



Executive Committee

Tue 6 Jun
2017
7.00 pm

Committee Room Three
Town Hall
Redditch

REDDITCH BOROUGH COUNCIL

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If you have any queries on this Agenda please contact
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Executive

Tuesday, 6th June, 2017

7.00 pm

Committee Room 3 Town Hall

Agenda

Membership:

Cllrs:	Bill Hartnett (Chair)	Brandon Clayton
	Greg Chance (Vice-Chair)	John Fisher
	Joe Baker	Mark Shurmer
	Juliet Brunner	Pat Witherspoon
	Debbie Chance	

1. Apologies

2. Declarations of Interest

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

3. Leader's Announcements

4. Minutes of the meeting of the Executive Committee held on 4th April 2017 (Pages 1 - 16)

5. Health and Safety Policies - Statutory Inspection, Driving at Work and Corporate Health and Safety (Pages 17 - 96)

6. Community Engagement Strategy (Pages 97 - 108)

7. Equality Strategy (Pages 109 - 134)

8. Finance Monitoring Outturn 2016/17 (Pages 135 - 150)

9. Minutes of the meeting of the Overview and Scrutiny Committee held on 28th March 2017 (Pages 151 - 162)

There are no outstanding recommendations to consider from these Minutes.

10. Minutes / Referrals - to receive and consider any outstanding minutes or referrals from the Overview and Scrutiny Committee, Executive Panels etc.

11. Corporate Parenting Board - Verbal Update from Portfolio Holder for Community Safety and Regulatory Services (if applicable)

12. Advisory Panels - Update Report (Pages 163 - 164)

13. Exclusion of the Public

To consider excluding the public from the meeting in relation to the following items of business on the grounds that exempt information may / is likely to be divulged:

- (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.

And if excluding the public, to move the following resolution:

“That under Section 100 1 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 above matters, on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 4 of part 1 of Schedule 12 (a) of the Act, as amended.”

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

14. Confidential Minutes / Referrals - to include the Minutes of the meeting of the Shared Services Board held on 15th May 2017 (Pages 165 - 170)

15. Legal, Equalities and Democratic Services Review - Business Case (Pages 171 - 186)

16. Facility Management and Cleaning Services Review - Business Case (Pages 187 - 218)

17. Parks and Green Space Stewardship Services Review - Business Case (Pages 219 - 272)



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MINUTES

Present:

Councillor Bill Hartnett (Chair), Councillor Greg Chance (Vice-Chair) and Councillors Debbie Chance, Brandon Clayton, John Fisher, Mark Shurmer, Yvonne Smith and Pat Witherspoon (during Minute No's 97 to part of 112)

Also Present:

Councillor Nina Wood-Ford (for Minute No.101)

Officers:

Ruth Bamford, Jess Bayley, Clare Flanagan, Sue Hanley, Louise Jones, Jayne Pickering, Amanda Singleton and Judith Willis

Democratic Services Officer:

Debbie Parker-Jones

97. APOLOGIES

An apology for absence was received from Councillor Juliet Brunner.

98. DECLARATIONS OF INTEREST

Councillor Pat Witherspoon declared an Other Disclosable Interest in Agenda Item 9 – Worcestershire Housing Partnership Plan – as detailed at Minute No. 105 below.

99. LEADER'S ANNOUNCEMENTS

Work Programme

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

- Council Procurement Rules;
- Financial Regulations;
- Engagement Strategy;

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- Equalities Strategy;
- Pre-Application Charging Schedule (changing to 'Planning Fees' report);
- Redditch Sports and Physical Activity Strategy 2017/22;
- Health and Safety Policy – Driving at Work;
- Health and Safety Policy – Statutory Inspections;
- Review of Service Delivery Options – HRA Gas Maintenance Service; and
- Policy for HRA Gas Maintenance.

Additional Papers

Two sets of Additional Papers had been circulated prior to the meeting:

- Additional Papers 1 – which comprised an extract of the minutes of the Overview and Scrutiny Committee meeting held on 28th March 2017 in relation to the Mental Health Services for Young People Task Group report; and
- Additional Papers 2 – which contained the appendix to the Council's Response to the Solihull Local Draft Plan report at agenda Item 7, which had been omitted from the agenda in error.

100. MINUTES

RESOLVED that

the minutes of the meeting of the Executive Committee held on 20th February 2017 be agreed as a correct record and signed by the Chair.

101. MENTAL HEALTH SERVICES FOR YOUNG PEOPLE TASK GROUP - FINAL REPORT

Councillor Nina Wood-Ford, Chair of the Mental Health Services for Young People Task Group, gave a brief presentation on the Task Group's final report. She was accompanied by Jess Bayley, Democratic Services Officer and report author. In addition to the Task Group's report which appeared in the agenda papers, Members also had before them a Minute Extract and recommendations of the Overview and Scrutiny (O&S) Committee's meeting of 28th March 2017, which had been circulated as Additional Papers 1. It was noted that at the O&S meeting in March the Task Group had been advised that a different department at Worcestershire County Council organised Youth Mental Health First Aid training. The words "Public Health Department" had therefore been removed from the wording of Recommendation 3.

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Councillor Wood-Ford explained the background to the report, which had arisen in light of concerns about the prevalence of mental health issues in Redditch. The Task Group wanted to focus on children and young people for early intervention purposes. Some of the categories of people who were at higher risk of mental health and wellbeing problems were highlighted, and it was noted that Redditch had:

- higher levels of deprivation than the county average (one of the higher risk categories);
- a higher proportion of young people in the local population than the county average;
- higher than average mental ill health problems than the county average; and
- a higher suicide rate than the average for the county.

The review had taken place at a time of change to mental health services. The following public documents which had been relevant to the review were emerging, or being implemented, as the review had taken place:

- Worcestershire Transformation Plan for Children and Young People's Mental Health and Wellbeing;
- West Midlands Combined Authority's Mental Health Commission's *Thrive West Midlands Action Plan*; and
- Suicide Prevention Plan for Redditch.

The Task Group's report had resulted in a total of seven recommendations which were designed to help young people and the people who worked with them. The Executive Committee was being asked to determine Recommendations 4, 5 and 6 only. Recommendations 1, 2 and 3 were recommendations to external organisations and for noting only. Recommendation 7, which related to the reconvening of the Task Group in 12 months' time to monitor progress in the Borough against actions set out in the documents referred to above, had been resolved by O&S and, again, was for noting only.

Members thanked the Task Group for an extremely helpful report and the hard work that had been put into this very important issue. The Council had been the only authority in the county to sign up to the West Midlands Mental Health Concordat, and invaluable work was also being carried out on the 'Time to Talk' initiative which the Council had pledged support to and which UNISON was leading on within the Council.

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Members noted Recommendations 1, 2, 3 and 7. In relation to Recommendation 4, the Leader stated that he was happy to write the proposed letter to the Secretary of State for Education and to work with the appropriate O&S Member(s) to compile this. The Leader also suggested that a copy of the Task Group's report be sent to the Member of Parliament for Redditch with a covering letter making her aware of the contents of this in light of her work for the town.

The proposals at Recommendation 6 to review the implications for Council Services of Actions 4 and 5 of the West Midlands Combined Authority Mental Health Commission's *Thrive West Midlands Action Plan*, and that the outcomes of this work be reported for the Executive Committee's consideration in due course, were also supported. It was noted that this would complement work which was already being undertaken by the Council. Officers undertook to forward a copy of the *Thrive West Midlands Action Plan* to Members following the meeting.

The Executive Committee did not support Recommendation 5, which proposed the establishment of a new theme dedicated to projects which helped people experiencing mental health and wellbeing problems under the Council's grants programme. Members were of the view that the current themes provided sufficient scope for applications from voluntary and community sector organisations that worked in these fields, with many grants having been awarded over the years to organisations whose work included mental health and wellbeing elements. Councillor Wood-Ford responded that the recommendation had arisen following feedback from such organisations that they were unaware that they could apply to the Council for grant funding. Members agreed that as much awareness as possible of the grants process, the existing themes and the types of applications which could be made under these was key to ensuring that as many organisations as possible applied for grants. They requested therefore that any efforts currently undertaken by Officers in promoting the grants process be doubled to heighten awareness.

RESOLVED that

- 1) the Leader of the Council write to the Secretary of State for Education, the Rt. Hon. Justine Greening, urging her to ensure that Personal, Social, Health and Economic Education (PSHE) Lessons, to include lessons about mental health and wellbeing issues, become a statutory part of the national school curriculum (*Recommendation 4 in the report*);**

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- 2) a new theme dedicated to projects which help people experiencing mental health and wellbeing problems not be added to the Council's grants programme (*Recommendation 5 in the report*); and
- 3) Senior Officers, following consultation with the Portfolio Holders for Corporate Management and Housing respectively, review the implications for Council Services of the following actions detailed in the West Midlands Combined Authority Mental Health Commission's *Thrive West Midlands Action Plan*:

Action 4: the proposal to evaluate a financial incentive to encourage companies to demonstrate their commitment to mental health and wellbeing; and

Action 5: the proposal to help people to gain housing and work (including potentially supported accommodation); and

the outcomes of this work be reported for the consideration of the Executive Committee (*Recommendation 6 in the report*).

RESOLVED to NOTE the following recommendations from the Task Group to the Emotional Wellbeing and CAMHS Partnership Board and Worcestershire County Council that:

- 4) Child and Adolescent Mental Health Services (CAMHS) should not withdraw services from young people who fail to engage during their appointments (*Recommendation 1 in the report*);
- 5) a representative of the new Liaison and Diversion Service for Worcestershire should work as a Change Champion in Connecting Families once the service starts to operate in the county (*Recommendation 2 in the report*); and
- 6) Worcestershire County Council should review the provision of Youth Mental Health First Aid training to determine whether a concessionary rate could be offered to enable staff from smaller Voluntary and Community Sector organisations to participate. (*Recommendation 3 in the report*).

RESOLVED to NOTE the following recommendation from the Task Group to the Overview and Scrutiny Committee that:

- 7) the Mental Health Services for Young People Task Group should be reconvened in 12 months' time to receive

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monitoring updates from Officers about progress in the Borough with the implementation of:

- a) the actions detailed in the *Worcestershire Transformation Plan for Children and Young People's Emotional Wellbeing and Mental Health*;
- b) the West Midlands Combined Authority Mental Health Commission's *Thrive West Midlands: An Action Plan to Drive Better Health and Wellbeing in the West Midlands*; and
- c) the Suicide Prevention Plan for Redditch (*Recommendation 7 in the report*).

102. REDDITCH BOROUGH COUNCIL RESPONSE TO LOCAL TRANSPORT PLAN 2017 - 2030

Members considered the informal response submitted by Officers as part of the consultation on the Worcestershire Local Transport Plan (LTP) 2017 – 2030. The informal response had been submitted to the County Council on 17th March 2017 in order to meet the consultation deadline and Member endorsement of the response was now being sought.

Officers explained that central government required the County Council to produce LTPs to set out objectives for developing transport plans. The purpose of the consultation on the LTP was to set out the County Council's aspirations and priorities for investing in the transport networks, including infrastructure, technology and services to support all relevant modes of transport including walking, cycling, rail, bus and community transport, as well as highways.

The informal response set out general comments and concerns that the Council had in relation to the LTP, and sought clarification on elements of this. Members endorsed the response and in doing so noted that issues which had previously been raised with the County Council had not been addressed within the LTP. Notably, there was a fundamental lack of regard within the LTP for strategic growth issues related to future housing needs of the Greater Birmingham Housing Market Area, and no mention of rail service.

RECOMMENDED that

- 1) the informal response to the Worcestershire Local Transport Plan 2017 – 2030, attached at Appendix A to the report, for submission as the formal Council response be approved; and

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RESOLVED that

- 2) the report be noted.

103. REDDITCH BOROUGH COUNCIL RESPONSE TO SOLIHULL DRAFT LOCAL PLAN

Members considered the Officer response (circulated as Additional Papers 2) submitted to the consultation on the Solihull Draft Local Plan. The informal response had been submitted to Solihull Metropolitan Borough Council on 17th February 2017 in order to meet the consultation deadline, and Member endorsement of the response was now being sought.

Officers explained that the purpose of the consultation on the Draft Local Plan was to seek views on the revised policies and proposed site allocations for housing and employment land, in addition to those in the existing Plan. The Officer response to the consultation raised a number of concerns which it was felt still needed to be addressed through the Plan. Notably, it was not clear exactly what the Objectively Assessed Housing Need for Solihull was. It was also felt that the Plan did not adequately respond to the shortfall of 37,900 dwellings arising from Greater Birmingham Housing Market Area (GBHMA) as indicated in the Birmingham City Development Plan. Solihull had not formally committed to accommodating 2000 dwellings in a particular location. Also, there was no clear rationale to help determine or indicate what the relevant level of additional housing that Solihull should be accommodating to address this shortfall would be.

RECOMMENDED that

- 1) the Officer response to the Solihull Draft Local Plan, attached at Appendix A to the report, for submission as the formal Council response be approved; and

RESOLVED that

- 2) the report be noted.

104. VOLUNTARY AND COMMUNITY SECTOR GRANT FUNDING - ALLOCATION OF UNALLOCATED FUNDS FOR 2017/18

Members considered the Notes and recommendations of the Grants Panel Meeting held on 14th March 2017.

The Panel considered nine resubmitted major grant applications which had been received from a variety of Voluntary Sector Organisations in line with the Council's five themed Strategic

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Purposes, for a number of unallocated sums of money that had been re-advertised in parallel with the Stronger Communities Grants applications. Each of the applications was scored in accordance with the Council's Grants Programme requirements, with recommendations made to either approve or reject each of the applications.

The Panel were informed that the remaining budget of £1,000 under the "Keep my place safe and looking good" Theme remained unallocated as no new or re-submitted applications had been received under this Theme. The Panel agreed that it be recommended to the Executive Committee that the unallocated budget be incorporated into the Stronger Communities grants funding theme for 2017/18.

RESOLVED that

- 1) the following grants for the unallocated budgets for 2017/18 be awarded:

Group	Theme and relaunched amount	Project	Amount
Redditch Play Council	Help Me to Live My Life Independently £16,000	The Redditch Play Council	£16,000
NewStarts	Help Me Run a Successful Voluntary Sector Business £5,000	Skills for a New Start	£5,000
The Ditch Youth Project	Help Me to Live My Life Independently £1,000	The Ditch Youth Project	£1,000

- 2) the unallocated sum of £1,000 relating to the Theme "Keep my place safe and looking good" be included in the Stronger Communities grants funding theme for 2017/18.

105. WORCESTERSHIRE HOUSING PARTNERSHIP PLAN

The Committee received a report which outlined the Memorandum of Understanding and the Worcestershire Housing Partnership Plan, both of which had been developed, together with partners, by the Worcestershire Strategic Housing Partnership (WSHP) and

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were subject to a 10-week consultation which ended on 31st December 2016.

Officers presented the report and explained the background to the WSHP. The group aimed to develop, lead and drive the Worcestershire strategies and strategic plans which related to housing, housing-related support needs and the growth and economic success agenda to ensure a joined-up approach across the county. A more joined-up approach should then enable agencies to use their resources more efficiently in the future. The vision for the Partnership Plan was “the right home environment is essential to health, wealth and wellbeing throughout life”, with the vision being supported by three key priorities as detailed in the report.

Whilst Members supported the Plan a concern was raised that various references were made in this to affordable housing, but that there were no references to social housing, which were two separate things. A Member also expressed disappointment that Redditch Co-operative Homes were reportedly unaware of the existence of the Plan. Officers agreed to take Members’ comments back to the Council’s Chief Executive.

RESOLVED that

- 1) the Worcestershire Housing Partnership Plan be endorsed; and**
- 2) the Worcestershire Memorandum of Understanding be agreed.**

(During the consideration of this matter, Councillor Pat Witherspoon declared an Other Disclosable Interest in this item by virtue of her being one of the Council’s representatives on Redditch Co-operative Homes, and remained in the room during the consideration of this.)

106. FINANCE MONITORING QUARTER 3 2016/17

The Committee received a report which detailed the Council’s final financial position for the General Fund Revenue, Capital and Housing Revenue Account (HRA) for the period April to December 2016 (Quarter 3 2016/17). Officers apologised for the omission of report appendices 2 (HRA Monitoring April – December 2016/17) and 3 (Revenue Budget Reconciliation) from the agenda papers, which they confirmed they would circulate to Members after the meeting.

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It was noted that there was currently a revenue underspend of £54k, projected to be £59k by the year end. This included a proportion of the projected underspend being allocated back to the HRA.

Officers explained the position in relation to the Capital Budget Summary. Whilst there were a few underspends in the third quarter due to the timing of projects commencing, it was anticipated that the majority of capital expenditure would be on target to budget for the financial year. There were expected carry forward positions on the crematorium enhancement and HRA capital projects.

Paragraph 3.6 of the report detailed information in relation to the HRA. Rental income had shown a shortfall of £189k due to the increase in the number of Right to Buy sales following relaxation of the discount rules. This had partially been offset by a £17k increase in non-dwelling rental income due to higher than expected garage lettings. There had been other significant overspends in the Repairs and Maintenance and Supervision and Management teams, for the reasons detailed in the report. It was reported that the detail included in the missing Appendix 2 would further inform Members as to the financial position for the HRA.

Regarding the number of void properties requiring costly repair works, Members queried whether the Council pursued former tenants to recover repair costs. Officers stated that so far as they were aware the Council did seek to recover such costs, and that they would check how this was done and would report back to Members on this. It was confirmed that void recharges had been looked at under transformation and that this was an area which the relevant Head of Service was currently looking into. Members queried how many void properties were affected and whether the trend for this was increasing, details of which Officers also agreed to obtain and to circulate to Members. Officers also provided clarification on the reference to “temporary staff vacancies” detailed at page 106 of the agenda. This referred to staff vacancies which had temporarily been held vacant, rather than to vacancies for temporary members of staff. It was agreed that this wording be amended in future to avoid any further confusion.

RESOLVED that

the current financial positions for the quarter April to December 2016, as detailed in the report, be noted.

107. OVERVIEW AND SCRUTINY COMMITTEE

The Committee received the minutes of the meeting of the Overview and Scrutiny Committee held on 14th February 2017.

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It was noted that there were no recommendations to consider.

RESOLVED that

the minutes of the meeting of the Overview and Scrutiny Committee held on 14th February 2017 be received and noted.

108. MINUTES / REFERRALS - OVERVIEW AND SCRUTINY COMMITTEE, EXECUTIVE PANELS ETC.

Minute Extract of 28th March 2017 Overview and Scrutiny Committee

A Minute Extract and recommendations arising from the meeting of the Overview and Scrutiny Committee held on 28th March 2017 (circulated as Additional Papers 1) were considered along with Agenda Item 5 – Mental Health Services for Young People Task Group – Final Report (Minute No.101 refers).

109. CORPORATE PARENTING BOARD - PORTFOLIO HOLDER UPDATE

Councillor Yvonne Smith, Portfolio Holder for Community Safety and Regulatory Services and the Council's representative on the Worcestershire County Council Corporate Parenting Board (CPB), provided Members with an oral update on the work of the Board. It had been agreed that an item from the Portfolio Holder updating Members on the work of the Board would appear on all Executive Committee agendas from hereon, in light of the outcomes of the Ofsted Inspection of Children's Services and Review of the effectiveness of the Local Safeguarding Children Board in late 2016. The CPB was a means of securing elected Member engagement with the issues affecting children in care. The Portfolio Holder updates to Executive would help to disseminate relevant information in a public arena, to show that work was being carried out and would allow questions to be raised on this.

Councillor Smith proceeded to give a detailed oral update as set out below.

1. The CPB was a cross-party advisory body to Worcestershire County Council's Executive and others, on matters concerning Looked After Children (LAC; children and young people either in Foster Care or in Children's Residential Care) and Care Leavers.
2. It existed to ensure that the needs of LAC and Care Leavers were met.
3. It had no decision-making powers.

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4. It was chaired by County Councillor Marc Baylis who was responsible for Children, Families and Communities.
5. It met at least six times a year.
6. Membership of the CPB comprised 6 County Councillors and one Councillor from each of the Worcestershire District/Borough Councils.
7. A number of County Council Officers (including Catherine Driscoll as the responsible Director), District/Borough Council Officers and representatives from various partner agencies such as Child and Adolescent Mental Health Services (CAMHS), Babcock Prime and the Community and Voluntary sector such as Swanswell also attended the meetings.
8. Children and young people from the Who Cares We Care Children in Care Council and Speak Out Care Leavers Council also attended to represent the voices of the children and young people.
9. Listening to the LAC was a golden thread running through the Board to provide children and young people with an opportunity to help shape the services they received.
10. Reports and presentations were taken to the CPB for consideration and at the 2nd February 2017 meeting the following items were discussed:
 - a presentation on the Care Leavers' Strategy and Strategic Plan;
 - the Annual Corporate Parenting Board report;
 - a report on Unaccompanied Asylum Seeking Children;
 - Council key issues debate feedback;
 - the Corporate Parenting Strategy and Pledge;
 - the Children's Services Ofsted Report relating to Corporate Parenting; and
 - the CPB's Work Programme.
11. District responsibilities were mostly about providing an appropriate place for Care Leavers to live and to prevent them from going into bed and breakfast accommodation.
12. It was crucial that the district housing departments received sufficient notice that a Care Leaver was about to leave care and confirmation that the Care Leaver had the ability to manage their tenancy.
13. Sadly some care leavers did not have the basic skills to manage their finances, to cook and clean and could get into difficulties with their tenancies.

In closing, Councillor Smith read out the following quotes:

From the Care Leavers' Strategy by Eleanor Schooling, Ofsted National Director of Social Care, December 2016:

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“Care is what we receive from our family and friends. Sometimes we forget that it can be as simple as having supportive and healthy relationships with people who care about us. As Corporate Parents, we try to replicate that relationship as closely as possible, so that Care Leavers get the same support that many of their peers get as they begin adulthood.”

And from a young person who attended a CPB meeting:

“We don’t need you to know us personally but we want to know that you think of us and our needs when you are planning services.”

Members thanked Councillor Smith for the comprehensive update. It was agreed that the best approach was for Councillor Smith to continue to provide oral updates in the future, unless she felt that a written report was more appropriate. As this was the first update which had contained a lot of background information it was requested that a detailed minute be provided for this. A query was raised as to whether Members should be sent a copy of the CPB minutes. Councillor Smith responded that the meetings were not open to the public and that all reports were marked not for publication. She was unsure as to why the Board minutes were not made public and confirmed that she would check with the County Council why this was the case, and would seek confirmation from them as to what information could and could not be obtained.

Councillor Smith confirmed that the next CPB meeting was due to take place on Thursday 6th April 2017, which she would update Members on at the June Executive Committee meeting.

RESOLVED that

the update be noted.

110. ADVISORY PANELS - UPDATE REPORT

RESOLVED that

the report be noted.

111. 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 matter on the grounds that it involves 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.

Item 15 – Customer Access and Financial Support Services Shared Service Business Case.

112. SHARED SERVICE BUSINESS CASE FOR CUSTOMER ACCESS AND FINANCIAL SUPPORT SERVICES

The Committee received a confidential report on the Business Case for Customer Access and Financial Support Services. Members were advised that the Business Case had already been considered by the Shared Services Board who had endorsed this.

Officers gave a presentation on the proposed Business Case, which included details of:

- the strategic and operational purposes for Customer Access and Financial Support;
- transformation work which had been carried out over the preceding 3 years and which would continue in the future;
- the financial and staffing implications of the proposed structure; and
- the evidence-base to support the proposals.

Officers advised that a shared service would provide for greater resilience and enable changes to be made to the structure, which in turn would provide for greater one-to-one support for customers in need. Work carried out by the service had also evidenced a need to provide dedicated financial independence support to customers.

The proposed structure would provide a sound base moving forward, finalise working arrangements which had been in place for some time and ensure the provision of a high quality customer focused service. The proposed structure also recognised that there were significant external influences which were outside of the Council's control but which the Council had to adapt to quickly, for example Welfare Reforms, and provided flexibility for this and to continue to meet customer demand.

Members supported the Business Case and thanked Officers for an excellent evidence-based report.

RECOMMENDED that

the Business Case for the Customer Access and Financial Support Services Shared Service be approved.

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[During consideration of this item Members discussed matters that necessitated the disclosure of exempt information. It was therefore agreed to exclude the press and public prior to any debate on the grounds that exempt information would be revealed relating to labour relations matter.]

The Meeting commenced at 7.00 pm
and closed at 9.05 pm

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Chair

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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 court expects 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?

			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

Statutory Inspection TABLE RBC

	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.

	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 Councils 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 Councils' 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

Name: Rebecca Dunne, Policy Manager
email: r.dunne@bromsgroveandredditch.gov.uk
Tel.: 01527 881616

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DRAFT

**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.

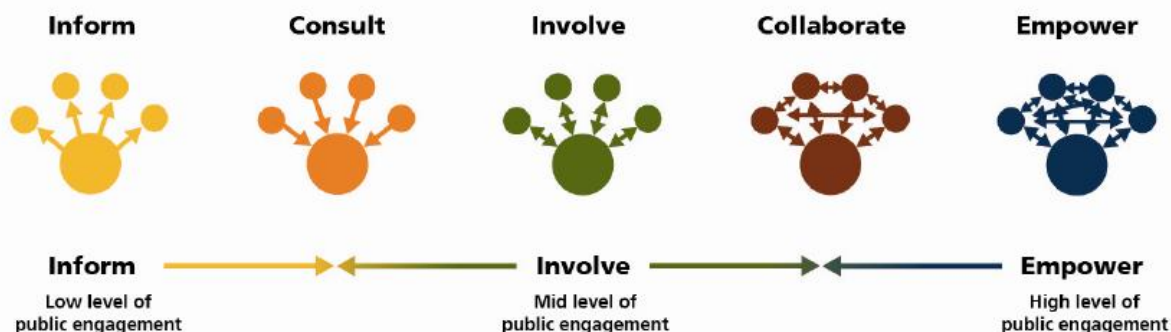
The purpose of this Community Engagement Strategy is to build on the good practices that already exist within the Council; plan a way forward for engaging with local people in the future and ultimately increase the number and diversity of people who engage with the Council. Community engagement is a 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

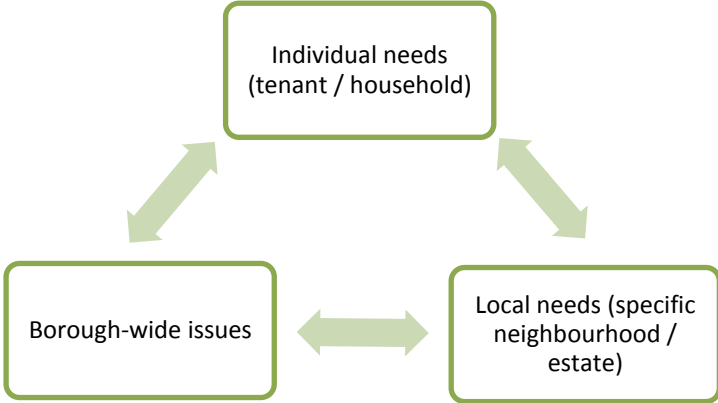
To find out about the councils engagement activities please contact us or just go to www.redditchbc.gov.uk/consultations

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

**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
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- 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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Overview and Scrutiny Committee

Tuesday, 28th March, 2017

MINUTES

Present:

Councillor Jane Potter (Chair), Councillor Gay Hopkins (Vice-Chair) and Councillors Joe Baker, Tom Baker-Price, Matthew Dormer, Andrew Fry, Paul Swansborough, Jennifer Wheeler and Nina Wood-Ford

Officers:

Sue Hanley

Democratic Services Officers:

J Bayley and A Scarce

79. APOLOGIES AND NAMED SUBSTITUTES

There were no apologies for absence. Councillor Swansborough asked for it to be noted that he needed to leave the meeting at 8.00 pm.

80. DECLARATIONS OF INTEREST AND OF PARTY WHIP

There were no declarations of interest nor pf any party whip.

81. MINUTES

RESOLVED that

the minutes of the meeting held on 14th February 2017 be confirmed as a correct record and signed by the Chair.

82. MENTAL HEALTH SERVICES FOR YOUNG PEOPLE TASK GROUP - FINAL REPORT

Councillor Nina Wood-Ford, Chair of the Mental Health Services for Young People Task Group, gave a presentation on the findings of the Group and its recommendations. This included information in respect of the background to the setting up of the Task Group and how it linked to the Council's Strategic Purposes. As it was such a broad subject it had been agreed that the group would concentrate

.....
Chair

Overview and Scrutiny Committee

Tuesday, 28th March, 2017

on services for children and young people. Information was provided in respect of those at higher risk of mental health and wellbeing problems together with details of the situation in Redditch. Councillor Wood-Ford also highlighted that there were a number of changes which were underway including actions delivered in line with the Worcestershire Transformation Plan for Children and Young People's Mental Health and Wellbeing, the West Midlands Combined Authority Mental Health Commission's Thrive West Midlands Action Plan and the Suicide Prevention Plan for Redditch.

Councillor Wood-Ford explained that the group had put forward seven recommendations which were designed to help young people and the people who worked with them. All these proposals were based on the evidence gathered and had unanimous, cross-party consensus. Whilst the group were aware that recommendations to partner organisations did not have to be accepted, it was hoped that they would be supported. Details of each recommendation were then given together with the thinking behind them and brief details of the supporting evidence.

Following the presentation Members thanked the group for their detailed and comprehensive report. A number of points were made in respect of the Transformation Plan and the work that it contained, due to concerns that this would be expensive and questions were raised as to whether funding for this was available. Officers confirmed that the plan was already in place and was being delivered on a rolling basis; a number of the actions had been carried out, some were on going and a number remained to be addressed. The plan had also been refreshed in recent months.

Members subsequently discussed a number of areas of the report in more detail, including the following:

- The work of the Child and Adolescent Mental Health Services (CAMHS) team and the allocation process for their services.
- Difficulties in engaging with young people.
- It was confirmed that although the group had sent a questionnaire to all local schools only four had responded.
- The data that had been considered by the group. Officers agreed to provide Members with the data from the Redditch Health Profile for 2016 and the Redditch Health and Wellbeing Profile for 2013 for information.
- The group agreed that there was some very good work going on and that mental health was an issue which was now openly spoken about. This had helped raise the profile of mental ill health and the need for support.

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Tuesday, 28th March, 2017

- The need for support and training to be made available for those who had contact with the young people at an early stage, for example within schools.
- It was confirmed that the funding available took into account population per clinical commissioning group area.

Following the discussions Officers highlighted a number of points which had been raised by external witnesses once the report had been published within the agenda. In respect of Recommendation 2 the Change Champion referred to for the Connecting Families Team it had been suggested it would be helpful to clarify whether this arrangement should be for Redditch only, as it was acknowledged that there were different Connecting Families teams across the county. In respect of Recommendation 3 the group have been advised that a different department at Worcestershire County Council organised Youth Mental Health First Aid Training and it was therefore suggested that the words "Public Health Department" be removed from the wording. The Committee were also asked to note that the 50% cuts to Early Help this was to the Early Help provider in Redditch not to the whole of the Early Help which covered a range of difference services.

It was also confirmed that the recommendations 1, 2 and 3 were to external organisations, recommendations 4, 5, and 6 were to the Executive Committee and recommendation 7 was a resolved item for this Committee.

RECOMMENDED to the Emotional Wellbeing and CAMHS Partnership Board that

- 1) **Child and Adolescent Mental Health Services (CAMHS) should not withdraw services from young people who fail to engage during their appointments; and**
- 2) **a representative of the new Liaison and Diversion Service for Worcestershire should work as a Change Champion in Connecting Families once the service starts to operate in the county.**

RECOMMENDED to Worcestershire County Council that

- 3) **Worcestershire County Council should review the provision of Youth Mental Health First Aid training to determine whether a concessionary rate could be offered to enable staff from smaller Voluntary and Community Sector organisations to participate.**

Overview and Scrutiny Committee

Tuesday, 28th March, 2017

RECOMMENDED to the Executive Committee that

- 4) The Leader of the Council should write to the Secretary of State for Education, the Rt. Hon. Justine Greening, urging her to ensure that Personal, Social, Health and Economic Education (PSHE) Lessons, to include lessons about mental health and wellbeing issues, become a statutory part of the national school curriculum;
- 5) a new theme should be added to the Council's grants programme which is dedicated to projects which help people experiencing mental health and wellbeing problems; and
- 6) Senior officers, following consultation with the Portfolio Holders for Corporate Management and Housing respectively, should review the implications for Council Services of the following actions detailed in the West Midlands Combined Authority Mental Health Commission's *Thrive West Midlands Action Plan*:

Action 4: the proposal to evaluate a financial incentive to encourage companies to demonstrate their commitment to mental health and wellbeing.

Action 5: the proposal to help people to gain housing and work (including potentially supported accommodation).

The outcomes of this work should be reported for the consideration of the Executive Committee.

RESOLVED that

the Mental Health Services for Young People Task Group reconvenes in 12 months' time to receive monitoring updates from officers about progress in the Borough with the implementation of:

- a) the actions detailed in the *Worcestershire Transformation Plan for Children and Young People's Emotional Wellbeing and Mental Health*;
- b) the West Midlands Combined Authority Mental Health Commission's *Thrive West Midlands: An Action Plan to Drive Better Health and Wellbeing in the West Midlands*; and

Overview and Scrutiny Committee

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c) the Suicide Prevention Plan for Redditch.

83. TASK GROUP REVIEWS - DRAFT SCOPING DOCUMENTS

The Chair invited Councillor Joe Baker to present a scoping document detailing the draft terms of reference for a proposed review of homelessness in the Borough.

Councillor Baker explained that there appeared to have been an increase in the number of homeless people on the streets of Redditch. This had led to an increase in the number of residents raising their own concerns with him. He suggested it would be appropriate to hold a scrutiny Task Group into the issue to look at all aspects of it, as there were a variety of causes and it was important to ensure that preventative work was being carried out. Councillor Baker believed that there were a lot of myths around the problems homeless people caused and he suggested that recent publicity which had been issued on this subject locally was not helpful. A review would provide an opportunity to get a clear view of the support available and preventative work that was carried out by both the Council and other agencies.

It was highlighted that the Council had carried out an investigation into Homelessness in 2006 and that Bromsgrove District Council had more recently investigated the issue in 2016. Whilst it was acknowledged that Bromsgrove District Council's report would be useful background information, Councillor Baker commented that the demographics were different so this would not be a sufficient reason for this Committee not to carry out a review. He also suggested that enough time had passed since the previous review of this subject in Redditch to ensure that a fresh investigation of homelessness would not result in duplication.

The Committee subsequently discussed the recent work of the Redditch Town Centre Partnership in respect of homelessness. Members noted that a local church was carrying out work to support a number of homeless people. It was suggested that there was a need to get a balance between those that chose to make this a lifestyle choice and those that found they were homeless and wanted support to change their circumstances. A review would help to provide a clearer picture of the whole situation and to ensure that work was not being duplicated.

Members discussed and raised some concerns that whilst this was an important issue worthy of scrutiny it was also complicated and wide reaching. Questions were raised as to whether the scoping document was too broad to allow for successful scrutiny to be

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carried out. There were also a number of legislative changes in respect of homelessness due to be implemented later in the year which would impact on the situation and it was suggested that it might be more appropriate to carry out the investigation once these had been implemented. Whilst this was accepted Members believed that as it was a current issue time was of the essence and carrying out a review would show that the Council was listening to residents and taking action to resolve the situation. The option of a Short Sharp Review being carried out over a three month period with the potential for further work to be carried out following an interim report was also discussed.

The extent to which homelessness was a major issue within Redditch was debated and whilst it was agreed that it was not a major problem a review of the subject was still considered to be valid. In respect of the recent publicity from the Council Officers explained that this had been a multi- agency approach to raise the profile of a particular group who had heightened media attention and to deal with enquiries received in respect of that situation.

Anecdotal evidence was discussed by Members in relation to various groups around the Borough who supported the homeless and those in situations which might lead to it. Concerns were also raised as to the impact of benefit changes.

Following further discussions and agreement that any work carried out in respect of the review would commence in the new municipal year it was

RESOLVED that

- 1) a Short Sharp Review in respect of Homelessness be launched in line with the scoping document; and**
- 2) Councillor Joe Baker be appointed as Chair of the above Short Sharp Review.**

84. CRIME AND DISORDER SCRUTINY PANEL - CHAIR'S UPDATE

Councillor Matthew Dormer, Chair of the Crime and Disorder Scrutiny Panel, provided an update on the Panel meeting which had been held on 22nd March 2017. He advised that Officers had provided a comprehensive update of the work of the North Worcestershire Community Safety Partnership including details of grant funding available and specific projects which were being undertaken. Data was also provided in respect of a number of areas which were broken down to cover the three Councils within

Overview and Scrutiny Committee

Tuesday, 28th March, 2017

the Partnership; Redditch Borough, Bromsgrove District and Wyre Forest District.

It had been highlighted that shop lifting within Redditch was particularly prevalent and this was being addressed by a special project. In addition funding of £10,000 had been identified to tackle anti-social behaviour, which would be available to use where needed.

85. WORKING GROUPS - UPDATE REPORTS AND ANNUAL REVIEW

Budget Scrutiny Working Group – Chair, Councillor Jane Potter

Councillor Potter noted that, as agreed by the Committee in June 2016, a review needed to be carried out to establish whether the working group's activities had been useful and if it should continue to exist. Members discussed the group's activities during the year and agreed that it had been helpful and had provided Members with a better understanding of the working of the Council, in particular the impact of the difficult financial times ahead and how these would be faced in the future. For these reasons there was general consensus that the group should continue to exist in 2017/18.

Details of the work the group had carried out at its latest meeting were discussed and it was noted that this had included investigating the work of the Place Partnership. Members were advised that at a future meeting the group was intending to investigate the Council's contract procedure rules further.

Performance Scrutiny Working Group – Chair, Councillor Tom Baker-Price

Councillor Baker-Price advised Members that there were a number of recommendations in respect of the work of this group within the additional papers. At its last meeting the group had discussed its activities during the year. There had been general agreement that the group could work more productively in the coming year by bringing its work in line with the work of the Council. The Group therefore proposed to primarily focus on the Council Plan and the measures arising from that plan in 2017/18.

RESOLVED that

- 1) the Budget Scrutiny Working Group should continue to exist in 2017/18 and in future years;**

Overview and Scrutiny Committee

Tuesday, 28th March, 2017

- 2) the Performance Scrutiny Working Group continue to exist in 2017/18 and in future years;
- 3) a member of the Performance Scrutiny Working Group sit on the Budget Scrutiny Working Group, subject to its continuing existence, to help reduce the potential for duplication in the activities of the two groups;
- 4) in 2017/18 the Performance Scrutiny Working Group should primarily focus on the Council Plan and the measures arising from that plan, when selecting items for scrutiny;
- 5) subject to the agreement of Bromsgrove District Council's Overview and Scrutiny Board, in 2017/18 informal meetings should be arranged between the Performance Scrutiny Working Group and Bromsgrove District Council's Measures Dashboard (scrutiny) Working Group to share ideas and understanding of best practice in performance scrutiny; and
- 6) subject to the agreement of Bromsgrove District Council's Overview and Scrutiny Board, where both the Performance Scrutiny Working Group and the Measures Dashboard Working Group identify the same item from the dashboard as being suitable for further investigation this should be reviewed at a joint scrutiny meeting.

86. OVERVIEW AND SCRUTINY ANNUAL REPORT 2016/17

The Chair introduced the Committee's Annual Report and said she felt the Committee had had another successful year. In particular the activities of the two Working Groups had been proved extremely useful. Throughout the year the Committee had received a number of presentations and reports including on such topics as the Herefordshire and Worcestershire Sustainability and Transformation Plan and Employment Opportunities for People with Disabilities. The Committee had also commenced its first piece of joint scrutiny work with Bromsgrove District Council in response to the Staff Survey and it was hoped that joint working would continue between the two Councils in the future where appropriate.

The Joint Increasing Physical Activity Task Group, hosted by Worcestershire County Council, had been completed at the start of the year followed by the Committee's own Mental Health Services for Young People Task Group in March 2017. Progress on all the recommendations from the Committee's work had, as usual, been

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monitored through the Recommendation Tracker and the Crime and Disorder Panel had received an update on the work of the North Worcestershire Crime and Disorder Partnership. Regular updates had also been received by the Committee from the Council's representatives on both the West Midlands Combined Authority Scrutiny Committee and the Worcestershire County Council Health Overview and Scrutiny Committee.

The Chair highlighted the work of the Provision of Support Networks for the LGB&T Community Task Group and the community awards received by Members and Officers in recognition of this work. Members noted that this had been a much appreciated and well received report and had made a real difference to the community. The Committee also acknowledged that it had been a privilege to receive nominations for these awards from the local Redditch LGB&T Community Group and for a representative of Stonewall to attend a meeting of Council to help present the awards.

Members were given an opportunity to comment on the report and Councillor Gay Hopkins suggested that an update be provided on the work of the Improving Disabled People's Access to Redditch's Taxi Fleet Short, Sharp Review. It was agreed that this would be included within the Annual Report.

Following consideration of the Annual Report the Chair invited Councillor Jenny Wheeler, the Council's representative on the West Midlands Combined Authority's (WMCA) Overview and Scrutiny Committee, to provide a brief update of its work for inclusion in the annual report. As part of this Councillor Wheeler provided background information in respect of the establishment of the WMCA Overview and Scrutiny Committee and the meetings which had been held over the year.

Councillor Wheeler also provided details about the Draft Order which would come into effect on 8th May 2017. This highlighted that the Chair must be an appropriate person and could not be of the same political party as the Mayor. It was noted that non-constituent members did not have an automatic vote but could be given one by resolution of the WMCA Board. Members were encouraged to lobby the Leader, who sat on the Board, to ensure that this vote was given to the non-constituent members.

In respect of the work of the WMCA Overview and Scrutiny Committee four "select" committees had been established to look at key areas. It was noted that following the Order coming into effect these would need to be renamed Task and Finish Groups. The areas covered by these groups were:

Overview and Scrutiny Committee

Tuesday, 28th March, 2017

- Mental Health (of which Councillor Wheeler was a member).
- Land
- Productivity
- Budget

The WMCA Overview and Scrutiny Committee hoped to create a database as a central resource of scrutiny work that had already been carried out by constituent and non-constituent members. This could help to limit duplication and could be a useful resource. A key future role of the WMCA Overview and Scrutiny Committee would be to hold the Mayor to account and this would be done at least twice a year with the potential to for the Mayor to attend further meetings if necessary.

Concerns had been raised around Local Enterprise Partnerships (LEPs) being actively involved with the WMCA Overview and Scrutiny Committee. Currently of the three LEPs in the area one had chosen not to appoint a representative to the Committee. There was one dedicated Scrutiny Officer (which was a requirement) who had been seconded for 15 months from Sandwell Metropolitan Borough Council for two days a week.

During consideration of the annual report the Chair referred Members to the Committee's previous discussions in respect of changing the day of the Committee to a Thursday in order to carry out more effective pre-scrutiny work. Officers confirmed that this would be feasible on all but two occasions; one where a presentation from an outside organisation had already been arranged and the other in respect of the budget setting process prior to consideration of the budget at full Council in February.

Members were asked to inform Officers of any further changes to the annual report prior to it being considered at Council on 24th April. The Chair concluded the item by thanking both Members and Officers for their hard work and commitment throughout the year.

RESOLVED that

- 1) **the Overview and Scrutiny Committee's meetings in 2017/18 take place on a Thursday evening with exception of the meetings due to take place in July 2017 and February 2018; and**

Overview and Scrutiny Committee

Tuesday, 28th March, 2017

- 2) subject to the amendments detailed in the preamble above the Overview and Scrutiny Committee's Annual Report 2016/17 be approved.

87. EXECUTIVE COMMITTEE MINUTES AND SCRUTINY OF THE EXECUTIVE COMMITTEE'S WORK PROGRAMME

Officers highlighted that there were no Minutes on this occasion. The latest edition of the Executive Committee's Work Programme had been attached for Members' consideration to provide an opportunity for the Committee to identify any items considered suitable for pre-decision scrutiny.

RESOLVED that

the Executive Committee Work Programme 3rd April to 31st July 2017 be noted.

88. OVERVIEW AND SCRUTINY WORK PROGRAMME

Officers confirmed that the dates of future meetings would be updated in line with discussions held earlier in the meeting. As requested at the previous meeting the Engagement Strategy had been added to the Committee's Work Programme, however this had now been put back on the Executive Committee Work Programme and would therefore not be pre-scrutinised until the first meeting of the new municipal year. The item requested at the previous meeting in respect of Economic Development Strategy would be considered in December 2017.

89. TASK GROUPS - PROGRESS REPORTS

Staff Survey Joint Scrutiny Task Group – Vice Chair, Councillor Jane Potter

Councillor Potter explained that the group had requested sickness absence data at a meeting in February and after consideration of this had requested further information. The additional information was presented at the group's meeting on 22nd March by relevant Officers. Information had also been provided in respect of a new staff leave system which had been introduced, which had shown a gap in the data and concerns had been raised that sickness absence was not being reported correctly. Officers assured Members that this had been raised at Corporate Management level and Heads of Service had been tasked with ensuring that all responsible officers were updating the new system in a timely manner.

Overview and Scrutiny Committee

Tuesday, 28th March, 2017

It was explained that from the additional data the group had been able to see that in some areas where there appeared to be significant absences this was in fact due to long-term sickness and this could quite quickly have an adverse impact on data for a particular team. It was therefore important to look at the whole picture and not at one particular area in isolation.

The group had also discussed the potential for joint working in a number of ways and this was something which the group would give further consideration to at future meetings.

90. HEALTH OVERVIEW AND SCRUTINY COMMITTEE

Councillor Nina Wood-Ford, the Council's representative on the Worcestershire Health Overview and Scrutiny Committee (HOSC), advised that there had not been a meeting of the Committee since her last update. The Committee was due to meet the following week, on 5th April 2017.

The Meeting commenced at 7.00 pm
and closed at 8.52 pm

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE**

6th June 2017

ADVISORY PANELS, WORKING GROUPS, ETC - UPDATE REPORT

Relevant Portfolio Holder	Councillor John Fisher, Portfolio Holder for Corporate Management
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services
Non-Key Decision	

1. SUMMARY OF PROPOSALS

To provide, for monitoring / management purposes, an update on the work of the Executive Committee's Advisory Panels, and similar bodies which report via the Executive Committee.

2. RECOMMENDATIONS

The Committee is asked to **RESOLVE** that

subject to Members' comments, the report be noted.

3. UPDATES**A. ADVISORY PANELS**

	<u>Meeting</u>	<u>Lead Members / Officers</u> (Executive Members shown <u>underlined</u>)	<u>Position</u> (Oral updates to be provided at the meeting by Lead Members or Officers if no written update is available)
1.	Planning Advisory Panel	Chair: <u>Cllr Greg Chance</u> Vice-Chair: <u>Cllr Bill Hartnett</u> Ruth Bamford	Meeting date: Last meeting – cancelled Next meeting – 20th June 2017

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE**

6th June 2017

B. OTHER MEETINGS

2.	Constitutional Review Working Party	Chair: <u>Cllr Bill Hartnett</u> Vice-Chair: <u>Cllr John Fisher</u> Claire Felton	Last meeting – 27th January 2015
3.	Member Support Steering Group	Chair: <u>Cllr John Fisher</u> Vice-Chair: <u>Cllr Bill Hartnett</u> Claire Felton	Last meeting – cancelled Next meeting – 10th July 2017
4.	Grants Assessment Panel	Chair: To be confirmed Vice-Chair: <u>Cllr Greg Chance</u> Judith Willis	Last meeting – 14th March 2017 Next meeting – 28th June 2017

AUTHOR OF REPORT

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