duly declared lost at Council – the O&S Committee had subsequently re-considered this matter and had decided to change the day of the meetings where this was feasible, with the 2017/18 Calendar of Meetings having been amended by Officers accordingly. No comments were forthcoming in relation to the pre-election/purdah issue and Officers agreed to check the position in both regards and to report back to Members on this.

RESOLVED that

- 1) the report be noted; and
- 2) Officers check the position in relation to the queries raised regarding possible outstanding business of the Constitutional Review Working Party, and report back to Members on the position with this.

13. EXCLUSION OF THE PUBLIC

RESOLVED that

under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matters on the grounds that they involve the likely

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disclosure of exempt information as defined in paragraph 4 of Part 1 of Schedule 12 (A) of the said Act, as amended:

- (i) Item 14 – Minutes of the meeting of the Shared Services Board (private meeting – relating to Items 16 and 17);**
- (ii) Item 15 – Legal, Equalities and Democratic Services Review Business Case;**
- (iii) Item 16 – Facility Management and Cleaning Services Review Business Case; and**
- (iv) Item 17 – Parks and Green Space Stewardship Services Review Business Case.**

14. CONFIDENTIAL MINUTES / REFERRALS - TO INCLUDE THE MINUTES OF THE MEETING OF THE SHARED SERVICES BOARD HELD ON 15TH MAY 2017

The Committee received the minutes of the meeting of the Shared Services Board held on 15th May 2017, which were considered with the Facility Management and Cleaning Services and Parks and Green Space Stewardship Services Business Cases at agenda items 16 and 17 respectively.

RESOLVED that

the minutes of the meeting of the Shared Services Board held on 15th May 2017 be received and noted.

15. LEGAL, EQUALITIES AND DEMOCRATIC SERVICES REVIEW - BUSINESS CASE

The Committee received a confidential report on the Business Case for the Legal, Equalities and Democratic Services (the Service) Service Review, which contained details of a proposed restructure within the Service in response to changed demands from within the organisation and the wider challenges facing the public sector. It was noted that the Business Case had not been referred to the Shared Services Board on 15th May 2017 as the Service was already shared between Redditch Borough Council and Bromsgrove District Council, with the Business Case relating to a restructure of the current shared service.

Officers advised that the Head of Service had met with all members of staff to show them the Business Case, and that informal discussions had taken place with staff in this regard. It was noted that the Council's trade unions had also been consulted on this. Formal consultation with staff would commence once the Business

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Case had been considered by both Councils. Members sought confirmation that any responses received as part of the consultation would be fed back to them, which Officers confirmed would be the case. Members commented that full meaningful consultation was required with staff as part of the process.

Officers outlined the proposed changes detailed within the Business Case and the rationale behind these. Officers responded to Members' questions, in particular in relation to proposed staff changes within the Democratic Services Team and the future capacity within that team. Members also assumed that the Departmental Structure chart should include Redditch Borough Council in the title to make clear that this covered both authorities.

A Member raised a query in relation to the current stance on Overview and Scrutiny (O&S) joint working across the two authorities, which another Member commented had previously been considered and voted out by the Redditch O&S Committee. Officers advised that occasional cross authority working groups had been established. A request was made for Officers to provide clarity on the position with this outside of the meeting.

RECOMMENDED that

the Business Case for the Legal, Equalities and Democratic Services Service Review be approved.

16. FACILITY MANAGEMENT AND CLEANING SERVICES REVIEW - BUSINESS CASE

The Committee received a confidential report on the Business Case for a proposed shared Facility Management (Caretaking) and Cleaning service for Bromsgrove District Council and Redditch Borough Council. It was noted that the Business Case had been considered by the Shared Services Board at its meeting on 15th May 2017, the minutes of which Members considered along with the Business Case.

Officers provided an overview of the principles behind the Business Case and proposed structure. Officers felt that the proposed structure would deliver a more flexible, resilient and efficient service, provide for more effective use of resources and result in improved service standards. Officers proceeded to detail the timeline and process involved with implementation of the proposed Business Case.

Members supported the Business Case and commented that they looked forward to the formal staff consultation on this.

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RECOMMENDED that**the Business Case for the Facility Management and Cleaning Service Shared Service be approved.****17. PARKS AND GREEN SPACE STEWARDSHIP SERVICES
REVIEW - BUSINESS CASE**

The Committee received a confidential report on the Business Case for a proposed shared Parks and Green Space Stewardship service for Bromsgrove District Council and Redditch Borough Council. It was noted that the Business Case had been considered by the Shared Services Board at its meeting on 15th May 2017, the minutes of which Members considered along with the Business Case.

Officers advised that the Business Case had been trialled for approximately two years with Environmental Services. Officers proceeded to give an overview of the principles behind the Business Case and proposed structure, and the aims and objectives of the working trials and the main drivers for change within the existing services. Officers felt that the proposed format would provide for a completely flexible system which could be slotted into a variety of management operating models without negatively impacting on the customer or other service areas, and which aimed to future-proof service delivery as far ahead as practically possible. Officers detailed the timeline and process involved with implementation of the proposed Business Case, and gave an update on the current staffing element of this.

Members supported the Business Case and commented that they looked forward to the formal staff consultation on this.

RECOMMENDED that**the Business Case for the Parks and Green Space Stewardship Services Shared Service be approved.**

The Meeting commenced at 7.00 pm
and closed at 8.20 pm

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Chair

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE**6th June 2017**Health & Safety policies for Approval by Committee**

Relevant Portfolio Holder	Councillor John Fisher
Portfolio Holder Consulted	Yes
Relevant Head of Service	Head of Transformation & OD – Deb Poole
Ward(s) Affected	N/A
Ward Councillor(s) Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 Members are asked to consider the following Health & Safety policies:

Statutory Inspection Policy & Table
 Driving at Work Policy
 Corporate Health & Safety Policy

These policies incorporate recent changes in legislation and are either new policies or existing policies that have been revised as identified above.

- 1.2 All of the above Policies have been approved by the Council's Health and Safety Committee and the trade unions.
- 1.2 As an employer we have a legal duty to have these policies in place for all of our employees. Whilst the Corporate Health and Safety Policy is an overarching policy, there is a requirement to also have specific policies.

2. RECOMMENDATIONS

The Committee is asked to **RECOMMEND** to Full Council the approval of the Health & Safety policies listed above.

3. KEY ISSUES**Financial Implications**

- 3.1 There are no direct financial implications arising from these policies.
- 3.2 However if the Council does not have such policies in place it should be noted that enforcement action could be taken against the council by the Health and Safety Executive as the enforcing authority.

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Legal Implications

- 3.3 The Council has a legal requirement under the Health and Safety at Work Act, 1974 to ensure health and safety in the workplace.

Service / Operational Implications

- 3.5 These policies are applicable to all service areas throughout the council. Appropriate training in respect of these policies will be provided.
- 3.6 Health & Safety policies will be available to all employees on the Orb or in hard copy format where appropriate. All employees are required to undertake a Health & Safety induction, and health & safety policies form part of this induction process.

Customer / Equalities and Diversity Implications

- 3.7 A robust Health & Safety approach ensures that the services we provide to our customers are carried out safely, with the needs of all individuals taken into account.

4. RISK MANAGEMENT

- 4.1 Whilst the Council has a Health and Safety Policy in place it is recommended that specific policies are written to cover specific risks within the business.
- 4.2 The Council could be subject to prosecution and or investigation by the Health and Safety Executive if the council are found not to have appropriate policies in place. This will have an impact on the reputation of the Council and could also lead to a prosecution.

5. APPENDICES

Appendix 1 - Statutory Inspection Policy & Table
Appendix 2 - Driving at Work Policy
Appendix 3 - Corporate Health & Safety Policy

AUTHOR OF REPORT

Becky Talbot, HR & OD Manager

HEALTH AND SAFETY AT WORK

Statutory Inspection Policy
Redditch Borough Council

Statutory Inspection Policy

As an employer and premises provider Redditch Borough Council is required to undertake various types of Statutory Inspections of equipment and facilities. These need to be completed by a competent, trained member of staff or Contractor.

The frequency of Inspection in some circumstances will be dictated by legislation and some based on risk assessment and or best practice and previous experience. If any form of defect is found at the time of inspection equipment must be taken out of service until the defect can be rectified.

The Council is required to undertake Inspections in all areas of the business and all with far ranging and differing requirements. Therefore this is an overarching policy and should form the basis of a service specific Inspection Schedule formulated at a local level ensuring all relevant legislative requirements are met.

Further guidance and schedules of testing arrangements will be created and maintained at a local level including, but not exclusive to the following:

- All Council owned/leased/shared buildings including Fire Alarms, Gas and Electrical testing and lifting equipment (not exhaustive list)
- Vehicles including MOTs, Lifting Equipment and accessories
- Parks and Open Spaces including Playgrounds and other Leisure facilities
- Highways

Councils have a duty to ensure that facilities under their control comply with appropriate statutory, regulatory and corporate standards. This task has become increasingly complex, onerous and difficult in the context of various potentially competing drivers including:-

- An increased burden of legislative and regulatory duties falling on building and facilities occupiers/owners.
- Delegation of relevant budgets and responsibilities to individual establishments, but with ultimate accountability still seen as resting with the corporate body of the Council.

Councils now regularly face challenges in terms of their ability to control and manage what goes on in their buildings and on the land which they own and which are used by staff, and members of the public for which they have legal responsibility. In addition to this Councils are faced with a wide range of health and safety responsibilities that fall on building occupiers. Even where rigid policies and procedures are set out at corporate level, responsibilities for their implementation are frequently delegated to local managers in individual properties and land users who do not always appreciate the importance of ensuring that regular checks and control measures are carried out and recorded.

Overall responsibility for ensuring the Statutory Inspection Policy is adhered to rests with the Executive Director Finance and Corporate Resources. This document highlights the key areas where some sort of compliance monitoring is required along with some background information.

If a statutory inspection is not completed by the due date the lead officer will escalate to their Head of Service. The Head of Service will then make a decision as to whether to agree a new target date or to escalate to the Executive Director Finance and Corporate Resources.

This is not a legal document and should be read as a guidance note for those responsible for the management of local authority facilities. The aim of the document is to provide a summary of relevant responsibilities and to assist managers to organise appropriate testing and inspection of systems and equipment within their area of responsibility in creating a schedule of testing.

The Health and Safety at Work Act 1974 places a general duty on employers to ensure “so far as is reasonably practicable the health, safety and welfare at work of all their employees”. Under Sect 3 of the Act, **General Duty to Others** requires employers to conduct their undertaking in a way that does not pose a risk to the health and safety of non-employees. This section is designed to give protection to the general public and other non-employees such as members of the public, Contractors, Visitors etc.

In addition to the HSWA there are Approved Codes of Practice (ACOPs) and Health and Safety Executive (HSE) Guidance documents and standards to be considered. HSE guidance documents contain advice on requirements to be followed and actions that an employer should take in order to comply with the law. HSE guidance itself does not have any legal status.

Failure to meet our legal obligations for Statutory Inspections of our council premises could lead to a number of implications:

- Prosecution under the Health and Safety at Work Act 1974
- Prosecution under the Corporate Manslaughter and Corporate Homicide Act 2007
- Prosecution under other relevant legislation

Duties of Managers and Directors

Where an offence is committed under the HSWA by a body corporate with the “consent, connivance or neglect” of any director, manager, secretary or similar officer, that person may be prosecuted as well as the Corporate body. Enforcement Inspectors tend to look closely at the role of directors and managers when carrying out inspections.

Duty Holder

The Duty Holder is the person or organisation that has clear responsibility for the maintenance or repair of the premises through an explicit agreement such as a lease or contract.

The actual extent of the duty will depend on the specific details of the agreement. However, where there is no agreement or contract or where one exists but it is silent on such matters, the duty is placed on whoever has control of the premises, or part of the premises. The duty to manage covers all non-domestic premises, including industrial, commercial, or public buildings such as offices and shops.

Persons undertaking the Inspections

Any inspections must be undertaken by persons (Staff or Contractors) who are deemed to be suitably trained and competent to undertake such work. Often there will be a legal requirement for the Independent inspection of certain items of equipment and facilities for Insurance and legal purposes.

Persons undertaking inspections on Council premises and or land will have the following responsibilities:

- Ensure that any equipment is inspected at the recommended intervals.
- Record such Inspections on the necessary paperwork and provide copies for independent inspection.
- Report any defects immediately to the person in charge and advise of any remedial actions required.
- Ensure that any equipment, facilities etc. that they inspect meet or exceed the legal and statutory requirements laid down by the relevant authorities.
- Maintain their knowledge and understanding of the legal and statutory requirements.

Officer in Charge

Any person with responsibility for premises will be required to ensure that any such inspections are completed and records are kept on site for inspection by interested parties. These can be held either in paper format or electronically but need to be readily available at all times.

While some inspections can be carried out by a member of staff with basic training some will need more in-depth knowledge and training. Also whilst periodic checks can be done in house there will also be a requirement for independent maintenance and servicing at set intervals.

Independent checks and maintenance will be arranged via HO Customer Access & Financial Support and in conjunction with Place Partnership Ltd and/or Zurich. However, local managers will be responsible for ensuring that the schedules are monitored and reviewed within the legal and statutory requirements.

Each area will have requirements for inspection at differing intervals according to legal requirements and best practice.

Air-Conditioning Systems

Under The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007 an air conditioning system should be inspected by an energy assessor at regular intervals not exceeding 5 years, although bi annual checks and an annual maintenance schedule as described above should continue as best practice.

It is the duty of the relevant person to ensure that this is carried out; under the Regulations the relevant person is classified as the person who has control of the system. A copy of the report should be retained.

Asbestos

The Control of Asbestos Regulations 2012 came into force on 6 April 2012.

They mean that some types of non-licensed work with asbestos now have additional requirements, i.e. notification of work, medical surveillance and record keeping. All other requirements remain unchanged.

The Control of Asbestos Regulations 2006 requires employers to prevent the exposure of their employees to asbestos as far as is reasonably practicable. If this cannot be achieved then employers must take measures to reduce the employee's exposure to asbestos to the lowest level reasonably practicable. The duty to manage asbestos in non-domestic premises falls under Regulation 4 of the Control of Asbestos Regulations (CAR 2006).

Under Regulation 4 the "duty holder" must ensure that a suitable and sufficient assessment is undertaken to determine whether asbestos is on the premises, the assessment should take into account the likely condition of any asbestos.

Once the assessment has been completed then the conclusions from the assessment and any subsequent reviews must be recorded. In addition to this the duty holder must also consider building plans, other relevant information and the age of the premises, and inspect reasonably accessible parts of the premises.

Where asbestos is identified or suspected the duty holder must:

- determine the risk from asbestos
- prepare a written plan identifying the areas of the premises concerned and the measures necessary for managing the asbestos risk
- implement the measures in the plan
- record the measures taken to implement the plan

These measures should include means for:

- monitoring the condition of any asbestos or suspected asbestos
- maintaining the asbestos or safely removing it
- providing information which identifies the location and condition of identified asbestos to any person likely to disturb it. This would include caretakers and contractors working on the premises, the information must also be made available to the emergency services.

The assessment and written plan must both be reviewed if they become invalid or if there have been significant changes to the premises.

If employees are likely to carry out work that is liable to expose them to asbestos, then under Regulation 5 employers must identify the type of asbestos they are likely to be exposed to or if this is not done then the assumption must be made that the asbestos is not solely chrysotile.

Under Regulation 5 employers must also undertake an assessment of any health risks to employees exposed to asbestos at work. This assessment should identify the steps that need to be taken to meet the Control of Asbestos Regulation 2006 and these steps must then be implemented.

The assessment described above should:

- identify the type of asbestos which the employee is liable to be exposed.
- assess the nature and degree of likely exposure
- consider the effectiveness of control measures
- take into account the results of air monitoring and medical surveillance
- identify the measure necessary to prevent or deduce asbestos exposure to the lowest level reasonably practicable.

Any significant findings from this assessment should be recorded and then reviewed regularly. In particular if there are any reasons to suspect that the situation has changed or to suggest that the original assessment was inaccurate then the assessment should be review as soon as possible.

Under Regulation 7 of the CAR 2006 employers must prepare a written plan of work prior to any work commencing that may expose their employees to asbestos. This plan must include details of how the asbestos work will be undertaken and a copy of the plan must be kept on the premises.

It should be noted that under Regulations 8 & 9 of the CAP 2006 work with asbestos cannot be carried out unless the employer holds a licence granted by the Health and Safety Executive.

Under Regulation 10 of the CAR 2006 employees that are liable to be exposed to asbestos, who supervise asbestos work or who undertake work in connection with their employer's duties under the regulations must be given adequate and regular information, instruction and training. This is to ensure their own and other employees' safety.

Where reasonably practicable employers must prevent employee exposure to asbestos. However if this is not possible then under Regulation 11 exposure must be reduced to the lowest level reasonably practicable and the number of employees likely to be exposed reduced to the lowest number that is reasonably practicable.

Car Parking and Pedestrian/Vehicle Segregation

The Workplace (Health, Safety and Welfare) Regulations 1992 (regulation 17) covers the layout of traffic routes, traffic management systems and the provision of signage. The main areas of the regulation are:

- Every workplace shall be organised in such a way that pedestrians and vehicles can circulate in a safe manner.
- Traffic routes in a workplace shall be suitable for the persons or vehicles using them, sufficient in number, suitable positions and of sufficient size. It may
- sometimes be difficult to provide “sufficient separation” between pedestrians and vehicles where layouts and traffic routes have already be constructed, therefore
- the regulation is qualified by the statement “so far as is reasonably practicable”
- All traffic routes shall be suitably indicated, where necessary, for reasons of health and safety.

A risk assessment should therefore be carried out to include, traffic movement within the site, pedestrian/vehicle segregation, car parking and how the routes are signed. This risk assessment should consider these areas at different key times in the day.

Compulsory Display of Notices

There are a number of notices and documents that employers have to display on their notice board or anywhere where the information is easily accessible to employees.

There are some very specific requirements depending on the type of property however in general terms employers are required to post the following:

- Details of the person in charge of the first aid box
- Any information necessary to comply with fire legislation
- A certificate of insurance as required by the Employers Liability (Compulsory Insurance) Act 1969
- A thermometer on each floor
- A copy or abstract of relevant regulations (where still relevant)

Construction (Design and Management) Regulations 2015

The Construction (Design and Management) Regulations 2015 (CDM 2015) came into force on 6 April 2015 replacing the previous Construction (Design and Management) Regulations 2007.

The CDM Regulations have far-reaching implications for duty holders in particular the client and cover all construction work (except domestic) to some extent.

Under the CDM 2015 Regulations a client is defined as any person for whom a project is carried out. This is irrespective of whether the project is carried out by another person or in-house.

For any project the client has an overriding duty to ensure that arrangement made for managing it would be carried out, as far as it reasonably practicable, without risk to the health and safety of any person.

The client must also ensure that there are suitable welfare arrangements for the workers and if the work involves the construction of a building that will be used as a workplace the client must ensure that once completed it will comply with the Workplace (Health, Safety and Welfare Regulation 1992.

It is important that those managing premises have an understanding of the requirements of CDM 2015 Regulations.

Contractor Qualification Checks

Where a person responsible for the management of a local authority property appoints a Contractor, this should be carried out in accordance with the local authority's procurement procedures, or in consultation with the local authority, to ascertain whether call-off contracts are already in place to cover such areas of work. Where this is not possible, that person must ensure that the contractor that is proposed for carrying out the work has a current health and safety policy approved by the local authority, has current suitable insurances in place, and where necessary has the appropriate qualifications, for example Gas Safe or NICIEC registered for work in connection with gas and electrical installations respectively.

Control of Substances Hazardous to Health (COSHH)

The Control of Substances Hazardous to Health Regulations 2002 (COSHH) (as amended) place a duty on employers to control the risks to employees and others which arise from exposure to substances hazardous to their health that are associated with the employers' work activities. This can be done through identifying, assessing and where possible preventing or adequately controlling exposure to the hazardous substances. The purpose of the regulation is to prevent ill health.

The Control of Substances Hazardous to Health (Amendment) Regulation 2004 (COSHH 2004) introduced changes to the regulations; a simpler exposure limit was introduced so that workplace exposure limits now replace occupational exposure standards and maximum exposure limits.

From April 2005 employers are required to:

- Apply the eight principle of good practice to control substances hazardous to health;
- Ensure that the workplace exposure limit is not exceeded and
- Ensure that exposure to substances which can cause occupation asthma, cancer or damage to genes that can be passed on from one generation to another are reduced as low as is reasonable practicable

The eight principles of good practice are:

1. Design and operate processes and activities to minimise emission, release and spread of substances hazardous to health.
2. Take into account all relevant routes of exposure- inhalation, skin absorption and ingestion- when developing control measures.
3. Control exposure by measures that are proportionate to the health risk
4. Choose the most effective and reliable control options which minimise the escape and spread of substances hazardous to health.
5. Where adequate control of exposure cannot be achieved by other means, provide, in combination with other control measures, suitable personal protective equipment.
6. Check and review regularly all elements of control measures for their continuing effectiveness.
7. Inform and train all employees on the hazards and risks from the substances with which they work and the use of control measures developed to minimise the risks.
8. Ensure that the introduction of control measures does not increase the overall risk to health and safety.

Equality Act 2010

The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society.

It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations. It sets out the different ways in which it's unlawful to treat someone.

The DDA 1995 departed from the fundamental principles of older UK discrimination law (the Sex discrimination Act 1975 and the Race Relations Act 1976. These Acts, also repealed and replaced by the Equality Act 2010, made direct discrimination and indirect discrimination unlawful. However, these concepts are insufficient to deal with the issues of disability discrimination.

The core concepts in the DDA 1995 are, instead:

- less favourable treatment for a reason related to a disabled person's disability; and
- failure to make a "reasonable adjustment".

"Reasonable adjustment" or, 'reasonable accommodation', is the radical concept that makes the DDA 1995 so different from the older legislation. Instead of the rather passive approach of indirect discrimination (where someone can take action if they have been disadvantaged by a policy, practice or criterion that a body with duties under the law has adopted), reasonable adjustment is an active approach that requires employers, service providers etc. to take steps to remove barriers from disabled people's participation. For example:

- employers are likely to find it reasonable to provide accessible IT equipment;
- many shops are likely to find it reasonable to make their premises accessible to wheelchair users;

- councils are likely to find it reasonable to provide information in alternative formats (such as large print) as well as normal written form.

The Disability Rights Commission's Codes of Practice give more information to bodies with duties on assessing whether a particular adjustment is reasonable. In general, the factors to consider would include:

- whether the proposed adjustment would meet the needs of the disabled person;
- whether the adjustment is affordable;
- whether the adjustment would have a serious effect on other people.

Sometimes there may be no reasonable adjustment, and the outcome is that a disabled person is treated less favourably. For example, if a person was not able to understand the implications of entering into a mortgage or loan agreement, and they did not have anyone authorised to act for them, it would not make sense to require a bank or building society to enter into that agreement. The Act therefore permits employers and service providers to justify less favourable treatment (and in some instances failure to make a reasonable adjustment) in certain circumstances.

Service providers and those responsible for managing buildings need to ensure that all customers can use their service effectively. An access audit should be carried out to identify those areas where there are physical features which make it impossible or unreasonably difficult for a disabled person, to use the service, whether or not this is related to the building from which the service is being provided.

The access audit forms the basis of an action plan to consider issues such as physical constraints, alternative ways of providing the service and the reasonableness of making the adjustments identified by the access audit.

This may include the provision of any necessary extra help or special equipment as well as for example, adjustments to stairways; building entrances and exits; internal and external doors; gates; toilet, washing, and public facilities etc.

The service provider can remove, alter, or bypass the physical feature causing difficulty to a disabled person. Alternatively the service could be provided in an alternative way, this may include management solutions.

Whichever course of action the service provider decides to take the action plan should contain clear details of what is being done and what is not in terms of adjustments and the reasoning behind such decisions. This will help in the event of a customer complaint and assist in monitoring the premises should the facilities or services change in the future.

The access audit and action plan should be reviewed if there are alterations made to the premises or if the use of the premises is changed.

Electrical Safety

Electrical safety in all work places and/or work activities is specifically legislated for over and above the general duty of care owed by employers to their employees and members of the public under Sections 2 and 3 of the Health and Safety at Work etc. Act (1974). This expansion of responsibility for electrical safety was brought about by The Electricity at Work Regulations 1989 which came into effect on 1st April 1990.

Portable Appliance Testing (PAT).

A portable electrical appliance can be defined as an electrical appliance which is normally connected to a lead and a plug and which can usually be easily moved. The Provision and Use of Work Equipment Regulations 1998 (PUWER) covers the safe provision and use of all work equipment including portable electrical appliances, the maintenance of such equipment falls under the Electricity at Work Regulations 1989 (EWR) (PAT testing) and is part of the duty holders responsibility under PUWER.

There are three main electrical equipment classifications:

1. Class 1 equipment has its live components protected by basic insulation and is surrounded by a metal enclosure. This metal enclosure could become live in the case of the basic insulation failure and is protected by being earthed. The supply cable will have an earth wire in addition to the normal live and neutral. Examples of this sort of equipment include electric cookers, free standing electric heaters and some kettles, toasters and IT equipment.
1. Class 11 equipment separates the user from live conductors by two sets of insulation.
2. Class 111 equipment is supplied from a safety isolation transformer and will not exceed 50V, typical uses include IT equipment such as answering machines and chargers for mobile phones.

As there is such a wide range of portable electric equipment available which can be used in very varied environments the risks that are present can be very different and therefore a range of control measures is required. It is necessary to carry out a risk assessment to determine the maintenance requirement for each piece of equipment and the following five steps should be followed:

1. Identify all portable appliances that need to be maintained and tested. An inventory of this equipment should be made.
2. Carry out an assessment of the risk posed by each type of equipment,
3. Categorise into high, medium or low risk for example a PC that is rarely, if ever moved would be a low risk
4. Determine if the appliance needs to be tested and examined or examined only, taking into account the tests that can be carried out on Class 11 and 111 appliances are very limited.
5. Determine the frequency of examination/testing.

There are three types of maintenance activities that are usually carried out on portable electrical appliances

1. User checks should be carried out on hand held appliances, Class 1 (earthed) and frequently moved equipment and in particular, on cable leads and extension

leads.

2. Formal visual examination – this is a more formal examination of the equipment than a user check. All electrical appliances should be subject to such an examination at predetermined intervals and only a competent person should carry them out.

3. Combined inspection and test; Class 1 apparatus and leads and extension leads should be subject to a routine test in conjunction with the formal examination. A purpose made portable appliance tester should be used. Any competent person can normally carry out testing using such devices but some formal training is recommended. A record should be made and kept of the tests.

Unfortunately there are no statutory frequencies for any of the above maintenance measures, however in order to satisfy the general legal requirement to prevent “danger” some, all or a combination of the maintenance activities as set out above should be carried out.

The risk assessment carried out on the equipment will determine any further measures that will be required to be implemented.

Fixed Electrical Installation Tests

The Electricity at Work Regulations 1989 state that all electrical systems and equipment

used in the working environment should be in a safe condition. The installations should be maintained to prevent danger; the Health & Safety Executive recommend that to comply with the regulations, an appropriate system of periodic visual inspection and testing by a competent person should be implemented at all places of work. The frequency of inspection must be determined taking into account:

1. the type of installation
2. its use and operation
3. the frequency and quality of maintenance
4. the external influences to which it is subjected

Emergency Lighting

Emergency Lighting is lighting that is installed in a building to provide a degree of illumination when the normal lighting fails. In terms of fire safety the most important component of an emergency lighting is the “escape lighting” which is provided to illuminate escape routes to an extent sufficient to enable occupants to evacuate the building in safety. Under BS 5266 Part 1: 2011, there are recommendations for routine inspection and testing of emergency lighting. This includes daily, monthly, six monthly and three yearly regimes of inspection and/or testing.

Extraction Systems

The Health and Safety at Work etc. Act 1974 requires employers to provide and maintain working conditions that are safe and without risk to the health of employees, so far as is reasonably practicable. COSHH Regulations expands on this general duty and requires employers to prevent worker exposure to hazardous substances or, where this is not reasonably practicable, to ensure adequate control. Employees are required to make full and proper use of the control measures provided and to report any defects in them promptly to their employer.

Adequate control may mean the installation of suitable extraction systems. Where such systems are installed they must be adequately maintained to ensure that they are kept in an efficient and effective working order, and they must be examined and tested against their performance standard, records of these checks must be kept for at least five years.

Local Exhaust Ventilation Systems (LEVs) must be examined and tested generally every fourteen months.

Fire

The Regulatory Reform (Fire Safety) Order 2005 places general fire safety duties on the “responsible person”. The responsible person is the employer where the premises are to any extent under his/her control. Where this does not occur then the responsible person is:

- the person who has control of the premises (as occupier or otherwise) in connection with the carrying on by that person of a trade, business or other undertaking
- the owner, where the person in control of the premises does not have control in connection with the carrying on by that person of a trade, business or other undertaking.

The general fire safety duties placed upon the responsible person are:

- general fire precautions are to be taken that will ensure, as far as is reasonably practicable, the safety of any employees. In relation to relevant persons who are not employees, the responsible person must take general fire precautions “as may be required in the circumstances of the case” to ensure that the premises are safe.
- A suitable and sufficient assessment of the risks to which persons are exposed must be made, this is known as the “fire risk assessment”
- Appropriate arrangements for the effective planning, organisation, control, monitoring and review of the preventive and protective measures must be undertaken.
- Where a dangerous substance is present in or on the premises, risks from that dangerous substance must either be eliminated or reduced.
- Premises must be equipped with appropriate fire-fighting equipment and with fire detectors and alarms. Any non-automatic fire-fighting equipment provided must be easily accessible, simple to use and indicated by signs.
- Routes to emergency exits from premises and the exits themselves are to be kept clear at all times and emergency routes and exits must lead as directly as possible to a place of safety,
- Procedures for serious and imminent danger must be established.
- Any facilities, equipment and devices provided must be maintained in an efficient state, working order and good repair.
- The responsible person must appoint one or more competent persons to assist in undertaking the preventive and protective measures.
- Employees must be provided with comprehensible and relevant information.
- The employer of any employees from an outside undertaking who are working in or on the premises must be provided with comprehensible and relevant information on the risks.

- At the time when they are first employed employees must be provided with adequate safety training and if they become exposed to new or increased risks.
- Where two or more responsible persons share, or have duties in respect of the premises, each person must co-operate with the other responsible person concerned
- Every employee must, while at work take reasonable care for the safety of himself and of other relevant persons who may be affected by his acts or omissions at work.

Fire Risk Assessment and Management Plan

Consideration needs to be given to those employees that have physical or sensory impairment and the risk to the disabled person should be assessed. Factors such as the inability of the person to recognise alarms/evacuate the building without assistance, length of time for them to evacuate the building must be taken into consideration. Any potential adjustments and/or systems required to ensure the safety of the individual need to be identified and implemented.

Fire Detection and Alarm Systems

Fire detection and alarm systems should have a weekly alarm test with all call points being tested over a 13 week cycle. The system should also be subject to quarterly and annual inspections and tests by a competent person.

Fire Doors

All fire doors and associated hardware must remain in efficient working order and should be regularly checked and maintained by a competent person in accordance with the relevant British Standard and the manufacturer's recommendations; it is advisable to keep a record of any maintenance. The inspection of fire doors should include some or all of the following:

- Self-closing device operate properly
- Hold open device release when the fire alarm operates
- Glazed panels are intact and undamaged
- Warning signs are in place "Automatic Fire Door – Keep Clear"
- Door open and close freely and there is no physical damage to the door
- There is no distortion or warping of the door or frame
- Seals and smoke strips are in place and not damaged
- Hinges and locks are properly lubricated

Fire Fighting Equipment

Extinguishers

These should be maintained and inspected by a competent person at least once a year. This involves a visual inspection of the extinguisher and a check of the contents and stored pressure. A written record should be kept of the date of the last maintenance examination and this should usually be attached to the body of the extinguisher.

Hose Reels

Hose reels are for the use of the fire service and staff should not normally be trained in the use of this equipment. All hose reels should be inspected on a yearly basis by a competent person.

Fixed Systems

Fixed systems are those which when activated by the warning/alarm system, release the extinguishing medium e.g. sprinkler systems. All fixed systems should be inspected on a yearly basis or to manufacturer's guidelines. It is advisable to keep a record of any maintenance and testing.

Fire Service Facilities

Facilities for the fire service may include dry riser, access for emergency vehicles, emergency switches for installations and information in respect of the premises and its contents. Where these facilities are provided they should be maintained and kept in good order.

Fuel Oil Storage

The Control of Pollution (Oil Storage) (England) Regulations 2001 cover the storage of oil at industrial, commercial and institutional premises where the amount stored is more than 200 litres and it is stored outside and above ground. This includes storage at schools, museums, offices, businesses and warehouses.

All tanks, bunds and pipework should be regularly checked for signs of damage and it is recommended that they are checked at least weekly with a more detailed annual inspection and service by qualified inspectors to ensure that any potential defects are found and rectified

There are security issues regarding oil storage areas and these areas should be as resistant as possible to unauthorised interference and vandalism. If there are any permanent taps or valves through which oil can be discharged from the tank to open areas then these should be fitted with a lock and should be locked shut when not in use.

Where appropriate, notices should be displayed telling users to keep valves and trigger guns locked when they are not in use. Pumps should also be protected from unauthorised use, taps and valves should be marked to show whether they are open or closed. Where these are not in use then they should be fitted with a blanking cap or plug.

First Aid Equipment

Under the Health and Safety (First Aid) Regulation 1981 all establishments should provide at least one first-aid box. All first aid boxes, first aid kits and first aid rooms (where provided) should be checked regularly to ensure no contents are outside their expiry date.

First aid boxes should be made of suitable material, protect the contents and be clearly marked. It should be noted that first aid does not include the treatment of minor illnesses e.g. headaches – therefore headache pills and/or other medications must not be kept in the first aid box.

An adequate and appropriate number of 'suitable persons' must be provided to render first-aid treatment at work. The decision on what is adequate and appropriate

should be based on a risk assessment. There is no ratio for the number of first aider to employees although the Approved Code of Practice does offer some guidance:

- low risk workplaces such as office one trained first aider to every 50 employees with an additional first aider for every 100 employees.
- High risk workplaces one trained first aider for five or more employees, with an additional first aider for every 100 employees.

In terms of what constitutes a 'suitable person' this is defined as a person who holds a Health and Safety Executive approved first-aid course certificate. Consideration must also be given to any temporary or exceptional absence of trained first-aid personnel.

Gas Safety

The Gas Safety (Installation and Use) Regulations 1998 place duties on gas consumers, installer, suppliers and landlords. It is the duty of the employer to ensure any gas appliance associated pipe work and flues in the work places are maintained in a safe condition. These regulations link with other safety controls on combustion equipment, such as the Building Regulations, which provide standards for ventilation and flues.

By law anyone carrying out work on gas appliance or fittings as part of their business must be registered and have a valid certificate of competence relevant to the particular type of gas work involved see section also on Contractor Qualification Checks .Gas Safety Register replaced CORGI as the register of approved gas engineers in the UK from 1st April 2009. By law a gas appliance or fittings must not be used if it is known or suspected that they are unsafe.

In the HSE Approved Code of practice it is recommended that periodic routine maintenance is carried out gas appliances, pipe work and flues by a registered person.

Routine maintenance would normally involve ongoing regular periodic examination of the installation/appliance and remedial action taken where necessary. Reference should be made to the manufactures installation instructions for servicing intervals, however where this is not available the physical condition of the flue, air vents and pipe work should be checked for deterioration and performance checks carried out, where necessary remedial should be taken.

Glazing

Glazing requirements are covered under Regulation 14 of the Workplace (Health, Safety and Welfare) Regulations 1992. The duty to comply with the regulations will normally fall to the employer or those in control of the premises. Under the Regulation every window or other transparent or translucent surface in a wall, partition, door or gate should, **where necessary for reasons of health or safety**, be of a safety material or be protected against breakage and be appropriately marked.

As the Regulation only requires action "**where necessary for reasons of health or safety**" it is necessary to assess every window, door etc. to establish whether there is a risk of anyone being hurt if people or objects come into contact with it, or if it

breaks. This risk assessment needs to take into account all relevant factors such as the location of the glazing, the activities taking place, the volume of traffic and pedestrians, and any previous experience of incidents. Glazing in some locations may be a higher risk, for example doors and windows which are at or below waist level or in particular areas of a building where the activity taking place may increase the risk.

If it is assessed that there is no risk then it is not necessary to take any further action. Where there is a risk then further action is required in order to comply with the regulations to:

- prevent people or objects coming into contact with the glazing, or
- upgrade the glazing so that if it breaks, it breaks safely, and
- mark large expanses of glazing in some way so that people know it is there

Following the risk assessment it may be necessary to take further action however this will depend on the individual circumstances examples of further action that may be required could be to replace the glazing with a safety material, or apply a safety film which prevents the glass from shattering in a dangerous manner.

Hydrotherapy Pools and Swimming Pools

Under the Health and Safety Act Work Act 1974 it is the responsibility of swimming pool operators “to carry out a suitable and sufficient risk assessment of their operations and to identify necessary control measures. A suitable and sufficient risk assessment for a swimming pool would have to take account of the whole user population of the swimming pool and the fact that a fatal incident i.e. drowning can occur very quickly.

The Health and Safety Executive publication Managing health and safety in swimming pools (HSG179) is a comprehensive guidance document on managing health and safety in swimming pools to assist pool operators and pool hirers put in place appropriate safety precautions. When considering appropriate control measure to be put in place it is recommended that operators take into account this guidance.

Lifts and Hoists

The maintenance and inspection of lifts and hoists is a complex area covered by numerous pieces of legislation:

- Under regulation 5 of Provision and Use of Work Equipment Regulation 1998 lifts need to be maintained in a safe condition and free from fault and defects.
- Under Regulation 9 of Lift and Operations and Lifting Equipment Regulations 1998 (LOLER) lifts must be tested and inspected by a competent person at regular intervals.
- Under the Management of Health and Safety at Work Regulation 1999 there is a duty placed on employers to carry out a suitable and sufficient assessment of risks associated with their work activities. This includes the risks associated with lifts.
- Under the Health and Safety at Work etc. Act 1974 (HSWA) there is a duty to ensure the health safety and welfare of employees including ensuring that safety risk are not created by the type and use of lifts (and escalator) within the premises. This includes ensuring that lifts are maintained, serviced,

checked and inspected as required and otherwise checking that they remain in a good, safe condition.

- There are similar duties to non-employees which are created by s3 (1) of the HSWA Section 4 places similar duties on those in “control” of non-domestic premises that are used as a place of work by someone else’s employees. Basically this places duties on landlords/occupiers of non-domestic premises used as a place of work.

Under the Lift Regulations 1997 all lifts supplied after June 1999 must comply with the Lifts Regulations 1997. The regulations require lifts and their associated safety components to satisfy the relevant essential health and safety requirements, meet appropriate national standards, undergo the appropriate conformity assessment procedure, have the CE marking applied (if necessary), have an EC declaration of conformity and be safe.

Under The Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) a duty holder has a legal responsibility to ensure that any lift on the premises is thoroughly examined and safe to use.

A thorough examination will entail a systematic and detailed examination of the lift and all its associated equipment by a competent person. In order to determine the extent of the thorough examination, the competent person should assess the risks, taking into account factors such as where the lift will be used, frequency of use, the weight of loads to be lifted and its age and condition.

Part of the thorough examination may include some testing, if considered necessary, the thorough examination may also be supplemented by an inspection. Inspections should be carried out at suitable interval between thorough examinations.

As well as considering the risks associated with lifts in normal use, it is important to consider the safety of users in the event of the lift breaking down or stopping between floors. It may be appropriate to set up breakdown response contract in addition to normal maintenance contracts. It may be appropriate to train some employees in lift lowering and emergency door opening. In order to alert people to any problem, consideration should be given to providing a suitable means of raising the alarm (e.g. alarm call buttons, emergency telephones). In order to avoid panic in the event of an electrical failure it may also be appropriate to provide emergency lighting.

The Lifting Operations and Lifting Equipment Regulations 1998 require employers to ensure that any equipment that is used for lifting people is thoroughly examined and inspected by a competent person at intervals of no more than six months. Where a lift is only used to carry goods then this interval can be increased to every twelve months.

A competent person is someone with sufficient technical and practical knowledge of the lift to be able to detect defects and assess how significant they are. The competent person should also be sufficiently independent and impartial to allow them to make an objective assessment of the lift and it is therefore not advisable for the same person who performs routine maintenance to carry out the thorough

examination, as this would mean that they would then be responsible for assessing their own work.

As an item of lifting equipment the safe working load of a lift must be determined and displayed in a suitable, prominent place.

Mobile Buildings

Due to the fact that mobile buildings are designed and constructed as temporary structures it is recommended that an annual inspection is carried out on their structural stability.

Playground and Gymnasium Equipment

Due to the very use that PE equipment is put to it carries a high risk and requires regular inspection British Standard 1892 Part 1 2003 states “an inspection should be carried out at least once a year”. There are also British Standards to cover playground equipment (BS 5696) and for surfaces (BS 7188 and 7044) outside play areas should comply with BS5696.

Radon

Radon is gas which is odourless, tasteless and colourless and can only be detected using specialised equipment. Radon occurs naturally in rocks and soils throughout the country although levels tend to be higher in some granite areas. Radon can be found in high concentrations in buildings as it tends to be sucked in to the building from soil.

It may then collect in buildings and under certain conditions can reach concentrations where the risk to people in the workplace requires control under the Ionising Radiation Regulations 1999.

Under the Management of Health & Safety at Work Regulations 1999 in areas affected by Radon Employers should undertake an initial assessment to determine whether there may be a radon hazard within the workplace, this includes cellars and basements.

Radon surveys should be conducted in any building where its location and characteristics suggest that elevated levels may be found. Due to the fact that radon levels can vary widely throughout the day and from season to season measurements should be made over a period of three months and the annual average estimated using seasonal correction factors.

Shared Premises

Where a building is occupied by more than one user then it is important that the results of any risk assessments should be shared with other occupiers of the premises where relevant e.g. fire safety, the control of vehicle movements, asbestos etc.

Under Regulation 11 of the Management of Health and Safety at work Regulations 1999 there is a duty of cooperation and coordination on those sharing a workplace.

Even if there is no direct control over common areas of the premises the employer needs to ensure that access and egress through these areas is safe for employees,

visitors and contractors. Common areas of premises are those that are used by tenants (or occupiers) but are not controlled by them e.g. car park, access routes, internal staircases, corridors and lifts.

Where there is shared services such as electrical installation, gas supply, fire safety systems the tenant needs to ensure that they are and remain to be safe and without risks to the health of employees and visitors. This applies even though the tenant may not have any control over these services.

Slips and Trips

As well as responsibilities under the Health and Safety at Work etc. Act 1974, The Workplace (Health and Safety and Welfare) Regulations 1992 impose a specific requirement that floors must be suitable and in good condition. They must also be free from obstructions and people must be able to move around safely.

Steps and staircases should be regularly inspected for wear and tear. It is preferable for them to have;

- High visibility, non-slip, square nosing on the step edges
- A suitable handrail
- Steps of equal heights
- Steps of equal width.

Trees Safety

As well as responsibilities under the Health and Safety at Work etc. Act 1974, an occupier of land where a tree stands has responsibilities under the Occupiers Liability Act 1957 and 1984. An occupier of land on which a tree stands will normally be liable for any personal injury or other damages caused by a tree breaking or falling where a tree is hazardous because of decay or structural weakness and shows external signs of being in such a condition. It should be noted that within the provisions of the previously mentioned Acts the courts expect occupiers to be prepared for children to behave less carefully than an adult for example, by climbing trees which may have weak branches.

Therefore it is important that a “suitable and sufficient” risk assessment should be carried out on the trees on a site. An effective system for identifying the risks from trees should meet the requirements set out in the management of Health and Safety at Work regulations 1999 and the associated ACoP.

The HSE in circular; ‘Management of the risk from falling trees

<http://www.hse.gov.uk/lau/lacs/23-22.htm>’ suggest that a suitable risk assessment for trees should address the following:

1. An overall assessment of risks from trees, particularly identifying groups of trees by their position and degree of public access. This will enable the risks associated with tree stocks to be prioritised and help identify any checks or inspections needed. As a minimum, trees should be divided into two zones: one zone where there is frequent public access to trees (e.g. in and around picnic areas, schools, children’s playground,); and a second zone where trees are not subject to frequent public access. As a rough guide ‘trees subject to frequent public access are those that are closely approached by many people every day. Maps may be useful as individual records for individual trees are unlikely to be necessary if zones and the trees in the zones are clearly defined.

2. For trees in a frequently visited zone, a system for periodic, proactive checks is appropriate. This should involve a quick visual check for obvious signs that a tree is likely to be unstable and be carried out by a person with a working knowledge of trees and their defects, but who need not be an arboriculture specialist. Duty holders should ensure that any system that is put in place for managing tree safety is properly applied and monitored.
3. A short record of when an area or zone or occasionally an individual tree has been checked or inspected with details of any defects found and action taken.
4. A system for obtaining specialist assistance/remedial action when a check reveals defects out with the experience and knowledge of the person carrying out the check.
5. A system to enable people to report damage to trees, such as vehicle collisions, and to trigger checks following potentially damaging activities such as work by the utilities in the vicinity of trees or severe gales.
6. Occasionally a duty holder may have responsibility for trees that have serious structural faults but which they decide to retain. Where such a condition is suspected and the tree also poses a potentially serious risk because, for example its proximity to an area of high public uses, a specific assessment for that tree and specific management measure, are likely to be appropriate.
7. Once a tree has been identified a check to have a structural fault that presents an elevated risk, action should be planned and taken to manage the risk. Any arboricultural work required should be carried out by a competent arboriculturist as such work tends to present a relatively high risk to the workers involved. Duty holder should not be encouraged to fell or prune trees unnecessarily.
8. Inspection of individual trees will only be necessary where a tree is in, or adjacent to, an area of high public use, has structural faults that are likely to make it unstable and a decision has been made to retain the tree with these faults.
9. Monitoring to ensure that the arrangements are implemented in practice.

Water Hygiene and Safety - Legionella

Under Section 2 of the Health and Safety at Work etc. Act 1974 employers so far as is reasonably, practicable, have to ensure the health, safety and welfare at work of all employees. The risk assessment of work activities and premises required under the Management of Health and Safety at Work Regulations 1999 is of particular relevance when considering the health and safety risks from disease. Under the Control of Substances Hazardous to Health Regulations 2002 (as amended) (COSHH) pathogenic bacteria, including legionellae are deemed to be “substance hazardous to health” and therefore are subject to the assessment, prevention/control and monitoring, provision of these Regulations.

The Health and Safety at Work etc. Act 1974 covers the risk from legionella bacteria which may arise from work activities. In addition to the legislation mentioned above The Notification of Cooling Towers and Evaporative Condensers Regulations and Legionnaires’ Disease – The Control of Legionella bacteria in water systems Approved Code of apply to the control of legionella bacteria in water systems. An employer or a person in control of the premises (e.g. a landlord), must identify and assess the sources of risk; (it may be necessary to call on outside assistance to complete this), prepare a scheme (or course of action) for preventing or controlling the risk and implementing and managing the scheme. A person must be appointed to be managerially responsible, sometimes referred to as the ‘responsible person’. This responsible person must keep records and check that what has been done is

effective; and, if appropriate, notify the local authority that there is a cooling tower(s) on site. In order to carry out the risk assessment an employer should find out if the water systems (including the equipment associated with the system such as pumps, heat exchangers, showers etc.) are likely to create a risk. If after carrying out the risk assessment it is considered that the risks are insignificant then no further action is needed other than to review the assessment periodically in case anything changes in the system.

If a risk is identified which cannot be prevented then proper controls must be introduced. In order to control the risks it will be necessary to implement a successful management policy, have competent staff and ensure that proper control strategies are put in place. One way of preventing the risk of legionella is by looking at the type of water system needed. For example it may be possible to replace a wet cooling tower with a dry air cooled system.

A written scheme should be prepared which sets out how it is intended to control the risk from legionella. This should:

- describe the system (an up to date schematic diagrams will be adequate to do this),
- advise who is responsible for carrying out the assessment and managing its implementation;
- set out the safe and correct operation of the system;
- describe what control methods and other precautions will be used and,
- provide details of the checks that will be carried out on the control scheme and how often they will be carried out.

It is important to appoint someone to take responsibility for managing the control scheme that has been put in place. The 'responsible person' needs to be competent – this means that they need to have sufficient knowledge and experience of the system to enable them to manage and control the scheme effectively. If there is more than one person responsible for managing the system and/or control scheme, then it is important to ensure that everyone knows their responsibilities and how they fit into the overall management of the system.

Where contractors are employed to carry out water treatment or other work it is still the responsibility of the appointed responsible person to ensure that the treatment is carried out to the required standards. Before appointing a contractor it is necessary to be satisfied that they are capable of doing the work to the required standard. The Health and Safety Executive has prepared A Code of Conduct for Service Providers to assist with this.

The significant findings from the risk assessment should be kept in writing along with details of any monitoring or checking that is carried out. A written record should also be kept of the written scheme and who is responsible for managing the scheme. Prepared, the results of the routine monitoring should also be recorded and all of these records need to be kept for a minimum of five years. Risk assessments should be updated every two years or earlier if circumstances change i.e. when any changes are made to the system.

Water and Surface Temperature Restrictions

There is a risk of scalding to individuals from surface areas such as radiators and hot water pipes and from water which is too hot at point of use for example washbasin and baths.

Under the Education (School Premises Regulation) 1999, for example, there is a requirement that the temperature of water at point of use should not be above 43oC for baths and showers and where occupants are severely disabled, in addition to this it is recommended that hot water supplies to washbasins in nursery and primary schools are limited to 43oC. Under these regulations in a special school or teaching accommodation used by a nursery class in a school the surface temperature of any radiator, including exposed pipework, which is in a position where it may be touched by a pupil should not exceed 43oC. The Health and Safety of those individuals who use care services is covered under the general requirements of Section 3 of the Health and Safety at Work Act 1974 and also by the risk assessment requirement of the Management of Health and Safety at Work Regulations. The maximum surface temperature of space heating devices in care establishment should not exceed 43oC and the temperature of water at point of use should be no more than 44oC.

The risk of burns from hot surfaces may be reduced by:

1. Providing low surface temperature heat emitters, e.g. cool wall;
2. Locating sources of heat out of reach, e.g. at high-level;
3. Guarding the heated areas, e.g. providing radiator covers, covering exposed pipework;
4. Reducing the flow temperatures (although usually not practicable in existing heating systems without sacrificing their effectiveness).
5. The risk of scalding may be reduced by carrying out a risk assessment for the individuals
6. concerned and introducing appropriate control measures

Suitable arrangements should be in place to ensure that control measures are in place and functioning effectively. Adequate training and supervision should be given to staff to ensure that they understand the risks and precautions to be taken and also the need to report any difficulties to a responsible person.

Workstation Assessment

Under the Health and Safety (Display Screen Equipment) Regulations 1992 employers are required to perform a suitable and sufficient analysis of work stations used by users to enable an assessment of the health and safety risks to be carried out. A user means an employee who habitually uses Display Screen Equipment as a significant part of their normal work. This assessment will need to be reviewed or updated if there is a significant or major change to the equipment, the environment, the furniture, the task or the software. Where a work station is relocated then it should also be re-assessed.

Where an individual workstation is shared by more than one person, then the analysis should be carried out in respect of each person. A record of the analysis should be kept.

The user or operator must be take part in the assessment as some of the required criteria in the analysis and assessment may be subjective.

Where risks have been identified through the analysis then these must be reduced so far as is reasonably practicable. The risks identified could relate to physical problems, visual fatigue and mental stress and apply to both users and operators, the risks identified in the assessment must be remedied as quickly as possible.

Working at Height

Fall Protection

The Work at Height Regulations 2005 covers all workplaces where work is carried out at height, as well as covering construction sites, the Regulations cover offices, shops and schools. A risk assessment must be carried out under regulation 3 of the Management of Health and Safety at Work Regulations 1999, where possible work at height must be avoided. Where work at height cannot be avoided work equipment must be used to prevent falls. Where the risk of falls cannot be eliminated, measures must be taken to minimise the distance and consequences of any fall. The duty holder must ensure that equipment used to work at height such as scaffolding and ladders are maintained and inspected. Where such equipment is exposed to conditions which may cause deterioration then they must be inspected at suitable intervals and following any exceptional circumstances.

It should be noted that a ladder can only be used for work at height if:

The risk assessment had found that the use of more suitable work equipment is not justified because the risk is low and the use if for short duration or there are existing features on the site which cannot be altered.

Window Cleaners

The Workplace (Health and Safety and Welfare) Regulations 1992 require employers, and persons who have control of a workplace to ensure that all windows and skylights in a workplace are designed or constructed so as to enable them to be cleaned safely.

This requirement allows equipment used in conjunction with the windows or skylights, or any other safety devices fitted to the building, i.e. anchorage points to be taken into account. The Approved Code of Practice that accompanies these regulations gives a number of measures which may be taken to comply, e g anchorage points for safety harnesses, suitable points for tying ladder more than 6m in length and fitting windows that can be cleaned easily from inside.

The Work at Height Regulations 2005 covers window cleaning activities when carried out at height. They specify that a risk assessment must determine the necessity of working at height. Where it is not possible to avoid working at height then a hierarchy of control measures is specified.

Where an independent window cleaner is used the employer should take some measure to check that window cleaners are operating in a safe manner and not engage those who do not appear to be doing so.

REDDITCH BOROUGH COUNCIL STATUTORY INSPECTION TABLE 2016

THIS TABLE IS EXTRACTED FROM THE FEDERATION OF PROPERTY SURVEYORS “COMPLIANCE MONITORING IN COUNCIL BUILDINGS” AND IS EXTENDED IN ORDER TO SHOW THE AGREED RESPONSIBILITIES OF PLACE PARTNERSHIP, LOCAL MANAGERS AND OFFICERS IN CHARGE

Appendix 1

Aspect	Service Requirement	Statutory/ Recommended/ Best Practice	Frequency/ Regularity	Links to Other Documents	Relevant Legislation/British Std./Approved Code of Practice	Lead Officer / Department and Officer in Charge role	Compliance update –PPL Lee Haury, John Homer and Ian Forrester 8th February 2017
Air Conditioning Systems	Inspection	Best Practice Statutory	Annual or bi-annual Not exceeding 5 yrs	The Energy Performance of Buildings	Under the Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007	Place Partnership – A Singleton/ I.Forrester/D.Sandiland	Generally statement regarding all aspects – Technology Forge approved as a replacement for iProp. 23 rd Feb 2017 start date for data transfer. Likely to take 6 months till fully operational. RBC condition/assets surveys programme require approval for a possible June start. Derek/Adrian iProp & servicing records
Asbestos register		Statutory	When circumstances dictate e.g. if changes to the premises have been made	www.hse.gov.uk/asbestos	Control of Asbestos at Work Regulations 2006	RBC Assets (incl Housing capital) – PPL & A Singleton/ I.Forrester (L.Tompkin & R.James) Historic data held with Janet Hay	Risk – Asbestos team – Andre Hedges and Janet Hay. A new asbestos “portal” is in place with Tersus.
Car Parking and Vehicle/Pedestrian Segregation	Risk Assessment				The Workplace (Health, Safety and Welfare) Regulations 1992 (regulation 17)	Place Partnership – A Singleton/ I.Forrester K Hirons Depot Manager	PPL technical advice and repairs when RBC OiC reports in. Could RBC inspect play areas & car parks, if adjoining, at same time
Compulsory Display of Notices	Checks made to ensure correct and up to date information is displayed	The display of most information Statutory	Regular checks to ensure information is still on display and is current		Various	H&S Team (H&S Law Posters), M Guest (Insurance: Public Liability etc.) PPL - Building specific	PPL building, solar panels etc
Construction (Design and Management) Regulations 2007	On letting of a construction project	Statutory	As required – on letting of a construction project	www.hse.gov.uk/construction/cdm	Construction (Design and Management) Regulations 2007	RBC Assets – PPL & A Singleton/ I.Forrester Housing Capital Project – R James	PPL Paul Thatcher’s projects team for notifiable and projects. Client awareness of CDM throughout process – covered by PPL appointment and framework contracts under Construction Line.
Contractor/Sub Contractor Qualification Check	Checks made on contractors qualifications i.e. NICEIC, ECA	Statutory or Good Practice	On appointment of contractor	See also sections on Gas Safety Regulations and Electricity at Work Regulations	Where contractors are appointed directly by the premises manager then checks should be made to ensure that they have the appropriate qualifications to carry out the specified work. This is covered by various pieces of legislation, such as Electricity at Work Regulations 1989, Gas Safety Regulations 1998 etc.	Place Partnership (for sub contractors) – A Singleton / I.Forrester & Procurement - C Young Housing Capital – R James	As last Construction Line / Procurement process. Kim James
Control of Substances Hazardous to Health (COSHH) Risk Assessment	Check on storage and use of hazardous materials	Statutory	Annual (Best Practice)	COSHH A Brief Guide to the Regulations COSHH Approved Code of Practice	The Control of Substance Hazardous to Health Regulations 2002 (as amended)	For mainly cleaning arrangements – John Godwin Kevin Hirons Depot Manager	Storage lockups and depots need to be RBC H&S – COSHH check/audit needed in all sites

Statutory Inspection TABLE RBC

Disability Discrimination Act	Inspection	Statutory	Checks to be made whenever alteration/changes are made to the building or the external environment	Disability Discrimination Act 1995 and 2005 and BS8300	Disability Discrimination Act 1995 Disability Discrimination Act 2005 BS8300	RBC Assets – PPL & R.Dunne / A Singleton / I.Forrester	RBC H&S Linked to condition/assets survey by PPL consultants
Duct Hygiene (Air Conditioning, Plenum/HVAC Heating)	Inspection and testing		Annual inspection and testing – thorough cleaning routine determined from testing/inspection results		Workplace (Health, Safety and Welfare Regulations) 1992 and COSHH LEV Testing	Place Partnership – A Singleton / I.Forrester	Derek/Adrian iProp & servicing records
Electrical - PAT	Portable appliance testing	Statutory	Variable but can be up to annual	The Provision and Use of Work Equipment Regulations 1998	The Provision and Use of Work Equipment Regulations 1998 (PUWER)	RBC Assets – PPL Chris Hemming – A Singleton/ I.Forrester PPL (Kim - Procurement) test 100% annually and keep all records Housing Capital – R James	PPL – Chris Hemming organises PJ Electrics. Records to be kept by RBC and PPL. Includes sheltered communal <ul style="list-style-type: none">Is 100% test necessary?
Electrical- Fixed Electrical Installations	Schematic of supply route and primary distribution	Best Practice	Annual Update	Simple precautions - Work on electrical equipment machinery or installations	Electricity at Work Regulations 1989 and BS 7671 IEE Wiring Regulations	RBC Assets – PPL Chris Hemming – A Singleton / I.Forrester Housing Capital – R James	Derek S/Chris H iProp & servicing records
	Inspection of fixed wiring and all distribution boards and safety devices	Highly recommended	Annual	The Electricity at Work Regulations 1989 Electrical Safety Council's Best Practice Guide on Periodic Inspection Reporting	Electricity at Work Regulations 1989 and BS 7671 IEE Wiring Regulations	RBC Assets – PPL Chris Hemming – A Singleton/ I.Forrester Housing Capital – R James	Derek S//Chris H iProp & servicing records
	Testing of all fixed wiring and all distribution boards	Statutory	5 yearly (or more frequently as determined by competent person)		Electricity at Work Regulations 1989 and BS 7671 IEE Wiring Regulations	RBC Assets – PPL Chris Hemming – A Singleton / I.Forrester Housing Capital – R James	Derek S/Chris H iProp & servicing records
	Testing of all distribution boards in mobile accommodation Statutory Annual	Statutory	Annual		Electricity at Work Regulations 1989 and BS 7671 IEE Wiring Regulations	RBC Assets – PPL Chris Hemming – A Singleton Housing Capital – R James	Derek S/Chris H iProp & servicing records
Electrical Stage Lighting	Inspection and testing	All Portable	Annually inspection and test by competent person			Local Manager, Tim Mackrill Palace Theatre	Tim plus PPL for works when identified
Electrical Stage Lighting	Inspection and testing of portable dimmer racks with no fixed cabling, plugs, sockets, flexible leads		Every 3 months and after every alteration			Local Manager, Tim Mackrill Palace Theatre PPL @ installation	Tim plus PPL for works when identified
Emergency Lighting	Inspection and testing of system	Statutory	Variable but recommend monthly checks by premises manager to check functionality, RCD (Residual Current Device [Circuit		Electricity at Work Regulations 1989 and Regulatory Reform (Fire Safety) Order 2005	Place Partnership Chris Hemming – A Singleton/I.Forrester	Risk team – Andre Hedges - Neale Morris PPL fire assessor RBC H&S team need to be sure of split with PPL on fire risk assessment's and subsequent yearly renewals and inspections by an RBC OiC?

Statutory Inspection TABLE RBC

			Breaker]) test. To include stop button functional test. Every six months - 1 hour duration test Annual full duration test				
Extraction Systems	Inspection and Testing of Dust Extraction Equipment	Best Practice	Annual		Control of Substances Hazardous to Health 2002 (as amended)	Zurich/ PPL – A Singleton/I.Forrester Check overlap Zurich/PPL	PPL first under a service contract. The Zurich check is extra assurance. Insurance premium reduction/duplication assurance?
	Local Exhaust Ventilation	Statutory	Every 14 months	Controlling Airborne Contaminants at Work: A Guide to Local Exhaust Ventilation	Control of Substances Hazardous to Health 2002 (as amended)	Zurich/ PPL - A Singleton / I.Forrester Check overlap Zurich/PPL	PPL first under a service contract. The Zurich check is extra assurance.
Fire Risk Assessment and Management Plan	Fire Risk Assessment	Statutory	Whenever any changes are made that will impact on the original assessment	The Regulatory Reform (Fire Safety) Order 2005	Regulatory Reform (Fire Safety) Order 2005	RBC Assets – PPL – A Singleton / I.Forrester Housing Capital (incl. in SLA PPL)– Liz Tompkin & R James	Risk team – Andre Hedges - Neale Morris PPL fire assessor. RBC H&S team need to be sure of split with PPL on fire risk assessment's and subsequent yearly renewals and inspections by an RBC OiC?
Fire Detection and Alarm Systems	Inspection and testing of system	Best Practice	Weekly test with formal quarterly and annual inspections by competent person		Regulatory Reform (Fire Safety) Order 2005	RBC Assets – PPL – A Singleton / I.Forrester Housing Capital – R James	Risk team – Andre Hedges - Neale Morris PPL fire assessor. RBC H&S team need to be sure of split with PPL on fire risk assessment's and subsequent yearly renewals and inspections by an RBC OiC?
Fire Doors	Inspection	Weekly		Check – linked to Condition Survey	Regulatory Reform (Fire Safety) Order 2005	RBC Assets – PPL – A Singleton / I.Forrester Housing Capital – R James	Risk team – Andre Hedges - Neale Morris PPL fire assessor. RBC H&S team need to be sure of split with PPL on fire risk assessment's and subsequent yearly renewals and inspections by an RBC OiC?
Fire Fighting Equipment	Inspection and maintenance extinguishers	Best practice	Annual		Regulatory Reform (Fire Safety) Order 2005	RBC Assets – PPL – A Singleton / I.Forrester Housing Capital – R James	PPL iProp and service contract with Walker Fire.
	Inspection and testing of fire sprinkler system (where fitted)	Best practice	Annual although further checks may be necessary for specific insurance requirements		Regulatory Reform (Fire Safety) Order 2005	RBC Assets – PPL – A Singleton / I.Forrester Housing Capital – R James	Risk team – Andre Hedges - Neale Morris PPL fire assessor. RBC H&S team need to be sure of split with PPL on fire risk assessment's and subsequent yearly renewals and inspections by an RBC OiC?
First Aid Equipment	Inspection		Regular checks to ensure no equipment is outside of expiry date	HSE - First aid at work: Legislation	Health and Safety (First Aid) Regulations 1981	Local Manager or local First Aiders – replenish after use/H&S Team	RBC H&S
Fuel Oil Storage	Plan of primary pipe work and main isolation points	Best Practice	Annual Update	The Control of Pollution (Oil Storage) (England) Regulations 2001	The Control of Pollution (Oil Storage) (England) Regulations 2001	C Beech/K Hiron	RBC H&S
	Visual Condition Inspection	Recommended	Annual		The Control of Pollution (Oil Storage) (England) Regulations 2001	C Beech/K Hiron	RBC H&S
	Maintenance checks on all	Best Practice	Annual		The Control of Pollution (Oil	C Beech/K Hiron	RBC H&S

	pipe work devices				Storage) (England) Regulations 2001		
Gas Safety							
	Gas Safety Inspections and Certificate	Statutory		The Gas Safety (Installations and Use) Regulations 1998	The Gas Safety (Installations and Use) Regulations 1998	RBC Assets – PPL – A Singleton / I.Forrester Housing Capital – R James & Tom Higgins	Derek/Adrian iProp & servicing records
Gas Appliance	Identification and location	Statutory	Annual updating		The Gas Safety (Installations and Use) Regulations 1998	RBC Assets – PPL – A Singleton / I.Forrester Housing Capital – R James& Tom Higgins	Derek/Adrian iProp & servicing records
	Servicing for efficient operation, combustion	Recommended for all premises duty on Landlords	Annual Servicing to include check on ventilation, adequate flues, heat input combustion conformance, appliance is stable and safety devices		The Gas Safety (Installations and Use) Regulations 1998	RBC Assets – PPL – A Singleton / I.Forrester Housing Capital – R James& Thomas Higgins	Derek/Adrian iProp & servicing records
Gas pipework	Visual condition inspection and testing if required	Recommended	Annual		The Gas Safety (Installations and Use) Regulations 1998	RBC Assets – PPL – A Singleton / I.Forrester Housing Capital – R James& Thomas Higgins	Derek/Adrian iProp & servicing records
Glazing	Checks	Statutory	Initial survey of building to identify areas where safety glazing should be in place, ongoing checks that any glazing replacements are with safety glass as req'd.	Condition/Assets survey and records Check – linked to Condition Survey	Workplace (Health, Safety and Welfare Regulations 1992) and Building Regulation Part M	RBC Assets – PPL – A Singleton / I.Forrester Housing Capital – R James	RBC OiC inspections. PPL condition/asset surveys
Hydrotherapy Pools and Swimming Pools	Risk Assessment			The Health and Safety Executive publication HSG179 Managing health and safety in swimming pools (HSG179)	Health and Safety Act Work Act 1974	RBC Assets J Godwin Check with Derek Sandilands	RBC H&S
Lifts and Hoists	Thorough examination, full maintenance and Inspection	Statutory	Every 6 months minimum for passenger lifts Every 12 months for goods lifts After substantial and significant changes have been made	The Lifting Operations and Lifting Equipment Regulations 1998	Lift Operations and Lifting Equipment Regulations 1998 Thorough examination and testing of lifts	PPL – A Singleton / I.Forrester & Zurich Check overlap	Derek/Ray Holland iProp and servicing. Zurich further assurance
Lightning Conductors	Inspection and testing	Best Practice	Every 11 months full test to assess adequacy of earthing, evidence of corrosion, alterations to structure (by competent persons to BS 7430		BS 6551, 1992	RBC Assets – PPL – A Singleton Housing Capital – R James	Derek/Chris H – iProp and Servicing records
Playground & Gymnasium equipment - Fixed	Inspection and Testing	Best Practice Check whether impacts ‘New Town’,	Annual		BS 5696, BS 7188, BS7044,BS 1892 Part 1 2003	J Godwin Parks (RoSPA & other external inspectors) Zurich	RBC H&S inspections Open spaces inspections by asset by frequency required?

		Highways or other RBC projects					
Radon	Risk Assessment	Based on Radon Map published by Public Health England	Low risk as indicated on Radon Map	Radon Statutory Instrument 1999 No. 3232 Any New Build covered by building Regs., & Landowner responsible for assessment of buildings	Ionising Radiation Regulations 1999.	PPL – A Singleton / I.Forrester	RBC H&S – Radon map shows RBC as a low risk area
Slips and Trips	Risk assessment			www.hse.gov.uk/slips/index.htm	The Workplace (Health, Safety and Welfare) Regulations 1992	Local manager/H&S officer PPL – A Singleton / I.Forrester	RBC H&S – PPL if OiC or RBC DLO officers. PPL for repairs
Shared Premises	Risk Assessment		As required		Regulation 11 of the Management of Health and Safety at work Regulations 1999	PPL estates – A Singleton / I.Forrester	General checks done on renewal of leases, rent reviews,void or specific visits. Annual checks ? Lliability issues?
Tree Safety	Risk Assessment		Annual and following any works that could have caused damage and high winds		Health and Safety at Work etc Act 1974 Occupiers Liability Act 1957 and 1984	G Revans (C Walker/G Boyes) Currently formulating inspection regime	RBC H&S – parks. PPL if asked for technical advice.
Water Hygiene and Safety (Legionnaires’ Disease etc.)	Risk Assessment	Statutory	Risk assessments reviewed regularly or in any case if there is a reason to believe original assessment is no longer valid	HSE Legionnaires’ Disease – Further information	Health and Safety Act Work Act 1974 Control of Substances Hazardous to Health Regulations 2002 (COSHH) The Notification of Cooling Towers and Evaporative Condensers Regulations Legionnaire’s Disease – The Control of Legionella Bacteria in Water Systems Approved Code of Practice	RBC Assets – PPL – A Singleton / I.Forrester Housing Capital – R James (Clearwater)	Risk Team – Andre and Andy Wood in particular. iProp and Servicing records
Water Hygiene and Safety Legionnaires’ Disease Water Systems Cold water Systems	Plan of Primary pipe work and main isolation points	Best Practice	Annual Updating	By exception Visual condition Inspection Recommended Annual Water Hygiene and Safety	Health and Safety Act Work Act 1974 Control of Substances Hazardous to Health Regulations 2002 (COSHH) The Notification of Cooling Towers and Evaporative Condensers Regulations Legionnaires’ Disease – The Control of Legionella Bacteria in Water Systems Approved Code of Practice	RBC Assets – PPL – A Singleton / I.Forrester Housing Capital – R James (Clearwater)	Risk Team – Andre and Andy Wood in particular. iProp and Servicing records PPL projects and maintenance teams when pipework is altered.

Statutory Inspection TABLE RBC

	Visual Condition and Compliance inspection	Recommended	Annual			RBC Assets – PPL – A Singleton / I.Forrester Housing Capital – R James (Clearwater)	Risk Team – Andre and Andy Wood in particular. iProp and Servicing records
	Tank condition and compliance inspection	Statutory	Annual			RBC Assets – PPL – A Singleton / I.Forrester Housing Capital – R James (Clearwater)	Risk Team – Andre and Andy Wood in particular. iProp and Servicing records
	Water Quality Check	By exception From supply company	By exception			RBC Assets – PPL – A Singleton / I.Forrester Housing Capital – R James (Clearwater)	Risk Team – Andre and Andy Wood in particular. iProp and Servicing records
Water Hygiene and Safety Legionnaires’ Disease Water Systems Water and Surface Temperature	Water Systems Risk Assessment	Statutory	Bi-annual review, any change to the system to initiate a review or user can initiate		Health and Safety Act Work Act 1974 Control of Substances Hazardous to Health Regulations 2002 (COSHH) The Notification of Cooling Towers and Evaporative Condensers Regulations Legionnaires’ Disease – The Control of Legionella Bacteria in Water Systems Approved Code of Practice	RBC Assets – PPL – A Singleton / I.Forrester Housing Capital – R James (Clearwater)	Risk Team – Andre and Andy Wood in particular. iProp and Servicing records
	Water Quality Checks	Statutory	Subject to Risk Assessment			RBC Assets – PPL – A Singleton / I.Forrester Housing Capital – R James (Clearwater)	Risk Team – Andre and Andy Wood in particular. iProp and Servicing records
	Water & Surface Temperature	Statutory	Risk Assessment			RBC Assets – PPL – A Singleton / I.Forrester Housing Capital – R James	John H at Town Hall plus RBC DLO as RBC OiC’s for a further 24 properties.
Workstation Assessment	Analysis of workstation to assess any health and safety risks		Change of employee or relocation of workstation	The Health and Safety (Display Screen Equipment) Regulations 1992	Health and Safety (Display Screen Equipment) Regulations 1992	H&S Team / Local Managers or local assessors	RBC H&S
Working at Height	Risk Assessment			The Work at Height Regulations 2005 HSE Guide to Working at Height Regulations 2005	Working at Height Regulations 2005	RBC Assets – PPL – A Singleton Housing Capital – R James * In conjunction with Zurich	RBC H&S PPL for its staff, consultants and contractors.
Working at Height – safety Eyes Bolts and Cradles	Inspection and testing	Statutory	Annual		Lift Operations and Lifting Equipment Regulations 1998	RBC Assets – PPL – A Singleton Housing Capital – R James * In conjunction with Zurich	PPL Maintenance contractor - iProp and servicing records for eye bolts and mansafe systems.

HEALTH AND SAFETY AT WORK

Driving/Riding at Work
Policy
Redditch Borough Council

DRIVING/RIDING AT WORK POLICY AND PROCEDURES

1. INTRODUCTION

Redditch Borough Council takes extremely seriously the health, safety and welfare of its entire staff. It recognises the risks to staff that need to carry out work-related driving/riding and is committed to the prevention of injury, loss of life and damage to property from work-related driving/riding incidents. The purpose of this policy is to enable Redditch Borough Council to meet its obligation to protect staff so far as is reasonably practicable from all occupational road risks associated with work-related driving/riding.

This policy applies to all staff involved in work-related driving/riding activities, including drivers of the Council's vehicles, leased vehicles and owner drivers/riders. It forms an integral part of Redditch Borough Council's Health and Safety Policy and applies along with specific local guidance on work-related driving/riding and the management of occupational risks. The policy applies to all work-related driving/riding arising in connection with duties and activities.

The Council recognises that the use of motor vehicles on Council business requires additional health and safety measures to protect both employees and third parties. The Council recognises that the occupational risks associated with driving/riding are related to a wide range of factors including:

- Driver/Rider competency
- Fitness to drive/ride
- Vehicle fitness for purpose
- Unaccompanied or Lone working
- Nature and containment of goods being transported.

2. DEFINITION OF WORK-RELATED DRIVING

Redditch Borough Council defines work-related driving/riding as:

'Any driving/riding activities carried out by employees in the course of their work' but does not include the commute, using private vehicles, from their home to their normal place of work.

3. POLICY AIMS

This policy aims to:

- Increase staff awareness of safety issues associated with work-related driving/riding risks;
- Ensure that risk in relation to work-related driving/riding is assessed in a systematic and ongoing way and that safe systems and methods of work are put in place to reduce the risk as far as is reasonably practicable;

- Ensure that appropriate training is available to staff in all areas, that equips them to recognise risk and provides practical advice on preventing and managing occupational road risks,
- Ensure that appropriate support is available to staff involved in work-related driving/riding incidents whether they be a driver or a passenger;
- Encourage full reporting and recording of all incidents arising in the course of work-related driving/riding;
- Reduce the number of incidents and injuries to staff resulting from work-related driving/riding.

4. RESPONSIBILITIES

The Chief Executive and Directors are responsible for:

- Ensuring there are arrangements for identifying, evaluating and managing risk associated with work-related driving/riding;
- Providing resources for putting the policy into practice; and
- Ensuring that there are arrangements for monitoring incidents linked to work-related driving/riding and that regular review of the effectiveness of the policy is carried out.

Heads of Service and Line Managers are responsible for:

- Ensuring that all relevant staff are aware of the policy;
- Ensuring that risk assessments are carried out and regularly reviewed of all work related driving/riding activities;
- Putting into place procedures and safe systems of work designed to eliminate or reduce the likelihood of work-related driving/riding incidents;
- Ensuring that staff groups and individuals identified as being at risk are given appropriate information, instruction and training, including training at induction, updates and refresher training as necessary;
- Ensuring that appropriate support is provided to staff involved in any incidents associated with work-related driving/riding and that all incidents are reported, reported and investigated.
- Ensuring that the driving licences of staff who use their own vehicle or a Council vehicle for work purposes is checked for validation, endorsements or changes to medical circumstances at least annually (refer to Appendix 1 & 2)

All staff are responsible for:

- Taking reasonable care of themselves and other people who may be affected by their actions particularly when driving/riding;
- Co-operating by following rules and procedures designed for safe working;
- Reporting all incidents in relation to work-related driving/riding however minor they may be
- Taking part in training designed to meet the requirements of the policy;
- Reporting any dangers they identify or any concerns they might have about work-related driving/riding

- Have read and understood the Councils Lone Working Policy (where appropriate)
- Providing their Manager with the “Check Code” from the DVLA along with their driving licence at least annually for checking.

5. BENEFITS OF MANAGING WORK RELATED DRIVING/RIDING

The true cost of accidents to organisations are nearly always higher than just the costs of repairs and insurance claims. The benefits to the organisation from managing work related road safety can be considerable as follows:

- It allows you to exercise better control over costs, such as wear and tear and fuel, insurance premiums and legal fees and claims from employees and third parties.
- It also allows you to make informed decisions about matters such as driver training and vehicle purchase, and helps you identify where health and safety improvements can be made.
- Case studies and research have shown benefits from managing work related driving/riding and reducing incidents, these include:
 - Fewer days lost due to injury;
 - Reduced risk of work - related ill health;
 - Reduced stress and improved morale;
 - Less need for investigation and paperwork;
 - Less lost time due to work rescheduling;
 - Fewer vehicles off the road for repair;
 - Reducing running costs through better driving/riding standards;
 - Fewer missed business opportunities so reduced risk of losing the goodwill of customers;
 - Less chance of key employees being banned from driving/riding, e.g. as a result of points on their licences.

Promoting sound health and safety driving/riding practices and a good safety culture at work may well spill over into private driving/riding, which could reduce the chances of staff being injured in an incident outside work.

6. ARRANGEMENTS FOR SECURING THE HEALTH AND SAFETY OF STAFF

The Council acknowledges that those driving/riding on the Council's business may be at increased occupational risks related to:

- Fatigue
- Stress
- Working alone
- Unforeseen events

The Council recognises that procedures and processes need to be developed and maintained to reduce these risks as far as reasonably practicable and to

take steps to effectively manage those that cannot be avoided. To this end the Council will:

- Ensure that risk assessments are completed and that journeys are planned and allocated in accordance with the findings of these assessments
- Ensure as far as is reasonably practicable that all those driving/riding on business are competent and fit to do so
- Provide any additional training that may be deemed necessary to reduce driving/riding related occupational risks
- Encourage a sensible and mature attitude towards motor vehicles and driving/riding
- Ensure, so far as reasonably practicable, that the Councils vehicles are suitable for their purpose
- Provide and maintain additional tools and equipment necessary for the purposes of the journey
- Provide sufficient information and guidance for management to enable them to understand the additional occupational risks involved in driving/riding.

7. ASSESSING RISK

Risk assessment must be carried out in all areas where work-related driving/riding poses an actual or potential risk to staff whether driving/riding Council or private vehicles. The risk assessment will involve identifying all potential dangers and the risks associated with specific work-related driving/riding activities. It should identify who will be affected and how, and the control measures which are needed to eliminate or reduce the risk to the lowest level reasonably practicable. A risk assessment is nothing more than a careful examination of what work activities can cause harm to people in establishing whether you have done enough to secure safe working practices or should do more to prevent harm. A competent person must carry out the risk assessment and it should be recorded and shared with relevant parties.

These details should be communicated to staff and risk assessments reviewed and updated annually or sooner if an incident occurs or if circumstances change.

All drivers should also carry out risk assessments before beginning any journey whether in a Council vehicle or their own taking into consideration a number of factors including the condition of the vehicle, weather conditions, the route, and their own fitness to drive.

8. MANAGING THE RISK

Departmental procedures must be in place to provide specific guidance for staff on managing work-related driving/riding risks. This should include guidance on driver risk assessment and details of procedures to follow in the event of a work-related driving/riding incident. All staff must be familiar with these procedures. Specific measures to reduce risks include the following:

Driver Checks and Qualifications

Drivers may only drive vehicles for which they hold full current and valid licences.

The Line Manager will be responsible for ensuring the audit is undertaken and completed at least annually, for drivers under their control whether driving/riding personal or Council owned vehicles, using the form shown in **Appendix 2**.

Appendix 1 is a step by step guide in obtaining the relevant information.

It is a requirement to provide for all drivers:

- Driving Licence for suitability and validity including changes in medical circumstances
- Check code from the DVLA

It is a requirement, for privately owned vehicle use, to provide paper evidence of:

- MOT Certificate where appropriate
- Insurance Certificate (to include Business Use)

It is the employee's responsibility to notify their Manager immediately about any changes in their licence, insurance or their health that could affect their continued driving/riding.

The following people are specifically **excluded** from driving/riding at work (this list is not exhaustive):

- Anyone who does not hold a full, valid UK driving licence for the category of vehicle being driven (or who does not have a relevant foreign or international licence that allows them to drive in the UK)
- Anyone who suffers from a condition that would disqualify them from holding or getting a relevant current driving licence;
- Anyone who has a current conviction for a motoring offence that disqualifies them from driving/riding. If necessary, the Council can exercise the right to suspend staff from driving/riding duties whilst awaiting the trial outcome.

Fitness to Drive

It is the employee's responsibility to ensure that they are fit to drive at all times, as they are in the best position to judge their own health, level of tiredness and other factors that may impair their driving/riding.

- The employee is responsible for ensuring they hold the relevant licence for the vehicles they drive. Line managers will also audit this on an annual basis.
- Any convictions and/or endorsements must be reported immediately to a line Manager as this may affect their ability to drive as part of their work.
- The employee is responsible for ensuring that their vision is suitable for driving/riding, and must have periodic eye examinations recommended by

their optician e.g. every two years. If glasses or contact lenses are needed, they must be worn while driving/riding.

- Where a medical is required for a specific Vehicle Licence this will be arranged by the Councils Occupational Health Provider.
- Any persons taking certain prescribed medicines, as listed on DVLA website, need to advise their Line Manager.

Driving/Riding Standards

Under the Road Traffic Act drivers are legally responsible for their own actions on the road and for complying with all traffic regulations. Redditch Borough Council considers all staff to be ambassadors for the organisation. Their behaviour whilst driving/riding is a reflection on our corporate image. As such, we expect drivers to be polite and to follow the Highway Code and associated driving laws and regulations. This is particularly important for drivers of vehicles that display our logo. We will endeavour to make sure that drivers of vehicles involved in careless or repeated incidents take part in an assessment and a retraining programme to ensure compliance.

It is the drivers' responsibility to ensure they keep up to date with changes to the Highway Code and other associated legislation.

Caring for Vehicles

Under the Road Traffic Act it is the driver's responsibility for making sure any vehicle they drive on public roads is roadworthy. Also, under the Health at Safety at Work etc Act 1974 and the Provision and Use of Work Equipment Regulations 1998 (PUWER does not include private cars), it is the employer's duty to ensure plant and equipment used at work is suitable and sufficient and well maintained. If there is any doubt about a vehicle's roadworthiness, it should not be driven on public roads or our sites until the problem has been rectified.

Council vehicles (excluding leased vehicles) will be required to be maintained in-house and all other general safety checks will be conducted by the driver. Any vehicles which are under a lease contract will be maintained in accordance with the lease contract and the Driver will be responsible for undertaking all other checks.

All drivers using Council owned vehicles for Council business will be required to carry out pre-use visual safety checks on their vehicles before starting a journey. This will include tyres, oil, water, cleanliness e.g. lights, windows etc. and should be done at least daily. It is also the responsibility of the driver to keep the vehicle in a clean condition both inside and out on a daily basis ensuring that rubbish is not allowed to build up inside the vehicle. Drivers of Council commercial vehicles should check the vehicle each day in accordance with local arrangements consisting of Driver Daily Safety Checklist which includes ancillary equipment, motion sensors and cameras. Employees who use their own private vehicle for Council business and claim mileage allowance, should ensure that they are insured for business use and have a current valid MOT Certificate (if required), a Road Fund Licence, is regularly maintained to ensure that it is roadworthy,

safe to drive and not a danger to passengers, pedestrians and other road users during the time the mileage was incurred. Basic safety checks should be made prior to any journey being made, as briefly detailed above.

Fitness of the Vehicle for its Purpose

The Council will ensure that commercial vehicles used in journeys are matched with the purpose of the journey and that they are suited as far as reasonably practicable to any load being transported, terrain to be covered and delivery conditions. The Council will also ensure as far as is reasonably practicable that any vehicles provided by the Council are suited to the needs of the driver and those involved in loading and unloading of the vehicles.

Breakdown and Repair

The Council will ensure that drivers of commercial vehicles have adequate access to technical and personal support in the case of breakdown or accident. These services will be provided in a prompt and reliable manner by competent persons. All Commercial vehicles should have details of our insurance, breakdown and recovery services.

Employees are responsible for ensuring that any private vehicle they use for business use is suitably maintained and that they have adequate breakdown cover for the vehicle.

Vehicle Maintenance

The Council will ensure that competent personnel maintain all commercial vehicles registered for use on the Council's business to a sufficient standard. The Council will ensure that necessary inspections and repairs are made in a reasonable timeframe and that no vehicle that is known to be in an unfit state will be used on the Council's business.

Wearing Seatbelts

All drivers and passengers in a vehicle must, by law, wear a seatbelt. It is the responsibility of the driver, but also the duty of any staff member, to make sure that anyone in a Council vehicle or owner vehicle is wearing a seat belt unless they have an exemption certificate. Passengers must never be allowed to travel on any part of a vehicle other than a designated seat designed for that purpose.

Installation of Tracking Devices

Council owned vehicles may have tracking devices installed to increase security levels with these vehicles. They will be used so that a vehicle can be quickly and easily located in the event of an emergency or a vehicle being stolen. They may well be used as part of a management tool for managing operational performance.

These will be fitted by an authorised company. Should anyone tamper with such device, remove it or cause any other damage to such a device will be subject to disciplinary procedures.

Alcohol and Drug Abuse

Driving or riding on Redditch Borough Councils business while under the influence of alcohol or drugs is strictly forbidden. Staff should inform their Manager if, at any time, they have to take prescribed drugs that may affect their ability to drive. Employees must never drive or ride under the influence of alcohol or drugs. Even small amounts of alcohol or drugs impair judgement and increase the chance of an employee being involved in an accident. The Council has a zero tolerance attitude towards drink or drug driving/riding and any employee found driving/riding under the influence of alcohol or drugs will be subject to Gross Misconduct as detailed in the Disciplinary Procedure.

The Council has the facility in place to undertake random testing of staff who they feel may be under the influence of alcohol or drugs at work. For further information see the Substance Misuse Policy.

The use of certain prescriptions and over - the - counter medicines, such as certain flu remedies and hay fever medicines, can cause drowsiness and impair the ability to drive. It is the employees' responsibility to ensure they have read and understood the instructions on any medication they are taking, and not to drive/ride if there are warnings against this. Often there are alternative formulas or brands which treat the symptoms but do not cause drowsiness, and employees should choose these instead if they need to drive on business. If in any doubt about the effects a medicine may have, employees should consult their GP when prescribed or Pharmacist.

Using hand held mobile phones or similar devices

Employees should follow the Councils policy on the use of mobile phones or similar devices whilst driving or riding. This states that staff should not use a mobile phone whilst driving/riding. Studies show that calls can be a distraction and, consequently, calls should only be made when the vehicle is stationary and the engine switched off. If an employee receives a call on a mobile phone whilst driving/riding, s/he should pull over at the nearest point at which it is safe to do so before answering the call. It is a criminal offence in the UK to drive or ride any motor vehicle whilst using a hand – held mobile phone, or to cause or permit another to do so. The regulations expressly state that a person who “causes or permits any other person to use a hand – held mobile while driving/riding, will be liable”.

Penalties were introduced for road traffic offences with regard to the use of mobile phones in/on vehicles. The penalties will mean:

- A fixed penalty of £200 **and**
- 6 points endorsed on their driving licence.
- If you passed your driving test in the last 2 years, you'll lose your licence.

Using hands-free devices when driving/riding

- The Law states “You can use hands-free phones, sat navs and 2-way radios when you’re driving or riding”. However, it is the Council’s Policy that all the above can only be used if they are hands-free devices. In both cases if the police think you’re distracted and not in control of your vehicle you could still get stopped and penalised.

Other driving Offences

You will be disqualified from driving/riding if you build up 12 or more penalty points within a 3 year period. If you’re stopped by the police for the speeding offence, they can either:

- send you the details of the penalty
- send the case straight to court

Driver’s Hours and Rest (tiredness, stress and fatigue)

Any specific legislation referring to drivers’ hours (e.g. tachograph regulations) applies. Tiredness, fatigue and stress (be it from work, domestic or social circumstances) can affect safe driving/riding. Drivers should take account of this and not drive if they believe that they are unfit to do so. No staff member should drive for more than 4.5 hours without taking a break for at least 15 minutes. A journey should never be started if any employee is feeling tired or unwell. It is the employee’s responsibility to judge their own fitness to drive.

Stress can be described as a mental overload caused by extreme emotions such as anger and frustration. Stress results in fatigue, which can lead to reduced levels of attention and judgement and is therefore an important contributor to road accidents. The Human Resources Department can arrange professional guidance and support in the recognition and managing of stress. The following are some practical tips for minimising stress and fatigue while driving/riding.

- Set flexible appointment times.
- If running late, stop in a safe place and phone to explain – do not take risks to arrive on time.
- Avoid peak time travel if possible.
- Choose the most practicable, least congested route.
- Add a generous margin to expected travelling time.
- Take regular breaks, at least 15 minutes after about two hours driving/riding, when mobile phone messages can also be checked.
- Limit driving/riding periods to reasonable time or distance.
- Share driving/riding or use public transport, if possible.

Lone Working

The Council's Lone Working Policy is available which provides guidance for all staff when working alone.

In undertaking risk assessment, the Council must consider the extent of the risk faced by drivers and decide on the need for measures to reduce risk or mitigate its effects. For example, the Council may decide to issue mobile phones to all drivers who do not have them, for use in emergencies. First aid kits may also be considered necessary and will be provided in Council vehicles. Employees also need to be made aware of the procedures to follow in the event of a breakdown or vehicle malfunction.

Musculoskeletal Injury

At work drivers face not only the risk of collision, but also the risk of musculoskeletal injury. This can arise from:

- Poor posture and repetitive movement when driving/riding
- Manual handling injuries when loading and unloading.

Risk assessments addressing these two hazards will be necessary for all those drivers affected. The council may wish to seek further guidance or consult with an occupational road risk management specialist or physiotherapist.

9. STAFF TRAINING

Redditch Borough Council will carry out work-related driving/riding risk assessments and will, where appropriate, provide basic driver safety training to give staff the knowledge and skills needed to help prevent and manage work-related driving/riding risks. Different levels of training will be available and we will provide specialist training if necessary, based on the needs identified through risk assessment. Some of the benefits of this training include:

- Enhances hazard recognition and risk assessment skills
- Encourages the development of stress – reducing strategies
- Promotes greater safety for drivers and other road users
- Helps reduce fuel consumption and vehicle wear and tear
- Builds greater awareness of health and safety issues
- Ensure compliance with existing health and safety legislation

Some Council drivers will be subject to CPC training in particular those who hold a valid HGV Licence. As part of this they will be required to undertake training at least annually in order to maintain currency of Certification.

Redditch Borough Council will also provide guidance on musculoskeletal conditions associated with driving/riding for long periods. The seat being in the correct position, position of the head rest and position of major controls are essential to reduce the risk of personal injury in an accident and to make sure the driver has a good posture to prevent back problems and tiredness. Line

managers are responsible for making sure that staff receive appropriate training and have access to refresher training on a regular basis. Advice on guidance and specialist driver training is available on request.

10. REPORTING AND RECORDING

Staff should report all incidents, including near misses, to their Line Manager at the earliest opportunity. These should be reported on an accident/incident report form found on the intranet (online form). Upon completion these are automatically forwarded to the Senior Advisor (Health, Safety & Wellbeing) and the Head of Service.

Investigation should be carried out by the Head of Service/Line Manager with the help of the Senior Advisor (Health, Safety & Wellbeing) in accordance with the Reporting of Injuries, Diseases & Dangerous Occurrences Regulations (RIDDOR) 1995, the HSE must be notified within 10 days if the member of staff has been off for more than 7 days as a result of a work-related driving/riding incident. For further information on reporting incidents, please refer to the Accident Reporting Procedure.

If the Police decide to undertake any investigations following an incident/accident the Council and all those involved shall fully cooperate with their enquiries in a timely manner. If this is the case the driver must report this to their Manager at the earliest opportunity.

11. MONITORING AND REVIEWING

Redditch Borough Council will monitor and review this policy to make sure that we are achieving the aims of the policy. We will do this with Trade Unions and safety representatives. The review process will include:

- Collecting and monitoring all reported incidents by the Senior Advisor (Health, Safety & Wellbeing).
- Every three months, reporting to the Corporate Health and Safety Committee and local committees, on incident statistics and safety improvement measures;
- Every year, reporting to the Health and Safety Committee's on how we are following the policy, the outcomes of risk assessment, and details of training provided; and
- Every year, reporting to CMT to highlight the progress in reducing risk and incidents and making recommendations for the forthcoming year.

APPENDIX 1

It is the responsibility of the employee to provide the check code, obtained from the DVLA website below, to the responsible person conducting the audit. The responsible person conducting the audit can assist you with acquiring the check code at the time of the audit but you will need to be present and have the following information available.

You can use the online service at <https://www.gov.uk/view-driving-licence> to:

- view your driving record, for example vehicles you can drive
- check your penalty points or disqualifications
- create a licence 'check code' to share your driving record with someone, for example a car hire company

The 'check code' will be valid for 21 days.

You'll need:

- your driving licence number
- your [National Insurance number](#)
- the postcode on your driving licence

Before you start

You can't use this service:

- if your licence was issued outside of England, Wales or Scotland
- to check the progress of a licence application

It's a criminal offence to obtain someone else's personal information without their permission.

It is the employee's responsibility to provide the check code for the above process to take place and to notify their Manager immediately about any changes in their licence, insurance or their health that could affect their continued driving/riding.

The responsible person conducting the audit will need to record the findings on Appendix 2 and retain a copy of the Licence Summary. If this process is conducted more than annually only the latest Licence Summary needs to be retained electronically **i.e CHRIS21**.

APPENDIX 1

DRIVER/RIDER PERSONAL REQUIREMENTS CHECK

SERVICE AREA/DEPT. :

Name	Date	Driving Licence	Insurance Certificate	Road Fund Licence	Any change in Medical Circumstances	Comments/Managers' Signature



www.redditchbc.gov.uk

HEALTH AND SAFETY AT WORK

HEALTH AND SAFETY POLICY AND PROCEDURES MANUAL

For further information on this policy please contact:

HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT SERVICES
COUNCIL HEALTH AND SAFETY ADVISOR
THE TOWN HALL
WALTER STRANZ SQUARE
REDDITCH
WORCESTERSHIRE
B98 8AH
Telephone: 01527 64252



INVESTOR IN PEOPLE

Introduction

This document contains the policy statement of Redditch Borough Council with respect to Health and Safety.

It is the responsibility of all management and employees to know and fully understand its contents to ensure that they implement and comply with the policy.

The main objectives of the Health and Safety at Work etc Act 1974 is to involve the employers and all employees in creating awareness of the importance of adequate health and safety standards. All employees owe a duty of care to themselves, fellow employees and others affected by their acts or omissions.

This document outlines the responsibilities under the Health and Safety at Work etc. Act 1974 and supporting health and safety regulations, to all employees of the Council.

A copy of this document will be available for consideration by employees at each premise or establishment. Alternatively, should you wish to have a full copy of this document please contact the Councils' Senior Advisor (Health, Safety and Wellbeing).

In addition all employees, at the commencement of their employment with Redditch Borough Council will receive a summary of the Councils health and safety procedures.

All employees must be aware that failure to comply with the Councils health and safety policies or procedures may result in disciplinary action under the Councils' Disciplinary Procedure.

Objectives of the Health and Safety Policy

To recognise and evaluate hazards within the Councils full range of activities and to provide information to be followed as standard safe systems of work, which will identify: -

1. The need for employee training to ensure their competence to carry out their tasks in a safe manner, and to operate work equipment safely.
2. The need for provision of suitable approved safety clothing and equipment where required by the nature of the task.
3. The need to promote a health and safety culture by providing the opportunity for employees and their representatives to be consulted.
4. To identify areas or tasks exposing employees to health and safety risks which can then preferably be removed or controlled as practicable.

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REDDITCH BOROUGH COUNCIL

GENERAL STATEMENT OF SAFETY POLICY

Redditch Borough Council recognises its responsibility as an employer to provide a safe and healthy working environment for all employees and accepts the obligations imposed by the Health and Safety at Work etc Act 1974 and subordinate legislation.

The Council will take all reasonably practicable steps to ensure:

1. The provision and maintenance of plant, equipment and safe systems of work.
2. Safety and absence of risks in connection with the use, handling, storage and transport of articles and substances.
3. The provision of such information, instruction, training and supervision as is necessary to ensure the health and safety of employees.
4. A safe workplace with safe access and egress.
5. The provision of adequate health, safety and welfare facilities for securing a safe working environment for all staff.

The Council reminds all employees of their own duties to:

1. Take reasonable care of their own health and safety and that of others who may be affected by their acts or omissions.
2. Co-operate with management to enable the Council to carry out its own health and safety responsibilities successfully.
3. Not to misuse or interfere with any equipment or facilities provided in the interests of health, safety or welfare.
4. Inform management of any serious, imminent dangers or shortcomings in the Councils health and safety arrangements.
5. Follow all safety information, including policy, procedures and safe working practices that are relevant to their role.
6. Comply with Council health and safety policies or procedures as failure to do so may result in disciplinary action under the Councils' Disciplinary Procedure.

Overall responsibility for carrying out this policy rests with the Chief Executive. The Directors and Heads of Service will undertake responsibility for implementation within their areas of the business.

Without detracting from the responsibilities of Managers and Supervisors to ensure safe working conditions, the Council, through its Senior Advisor (Health, Safety and Wellbeing), will provide competent advice on all matters of health, safety and welfare where this is necessary to assist the Council, employees and their representatives in their tasks and responsibilities.

The Council expects all persons including contractors, employees and members of the public who are visiting Council premises, to observe all safety procedures, rules,

instructions or legislation applicable to those premises. Any visitor or contractor who breaches the Council's Health and Safety Policy or current health and safety legislation entitles the Council to take appropriate measures including requesting that the visitor or contractor etc. leaves the premises.

The success of the Council's health and safety policy depends upon the co-operation of all employees. In order to develop a positive health and safety culture, joint consultation between management and employee representatives on health and safety is necessary. The Council will therefore consult with safety representatives proposed by recognised Trade Unions, and equip them and provide facilities as required by the appropriate regulations.

A copy of this policy statement, which is a declaration of the Councils intent, will be issued to all employees. The policy shall be reviewed on an annual basis or as and when there is a major change to the structure of the policy. Any amendments will be in line with consultation with the employee representatives.

Signed: _____

K. Dicks, Chief Executive of Bromsgrove District and Redditch Borough Councils

Signed: _____
Leader of Redditch Borough Council

Date: 30th April 2015

Reviewed and Updated: April 2017

Elected Members are responsible for:-

- a. Ensuring they fully consider all relevant health, safety and welfare implications of any report, paper or plans for their deliberation. It is the responsibility of the person presenting such reports, papers or plans to highlight any potential health, safety or welfare implications to Elected Members.
- b. Considering any potential adverse effects on the health, safety or welfare of employees and any other persons who might be affected.
- c. Ensuring they remain competent to undertake their health and safety responsibilities, Elected Members will be invited to attend training to fulfil their role provided by the Council. They will also be invited to attend any other additional training that will also support their role i.e. Members training as part of their Induction.
- d. Where appropriate, taking remedial actions including the instigation of disciplinary measures should failures occur in the Health and Safety Management System.

In addition to the above the **Elected Member representative on the Health Safety and Welfare Committee** will ensure that health and safety issues are given their full consideration within the democratic process.

The Chief Executive as the principal officer of the Council has overall responsibility for the management of health and safety throughout the organisation. As such he will: -

- a. Recognise his responsibility to maintain, so far as is reasonably practicable, the highest standards with regard to the health, safety and welfare of all Council employees.
- b. Ensure that adequate funds are allocated to enable the effective implementation of all legislative requirements and that arrangements exist for the effective management of health and safety.
- c. Ensure that Directors and Heads of Service implement the Council's policy for the promotion of health, safety and welfare.
- d. Ensure the appointment of competent persons to assist in the management of occupational health and safety in the workplace.
- e. Instigate disciplinary action against employees within their control who do not ensure that the Council's policy for the promotion of health and safety is implemented where deemed appropriate.
- f. Take all steps, which are reasonably practicable, and within their power to ensure that the following are provided and maintained: -
 - I. Safe articles, plant, tools, equipment and systems of work.
 - II. Safe arrangements for the use, handling, storage and transportation of substances.

- III. Premises used by employees and members of the public shall be safe and not present a hazard to the users or occupants.
 - IV. Sufficient information, instruction, training and supervision to enable all employees to avoid hazards and contribute positively to their own health and safety at work.
 - V. A safe means of access and egress from their place of work.
 - VI. Adequate health and welfare facilities.
 - VII. A safe and healthy working environment.
- g. Provide, as far as is practicable, such medical supervision and monitoring of the working environment as is necessary to ensure safe and healthy working conditions for all employees.
- h. Support continuous improvement of safety standards through training, and to maintain awareness among all levels of management and employees of their responsibilities and obligations under the Health and Safety at Work etc Act 1974.
- i. Ensure that so far as is practicable, Contractors and Sub-Contractors with whom the Council are engaged meet the required standards laid down in health and safety legislation and in the Council's Health and Safety Policy.
- j. Liaise in conjunction with the Councils' Senior Advisor (Health, Safety and Wellbeing) or other necessary Specialists, Directors, Heads of Service, Line Managers, Trade Union representatives, or other employee representatives, on health and safety matters, which affect employees in their respective areas of responsibility.

Directors will: -

- a. Recognise their role and responsibility to the Chief Executive to provide a safe and healthy workplace and working environment for all employees in their Service.
- b. Take all steps, which are reasonably practicable, and within their power to ensure that the following are maintained: -
 - I. Safe articles, plant, tools, equipment and systems of work.
 - II. Safe arrangements for the use, handling, storage and transportation of substances.
 - III. Premises used by employees and members of the public shall be safe and not present a hazard to the users or occupants.
 - IV. Sufficient information, instruction, training and supervision to enable all employees to avoid hazards and contribute positively to their own health and safety at work.
 - V. A safe means of access and egress from their place of work.
 - VI. Adequate health and welfare facilities.
 - VII. A safe and healthy working environment.
- c. Ensure that adequate funds are allocated to enable the effective implementation of all legislative requirements and that arrangements exist for the effective management of health and safety.

- d. Ensure that adequate risk assessments are carried out by their Managers and brought to the attention of employees. Where changes are required to reduce the level of risk to members of staff these are prioritised and funded according to the level of risk and communicated to their employees. All such details should be included in the Action Log.
- e. Provide as far as is practicable, such medical supervision and monitoring of the working environment as is necessary to ensure safe and healthy working conditions for all employees.
- f. Ensure that Personal Protective Equipment is provided, where identified as essential, (through a risk assessment), without charge, and such clothing and equipment must be worn by staff whenever required, maintained and replaced.
- g. Support continuous improvement of safety standards through training, and to maintain awareness among all levels of management and employees of their responsibilities and obligations under the Health and Safety at Work etc Act 1974.
- h. Ensure that so far as is practicable Contractors and Sub-Contractors with whom they are involved meet the required standards laid down in health and safety legislation and in the Council's Health and Safety Policy.
- i. Liaise with Trade Union representatives, or other employee representatives, on health and safety matters, which affect employees in their area of responsibility.
- j. Instigate disciplinary action against employees within their control who do not ensure that the Council's policy for the promotion of health and safety is implemented where appropriate.
- k. Report at once to the Chief Executive and the Councils' Senior Advisor (Health, Safety and Wellbeing) immediately on being issued with an Improvement Notice or Prohibition Notice by a member of the Health and Safety Executive.
- l. Commend employees, who, by action or initiative, eliminate hazards and adopt safe working procedures.
- m. Ensure that all subordinate Managers carry out their responsibilities with regard to safety, health and welfare in accordance with the Council's Health and Safety Policy.
- n. Keep up to date, as far as is reasonably practicable, with recommended Codes of Practice and new safety literature and circulate information applicable to each level of employee under their control.

Heads of Service will: -

- a. Support and encourage a positive attitude towards health and safety within their own area of responsibility.

- b. Ensure that adequate resources are provided to cover the implementation of the Council's policy, systems and procedures.
- c. Ensure that suitable and sufficient risk assessments are carried out and brought to the attention of employees for all workplace activities.
- d. Ensure that any residual risks are suitably controlled and remedial actions taken wherever possible to reduce the risk further only using personal protective equipment as a last resort control measure.
- e. Ensure that all such risk assessments are reviewed at least annually or if there is a change in workplace activities, an accident or incident occurs or there is reason to believe that the risk assessments are no longer valid within their area of responsibility.
- f. Ensure that new employees (including young persons, work experience, temporary and casual employees), are instructed in safe working practices and procedures, and that they are aware of the Council's Health and Safety Policy and any Risk Assessments relevant to their work activities.
- g. Commend employees, who, by action or initiative, eliminate hazards and adopt safe working procedures.
- h. Ensure that all subordinate Officers carry out their responsibilities with regard to safety, health and welfare in accordance with: the Council's Health and Safety Policy, the Health and Safety at Work Etc Act 1974, and supporting Health and Safety Legislation.
- i. Instigate disciplinary action against employees within their control who do not ensure that the Council's policy for the promotion of health and safety is implemented.
- j. Co-operate with the Councils' Senior Advisor (Health, Safety and Wellbeing) and consult with them when necessary on health and safety matters.
- k. Ensure, that so far as is practicable Contractors and Sub-Contractors with whom they are involved meet the required standards laid down in health and safety legislation and in the Council's Health and Safety Policy.
- l. Ensure that all accidents and dangerous occurrences are reported immediately to the Councils' Senior Advisor (Health, Safety and Wellbeing) to enable them to take any action necessary under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.
- m. Liaise in conjunction with Councils' Senior Advisor (Health, Safety and Wellbeing), Directors and Trade Union representatives, or other employee representatives, on health and safety matters, which affect employees in their Department
- n. Ensure that arrangements are made to enable Trade Union Safety Representatives and other employee representatives to effectively carry out their functions.
- o. Within their areas of responsibility ensure that all articles, equipment, materials and substances purchased and premises and systems of work are

free from hazard, as far as is reasonably practicable. Also, ensuring all plant and equipment is adequately maintained and serviced.

- p. Ensure that all Health and Safety requests, records and reports, for which they are responsible, are up to date.
- q. Keep up to date, as far as is reasonably practicable, with recommended Codes of Practice and new safety literature and circulate information applicable to each level of employee under their control as advised by the Councils' Senior Advisor (Health, Safety and Wellbeing).
- r. Identify and assist the Councils' Senior Advisor (Health, Safety and Wellbeing) with safety training as required, and to promote an awareness of injury prevention.
- s. Ensure that all new technology, plant, articles and substances are safe to use with appropriate training undertaken for all employees.
- t. Encourage all employees in establishing and maintaining adequate standards of working conditions safety and hygiene, and to impress positive attitudes towards these.
- u. Report at once to the Councils' Senior Advisor (Health, Safety and Wellbeing) and immediate superior on being issued with an Improvement Notice or Prohibition Notice by a member of the Health and Safety Executive.

Service Managers/Line Managers will: -

- a. Represent and advise the appropriate Head of Service as requested on all matters of health and safety.
- b. Advise the appropriate Head of Service on the prevention of injury to employees under their control and damage to plant and equipment for which they are responsible.
- c. Ensure that suitable and sufficient risk assessments are carried out and brought to the attention of employees for all workplace activities.
- d. Ensure that all such risk assessments are reviewed at least annually or sooner if there is a change in workplace activities, an accident or incident occurs or there is reason to believe that the risk assessments are no longer valid.
- e. Ensure sound working practices and procedures are adopted and recorded.
- f. In accordance with the Councils disciplinary rules and procedures advise their Heads of Service of any employees within their control who do not ensure that the Council's policy for the promotion of health and safety is implemented.
- g. Implement such legal requirements regarding health and safety as are delegated to them.

- h. Advise, in conjunction with the Councils' Senior Advisor (Health, Safety and Wellbeing), on the correct type and use of safety equipment and clothing needed by the employees under their control.
- i. Consult the Councils' Senior Advisor (Health, Safety and Wellbeing) on the suitability from a safety viewpoint, of new and hired plant and equipment used by employees under their control, and on the validity of all appropriate Test Certificates.
- j. Advise the appropriate Head of Service of any potential or existing hazards affecting employees under their control before work commences, taking into account any measures taken to reduce or eliminate the risk.
- k. Advise employees on safe systems of work and fire precautions.
- l. Advise in conjunction with the Councils' Senior Advisor (Health, Safety and Wellbeing) on methods of safe working at new sites or situations.
- m. Advise in conjunction with the Councils' Senior Advisor (Health, Safety and Wellbeing) on changes in health and safety legislation affecting employees under their control.
- n. Report on the apparent causes of accidents and/or dangerous occurrences, investigate as required, and recommend to the appropriate Head of Service the means of preventing a recurrence.
- o. Assist the appropriate Head of Service in the identification of safety training as required, in order to promote an awareness of injury prevention.
- p. Take part in Site or Departmental meetings or visits set up for accident prevention discussion.
- q. Keep up to date as far as is reasonably practicable and in conjunction with the appropriate Head of Service, with recommended Codes of Practice and new safety guidance and to circulate information applicable to each level of employee under their control.
- r. Foster within their respective work areas an understanding of safety procedures and injury prevention.
- s. Set a personal example, and to wear appropriate protective clothing where appropriate.
- t. Ensure as far as is practicable that all plant and equipment is properly maintained.
- u. Report at once to the Councils' Senior Advisor (Health, Safety and Wellbeing) and the immediate superior on being issued with an Improvement Notice or a Prohibition Notice by a member of the Health and Safety Executive.
- v. Ensure that each employee is aware of the Health and Safety Policy and that it is communicated to them and any revisions or updates thereafter, and make it available to all employees when requested.

Supervisors / Team Leaders will: -

- a. Be familiar with the requirements of relevant health and safety legislation and the Council's health and safety policies and procedures applicable to the work which employees for whom they are responsible are engaged on, and to ensure that these requirements are complied with.
- b. Incorporate safety requirements in instructions and orders and to ensure they are observed.
- c. Ensure that new employees (including young persons, work experience, temporary and casual employees), are instructed in Health, Safety and Welfare precautions, and that they are aware of the Council's Health and Safety Policy and Risk Assessments relevant to their work.
- d. Commend employees who, by action or initiative, eliminate hazards and adopt safe working procedures.
- e. Set a personal example and to wear appropriate protective clothing where appropriate.
- f. Report in writing to the appropriate Officer defects in plant and equipment as soon as a problem is identified.
- g. Report at once to the Councils' Senior Advisor (Health, Safety and Wellbeing) and the immediate supervisor on being issued with an Improvement Notice or Prohibition Notice by a member of the Health and Safety Executive.
- h. Co-operate with the Councils' Senior Advisor (Health, Safety and Wellbeing) and consult when necessary on any matters of health and safety.
- i. Ensure that all health and safety requests, records and reports, for which they are responsible, are up to date so far as is reasonably practicable.
- j. Ensure that an employee with appropriate level of health and safety competence carries out all inspections of work situations authorised by them appertaining to health and safety.
- k. Ensure so far as is reasonably practicable that all plant and equipment is properly maintained.

All Employees will:-

- a. Ensure that they understand the contents of the Council's Health and Safety Policy, a copy of which is to be readily available to all staff.
- b. Familiarise themselves with any Risk Assessments, Method Statements and workplace procedures for the work activities that they are undertaking.
- c. Raise with their Line Managers any concerns that they may have regarding the risk assessments and any shortfalls which may exist.

- d. Use the correct and safe tools and equipment for the job, also use all safety equipment/protective clothing provided, and adopt a safe method of working at all times.
- e. Keep tools, equipment, plant, machinery and protective clothing in good condition, to prevent injury to yourself and/or others.
- f. Report immediately to your line manager, or to your Safety Representative, any defects found in tools, equipment, plant, machinery, and protective clothing.
- g. Develop a personal concern for safety, both for yourself and for others around you, including young persons, work experience, temporary and casual employees.
- h. Suggest ways of eliminating or reducing hazards preferably in writing or by reporting to your Safety Representative and ensure they make a written record.
- i. Co-operate with the Councils' Senior Advisor (Health, Safety and Wellbeing) and the Section Head/Supervisor, and all other supervisory staff and Trade Union appointed safety representatives regarding safety matters.
- j. Set a personal example and ensure safe working practices are observed at all times.
- k. Be aware of and carry out the requirements of the Health and Safety legislation, relevant Codes of Practices and Safety Check Lists.
- l. Report all accidents to your line manager/supervisor whether injury is sustained or not, and enter all the details into the online accident reporting form.
- m. Acquaint yourself with all processes, materials and substances in connection with your work.
- n. In liaison with your immediate supervisor, ensure that all reasonably practicable steps are taken to protect the general public against hazards, which may be created by the workplace or activities.
- o. Attend any training designed to further the needs of health and safety.

Councils' Senior Advisor (Health, Safety and Wellbeing) will: -

- a. Be responsible to for continually monitoring and improving, the Council's health and safety standards.
- b. Ensure that the Council's Health and Safety Policy meets legislative requirements, and advise the relevant authorities immediately any deviation from these standards.

- c. Keep up to date, as far as is reasonably practicable and in conjunction with appropriate Officers, with recommended Codes of Practice and new safety literature.
- d. Advise the Council, Chief Executive, and other employees on all aspects of health and safety legislation and precautions to ensure good and safe working practices are maintained.
- e. Motivate employees at all levels in good safety practices, and to give or arrange training sessions, briefings or lectures on any health and safety aspect as required.
- f. Liaise with the Directors, Heads of Service, Managers, Team Leaders, Trade Union appointed representatives, or other employee representatives, on health and safety matters, which affect employees in their Departments.
- g. Attend meetings of Safety Committees, or other Safety Forum, which may be formed, as considered necessary by the Human Resources & Organisational Development Manager.
- h. Liaise with the Health and Safety Executive, Chief Fire Officers, Police, and other outside bodies, with a direct interest in the health and safety of the Council's employees.
- i. Carry out regular visits, inspections and audits in conjunction with the appropriate Section Head/Supervisor, to all the Council's establishments and sites to ensure compliance with the Council's Health and Safety Policy and relevant legislation.
- j. Ensure that procedures are in place to enable regular Fire Drills and Fire Alarm Tests at all of the Council's establishments to take place.
- k. Ensure in conjunction with the Directors and Heads of Service that the Council's policies and procedures are suitable and sufficient to ensure all employees are protected while at work.
- l. Review information relating to accidents, dangerous occurrences, and diseases and, where appropriate, investigate their causes and provide advice to management on the means of preventing a reoccurrence.
- m. Encourage all employees of the Council to seek health and safety advice from their Section Head/Supervisor, in the first instance.
- n. Ensure, in conjunction with Heads of Service that so far as is reasonably practicable all plant and equipment is used by the Council's employees in a safe manner.
- o. Institute and maintain a comprehensive procedure for the notification, investigation and reporting of accidents, unsafe or hazardous situations.
- p. Make reports available as necessary on health and safety matters to the appropriate Executive Directors, Directors, Heads of Service and Committees of the Council.

Trade Union Safety Representatives Will Be Afforded The Right To :-

- a. Represent employees in consultation with employers on health and safety matters.
- b. Co-operate effectively in promoting and developing health and safety measures.
- c. Make representations to the employer in writing on general matters affecting the health, safety and welfare of other persons employed at the workplace.
- d. Carry out safety inspections of the workplace.
- e. Represent their members in consultation with officers of the enforcement agencies. Receive information from Inspectors.
- f. Attend meetings of safety committees in their capacity as a safety representative.

Other Health Safety and Wellbeing Committee Members

Carry out their duties as detailed in the “Terms of Reference” for the Health and Safety Committee and its members.

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HEALTH AND SAFETY MANAGEMENT & GOVERNANCE SECTIONGeneral

The Council requires that all Committees, Officers, and employees demonstrate a high concern for all measures to secure the highest reasonable standard of health and safety at work.

The Council will, so far as is reasonably practicable, comply with all Health and Safety Legislation and Codes of Practice.

Health, Safety and Welfare Committee

Employers have a responsibility to provide employment that is safe for employees, clients and visitors. This can only be achieved with the cooperation of everyone within the Council.

In order to facilitate this, Health, Safety and Welfare Committee has been established to act as a forum for the exchange of views between employers and employees. Where there are difficulties that cannot be resolved at local level between supervisors and employees these committees also provide a route to bring to the attention of senior managers problems that may be resolved by a wider consideration.

Risk Assessment

The Council will ensure that risk assessments are completed and reviewed for all hazards arising out of or in connection with the activities undertaken by all Council Departments. Designated managers will be responsible for ensuring that risk assessments required under the various Health and Safety Regulations have been undertaken, and that the hazards identified together with the preventative and precautionary control measures have been considered and recorded. The findings of the risk assessment will be passed to employees to safeguard their health, safety or welfare and issued through safe working practices and procedures.

All Risk Assessments will be reviewed on an annual basis to ensure that they continue to be suitable and sufficient. They shall also be reviewed following any accident or incident or if there is reason to believe they are no longer valid and or there is a change in the process.

To assist Officers in carrying out risk assessments the Councils' Senior Advisor (Health, Safety and Wellbeing) will issue standard risk assessment forms along with a policy and procedure to guide managers in completing risk assessments and to ensure that all significant findings of the assessment are suitably recorded.

Employees responsible for completing risk assessments will receive appropriate training and guidance to ensure competency. Any training will be provided via the Councils Health and Safety Advisor.

Risk Assessments should be kept on file at the premises/establishment to which they relate. An electronic copy of all risk assessments shall be forwarded to the Health and Safety Advisor for review and insertion into a central file.

Any actions highlighted in the Risk Assessment will be logged on an Action plan for that particular Service Area and held centrally. A hard copy should also be available

in the work area to which the risk assessment applies in order that those staff without access to a PC can read and understand them also. When the actions have been completed they will then be signed off by the Author of the risk assessment.

Risk Assessments relating to individuals (i.e. new or expectant mothers and young persons) will be kept on file by the relevant line manager at the premises with an electronic copy being forwarded to Human Resources for enclosure into the Personal File.

When completing the risk assessment all reasonable practicable steps will be taken to avoid or reduce the risk to as low as reasonably practicable. The provision of personal protective equipment for staff to wear will only be provided as a last resort.

General Arrangements

Arrangements for the carrying out of the general policy on Health and Safety At Work

Though this policy comes under the remit of the Councils' Senior Advisor (Health, Safety and Wellbeing) some areas also come under the remit of the Property Services Team who will undertake works including the day to day management and upkeep of its buildings. They will be responsible for maintaining hard services and facilities for each premise in question or will authorise others to undertake the works on their behalf.

Fire Precautions

The Council will ensure through the management system that a full and proper fire precautions procedure is operated at all of its premises. The Council will carry out a suitable and sufficient risk assessment for each premise and work in conjunction with the County Fire and Rescue Service and seek their assistance in establishing adequate measures for fire precautions at all its premises/establishments.

Attention will be given firstly to the prevention of the outbreak of the fire and training will be given to all employees upon induction and at regular intervals. An evacuation procedure will be established for all premises and all employees will be trained in the precautions operating at their place of work and in its operation.

Fire drills will be held at least twice yearly at all premises. These will be coordinated with the Councils' Senior Advisor (Health, Safety and Wellbeing), Premises Manager and where necessary the Property Services team. A record of the drill including participants' names will be kept on site at all premises wherever possible. Following any such evacuations a full debrief will be held to establish where improvements can be made.

The Council will ensure that adequate fire fighting equipment is made available in all its premises and as required by the fire risk assessment, or as recommended by the County Fire Safety Officer. All such equipment will be adequately maintained by a competent contractor. All other fire precautions equipment (e.g. fire alarms, emergency lighting) will also be maintained at the required intervals by appropriate Contractors appointed by the Council.

The Council will ensure that any equipment is suitably maintained and will ensure that the weekly and monthly testing is carried out by authorised persons. Any problems identified during the testing process need to be reported as soon as possible.

All such firefighting equipment will be maintained under a service contract arranged by the Council at suitable intervals i.e. a minimum annually. All such works will be recorded in the onsite Log Book.

First Aid

The Council shall assess its requirements to provide first aid at each premise/establishment to ensure it meets the requirements of the First Aid at Work Regulations 1981.

The outcome of the assessment shall ensure that the number of qualified first aid personnel, appointed people and first aid facilities are appropriate for each premise.

The first aiders and appointed persons will ensure that the first aid boxes are stocked with adequate first aid materials. Stocks will be made available at all sites to ensure the prompt replenishment of the first aid kits.

In council premises where defibrillators are located, a local risk assessment conducted by a competent person, will identify the number of employees required to be trained in order to ensure its safe use.

Accident reporting

All accidents, ill health, violent incidents or dangerous occurrences that occur at, or as a result of, work for the Council must be reported immediately. All injured employees involved in such incidents should report them verbally to their line manager and in writing by completing the e-form on the intranet in the first instance or in the accident book at the respective site. These should all be forwarded to the Councils' Senior Advisor (Health, Safety and Wellbeing) upon completion.

Investigations will take place as deemed necessary by either Managers or the Councils' Senior Advisor (Health, Safety and Wellbeing) or both. Violent incidents should be recorded also and are available from line managers, and the Council's intranet site.

Workplace

As an employer the Council is required to provide a safe and healthy working environment for all staff. All such premises will be maintained by the Council and they will ensure that they are kept in good working order and shall ensure the following:-

- All areas will be kept at a reasonable working temperature for the work activities being undertaken.
- Lighting shall be suitable and sufficient for the areas and work activities. The workplace, furniture and fittings shall be kept sufficiently clean.
- Floors shall not be slippery and wall surfaces shall not increase fire risks.
- There will be adequate workspace for all members of staff to carry out their duties.
- Waste will not be allowed to accumulate and suitable receptacles shall be provided to contain the waste.
- Seating shall be provided where work can or must be done sitting and shall be suitable for the person as well as the work.

Display Screen Equipment

All reasonably practicable steps will be taken by the Council to secure the health and safety of employees who work with display screen equipment (DSE).

The Council will, in consultation with employees:

- a. carry out an assessment of each workstation, taking into account the DSE, the furniture, the working environment and the employee.
- b. take all reasonably practicable steps to remedy any risks found as a result of the assessment.
- c. take measures to incorporate breaks and/or changes of task, where necessary, within the working day, in order to prevent intensive periods of on-screen activity.
- d. review software to ensure suitability for the task.
- e. arrange for the provision of eye and eyesight tests prior to employment and at regular intervals thereafter and where a visual problem is experienced.
- f. arrange for the free supply of basic corrective appliances (normally glasses) where required specifically for working with DSE.
- g. Inform employees working with DSE, of the risks to health and how these are to be avoided.

Homeworking

Some members of staff are permitted to work from home on occasion. Any such works should only be undertaken for security reasons on a Council issue Laptop.

All homeworkers should consider the safety and security of the equipment they are using along with any documents which may contain personal information.

Any member of staff working remotely when setting up their workstations should consider the following:

- Glare from windows and lighting in the room where they will be working.
- They are able to sit and work comfortably at a desk or table and not be having to overstretch, sit awkwardly in able to work.
- That they are able to take regular breaks away from their screens in order to avoid eyestrain.
- The DSE Assessment undertaken on their own workstation in the office.

Manual Handling

The Council will ensure that the Manual Handling Operations Regulations 1992 are complied with by ensuring that:-

- Suitable and sufficient assessments are completed for all workplace manual handling activities.
- Hazardous manual handling operations are avoided so far as is reasonably practicable,
- The risks of injury are reduced so far as is reasonably practicable,
- Where possible mechanical lifting devices will be provided, and staff trained in there safe operation.
- All employees who carry out manual handling operations have received suitable training which will be refreshed every three years.

Control of Hazardous Substances

The Council is required to assess the workplace, task and/or activity, with a view to ensuring that neither the employer, employees nor any other person (whether at work or not) are exposed to any substance that may be hazardous to their health arising from any of the practices carried out or any substances used.

In order to do this an assessment of the risks to health must be made and include the following information which can be obtained from the Material Safety Data Sheet and the activity being undertaken:

- The nature of the risk - whether it is a substance or something that evolves from a practice that is carried out.
- The product and its active ingredients.
- The safe use of the substances.
- First aid procedures.
- Emergency Procedures.
- Safe disposal.

During the examination of the workplace the Council must determine whether employees are exposed to hazardous substances and if their health is affected. If so then the health of the employees will be monitored and recorded.

The COSHH assessment will be:-

- permanently recorded;
- reflect the details provided on the Material Safety Data Sheet provided by the product manufacturer.
- revised whenever there are any changes;
- brought to the attention of all employees;

Personal Protective Equipment

Employees will be provided with any protective clothing and equipment identified as being necessary to protect their health and safety whilst undertaking their normal work duties. This will be at no cost to the individual concerned and will be supplied on the commencement of their employment.

A Risk Assessment should be undertaken to ensure that the provision of Personal Protective Equipment is only used as a last resort where all other control measures have been considered. Staff who are required to wear Personal Protective Equipment as part of their role for whatever reason will be provided with training in the safe and proper use of such equipment.

Managers/Supervisors will ensure as far as is reasonably practicable that their employees make proper use of the protective equipment made available to them and provide replacement equipment when circumstances require. It is the responsibility of all employees to use protective equipment provided to them and to report to their line manager any loss or defect of such equipment.

Plant and Equipment

The Council will ensure that all plant and equipment is maintained in a safe condition and without defects likely to cause a risk to the health and safety of any employee.

All items of work equipment which are subject to a statutory inspection, such as lifts, hoists, pressure systems, abrasive wheels etc. will be maintained on a planned basis and also inspected by the Councils Insurance Engineer to comply with the Provision and Use of Work Equipment Regulations 1998 and the Lifting Operations and Lifting Equipment Regulations 1998.

All plant and equipment will be maintained in accordance with the manufacturer's instructions to ensure its safe operation. In some circumstances this will involve the use of Specialist organisations with the experience and expertise.

The Council will only purchase work equipment that meets the minimum required standards laid down by the European Union and which is marked with CE logo and/or the appropriate British Standard.

All employees will receive the necessary information, instruction, training and supervision to ensure the safe operation of work equipment in line with procedures and safe working practices. No persons shall be permitted to operate any work equipment prior to them receiving the necessary training or if they under the Supervision of a training provider.

Lifting Equipment and Statutory Inspections

All Lifting Equipment is subject to Statutory Inspections and maintenance by a competent person in order to ensure that it continues to meet the necessary standard.

Any Lifting Equipment which is required to lift persons is subject to 6 monthly inspections which includes passenger lifts, hoists etc. All other equipment is subject to annual inspection.

The majority of such equipment will be regularly inspected via the Council's Insurer and the report will be recorded onto the appropriate computer system.

Electricity

The Council will ensure that the electrical installation at all Redditch Borough Council premises/establishments are maintained and tested at appropriate intervals to ensure safety and a certificate of satisfaction is provided by a competent electrician at least once every five years, and following any alterations etc. to the electrical installation.

All persons engaged by the Council to carry out any electrical or electrically related work will only carry out such work if they are competent to do so, and work within the limitations of their training, experience and expertise.

Where any work involves live or high voltage electricity a permit to work will be issued by a member of staff with appropriate competencies and will be authorised by the Council to undertake such works.

For any operation that requires a permit to work then the instructions as laid down by such a permit will be strictly adhered to and never deviated from unless the issuer of the permit agrees and gives written consent.

Records of any maintenance or inspection to the electrical installation or portable appliances will be kept at the premises/establishment to which the electrical maintenance relates. A copy will also be held electronically on the Councils computer system.

Portable electrical appliances will only be used for the purpose for which they were intended and in the environment for which they were designed and constructed.

Any faults to electrical appliances must be reported to the management and the equipment taken out of use immediately. Appropriate steps should be taken to prevent the equipment from being used again until a competent electrician repairs it.

Noise at Work

Where exposure to noise exists and there is a risk of damage to hearing of members of staff, action will be taken in regard to noise prevention control in accordance with the Control of Noise at Work Regulations 2005.

An assessment of the noise levels in working areas will be carried out. Where exposure is at or above any of the action levels, employees will be informed that there is a noise hazard and given instructions on what to do to keep the risk at a minimum. Where employees have to work in noise hazardous areas, ear protectors (ear defenders or ear plugs) will be provided. These, however, will not be regarded as a substitute for noise reduction.

The Council will reduce the noise at source wherever possible and where necessary, provide technical and engineering controls to methods such as soundproofing and enclosure and by quieter equipment, machines and processes.

Vibration at Work

Where members of staff are exposed to levels of Vibration during the course of their work action will be taken in regard to reducing the level of exposure to as low as reasonably practicable in accordance with the Control of Vibration at Work Regulations 2005.

Staff can be subject to Hand Arm Vibration and or Whole Body Vibration which can be caused by them operating work equipment. In order to reduce the risk levels to as low as reasonably practicable all work equipment shall be subject to regular maintenance and inspection.

When purchasing new equipment due consideration shall be made to purchase equipment which only produce levels of vibration within the recommended limits. Information regarding the level of vibration produced is readily available from equipment manufacturers.

All those who may be affected by Vibration in the workplace will be subject to health surveillance by the Council's Occupational Health provider at the appropriate intervals. A copy of any such reports will be held on their personal file held within the Human Resources Department.

Control of Contractors

Redditch Borough Council recognises the need to ensure the health and safety of persons other than its own employees who may be affected by its work activities. All

reasonable effort will be made to liaise with Contractors to ensure that everyone is complying with the same standards of health and safety.

The Council is responsible for ensuring the suitable selection and authorisation of Contractors in most circumstances for Council premises. However on occasion there may be circumstances where there is a local arrangement. In these circumstances the advice of the Councils' Senior Advisor (Health, Safety and Wellbeing) or other appropriate persons may be needed prior to any works starting.

All Contractors and sub-contractors, whilst working for the council will abide with all relevant Health and Safety legislation and any site rules where they are working. Failure to do so will lead them to being asked to leave site.

Line manager's will, where appropriate, ensure that proper arrangements are made to control contractors entering their premises or onto their site. If major work is to be undertaken then the Councils' Senior Advisor (Health, Safety and Wellbeing) or must be notified in writing, so that any technical health and safety information, which is required, can be brought to their attention as soon as possible.

Managers must ensure that any contractors' works being conducted within their work area is carried out in a safe manner. It is the aim of Redditch Borough Council to promote co-ordination and co-operation of health and safety arrangements between the two employers sharing the workplace.

All employees, including contractors will ensure that every effort is made to protect service users/members of the public from the contractors' activities and further to ensure a courteous approach with the minimum possible disruption as far as is possible.

All employees, including contractors will be advised of their legal duty by the contract officer to carry out their work operations in a safe manner, and to co-operate with the Council.

All contractors will be advised that under no circumstances will they be permitted to allow untrained, inexperienced or uncertified (where applicable) persons to work on the Council's sites unless they are properly supervised or undergoing appropriate training.

The Councils employees will be made aware of any work operations or processes by contractors which may affect their health, safety or welfare and be given adequate warnings, notification and instruction of any likely hazards which contractors operations may create, wherever necessary or required.

Wherever practicable all operations carried out by contractors will be securely isolated by fencing or barriers and appropriate warning signs will be displayed.

Working at Height

Work at height means work in any place where, if there were no precautions in place, a person could fall a distance liable to cause personal injury. The Council will ensure that the Work at Height Regulations 2005 are complied with by ensuring that:

- staff are able to avoid working at height where it is reasonably practicable to do so;

- where work at height cannot be avoided, prevent falls using either an existing place of work that is already safe or the right type of equipment;
- minimise the distance and consequences of a fall, by using the right type of equipment where the risk cannot be eliminated.

The Council and those in control of any work at height activity must make sure work is properly planned, supervised and carried out by competent people. This includes using the right type of equipment for working at height.

The Council will make sure that people with sufficient skills, knowledge and experience are employed to perform the task, or, if they are being trained, that they work under the supervision of somebody competent to do it.

The Council will always consider measures that protect everyone who is at risk (collective protection) before measures that protect only the individual (personal protection). Collective protection is equipment that does not require the person working at height to act to be effective, for example a permanent or temporary guard rail.

Control of Asbestos

The Council has a number of buildings which contain Asbestos which is currently controlled under an Asbestos Management Plan for those affected buildings. The Council will ensure the maintenance and upkeep of the management plan is kept current.

Some members of staff due to their work may also come into contact with Asbestos outside of the Council. Where possible the Council will take every step to avoid staff members being exposed as part of their job. If a member of staff believes that they have been exposed to Asbestos during the course of their work in the first instance they should report it to their Line Manager and the Councils' Senior Advisor (Health, Safety and Wellbeing).

If someone is exposed to Asbestos during the course of their working lives it is highly unlikely that it will be detected for a number of years (15-40). Therefore the Council will make a note and record the details of any potential exposure onto someone's personal file which should be kept for at least 40 years even if they leave the employment of the Council.

Construction Design and Management Regulations

The Council will from time to time undertake building and refurbishment of Council premises. If the works is likely to run for more than 30 days or 500 man hours it will be subject to the CDM Regulations 2015 and need to be reported to the Health and Safety Executive on a form F10.

Needle Stick Injuries

The Council is committed to the highest possible standard of health, safety and welfare for all of its employees. It acknowledges the health hazards arising from needle stick injuries and shall take all reasonable steps to protect those employees that come into contact with needles and syringes.

When a hypodermic punctures the skin, cross contamination can occur between the user of the needle and the person pricked or cut with the needle.

A risk assessment will be carried out to assess if there is a risk of needle stick injury. If there is found to be a risk then the Council will implement suitable control measures to safeguard employees.

Driving for Work

As part of their normal duties members of staff may be required to drive whether it be using their own private vehicle or a vehicle provided by the Council.

Where persons are driving their own vehicle it should be insured for business use with their own Insurers and have the necessary road tax and hold a valid MOT Certificate where necessary. It is the responsibility of the vehicle owner to ensure that the vehicle is fit for use and suitably maintained.

Where company vehicles are provided all drivers must hold the necessary Licences in order to be able to drive the vehicles and a copy of which should be held by their Line Managers. The Council will ensure that all such vehicles are Insured etc to meet the needs of the business. The Council will also ensure that the vehicle remains in a roadworthy condition and is suitably maintained.

Where persons are required to drive as part of their work a Risk Assessment needs to be undertaken to ensure that the activity is as safe as practicable and it should also take into consideration the vehicles provided are fit for the job.

Mobile phone

Members of staff may be required either their own or a work issue mobile phone as part of their work so that they can be contacted during the course of the day.

Where members of staff are away from their desk and driving a vehicle private or otherwise they are not permitted to make and or receive a telephone call on their mobile phone.

Please refer to the Councils Mobile Phone policy for further information.

Lone Working

On occasion due to the needs of the business staff will be expected to work alone whether it be in one of the Council premises or out doing visits. All Managers whose staff are expected to undertake Lone Working as part of their duties shall undertake a suitable and sufficient risk assessment of any such activities. The findings of these risk assessments should then be communicated to those members of staff affected.

Where a member of staff does not feel comfortable undertaking an activity alone they should discuss this with their Manager who will then wherever possible ensure that they are accompanied by another member of the team or an alternative visits/meeting will be arranged.

The Council has a system in place via "Lifeline" where members of staff can register with them if they are Lone Working whether it be during the day or out of normal office hours. This system is monitored 24/7 and is available for all staff to use and therefore it is strongly recommended that all such staff make use of this system.

Violent and Challenging Behaviour

Where there have been issues in the past with a member of the public and or a residential address a report should be made to their Line Manager in the first instance. If it is deemed appropriate an entry will be made on the Staff Safety Register.

Any persons who experience such behaviours should complete the reporting form which is available on the Orb. The persons Line Manager and Service Manager will then work with the Councils' Senior Advisor (Health, Safety and Wellbeing) to ascertain what additional controls may be needed. Further information and guidance can be found in the Staff Safety Register Guidance and Procedures which is available on the Orb.

Those members of staff who are required to go out into the Community and visit members of the public and their properties should consult the Staff Safety Register and undertake an address search to check for any known problems.

A record will be maintained of all incidents of violence and challenging behaviour directed against employees and all incidents shall be investigated.

Health Surveillance

Due to the nature of the work of some staff there is a requirement for Health Surveillance. This will have been identified via the Risk Assessment process and all staff affected should be advised.

The Councils' Senior Advisor (Health, Safety and Wellbeing) in conjunction with the Human Resources Department will ensure that those affected are referred to the Councils Occupational Health Provider at appropriate intervals.

Where Health Surveillance is provided all details will be handled in the strictest confidence. Any such reports produced will be discussed with the member of staff involved and a copy kept on their Personal File.

Where it is deemed that a record must be kept of such reports past when a member of staff leaves the employment of the Council this will be marked on their personal file to avoid destruction under the retention and disposal schedule.

Training

Health and safety training needs of individual employees will be assessed by their line manager. Where a specific need is identified managers will make a written request and submit it to the Training & Organisational Development Adviser and the Councils' Senior Advisor (Health, Safety and Wellbeing) for consideration.

Whereby members of staff need to renew any training which they have received and is relevant to the role that they are currently in it will be arranged via the Training & Organisational Development Adviser.

All managers with health and safety responsibilities within the Council will be provided with training on health and safety in order to enable them to manage safety within the workplace.

The Council will provide basic health and safety awareness training to all employees as part of their induction training and on-going refresher training. Line managers will identify the health and safety training needs of their employees and will provide basic health and safety information to new employees relative to their own working area and duties e.g. fire evacuation, toilet and welfare facilities, risk assessments work procedures etc. (NOTE: this is not a definitive list).

All training courses provided by the Council can be found on the Intranet pages. Where a more bespoke course is required in order to meet the needs of particular service areas a specific request should be made to the Council's Health and Safety Advisor in writing.

Procedures for identifying and dealing with priorities

Managers will prioritise and deal with safety matters within their own area of responsibility and make arrangements to rectify matters relating to health and safety. Where the matter cannot be dealt with locally then the issue must be reported to their line manager immediately.

Senior Management will prioritise health and safety issues of a general nature that potentially have a corporate effect and which involve policy decisions. It is recognised that Strategic Management Team may not be able to resolve some health and safety issues and as such will refer them to Council for consideration and prioritising.

Monitoring Health and Safety Performance

Managers/supervisors of their respective departments will carry out active monitoring of health and safety through review of risk assessments to ensure that standards are being maintained and management controls are working.

The Council's Senior Advisor (Health, Safety and Wellbeing) will monitor health and safety standards within the Council to ensure that health and safety legislation is complied with and work with Managers to address any shortfalls.

Reactive monitoring will also be undertaken when something goes wrong, this will include accident, illness, property damage and near miss investigations.

APPENDICES

Redditch Borough Council's Health and Safety Policy will be supported by other Service and Division policies and procedures, safe working practices, working copies of all relevant manuals, logs and forms, covering many aspects of health and safety. These documents will be kept in each departmental health and safety file

The Council may add to, delete or amend procedures from time to time. Each new or amended Policy/Procedure will, following the relevant consultation process be brought to the attention of all employees.

The Health and Safety Policy is also supported by:-

- Terms of Reference for the Health and Safety Committee
- Health and safety training courses

For further information on this policy please contact:

Councils' Senior Advisor (Health, Safety and Wellbeing)
HUMAN RESOURCES AND ORGANISATIONAL DEVELOPMENT SERVICES

Based at:
THE TOWN HALL
REDDITCH BOROUGH COUNCIL
WALTER STRANZ SQUARE
REDDITCH
WORCESTERSHIRE
B98 8AH

Telephone: 01527 64252 ext. 1398

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REDDITCH BOROUGH COUNCIL**EXECUTIVE
COMMITTEE**6th June 2017**COMMUNITY ENGAGEMENT STRATEGY**

Relevant Portfolio Holder	Cllr John Fisher
Portfolio Holder Consulted	Yes
Relevant Head of Service	Deb Poole, Head of Business Transformation & Organisational Development
Ward(s) Affected	All
Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To agree for recommendation to Council the new Community Engagement Strategy.

2. RECOMMENDATIONS

- 2.1 **The Committee is asked to RECOMMEND to the Council**

that the Community Engagement Strategy attached at Appendix 1 be approved and adopted.

3. KEY ISSUES**Financial Implications**

- 3.1 There are no financial implications arising directly from this report; however, having a robust Community Engagement Strategy will help the Council to understand the needs of residents supporting the design and delivery of more relevant, coordinated and appropriate services, which are generally more cost effective. Working towards the aims of the strategy could also be beneficial in regards of the council's reputation and may help to reduce potential complaints.

Legal Implications

- 3.2 The Community Engagement Strategy addresses the legal standards surrounding consultation, including the doctrine of legitimate expectation (common law) and the Gunning Principles (1985).
- 3.3 Other specific legislation, including the Local Government Act 1999 and the Equality Act 2010 must be taken into account where appropriate.
- 3.4 Certain functions of the Council, including planning, housing and community safety have statutory requirements to consult.

REDDITCH BOROUGH COUNCIL**EXECUTIVE
COMMITTEE**6th June 2017

- 3.5 Failure to consult or inadequate consultation could leave the Council open to challenge through a judicial review.
- 3.6 The strategy will be reviewed every four years or sooner to comply with changes to the law or policy and practice.

Service / Operational Implications

- 3.7 The strategy will help all parts of the Council, staff and Elected Members, in ensuring that we design and deliver appropriate services which meet the needs of our communities. It will also help in providing a clear direction for service areas around community engagement and the support available.
- 3.8 The strategy includes the Council's draft approach to Tenant Involvement and Engagement (Appendix 1 of the strategy). This has been developed with Housing Services and has been considered at the Housing Strategy Group.
- 3.9 Consultation on the strategy was also undertaken with several service managers/officers, including the Community Safety Manager and the Senior Marketing and Communications Officer. The Unison representative has been consulted on the strategy and expressed support for the content and structure.

Customer / Equalities and Diversity Implications

- 3.12 The Community Engagement Strategy sets out our approach to enabling residents and customers to be informed, involved, share their opinions and influence decision making. The Systems Thinking approach that the Council has adopted necessitates looking at what we do from the customers (or residents) point of view and understanding their different and sometimes multiple needs (including those who do not actively engage with the Council). By listening to residents and customers and recognising different needs, the Council will be better placed to design and deliver appropriate, coordinated and relevant services to the communities it serves.
- 3.13 The strategy supports the Council's approach to equality and diversity and will form overarching principles for how we engage all members of our community. Consultation and engagement are a key process in considering the equality impacts that decisions and policies may potentially have on the public.

4. RISK MANAGEMENT

- 4.1 There are no risk management implications arising directly from this report.

5. APPENDICES

Appendix 1 - Draft Community Engagement Strategy

**EXECUTIVE
COMMITTEE**

6th June 2017

AUTHOR OF REPORT

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**Redditch Borough Council
Community Engagement Strategy**

2017-2020

1. Why engagement?

Redditch Borough Council wants to ensure that people feel well informed about local issues, have opportunities to get involved, influence local decision making and to tell the Council what they think about its policies, procedures, service delivery and work with partner organisations.

Community engagement helps the Council to understand different views within the community. Ensuring that the needs of groups or areas that are harder to reach or do not traditionally engage with us are not overlooked is really important. By identifying the 'cold spots' in demand data the Council can start to understand the barriers that might be stopping certain voices being heard. We also need to use the most appropriate engagement technique/s so we get meaningful data. This will help the Council to make better decisions and meet the needs of our communities more effectively. Community engagement is vital if we are to deliver the strategic purposes and priorities of the Council as there are elements of our work which can only be understood by engaging directly with our communities.

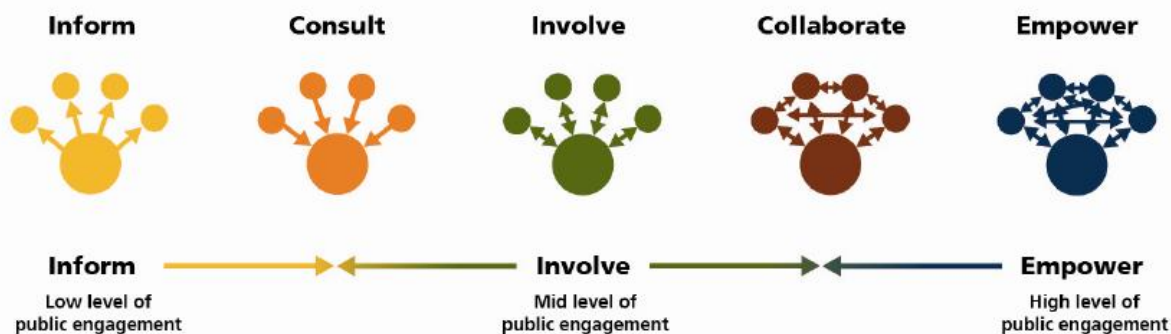
The purpose of this Community Engagement Strategy is to build on the good practices that already exist within the Council; plan a way forward for engaging with local people in the future and ultimately increase the number and diversity of people who engage with the Council. Community engagement is a powerful tool that can provide invaluable information and help to build confidence within the community but only if it is conducted in a meaningful manner; engagement must always have a purpose and we must be able to demonstrate the impact the responses have had on our decision making.

2. What do we mean by 'community engagement'?

Community engagement is about giving people the confidence, skills and power so they can get involved, shape and influence the planning, development and delivery of services. Delivering engagement activities can take many different forms and the level of involvement can vary greatly.

One way to think about community engagement is as a set of steps ranging from providing information right up to decision making responsibilities.

Every type of involvement is important in the community engagement process and different methods will be used depending on the activity and circumstances. Sometimes it may be appropriate to inform or consult on some activities, while at other times involving communities and individuals in much greater depth would be more appropriate.



Inform
Where local people are given a wide range of information on issues affecting them, such as how to access public services, how they are performing or proposed changes to how a service is delivered, but are not invited to influence them directly.
Methods can include
<ul style="list-style-type: none"> Posters, postcards, fliers, banners, newsletters, advertising, press releases, email, texts alerts, Twitter, web updates, Facebook, podcasts Information stalls/ roadshows, public meetings
Consult
This happens when the views of local people are appropriately sought to influence decision making processes about issues that might affect them. This could be a future change to a service or an area specific issue.
Methods can include
<ul style="list-style-type: none"> Questionnaires, surveys, interviews, resident/citizen/user panels, community groups consultation events, workshops Online consultation- using SmartSurvey platform
Involve
Where local people influence issues such as service delivery and design on a borough-wide or more local basis by being included in decision making. Involvement may be ongoing and give opportunities for the community to put forward ideas, options and actions.
Methods can include
<ul style="list-style-type: none"> Community led plans (e.g. parish plans/neighbourhood plans) Comments, complaints, petitions, existing demand data, interaction with Members of Parliament, elected District/Borough Councillors
Collaborate
Where both the council and the community are working in partnership on all aspects of decision making including the development of options and identifying preferred solutions.
Methods can include
<ul style="list-style-type: none"> Focus groups Community needs analysis
Empower
This is where communities are empowered to make decisions and take control of projects and service delivery.
Methods can include
<ul style="list-style-type: none"> User led commissioning e.g. delegated budgeting, community asset transfer or direct service delivery

3. What do we mean by community?

A community is not always determined by a geographical area; therefore understanding how the community is defined is key to planning and delivering effective engagement. Ways to define a community include:

Community of place or neighbourhood: A community linked to a particular geographical location such as a ward, village, market town or a housing estate. This location will usually have physical boundaries although they are not always obvious to people who do not live there.

Community of interest: A group of people with a shared interest or experience. A community of interest includes service users (for example, tenants of the council) as well as people interested in a particular issue (for example climate change).

Community of identity: A community that is defined by how people identify themselves or how they are identified by society, usually by demographic characteristics (for example, young people, faith groups, older people, black and minority ethnic people, lesbian, gay, Bisexual and transgender people).

Generally, people do not associate themselves to just one community, but to several different communities at any one time. This can relate to where they live, work and their interests. So it is important to let people define for themselves which communities they wish to be identified with.

4. Legal standards

Certain functions of the Council are subject to statutory requirements to consult and there is specific legislation that needs to be taken account of, including the Local Government Act 1999 and the Equalities Act 2010. Community Engagement is particularly important when making difficult financial decisions; if we are proposing to stop, reduce or change a service then we need have relevant evidence as to how we have engaged with communities who are potentially affected by the proposal.

Doctrine of legitimate expectation (common law) (taken from LGA Guide to Engagement February 2017)

It is now seen as common law that consultees have the right to expect a fair process which incorporates guidance and management promises. The legitimate expectation applies:

- when there has been a clear promise of consultation
- where official guidance or policies imply a promise to act in a particular way
- where there is a withdrawal of a benefit with significant impacts to be considered
- where the nature of the relationship would create unfairness if there were to be inadequate consultation.

Where people have come to legitimately expect a process of consultation there are grounds for a judicial review should a public consultation not take place. A consultation must also be conducted properly should the choice be taken to embark on one (whether a legal requirement exists for it or not).

The Gunning Principles (1985)

The Gunning Principles define that a consultation is only legitimate when these four principles are met:

1. **proposals are still at a formative stage** A final decision has not yet been made, or predetermined, by the decision makers
2. **there is sufficient information to give 'intelligent consideration'** The information provided must relate to the consultation and must be available, accessible , and easily interpretable for consultees to provide an informed response
3. **there is adequate time for consideration and response** There must be sufficient opportunity for consultees to participate in the consultation. The length of time given for consultee to respond can vary depending on the subject and extent of impact of the consultation
4. **'conscientious consideration' must be given to the consultation responses before a decision is made** Decision-makers should be able to provide evidence that they took consultation responses into account

The Gunning Principles have formed a strong legal foundation from which the legitimacy of public consultations is assessed, and are frequently referred to as a legal basis for judicial review decisions.

5. Benefits of effective community engagement

There are benefits to both the council and the community when engagement activities are delivered well. Community engagement helps the Council to:

- better understand and respond to the needs of local people;
- be more accountable to local people;
- plan and deliver better services;
- make more efficient use of public resources;
- take transparent decisions based on strong evidence;
- build strong and positive relationships within and between local communities;
- test out ideas and explore emerging issues;
- measure the performance of the Council in delivering services;

The local community will:

- have a greater say and choice in the design and delivery of local services
- develop new skills and expertise
- become better informed about the Council's work.

However, engagement activities which are done badly can lead to misleading results, undermine the whole process and reduce the prospect that people will engage again. Engaging with the public when a decision has already been made is pointless and could mean that relevant and potentially costly issues are missed. It is much easier to address issues before decisions have been made as they can be incorporated into a new service design or policy proposal.

There are also times when community engagement is not appropriate, for example:

- If the decision is under strict direction from Government
- If we have already recently asked for views on a similar topic
- If the Council is in the process of implementing plans that have previously been adopted and to which it has committed significant resources.

6. How are we going to deliver this strategy?

This is the responsibility of the whole Council, as ensuring that we understand the issues affecting our residents and customers is essential if we are to deliver effective and targeted services. This is particularly relevant when making difficult financial decisions; if we are proposing to stop, reduce or change a service then we must have the relevant evidence to justify this. This is where community engagement linked to other areas such as system performance, communications, equalities and customer service.

Targeted community engagement must be led by the relevant service area as they are the experts in their field, enabled by the Policy Team, who can support with the development, implementation and analysis of engagement activities. Community engagement also forms a statutory requirement for service areas such as community safety, planning (articulated through the Statement of Community Involvement) and housing services, in the Council's role as a landlord (requirements under the HCA Tenant Involvement & Engagement Standard are addressed in Appendix 1). Corporate engagement activities will involve key officers and stakeholders to ensure that these opportunities provide the Council with the most relevant and timely evidence possible.

Elected Members are a key part of engagement with communities; managers and the Policy Team can support Councillors with engagement activities and the scrutiny process allows formal consultation and engagement to inform and influence decision making.

To ensure consistence, the following principles set out how we are going to make certain that our engagement activity is flexible, focused and appropriate for the diverse needs of the communities. To achieve this, the Council will:

- Develop a strategic approach that provides clear guidance and promotes successful engagement across all service areas.
- Plan and co-ordinate activities, the use of resources and, where possible, work collaboratively.
- Actively encourage involvement from all communities, including those from traditionally 'hard-to-reach' groups.
- Use the most appropriate method to consult and engage making the experience interesting, relevant and worthwhile for participants.
- Develop and implement new approaches to how we carry out engagement activities.
- Communicate results and ensure that the outcomes are used to inform the Council's policies and decision-making processes.
- Use the information from our engagement activities, alongside other evidence, to inform the design and delivery of effective and efficient services, within our current financial constraints.

7. Measuring our progress

It is important to know whether this strategy is making a difference and that we are working to our principles. Examples of ways we can measure success will include:

- Responses received to our engagement activities
- Attendance at council committee meetings
- Statistics from the website
- Statistics from Facebook and Twitter

8. How to contact us

To give us your views, get involved or for further information please contact the Policy Team at policy@bromsgroveandredditch.gov.uk or 01527 548284

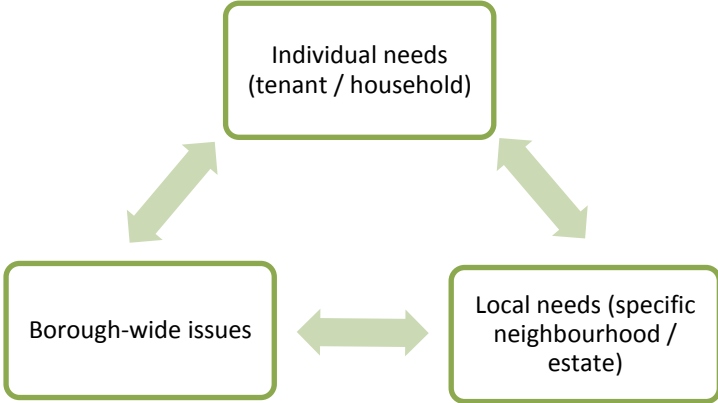
To find out about the councils engagement activities please contact us or just go to www.redditchbc.gov.uk/consultations

If you need this information in another language or format, please contact us to discuss how we can best meet your needs.

Email: equalities@bromsgroveandredditch.gov.uk or Phone: 01527 548284

Appendix 1

Tenant Involvement & Engagement

1. Redditch Borough Council is committed to engaging and empowering our tenants, enabling them to be involved in decision making around their homes and communities. This could be through specific project work that relates to their neighbourhood or estate or through involvement in the scrutiny of service delivery and reform. The council will also provide opportunities for tenants to contribute to the range of engagement activities that are delivered across council services. Understanding the needs of tenants and how the Council can respond to these needs is fundamental. These needs can be broken down into three tiers:
2. Tenant engagement is aligned with the Community Engagement Strategy and, in line with the HCA Tenant Involvement and Empowerment Standard, the council will:
 - Develop a strategic approach that provides clear guidance and promotes successful engagement across all service areas, that recognises the specific needs and issues of tenants
 - Actively encourage involvement from all communities and ensure that the diversity and diverse needs of tenants are understood and responded to
 - Engage with tenants as to how they would like to be involved with governance and scrutiny, using the most appropriate methods to consult and engage to make the experience interesting, relevant and worthwhile for tenants. Engagement activities include representation on Redditch Community Forum and ensuring tenant collaboration on new housing developments
 - Enable tenants to influence the formulation of housing related policies and strategic priorities and to influence the design and delivery of the service and service standards, within our current financial constraints
 - Undertake a Tenants Survey every year, with targeted engagement around estate enhancement projects or community concerns
 - Communicate housing performance information and consultation results and ensure that the outcomes are used to inform the Council's policies and decision-making processes
 - Support, where appropriate, tenant development through training and capacity building to enable meaningful engagement and effective challenge
3. Tenant engagement will be led by Housing Services as they are the experts in their field, enabled by the Policy Team, who will support with the development, implementation and analysis of engagement activities.

REDDITCH BOROUGH COUNCIL**EXECUTIVE
COMMITTEE**6th June 2017**EQUALITY STRATEGY**

Relevant Portfolio Holder	Cllr John Fisher
Portfolio Holder Consulted	Yes
Relevant Head of Service	Deb Poole, Head of Business Transformation & Organisational Development
Ward(s) Affected	All
Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To agree for recommendation to Council the new Equality Strategy.

2. RECOMMENDATIONS

- 2.1 **The Committee is asked to RECOMMEND to the Council**

that the Equality Strategy attached at Appendix 1 be approved and adopted.

3. KEY ISSUES**Financial Implications**

- 3.1 There are no financial implications arising directly from this report; however, having a meaningful Equality Strategy will ensure that the Council considers equalities issues as an employer and deliverer of services. This will contribute towards the delivery of more relevant and appropriate services, which are generally more cost effective. Working towards the aims of the strategy could also be beneficial in regards of the council's reputation and may help to reduce potential complaints.

Legal Implications

- 3.3 The Equality Strategy contributes to how we meet the Public Sector Equality Duty established in the Equality Act 2010.

It requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people who share a protected characteristic and those who do not; and

REDDITCH BOROUGH COUNCIL**EXECUTIVE
COMMITTEE****6th June 2017**

- foster good relations between people who share a protected characteristic and those who do not

The Council must be able to evidence *how* due regard has been taken in regards to decision making and service change through the consideration of equality impacts in terms of the Council's role as a deliverer of services and as an employer.

When procuring or commissioning services to be delivered by a third party on our behalf, the requirements of the Act are still the responsibility of the Council.

In addition, public authorities also have specific duties and must do the following:

- publish equality information at least once a year to show how they've complied with the equality duty
- prepare and publish equality objectives at least every four years

The publication of our Equality Strategy will support us in meeting the general and specific duties placed on us as part of the Equality Act (equality objectives are included as appendix 1 of the strategy).

- 3.4 The strategy reinforces previous work around the Equality Act 2010 which included an extensive programme of workshops during 2013 and 2014. Further training/workshops will be scheduled during 2017; this will be delivered alongside Dignity at Work content.
- 3.5 The strategy will be reviewed every four years or sooner to comply with changes to the law or policy and practice.

Service / Operational Implications

- 3.6 The strategy will help all parts of the Council, staff and Elected Members, in ensuring that we deliver appropriate services which meet the needs of our communities.
- 3.7 The strategy will help to reinforce the Council's responsibilities as an employer, detailed further in Appendix 2, the draft Equal Opportunities Policy (please note; this Policy has had only a minor amendment to wording in section 4 'Protected Characteristics' since adoption in 2015 to reflect changes to accepted terminology. The change has been highlighted for clarity).
- 3.7 The Unison representative has been consulted on the strategy and expressed support for the content and structure.

REDDITCH BOROUGH COUNCIL**EXECUTIVE
COMMITTEE****6th June 2017**

- 3.8 Consultation on the strategy was also undertaken with several service managers/officers, including the Community Safety Manager and the Senior Marketing and Communications Officer.

Customer / Equalities and Diversity Implications

- 3.9 The Equality Strategy sets out our commitment for progressing equality over the next four years. The Systems Thinking approach that the Council has adopted necessitates looking at what we do from the customers (or residents) point of view and understanding their different and sometimes multiple needs (including those who do not actively engage with the Council). By recognising these different needs, the Council will be better placed to design and deliver appropriate and relevant services to the communities it serves. The strategy strengthens the Council's commitment to treating our residents and customers fairly and with respect.
- 3.10 The strategy relates directly to how the Council approaches equality and diversity and will form overarching principles for how we engage with, support and empower all members of our community. The strategy also reinforces the responsibility the Council has as an employer in regard to equality issues and the requirement to consider the equality impacts that decisions and policies may potentially have on employees and the public.

4. RISK MANAGEMENT

- 4.1 There are no risk management implications arising directly from this report.

5. APPENDICES

Appendix 1 - Draft Equality Strategy

Appendix 2- Draft Equal Opportunities Policy (amended)

AUTHOR OF REPORT

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**Redditch Borough Council
Equality Strategy**

2017-2020

1. Introduction

As an employer and deliverer of services, Redditch Borough Council is committed to eliminate unlawful discrimination, promoting equal opportunities and fostering good relations between people from all communities. This Strategy sets out our commitment for progressing equality over the next four years.

The Strategy and Action Plan outlines our equality objectives, describes how we will fulfil our moral, social and legal obligations and what we will do to make Redditch a place where people get along with each other and treat each other with dignity and respect.

The Strategy covers inequality in terms of age, disability, gender reassignment (transgender/trans), marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation and is aimed at those who live, work in and visit the district, as well as elected Councillors and employees of the Council.

2. The Equality Act 2010 and the Public Sector Equality Duty

The Equality Act 2010

The Equality Act 2010 came into force in October 2010 and legally protects people from discrimination in the workplace and in wider society. It replaced previous anti-discrimination laws with a single Act, making the law easier to understand and strengthening protection in some situations. The Act covers nine protected characteristics and these are the grounds upon which discrimination is unlawful. The characteristics are:

- age
- disability
- gender reassignment (1)
- marriage or civil partnership (in employment only)
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

(1) before, during and after transition. This wording is the terminology used in the Equality Act; transgender (or trans) is now the accepted terminology. The Council understands there are many different identities which fall under the trans umbrella, including identities outside of the gender binary.

Public Sector Equality Duty

As part of the Equality Act 2010, public authorities must comply with the public sector equality duty (the equality duty). The equality duty replaced the previous race, disability and gender equality duties and was developed to extend across all the protected characteristics. It consists of a general equality duty, supported by specific duties and requires public authorities to consider or think about how their policies or decisions affect people who are protected under the Equality Act. Private organisations and individuals don't have to comply with the duty.

The general duty requires public bodies to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

In addition, public authorities also have specific duties and must do the following:

- publish equality information at least once a year to show how they've complied with the equality duty
- prepare and publish equality objectives at least every four years

The publication of our Equality Strategy will support us in meeting the general and specific duties placed on us as part of the Equality Act.

3. Why is equality important to the Council?

Redditch Borough Council is using the systems thinking method to change the way services are delivered to the customer. This is about looking at what we do from the outside-in or from the customers/residents point of view; it means understanding the different and sometimes multiple needs of our residents, including those who do not actively engage with the Council.

As a public service provider, it is important we recognise that our residents and customers come from different backgrounds; this will enable the Council to design and deliver services that meet the needs of the communities we serve. By understanding these differences and encouraging others to do the same, we can improve the quality of life for everyone by ensuring people who live, work or visit our district are treated fairly, with respect and are given the same chances and opportunities by taking into consideration their different needs.

As an employer, we believe that it is in the Council's interests and in the interests of all who work for the Council that we ensure that every possible step should be taken to ensure that individuals are treated equally and fairly and that decisions in recruitment and selection, training, promotion and career management are based solely on objective and job related criteria and that reasonable adjustments are made where feasible.

4. Equality in the delivery of our services

Equality Impacts

There is no longer a specific legal requirement for the Council to undertake an equality impact assessment. However, we *are* legally required to demonstrate that we have given 'due regard' to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations. In practice this means that equality considerations still need to be evidenced in our decision-making processes and policies. Any potential impact on equality should be considered before any key decisions are made and should be integrated into day-to-day policy-making, business planning and other decision-making arrangements. This is particularly relevant when making difficult financial decisions; if we are proposing to stop, reduce or change a service then we must have relevant equalities evidence to justify this.

Equality Assessment Guidance is available for officers on the Orb and the Policy Team can provide direct support for service areas and projects to help them to gather and interpret equalities evidence.

Equality Monitoring

The Council has a requirement to publish equality information at least once a year to show how we have complied with the equality duty. The Council recognises this also makes good business sense as it can help local people assess the Council's performance on equality, the impact our policies and practices have had, tell us who is and isn't using our services; understand why our services may not meet their needs and help us to improve the delivery of our services by identify any data gaps and address any issues. Any monitoring undertaken must be proportionate and relevant and of a benefit to our communities.

Procurement & Commissioning

The Council provides a wide range of services to residents and businesses in the borough. In some cases these are provided directly by the Council, in other by our partners and contractors. When a supplier provides goods, services or works on our behalf, we will ensure the equality obligations are part of the terms of a contract so that we know they will monitor the impact on service users and those they employ. The ultimate legal responsibility for meeting the requirements of the Equality Act remain with the Council for any services delivered on our behalf..

Specifically we will:

- Communicate this strategy to all potential contractors and service providers;
- Ensure contractors and service providers have policies, procedures and practices that do not discriminate and deliver goods, facilities and services that are appropriate and accessible;
- Provide opportunities for all to be in a position to bid and win council contracts from an equal basis; and
- Monitor the contracts and service arrangements to ensure they are meeting their equality commitments.

5. Equality in employment

The Council is working towards achieving a diverse workforce and offering equality of opportunity in employment, recruitment selection, training and development. We aim to ensure that the workplace is free from discrimination, victimisation or harassment of any kind where staff are treated with respect.

Employment policies

The Council has a wide range of policies in place for our staff and prospective employees. These policies support our staff and provide clear guidance to all employees about what is expected of them and what they can expect from us as an employer. We will continue review the range of policies and be pro-active in promoting and supporting equality in the workforce. This includes eliminating bullying and harassment, addressing discrimination, ensuring equality in pay and creating a flexible work-life balance.

The Equal Opportunities Policy pulls together the Council's commitment to equality within the workplace.

Equality Training

Equality training is provided for staff to ensure they are made aware of their rights and responsibilities. In particular all managers will be trained on a regular basis in equalities matters concerning employment. Similarly there is an expectation that all Members will attend Equality training. Equality issues are an integral part of our training and development programmes, regardless of whether the council uses internal or external trainers. In addition to the generic equality training, tailored equality training to reflect the needs of specific services will be encouraged, particularly for services engaging with external customers and / or where there is a significant engagement with protected group(s).

The council makes a strong commitment to training and development for all staff. All staff will have equal access to training and development and we will take positive action where appropriate for those who are underrepresented in our workforce.

6. Consultation & engagement

The Council wants to ensure that anyone who accesses council services either as a resident, visitor, customer or employee feels well informed about local issues; has the opportunity to get involved, influence local decision making and gets the opportunity to tell the Council what they think about its policies, procedures, service delivery and work with partner organisations.

To ensure consistency, the council has developed a Community Engagement Strategy with the following principles setting out how we are going to make certain that our engagement activity is flexible, focused and appropriate for the diverse needs of the communities. To achieve this, the Council will:

- Develop a strategic approach that provides clear guidance and promotes successful engagement across all service areas.
- Plan and co-ordinate activities, the use of resources and, where possible, work collaboratively.
- Actively encourage involvement from all communities, including those from traditionally 'hard-to-reach' groups so that everyone has a chance to represent their viewpoints on issues relevant to them.
- Use the most appropriate method to consult and engage making the experience interesting, relevant and worthwhile for participants.
- Development and implement new approaches to how we carry out engagement activities.
- Communicate results and ensure that the outcomes are used to inform the Council's policies and decision-making processes.
- Use the information from our engagement activities, alongside other evidence, to inform the design and delivery of effective and efficient services, within our current financial constraints.

If you would like to get involved taking part is easy and you can do as little or as much as you like e.g. from completing surveys on local issues to being part of a focus group. Your views can make a difference.

7. Our successes & achievements

The Council is committed to supporting equality through its services, including:

- Raising awareness of discrimination through a range of activity which included commemorating Holocaust Memorial Day in January
- Promoting Lesbian Gay Bi-sexual and Transgender (LGBT) History Month
- Support for No Barriers Redditch
- Disabled Facility Grants
- Translations and alternative formats
- Community Safety – support for Hate Incident Reporting and the Safe Places scheme
- Community Grants
- Providing assisted bin collections for people who struggle to get their bins to the roadside for collection, such as older residents and people with disabilities
- Supporting people through LifeLine, Shopmobility and Dial a Ride services

8. Measuring our progress

We will inform the public and staff about our progress through:

- An annual equality report
- Our information and advice services
- Council website
- Media (including social media) for advertising and press releases
- Through our community networks

9. How to contact us

To give us your views, get involved or for further information please contact the Equalities Team at equalities@bromsgroveandredditch.gov.uk or 01527 548284

To find out about the councils engagement activities please contact us or just go to www.redditchbc.gov.uk/consultations or www.bromsgrove.gov.uk/consultations

If you need this information in another language or format, please contact us to discuss how we can best meet your needs.

Email: equalities@bromsgroveandredditch.gov.uk or Phone: 01527 548284

Appendix 1

Redditch Borough Council Equality Objectives 2017-2020

Our equality objectives set out the direction for the council –

Objective 1: To understand the needs of the community so they can access our services, facilities and information

To achieve this we will:

- Collect, analyse and where appropriate publish equality data order to monitor who is and isn't using our services and facilities and to understand their satisfaction.
- Work with partners to identify and share issues facing specific groups of people in the district to inform future service delivery.
- Use the information from our engagement activities, alongside other evidence, to inform the design and delivery of effective and efficient services, within our current financial constraints
- Continue reviewing our policies and activities to monitor the impact on different groups
- Review our Customer Service Centres and procedures to ensure we are meeting the different needs within the community
- Ensure equality is considered in processes for procuring works, goods and services and contract management

Objective 2: To engagement and communicate with the community in the most appropriate and accessible ways

Community engagement is about giving people the confidence, skills and power so they can get involved. The Council wants to ensure that people feel well informed about local issues; have the opportunity to get involved, influence local decision making and get the opportunity to tell the Council what they think about its policies, procedures, service delivery and work with partner organisations.

To achieve this we will:

- Develop a strategic approach that provides clear guidance and promotes successful engagement across all service areas.
- Plan and co-ordinate activities, the use of resources and, where possible, work collaboratively.
- Actively encourage involvement from all communities, including those from traditionally 'hard-to-reach' groups so that everyone has a chance to represent their viewpoints on issues relevant to them.

- Use the most appropriate method to consult and engage making the experience interesting, relevant and worthwhile for participants.
- Development and implement new approaches to how we carry out engagement activities.
- Communicate results and ensure that the outcomes are used to inform the Council's policies and decision-making processes.

Objective 3: To support Council's employees and Elected Members to deliver accessible, non-discriminatory services.

To achieve this we will:

- Continue to collect, monitor, report and review information available on our workforce and job applicants
- Promote an environment where everyone is treated fairly and with dignity and we recognise and value the differences skills, abilities and experience people bring to the workplace
- Have policies and procedures that comply with legislation and ensure existing policies and procedures are regularly reviewed and amended so they conform to any new legislation
- When appropriate, work with teams to ensure equalities information is available for managers and Elected Members to use in decision making
- Provide all employees with the training and development to enable us to achieve our equality objectives
- Offer equalities related training and development to all Elected Members and make relevant resources available to them
- Continue to develop and promote work/life balance initiatives to enable employees to achieve a better balance between home and work responsibilities where feasible in line with business need.

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DRAFT Equal Opportunity Policy May 2017

1. Introduction

The Equal Opportunity Policy is an important document for all staff and Elected Members (Councillors) as it forms the overarching principles that guide how we approach everything we do as a Council.

The Council believes that it is in the Council's interests and in the interests of all who work for the Council that we ensure that the human resources, talents and skills available throughout the community are considered when employment opportunities arise. Every possible step will be taken to ensure that individuals are treated equally and fairly and that decisions in recruitment and selection, training, promotion and career management are based solely on objective and job related criteria.

2. Scope

The Equal Opportunity Policy applies to all aspects of employment and vocational training including work experience within the remit of the Council.

It applies to all aspects of:

- Recruitment, selection and appointment of staff
- Training and development of staff including appraisal
- Disciplinary and grievance procedures and their application
- Sickness absence and performance management
- Promotion including temporary or permanent and secondment opportunities
- Selection for redundancy and all other forms of dismissal
- Dignity at Work

All members of staff are bound by this policy. Managers are required to ensure that they abide by the standards set out in this policy at all times and that all staff are made aware of their responsibilities under the policy.

3. The Equality Act 2010

The Equality Act of 2010 establishes the Public Sector Equality Duty (PSED) which is comprised of a General Equality Duty and Specific Duties.

The General Equality Duty has three aims: it requires public bodies to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people who share a protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not

For further details of these Duties refer to the Managers Guide to the Equality Act 2010 – available on the ORB.

Elected Members (Councillors) are explicitly covered in the Equality Act 2010- see APPENDIX TWO.

4. The Protected Characteristics

The Equality Act establishes protection against discrimination, harassment and victimisation because of:

- Age (1)
- Disability (2)
- Gender Re-assignment (3)
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race – includes colour, nationality, ethnic or national origins
- Religion or belief – includes lack of belief
- Sex
- Sexual Orientation
- Equal Pay (in relation to Sex only)

(1) only applies to those aged 18 or over in relation to the provision of goods, facilities & services. There are permitted exceptions relating to age and employment, including different scales of the National Minimum Wage and differential pay for apprentices. There are also additional health and safety requirements for young workers; those under 18 may not work more than 8 hours a day or 40 hours a week.

(2) see APPENDIX ONE for definition of disability

(3) before, during and after transition. This wording is the terminology used in the Equality Act; transgender (or trans) is now the accepted terminology. The Council understands there are many different identities which fall under the trans umbrella, including identities outside of the gender binary.

This protection will not apply where a Genuine Occupational Requirement (GOR) applies or where some other justification applies. These cases will be very rare and specialist advice must be sought in every such instance from HR.

In addition, staff will be protected from discrimination and any unfair treatment based on Trade Union membership or activity.

Sensitive personal data will be processed in line with the Data Protection Act 1998. Sensitive personal data is defined in the Data Protection Act 1998 as information pertaining to:

- Racial or ethnic origin
- Political opinions
- Religious beliefs or beliefs of a similar nature
- Membership of a trade union
- Physical or mental health or condition
- Sexual life
- Commission or alleged commission of an offence
- Proceedings for any offence or alleged offence, or sentence of court

5. Our Commitment

As a Council we recognise and accept that intentionally or unintentionally, some individuals, groups or communities can and do experience discrimination, social exclusion or unequal treatment. However it is our commitment that we will do everything we can to prevent this from happening. Where we do find inequality, we will take steps to challenge it in all its forms.

We will show our commitment to equality by:

- Promoting equality in all that we do
- Challenging discrimination, inequality and social exclusion
- Providing responsive and accessible services to all who want or need them wherever possible
- Considering the needs of the public first and operate a fair and accountable local government
- Giving everyone a fair and equal chance of obtaining employment, promotion, development and training opportunities with the council while aiming for a workforce that reflects the make-up of the local population
- Ensuring that contractors and other organisations that are providing a service to or on behalf of the Council are required to meet, and are complying with The Equality Act and with the equality policies of the Council as set out in our terms of contracts or agreements with suppliers
- Acting promptly on any complaints of harassment, discrimination or bullying
- Monitoring, reviewing and assessing our policies and procedures for their impact on equality on an ongoing basis
- Consult with and seek out the views of citizens, service users and potential users and partner agencies on the quality and relevance of the services that we provide
- By being an exemplary employer and employer of choice, create an organisation that values all staff and is fair, supportive and free from discrimination, harassment or bullying
- Regularly consulting our staff and listening to what they say

6. Leadership

The Council's leadership takes full responsibility for this Equal Opportunity Policy. It is the responsibility of the Council's Executive and Senior Management Team to ensure that we are meeting our legal obligations under the Equality Act 2010.

The Leader of the Council and the Chief Executive are fully committed to the implementation of this policy. The Head of Business Transformation is responsible for all procedures relating to recruitment, selection, career development, discipline and grievance, and for ensuring that these are carried out in accordance with the Equal Opportunity Policy.

Managers are responsible for fostering a culture in which compliance with this policy is regarded as integral to their area of work. Managers are expected to actively promote the principles of equality and take account of the need to ensure equality of access and opportunity in the planning and delivery of their services. In managing staff, managers are expected to identify appropriate development for themselves and their staff to meet the needs of their respective areas in relation to equality.

Staff are expected to behave in a respectful and fair manner to everyone that works for the Council, visits the Council or receives a service from the Council. All breaches of this policy will be taken very seriously and the Council will deal with individuals through the staff disciplinary procedures.

Staff are made aware of Council policies and the standards that are expected of them through induction, regular reviews and training.

7. Consultation

This Policy and any subsequent revisions will be subject to standard consultation processes with the aim of reaching agreement on the content of the Policy and commitment to abide by the Policy between :-

- Corporate Management Team
- Staff and their representatives
- The Council Executive

8. Policy Approval

This Policy was approved and ratified on 21st September 2015 by Full Council and is fully in effect from 21st September 2015.

We will review this policy at least every two years or sooner to comply with changes to the law or policy and practice.

APPENDIX ONE

Disability Policy (Employment and Training including Work Experience)**1. Introduction**

The Disability Discrimination Act of 1995 (as amended in 2005) has now been rescinded and all provisions can now be found in the Equality Act 2010.

The Office for Disabilities Guidance on the Equality Act 2010 on matters to be taken into account in determining questions relating to the definition of disability states

“The Equality Act 2010 states that a person has a disability for the purposes of the Act if he or she has a physical or mental impairment and the impairment has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities.”

The Office for Disabilities Guidance on the Equality Act 2010 states that a disability can arise from a wide range of impairments which can be:

- sensory impairments, such as those affecting sight or hearing;
- impairments with fluctuating or recurring effects such as rheumatoid arthritis, myalgic encephalitis (ME)/chronic fatigue syndrome (CFS), fibromyalgia, depression and epilepsy;
- progressive, such as motor neurone disease, muscular dystrophy, forms of dementia and lupus (SLE);
- organ specific, including respiratory conditions, such as asthma, and cardiovascular diseases, including thrombosis, stroke and heart disease;
- developmental, such as autistic spectrum disorders (ASD), dyslexia and dyspraxia;
- learning difficulties;
- mental health conditions and mental illnesses, such as depression, schizophrenia, eating disorders, bipolar affective disorders, obsessive compulsive disorders, as well as personality disorders and some self-harming behaviour;
- produced by injury to the body or brain.

This is not an exhaustive list and the definition of disability covers a wide range of physical and mental impairments whether they are from birth or have been acquired during a person’s lifetime.

The protection against discrimination because of a disability is from the date of a diagnosis regardless of whether any symptoms are having an effect on the person’s ability to carry out “Day to day activities” as defined in the Equality Act and the associated Guidance.

See Guidance on “Day to day activities” in paragraphs **7. to 9.**

This policy applies to all staff working for the Council, including those employed on a temporary or part-time basis, or on work experience.

2. Equality of Treatment – Statement

The Council will take all reasonable steps to ensure that treatment of disabled people enables equality with non disabled people. We will provide fair and equal access to employment, training and development (including work experience) for disabled people by taking account of their disabilities and making reasonable adjustments.

This may mean treating disabled people differently and more favourably in order to create an equal opportunity for that person compared to a non disabled person.

3. Responsibilities

It is the responsibility of the Human Resources Department to:

- Advise and support line managers in a consistent and timely way, in cases where further action by the line manager may be required.
- Provide specialist advice and training to managers/supervisors to assist them to manage the Council's disability policy.
- Provide line managers with advice on the application of the disability provisions of the Equality Act and any other relevant legislation.

4. Discrimination arising from Disability

The Equality Act says that treatment of a disabled person amounts to discrimination where

- an employer treats the disabled person unfavourably;
- this treatment is because of something arising in consequence of the disabled person's disability; and
- the employer cannot show that this treatment is a proportionate means of achieving a legitimate aim (formerly described as "justifiable")
- unless the employer does not know, and could not reasonably be expected to know, that the person has the disability.
- Failure to make reasonable adjustments for disabled persons
- Enquiries about disability and health before the offer of a job is made

5. Types of Disability Discrimination

• Direct Discrimination

Direct discrimination occurs when a person treats another less favourably than they treat or would treat others because of a protected characteristic. Direct discrimination is generally unlawful. However, it may be lawful in relation to the protected characteristic of disability, where a disabled person is treated more favourably than a non-disabled person.

The Act only protects disabled people from discrimination. This means that it is not discrimination to treat a disabled person more favourably than a non-disabled person.

- **Indirect Discrimination**

Indirect discrimination may occur when an employer applies an apparently neutral provision, criterion or practice which puts workers sharing a protected characteristic at a particular disadvantage. In relation to disability, this would not be about disabled people as a whole but people with a particular disability – for example, with an equivalent level of sight impairment.

6. Reasonable Adjustments

The Employment Statutory Code of Practice Equality Act gives examples of the type of adjustments which an employer may have to make:-

- Making adjustments to premises
- Providing information in accessible formats
- Allocating some of the disabled person's duties to another worker
- Transferring the disabled worker to fill an existing vacancy
- Altering the disabled worker's hours of work or training
- Assigning the disabled worker to a different place of work or training or arranging home working
- Allowing the disabled worker to be absent during working or training hours for rehabilitation, assessment or treatment
- Giving, or arranging for, training or mentoring (whether for the disabled person or any other worker)
- Acquiring or modifying equipment
- Modifying procedures for testing or assessment
- Providing a reader or interpreter
- Providing supervision or other support
- Allowing a disabled worker to take a period of disability leave
- Participating in supported employment schemes, such as Workstep
- Employing a support worker to assist a disabled worker
- Modifying disciplinary or grievance procedures for a disabled worker
- Adjusting redundancy selection criteria for a disabled worker
- Modifying performance-related pay arrangements for a disabled worker

The Act lists a number of factors which will have a bearing on whether it will be reasonable for an employer to have to make a particular adjustment.

- the effectiveness of the adjustment in preventing the disadvantage
- the practicality of the step
- the financial and other costs of the adjustment and the extent of any disruption caused
- the extent of the employer's financial or other resources
- the availability to the employer of financial or other assistance to help make an adjustment.

Guidance on the Equality Act 2010 has been issued by the Office for Disability Issues and can be accessed through this link

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/85010/disability-definition.pdf

7. Meaning of ‘normal day-to-day activities’

The Equality Act does not define what is to be regarded as a ‘normal day-to-day activity’. It is not possible to provide an exhaustive list of day-to-day activities, although guidance on this matter is given here and illustrative examples of when it would, and would not, be reasonable to regard an impairment as having a substantial adverse effect on the ability to carry out normal day-to-day activities are shown in the Appendix.

In general, day-to-day activities are things people do on a regular or daily basis, and examples include shopping, reading and writing, having a conversation or using the telephone, watching television, getting washed and dressed, preparing and eating food, carrying out household tasks, walking and travelling by various forms of transport, and taking part in social activities.

The term ‘normal day-to-day activities’ is not intended to include activities which are normal only for a particular person, or a small group of people. In deciding whether an activity is a normal day-to-day activity, account should be taken of how far it is normal for a large number of people, and carried out by people on a daily or frequent and fairly regular basis. In this context, ‘normal’ should be given its ordinary, everyday meaning.

A normal day-to-day activity is not necessarily one that is carried out by a majority of people. For example, it is possible that some activities might be carried out only, or more predominantly, by people of a particular gender, such as applying make-up or using hair curling equipment, and cannot therefore be said to be normal for most people. They would nevertheless be considered to be normal day-to-day activities.

8. Work-related and other specialised activities

Normal day-to-day activities do not include work of any particular form because no particular form of work is ‘normal’ for most people. In any individual case, the activities carried out might be highly specialised. For example, carrying out delicate work with specialised tools may be a normal working activity for a watch repairer, whereas it would not be normal for a person who is employed as a semi-skilled worker. The Act only covers effects which go beyond the normal differences in skill or ability.

The same is true of other specialised activities such as playing a musical instrument to a high standard of achievement; taking part in a particular game or hobby where very specific skills or level of ability are required; or playing a particular sport to a high level of ability, such as would be required for a professional footballer or athlete.

However, many types of work or specialised hobby, sport or pastime may still involve normal day-to-day activities. For example; sitting down, standing up, walking, running, verbal interaction, writing, making a cup of tea, using everyday objects such as a keyboard, and lifting, moving or carrying everyday objects such as chairs. The effects experienced by a person as a result of environmental conditions, either in the workplace or in another location where a specialised activity is being carried out, should not be discounted simply because there may be a work-related or other specialised activity involved. It is important to consider whether there may also be an adverse effect on the ability to carry out a normal day-to-day activity.

9. Indirect effects

An impairment may not directly prevent someone from carrying out one or more normal day-to-day activities, but it may still have a substantial adverse long-term effect on how he or she carries out those activities. For example:

- pain or fatigue: where an impairment causes pain or fatigue in performing normal day-to-day activities the person may have the ability to do something but suffer pain in doing so; or the impairment might make the activity more than usually fatiguing so that the person might not be able to repeat the task over a sustained period of time.
- medical advice: where a person has been advised by a medical practitioner or other health professional, as part of a treatment plan, to change, limit or refrain from a normal day-to-day activity on account of an impairment or only do it in a certain way or under certain conditions.

APPENDIX TWO**Extract from the Equality 2010; Part 5 Work; 58. Local authority members****Official business of members**

- (1) A local authority must not discriminate against a member of the authority in relation to the member's carrying out of official business—
- (a) in the way the authority affords the member access, or by not affording the member access, to opportunities for training or for receiving any other facility;
 - (b) by subjecting the member to any other detriment.
- (2) A local authority must not, in relation to a member's carrying out of official business, harass the member.
- (3) A local authority must not victimise a member of the authority in relation to the member's carrying out of official business—
- (a) in the way the authority affords the member access, or by not affording the member access, to opportunities for training or for receiving any other facility;
 - (b) by subjecting the member to any other detriment.
- (4) A member of a local authority is not subjected to a detriment for the purposes of subsection (1)(b) or (3)(b) only because the member is—
- (a) not appointed or elected to an office of the authority,
 - (b) not appointed or elected to, or to an office of, a committee or subcommittee of the authority, or
 - (c) not appointed or nominated in exercise of an appointment power of the authority.
- (5) In subsection (4)(c), an appointment power of a local authority is a power of the authority, or of a group of bodies including the authority, to make—
- (a) appointments to a body;
 - (b) nominations for appointment to a body.
- (6) A duty to make reasonable adjustments applies to a local authority.

APPENDIX THREE

All Council Policies support this Equal Opportunity Policy but the main ones are listed below with relevant Codes of Practice and Guidance

1. The Equality Act 2010 – Equality and Human Rights Commission Guidance and Codes of Practice – for details see <http://www.equalityhumanrights.com/advice-and-guidance/>
2. Policies and procedures covering Recruitment Selection and Employment
3. Harassment and Bullying Policy
4. Members Code of Conduct
5. Dignity at Work Policy
6. Procurement, Tendering and Contractor Policies/ Strategy
7. Equality Strategy
8. Dignity at Work (under development)

APPENDIX FOUR**Relevant legislation – please note that this is not an exhaustive list**

1. The Equality Act 2010
2. Work and Families Act 2006
3. Human Rights Act 1998
4. Civil Partnerships Act 2004
5. Rehabilitation of Offenders Act 1974
6. The Gender Recognition Act 2004
7. The Marriage (Same Sex Couples Act) 2013
8. Agency Worker Regulations 2010
9. The Working Time Regulations 1998

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE**6th June 2017**Finance Monitoring Outturn 16/17**

Relevant Portfolio Holder	Councillor John Fisher, Portfolio Holder for Corporate Management.
Relevant Head of Service	Jayne Pickering
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non Key Decision	

1. SUMMARY OF PROPOSALS

This report details the Council's final financial position for 2016/17 for both General Fund and Housing Revenue Account

2. RECOMMENDATIONS

The Executive Committee is asked to recommend to Council:

- 2.1 That the financial position on Revenue and Capital for the financial year 2016/17 as detailed in the report and the transfer to balances £348k as at 31st March 2017 is noted.
- 2.2 Approval of the movements of £170k in existing General Fund reserves as included in Appendix 4 which reflects the approval required for April - March 2017.
- 2.3 Approval of the addition of new General Fund reserves of £557k as included in Appendix 4. This reflects the approval required for April - March 2017
- 2.4 Approval of the movements of £540k in existing HRA reserves as included in Appendix 2 which reflects the approval required for April - March 2017.

3. KEY ISSUES

- 3.1 This report provides details of the financial information across the Council. The aim is to ensure officers and members have relevant information to consider the overall financial position of the Council. The report reflects the finances across the Strategic Purposes to enable Members to be aware of the level of funding attributed to these areas and how this compares to budget. The summary shows the financial position for General Fund revenue funding for the period April – March 2016/17. In addition Appendix 2 shows the HRA year-end position 2016/17.

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE**6th June 2017

- 3.2 The information at Appendix 1 shows the breakdown of the Strategic Purposes to detail the services that have been included in each Purpose. The aim is to demonstrate the individual services that link to the overall strategic funding position.

Revenue Budget Summary – Overall Council Financial Year 2016/17
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Please note figures have been rounded

Strategic Purpose	Original Budget £'000	Annual budget £'000	Actuals £'000	Variance £'000
Keep my place safe and looking good	3,755	5,094	4,582	-512
Help me run a successful business	-116	8	-40	-47
Help me be financially independent	558	531	58	-473
Help me to live my life independently	406	410	381	-29
Help me find somewhere to live in my locality	1,202	1,208	1,235	27
Provide Good things for me to see, do and visit	2,346	1,382	1,487	105
Enable others to work/do what they need to do (to meet their purpose)	7,781	7,520	7,458	-61
HRA Recharge	-3,965	-4,747	-3,760	987
Totals	11,965	11,405	11,401	-4
Corporate Financing	-11,965	-11,405	-11,750	-344
Totals	0	0	-348	-348

Financial Commentary:

There are a number of significant variances in the outturn position that are detailed in Appendix 1 across the strategic purposes. The summary above shows the overall position for the Council and the main variations are as a result of:

Keep my place safe and looking good

There has been additional income generated from planning applications, bulky waste, work recharged to Worcestershire County Council and an increase in cremations earlier in the day.

The total additional income generated was over £308k. This is as a result of the work of the teams undertaking more proactive marketing and ensuring the services are delivered in an efficient and commercial way. In addition savings have been realised from proactive maintenance in previous years, energy costs and an element of vacancy management.

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE**6th June 2017**Help me run a successful business**

There has been a steady increase in licensing income throughout the year to result in additional income of £90k generated to that originally anticipated.

Help me be financially independent

The majority of this variance relates to the benefit subsidy which cannot be readily determined for projection in a financial year and therefore shows a variance to that anticipated. In addition the overpayment income is £60k higher than that expected due to the additional work the team have undertaken; there is a bad debt provision in place to support any irrecoverable debt.

Help me to live my life independently

The Early Help service has generated additional income in relation to the services provided

Help me find somewhere to live in my locality

The overspend to budget reflects the cost associated with the interest free lifetime loans that the Council has entered into over the last number of years.

Provide Good things for me to see, do and visit

There are significant shortfalls in income generated due to the sports centres and golf club not achieving the expected income. The recent works to improve capacity at the Abbey Stadium has started to show increase in usage and this should ensure that current members are retained along with new membership generated. Officers continue to review the position with the aim to make the service as efficient as possible whilst securing income. The Palace Theatre generated additional income of £70k which has helped to support the deficits in the other services

Enable others to work/do what they need to do (to meet their purpose)

There has been an increase in income from the property portfolio owned by the Council of £30k together with savings from utility and contract charges of £75k.

Additional income has been received from legal service contract work of £10k and savings made on training of £38k whilst the skills matrix has been developed as a result of the staff survey.

As part of the budget setting a saving is identified to be realised from management of vacancies across the Council. For 2016/17 this was £245k and has been reallocated from corporate management to the strategic purposes based on a proportion of the underspend in the area.

HRA Recharge

The overspend on the HRA recharge relates to the shortfall in income recovered from the HRA in relation to pension contributions to the General Fund. There was a financial accounting error made in the recharge calculation and the budget for income received from the HRA was increased by £900k incorrectly without the corresponding cost on the HRA. Therefore the HRA has paid the due amount of £3.9m not the £4.8m as included in the budget allocations. This issue had been identified by the finance team when undertaking the year end processes and the auditors have been advised. New processes are in place to ensure this issue does not repeat in the future. This shortfall has been met by other savings in 2016/17 and officers are currently addressing the impact into 2017/18.

Corporate Financing

The projected saving on borrowing costs of £125k has materialised due to slippage on the capital programme. In addition there has been a repayment made from the Business Rates Pool and other grants and receipts received of approximately £200k.

A more commercial approach has been taken in generating income for 2016/17, particularly in the last quarter of the year. In total for 2016/17 £568k of additional income has been generated from that originally estimated.

The efficiency plan has a number of savings to be delivered in 2017/18 and the additional income and efficiencies in 2016/17 will be considered to ensure that any future years reductions in budget can be met by the income generated in 2016/17.

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE**6th June 2017

As a result of the savings made a number of reserves have been set aside for specific projects to improve the services and community infrastructure. These include:
 £150k to further support the locality enhancements across the Borough,
 £100k to support improvements to the resilience of our information technology systems to ensure the Council is not vulnerable to system attack as has recently been seen in the NHS and other organisations,
 £50k to provide specialist support to enable the Council to further enhance its commercial skills and expertise to be able to generate income to mitigate the impact of financial pressures in the future.

**Capital Budget Summary – Overall Council
Financial Year 2016/17**

3.4

Strategic Purpose	Annual budget £'000	Actuals £'000	Variance £'000
Keep my place safe and looking good	4,868	2,228	-2,640
Help me to live my life independently	987	485	-502
Help me find somewhere to live in my locality	10,859	8,991	-1,868
Provide Good things for me to see, do and visit	516	372	-144
Enable others to work/do what they need to do (to meet their purpose)	160	74	-86
Totals	17,390	12,150	-5,240

Financial Commentary:

As projected in quarter 3 there will be budgets to carry forward into the next financial year 2017/18 within the strategic purpose 'keep my place safe and looking good' on the Crematorium Enhancements, the Town landscape and Locality Capital projects budgets. These schemes have been delayed and are expected to be completed in 2017/18. There is also a large underspend within this strategic purpose on the vehicle replacement programme. This is due to a delay for vehicles from suppliers due to their demand. It is proposed that the underspends will be carried forward to 2017/18 to enable the capital projects and vehicle replacement to be undertaken.

The other significant underspends are within the schemes delivered within the HRA planned programme of works which will be also be carried forward to 2017/18. This relates to the underspend within 'Help me find somewhere to live in my locality'.

Housing Revenue Account

3.6 Appendix 2 details the financial position for the Housing Revenue Account (HRA) for the year April – March 2017. The rental income shows a shortfall of £294k due to an increase in the number of Right to Buy sales following relaxation of the discount rules.

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE**6th June 2017

There are other significant variations on the following services:

Repairs and maintenance:

- Extremely high demand for ad hoc property repairs
- Debt write off of unpaid historic invoices to tenants for past repair works
- A number of void properties requiring costly repair works

Supervision & Management (S&M):

- Redundancy costs
- Job Evaluation implementation salary costs funded from the JE provision of £300k
- An increase in the allocation split between GF and HRA for HRA pension costs
- Agency staff costs to cover vacant posts

Depreciation:

- An increase in depreciation costs due to the introduction of new rules on how depreciation is calculated (componentisation)

Revenue Contribution to capital outlay (RCCO):

- Purchase of new housing stock to replace properties sold under Right to Buy

Appendix 2 also details the transfers to and from reserves.

Treasury Management

- 3.7 The Council's Treasury Management Strategy has been developed in accordance with the Prudential Code for Capital Finance prudential indicators and is used to manage risks arising from financial instruments. Additionally treasury management practices are followed on a day to day basis.

Credit Risk

- 3.8 Credit risk arises from deposits with banks and financial institutions, as well as credit exposures to the Council's customers. Credit risk is minimised by use of a specified list of investment counterparty criteria and by limiting the amount invested with each institution. The Council receives credit rating details from its Treasury Management Advisers on a daily basis and any counterparty falling below the criteria is removed from the list.
- 3.9 At 31st March 2017 there were no short term investments held.

Income from investments

- 3.10 An investment income target of £4k has been set for 2016/17 using a projected rate of return of 0.25 %.

General Fund Balances

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE**6th June 2017

- 3.11 The General Fund Balance as at the 31st March 2016 is £2.024m. A balanced budget was approved in February 2016 to include identified savings which have been built into individual budget allocations. This also included a planned use of balances for 2016/17 of £477k. The addition of the underspend will increase balances to £1.89m

Legal Implications

- 3.12 No Legal implications have been identified.

Service/Operational Implications

- 3.13 Managers meet with finance officers on a monthly basis to consider the current financial position and to ensure actions are in place to mitigate any overspends.

Customer / Equalities and Diversity Implications

- 3.14 No direct implications as a result of this report.

4. RISK MANAGEMENT

The financial monitoring is included in the corporate risk register for the authority.

5. APPENDICES

Appendix 1 – Strategic purposes financial position April – March 2016/17
Appendix 2 – HRA Monitoring April – March 2016/17
Appendix 3 – Revenue Budget Reconciliation
Appendix 4 – Earmarked Reserves

6. BACKGROUND PAPERS

None.

AUTHOR OF REPORT

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please note figures have been rounded

Appendix 1

Keep my place safe and looking good.

Department	Annual budget £'000	2016/17 Actuals £'000	2016/17 Variance £'000
Bereavement Services	-474	-567	-93
Building Control	-28	-16	12
Car Parks/Civil Enforcement Parking	41	34	-7
CCTV	261	220	-41
Climate Change	7	5	-3
Community Services - Community Safety	203	160	-43
Core Environmental Operations	562	475	-87
Core waste Operations	1,210	1,183	-26
Development Management	206	130	-76
Engineering	226	172	-54
Environmental Health (WRS)	548	549	1
Land Drainage	186	175	-11
Landscape & Grounds Maintenance	20	1	-19
Manager supplies and Transport	386	385	-1
Place Teams	1,161	1,119	-42
Planning Policy	243	186	-57
Trees & Woodland Management	337	336	-1
Waste Management Policy	-0	8	8
Allocation of Vacancy management saving	0	28	28
Totals:	5,094	4,582	-512

Financial commentary:

Bereavement Services - has seen an increase in income for cremations earlier in the day with an increase in the death rate in the last quarter.

CCTV - has an underspend due to renegotiated contract savings and lower overtime costs.

Community safety - underspend relates to Anti social behaviour which is a HRA saving.

Core Environmental Operations - there have been savings made on operating leases, salaries, vehicle maintenance, tipping costs, fuel and additional income achieved from work done for WCC.

Core Waste - has had lower than anticipated agency staff requirements and savings on pool staff due to later recruitment.

Development Management - has a £73k underspend is due to £69k overachieved income. This reflects the expected position.

Engineering - have made savings on bus shelters due to spend in previous years, employee savings from some staff working reduced hours, additional income from work done for WCC on Public Realm works and also savings on street lighting energy costs.

The Place Teams - have over achieved on income from bulky waste collections and additional income from work done for WCC and has also made savings on operating leases, fuel, salaries and vehicle maintenance.

Waste Management Policy - variance is as a result of the loss of income from the bring banks which have been removed following the misuse of the sites and ongoing costs to maintain.

Planning Policy - has an underspend due to salary savings due to maternity leave or reduced hours requests.

Help me run a successful business

Department	Annual budget £'000	2016/17 Actuals £'000	2016/17 Variance £'000
Asset & Property Management - Commercial	-231	-253	-22
Economic Development	164	189	25
Manager Taxi Licensing	-195	-237	-42
Community Services - Grants to Vol bodies	271	260	-11
Allocation of Vacancy management saving	0	1	1
Totals:	8	-40	-47

Financial commentary:

Economic Development - £25k overspend is due to an overspend on the Repairs & Maintenance at Hemming Road.

There has been a steady increase throughout the year in licensing income for 2016/17.

The saving on Grants was staff costs due to a temporary vacancy .

Help me to be financially independent (including education & skills)

Department	Annual budget £'000	2016/17 Actuals £'000	2016/17 Variance £'000
Benefits	246	-167	-412
Revenues	270	151	-120
Property Management - Rents grants	15	22	7
Allocation of Vacancy management saving	0	52	52
Totals:	531	58	-473

Financial commentary:

Benefits - this service is made up of a number of functions and the savings have been generated across the service area. These include :

- staffing and efficiency savings within the general service function £53k
- additional overpayment income generated and underspends on discretionary housing payments £130k
- Prior year income received due to timing on the benefit claim £105k
- Rent Rebates and Council Tax scheme underspends £100k

Other than the staffing underspends the remaining savings and additional income are not identified until the year end processing of the collection fund and benefit subsidy therefore it is difficult to project the outturn position.

Revenues - has a variance which relates to income on costs for recovery. A bad debt provision is in place to provide for any irrecoverable debt.

Help me to live my life independently (including health & activity)
--

Department	Annual budget £'000	2016/17 Actuals £'000	2016/17 Variance £'000
Community Services (incl dial a ride & Shopmobility)	359	421	62
Early Help	-4	-29	-26
Lifeline	4	-20	-24
Manager Care & Repair	50	-1	-51
Allocation of Vacancy management saving	0	10	10
Totals:	410	381	-29

Financial commentary:

Community services (incl dial a ride and shopmobility) - variance is due to increased staffing costs and vehicles costs and income generation being lower than anticipated.

There is a saving within 2016/17 on Care and Repair for the Management fee on Disabled facilities grants (DFG's) as there is now available funding from the capital provision

Lifeline - savings have been generated from renegotiation of contracts

Early help - has additional receipts for supports costs income.

Help me to find somewhere to live in my locality

Department	Annual budget £'000	2016/17 Actuals £'000	2016/17 Variance £'000
Housing General Fund	1,009	967	-42
Housing Strategy & Enabling	214	275	62
Democratic Services - Land charges	-15	-25	-9
Allocation of Vacancy management saving	0	17	17
Totals:	1,208	1,235	27

Financial commentary:

Housing Strategy and enabling - variance is due to Lifetime loans adjustment to reflect the costs associated with giving lifetime loans interest free.

Provide good things for me to do, see and visit

Department	Annual budget £'000	2016/17 Actuals £'000	2016/17 Variance £'000
Cultural Services	794	680	-114
Leisure & Cultural Man	102	126	24
Parks & Green Spaces	-35	-52	-17
Sports Services	521	667	146
Business Development - Cultural	0	16	16
Allocation of Vacancy management saving	0	51	51
Totals:	1,382	1,487	105

Financial commentary :

Cultural services - have achieved extra income at the Palace theatre with the Christmas Panto generating increased revenue and the arts and events teams have made savings by more effective procurement and the community centres have performed well making savings and generating income by extra usage.

Sports Services - the Sports Centres and Golf course have not achieved the budgeted income projections which has impacted on the services overall performance.. This is in part due to the closure of the Astro Turf Pitch at Arrow Vale Sports Centre for safety reasons, issues with income generation at the Abbey stadium associated with the health and fitness/group exercise provision up until December 2016 and the overall decline in golf nationally that is impacting upon the number of rounds sold. However the Dance & Group Cycling Studios at the Abbey Stadium has had a very positive impact on encouraging new members to join and retaining existing members for longer which will increase the number of members in line with the original business case projections. The sports Development teams have generated extra income on community classes and made saving by improved cost control.

Business Development - have an overspend which is due to continued income generation issues around the sponsorship of roundabouts and the hire of the Civic suite. Officers are currently reviewing this position and will, be addressing these issues by reviewing options in these areas to increase sales.

Enable others to work/do what they need to do (to meet purpose)

Department	Annual budget £'000	2016/17 Actuals £'000	2016/17 Variance £'000
Asset & Property Management	1,390	1,209	-181
Business Development	133	128	-5
Business Transformation	922	965	43
Communications & Print	255	240	-16
Corporate Management & Audit	-133	-1	132
Corporate Services	1,824	1,833	9
Corporate Strategy	75	61	-14
Customer Support Services	536	512	-24
Democratic Services	328	319	-9
Depot	87	51	-36
Elections	155	173	17
Financial Services & Procurement	603	674	70
Human Resources	526	425	-102
IT Licences Direct Services	154	158	4
Legal Services	281	271	-10
Partnerships	56	56	0
Post, Admin & Civic	231	215	-16
Property Management	22	10	-12
Sports Services - Management	77	74	-4
Transport	-3	2	5
Allocation of Vacancy management saving	0	85	85
Totals:	7,520	7,458	-61

Financial commentary:

Asset & Property Management - The savings are mainly made up of reductions in utilities costs (in part due to a mild winter and partly due to more efficient contracts), and additional income across the property portfolio. Due to the timing of information from PPL it was not possible to project the saving before the year end process was carried out.

Business Transformation IT - there was an underspend on Computer equipment, licences and GCSX costs - contracts are re-negotiated as they become due for renewal and this has presented opportunities for savings to be made. A £100k reserve has been set up to fund additional IT Equipment.

Communications & Print / Post, Admin & Civic - have general savings from efficiencies and reduction in associated costs of delivery.

Corporate Management & Audit - There is a saving on the corporate account relating to audit fees and subscriptions of £18k. The 150k reserve for Locality Enhancements is included within this service.

Customer Support Services - The saving relates to salary savings and is higher than projected at Q3 as we had anticipated a need to backfill.

Democratic Services - The savings relate to the difference between the estimated IRP recommended figure and the amount finally approved in Feb 2017. This saving has been reflected in the 2017/18 budget. In addition there are a number of other service budgets in relation to car mileage and other unclaimed allowances.

Elections - As already reported the timing of election payments from Central Government make it difficult to project on an accurate basis the financial outturn. For 2016/17 there has been additional associated with the referendum and local elections. Local elections will be reprofiled in readiness for the 2018/19 budget.

Financial Services & Procurement - Financial Services has incurred additional costs relating to Payroll, Payments and ensuring that the accountancy function is delivered effectively. These are one off costs and are not reflected in the 2017/18 budgets.

Human Resources - There has been some savings on salaries and also on the corporate training and medical fees budgets.

Legal Services - More contract income has been received than originally anticipated and again this has been reflected into the 2017/18 budget.

HOUSING REVENUE ACCOUNT (HRA)
REVENUE OUTTURN 2016/17

Appendix 2

	2016/17 Approved YTD Budget £	2016/17 Actuals YTD £	Variance £
<u>INCOME</u>			
Dwelling Rents	24,056,000	23,762,420	293,580
Non-Dwelling Rents	485,000	495,444	-10,444
Tenants' Charges for Services & Facilities	631,590	636,806	-5,216
Contributions towards Expenditure	53,580	53,577	3
Total Income	25,226,170	24,948,247	277,923
<u>EXPENDITURE</u>			
Repairs & Maintenance	4,779,000	5,468,531	689,531
Supervision & Management	6,866,660	7,371,768	505,108
Rent, Rates, Taxes & Other Charges	188,650	127,475	-61,175
Provision for Bad Debts	400,000	120,696	-279,304
Depreciation & Impairment of Fixed Assets	5,854,240	5,987,176	132,936
Subsidy Limitation Transfer to the GF	0	0	0
Interest Payable & Debt Management Costs	4,178,930	4,183,574	4,644
Total Expenditure	22,267,480	23,259,220	991,740
Net cost of Services	-2,958,690	-1,689,027	1,269,663
Provision for Job Evaluation	300,000	0	-300,000
Net Operating Expenditure	-2,658,690	-1,689,027	969,663
Interest Receivable	-58,000	-36,000	22,000
Revenue Contribution to Capital Outlay	369,370	1,184,705	815,335
Transfer to/(from) Earmarked Reserves	2,347,320	540,321	-1,806,999
(Surplus)/Deficit on Services	0	-0	-0

HOUSING REVENUE ACCOUNT BALANCES

Surplus as at 1st April 2016	1,476,100	1,476,100	0
Surplus/(deficit) for year 2016/17	0	0	0
Surplus as at 31st March 2017	1,476,100	1,476,100	0

HOUSING REVENUE ACCOUNT EARMARKED RESERVES

Balance as at 1st April 2016	-342,137
Additions 2016/17	0
Deductions 2016/17	300,000
Balance as at 31st March 2017	-42,137

HOUSING REVENUE ACCOUNT CAPITAL RESERVE

Balance as at 1st April 2016	-18,628,604
Additions 2016/17	-2,025,027
Deductions 2016/17	1,184,705
Balance as at 31st March 2017	-19,468,926

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REDDITCH 2016/17**Appendix 3**

	2016-17 £000
Departmental Expenditure (Starting Position)	10,717
Incremental Progression/Inflation on Utilities	10
Unavoidables	305
Revenue Bids/Revenue impact of capital bids	10
Savings and Additional income	-654
Net Service Expenditure	10,389
Add back release of reserves no longer required	207
Add back capital charges that are removed	1,333
Add New Burdens Grant and Admin subsidy reduction - below the line	85
Remove bad debt provision now included in corporate financing	-50
Total Services/Original Budget	11,964
Transfer to Equalities reserve	-11
Transfer to IT equipment replacement reserve	-100
Transfer to Leisure reserves	-186
Transfer to Community Safety reserve	-65
Transfer to Revenues and Benefits reserves	-157
Transfer to Tree works reserve and Crematorium reserve	-79
Transfer to Elections reserve	-44
Transfer to Corporate Reserve	-150
Use of Health & Wellbeing reserve	6
Use of Single system reserve	139
Use of Community Services reserve	17
Use of Litigation reserve	14
Use of Leisure reserve	38
Changes to Depreciation & Insurance budgets	21
Total Revised Budget	11,405

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FINANCIAL RESERVES STATEMENT 2016/17

APPENDIX 4

Description	Balance b/fwd 1/4/2016 £	Movement in Reserve 2016/17 £	New Reserve 2016/17 £	C/fwd 31/3/2017 £	Comment
GF Earmarked Reserves					
2 Pennies	-7,500	7,500	0	0	Legal Support
Arts	-9,839	9,839	0	0	To fund a number of specific arts projects across the Borough
Business Rates Grants	-7,406	0	0	-7,406	Small Business Rate Relief - Ringfenced grant
Car Loan guarantee scheme	-7,687	7,474	0	-213	To provide cover for the Council against losses on car loans
Commercialism	0	0	-50,000	-50,000	To help fund costs in relation to commercialism projects
Community Development	-28,675	10,140	0	-18,535	To support the costs associated with community projects
Community Safety	-290,976	-65,758	0	-356,734	External grant funding to be released over a number of years on Community Safety Projects
Corporate Services	0	0	-150,000	-150,000	Funding for Locality Enhancements
Customer Services	0	0	-12,000	-12,000	Contribution to WCC for an open portal
DWP Feris	-11,419	-16,564	0	-27,983	Funding for new system
Electoral Services	-100,533	-26,562	0	-127,095	Elections reserves in relation to claims not settled
Energy	-16,818	16,818	0	0	Energy costs
Environmental Services	0	0	-38,500	-38,500	To fund Tree works within the Borough
Equalities	0	0	-11,250	-11,250	To fund licence fees
Equipment Replacement	0	0	-100,000	-100,000	ICT equipment reserve
Housing Benefits Implementation	-118,886	92,155	0	-26,731	Specific welfare reform grant received
Housing Support	-424,096	-80,102	0	-504,198	Government Specific Grant - annual funding
IT licences	-14,796	14,796	0	0	Additional License costs
Land charges	-98,844	89,707	0	-9,137	To fund potential litigation in relation to Land Charges
Land Drainage	-44,594	19,594	-195,445	-220,445	To support costs associated with health and safety issues within the environment
Lifeline	-13,603	9,403	0	-4,200	To support the costs associated with community projects
Mercury Emissions	-13,886	-20,000	0	-33,886	To be used to re line the cremators
Planning Services	-39,261	39,261	0	0	Local plan set aside
Public Donations	-25,662	5,895	0	-19,767	Accumulated donations for designated projects.
Regulatory Services	-30,560	30,560	0	0	To fund costs relating to the IT system for WRS
Shared Services/Transformation	-9,924	9,924	0	0	Business transformation projects
Sports Development	-49,597	8,980	0	-40,617	Ringfenced grants for a number of sports development activities to improve Health and Wellbeing in the Borough
Town Centre	-50,377	6,695	0	-43,682	To support improvements in the Town Centre High Street
Warmer Homes	-11,580	0	0	-11,580	To support the costs associated with community projects
Totals	-1,426,519	169,755	-557,195	-1,813,959	
HRA Earmarked Reserves					
Job Evaluation	-300,000	300,000	0	0	
Supporting People(HRA)	-38,342	0	0	-38,342	Funding for post not all used in year
Community Care Prev Grant	-3,795	0	0	-3,795	Ongoing Older People's Project Funding (HRA)
Totals	-342,137	300,000	0	-42,137	
Capital Reserve					
Capital Reserve-HRA	-18,628,604	-840,322	0	-19,468,926	Reserve to enable the debt repayment on HRA, and future repairs and maintenance
Totals	-18,628,604	-840,322	0	-19,468,926	

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Licensing Committee

Monday, 6 March 2017

MINUTES

Present:

Councillor Pat Witherspoon (Chair), Councillor Andrew Fry (Vice-Chair) and Councillors Natalie Brookes, Anita Clayton, Pattie Hill, Gay Hopkins, Gareth Prosser, Antonia Pulsford, Rachael Smith and Jennifer Wheeler

Also Present: (It was noted that there were three representatives from the Redditch Taxi Association in attendance in the public gallery).

Officers:

Timothy Bishop and Dave Etheridge

Democratic Services Officer:

Pauline Ross

Prior to the commencement of the meeting the Chair acknowledged and welcomed the three representatives from the Redditch Taxi Association.

16. APOLOGIES

Apologies for absence were received on behalf of Councillor Roger Bennett.

17. DECLARATIONS OF INTEREST

No declarations of interest were received.

18. MINUTES

RESOLVED that

the minutes of the meeting of the Licensing Committee held on 7th November July 2016 be confirmed as a correct record and signed by the Chair.

.....
Chair

Licensing Committee

Monday, 6 March 2017

19. LEGISLATIVE UPDATE

Members received a report which detailed the recent changes in legislation that related to the Council's licensing functions and supplementary papers which detailed the Department of Transport, Statutory Guidance on Access for Wheelchair users to Taxis and Private Hire Vehicles.

The Senior Licensing Practitioner, Worcestershire Regulatory Services (WRS) introduced the report and supplementary guidance and in doing so referred to the specific legislative changes to the Immigration Act 2016, the Police and Crime Act 2017, Section 165-167 of the Equality Act 2010 Taxi and Private Hire Passengers in Wheelchairs and Department for Environment, Food and Rural Affairs (DEFRA) Animal Licensing Proposals.

The Senior Licensing Practitioner, WRS, provided Members with information on each specific area as follows:-

The Immigration Act 2016 received Royal Assent on 12th May 2016. The Act included provisions aimed at making it more difficult for people to live and work illegally in the United Kingdom (UK). Schedule 5 of the Immigration Act which came into effect on 1st December 2016, impacted on the Council's taxi and private hire licensing functions.

The new provisions meant that hackney carriage and private hire driver and operator licences must not be issued to people who were illegally present in the UK, who were not permitted to work, or who were permitted to work but were subject to a condition that prohibited them from holding such a licence. Appendix 1 to the report detailed the Home Office Guidance for Licensing Authorities to Prevent Illegal Working in the Taxi and Private Hire Sector in England and Wales.

The Senior Licensing Practitioner, WRS, further informed Members that Licensing Officers, WRS, had received training from the Home Office Immigration Enforcement Team on the new provisions and on increased document fraud awareness. Licensing Officers, WRS, were taking steps to ensure compliance with the new provisions introduced.

Policing and Crime Act 2017 received Royal Assent on 31st January 2017. The Act contained provisions that would impact on both taxi licensing and the licensing of alcohol and late night refreshment under the Licensing Act 2003.

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A summary of the provisions that would affect the licensing regimes carried out by WRS on behalf of the Council were detailed at Appendix 2 to the report.

Licensing Officers, WRS, would carefully monitor the progress made towards the commencement of the licensing related provisions in the Act. Further information would be provided to Members as and when necessary.

Section 165-167 of the Equality Act 2010 Taxi and Private Hire Passengers in Wheelchairs would be implemented by the Department for Transport (DfT) with effect from 6th April 2017. From 6th April 2017 drivers of designated wheelchair accessible taxi and private hire vehicles would be obliged by law to:

- transport wheelchair users in their wheelchairs.
- provide passengers in wheelchairs with appropriate assistance.
- charge wheelchair users the same as non-wheelchair users.

The new rules would apply in England, Wales and Scotland affecting vehicles that were designated as wheelchair accessible and would apply to both taxis and private hire vehicles.

Drivers found to be discriminating against wheelchair users may be fined up to £1,000. Drivers could also face having their taxi or private hire vehicle licence suspended or revoked by their licensing authority. Drivers unable to provide assistance for medical reasons would be able to apply for an exemption from the new rules.

Further updates in relation to the change in the law would be brought to the Licensing Committee later during the year.

Licensing Officers, WRS, would raise awareness amongst licensed drivers with regard to the introduction of the new law and how it could affect them.

Animal Licensing Proposals (DEFRA). During December 2015 and March 2016, DEFRA carried out a consultation with relevant stakeholders as part of a review of animal establishment licensing in England.

Having considered the responses received to the consultation, DEFRA has now published the following document “The review of animal establishments in England – Next steps”, as detailed at Appendix 3 to the report.

DEFRA were proposing to update and combine the current licensing regimes that regulated the sale of pet animals, dog and

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cat boarding, dog breeding and riding schools. These licensing functions were carried out by WRS on behalf of the Council.

Licensing Officer, WRS, would continue to monitor the progress of the review of animal establishment licensing in England, with further progress reports being provided to Licensing Committee Members when available.

RESOLVED that

The contents of the report on legislative updates, the appendices and supplementary papers be noted.

20. WHEELCHAIR ACCESSIBLE VEHICLES - CONSULTATION RESULTS

Following on from the Licensing Committee meeting held on 7th November 2016. Members received an update report on the consultation document produced by Worcestershire Regulatory Services on “Improving Disabled People’s Access to Redditch Taxi Fleets”.

The Senior Licensing Practitioner reminded Members that following the findings and recommendations of the Overview and Scrutiny Committee, Improving Disabled People’s Access to Redditch Taxi Fleets Task Group; Members had considered the recommendations of the Task Group at the Licensing Committee meeting held on 18th July 2016.

The Licensing Committee had agreed that the Task Group recommendations be approved subject to a minor amendment, as detailed at paragraph 3.7 in the report.

Following discussions with WRS and the Council’s Legal Services, WRS were advised that those recommendations that required amendments to the Council’s policies and those that involved licence holder’s contact details being published on the Council’s website would require further consultation with the relevant stakeholders.

A further consultation document was produced, as detailed at Appendix 1 to the report. During October 2016 the consultation document was distributed to all drivers and operators licensed by Redditch Borough Council and relevant stakeholders. Details of the consultation were also included on the Council’s website. The consultation was open for responses until 31st December 2016.

The Senior Licensing Practitioner highlighted that Members were being asked to consider the responses received to the additional

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consultation, a summary of which was detailed at Appendix 2 to the report and to consider which proposed amendments to the Council's Hackney Carriage and Private Hire Policies they wished to take forward.

The majority of respondents agreed with the Council's proposal to relax its policy on the licensing of vehicles as hackney carriages, so that instead of additional hackney carriages having to be 'brand new' wheelchair accessible vehicles, they could be wheelchair accessible vehicles that were up to six years of age.

A small minority of respondents agreed with the Council's proposal to amend its policy on the licensing of drivers of hackney carriage and private hire vehicles to require all drivers to undertake refresher training in driving standards and disability awareness training every three years.

A substantial majority of respondents agreed with the Council's proposal to amend its policy and conditions for the licensing of hackney carriage and private hire vehicles to require proprietors to display stickers in their vehicles which provided information for passengers on how to make complaints or pass on compliments.

Every single respondent agreed with the Council's proposal to publish a list on the Council's website of all taxi owners / operators who were able to provide a vehicle that was capable of carrying a passenger whilst they remained seated in their wheelchair.

The Senior Licensing Practitioner, WRS, drew Members' attention to the responses received from the Redditch Taxi Association (RTA), as detailed at Appendix 3 to the report.

The RTA had disagreed with the proposal to relax the Council's policy on the licensing of vehicles as hackney carriages, so that instead of additional hackney carriages having to be 'brand new' wheelchair accessible vehicles, they could be wheelchair accessible vehicles that were up to six years of age.

The RTA had also disagreed with the Council's proposal to amend its policy on the licensing of drivers of hackney carriage and private hire vehicles to require all drivers to undertake refresher training in driving standards and disability awareness training every three years. The RTA had stated in their response that drivers had unanimously rejected this amendment. Drivers had seen a decrease in their earnings over the last few years, so were concerned as to who would cover the cost of such training and courses.

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The RTA had agreed with the Council's proposal to amend its policy and conditions for the licensing of hackney carriage and private hire vehicles to require proprietors to display stickers in their vehicles which provided information for passengers on how to make complaints or pass on compliments. However, the RTA had suggested that such information should be included on the licence plates rather than on a separate sticker.

The RTA also made a number of other comments and suggestions in their response, which included the suggestion that an independent inquiry should be carried out before any decision was made to change Council policies.

The RTA had also highlighted that a number of drivers had not received the additional consultation so were unable to comment.

The Senior Licensing Practitioner, WRS, explained that the consultation document had been sent to all licensed drivers. The onus was on licensed drivers to ensure that WRS held all of their correct details, including their correct postal addresses. WRS would therefore need to be made aware of any drivers who had not received the consultation papers.

Members expressed their concerns with the low number of responses received to the consultation from relevant agencies. They were concerned that potentially not all of the relevant agencies and stakeholders had been consulted with.

The Senior Licensing Practitioner, WRS, responded to a number of questions from Members and in doing so highlighted that he had liaised with the Council's Engagement and Equalities Advisor with regard to the relevant agencies and stakeholders to forward the consultation document to.

Having expressed their concerns, Members agreed that the Recommendation, as detailed at paragraph 2 in the report, be amended in order that the revised consultation document, as detailed at Appendix 2 to the report, be distributed to any identified licensed drivers and agencies not included in the original consultation process.

The Senior Licensing Practitioner, WRS, responded to further questions from Members with regard to the content and positioning of the compliments / complaints stickers in vehicles.

The Chair expressed sincere thanks from the Committee to the Senior Licensing Practitioner, WRS, for the work carried out on the consultation.

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RESOLVED that as detailed in the preamble above

- the Senior Licensing Practitioner, WRS, to liaise with the Redditch Taxi Association with regard to licensed drivers who did not receive the initial consultation document. The revised consultation document, as detailed at Appendix 2 to the report, to be distributed to those drivers as identified;
- the Senior Licensing Practitioner, WRS, to liaise with the Council's Engagement & Equalities Advisor, to clarify which agencies were consulted with and if the following agencies were consulted with:-
 - Older People's Forum
 - Community Forum
 - Health and Well Being Group
 - BARN (Bromsgrove and Redditch Network)
 - DAR (Disability Action Redditch)
 - Town Centre Partnership

If any of the above agencies were not consulted with, the revised consultation document, as detailed at Appendix 2 to the report, to be distributed to those agencies. A further report on the responses received to be presented to the next meeting of the Licensing Committee.

- that following on from those responses received, to the revised consultation document, the following **RECOMMENDATIONS** from the Overview and Scrutiny Committee, Improving Disabled People's Access to Redditch Taxi Fleets Task Group, be re-considered by Licensing Committee Members:-
 - to allow applications for new hackney carriages to be made for vehicles that are less than six years old, meet European M1 safety standards and have facilities for carrying a disabled person in a wheelchair within the vehicle. (*This relates to the Hackney Carriage Vehicle Licensing Policy only*); and
 - The Driver Licence Policy – Application for a Hackney Carriage and / or Private Hire Vehicle Driver's Licence be amended to require that refresher training should be provided on driving standards and disability awareness to taxi drivers every three years.
- the following **RECOMMENDATIONS** from the Overview and Scrutiny Committee, Improving Disabled People's Access to Redditch Taxi Fleets Task Group, be approved:

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- **Information to be displayed in licensed vehicles for passengers detailing how to make compliments or report complaints.**
- **Following the implementation of the legislation locally, on Section 165-167 of the Equality Act 2010 Taxi and Private Hire Passengers in Wheelchairs, a media campaign be conducted to guide disabled people and taxi drivers when travelling by taxi about their rights and responsibilities.**
- **Worcestershire Regulatory Services (WRS) to produce a list of drivers, who consent to having their details published and currently operate licensed Wheelchair Accessible Vehicles, to the next meeting of the Licensing Committee; with the intention to publishing the list on the WRS and Redditch Borough Council websites, once seen by Licensing Committee Members.**

21. PENALTY POINTS SCHEME FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS

The Committee were asked to consider an update report with regard to the introduction of a Hackney Carriage and Private Hire Penalty Point Scheme.

The Senior Licensing Practitioner, Worcestershire Regulatory Services (WRS), introduced the report and in doing so reminded the Committee that at the Licensing Committee meeting on 18th July 2016; Members agreed to defer the implementation of a Hackney Carriage and Private Hire Penalty Point Scheme. This was to enable further meetings and discussions to take place with officers from WRS and representatives of the newly formed Redditch Taxi Association (RTA), in order to explain in more detail the aims of the scheme and how it would operate in practise.

Members also took on board the suggestion received from the RTA with regard to them introducing a self-regulating scheme to monitor any complaints and non-compliance received. Members agreed for the RTA to self-regulate any complaints and non-compliance for a period of six months; with a detailed report on the six monthly comparisons of the RTA self-regulating scheme being presented to the Licensing Committee meeting on 6th March 2017.

The Senior Licensing Practitioner, WRS, drew Members attention to Appendix 2 to the report, which provided a summary of the

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complaints recorded for hackney carriage and private hire drivers and operators, during the period 1st February 2016 to 31st January 2017.

A total of 23 complaints were recorded during the period 1st February 2016 to 31st July 2016 compared to a total of 18 complaints being recorded during the period 1st August 2016 to 31st January 2017. This indicated a reduction in recorded complaints of 21.7% since the end of July 2016. This suggested that the efforts of the RTA could be having a positive impact on the overall number of complaints being received. However, complaints were still being received periodically with regard to a number of issues which included overcharging, poor driving standards and drivers being rude and abusive.

Some of the complaints received between 1st August 2016 and 31st January 2017 were acts of non-compliance which could have been dealt with under the proposed penalty point scheme.

The Senior Licensing Practitioner, WRS, informed the Committee that further discussions with representatives from the RTA had confirmed that their members remained opposed to the introduction of the proposed penalty point scheme.

The Senior Licensing Practitioner, WRS, responded to questions from Members and highlighted that each complaint was dealt with on its own merit. Occasionally the information received from those complaining could be rather sketchy. Where drivers were identified they would be made aware of the nature of the complaint / non-compliance made against them. The driver would be provided with the opportunity to accept / defend any complaint / non-compliance recorded against them. Officers from WRS would also consider any previous complaint(s) / non-compliances recorded about the driver, which would also be taken into account and dealt with appropriately.

The Senior Licensing Practitioner, WRS, highlighted that a very small number of complaints / non-compliances were received by WRS. The vast majority of drivers did comply and carried out a very good job. On average three complaints per month were received. Taking into account the number of licensed drivers and the hours they worked over a seven day week, this was a very small amount.

Members commented that they were pleased to see the results as presented and the positive input from the RTA. Members were happy that the RTA self-regulating scheme appeared to be working successfully.

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Further discussion followed on the introduction of a penalty point scheme, with Members agreeing that WRS should continue to monitor the number of complaints received, in order to see if the number of complaints continued to reduce, since the RTA self-regulating scheme was still in its infancy.

RESOLVED that

- a) the implementation of a Hackney Carriage and Private Hire Penalty Point Scheme, be deferred until November 2017, in order to allow further information to be provided on the monitoring of the self-regulating scheme run by Redditch Taxi Association with regard to complaints and non-compliance recorded;**
- b) a further detailed six monthly comparison report on the Redditch Taxi Association self-regulating scheme be presented to the Licensing Committee meeting on 6th November 2017;**
- c) Worcestershire Regulatory Services to provide information on the type of complaints received to Redditch Taxi Association.**

22. VERBAL UPDATE ON THE CONCERNS RAISED AT THE TAXI FORUM HELD ON 23RD AUGUST 2016

The Senior Practitioner (Licensing), Worcestershire Regulatory Services (WRS) provided Members with a further update on the actions noted at the Taxi Liaison Forum held on 23rd August 2016.

The Senior Practitioner (Licensing), WRS, informed that Committee that despite his efforts some of the issues were still ongoing. There had been a change in ownership at the Kingfisher Shopping Centre and some of the issues did not fall under the remit of Worcestershire County Council, Highways Team. Members did question if it was worth raising the outstanding issues at the next Town Centre Partnership meeting.

The Senior Practitioner (Licensing) WRS, highlighted that the parking wardens and officers from WRS still remained proactive in monitoring the taxi rank on Unicorn Hill, Redditch.

The Chair thanked the Senior Licensing Practitioner, WRS, for the verbal update.

23. LICENSING COMMITTEE WORK PROGRAMME 2016/2017

The Committee considered the Licensing Committee Work Programme for the remainder of the 2016/17 Municipal Year.

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RESOLVED that

the Licensing Committee Work Programme 2016/17 be updated as discussed and agreed during the course of the meeting.

The Meeting commenced at 7.02 pm
and closed at 8.45 pm

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Planning Committee

Wednesday, 12 April 2017

MINUTES

Present:

Councillor Andrew Fry (Chair), Councillor Nina Wood-Ford (Vice-Chair) and Councillors Joe Baker, Michael Chalk, Matthew Dormer, Wanda King and Yvonne Smith

Officers:

Gavin Boyes, Amar Hussain, Charlotte Wood and Helena Plant

Democratic Services Officer:

Jan Smyth

79. APOLOGIES

Apologies for absence were received on behalf of Councillors Gareth Prosser and Jenny Wheeler. Councillor Joe Baker was confirmed as Councillor Wheeler's substitute for the meeting.

80. DECLARATIONS OF INTEREST

Councillor Yvonne Smith declared an Other Disclosable Interest in Agenda Item 6 (Planning Application 2017/041/FUL – 17 Atcham Close, Winyates East, Redditch B98 ONY) as detailed at minute 84 below.

81. CONFIRMATION OF MINUTES

RESOLVED that

the minutes of the meeting of the Planning Committee held on 15th March 2017 be confirmed as a correct record and signed by the Chair.

82. UPDATE REPORTS

The published Update Reports for the various Applications were noted.

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Chair

Planning Committee

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83. APPLICATION 2017/033/FUL - 120 FECKENHAM ROAD, HEADLESS CROSS, REDDITCH, REDDITCH B97 5AG

Side and rear two-storey extensions.

Applicant: Mr Mohinder Lalli

RESOLVED that

having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the Conditions and Informative set out on pages 17 to 18 of the main agenda report.

(Officers reported on a consultation response received from the Council's Tree Officer and additional clarification in respect of the relationship of the neighbouring property's first floor windows to the proposed development, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.)

84. APPLICATION 2017/041/FUL - 17 ATCHAM CLOSE, WINYATES EAST, REDDITCH, B98 ONY

First floor side extension over existing garage / store and rear single-storey extension

Applicant: Mrs Michelle Compton-Wiley

Councillor Yvonne Smith, in her capacity as Ward Councillor, and Mrs Michelle Compton-Wiley, the Applicant, addressed the Committee under the Council's public speaking rules.

RESOLVED that

having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the following summarised Conditions:

- 1) Time limit.**
- 2) Implemented in accordance with the submitted plans and details of materials to be submitted and approved.**

(Having considered the Officers presentation and information provided by the Public Speakers, Members took a different view to Officers in relation to the distinctive styles in the Close, considering that, as a number of dwellings within the Close, including dwellings in proximity to the application site, had already been developed in some way, including the infilling of the space above the garages

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referred to in the reason for refusal, the common design features referred to were not supported.

Members felt that the proposal would not appear at odds with the character of dwellings in Atcham Close and would not have a detrimental effect on the character of the area. Members further considered that the application was not contrary to Policies 39 and 40 of the Borough of Redditch Local Plan No. 4 in that the development would compliment the local area and contribute to the surroundings.)

(Prior to consideration of this matter, Councillor Yvonne Smith declared an Other Disclosable Interest in that she had provided support to the Applicant and would be withdrawing to the public gallery to address the Committee in her Ward Councillor capacity. Following the conclusion of public speaking on the item, Councillor Smith withdrew from the meeting and took no part in the Committee's consideration or voting on the matter.)

85. APPLICATION 2017/074/FUL - 163 HITHER GREEN LANE, BORDESLEY, REDDITCH

Single-storey extension, front porch, detached garage and widening of driveway, alterations to the fenestrations

Applicant: Mr Nittin Sodha

RESOLVED that

having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the Conditions set out on pages 27 and 28 of the main agenda report but with Condition 2 being substituted by the following:

- 2) The development hereby permitted shall be carried out in accordance with the Approved Plans/Drawings listed in this notice:**
 - **Location and Site Plan – Drawing no. 2017/53/001 – Rev A**
 - **West Side Elevation – 2017/53/002/Rev A**
 - **North Side Elevation – Drawing no. 2017/53/003/Rev A**
 - **East Side Elevation – Drawing no. 2017/53/004/Rev A**
 - **South Side Elevation – Drawing no. 2017/53/005/Rev A**
 - **First Floor Plans – Drawing no. 2017/53/007**
 - **Materials to be in accordance with the details provided in question 10 of the application form.**

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Reason: For the avoidance of doubt and in the interests of proper planning.

(Officers reported on further neighbour comments that had been received and the need to substitute Condition 2, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.)

86. BOROUGH OF REDDITCH TREE PRESERVATION ORDER NO. 164 - HEWELL ROAD, BATCHLEY, REDDITCH

The Committee considered a report which detailed proposals for the protection of a number of semi mature and mature trees which were considered to be of positive benefit to the public amenity, their value therefore making them worthy of retention in the longer term.

Further to comments made in relation to the uneven condition of the public footpath alongside the line of trees as a result of root growth, Officers clarified that maintenance of the footpath was the responsibility of the County Council.

RESOLVED that

Tree Preservation Order (No. 164) 2016, as detailed in the Schedule attached at Appendix 1 and the Plan attached at Appendix 2 to the main agenda report, be confirmed without modification.

87. PLANNING APPEAL OUTCOMES -INFORMATION REPORT

The Committee received, for information purposes, a report which detailed the outcomes of recent Planning Appeal decisions.

RESOLVED that

the items of information be noted.

The Meeting commenced at 7.00 pm
and closed at 7.56 pm

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CHAIR