

**CABINET MEMBER FOR THE ENVIRONMENT
22nd December, 2014**

Present:- Councillor Hussain (in the Chair); Councillors McNeely and Swift.

G36. MINUTES OF THE PREVIOUS MEETING HELD ON 20TH OCTOBER, 2014

Resolved:- That the minutes of the previous meeting of the Cabinet Member and Advisers for Environment held on 20th October, 2014 be approved as a correct record for signature by the Chairman.

G37. HEALTH, WELFARE AND SAFETY PANEL

Consideration was given to the minutes of the Health, Welfare and Safety Panel held on 7th November, 2014. Discussion took place on the progress of issues relating to the Clifton Comprehensive School.

Resolved:- That the following report be received:-

**HEALTH, WELFARE AND SAFETY PANEL
7TH NOVEMBER, 2014**

Present:- Councillors Buckley, Hussain, Swift and Wootton; and Mrs. J. Adams (NUT), Mrs. S. Brook (NASUWT), Mr. E. Batty and Mr. P. Harris (GMB), Mrs. K. Hall-Garritt and Mr. A. Turner (UNISON).

Apologies for absence were received from The Mayor (Councillor Foden), Councillor McNeely and from Mrs. J. Jenkinson (UNISON).

7. APPOINTMENT OF CHAIRMAN

Resolved:- That Councillor Hussain be appointed Chairman of the Health, Welfare and Safety Panel for the remainder of the 2014/2015 Municipal Year.

(Councillor Hussain in the Chair)

8. MINUTES OF THE PREVIOUS MEETING HELD ON 11TH JULY 2014

Resolved:- That the minutes of the previous meeting of the Health, Welfare and Safety Panel, held on 11th July, 2014, be approved as a correct record for signature by the Chairman.

9. MATTERS ARISING

A member of the Employees' Side was critical of the format of the meeting's minutes, stating that it is essential that agreed actions be clearly noted and numbered in the minutes. However, this criticism occurred after the minutes had been accepted as a correct record.

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

Consideration was given to a statistical report containing the number of incidents and accidents involving employees of the Local Authority during the period 1st January to 31st August, 2014, with comparative data for the same eight months' period in 2013.

During discussion of this item, the following salient issues were raised:-

- the need for future reports to contain details of the types of accidents and their causes;
- the statistical details of accidents will be included in the Council's annual report on health, welfare and safety issues;
- the future reports will contain the analysis of accident statistics on a quarterly basis, with comparative data for the same periods in the previous year;
- ensuring that employees (especially those working in schools) have access to the necessary means of recording accidents and incidents and any 'near miss' incidents;
- absenteeism due to anxiety and stress; it was noted that a Council-wide project on employee anxiety/stress will be undertaken by Human Resources and Health, Welfare and Safety Officers during 2015; it was confirmed that the trades unions will be afforded the opportunity to comment on the contents of the report of this study.

With regard to the distribution of statistics of accidents and absenteeism to the Employees' Side representatives, it was noted that it was preferable to include separate information about the following matters:-

- (a) employee absenteeism due to ill health, sickness etc;
- (b) incidents of accidents involving employees and the causes of the accidents (including RIDDOR reportable accidents);
- (c) incidents of violence to employees;
- (d) the recording and reporting of 'near-miss' incidents – it was acknowledged that reminders to undertake this recording ought to be provided for employees, due to an apparent reluctance for employees to report the occurrence of 'near-miss' accidents and/or incidents (it was noted that employees working in construction do tend to report any 'near-misses').

The Panel also acknowledged that information was provided for the Employees' Side representatives (as follows) and that it was desirable to avoid any duplication of provision:-

- RMBC and Trades Unions Joint Consultative Committee – reports provided by the Director of Human Resources about employee absenteeism due to ill health and sickness (expressed as days lost per full time employee);
- Education Consultative Committee - violence to staff statistics of incidents in schools, including incidents which are RIDDOR reportable (nb: the document is private, with restricted distribution, because there is the potential to identify from its contents vulnerable children and young people and members of school staff).

Agreed:- (1) That the information be noted.

(2) That future reports to the Health, Welfare and Safety Panel shall endeavour to include information about employee absenteeism, accidents and their causes, incidents of violence to employees, together with details of 'near-miss' accidents/incidents, provided that there is the avoidance of duplication of information already submitted to other meetings involving the Employees' Side representatives.

11. HEALTH AND SAFETY BULLETIN

Consideration was given to the Health and Safety Bulletin, containing recent articles and reports of legal cases relating to health and safety.

The following items were highlighted:-

- matters of interest from the Health and Safety Executive, including information about asbestos;
- safety myth (safety in schools; health and safety in elderly persons' residential homes);
- recent Court Cases, including falls from height and from scaffolding; illegal gas work;
- health and safety legislation.

The Panel also discussed the recent Court case involving the Sterecycle Company, concerning the death of a Company employee who worked at its former premises in Rotherham. Details of the outcome of the Court case will be the subject of a report to a future meeting of the Health, Welfare and Safety Panel.

Resolved:- That the Principal Health and Safety Officer distribute copies of the bulletin throughout the Authority and also publish the bulletin on the Council's Intranet web site.

12. CLIFTON COMPREHENSIVE SCHOOL

Further to Minute No. 4 of the meeting of the Health, Welfare and Safety Panel held on 11th July, 2014, Panel members debated various issues relating to health welfare and safety at Clifton Comprehensive School:-

(A) Matters of concern (raised by the Employees' Side)

(i) the implementation of the School's 'open access' policy relating to the use of classroom and other space throughout the School has caused anxiety amongst the School staff; (it was acknowledged that legislation currently does not require schools to provide a separate room for the sole use of teaching staff);

(ii) the changes which have been implemented, affecting the Humanities and Mathematics rooms, are unsatisfactory; the Employees' Side referred to these rooms as being too small for the numbers of people expected to occupy them;

(iii) there are insufficient places around the school where water is available (eg: for drinking; for hand-washing; for washing-up dishes); staff should not be expected to carry water over long distances in school, nor should they be required to obtain water for drinking from the taps at sinks within toilet areas;

(iv) there is insufficient toilet provision for staff within the School; it is unacceptable that it had been suggested that staff could use the same toilets as pupils (and may as a consequence be a safeguarding issue); staff are often hurried because they have to walk a long distance in School to access the toilet facilities;

(v) pupils ought not to be allowed to congregate in corridor areas and eat their lunches there;

(vi) food waste is sometimes left in areas of the School where the temperature is often quite high; which may lead to offensive odours spoiling the environment, unless the waste is promptly cleared away;

(vii) the reluctance of some School staff to report their concerns to the School's senior management;

(viii) the School is taking too long to address these various issues of concern.

(B) Actions being taken in response to the matters of concern

(i) Health and Safety Officers have had meetings recently with the School's Acting Head Teacher, particularly about the allocation of room space within the School; since the October 2014 half-term holiday, changes have been implemented affecting the Humanities and Mathematics rooms (including staff areas and store rooms); these changes appeared to be satisfactory to the School's staff;

(ii) there has been an assessment of the Design and Technology rooms and the machinery within them; these rooms have exit doors leading directly onto the car parking area; no-one should be allowed in those rooms at break/recess times;

(iii) the School is convinced that its 'open access' policy is the way forward and will be continuing with that policy; further guidance is to be issued to all pupils about the use of rooms at break/recess times; the use of this policy will be continually monitored by the senior management of the School;

(iv) the School is to allocate a designated area for use by non-teaching staff and will monitor the use of that area;

(v) the School has addressed the matters which were reported during the visit of inspection undertaken by Members of the Health, Welfare and Safety Panel on Friday, 14th March, 2014;

(vi) the areas occupied by staff at break/recess times are out-of-bounds for pupils;

(vii) concerning the availability of water – there is access to water via the staff kitchen and there are members of staff who will collect dishes for washing-up;

(viii) the provision of toilet facilities within the School does meet legal requirements; however, their precise location sometimes means that staff may have to walk a longer distance and be rushed in joining the next lesson; it is the duty of the senior management of the School to manage any issues relating to punctuality and time-keeping;

(ix) School staff should be advised to make use of the senior management's open door policy and raise their concerns directly with the Head Teacher.

Panel members acknowledged that some of the issues, resulting from the 'open access' policy, affecting the School, its staff and pupils were beyond the remit and terms of reference of the Health, Welfare and Safety Panel.

It was also noted that the governing body of the School has appointed a governor with specific responsibility for health, welfare and safety matters.

Agreed:- (1) That the Employees' Side seek a meeting with the Cabinet Member for Children and Education Services and with the Director of Schools and Lifelong Learning in order to discuss further the concerns of some of the School's staff about the implementation of the 'open access' policy at Clifton Comprehensive School.

(2) That the Health, Welfare and Safety Panel shall not undertake a further visit of inspection to the Clifton Comprehensive School at the present time, although the position shall continue to be monitored by Health and Safety Officers.

(3) The representatives of the various trades unions will continue to have discussions with their members employed at this School, in order to continue monitoring their concerns.

(4) That the progress of these matters be considered at the next meeting of the Health, Welfare and Safety Panel, to be held on Friday, 16th January, 2015.

13. DIRECTORATE HEALTH AND SAFETY MEETINGS

The Panel was informed that each of the Council's Directorates arrange user group meetings which involve both management and representatives of the trades unions. Issues concerning the health, welfare and safety of employees are considered at these meetings, which take place on a regular basis.

It was noted that, exceptionally, such meetings are unlikely to take place within the Children and Young People's Services Directorate for several months, after which time the newly-appointed Director will be in post. The Directorate is required to prioritise its immediate work in relation to the safeguarding of children and young people and the various investigations currently being undertaken as a consequence of the report published by Professor Alexis Jay.

The Employees' Side stated that it was sometimes unclear as to which departmental meetings the trades unions' representatives were able to attend. It would be helpful if a flowchart could be distributed, showing the lines of communication and the various meetings taking place, which would enable the trades unions to deploy their resources effectively.

One example of good practice was the operation of the Streetpride health, welfare and safety group, at the Hellaby depot, usually meeting on a quarterly basis and involving management together with employees and their trades union representatives. There is a similar arrangement at the Barber's Avenue depot, Rawmarsh.

The Panel was also informed that the trades unions had written a letter to all of the Council's Strategic Directors, requesting information about the Directorates' health, welfare and safety groups. However, one collective response to this letter had been received from the Chief Executive.

Agreed:- (1) That it is confirmed that health, welfare and safety groups operate within each of the Council's Directorates, to facilitate discussions between management and trades unions' representatives about health, welfare and safety matters.

(2) That a flowchart be provided for all members of this Panel, showing the operation of the various Directorate health, welfare and safety groups.

14. WORKPLACE INSPECTION PROGRAMME

Discussion took place on the visits of inspection made by the Health, Welfare and Safety Panel. The following arrangements were agreed:-

(i) the premises to be visited are categorised in high, medium and low categories; ensuring that limited resources are being targeted effectively;

(ii) the Employees' Side shall have the opportunity of suggesting premises to be visited;

(iii) visits of inspection may be made to premises where specific incidents have occurred, or, for example, where enforcement action may be contemplated or where issues have been raised via the Council's Human Resources service;

(iv) future visits of inspection shall take place at quarterly intervals on Friday mornings and all Panel members must fund their own lunches.

15. REPORTS ON VISITS OF INSPECTION HELD ON 19TH SEPTEMBER 2014

Consideration was given to matters arising from the visits of inspection made by the Panel on Friday, 19th September, 2014.

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

(i) Rother Valley Country Park

Panel members welcomed the good health, welfare and safety standards being achieved at the Country Park.

(ii) Schools

Panel members referred to a number of issues of concern, consequent upon the visits of inspection to various schools:-

- to ensure that COSHH records are available at all times for inspection;
- the reports of this Panel's visits of inspection must be made available for the schools' head teacher, chair of the governing body and the governor appointed with health, welfare and safety responsibilities; this process should ensure the effective monitoring of actions taken in response to the items reported by the Panel;
- pupils' prescription and non-prescription medicines stored in schools – concern was expressed about one example where a pupil's medicine was being stored in a cupboard in a classroom accessible to other students; other examples were - medicine being kept in a stock room; some medicines did not have a name/identity label and others were out-of-date; a supply of Calpol, for children who may have a headache but the school did not maintain a record of non-prescription medicines administered to pupils (although parents are being informed); it was agreed that schools be asked to review their policies in relation to pupils' medicines and that the local authority re-issue the guidance on the safe storage and use of pupils' medicines, including distribution of the guidance to the chairs of school governing bodies and to Members of this Panel.

16. DATE OF NEXT MEETING

Agreed:- (1) That the next meeting of the Health, Welfare and safety Panel be held at the Town Hall, Rotherham on Friday, 16th January, 2015, commencing at 11.30 a.m.

(2) That future meetings and visits of inspection of the Health, Welfare and Safety Panel be held as follows:-

Friday, 5th December 2014 – visits of inspection (9.00 am to 1.00 pm)
Friday, 20th March 2015 – visits of inspection (9.00 am to 1.00 pm)
Friday, 17th April 2015 – meeting to begin at 11.00 a.m.
Friday, 19th June 2015 – visits of inspection (9.00 am to 1.00 pm)
Friday, 10th July 2015 – meeting to begin at 11.00 a.m.

G38. ENVIRONMENT AND DEVELOPMENT SERVICES - REVENUE BUDGET MONITORING 2014/15

Consideration was given to a report, presented by the Principal Finance Officer on the performance against budget for the Environment and Development Services Directorate Revenue Accounts as at 31st October, 2014 and providing a forecast outturn for the whole of the 2014/15 financial year. Members noted the forecast outturn position of an under-spend of £300,000 for the Environment and Development Services Directorate, based on expenditure and income as at 31st October, 2014.

During discussion of this item, Members raised the following salient items:-

: budget pressures (eg: income for Parking Services; dependency upon weather conditions for Winter maintenance);

: the costs of risk assessments;

: content of presentation of budget monitoring reports at future meetings of Elected Members.

Resolved:- (1) That the report be received and its contents noted.

(2) That the latest financial projection against budget for 2014/15, based on actual income and expenditure to 31st October, 2014, as outlined in the submitted report, be noted.

(3) That the submitted report be referred to the Self Regulation Select Commission for information.