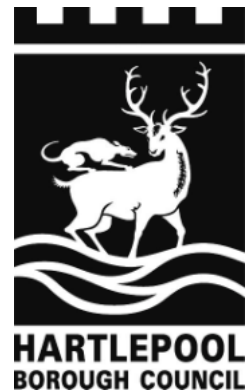


PERFORMANCE PORTFOLIO (HEALTH AND SAFETY CONSULTATIVE GROUP) DECISION SCHEDULE



Tuesday 22 February 2011

At 3.30 pm

**(or immediately following Performance Portfolio starting at 3.00 pm
whichever is the later)**

**in Committee Room C
Civic Centre, Hartlepool**

Councillor J Brash, Cabinet Member responsible for Performance will consider the following items.

1. KEY DECISIONS

No items.

2. OTHER ITEMS REQUIRING DECISION

- 2.1 April 28th - Workers Memorial Day - *Secretary, Hartlepool Joint Trades Union Committee*
- 2.2 Corporate Health and Safety Policy – *Chief Customer and Workforce Services Officer*

3. ITEMS FOR INFORMATION

- 3.1 Fire Safety – *Chief Customer and Workforce Services Officer*

HARTLEPOOL JOINT TRADES UNION COMMITTEE

Chair:- S J Williams

Secretary:- E Jeffries
Union Suite
Level 1, Windsor Offices
Middleton Grange
Hartlepool
TS 24 7RJ
Tel:- 01429 523868
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Joanne Machers
Chief Personnel Officer
Hartlepool Borough Council

Dear Joanne,

Report to Performance (Health & Safety Consultative) Portfolio Holder

April 28th - Workers Memorial Day

Please see attached a updated report from Hartlepool Trades Union Council on arrangements for the Workers Memorial Day Service, Thursday 28th April 2011, 12.30pm, Christchurch TIC & Art Gallery, Church Square, Hartlepool with guest speakers including Paul Kenny, General Secretary, GMB, and Hilary Sadler, Macmillan Nurses. This year the event is preceded by a HTUC Health & Safety Training Seminar, 9.00am, Hartlepool College of Further Education, Stockton Street, Hartlepool with speakers from Thompsons Solicitors, Hartlepool Borough Council and the Health & Safety Executive (HSE). This years event will also be helping to promote the work of the Macmillan Cancer Support (Macmillan Nurses).

HJTUC recognize the importance of the events and request that the Portfolio Holder give consideration to the following:-

- a) The Authority considers authorising a minutes silence in Council Buildings / for Council staff at 12.30pm on Thursday 28th April 2011, in remembrance of 'those workers who have lost their lives through industrial accident or disease.
- b) The Authority gives consideration to authorising the lowering of flags on public buildings on Thursday 28th April 2011.
- c) The Authority gives consideration to allowing the sale of the Workers Memorial Day remembrance forget-me-not purple ribbons on Council premises to staff and public.
- d) The Authority gives consideration to assisting in promoting the event to the wider public
- e) The Authority authorizes the use of Council Premises on 28th April 2011 for guests before / after the Workers Memorial Day Service & Wreath Laying Ceremony.

The Themes for this years Workers Memorial Day is 'Unionised Workplaces are Safer'

Employees who have died through Industrial Accident or Disease whilst trying to earn an honest living for themselves and their families are not publicly remembered on any other day

Remember the Dead & Fight for the Living

2.1 Performance hs 22.02.11 April 28th Workers memorial day

Edwin Jeffries
Secretary.

Hartlepool Trades Union Council

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Treasurer:- P Shields

Secretary:- Alan Walker
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Hartlepool
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WORKERS MEMORIAL DAY (28TH APRIL 2011)

Report by Hartlepool Trades Union Council (HTUC)

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to inform Hartlepool Borough Council Performance (Health & Safety Consultative) Portfolio Holder of the arrangements for the Workers Memorial Day Remembrance Service & Wreath Laying Ceremony and other events to be held on Workers Memorial Day April 28th 2011 and to highlight the ongoing requirement for partnership working to aid the improvement of Health & Safety to reduce the number of workplace accidents, injuries, diseases and deaths, that in the majority of cases are avoidable, across the employment sector as a whole.

2.0 BACKGROUND

- 2.1 International Workers Memorial Day takes place around the world on the 28th April each year. The slogan for the Day is “Remember the Dead, Fight for the Living.”

The purpose of Workers Memorial Day is two-fold. First, we remember the dead, because those who have died, been injured, or made ill through their work; deserve not to be forgotten. Secondly, we fight by campaigning for the living, so that people can go to work and provide for themselves and their family, without risk to their health and safety.

Each year more people are killed by work than in wars. Most do not die of mystery ailments, or in tragic incidents. They die because of a health and safety failure. Every year worldwide, over 2 million people are killed by their own, or someone else's work - that's about 5,000 per day.

A Workers Memorial Day Service and Wreath Laying Ceremony organised by Hartlepool Trades Union Council has been held in Hartlepool since 1999 and has been held on the official day of 28th April since 2000.

It is only with enforceable and enforced legislation and the Employers working together with the Trade Unions to improve Health & Safety in all workplaces that we can ever hope to reduce the

2.1 Performance hs 22.02.11 April 28th Workers memorial day

number of workplace accidents, injuries, diseases and deaths that, in the majority of cases, are avoidable.

Yvette Copper, Work and Pensions Secretary of State, announced on 28th January 2010 that the UK will give official recognition to Workers Memorial Day to commemorate thousands of people who have died, been seriously injured or made ill through their work.

3.0 Workers Memorial Day 2010 Arrangements.

3.1 Remembrance Service & Wreath Laying Ceremony (* *Laying of a wreath*)

The service will take place on Thursday 28th April 2011, 12.30pm, Christchurch TIC & Art Gallery, Church Square, Hartlepool and the laying of the wreaths will follow at the Workers Memorial in Church Square, Hartlepool.

Officiates – Bishop Mark, Bishop of Jarrow and Pastor Volney Ham-Ying

Honoured guests include:-

Paul Kenny – General Secretary, GMB – Guest Speaker*

Hilary Sadler – Macmillan Cancer Support (Macmillan Nurse) – Guest Speaker*

[Guest Speaker * - to be confirmed](#)

Cllr C Richardson, Chairman, Hartlepool Borough Council*

Bereaved family members.*

Iain Wright MP, Shadow Minister for Education*

Cleveland Fire Authority*

Fire Brigades Union representatives*

Cleveland Police Authority*

Hartlepool Economic Forum*

Hartlepool College of F.E.*

Paul Walker, Chief Executive, HBC*

Cath Purdy, Group Chief Executive, Vela Homes*

Linda Hughes – bereaved family member*

UNISON Hartlepool LG Retired Members*

Northern T.U.C.*

GMB*

UNISON Hartlepool LG / UNISON Darlington LG* / UNISON Middlesbrough LG* / UNISON Stockton LG* / UNISON North Tees & Hartlepool Health* / Other organisations / individuals & union branches (tbc)*

The theme for the 2011 Workers Memorial Day is “Health in the Workplace” and is under the banner of ‘Unionised Workplaces – Safer Workplaces’

The Café Area, Christchurch TIC & Art Gallery, will be available from 12 noon for people to congregate. Tea / Coffee etc will be available.

A lone Scottish piper will be playing in Church Square from 11.45am and will ‘pipe’ guests and attendees from / to Christchurch at 12.20pm to take their seats in time for the minutes silence at 12.30pm at the start of the service.

Iain Wright MP, Shadow Minister for Education, will give a ‘reading’ prior to the Wreath Laying Ceremony.

2.1 Performance hs 22.02.11 April 28th Workers memorial day

After the Service the Wreath Laying Ceremony will take place at the Workers Memorial in Church Square. Following the 22 wreaths laid in 2010 the potential is for upwards of 20 wreaths to be 'laid' again this year.

The South Transp, Christchurch TIC & Art Gallery will be available after the service for people to congregate. Tea / Coffee and a light buffet will also be available.

Hartlepool College of F.E. in 2009 produced a 'Loop' DVD (Music utilised is Brothers in Arms (Dire Straits)), commissioned by HTUC, looking at changes in work over the years and improvement in health and safety linking this with Workers Memorial Day. Work is underway on a 'new' DVD for 2011.

3.2 HTUC Health & Safety Seminar

Following the success of the Health & Safety seminar held on Workers Memorial Day 2009 arranged by Northern T.U.C (NTUC) it was agreed that this would be an annual event organized by HTUC under the auspices of NTUC and looking at working with partners to promote Health & Safety in Hartlepool and the wider Northern Region..

This years event (2011) will take place at the Hartlepool College of Further Education at 9.00am to 12noon and will be followed at 12.30pm by the Workers Memorial Day Service & Wreath Laying Ceremony. Speakers from Thompsons Solicitors, Hartlepool Borough Council and the Health & Safety Executive (HSE) will cover issues including:- Claim Culture (rebuttal) and Health in the Workplace. This years event will also be helping to promote the work of the Macmillan Cancer Support (Macmillan Nurses).

Invitations will be circulated to Trade Unions / Employers Organisations / Local Authorities / Teesside Safety Group etc..

Recognised TUC Health & Safety representatives / Cllrs / Managers & Employer Representatives are invited to attend.

3.3 Remembrance Service - Hartlepool College of Further Education.

A memorial service for students has been held on the 28th April for the last two (2) years but unfortunately Workers Memorial Day falls in the Easter break and subsequently they will not be able to organize the event for this year. However, the College 'new build' is well underway to completion and it is intended to hold the service in the 'new College building' in 2012.

The use of "living tree(s)" placed in the Conference Room and Reception Area for anybody to place a memorial card on was a great success in 2009 and 2010. The prospect of a permanent "living tree" being incorporated into the 'new build' is under discussion.

Hartlepool College of Further Education ran "Poetry & Design Competition/s" for students of the College on behalf of Hartlepool Trades Union Council for Workers Memorial Day 2010. The competition/s for 2011 is currently underway and an updated report to Performance (Health & Safety Consultative) Portfolio Holder on the winning entries will be given on completion.

The Themes for this years Workers Memorial Day under the auspices of 'Unionised Workplaces – Safer Workplaces' will include 'Health in the Workplace'

Employees who have died through Industrial Accident or Disease whilst trying to earn an honest living for themselves and their families are not publicly remembered on any other day

Remember the Dead & Fight for the Living

Edwin Jeffries
President
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**PERFORMANCE PORTFOLIO
(HEALTH AND SAFETY CONSULTATIVE GROUP)**
Report to Portfolio Holder
22 February 2011



Report of: Chief Customer and Workforce Services Officer

Subject: CORPORATE HEALTH AND SAFETY POLICY

SUMMARY

1. PURPOSE OF REPORT

To update the Corporate Health and Safety Policy and request the Portfolio Holder's support for this policy.

2. SUMMARY OF CONTENTS

The report provides the background to the need to review the Corporate Health and Safety Policy and arrangements and a summary as to the findings of the review.

3. RELEVANCE TO PORTFOLIO HOLDER

Corporate issues.

4. TYPE OF DECISION

Non-key decision.

5. DECISION MAKING ROUTE

Portfolio Holder only.

6. DECISION(S) REQUIRED

For information.

Report of: Chief Customer and Workforce Services Officer

Subject:: CORPORATE HEALTH AND SAFETY POLICY

1.0 PURPOSE OF REPORT

- 1.1 To update the Corporate Health and Safety Policy and request the Portfolio Holder's support for this policy.

2.0 BACKGROUND

- 2.1 The Health and Safety at Work etc Act 1974 introduced the requirement that all companies were required to have a health and safety policy for that organisation. Regulations made under the Act further made it a requirement that all but the smallest companies (that is those with less than 5 staff had to have this policy) in writing.
- 2.2 In 2009, due the significant changes in the organisation and to coincide with the business transformation programme the Health, Safety and Wellbeing Manager, in consultation with various representatives, such as the trade unions, significantly revised the Hartlepool Borough Council Corporate Health and Safety Policy.
- 2.3 The wording of the current policy was agreed and signed by the then Finance and Performance Portfolio holder, the elected Mayor and the Chief Executive in November 2009.

3.0 CONSIDERATION OF ISSUES

- 3.1 The Council is going through a period of unprecedented change and as such needs to ensure that it is supporting and protecting the health, safety and welfare of its staff and those who do work on its behalf whether this is through a voluntary organisation, private contractor, partner organisation, agency or some alternative delivery method.
- 3.2 Guidance produced by the Health and Safety Executive recommends that company health and safety policies are regularly reviewed and kept up to date. As the current policy has been comprehensive reviewed relatively recently and incorporates the organisational changes brought about by business transformation no significant changes are proposed. The purpose of updating the policy is to ensure that it reflects the Council's approach to health and safety management and by ensuring that it is signed and dated regularly reflects the importance that the council places on this issue.
- 3.3 At the last Performance Portfolio (Health and Safety Consultative Group) in October 2010 it was agreed to the adoption of an Employee Wellbeing Strategy. This strategy is due to be launched in April 2011. In order to coincide with this launch it is proposed to also circulate an updated copy of

the Corporate Health and Safety Policy which has been attached as **Appendix 1**.

4.0 RECOMMENDATION

- 4.1 That the Portfolio Holder notes the content of the report and endorses the updated Corporate Health and Safety Policy.



**HARTLEPOOL BOROUGH COUNCIL
CORPORATE HEALTH AND SAFETY POLICY**

Statement of Intent

As a leader of the community which it serves, Hartlepool Borough Council recognises and accepts the financial and legal responsibilities and duties which it has for the health, safety and welfare of its employees and others affected by the activities of the Council.

In order to fulfil these responsibilities the Council aims to continually improve health and safety performance by developing systems to promote healthy working and to minimise where practicable the risk to people's health and wellbeing which may be affected by the activities of the Council.

Employees with management responsibilities will ensure that all significant risks are properly assessed, controlled and any measures implemented to mitigate risk are appropriately monitored. These assessments will be regularly reviewed, to ensure that where practicable the Council complies with legal requirements and strives to achieve best practice.

Adequate facilities and arrangements will be maintained to consult with employees, trade union representatives and others who may be affected by Council activities, to encourage a joint approach to the management of health, safety and welfare.

The Council expects all employees and those undertaking work on the behalf of, or in partnership with, the Council to take reasonable care for their own health and safety, for the safety of others and to co-operate with the Council in the performance of its moral and statutory duties.

The Council will monitor health and safety performance and review its policies and procedures to ensure the achievement of best practice in all aspects of health and safety management.

Signed: Stuart Drummond, Mayor

Date:

Signed: Paul Walker, Chief Executive

Date:

Signed: Jonathan Brash, Portfolio Holder for Performance

Date:

PART 2 ORGANISATION

RESPONSIBILITIES FOR HEALTH AND SAFETY

All employees, those with management responsibilities, and elected representatives who influence the leadership, direction, budget or strategy of the Council, have specific duties under the Health and Safety and Work etc Act 1974 but also have a duty of care for employees and others who may be affected by Council activities. Any gross negligence on the part of any individual resulting in the death of a person(s) may result in a conviction of manslaughter. Organisational failures which resulted in the death of a person(s) may result in the Council being convicted of manslaughter under the provisions of the Corporate Manslaughter and Corporate Homicide Act 2007. Consequently in addition to any other duties listed below all employees, those with management responsibilities and elected members are expected to uphold the principles of this policy, consider the health and safety of themselves and others and ensure that health and safety is given a level of consideration at least equal to other operational issues.

The Council

The Council as a corporate body has the overarching responsibility for the health, safety and welfare of employees and those who are affected by the Council's activities by ensuring, so far as is reasonably practicable, that the Council complies with its statutory and moral obligations as regards health, safety and welfare.

The Elected Mayor, Cabinet and Elected Members

It is the responsibility of the Elected Mayor, Cabinet and non executive Elected Members to formally accept their unique and collective role in providing leadership, direction, budget and strategy for the Council and consequently have a major influence over setting corporate policy for the management of health and safety risks within the Council. Elected Members will ensure that their decisions give due consideration to health, safety and welfare issues. In addition the Elected Mayor will appoint a member of the cabinet to be the Health and Safety Champion to lead on health and safety matters.

Portfolio Holder for Performance Management

The elected member of the cabinet who is the Portfolio Holder for Performance Management will adopt the role of Health and Safety Champion. They will promote the importance of health, safety and welfare within the Council by endorsing the Hartlepool Borough Council Health and Safety Policy and will play an active role in the monitoring of health, safety and welfare performance by chairing the Corporate Health and Safety Consultative Group and nominate two other Elected Members to serve as members of the Health and Safety Consultative Group.

2.2 Appendix 1

The Chief Executive

The Chief Executive as Head of Paid Service has overall and ultimate responsibility for compliance with the relevant statutory requirements in, and the safe operation of, all of the Council's undertakings and services whether delivered directly or via external contractors and is accountable to the Council for the general implementation of the Hartlepool Borough Council Health and Safety Policy. In particular the Chief Executive will:

1. Maintain a broad awareness of current statutory requirements and principles of good practice for health, safety and welfare and the specific issues which are relevant to the Council's operations in this respect;
2. Ensure, at corporate level, the allocation of sufficient financial and human resources to meet the requirements for the full implementation of Hartlepool Borough Council Health and Safety Policy;
3. Facilitate, encourage and contribute to the development of policy and the management of health, safety and welfare within the Council and set a personal example of good safety practices;
4. Monitor performance related to safety, encourage excellence and ensure that remedial action is taken where this is required.

Corporate Management Team

The Corporate Management Team consists of individuals who play a significant role in the organisation and consequently formally accept their collective role in setting corporate policy for the control of risk, particularly that relating to health, safety and welfare on behalf of the Council. In addition to this general duty they shall;

1. Ensure that management systems, in compliance with the Hartlepool Borough Council Health and Safety Policy, are developed for the control of significant risk which will then be adequately resourced and implemented;
2. Business decisions taken within service areas reflect the health and safety intentions, as expressed in the Hartlepool Borough Council Health and Safety Policy statement;
3. Ensure health and safety performance is monitored, audited and incorporated as an integral part of business planning and review;
4. Encourage employees at all levels to become actively involved in implementing procedures and improving health, safety and welfare performance;

2.2 Appendix 1

Directors

As members of the Corporate Management Team (CMT) it is the responsibility of the Directors (and those Chief Officers comprising the extended CMT) to ensure that the Hartlepool Borough Council Health and Safety Policy is implemented within their area of control by putting in place arrangements to encourage excellence in the management of risk. In addition to this general duty they shall;

1. Maintain a broad awareness of current statutory requirements and principles of good practice for health, safety and welfare and the specific issues which are relevant to the Council's operations in this respect;
2. Ensure, at directorate level, the allocation of sufficient financial and human resources to meet the requirements for the full implementation of Hartlepool Borough Council Health and Safety Policy;
3. Facilitate, encourage and contribute to the development of policies and procedures to improve the management of health, safety and welfare within the Council and set a personal example of good safety practices;
4. Monitor performance related to health, safety and welfare to encourage excellence and ensure that remedial action is taken where it is required.
5. Ensure health and safety management systems in compliance with the Hartlepool Borough Council Health & Safety Policy are developed for the control of health and safety risks which will then be adequately resourced and implemented;
6. Appoint a member of the department's management team as Health and Safety Champion;
7. Ensure that all business decisions taken within the service area reflect the health and safety intentions, as expressed in the Hartlepool Borough Council Health & Safety Policy Statement;
8. Ensure health and safety performance is monitored, audited and incorporated as an integral part of business planning and review;
9. Ensure that appropriate means of communication and consultation with employees on safety matters are established and maintained;
10. Ensure that suitable and sufficient assessments of risk are carried out, in relation to their operations, activities and premises and that the control measures which they identify are adequately communicated and implemented and that a written record of these assessments is maintained and the assessments periodically reviewed;

2.2 Appendix 1

11. Ensure, in conjunction with workforce development and Health, Safety and Wellbeing team, that departmental and divisional training plans fully reflect requirements for the provision of adequate training and instruction, as necessary for health, safety and welfare and that these plans are periodically reviewed, to ensure their effectiveness;
12. Ensure that organisations and persons who are engaged to carry out work for, or deliver services on behalf of, their department or division, as contractors, partners or otherwise, are assessed to be competent in terms of health, safety and welfare for the work concerned, in compliance with statutory and the Council's procurement procedures;
13. Encourage employees at all levels to become actively involved in implementing and improving health, safety and welfare; and ensure that when delegating duties and responsibilities they are appropriately assigned, understood, capable of achievement, accepted and implemented; taking into account their capabilities as regards health, safety and welfare;
14. Ensure co-operation with the Head of Property Services, the Health, Safety and Wellbeing Team and others as required, to ensure the safety of premises under their control or partial control, in relation to the management of asbestos, control of legionella, use and maintenance of gas appliances and any other relevant matters;
15. Ensure co-operation in the carrying out of safety inspections by the Health, Safety and Wellbeing Team, Health and Safety Executive, fire authority, safety representatives and members of health and safety committees or other agencies and ensuring that appropriate action is taken on the findings of these inspections;
16. Ensure any problems or constraints in meeting these duties and responsibilities which cannot be resolved locally are brought, without delay, to the attention of the Chief Executive and/or the Corporate Management Team.

Health and Safety Champions

In addition to their general management duties, within Hartlepool Borough Council Health and Safety Policy, the member of the Department Management Team nominated as Health and Safety Champion will be responsible for ensuring that health and safety issues are addressed within the department. In addition to this duty they shall;

1. Prepare an annual health and safety action plan, in consultation with a member of the Health, Safety and Wellbeing Team, for the department within which they work.
2. Prepare an annual report on the department's health and safety performance.

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3. Ensure that risk assessments are reviewed on a regular basis;
4. Ensure that there are adequate arrangements are in place, to deal within the department's area of control, for emergencies, in particular, first aid and fire in the workplace.
5. Ensure any problems or constraints in meeting these duties and responsibilities which cannot be resolved locally are brought, without delay, to the attention of the Director for the department within which they work.

Strategic Managers

It is the responsibility of Strategic Managers to ensure that this policy is implemented within their area of control by putting in place arrangements for the management of health and safety risk. In addition to these general duties they shall;

1. Maintain a broad awareness of current statutory requirements and principles of good practice for health, safety and welfare and the specific issues which are relevant to the Council's operations in this respect;
2. Ensure, at divisional level, the allocation of sufficient financial and human resources to meet the requirements for the full implementation of the Hartlepool Borough Council Health and Safety Policy;
3. Facilitate, encourage and contribute to the development of policies and procedures to improve the management of health, safety and welfare within the Council and set a personal example of good safety practices;
4. Monitor performance related to health and safety to encourage excellence and ensure that remedial action is taken where it is required.
5. Ensure health and safety management systems in compliance with the Hartlepool Borough Council Health & Safety Policy are developed for the control of health and safety risks which will then be adequately resourced and implemented;
6. Ensure that all business decisions taken within the service area reflect the health and safety intentions, as expressed in the Hartlepool Borough Council Health & Safety Policy Statement;
7. Ensure health and safety performance is monitored, audited and incorporated as an integral part of business planning and review;
8. Ensure that suitable and sufficient assessments of risk are carried out, in relation to their operations, activities and premises and that the control measures which they identify are adequately communicated

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and implemented and that a written record of these assessments is maintained and the assessments periodically reviewed;

9. Ensure, in conjunction with Workforce Development and Health, Safety and Wellbeing team, that departmental and divisional training plans fully reflect requirements for the provision of adequate training and instruction, as necessary, for health, safety and welfare and that these plans are periodically reviewed, to ensure their effectiveness;
10. Ensure that organisations and persons who are engaged to carry out work for, or deliver services on behalf of, their division, as contractors, partners or otherwise, are assessed to be competent in terms of health, safety and welfare for the work concerned, in compliance with statutory and the Council's procurement procedures;
11. Encourage employees at all levels to become actively involved in implementing and improving health, safety and welfare; and ensure that when delegating duties and responsibilities they are appropriately assigned, understood, capable of achievement, accepted and implemented; taking into account their capabilities as regards health, safety and welfare.
12. Ensure co-operation with the Head of Property Services, the Health, Safety and Wellbeing Team and others as required, to ensure the safety of premises under their control or partial control, in relation to the management of asbestos, control of legionella, use and maintenance of gas appliances and any other relevant matters;
13. Ensure co-operation in the carrying out of safety inspections by the Health, Safety and Wellbeing Team, Health and Safety Executive, fire authority, safety representatives and members of health and safety committees or other agencies and ensuring that appropriate action is taken on the findings of these inspections;
14. Ensure that the Hartlepool Borough Council Health and Safety Policy, as it relates to areas, activities and persons under their control is understood, implemented, maintained and monitored;
15. Ensure any problems or constraints in meeting these duties and responsibilities which cannot be resolved locally are brought, without delay, to the attention of the Director of the department within which they work.

Operational Managers

It is the responsibility of Operational Managers to ensure that this policy is implemented within their area of control by putting in place arrangements for the management of health and safety risk. In addition to these general duties they shall;

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1. Maintain a broad awareness of current statutory requirements and principles of good practice for health, safety and welfare and the specific issues which are relevant to the Council's operations in this respect;
2. Ensure, at a operational level, the allocation of sufficient financial and human resources to meet the requirements for the full implementation of the Hartlepool Borough Council Health and Safety Policy;
3. Facilitate, encourage and contribute to the development of policy and the management of safety within the Council and set a personal example of good safety practices;
4. Monitor performance related to health and safety to encourage excellence and ensure that remedial action is taken where it is required.
5. Ensure health and safety management systems in compliance with the Hartlepool Borough Council Health & Safety Policy are developed for the control of health and safety risks which will then be adequately resourced and implemented;
6. Ensure that all business decisions taken within the service area reflect the health and safety intentions, as expressed in the Hartlepool Borough Council Health & Safety Policy Statement;
7. Ensure health and safety performance is monitored, audited and incorporated as an integral part of business planning and review;
8. Ensure that suitable and sufficient assessments of risk are carried out, in relation to their operations, activities and premises and that the control measures which they identify are adequately communicated and implemented and that a written record of these assessments is maintained and the assessments periodically reviewed;
9. Ensure, in conjunction with workforce development and health, safety and wellbeing team, that departmental and divisional training plans fully reflect requirements for the provision of adequate training and instruction, as necessary for health, safety and welfare and that these plans are periodically reviewed, to ensure their effectiveness;
10. Ensure that organisations and persons who are engaged to carry out work for or deliver services on behalf of their division, as contractors, partners or otherwise, are assessed to be competent in terms of health, safety and welfare for the work concerned, in compliance with statutory and the Council's procurement procedures;
11. Encourage employees at all levels to become actively involved in implementing and improving health, safety and welfare; and ensure that when delegating duties and responsibilities they are appropriately

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assigned, understood, capable of achievement, accepted and implemented; taking into account their capabilities as regards health, safety and welfare.

12. Ensure co-operation with the Head of Property Services, the Health, Safety and Wellbeing Team and others as required, to ensure the safety of premises under their control or partial control, in relation to the management of asbestos, control of legionella, use and maintenance of gas appliances and any other relevant matters;
13. Ensure co-operation in the carrying out of safety inspections by the Health, Safety and Wellbeing Team, Health and Safety Executive, fire authority, safety representatives and members of health and safety committees or other agencies and ensuring that appropriate action is taken on the findings of these inspections;
14. Ensure that the Hartlepool Borough Council Health and Safety Policy, as it relates to areas, activities and persons under their control is understood, implemented, maintained and monitored;
15. Ensure any problems or constraints in meeting these duties and responsibilities which cannot be resolved locally are brought, without delay, to the attention of the Strategic Manager of the department within which they work.

Supervisors/Team Leaders

Team leaders/supervisors are expected to comply with the requirements of the Hartlepool Borough Council Health & Safety Policy and associated service policies and procedures. In addition to these general duties they shall;

1. Maintain a broad awareness of current statutory requirements and principles of good practice for health, safety and welfare and the specific issues which are relevant to the Council's operations in this respect;
2. Demonstrate their commitment to health and safety by ensuring that they and the colleagues whom they supervise follow the laid down safety procedures including the wearing of personal protective equipment, challenge unsafe behaviour and ensure that equipment is used correctly.
3. Assist managers in the preparation of assessments of risk, in relation to operations, activities, premises and equipment that they are involved in to ensure control measures are practical and can be adequately communicated and implemented;
4. Encourage employees at all levels to become actively involved in implementing and improving health, safety and welfare; and ensure that when delegating duties and responsibilities they are appropriately assigned, understood, capable of achievement, accepted and

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implemented; taking into account their capabilities as regards health, safety and welfare.

5. Monitor the performance of their employees in terms of health, safety and welfare encouraging excellence and taking effective remedial action as necessary.
6. Ensure that the Hartlepool Borough Council Health and Safety Policy, as it relates to areas, activities and persons under their control is understood, implemented, maintained and monitored;
7. Ensure any problems or constraints in meeting these duties and responsibilities are brought, without delay, to the attention of an appropriate manager.

All Employees, Agency and other Workers

Every employee, without exception, has responsibilities for health and safety. They are responsible, through their normal departmental or school management structure for observing and following the Hartlepool Borough Council Health & Safety Policy. In addition to this general duty they shall;

1. Take reasonable care for the health and safety of themselves and of other persons who may be affected by their acts or omissions at work;
2. Observe systems of safe working and take any precautions necessary to ensure the safety of themselves and others affected by their work;
3. Co-operate with their employer or any other duty holder so far as is necessary to enable any duty or requirement imposed on the employer to be performed or complied with;
4. Ensure their attendance at and the proper participation in health and safety and other training, including refresher training, as and when directed, and the appropriate implementation of the safety practices covered in any such training;
5. Use the correct tools and equipment appropriate for the job and ensure that they are kept in good condition (or reported to the appropriate person if they are not) and not adapted for unauthorised use;
6. Make proper use of safety aids, appliances, equipment and protective clothing provided;
7. Report or seek advice, from an appropriate supervisor, manager, without delay, on any unsafe condition, plant, equipment, machinery, tools or other hazards of which they become aware;
8. Do not intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety or welfare;

2.2 Appendix 1

9. Notify immediately any accident, injury, illness, disease, dangerous occurrence or near miss associated with the carrying out of their duties and responsibilities;
10. Do not interfere with any plant or equipment which has been involved in an accident, or has been taken out of use pending an investigation until authorised to do so;
11. Familiarise themselves with the action to take in the event of fire or other emergency;
12. Seek health and safety advice, where necessary, through the appropriate responsible officer.
13. Take reasonable care to maintain the security of their workplaces and other Council premises, in relation to intruders and prevention of arson;
14. Co-operating fully in the implementation of the Hartlepool Borough Council Health and Safety Policy and in all other matters concerning safety and its management within the Council;

The Health, Safety and Wellbeing Manager

The Health, Safety and Wellbeing Manager and other safety practitioner members of the Health, Safety and Wellbeing Team are responsible to the Chief Personnel Officer for providing the Council's central safety resource. In particular all safety practitioner members of the Health, Safety and Wellbeing Team shall:

1. Maintain up to date specialist knowledge of safety management techniques, current and forthcoming statutory requirements, official and other authoritative guidance on safety;
2. Assist directors, managers, head teachers and others in developing health and safety procedures and reviewing school safety policies;
3. Provide guidance and assistance in the preparation of risk assessments;
4. Provide advice and guidance on health and safety to all Elected Members, Council employees, schools governors, head teachers and other school employees;
5. Disseminate information on health and safety, including changes in legislation, official guidance and current best practice;
6. Liaise with safety representatives, other employee representatives and trade union officers on health and safety matters. Promote and assist in the effective operation of health and safety committees and provide professional safety advice and support to them;

2.2 Appendix 1

7. Carry out assessments of the safety performance of external contractors who wish to tender for work, report on their competence and assist in the evaluation of tenders received from them;
8. Liaise with the Health and Safety Executive, the fire authority and other enforcement authorities and maintain contact with external health and safety organisations and health and safety professionals for the purpose of bench marking on best practice;
9. Monitor and report on safety performance, via inspections and audits, of operations and premises including inspections of external contractors' operations, where appropriate, and take action to ensure compliance when required;
10. Receive all reports of accidents, near misses and other incidents related to safety, report them as required to the Health and Safety Executive, investigate them, report and make recommendations and compile and analyse statistics;
11. In the case of the Health, Safety and Wellbeing Manager and Senior Health and Safety Officers take immediate action to prohibit operations or require improvements in them, where there is, or may be, an imminent risk of injury, a serious breach of statutory requirements and /or the Council's Health and Safety Policy or procedures.
12. In the case of other safety practitioner members of the Health, Safety and Wellbeing Team take immediate temporary action to prohibit operations or require improvement in them, where there is, or may be, an imminent risk of injury, a serious breach of statutory requirements and /or the Council's Health and Safety Policy or procedures and immediately consult the Health Safety and Wellbeing Manager or in their absence a Senior Health and Safety Officer, the Chief Personnel Officer or appropriate deputy, so that such action can be confirmed;

Trade Union and Employee Health & Safety Representatives

Working in partnership with Hartlepool Borough Council, Trade Union and Employee Health and Safety Representatives will contribute to the improvement of standards regarding health, safety and welfare. Trade Union Representatives, where appropriate in order to fulfil their role within this policy, will be given time off work to undertake these duties. In addition to this general duty they shall;

1. Contribute to the identification, elimination or control of possible risks to employees' health, safety and welfare;
2. Work with the employer and employees to investigate accidents and incidents that caused or have the potential to cause injury or ill health to employees;
3. Take an active part in health & safety meetings;

2.2 Appendix 1

4. Represent the views of employees in discussions with the Health and Safety Executive and other enforcement agencies and receive information from those agencies.

SCHOOLS

Schools operate within a unique structure as regards Hartlepool Borough Council. The Council in its capacity as Local Education Authority has health and safety responsibilities for community schools, community special schools maintained nursery schools, pupil referral units and the statutory youth service but recognises the integral role that School Governors and Head teachers have in ensuring that health and safety standards are maintained in the school. As a result of this special relationship Hartlepool Borough Council has made specific provision for identifying the key role of School governors and Head teachers of these community schools within this policy. However, in foundation or voluntary aided schools although Hartlepool Borough Council does have some legal responsibilities as regards the building, premises and safety of the staff and pupils at the school, it is School Governors and Head teachers who are the employers of teachers and support staff, and consequently have much wider responsibilities. These wider responsibilities should therefore be reflected in the schools' own health and safety policies and overall management of health and safety

SCHOOL GOVERNORS

School Governors have individual and collective responsibility for the safe operation of their schools and will:

1. Ensure that one or more of the Governors of their school maintains a knowledge of health, safety and welfare legislation and good practice, which is sufficient to enable that Governor or Governors to give general advice to their colleagues on the setting of priorities and the allocation of resources in relation to health and safety;
2. Adopt and ensure the implementation of a school health and safety policy, which will encourage high standards of performance by individuals at all levels and the development of a culture of health and safety throughout the school's operations;
3. Consult with the Health, Safety and Wellbeing Team in connection with the writing and periodic review, revision and implementation of their school's health and safety policy;
4. Allocate, at strategic level, sufficient human and financial resources to permit their school's safety policy to be fully implemented;

2.2 Appendix 1

5. Co-operate fully with the Health, Safety and Wellbeing Team in its carrying out of inspections, and the provision of advice and guidance to staff and in other activities connected with health and safety;
6. Ensure that organisations and persons engaged to carry out work for, or deliver services on behalf of their department or division, as contractors, partners or otherwise, are assessed to be competent in terms of health, safety and welfare for the work concerned, in compliance with statutory and the Council's procurement procedures;
7. Receive reports, recommendations and other communications from the Health, Safety and Wellbeing Team and ensure that appropriate action is taken on these;
8. Review their school's safety performance, consider and ensure that appropriate action is taken on reports concerning safety;
9. Facilitate, encourage and commend high standards of safety and set a personal example of good safety practices;

HEAD TEACHERS

Head teachers are primarily responsible and accountable to the School Governors and the Director with responsibility for Child and Adult Services for the management of all aspects of health, safety and welfare at their schools. As part of their overall management of health, safety and welfare Head teachers shall;

1. Maintain outline knowledge of the current statutory requirements and principles of good practice for health and safety which are relevant to all operations and activities involving their school;
2. Ensure, by direct action or delegation to suitable employees of the school and with assistance and guidance provided by the Health, Safety and Wellbeing Team, that a school safety policy and safety procedures are prepared, approved by the Governors and reviewed and revised periodically;
3. Ensure, at operational level, the allocation of sufficient financial and human resources to fully implement the requirements of their school safety policy;
4. Ensure that suitable and sufficient assessments of risk are carried out in relation to their school's operations, activities and security, and that control measures which they identify are adequately communicated and implemented;
5. Ensure that educational visits, out of school activities, and other trips are appropriately planned, organised and supervised to protect health and safety.

2.2 Appendix 1

6. Ensure the full implementation of the Hartlepool Local Education Authority's procedures in relation to all educational visits;
7. Ensure that training plans for their school's employees fully reflect requirements for the provision of adequate training and instruction, as necessary for health and safety, and that these plans are periodically reviewed, to ensure their effectiveness;
8. Take into account the capabilities of employees as regards health and safety, including the pressures and demands imposed, when entrusting them with tasks;
9. Ensure that organisations and persons engaged to carry out work for, or deliver services on behalf of, their school, as contractors, partners or otherwise, are assessed to be competent in terms of health, safety and welfare for the work concerned, in compliance with statutory procurement procedures;
10. Ensure co-operation with the Head of Property Services, the Health, Safety and Wellbeing Team and others as required, to ensure the safety of their school premises, in relation to the management of asbestos, control of legionella, use and maintenance of gas appliances and other relevant matters;
11. Ensure that procedures are developed and maintained for use in their school in the event of serious and imminent danger, including the appointment of fire wardens and the periodic practising of the procedures;
12. Co-operate fully in the carrying out of safety inspections by the Health, Safety and Wellbeing Team, Health and Safety Executive, fire authority or other appropriate agencies and act appropriately on the findings of these inspections;
13. Ensure that the Council's accident and safety incident reporting procedure is operated fully in relation to their school;
14. Receive, from safety representatives, members of health and safety committees and other employees, representations concerning safety, co-operate and consult with them and take appropriate action as a result;
15. Receive representations concerning safety from pupils and their parents, other service users and persons affected and take appropriate action as a result of the information received;
16. Report periodically to their school's governors on the management of safety and the school's safety performance;

2.2 Appendix 1

17. Monitor the performance of their employees in terms of safety, encouraging excellence, taking effective remedial action if required and setting a personal example of good safety practices.

**PERFORMANCE PORTFOLIO
(HEALTH AND SAFETY CONSULTATIVE GROUP)**

Report to Portfolio Holder
22 February 2011



Report of: Chief Customer and Workforce Services Officer

Subject: FIRE SAFETY

SUMMARY

1. PURPOSE OF REPORT

To advise the Portfolio holder of the outcome of a project to review fire safety arrangements in Council buildings.

2. SUMMARY OF CONTENTS

The report provides the background to the need to review the fire safety arrangements and a summary as to the findings of the review.

3. RELEVANCE TO PORTFOLIO HOLDER

Corporate issues.

4. TYPE OF DECISION

Non-key decision.

5. DECISION MAKING ROUTE

Portfolio Holder only.

6. DECISION(S) REQUIRED

For information.

Report of: Chief Customer and Workforce Services Officer

Subject: FIRE SAFETY

1.0 PURPOSE OF REPORT

- 1.1 To advise the Portfolio holder of the outcome of a project to review fire safety arrangements in Council buildings.

2.0 BACKGROUND

- 2.1 The Regulatory Reform (Fire Safety) Order 2005 condensed most of the fire safety legislation into one simple order. This order required that any person who has some level of control in premises to take reasonable steps to reduce the risk from fire and make sure people can safely escape if there is a fire.
- 2.2 In order to establish a better picture of the current position of fire safety arrangements within Council buildings and ensure that statutory breaches of the fire safety legislation were identified a fire safety specialist was appointed on a fixed term contract for 12 months. This appointment related to a specific project to ensure all Council premises including schools had received a comprehensive fire safety audit.
- 2.3 As the project is coming to an end it is an appropriate time to report on the findings of the audits, the actions taken to address the statutory breaches and the implications for the Council regarding fire risk in the future.

3.0 CONSIDERATION OF ISSUES

- 3.1 The Council is a large complex organisation which has a wide variety of property within its portfolio from schools that are independently managed through to offices, over which the Council has complete control, to leased buildings which have independent ownership and the Council is a tenant. These myriad of different business arrangement pose a number of challenges regarding fire safety as in each case the responsibilities under fire safety legislation differs
- 3.2 To date 132 buildings at 118 different locations have been visited and following each visit an action plan was provided to the appropriate manager with appropriate recommendations.
- 3.3 It is pleasing to note that generally most council buildings required minor improvements but however in a number of cases, particularly leased buildings, there were substantial concerns which have resulted in new procedures being adopted to ensure that the appropriate checks are made prior to occupying premises in the future. It should be noted that there is a

general move away from leasing buildings to a more rationalised use of the Councils property portfolio which should continue in the future.

- 3.4 As part of the ongoing fire safety improvements a significant number of fire safety awareness and fire marshal training sessions have been provided by the Health, Safety and Wellbeing team to improve knowledge of this important area.

4.0 RECOMMENDATION

- 4.1 That the Portfolio Holder notes the contents of the report.