

CABINET MEMBER FOR WASTE AND EMERGENCY PLANNING

**Venue: Town Hall, Moorgate
Street, ROTHERHAM.
S60 2TH**

Date: Monday, 2nd September, 2013

Time: 9.30 a.m.

A G E N D A

1. To determine if the following matters are likely to be considered under the categories suggested, in accordance with Part 1 of Schedule 12A (as amended March 2006) to the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. Apologies for absence
4. Minutes of the previous meeting held on 29th July 2013 (copy attached) (Pages 1 - 9)
5. Minutes of a meeting of the Health, Welfare and Safety Panel, held on 12th July, 2013 (Pages 10 - 12)
6. Emergency Planning Update and Health and Safety Issues (Officers to report)
7. Waste Update (Officers to report)
8. Date and time of next meeting - Monday, 7th October, 2013 at 9.30 a.m.

**CABINET MEMBER FOR WASTE AND EMERGENCY PLANNING
29th July, 2013**

Present:- Councillor R. S. Russell (in the Chair); and Councillor Swift.

Apologies for absence were received from Councillor Ali.

L14. MINUTES OF THE PREVIOUS MEETING HELD ON 1ST JULY 2013

The minutes of the previous meeting of the Cabinet Member and Advisers for Waste and Emergency Planning held on 1st July, 2013, were considered.

Resolved:- That the minutes of the previous meeting be approved as a correct record for signature by the Chairman.

L15. MINUTES OF A MEETING OF THE HEALTH, WELFARE AND SAFETY PANEL, HELD ON 26TH APRIL, 2013

The following report was submitted:-

**HEALTH, WELFARE AND SAFETY PANEL
FRIDAY, 26TH APRIL, 2013**

Present:- Councillor R. S. Russell (in the Chair); Councillors G. A. Russell, P. A. Russell and Wootton and Mrs. J. Adams (NUT), Mrs. S. Brook (NASUWT) and Mr. P. Harris (GMB)

Apologies for absence received from Councillors Dodson and Whelbourn.

52. MINUTES OF THE PREVIOUS MEETING HELD ON 11TH JANUARY, 2013

Resolved:- That the minutes of the previous meeting of the Health, Welfare and Safety Panel, held on 11th January, 2013, be approved as a correct record for signature by the Chairman.

53. STATISTICS OF ACCIDENTS, INJURIES AND INCIDENTS OF VIOLENCE TO EMPLOYEES

Consideration was given to the graphical data showing the statistics of accidents, injuries and incidents of violence to employees and which showed:-

- RMBC Employee Only RIDDOR Reportable Accidents for the Council 2010, 2011 and 2012.

- RMBC Employee Only RIDDOR Reportable Accidents by Directorate 2010,2011 and 2012.
- RMBC Employee Only Accidents 2010, 2011 and 2012.
- RMBC Employee Only Accident Frequency Rate by Month 2012.
- RMBC Accidents by Type – January – December, 2012.
- RMBC Employee Only Accidents by Gender – January – December, 2012.

It was noted that the spikes in relation to Accidents by Type relating to violence and aggression were more prevalent in Children and Young People's Services and the trend for slips and falls was more evident during the winter months.

Agreed:- That the information be noted.

54. **HEALTH AND SAFETY BULLETIN**

Consideration was given to the Health and Safety Bulletin, which was circulated at the meeting, which contained recent articles and reports of legal cases relating to health and safety.

Reference was made to an accident in Leeds where a flag pole had collapsed and struck a child causing serious injury. This had been previously raised as a risk by officers over a two year period, but nothing had been done. This highlighted the need to ensure clear lines of communication, especially when relating to health and safety issues.

Questions were asked about injuries to toddlers and whether there was an update to the recent case in York where a toddler had died by strangulation going down a slide.

Agreed:- (1) That the bulletin be received and the contents noted.

(2) That an update be sought on the case involving the York toddler.

55. **HEALTH, WELFARE AND SAFETY PANEL - OVERVIEW OF INITIATIVES AND PROCEDURES**

Consideration was given to a verbal update by Neil Perry, Principal Health and Safety Officer, which

provided an update to:-

(a) Health and Safety Management Group

It was noted that following request from the Senior Emergency and Safety Management Team that a Health and Safety Management Group had recently been established and had met for the first time on the 16th April, 2013. The group was made up by Operational Directors from each of the directorates with the overall aim to ensure that health and safety requirements were properly embedded within their respective areas.

(b) Recycling

Training that has recently been undertaken in Greenspaces/Community Delivery around manual handling highlighted that some workers were put at increased risk of injury due to improper location/positioning of dog waste/litter bins across the Borough. As a result it had been agreed that the ones that posed the greatest risk should be removed or repositioned to mitigate risk over a rolling programme.

(c) Neighbourhoods and Adults Services – External Work Programme

Mark Burkett, Health and Safety Officer, was working closely with Neighbourhoods and Adults Services as part of the major refurbishment works taking place, with both announced and unannounced inspections to ensure working practices were being followed correctly and safely.

56. REPORTS ON VISITS OF INSPECTION HELD ON 15TH MARCH, 2013

Consideration was given to matters arising from the visits of inspection made by the Panel on Friday, 15th March, 2013.

The report included the responses provided by Service Areas to the various issues raised at the inspections. Particular reference was made to:-

Party A

(a) Swinton Brookfield

It was confirmed that the school had not received prior notice of the visit and the Panel apologised for this oversight.

The Panel were pleased with the progress at this school and were happy with the responses.

(b) Swinton Community School

The Panel were pleased to see the efforts being made at this school which would remain ongoing.

(c) Rawmarsh Customer Service Centre

The Panel noted the increased use of the platform lift by members of the public and reports that the instability reported by users. This was to be followed up and the lift inspected by officers from the Health and Safety Team.

(d) Thorpe Hesley Infant School

The Panel asked that clarification be sought on the responsibility to make safe and grit the public right of way to the school.

(e) Thorpe Hesley Junior School

The Panel asked that heavy items stored above head height be removed and stored on lower shelves.

Party B

(a) Aston Lodge Primary School

The Panel expressed some concern at the amount of clutter at this school and the condition of the rubber matting to the main entrance.

It was suggested that the school be paid an unannounced visit to monitor progression of outstanding items.

(b) Aston Fence Junior and Infant School

The Panel noted the deterioration in the floor area to the new extension and asked that this be kept under observation and retreated in due course.

(c) St. Alban's C. of E. School

The Panel were concerned that some matters that had been highlighted would not be considered until the monthly meeting with the Building Manager.

(d) Flanderwell Primary School

The Panel were concerned about disabled toilets being used for storage and

The Panel expressed some concern at the responses from some of the Building Managers and suggested that invitations be extended to them to attend the meetings of the Health, Welfare and Safety Panel.

The Chairman also asked that a meeting be arranged for him to look at issues arising from the visits with the Facilities Manager and his team.

Reference was also made to the future transport arrangements for the visits of inspection, attendance by Trades Unions and Elected Members and the need to ensure that nominated representatives give a commitment to attend when necessary.

57. DATE OF NEXT MEETINGS

Agreed:- (1) That the next Health and Safety Visits of Inspection take place on Friday, 21st June, 2013 with only one bus being allocated.

(2) That the next meeting of the Health, Welfare and Safety Panel take place on Friday, 12th July, 2013 at 2.00 p.m. in the Town Hall.

L16. EMERGENCY PLANNING SOCIETY CONFERENCE - SEPTEMBER 2013

Resolved:- That two Members of the Council be authorised to attend the Emergency Planning Society Conference, to be held at the Birmingham NEC on 25th and 26th September, 2013.

L17. EMERGENCY PLANNING UPDATE AND HEALTH AND SAFETY ISSUES

Consideration was given to the update provided by the Emergency and Safety Manager. The update included:-

(a) Business Continuity – meetings with Public Health colleagues (RMBC only at this stage) about integration of influenza plans, which are to be completed in advance of seasonal influenza season (September 2013); starting arrangements via occupational health for seasonal influenza vaccinations for health and social care staff; attendance at the Business Continuity Core Cities meeting and involved in proposing information to be included on a Cabinet Office website aimed at Small and Medium Enterprises, to enhance their Business Continuity arrangements (as are other Core Cities colleagues);

(b) Emergency Planning – staff and members of the Emergency Planning Shared Services joined Sheffield City Council members of staff at Loggist training at Sheffield Town Hall. The training was delivered by Skills2Share, who have previously delivered the Elected Member Awareness Sessions. Members of the team attended a national Mass Fatalities Seminar on 24th and 25th June 2013. Lessons learned at the seminar will be incorporated into the Mass Fatalities Plan currently being prepared.

(c) Health and Safety – recent activity as follows:-

: Health and Safety staff assisted the Health and Safety Executive and GasSafe in carrying out investigations into safe working practices involving the maintenance and management of domestic gas appliances and associated infrastructure;

: Health and Safety team member attended a scheduled Hellaby User Group meeting, to discuss matters in relation to the running of the depot including issues around Health and Safety;

: conducted a site inspection on two Streetpride highway construction schemes, at Fitzwilliam Road, Eastwood and at Doncaster Road, Thrybergh;

: conducted fire safety training for 42 staff at the Oaks Day Care Centre;

: attended a Health and Safety Committee meeting at the Barbers Avenue, Rawmarsh depot with managers and operatives' representatives, concerning grounds maintenance;

: visited Swinton Fitzwilliam Primary School to examine the school kitchen extraction system canopy;

: conducted a site inspection on a Streetpride highway construction scheme at Carr Lane, Maltby. No major health and safety issues were identified during the visit;

: conducted a site inspection on several Swinton re-roofing contracts being undertaken by Morrisons, involving the replacement, maintenance

and repair of faulty rooflines and the pointing of some chimneystacks. No major health and safety issues were identified during the visit.

: a team member has provided health and safety advice to the organisers of the Diversity Festival. The festival is one the highlights of the annual Rotherham Show and delivers live music and workshops;

: a member of the Health and Safety team carried out an inspection of a hoist used at the Oaks Day Centre; also conducted Practical Fire Extinguisher Training for staff at this Day Centre.

Resolved:- That the update be noted and the Emergency and Safety Manager be thanked for his contribution.

L18. WASTE UPDATE

Consideration was given to the update provided by the Waste Manager, Environment and Development Services. The update included:-

(a) confirmation that the new working agreement, including the revised service standards document, will begin on Monday 5th August 2013;

(b) reference to the continuing discussions about the Interim Waste Treatment and Disposal Contract; various options were under consideration;

(c) early stages of a trial for the repair of black and green waste bins;

(d) this Council is participating in a national research study exercise, being undertaken by Zero Waste Scotland, into contamination in source segregated materials;

(e) negotiations have concluded to the satisfaction of all parties in respect of the maintenance contract for the landscaped area at Brookfield Park, Manvers;

(f) street cleaning – demonstrations of compact mechanical sweepers are taking place shortly in the Rotherham town centre.

Resolved:- That the update be noted and the Waste Manager be thanked for his contribution.

L19. NOMINATIONS TO OUTSIDE BODIES / MEMBERSHIP OF PANELS / SUB-GROUPS ETC 2013/14

Resolved:- (1) That representation on outside bodies for the 2013/14 Municipal Year be as follows:-

(i) Association of Public Service Excellence
Cabinet Member for Waste and Emergency Planning

(ii) Emergency Planning Shared Services – Rotherham and Sheffield
Cabinet Member for Waste and Emergency Planning
Cabinet Member for Regeneration and Development

(iii) South Yorkshire Joint Waste Procurement Board
Cabinet Member for Waste and Emergency Planning

(2) That representation on other Boards, Panels, Steering Groups for the 2013/14 Municipal Year be as follows:-

(i) Health Welfare and Safety Panel

Deputy Leader

Cabinet Member for Waste and Emergency Planning

Senior Adviser, Waste and Emergency Planning

Cabinet Member for Regeneration and Development

Health Select Commission – Councillor Wootton (substitute: Councillor Dalton)

Improving Lives Select Commission – Councillor G. A. Russell (substitute: Councillor Ali)

Improving Places Select Commission – Councillor Swift (substitute: Councillor P. A. Russell)

Self-Regulation Select Commission – Councillor Sharman (substitute: Councillor J. Hamilton)

Overview and Scrutiny Management Board – Councillor Whelbourn (substitute: Councillor Steele)

together with trades unions' representatives:-

Mrs. J. Adams, NUT

Mrs. S. D. Brook, NASUWT

Mr. G. Millns, UNISON

Mrs. K. Hall-Garritt, UNISON

Mr. J. Ogle, UNISON

Mr. P. Harris, GMB

Mr. D. Stockdale, UNITE

Mr. K. Stoddart, ATL

(ii) Recycling Group

Cabinet Member for Waste and Emergency Planning

Councillor Ali, Senior Adviser for Waste and Emergency Planning and BDR representative

Councillor Swift, Adviser for Waste and Emergency Planning

Councillor McNeely, Cabinet Member for Safe and Attractive Neighbourhoods

Health Select Commission – Councillor Beaumont

Improving Lives Select Commission – Councillor Lelliott

Improving Places Select Commission – Councillor Atkin (substitute:

Councillor Falvey)

Members' Training and Development Panel – Councillor Steele

Self-Regulation Select Commission – Councillor Ellis

Overview and Scrutiny Management Board – Councillor Beck

**HEALTH, WELFARE AND SAFETY PANEL
FRIDAY, 12TH JULY, 2013**

Present:- Councillors Dodson, G. A. Russell, R. S. Russell, Swift and Wootton; together with Mrs. J. Adams (NUT), Mrs. S. Brook (NASUWT), Mrs. K. Hall-Garritt (UNISON), Mr. G. Millns (UNISON), Mr. K. Stoddart (ATL) and Mr. P. Harris (GMB).

Apologies for absence were received from Councillors P. A. Russell, Sharman and Whelbourn.

1. APPOINTMENT OF CHAIRMAN 2013/2014

Resolved:- That Councillor R. S. Russell be appointed Chairman of the Health, Welfare and Safety Panel for the 2013/2014 Municipal Year.

(Councillor R. S. Russell in the Chair)

2. APPOINTMENT OF VICE-CHAIRMAN 2013/2014

Resolved:- That Mrs. S. D. Brook (NASUWT) be appointed Vice-Chairman of the Health, Welfare and Safety Panel for the 2013/2014 Municipal Year.

3. MINUTES OF THE PREVIOUS MEETING HELD ON 26TH APRIL, 2013

Resolved:- That the minutes of the previous meeting of the Health, Welfare and Safety Panel, held on 26th April, 2013, be approved as a correct record for signature by the Chairman, with the inclusion of Councillor Swift in the list of persons present at the meeting.

4. ANNUAL HEALTH AND SAFETY REPORT 2012

Consideration was given to the contents of the Council's Annual Health and Safety Report 2012. The main conclusions contained within the report were:-

: the total for all injuries has increased and this can be attributed to more robust reporting procedures. The main causes remain consistent with 2011 (physical assaults, slip, trips & falls and manual handling).

: on a national basis, the Health and Safety Executive suggests that there may be under-reporting of RIDDOR incidents. Due to the fact that Rotherham MBC 'all accident' figures have remained relatively consistent, the Health and Safety Team are reasonably confident that the procedures in place are being adhered to and that accurate recording of RIDDOR incidents is being achieved.

: the move to over 7-day reporting for RIDDOR from April 2012 will impact on the statistics from 2013. Furthermore, there are additional changes to

the reporting criteria for RIDDOR over the coming months and this will also impact on the statistics and the ability to use RIDDOR reliably to measure trends.

: accidents cost organisations money and in the current financial climate, it is important that the Council maintains comprehensive management of health and safety.

: the use of “near-miss” reporting continues to assist in the reduction of accidents.

Summary details of accidents and injuries which had occurred in the year were included in respect of each Directorate and identifiable key locations and services.

The Panel noted the section of the report which stated that since October 2012, the Health and Safety Executive has recovered its inspection, investigation and enforcement costs from employers found in breach of health and safety law. This “Fee for Intervention” applies to ‘material’ breaches of health and safety law, namely when a Health and Safety Executive inspector judges that there has been a contravention of health and safety law requiring the Health and Safety Executive to notify the employer in writing, by notification of a contravention, an improvement or prohibition notice or a prosecution. The fee is based on the amount of time the inspector spends identifying the material breach, helping the business to take corrective action and investigating and taking enforcement action. The “Fee for Intervention” is charged at £124 per hour, but does not apply to health and safety enforcement by local authorities. This cost could have a significant impact on Directorates and the Council as a whole. In the event of a fatality, serious incident or breach of legislation, were the Health and Safety Executive inspectors to undertake an investigation lasting thirty seven hours, for example, the cost would be more than £4,500.

Resolved:- That the Annual Report be received and its contents noted.

5. VISITS OF INSPECTION HELD ON 21ST JUNE, 2013

Consideration was given to matters arising from the visits of inspection made by the Panel on Friday, 21st June, 2013. It was noted that Councillor Wootton had been present at these visits of inspection. The report included the responses provided by Service Areas to the various issues raised at the inspections. Particular reference was made to:-

(a) Hellaby Depot

The Panel noted that, at the recent meeting of the Hellaby User Group, the issues raised at this visit of inspection were considered and have now been dealt with. Reference was also made to issues concerning the garage used by the company May Gurney.

(b) Sandbeck Building

An application is being made for funding from the Local Energy Fund, in order to replace some of this building's window frames.

(c) Depot at Barber's Avenue, Rawmarsh

The Panel received updates on the responses to the various matters raised at the visit of inspection to the Barber's Avenue Depot. Discussion took place on issues affected by the COSHH regulations.

(d) Doncaster Road, Rotherham – highway repair scheme

The Panel noted the very good standard of health and safety at this site.

(e) Sitwell Infant School

The Panel noted that thermostatic control valves have now been installed, to ensure the correct temperature of water.

Resolved:- (1) That the responses to the issues reported at the visit of inspection to the Hellaby Depot be updated at the next meeting of this Panel.

(2) That the Panel be provided with details of the requirements for the provision of signs at highway repair and construction sites, in respect of the wearing of protective clothing and use of equipment on site and prohibiting access to the site by unauthorised persons.

6. DATES OF FUTURE MEETINGS AND VISITS OF INSPECTION

Resolved:- That, during the 2013/14 Municipal Year, meetings and visits of inspection of the Health, Welfare and Safety Panel take place as follows:-

Friday 20th September, 2013 – visits of inspection (9.30 am)
 Friday 18th October, 2013 – meeting (earlier start at 1.30 pm)
 Friday 6th December, 2013 – visits of inspection (9.30 am)
 Friday 10th January, 2014 – meeting (2.00 pm)
 Friday 14th March, 2014 – visits of inspection (9.30 am)
 Friday 11th April, 2014 – meeting (2.00 pm)
 Friday 20th June, 2014 – visits of inspection (9.30 am)
 Friday 11th July, 2014 – meeting (2.00 pm)