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Ribble Valley
Borough Council

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Dear Councillor

The next meeting of the **PERSONNEL** Committee will be held at **6.30 pm** on **WEDNESDAY, 7 JUNE 2023** in the **Council Chamber**.

I do hope you can be there.

Yours sincerely

M. H. Scott

CHIEF EXECUTIVE

AGENDA

1. **APOLOGIES FOR ABSENCE**
2. **TO APPROVE THE MINUTES OF THE PREVIOUS MEETING** (Pages 5 - 8)
3. **DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS**

Members are reminded of their responsibility to declare any disclosable pecuniary, other registrable or non-registrable interest in respect of matters contained in the agenda.

4. **PUBLIC PARTICIPATION**
5. **BRIEFING ON THE WORK OF THE PERSONNEL COMMITTEE**

Verbal Presentation

ITEMS FOR DECISION

6. **APPOINTMENT TO WORKING GROUPS** (Pages 9 - 10)
Report of the Chief Executive enclosed
7. **BUSINESS AND PERSONAL INTEREST POLICY AND CODE OF CONDUCT** (Pages 11 - 22)

Report of Director of Resources / Deputy Chief Executive enclosed.

ITEMS FOR INFORMATION

8. **ANNUAL HEALTH AND SAFETY UPDATE** (Pages 23 - 34)

Report of the Chief Executive enclosed

9. **MINUTES OF WORKING GROUPS**

10. **REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES**

11. **EXCLUSION OF PRESS AND PUBLIC**

ITEMS FOR DECISION

12. **CHANGES TO ESTABLISHMENT - HOUSING ADMINISTRATION ASSISTANT** (Pages 35 - 36)

1, 2

Report of Director of Resources / Deputy Chief Executive enclosed

13. **ADDITIONAL RESOURCES TO FACILITATE IMPLEMENTATION OF THE DOMESTIC ABUSE ACT** (Pages 37 - 40)

1

Report of Director of Resources / Deputy Chief Executive enclosed

14. **PAYMENT OF HONORARIA** (Pages 41 - 42)

1, 2

Report of the Chief Executive enclosed

ITEMS FOR INFORMATION

15. **ANNUAL ABSENCE MANAGEMENT UPDATE** (Pages 43 - 48)

2

Report of Director of Resources / Deputy Chief Executive enclosed

16. **GENERAL STAFFING UPDATE** (Pages 49 - 54)

2

Report of Director of Resources / Deputy Chief Executive enclosed

Electronic agendas sent to members of Personnel – Councillor Karl Barnsley, Councillor Susan Bibby, Councillor David Birtwhistle, Councillor Ryan Corney, Councillor Rosemary (Rosie) Elms (Chair), Councillor Steve Farmer (Vice-Chair), Councillor Simon Hore, Councillor Lee Jameson and Councillor Donna O'Rourke.

Contact: Democratic Services on 01200 414408 or rebecca.tait@ribblevalley.gov.uk

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Minutes of Personnel

Meeting Date: Wednesday, 22 March 2023, starting at 6.30 pm
Present: Councillor S Bibby (Chair)

Councillors:

S Atkinson
A Humpheys
D Peat

S Rainford
J Schumann

In attendance: Chief Executive and Head of HR

818 APOLOGIES FOR ABSENCE

Apologies from the meeting were received from Councillors R Bennett, D O'Rourke and R Thompson

819 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 18 January 2023 were approved as a correct record and signed by the Chair.

820 DECLARATIONS OF DISCLOSABLE PECUNIARY, OTHER REGISTRABLE AND NON REGISTRABLE INTERESTS

There were no declarations of disclosable pecuniary, or other registrable or non-registrable interests.

821 PUBLIC PARTICIPATION

There was no public participation.

822 UPDATE ON NATIONAL PAY CONSULTATIONS 2023/24

The Director of Resources submitted an information report advising Members of the latest position with the pay negotiations for 2023/24 for Council staff.

Members were informed that Unions representing the various groups are currently consulting with their members regarding the pay offers. UNISON has announced it will launch a ballot between mid-May and July for industrial action, whilst GMB and Unite members are being consulted on the basis of a recommendation that the offer be rejected.

Members were informed that the cost of the pay offer is £133,000 higher than the 5% overall provided for in our 2023/24 budgets.

The Council will keep Members up to date regarding any further developments regarding pay settlements for 2023/24

823 HR POLICY UPDATE

The Director of Resources submitted an information report providing Members with an update on the Council's HR policies.

Members were advised that the following policies/sections of policy are currently under review:

1. Sickness Policy.
2. Code of Conduct relating to Business Interests.
3. Disturbance Allowance.
4. Recruitment & Selection Policy - in line with revised recruitment system agreed as part of the Capital Bid.

Once the policies are in a format for sharing, these will be brought back to Personnel Committee for ratification.

Members were advised as to the Council policies and detailed their revision dates.

Members were informed that from horizon scanning, the significant policy changes that the Council will see over the next 18 months which will affect Council policies and practices are:

1. Changes to Retained EU Law policies
2. Family related policies
3. Disability and sickness

The Committee noted the contents of the report and are aware of the ongoing policy work.

824 INCREASE IN ESTABLISHMENT HOURS AT RIBBLESDALE POOL

The Head of Cultural and Leisure Services submitted a report requesting that Committee approve an increase in the establishment hours at Ribblesdale Pool to help reduce the reliance on casual staff for the core hours of the pool on weekdays.

It was noted that the amendment to the establishment will enable the pool to have greater certainty of lifeguard cover during the week and the increase in cost is negligible, it being met from the existing budget.

RESOLVED THAT COMMITTEE:

1. Agreed that the post of part time lifeguard be increased from 25 to 37 hours per week.
2. Agreed that the post is restricted to females only so as to maintain a balance of males and females.

825 MINUTES OF WORKING GROUPS

There were no minutes from working groups.

826 REPORTS FROM REPRESENTATIVES ON OUTSIDE BODIES

There were no reports from representatives on outside bodies.

827 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That by virtue of the next item of business being exempt information under Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 the press and public be now excluded from the meeting.

828 SENIOR MANAGEMENT CHANGES

The Chief Executive submitted a report setting out recent staff changes in the senior management positions within the Council and asking the Committee to consider an amendment to the management structure.

Members were informed that the main issue that has arisen from the recent significant changes in senior management positions is the need for succession planning. Going forward it is intended that a report will be prepared for Personnel Committee on a workforce plan which will include succession planning.

Members were informed that one immediate change that will provide some continuity relates to the role of Chief Executive. The position would be much improved if within the Council's structure there was a formal Deputy Chief Executive. This could be achieved with the Council's Statutory Section 151 Officer, the Director of Resources becoming Deputy Chief Executive alongside the existing duties of the post.

RESOLVED THAT COMMITTEE:

1. Note the significant changes in senior management positions.
2. Agree to amend the Council's structure and add the role of Deputy Chief Executive to the Director of Resources post at the grade set out in the report.
3. Agree that a workforce plan be brought to a future meeting of this Committee.
4. Agree that a policy be put in place confirming that the Deputy Chief Executive is also the Statutory Section 151 Officer and to create a new job description for the Deputy Chief Executive role.

829 PAYMENT OF HONORARIA

The Chief Executive submitted a report to request that the Committee authorise payment of honoraria to staff who are covering duties of senior posts.

RESOLVED THAT COMMITTEE:

1. Agree to the honoraria payments to the three members of staff as set out in the report.
2. Agree to pay the accrued leave as set out in paragraph 3.5 of the report.

830 GENERAL STAFFING UPDATE

The Director of Resources submitted a report updating Members on general staffing matters that have taken place since the last meeting.

Amongst other information, the report noted that 7 new staff were appointed in the period between 16 January 2023 and 15 March 2023. There were 3 leavers in the same period. Letters of thanks will be sent to the staff who have left the Council, where appropriate.

831

ANALYSIS OF EXIT INTERVIEWS

The Director of Resources submitted a report to provide Members with information relating to staff who have left Ribble Valley Borough Council between 1 January 2022 and 31 December 2022 and to provide further information with regards to the Council's exit interviews forms.

The meeting closed at 7.12 pm

If you have any queries on these minutes please contact the committee clerk, Jenny Martin jenny.martin@ribblevalley.gov.uk rebecca.tait@ribblevalley.gov.uk.

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PERSONNEL COMMITTEE

meeting date: WEDNESDAY, 7 JUNE 2023
title: APPOINTMENT TO WORKING GROUPS 2023/24
submitted by: MARSHAL SCOTT – CHIEF EXECUTIVE
principal author: JENNY MARTIN

1 PURPOSE

1.1 To appoint members to any working groups under the remit of the Personnel committee and their membership.

1.2 Relevance to the Council's ambitions and priorities:

- Community Objectives – to be a well managed Council providing effective services.
- Corporate Priorities – to protect and enhance the existing environmental quality of our area: to help make people's lives healthier and safer.
- Other Considerations – to work in partnership with other bodies in pursuit of the Council's aims and objectives.

2 BACKGROUND

2.1 Working groups are set up by a parent committee to aid them in reaching a decision on specific aspects of their remit. Working groups have no powers and decisions are always made ultimately by the parent committee.

2.2 Working groups are made up of members from the parent committee.

3 ISSUES

3.1 The following working group comes under the remit of the Personnel committee and is an active working group. The membership of this working group for 2023/24 needs to be decided and committee may wish to consider if numbers need reviewing to approximate political balance on the Council.

| | |
|-------------------------------|--------------------------------------------------------------------------------|
| Human Resources working group | 2022/23 membership – 4 Conservatives, 1 Independent + 1 Liberal Democrat |
|-------------------------------|--------------------------------------------------------------------------------|

3.2 Working groups meet when there is a need to move an issue forward. For some this is on an annual basis and for others it can be as often as monthly.

3.3 Agendas, reports and minutes are done by the officers that serve on the working group. The minutes of each meeting are reported back to the parent committee once approved by the working group so that they are kept informed of progress.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – the costs associated with working groups is included in the budget for 2023/24.
- Technical, Environmental and Legal – no implications identified
- Political – No implications identified.
- Reputation – No implications identified.
- Equality & Diversity – No implications identified.

5 **RECOMMENDED THAT**

5.1 Committee approve the continuance of the working group under the remit of this committee as suggested and decide upon its membership.

Marshal Scott
CHIEF EXECUTIVE

Jenny Martin
Democratic Services Officer

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PERSONNEL COMMITTEE

meeting date: 7 JUNE 2023
title: BUSINESS AND PERSONAL INTEREST POLICY AND CODE OF CONDUCT
submitted by: DIRECTOR OF RESOURCES AND DEPUTY CHIEF EXECUTIVE
principle author: DAWN EVANS-STOREY

1 PURPOSE

- 1.1 To create a clear and consistent process for Officers to request a Business and Personal Interest.
- 1.2 To update the Code of Conduct
- 1.3 To create a Business Interest and Personal Interest Policy which details how to apply and the process by which an application will be considered.
- 1.4 Relevance to the Council's ambitions and priorities:
 - Corporate Priorities – To ensure a well-managed council.
 - Other Considerations – This policy is intended to complement the Council's Employee Code of Conduct and Disciplinary Procedures and offers guidance for all Officers with regards to best practice and the need to preserve integrity and demonstrate good governance.

2 BACKGROUND

- 2.1 Our Code of Conduct currently requests that Private Work (Business Interest) should not be undertaken if it could conflict or have a detrimental effect on the Council's business.
- 2.2 Personal Interests (non-financial) require Officers to declare in writing to the Chief Executive any interests that may bring conflict.
- 2.3 This demonstrates two different approaches to a process.
- 2.4 Members Business or Personal Interests are considered by a formal process managed by the Head of Legal and Democratic Services.

3 ISSUES

- 3.1 Currently the process is to declare an interest meaning there is no corporate decision-making process.
- 3.2 There is no application or decision process detailed for this determination to take place.
- 3.3 Officers are only made aware of this requirement after they have started employment with us. This should be detailed as part of terms and conditions of employment.
- 3.4 There is no process in place to consider that if staff move to a new role within the council, their Business Interest should be reviewed in line with the requirements of the new role. This needs to be built into the movement offer letter.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – None
- Technical, Environmental and Legal – None
- Political – None
- Reputation - The Policy has been written to protect the Officer as much as to protect the Council. The intention of the policy is to ensure that the Council can demonstrate that no undue influence has been applied or could be said to have been applied by any supplier or anyone else dealing with the Council.
- Equality and Diversity – None

5 CONCLUSION

5.1 There needs to be a consistent approach for approval of business interests. These should be coordinated and submitted to CMT for approval. These could then be recorded on a Register of Business Interests by HR

5.2 New employees need to be advised about requesting approval for any business and personal interest prior to them taking up employment. This should be detailed within the new Statement of Particulars (SOPs).

5.3 When staff move from one role to another their offer letter needs to include a paragraph stating, "The Code of Conduct for staff in relation to private work and personal interests' states that all employees are required to submit a request to undertake any other work, whether it be of financial or non-financial interest. If you are uncertain on any area of this, please discuss this with your director".

5.4 It is necessary to create a Council Business and Personal Interest policy. A suggested policy is attached Annex 1. The code of conduct also needs to be updated to reflect this. This is attached at Annex 2.

6 RECOMMENDED THAT COMMITTEE

6.1 Agree that all Business Interest requests are submitted to CMT for approval.

6.2 Agree that new employees and also internal employees when their job changes are advised about requesting approval for any business and personal interest prior to them taking up their new employment.

6.3 Approve the Council Business and Personal Interest policy as attached at Annex 1.

6.4 Approve the Update to the Code of Conduct in respect of the Council Business and Personal Interest policy as attached at Annex 2.

HEAD OF HR

P14-23/DE/AC
2 May 2023

DIRECTOR OF RESOURCES
AND DEPUTY CHIEF EXECUTIVE

BACKGROUND PAPERS

- Revised Code of Conduct
- Business and Personal Interest Policy

For further information please ask for Dawn Evans-Storey extension 4402



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COUNCIL EMPLOYEES REGISTERING A BUSINESS AND PERSONAL INTEREST POLICY

CONTENTS

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| Appendix 1 Declaration and Application form..... | Error! Bookmark not defined. |

POLICY ADMINISTRATION

POLICY OWNERSHIP

For any queries about this policy, please contact the plan owner.

| | | | |
|-------------------|-------------------|--------------------------------------------------------------------------------------------------|--------------|
| Department | Resources | | |
| Owner | Dawn Evans-Storey | dawn.evans-storey@ribblevalley.gov.uk | 01200 414402 |
| Committee | Personnel | | |

This policy is maintained and published on behalf of Ribble Valley Borough Council. A copy of this policy will be published on the Council Intranet and will be reviewed and updated as stated below.

VERSION CONTROL AND REVIEW DATE

| Version | Date | Reason for Publication | Approved by Committee / Date | Review Date |
|---------|----------|------------------------|---------------------------------|-------------|
| V1.0 | 28/03/23 | Review of the policy | Personnel Committee / June 2023 | June 2026 |
| V1.1 | | | | |
| V1.2 | | | | |

This policy will be reviewed, as a minimum, on an annual basis. However, consideration should be given to reviewing the policy should there be any changes in legislation or guidance. The policy/procedure owner will ensure the document is reviewed as stated.

EQUALITY IMPLICATIONS

| | Action | Yes |
|--------------------------------------------------------|--------|-----|
| An Equality Impact Assessment (EIA) has been completed | | |
| EIA Hyperlink | | |

SUPPORTING DOCUMENTS OR LEGISLATION RELATING TO THIS POLICY

| Please include any supporting documents / legislation |
|-------------------------------------------------------|
| 1. Employee Code of Conduct |
| 2. Whistleblowing Policy |
| 3. Anti-Fraud Policy |
| 4. Disciplinary Procedure |

COUNCIL EMPLOYEES REGISTERING A BUSINESS AND PERSONAL INTEREST POLICY

1. This policy is intended to complement the Council's Employee Code of Conduct and Disciplinary Procedures and offers guidance for all Officers with regards to best practice and the need to preserve integrity and demonstrate good governance. It has been written to protect the Officer as much as to protect the Council. The intention of the policy is to ensure that the Council can demonstrate that no undue influence has been applied or could be said to have been applied by any supplier or anyone else dealing with the Council.
2. Officers of the Council are bound by specific rules, codes of conduct and protocols, as are Members. Officers shall seek to uphold and enhance the standing of the Council by:
 - Maintaining a high standard of honesty and integrity in all their business relationships.
 - Complying with the law, regulations and the Council's own policies and procedures.
3. The best interests of the Council should always be the paramount consideration and you must not allow any business or personal interest to influence your decisions.
4. You must not offer advice or guidance or participate in or influence any decision-making process where you have a private interest, or a member of the public may reasonably think you have a private interest.
5. You should always act for the benefit of the Council and not to further your own interests or the interests of others who do not have a right to benefit under Ribble Valley Council's policies.
6. It is always best to seek a second opinion as to the appropriateness of any interests held outside the Council that may be construed as influential, leading to favouritism. By registering the business interest, you have, it is then open to scrutiny if necessary. It cannot later be alleged that the interest held, was a secret or 'underhand' in any way, with an ulterior motive.
7. Your interest may be a financial one or one which a member of the public might reasonably think could influence your judgement. In addition, close family members or people living in your household may have financial interests in the work of the Council. This includes indirect connections such as sponsorship. All such interests must be declared to your director in writing, which in turn will be considered by the Corporate Management Team.
8. If you are a member of an organisation or a club, and membership might result in a conflict of interest or could reasonably be perceived by a member of the public as creating a possible conflict of interest in relation to any aspect of your work with the Council, then you must declare this membership to your director. This applies equally to membership of organisations or clubs or secret societies which are not open to the public.
9. Personal interests that may impinge or might reasonably be deemed by others to imping on an employee's impartiality or conflict with the duty owed to the Council should be declared in writing. Where you declare a private interest or membership of an organisation or club any interests outside work, or anything that may lead to allegations of bias or favouritism; whether it is financial or political, should be declared.

10. Under Section 117 of the Local Government Act 1972, Directors/Chief Officers and Heads of Department must declare in writing to the Chief Executive any financial interest which they, their spouse or civil partner may have in any existing or proposed contract with the Council. Failure to make such a declaration is a criminal offence. This must be declared and updated every 12 months.

11. Under sections 1110 and 1120 of the Public Sector Internal Audit Standards (PSIAS) internal auditors must demonstrate organisational independence and evidence of an impartial unbiased attitude to avoid conflict of interest. This must be declared and updated every 12 months.

12. You should declare such interests using the Business and Personal Interest Declaration Guidance and Form. The completed form will be considered by the Corporate Management Team and held on your personal file and the fact that you have declared an interest may be disclosed to Officers or members of the Council if necessary.

13. No private work can be undertaken during work for the Council, or on the Council's premises, or by using Council's equipment without the prior written approval of the Chief Executive or appropriate director.

14. If in the course of work with the Council staff create a copyright work that work becomes the property of the Council. Similarly, if in the course of work staff create a patentable invention, or create a design capable of registration, then this will also become the property of the Council and staff will be required to co-operate in the registration formalities.

15. Any breach of this policy and the associated codes of conduct could lead to disciplinary action being taken.

16. Any Officer who is aware of any business dealings conferring personal gain, or involving relatives or associates of a member of staff must supply these details to a director. The Council's Whistle Blowing Policy can be used to divulge such information in confidence.

17. The Council's Monitoring Officer and Accounts and Audit Committee will inspect the register of Business and Personal interests annually, and the information will be retained by Human Resources for a period deemed necessary to demonstrate good governance and to address any allegations of misconduct accordingly.

Appendix 1 Declaration and Application form

Some useful links

| | |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| Employee Code of Conduct | http://intranet/downloads/Code_of_Conduct_for_Staff.pdf |
| Whistleblowing Policy | http://intranet/downloads/Whistleblowing_Policy_July_2016.doc.pdf |
| Anti-Fraud Policy | http://intranet/downloads/Anti_Fraud_Policy.pdf |
| Disciplinary Procedure | http://intranet/downloads/Disciplinary_Procedure.pdf |

Appendix 1

APPLICATION FOR BUSINESS AND PERSONAL INTEREST

| | |
|------------|--|
| Name | |
| Department | |
| Date | |

| | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| What is your name of the company in which you have a Business/Personal Interest? | |
| What is your role/position in the Interest? | |
| From what date did your Business Interest commence (date of involvement or association) | |
| Detail the Interest and what responsibilities are undertaken in your role | |
| Is this a financial or non-financial interest? | |
| Number of hours involved/worked | |
| Please confirm if this does/doesn't impact on your day-to-day role with RVBC. If you are already undertaking the Interest, please explanation how it does/doesn't impact with your current role or will/ wont impact on your new role (if applicable) | |
| You understand that RVBC is your primary employment, and you cannot undertake this interest during the hours you are working for the Council. | |
| Your combined working hours will/will not break working time regs. If it does you will opt out of WTD | |
| Do you believe there is a conflict of interest or not? Explain further | |
| Who will you come into contact with whilst undertaking these duties? | |

Revision of Code of Conduct and supplementary Policy

9. Business and Personal Interests

9.1 Personal interests that may impact or might reasonably be deemed by others to impact on an employee's impartiality or conflict with the duty owed to the Council should be declared in writing.

These could be an officer's interests outside work, membership or affiliations to societies or clubs, business interests etc., anything that may lead to allegations of bias or favouritism; whether it is financial or political, should be declared.

9.2 Employees must also declare any financial or non-financial interests that they consider could bring about conflict with the Council's interests, for instance:

- membership of an organisation receiving grant aid from the Council.
- membership of an organisation or pressure group which may seek to influence the Council's policies.
- having a beneficial interest in property or land which is within the Council's district and is subject to any Council business e.g., subject to housing benefit / planning application etc.
- a financial interest (directly or indirectly) in a contract which the Council is about to enter into (or has already done do). This applies to an employee who is a member, a partner or an employee of a company or organisation party to a contract.

10. Declaring an Interest

Employees who have an interest, financial or non-financial, should not involve themselves in any decision or allocation of Council services or resources from which they, their friends, persons to whom they owe (or are owed) an obligation, or family might benefit and should ensure that the matter is referred immediately to their line manager. The details should then be passed to the Head of Human Resources to be entered onto the Council's Register.

For further information see the Business and Personal Interest Policy.

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RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PERSONNEL COMMITTEE

meeting date: WEDNESDAY, 7 JUNE 2023
title: ANNUAL HEALTH & SAFETY UPDATE
submitted by: MARSHAL SCOTT – CHIEF EXECUTIVE
principal author: PHIL DODD – HEALTH AND SAFETY ADVISOR

1 PURPOSE

1.1 This report presents a review of the management of Health, Safety and Welfare by the Council during the period April 2022 to March 2023.

1.2 Relevance to the Council's ambitions and priorities:

- Council Ambitions – Well -managed health and safety risks enable efficient services and supports the Council's ambition to make people's lives safer and healthier.
- Community Objectives – Effective risk control systems for staff, contractors and members of the public promotes health and well-being within the community.
- Corporate Priorities – Health and safety reports provide the information needed by people in the Council who have particular responsibilities within the Health and Safety Management System; these people include directors, senior managers, managers, supervisors, health and safety professionals and employees/safety representatives.
- Legal – To ensure legal compliance with the Health and Safety at Work etc. Act, 1974, applicable Regulations and Approved Codes of Practice and, in particular, the Management of Health and Safety at Work Regulations 1999, Regulation 3, (Risk Assessment) and Regulation 5, (Health and Safety Arrangements).

2 OVERVIEW

2.1 Those responsible for ensuring standards are maintained (predominately Heads of Service and Managers) should be provided with relevant training to undertake their role effectively, this should include, but not exclusively, the Institution of Occupational Safety and Health, (IOSH), "Managing Safely" training which provides understanding of everyone's Health, Safety and Welfare responsibilities in the workplace, including their own.

2.2 The three key moral, legal and financial reasons for managing safely, and manager's responsibility and accountability for safety and health, are the foundations of a positive health and safety culture ensuring the effective implementation of the Council's Health and Safety Management System.

2.3 Senior managers, managers and supervisors must maintain attention on the Council's significant risks and on implementation of adequate controls by taking ownership of the management of the safety and health of their staff. The perception employees have of senior managers and manager's commitment to their safety and health is reflected in their behaviour and attitude towards implementing safe systems of work, most especially when they are not being observed.

- 2.4 A good health and safety culture is one where employees behave naturally in a safe and risk aware manner. Without a positive culture, instruction and training is ignored and safe procedures violated.
- 2.5 Senior managers, managers and supervisors must demonstrate their commitment by their attitude and actions and by challenging unhealthy or unsafe behaviour in a timely and effective manner. They must understand their roles and those of others and measure performance (monitor), to check that operatives are following procedures and training to verify controls are working and standards are being maintained.
- 2.6 The role of managers is crucial in driving a positive safety culture. Managers are important role models, and if they reinforce negative behaviour or are seen to be disengaged in matters of health and safety, employees will mimic this approach. The organisation must be united in its approach, from top to bottom.
- 2.7 The legal requirements for consultation and involvement of the workforce include engaging in consultation with all employees, this creates a culture where relationships between employers and employees are based on collaboration, trust and joint problem solving. Employees should be involved in assessing workplace risks and the development and review of workplace health and safety policies and procedures in partnership with the employer.
- 2.8 The management of Health and Safety within Waste Services nationally continues to be a priority in the Health and Safety Executives programme of interventions aimed at reducing the incidence of work-related accidents and occupational ill-health within the industry. This extends not only to employees, but also to members of the public during vehicle manoeuvres on the highway and in waste transfer stations. It is therefore important that managers ensure current best practice guidance and standards in the management and monitoring of this service are maintained. The Waste Industry Safety and Health Forum provides Guidance and Information Sheets to enable operators to identify the required standards expected by the HSE.
- 2.9 Effective management of health and safety risks helps the Council to:
- maximise the well-being and performance of its employees.
 - prevent people being killed, injured or suffering ill-health by their work.
 - prevent damage to its reputation in the eyes of customers, suppliers, other stakeholders and the wider community.
 - encourage better relationships with contractors, and more effective contracted activities; and
 - minimise the likelihood of prosecution and consequent penalties.

- 2.10 The Ribble Valley Borough Council Health and Safety Management System utilises the model provided in the health and safety Executive's HSG65 (Third edition, published 2013).

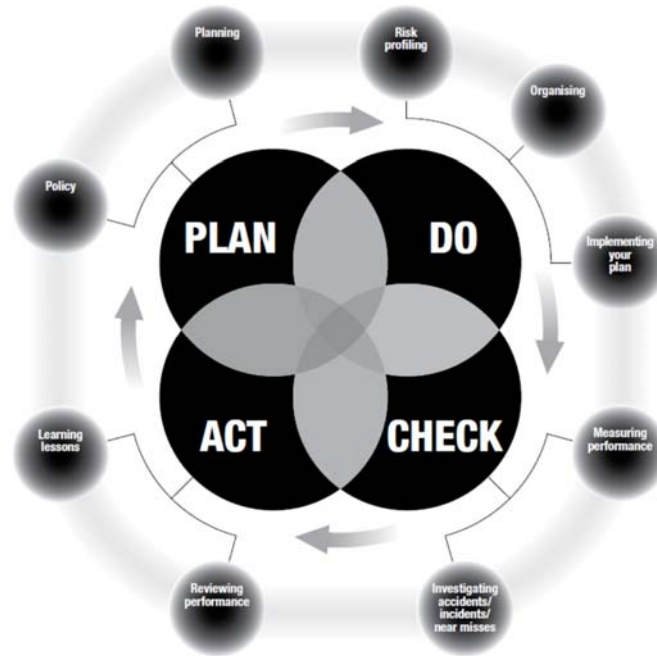


Figure 1. HSG65, 2013

The “Plan, Do, Check, Act” approach treats health and safety management as an integral part of good management generally, rather than as a stand-alone system.

- 2.11 HSE encourages a common sense and practical approach as part of the everyday process of running an organisation. The core elements, underpinned by an understanding of the profile of risks the organisation creates or faces links back to wider risk management and is pictured below.



2.12 The keys to effectively managing health and safety are:

- leadership and management
- a trained/skilled workforce.
- an environment where people are trusted and involved.

Success hinges on the attitudes and behaviours of the people in the organisation.

3 POLICY AND PROCEDURE DEVELOPMENT

3.1 The Ribble Valley Borough Council Health and Safety Policy has been reviewed and updated in line with changes in legislation and guidance. The Policy is set out in three sections:

- **The statement of general policy on health and safety at work** sets out the Council's commitment to managing health and safety effectively.
- **The organisation section** sets out who is responsible for specific actions.
- **The arrangements section** contains the detail of what will be done in practice to achieve the aims set out in the statement of health and safety policy and includes information on how the risk of hazards will be eliminated or reduced.

4 THE COUNCIL'S SIGNIFICANT HAZARDS

4.1 Construction - The Construction Design and Management (CDM) regulations 2015 came into force on 6 April 2015. The main changes were the replacement of CDM co-ordinators by "Principal Designers", (appointed by Clients for projects involving more than one contractor), full inclusion of domestic projects and an overall attempt to reduce bureaucracy and communicate the key roles and responsibilities in a clearer manner. The Regulations are applicable to all construction work including the works carried out by the General Works Department and Contractors. The Construction Skills Certification Scheme, (CSCS) is the leading skills certification scheme within the UK construction industry. CSCS cards provide proof that individuals, at all levels, working in construction have the required training and qualifications for the type of work they carry out and this scheme should be implemented at the Council to ensure the competence of this section of the workforce.

4.2 Transport – driving for work is one of the most dangerous things workers will do and Health and Safety law applies to work activities on the road in the same way it does on a fixed site such as Salthill Depot and Waste Transfer Station. The start of 2023 has seen a series of accidents in various parts of the waste and recycling sector, all are currently under investigation including a worker at a waste transfer station who was struck and killed by a 360-degree excavator and a worker who was killed when he was caught and lifted into the hopper of a refuse collection vehicle. Duty holders must fully assess and actively manage the risk of vehicle-pedestrian collisions. Transport continues to rate highly amongst the Council's risk profiles.

4.3 Health and safety law does not apply to people commuting (i.e., travelling between their home and their usual place of work), unless they are travelling from their home to somewhere which is not their usual place of work. Occupational road risks at the Council include drivers of Refuse Collection Vehicles, Depot plant, vans and pick-ups, casual vehicle and lease car drivers, all involved in driving for work.

4.4 Reversing continues to cause a disproportionately large number of moving vehicle

accidents in the waste and recycling industry. Ribble Valley Borough Council have concluded that they will always use reversing assistants unless it is not safe to do so, in such cases 2-way radios are used by loaders to communicate "Stop" instructions to the driver from a place of safety.

- 4.5 In 2022/23, transport own damage/3rd party settled cases totalled £68,339, with open cases £33,620. The increase in settled cases includes one particularly large claim of £48,391.
- 4.6 For comparison in 2021/22, own damage/3rd party settled cases totalled £14,798 with open cases totalling £34,233.
- 4.7 Fire – following several new appointments training for newly appointed Fire Marshals and refresher training for existing Fire Marshals is planned. The training package includes instruction on the Emergency Evacuation Plan and Fire Extinguisher identification and use. The fire alarm detection systems in Council buildings are tested weekly full testing of the Emergency Evacuation Plans, for the Council properties should be carried out annually.
- 4.8 Mental health problems – these are the biggest cause of sickness absence in local government. Stress, anxiety and depression are the main issues, 38 working days were lost this year due to personal stress issues with 52 days lost due to stress/depression from a non-identified source. There were no days lost due to work-related stress.
- 4.9 Musculoskeletal injuries – bad backs, muscle damage and sprains are not just caused by lifting or moving heavy things, repetitive tasks such as intensive keyboard use can also be to blame along with slip or trip accidents. Musculoskeletal injuries were highest at 408 lost days.

1607 working days were lost due to ill health, including 233 days lost due to Covid 19. It is therefore clear that considerable cost savings could be made through effective preventive and protective measures for managing and controlling ill-health. The Council has access to an Occupational Health provider however Health Surveillance is currently a reactive procedure. Work related ill health due to exposure to vibration, noise and hazardous substances is controlled through the risk assessment process and to date there have been no incidents, due to these hazards, requiring referral.

- 4.10 Waste Management – Refuse collection is a high-risk activity. The start of 2023 has seen a series of accidents in various parts of the waste and recycling sector, all our currently under investigation. It is therefore imperative that safe systems of work are implemented by competent operatives and supervisors, sufficiently monitored by managers and supervisors, and that robust corrective action is taken where activities fall short of identified standards. Transport operations associated with collection activities (municipal and commercial) and at a range of waste management and recycling sites represent the most significant risk of serious or fatal accidents to workers and members of the public.
- 4.11 One of the core elements of effective health and safety management is to check that policies and procedures are actually being followed on site. Effective monitoring in the waste and recycling service is important because of the constantly changing environment particularly during refuse and recycling collection activities. All drivers and loaders (including agency staff) should be advised about monitoring arrangements and why they are in place i.e., to ensure they are following the procedures that they have been trained in and a system should be in place to manage the feedback to crews

about areas of non-compliance. This applies equally to the Council's cleansing, grounds maintenance and general works operations.

- 4.12 CCTV systems are in place on Refuse Collection Vehicles, (RCVs) and therefore real time monitoring is readily available to the Head of Engineering Services and the Refuse and Workshop Manager. CCTV is also available for monitoring of activities in the Depot and Waste Transfer Station. Those that are being monitored should be clear about how non-compliance will be dealt with, and the results of monitoring should be reviewed, analysed and reported to senior management to assist with improving the health and safety climate at Salthill Depot.
- 4.13 The HSE continue to implement their Fees for Intervention (FFI) scheme which places a duty on the HSE to recover its costs for carrying out its regulatory functions. Inspectors who identify material breaches at the sites they visit and are required to intervene charge organisations £166.00 an hour for the time they spend investigating and resolving the breaches. A material breach is where a Health and Safety law has been broken and an inspector judges this is serious enough for them to notify the organisation in writing. This will either be a notification of contravention, an improvement or prohibition notice, or a prosecution.
- 4.14 There were no contraventions, prosecutions, improvement notices or prohibition notices issued to RVBC by the HSE during 2022/2023 and therefore no Fees for Intervention were applied.
- 4.15 On 1 February 2016, the new sentencing guidelines for health and safety offences came into force. They direct the courts to consider the sentencing of offending organisations by way of a step-by-step approach, primarily examining culpability, the seriousness of harm risked and the likelihood of harm, which are divided into a number of different levels to reflect the scale within each category. A feature of these guidelines is that the fine is related to the turnover of organisations and, as a result, large organisations convicted of offences are receiving larger fines than seen prior to these guidelines. A major transport company was recently fined £1.9 million after an employee was struck and killed by a reversing HGV.
- 4.16 There are similar guidelines for the sentencing of individuals for health and safety offences, with a stronger focus on the risk of a custodial sentence for those found guilty of serious breaches. Enterprise Management Services were fined £1.2 m in April 2021 after a refuse collector was run over by a reversing refuse collection vehicle. There had not been a suitable and sufficient risk assessment, and there was a failure to adequately supervise the round. These tragic cases are a stark reminder that the courts (despite the pandemic and the impact on an organisation's turnover over the last year or so), will be more than ready to impose heavy levels of fines in accordance with the organisation's pre-pandemic turnover.

5 SUMMARY OF ACHIEVEMENTS

- 5.1 The Council's Health and Safety Policy clearly sets out how the Council will manage the Health, Safety and Welfare of all employees and others who may be affected by its undertakings, therefore the health and safety goal of the Council is to effectively implement all sections of the Policy.
- 5.2 The Health and Safety Advisor continues to provide information, advice, training and guidance to all sections of the Council to ensure they understand their legal duties for working, managing and directing health, safety and welfare for all staff, and others, who may be affected by our undertaking.

- 5.3 There has been 1 HSE reportable accident under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations, 2013, (RIDDOR), this was an accident involving a step ladder and resulted in the injured party suffering a broken hip. The Regulations require that if someone has died or has suffered specified injuries because of a work-related accident this must be reported. Not all accidents need to be reported, other than for certain gas incidents, a RIDDOR report is required only when: i) the accident is work-related ii) it results in an injury of a type which is reportable. Over 7-day absences resulting from accidents are also reportable.
- 5.4 The Health and Safety Advisor continues to Chair the Lancashire Local Authority Health and Safety Advisors Forum and continues to update his CPD through membership of The Institution of Civil Engineers, (ICE) and The Institution of Occupational Safety and Health, (IOSH).
- 5.5 Safety and Health inductions have been carried out for new and temporary staff and contractors.
- 5.6 Significant proactive and reactive work has been undertaken providing a wide range of support both corporately and operationally.

6 ACCIDENT AND INCIDENT STATISTICS

Accidents

- 6.1 In the 2022 – 2023 year there were 84 accidents recorded, 19 involving staff, 61 at the Pool and 4 involving members of the public. The 61 accidents at the Pool were mainly due to slips, trips, cuts and banging into things. There was 1 RIDDOR Reportable accident to a member of staff. The Health and Safety Advisor will continue to investigate accidents, incidents and ill health, along with senior managers, managers, supervisors and safety representatives, in accordance with the Policy and Procedure for the Reporting and Investigation of Accidents and Incidents in order to prevent reoccurrence and further lost time incidents and associated losses. The causes of unsafe ways of working, accidents, incidents and ill health do not always stop with the worker. The problem can often be traced back to less obvious causes such as decisions made by management and the wider organisation.

Incidents

- 6.2 The term **accident** is used where injury or ill health occurs and The Accident Book should be completed in those circumstances. The term **incident** includes **near misses** and **undesired circumstances**, where there is the **potential** for injury or the incident has resulted in threats to staff, damage to Council property or a financial loss. **Ill health** is defined as any illness, disability or other physical problem caused or made worse by one's work. There were 3 reported incidents of aggressive/ abusive behaviour towards officers during this period.
- 6.3 Where incidents result in aggressive or violent behaviour to RVBC staff the Policy for Dealing with Violence and Aggression is implemented. The Awareness Register Group investigates the incident and recommends actions to CMT which may include placing the persons details on the Awareness Register so that relevant staff are aware of the potential risk and control measures can be developed.

7 TARGETS FOR 2023/2024

Audit

- 7.1 The Audit Section carried out a review of Corporate Health and Safety in accordance with the agreed 2022/2023 Internal Audit Plan resulting in a number of actions to ensure the effectiveness of the system. These included Heads of Service carrying out and updating risk assessments and the development of a training needs analysis. The full Audit Report will be presented at the next meeting of the Health and Safety Committee.

Construction

- 7.2 Monitor the implementation of the Policy for the Health and Safety Management and Control of Contractors and Consultants to ensure compliance at procurement stage and during works on site.
- 7.3 Continue to implement the Council's Control of Asbestos and Legionella Bacteria Policies and carry out monitoring, sampling and testing as appropriate.
- 7.4 Monitor compliance with the duties imposed by the Construction (Design and Management) Regulations 2015, (CDM 2015), are carried out for all applicable design and construction works.

Transport

- 7.5 Implement the Council Policy for the Management of Occupational Road Risk, (MORR), reviewing and revising the Council's risk assessments for driving vehicles including, the "grey fleet", and carry out driving assessments where appropriate.
- 7.6 Continue to monitor the number of incidents resulting in damage to refuse collection vehicles and implement an initiative to reduce the number of incidents and lower the burden of repair costs for vehicles and property.

Fire

- 7.7 Implement the corporate policy for Fire Safety which identifies roles and responsibilities for those employees with duties in the event of Fire and Emergency in accordance with the Regulatory Reform (Fire safety) Order 2005.
- 7.8 Carry out basic fire safety refresher training for employees and further specific Fire Safety training for all volunteer Fire Marshals in accordance with the Fire Safety (Employees' Capabilities) (England) Regulations 2010.
- 7.9 Ensure fire alarm testing and practice evacuations of public buildings are carried out regularly and liaise with the Fire and Rescue Service during statutory inspections and audits.

Mental Health Problems

- 7.10 Monitor instances of work-related stress symptoms including anxiety and depression and assist Managers and HR Section in the risk assessment process for individual cases.
- 7.11 Work alongside the HR Section in developing strategies for reducing the number of working days lost due to work related stress through implementation of the Health and

Safety Executive's Management Standards and the Ribble Valley Borough Council Policy on the Management of Stress at Work.

Musculoskeletal Injuries

- 7.12 Review workstation risk assessments for all users of display screen equipment in accordance with Health and Safety (Display Screen Equipment) Regulations 1992 (as amended in 2002).
- 7.13 Conduct Advanced Display Screen Assessments where musculoskeletal disorders have been identified and ensure ergonomic adjustments are carried out and monitored.
- 7.14 Continue to monitor manual handling activities carried out by Council employees and where necessary conduct risk assessments where appropriate.
- 7.15 Provide in-house training and refresher sessions for all employees where appropriate and in particular in the Refuse Collection and General Works Service's to reduce the number of working days lost through poor lifting and carrying practices.

Waste Management

- 7.16 Waste Collection activities account for the largest proportion of accidents in the waste and recycling industries. Operating a vehicle-based collection service has the potential to expose collection crews, other road users and pedestrians to a range of hazards, it continues to be one of the highest risk activities undertaken by the Council. Transport operations associated with collection activities (municipal and commercial) and at a range of waste management and recycling sites represent the most significant risk of serious or fatal accidents to workers and members of the public.
- 7.17 Continue to liaise with the HSE and monitor the progress of the WISH (Waste Industry Safety and Health Forum) strategy and guidance development.
- 7.18 The teams continue to operate on a "Group Task and Finish" basis. This type of system is recognised by the HSE as requiring a greater level of management and supervision as it may encourage workers to rush the job and take dangerous short cuts, robust monitoring of the service must therefore be carried out with instances of non-compliance dealt with appropriately.

Events

- 7.19 The Health and Safety Advisor will provide advice, guidance and support to Event Organisers who plan events on Council owned land including the Clitheroe Food Festival and the Bonfire.

Accidents and Incidents

- 7.20 Monitor the implementation of the RVBC Policy and Procedure for the Reporting and Investigation of Accidents and Incidents at appropriate levels and advise on decisions and recommendations for additional control measures and action plans.

First Aid

- 7.21 The Health and Safety Advisor will provide staff refresher briefings for emergency use of defibrillators at the Council offices and at Salthill Depot.

8 PROFESSIONAL DEVELOPMENT

- 8.1 The Health and Safety Advisor continues his professional development through webinars and Teams meetings arranged by the Institution of Occupational Safety and Health, IOSH, and The Institution of Civil Engineers, ICE, both of which he holds Graduate Membership.
- 8.2 The Health and Safety Advisor undertakes Continuing Professional Development, CPD, with the above organisations and continues to Chair the Lancashire Local Authority Health and Safety Advisor's Forum, regularly attending evening meetings of the Manchester and District IOSH Branch and Public Services Section.

9 RISK ASSESSMENTS

- 9.1 Senior Managers are accountable to their Director for implementing the Council's Health and Safety Policy, encouraging and assisting in developing safe procedures and ensuring that suitable and sufficient risk assessments are produced with the involvement of the staff who carry out the activities and that the assessments are readily accessible to all. They must also ensure that all staff and supervisors are properly trained and receive the support they need to perform their duties and challenge unsafe behaviour in a timely way.
- 9.2 Senior Managers and Managers need to remain aware of the importance of setting good examples in their own behaviour to promote positive health and safety performance by others and to nurture a positive health and safety culture by active involvement, including on the shop floor visibility. The active involvement of Senior Management in the Health and Safety Management System is important. Senior Managers, Managers, supervisors and staff must take ownership of the risk management process and proactively implement the control measures which have been identified.

10 CONCLUSION

- 10.1 A rise in the number of accidents this year was recorded; however, this has been following the period of coronavirus pandemic and associated restrictions, where there were less staff in work and where some of our operations were suspended due to Covid e.g., the pool was closed for a significant period.
- 10.2 The waste management and recycling industry has grown rapidly over the past decade in response to the environmental challenge. Unfortunately, it remains an industry with a poor health and safety performance – with fatality rates reaching over ten times the industry average – second only to agriculture.
- 10.3 Local authorities continue to have a major role to play in reducing these high rates of fatal injury, and the high rates of other injuries which accompany them. HSE is very aware of the competing pressures on local authorities. One key principle is that there is no need for this to be seen as a trade-off – meeting recycling targets and achieving improvement in health and safety performance remain compatible and complimentary goals.
- 10.4 Effective management and monitoring of safe working practices is essential in maintaining standards. The in-house collection and disposal of paper waste re-introduced manual handling of sacks to our systems and close supervision is key in managing this risk.

- 10.5 Effective leaders and line managers know the risks their organisation faces, ranks them in order of importance and takes action to control them, risk profiling. The range of risks goes beyond health and safety risks to include quality, environmental and asset damage, but issues in one area could impact on another.
- 10.6 Competence is the ability to undertake responsibilities and perform activities to a recognised standard on a regular basis. It combines practical and theoretical skills, knowledge and experience. The competence of individuals is vital, whether they are employers, managers, supervisors, employees or contractors, especially those with safety-critical roles and the application of National Occupational Standards can ensure they recognise the risks in their activities and can apply the right measures to control and manage those risks. The Council should strive to ensure these standards are upheld through the recruitment, selection and training process.
- 10.7 Effectively managing for health and safety is not just about having a management or safety management system. The success of whatever process or system is in place still hinges on the attitudes and behaviours of people in the organisation (this is sometimes referred to as the 'safety culture').
- 10.8 A positive safety culture comes from those at the top of the organisation, this will permeate throughout management and supervisory levels to front line staff and operatives, maintaining and continuously improving health, safety and welfare standards and controlling the Council's risks at a legally and morally acceptable level.
- 10.9 Leaders, at all levels, need to understand the range of health and safety risks in their part of the organisation and to give proportionate attention to each of them. This applies to the level of detail and effort put into assessing the risks, implementing controls, supervising and monitoring.

PHIL DODD
HEALTH AND SAFETY OFFICER

MARSHAL SCOTT
CHIEF EXECUTIVE

For further information please contact Phil Dodd on 01200 414526.

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