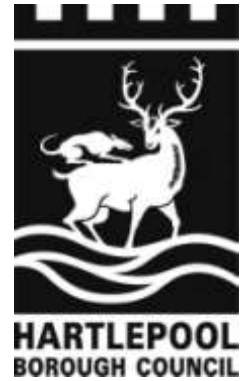


FINANCE AND POLICY COMMITTEE

AGENDA



Monday 14 January 2019

at 10.00 am

**in the Council Chamber,
Civic Centre, Hartlepool.**

MEMBERS: FINANCE AND POLICY COMMITTEE

Councillors C Akers-Belcher, S Akers-Belcher, Brewer, Brown, Cranney, Harrison, Marshall, Moore, Smith, Thomas and Young.

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

- 3.1 To receive the minutes of the meeting of the Finance and Policy Committee held on 17 December 2018 (To Follow).

4. BUDGET AND POLICY FRAMEWORK ITEMS

None.

5. KEY DECISIONS

- 5.1 Land at Brenda Road East – Lease - *Director of Regeneration and Neighbourhoods*

6. OTHER ITEMS REQUIRING DECISION

None.



7. ITEMS FOR INFORMATION

7.1 Health and Safety Policy - *Assistant Director, Corporate Services*

8. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

FOR INFORMATION

Future meeting dates –

Monday 28 January 2019 at 10.00 am

Monday 11 March 2019 at 10.00 am



FINANCE AND POLICY COMMITTEE

14th January 2019



Report of: Director of Regeneration and Neighbourhoods

Subject: LAND AT BRENDA ROAD EAST – LEASE

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Key (test (ii)).

2. PURPOSE OF REPORT

2.1 To seek approval of the lease of land at Brenda Road East for use as a Civil Engineering Academy.

3. BACKGROUND

3.1 The Council owns land extending to 14 acres or thereabouts on the east side of Brenda Road opposite TATA Steel and adjoining businesses. It is shown hatched on Plan 1 at **APPENDIX 1**. The land is low lying and relatively level. It is adjoined on its eastern side by former railway embankment also owned by the Council. For many years the majority of the property has mainly been used for grazing horses, although part was formerly used to train operatives of diggers and similar construction equipment. It includes ponds and wet areas. The Council's salt barn also adjoins the site.

3.2 In 2016, the Council was approached by Hartlepool College of Further Education (HCFE) and Seymour Civil Engineering with a view to finding a suitable site for a Civil Engineering Academy which would provide practical training in excavation, pipe laying and related skills such as site setting out and construction and plant demonstrations. Space for storage of construction materials for incorporation into working areas would also be required and a compound (to be constructed by Seymour at their expense) to be used to store equipment and materials supporting Seymour's general operations and the Academy. The Academy is being planned to meet a training need and to deal with skills shortages in the construction and Civil Engineering sectors; the broader context and more detail is provided in the paper at **APPENDIX 3**.

- 3.3 Approximately 12 acres of the land at Brenda Road was put forward as a potentially suitable site and subsequently, following extensive discussions and working up of proposals by the college and Seymour's, the terms of a lease have been provisionally agreed.
- 3.4 Seymour's have submitted a planning application for the development. It is currently still being considered principally because some mitigation works are required in relation to the development of the parts of the site which are designated as natural or semi natural green space in the Local Plan. The grant of the lease will be subject to the grant of planning permission.
- 3.5 The lease terms are set out in **CONFIDENTIAL APPENDIX 4 This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely, (paragraph 3) information relating to the financial or business affairs of any particular person (including the authority holding that information).**
- 3.6 During the course of the lease negotiations, the Council's policy in relation to discretionary rent reductions for tenants providing identified community value benefits was explained to Seymour's and it is anticipated they will make an application based on the provision of employment and training opportunities. The rent actually collected may therefore be substantially reduced by as much as 75% in line with the community value policy as set out in **CONFIDENTIAL APPENDIX 4 This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely, (paragraph 3) information relating to the financial or business affairs of any particular person (including the authority holding that information).**
- 3.7 The remainder of the site including the Salt Barn and land at the southern end of the site, will remain in Council occupation together with a small area currently let for grazing and stabling of horses. The area to be let is shown hatched on Plan 2 at **APPENDIX 1**.

4. PROPOSALS

- 4.1 It is proposed to proceed with the grant of a lease to Seymour Civil Engineering on the terms set out in **CONFIDENTIAL APPENDIX 4 This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely, (paragraph 3) information relating to the financial or business affairs of any particular person (including the authority holding that information).**
- 4.2 HCFE will be a partner in the running of the Academy but will not be a party to the lease.

5. RISK IMPLICATIONS

- 5.1 Seymour Civil Engineering is a very well established company with a strong local presence, turnover of £27m and profit after tax of £795,000 in the year ended September 2017. It is therefore considered to have good tenant covenant status. The company's financial statements outline its commitment to health and safety (zero incidents reported in year ended September 2017) and environmental standards. The risks involved in granting a lease to the company for the proposed use (in which the application of very good health and safety practices will be essential) are therefore considered to be low financially and would not appear to pose a reputational risk to the Council.
- 5.2 It is anticipated that the letting will be a long term arrangement which will be extended by future lease renewals, and if Seymour's were to vacate at lease end it should be possible to re-let the premises to another operator. However there is nevertheless some risk that the site reverts to the Council in the future at least for a period prior to re-letting and this would entail some costs being incurred such as rates, security, utilities and maintenance. Given that the works that Seymour's will carry out to the site will substantially increase its rental and capital value, the risk level is considered to be quite low and acceptable.

6. FINANCIAL CONSIDERATIONS

- 6.1 The grant of the lease will result in an increase in rental income from the site as set out in paragraph 3.5. This will contribute towards the achievement of the existing income target for the Strategic Asset Management service.

7. LEGAL CONSIDERATIONS

- 7.1 The proposal will require planning permission; the application has been made by Seymour's but not as yet determined. The Council's Chief Solicitor will be instructed to draft and finalise the lease agreement.

8. CONSULTATION

- 8.1 No consultation has been carried out in relation to this proposal, although the usual statutory consultation has been undertaken with regard to the accompanying planning application for the delivery of the Academy.

9. CHILD AND FAMILY POVERTY

- 9.1 The child and family poverty implications relating to this report are summarised in the table in **APPENDIX 2**. The overall impact is considered

positive as the proposed development will provide employment and training opportunities.

10. EQUALITY AND DIVERSITY CONSIDERATIONS

- 10.1 There are no equality and diversity considerations relating to this report.

11. SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

- 11.1 There are no Section 17 considerations relating to this report.

12. STAFF CONSIDERATIONS

- 12.1 There are no staff considerations relating to this report

13. ASSET MANAGEMENT CONSIDERATIONS

- 13.1 The decision to adopt a commercial approach to asset management requires the Council to realise the full value of any properties or property rights that it disposes of. The proposed lease will enhance the condition of the land and potentially add value to retained land and other assets in the area.

14. RECOMMENDATIONS

- 14.1 It is recommended that Committee approve the grant of the lease to Seymour Civil Engineering on the basis of the terms outlined in **CONFIDENTIAL APPENDIX 4 This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely, (paragraph 3) information relating to the financial or business affairs of any particular person (including the authority holding that information.**

15. REASONS FOR RECOMMENDATIONS

- 15.1 The rental terms agreed for the lease are considered to reflect fully the market rental value of the land. The other lease terms are also considered to be appropriate and satisfactory. The additional income will contribute to the achievement of the existing Strategic Asset Management Service income target.
- 15.2 The establishment of a Civil Engineering Academy on the site will provide both employment and training for employment and will be a facility serving

not only Hartlepool but the wider region. There will therefore be both direct and indirect economic benefits to the borough.

- 15.3 Land has been retained from the lease at the southern end of the site for future Council use (potentially depot storage or other industrial development).

16. BACKGROUND PAPERS

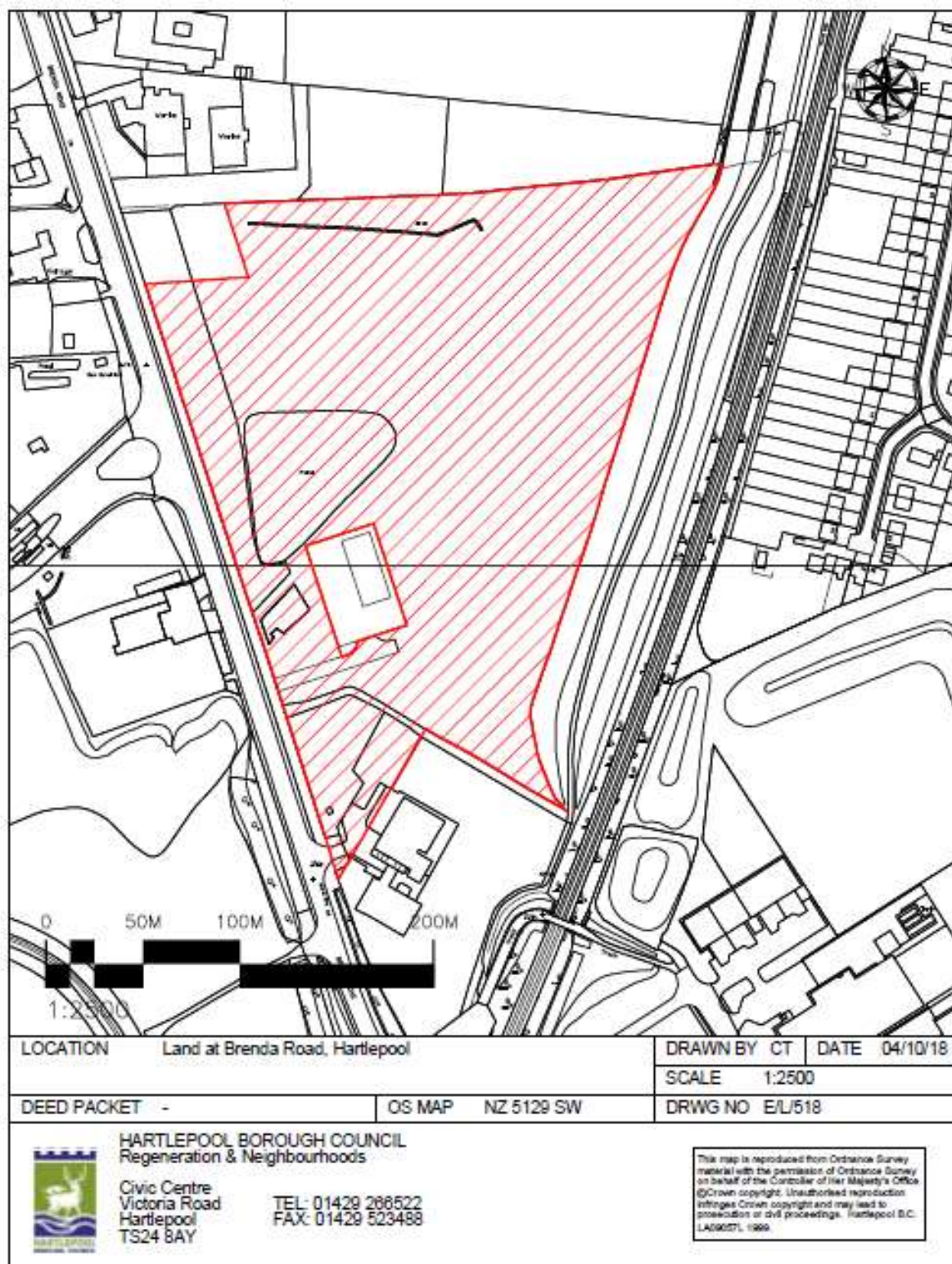
- 16.1 There are no background papers in relation to this report.

17. CONTACT OFFICER

- 17.1 Denise Ogden
Director of Regeneration and Neighbourhoods
Civic Centre
Victoria Road
Hartlepool
TS24 8AY
Email denise.ogden@hartlepool.gov.uk
Tel: 01429 523301

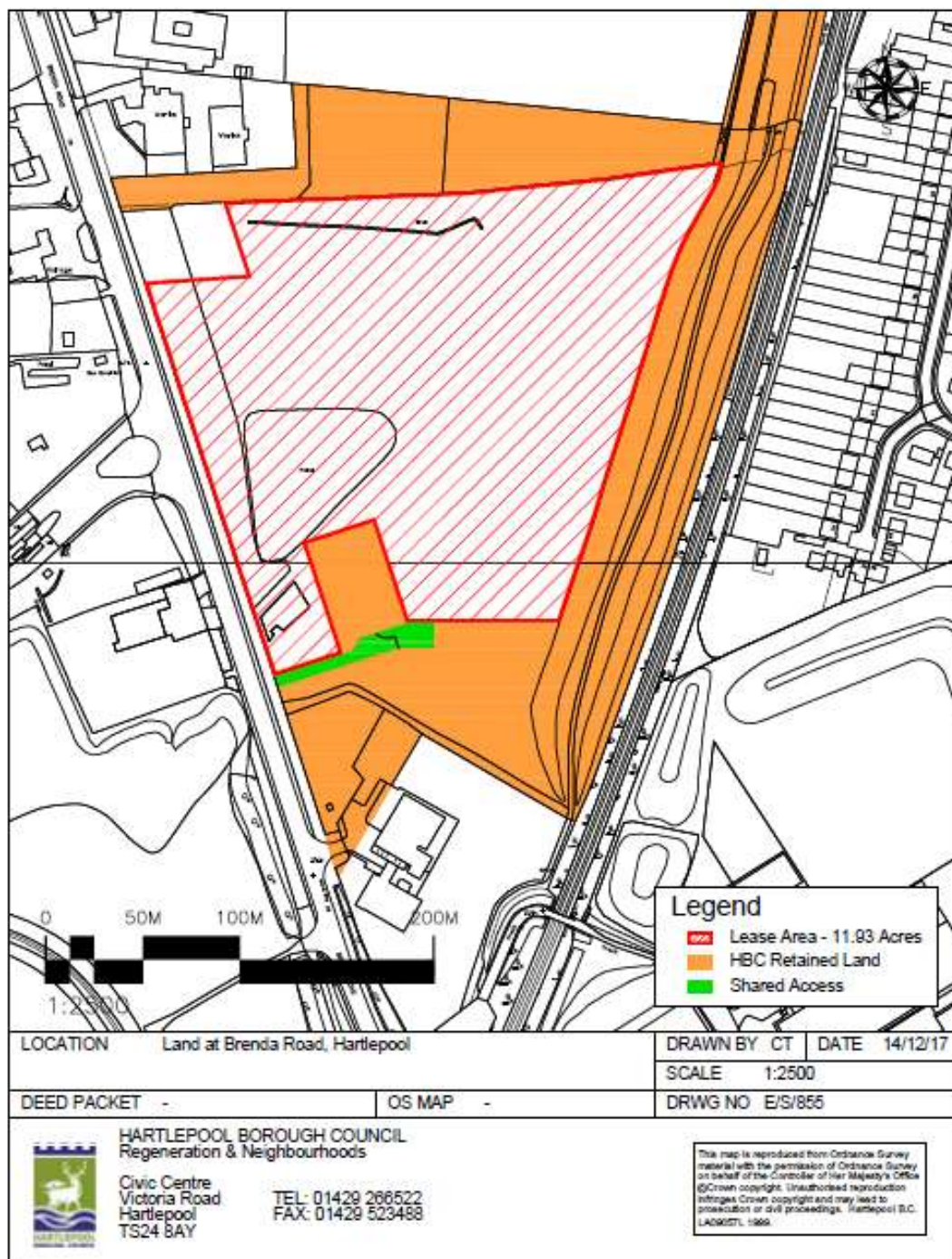
Andrew Carter
Assistant Director Economic Growth & Regeneration
Civic Centre
Victoria Road
Hartlepool
TS24 8AY
Email andrew.carter@hartlepool.gov.uk
Tel: 01429 523596

Plan 1



Plan 2

Lease Area



POVERTY IMPACT ASSESSMENT

1. Is this decision a Budget & Policy Framework or Key Decision? YES If YES please answer question 2 below				
2. Will there be an impact of the decision requested in respect of Child and Family Poverty? YES If YES please complete the matrix below				
GROUP	POSITIVE IMPACT	NEGATIVE IMPACT	NO IMPACT	REASON & EVIDENCE
Young working people aged 18 - 21	X			Additional work related training facility to be opened
Those who are disabled or suffer from illness / mental illness			X	
Those with low educational attainment	X			Additional work related training facility to be opened
Those who are unemployed	X			Additional work related training facility to be opened
Those who are underemployed	X			Additional work related training facility to be opened
Children born into families in poverty			X	
Those who find difficulty in managing their finances			X	
Lone parents			X	
Those from minority ethnic backgrounds			X	
Poverty is measured in different ways. Will the policy / decision have an impact on child and family poverty and in what way?				
Poverty Measure (examples of poverty measures appended overleaf)	POSITIVE IMPACT	NEGATIVE IMPACT	NO IMPACT	REASON & EVIDENCE
Overall employment rate (%)	X			Some direct jobs will be created and work related training provided
Proportion of young people who are NEET	X			Additional work related training facility to be opened

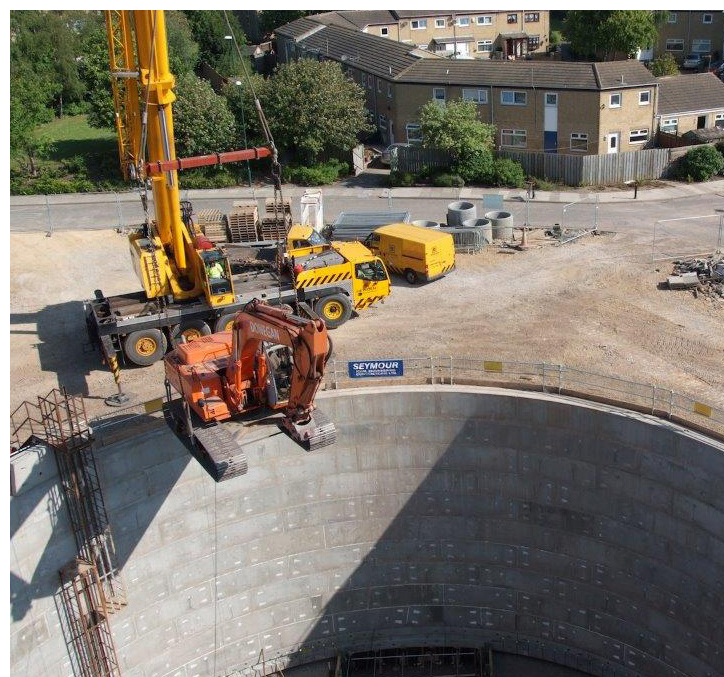
POVERTY IMPACT ASSESSMENT

Overall impact of Policy / Decision			
NO IMPACT / NO CHANGE		ADJUST / CHANGE POLICY / SERVICE	
ADVERSE IMPACT BUT CONTINUE		STOP / REMOVE POLICY / SERVICE	
Examples of Indicators that impact of Child and Family Poverty.			
Economic			
Children in Low Income Families (%)			
Children in Working Households (%)			
Overall employment rate (%)			
Proportion of young people who are NEET			
Adults with Learning difficulties in employment			
Education			
Free School meals attainment gap (key stage 2 and key stage 4)			
Gap in progression to higher education FSM / Non FSM			
Achievement gap between disadvantaged pupils and all pupils (key stage 2 and key stage 4)			
Housing			
Average time taken to process Housing Benefit / Council tax benefit claims			
Number of affordable homes built			
Health			
Prevalence of underweight children in reception year			
Prevalence of obese children in reception year			
Prevalence of underweight children in year 6			
Prevalence of obese children in reception year 6			
Life expectancy			

Civil Engineering Academy



Seymour Civil Engineering in Partnership
with Hartlepool College





Context

Hartlepool College is leading provider of vocational education in the Tees Valley and is one of the largest providers of apprenticeship training in the region and second best performing college in England with regards to apprenticeship success rates. Over the last decade the College has successfully aligned its curriculum with areas of demonstrable employer skills demand, with a particular focus on engineering, digital design, construction and health – all areas of priority for the two regional LEPs (Tees Valley Unlimited and North East LEP). In addition, specialist areas such as aeronautical engineering and environmental technologies continue to develop unique competitive advantage. The College strategy is explicit in its aim of making its learners of the College as employable as possible. In many cases this is through progression to higher education, in other sectors it is through direct employment, often through the College's substantial apprenticeship programme.

Seymour civil engineering is a long established Hartlepool business with a regional presence in the construction sector. It is very much a people centred business that self-delivers Civil Engineering Projects for a variety of private and public customers throughout the north of England. It is this people centred focus that ensures our staff's skills are constantly developed and updated through robust company continuous development programmes that sets it apart from others and makes Seymour a market leading, award winning Contractor. Working closely with the college Seymour will play a key role in developing a specialised Civil Engineering Academy to not only help our business to continue to produce a talented workforce in order to maintain and expand our business, the Academy will also produce individuals with the much needed skills for the construction market that has suffered from years of under investment. The Academy will set the bench mark for skills attainment that will be recognised as an Industry Standard and ensure Hartlepool plays a leading role in up skilling the construction workforce of the future.

Seymour Civil Engineering has a long history of working in partnership with Hartlepool College in order to deliver training for its continuously expanding workforce. Whilst this partnership has worked very successfully in delivering the local skill requirements of Seymour there is now a compelling case to develop a bespoke Civil Engineering Academy in order to meet the future skill demands that will be required not just at Seymour but in the Tees Valley and the region as a whole. The proposed Brenda Road site would enable the College to offer a wide variety of programmes it currently can't offer to local employers and individuals. These programmes would not only offer further training opportunities to school leavers in civil engineering, groundworks, etc but also offer employers the opportunity to up skill their staff in short qualifications (many of them legislative) that they currently have to travel out of area for. The site would also enable the College to deliver programmes specifically for the rail sector and utilities companies which would attract new businesses to invest in training in the town. The proposed Academy would, therefore, complement and enhance the existing training facilities at the college and offer bespoke civil engineering training facilities for the whole of the construction sector, **making Hartlepool a one stop shop for construction training needs in the region.**



The National Picture

HS2 and new nuclear power stations at Wylfa and Hinkley Point are the largest of the major projects that significantly boost infrastructure output in the short term. These are underpinned by a range of smaller and medium-sized infrastructure projects in road, rail and utilities. Annual average output growth for the infrastructure sector is expected to be 5.4% over the five years, with 2019 expected to deliver growth at an impressive 10%. Infrastructure's share of total construction output is predicted to grow from 13.7% in 2016 to 16.3% in 2021. Private housing is the next best performing sector over the period, with average growth anticipated at 2.2%, aided by the government's firm support for new build starter homes. The commercial sector is predicted to bounce back from a 1.0% decline in 2017 to average growth of 1.2% over the next five years. Public sector work is likely to stagnate over the forecast period. Public housing output will grow at an average of 1.0% up to 2021, but public non-housing growth is expected to average just 0.8% annually.

Source: CITB- Construction Skills Network Report 2017- 2021



Whilst the national picture indicates growth in the industry across the country and in particular some very large projects outside of the north east. Although these projects are outside of the north east they could well have a knock on effect of 'draining' existing construction staff from the region and hence leaving a shortfall of skilled staff for local and regional contracts. Therefore it is imperative that the north east (Tees Valley) continues to train construction staff in order to meet local demands should there be a move in demograph with existing trained staff.



Skills Shortages

A recent survey indicates the following trends with regards to skills shortages in construction nationally which is reflected in the Tees Valley.

- The majority of employers (72%) with skill gaps are increasing training activity in order to overcome these gaps.
- The most frequent driver of new skills and knowledge among employers is new legislative or regulatory requirements (60%) closely followed by the introduction of new working practices (53%) and the introduction of new technologies or equipment (also 53%).
- On average, employers provided each person trained with 16 days on-the-job training last year. In 2014, the mean number of on-the-job training days per trainee provided by employers was 8
- There has been an increase in support for Apprenticeship in the last two years.
- Nearly one in four employers in the construction sub-sectors (23%) currently has staff undertaking Apprenticeships. This is higher than previously (14% in both 2014 and 2011).
- One in seven construction employers (15%) offer Apprenticeship opportunities but do not currently have an apprentice. This is also an increase on 2014 (10%).
- A third of all construction employers (33%) said it was likely that they would take on someone on an Apprenticeship in the next 12 months.
- More than three-fifths of employers that currently have Apprentices (62%) consider it likely that they will take on new Apprentices in the next 12 months.

Source: CITB- Construction Skills Network Report 2017-2021

This Academy would help bridge the existing skills gap and potential migration of skills from the Tees Valley in the construction industry. The Tees valley combined Authority Strategic Economic plan (SEP) indicates that there will be a need to replace 7,400 existing jobs as well as the creation of 3,000 new jobs in the construction industry over the next 10 years which again demonstrates the need for this type of facility in order to meet this anticipated demand. At present there are several providers delivering construction training in the region but there isn't anywhere which can provide construction skills training up to Higher Education level in one organisation. The ability to deliver new accredited civil engineering courses through the Brenda Road site would open up numerous new training options to employers in the region.





Skills Development

The Global Energy Skills Academy will be in line with the expectations laid down in the Governments post 16 Skills Plan (July 2016) which identified four key principles required for the national skills system to succeed.

“ Firstly, and most importantly, employers must play a leading role. Employers, working with expert education professionals, need to set the standards; they must define the skills, knowledge and behaviours required for skilled employment.

Secondly, technical education needs to be fulfilling, aspirational, clearly explained and attractive – to everyone, regardless of their gender, race, disability, sexual orientation, sexual identity or any other factor beyond their control. Successive governments have seen ‘vocational’ education as the solution to the problem of what to do with young people who don’t do A levels. As a result, programmes were designed which did not demand enough of students. Every world-class technical education system takes a different approach: they start with world-class excellence at the higher technical level and work backwards to define the programmes that should be offered at each stage. Thirdly, we need to ensure that many more people can go on to meet the national standards set by employers. This can be achieved both by making technical education an attractive option and by ensuring there is a supply of high-quality opportunities available from strong and responsive colleges and other providers with the right leadership and workforce.

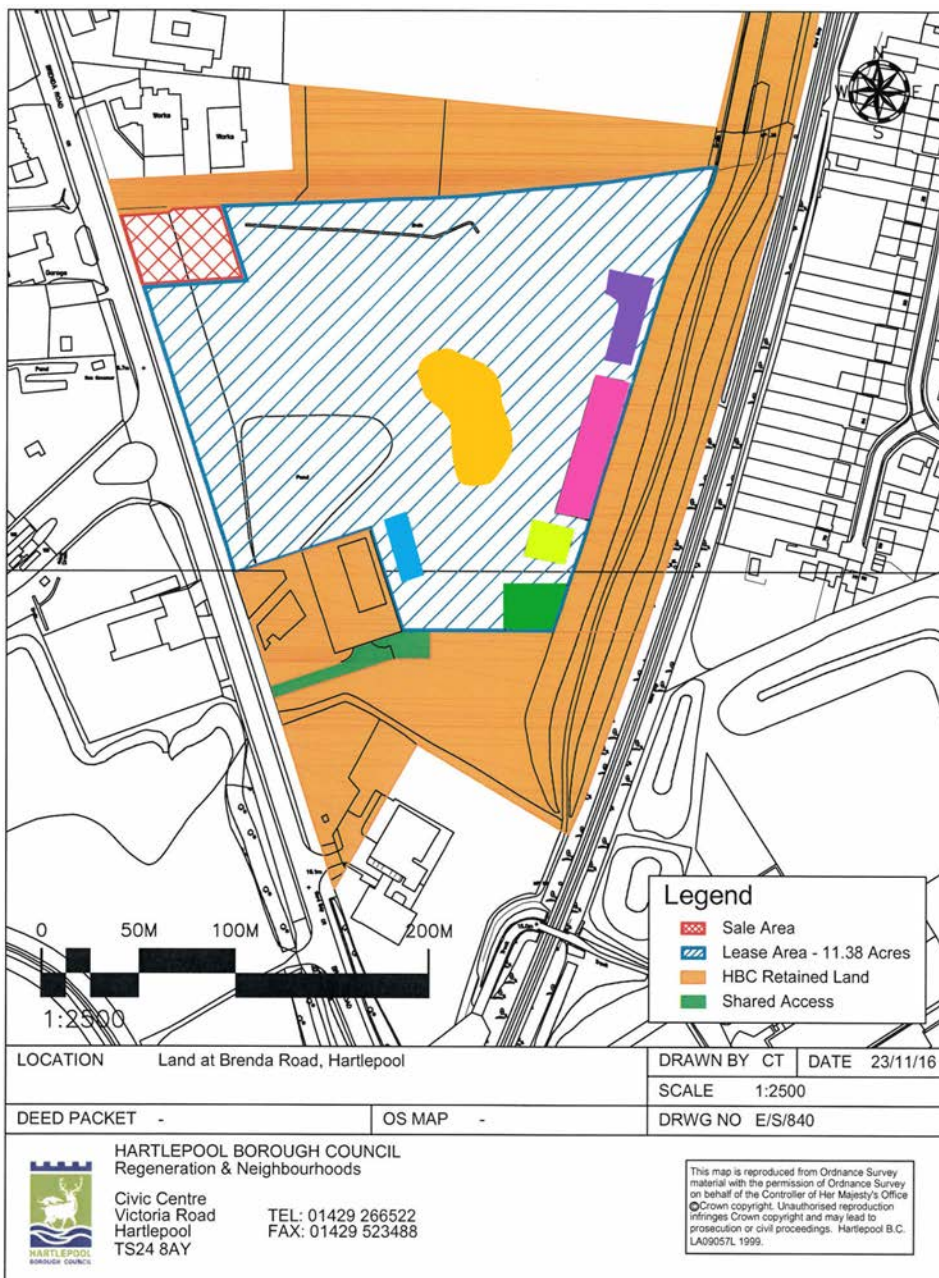
Fourthly, we need close integration between college-based and employment-based technical education so that employers and individuals can understand how they fit together and how to move from one to the other as seamlessly as possible.”

Source: BIS, Post -16 Skills Plan July 2016

In response to this government strategy the Academy will be developed by a key local employer (Seymour Civil Engineering) with a regional reputation in the Civil Engineering sector together with expert educational professionals (Hartlepool College) with an excellent reputation for education and skills development in the region and nationally. The physical site of the Academy will be split between the College’s Stockton Street site and a proposed site on Brenda Road (Jointly run by Hartlepool College and Seymours) to enhance existing training facilities but to also emphasise the strong employer lead as prescribed in the Post-16 Skills Plan. It is anticipated that the Academy would accommodate students on apprenticeships,(including Higher App’s) level 2&3 technical and higher education programmes as well as commercial short courses for those in employment aiming to up-skill.

Facilities

Hartlepool College has enviable, world class, education and training facilities at its town centre campus but has no external facilities to deliver a wider range of civil engineering programmes. The intention would be to develop land on the proposed Brenda Rd site (see below) in order deliver a suite of new courses for employers and trainees in a real workplace setting. The vast majority of the land would be left open with a small portable teaching facility to carry out on-site assessments. The facility would include teaching rooms, assessment centre, social space for refreshments and a 'virtual driver' training room. The plant required for the training would be donated by Seymour Civil Engineering in order to support the venture. This would include 360 excavators, telescopic handlers, articulated dumper trucks, together with other relevant equipment to enhance the training offer.



- | | |
|--|--|
| <ul style="list-style-type: none"> ▨ Earth Mound/Dumper Truck Training ▨ Confined Spaces Area ▨ Classrooms/Welfare Units | <ul style="list-style-type: none"> ▨ Parking ▨ Trench Works/Utilities & Service Area ▨ Roller Training |
|--|--|





List of possible courses to be delivered in the Academy:

360 Excavator - Above 10 Ton - Novice

360 Excavator - Below 10 Ton - Novice

360 Excavator - Above 10 Ton - Refresher & Test

360 Excavator - Below 10 Ton - Refresher & Test

360 Excavator - Above 10 Ton - Test Only

360 Excavator - Below 10 Ton - Test Only

Quick Hitch

Plant Mover

Abrasive Wheels Practical

Abrasive Wheels Theory Inspection

MEWP Mobile Elevated Work Platform (Boom)

MEWP Mobile Elevated Work Platform (Scissor)

Mobile Towers

CPCS A04 Tower Crane (Novice Course)

CPCS A04C (Previously A63) Tower Crane Course (Novice Course)

CPCS A04 Tower Crane (Test Only)

CPCS A09 Forward Tipping Dumper (Novice Course)

CPCS A09 Forward Tipping Dumper (Experienced Worker)

CPCS A09 Forward Tipping Dumper (Test Only)

CPCS A12 180 Excavator above 5 tonnes (Novice Course)

CPCS A12 180 Excavator above 5 tonnes (Experienced Worker)

CPCS A12 180 Excavator Below 5 tonnes (Test Only)

CPCS A16 Counter Balance Fork Lift Truck (Novice Course)

CPCS A16 Counter Balance Fork Lift Truck (Experienced Worker)

CPCS A16 Counter Balance Fork Lift Truck (Test Only)

CPCS A17 Telescopic Handler (Novice Course)

CPCS A17E Suspended Loads (Novice Course)

CPCS A17E Suspended Loads (Experienced Worker)

CPCS A17E Suspended Loads (Test Only)

CPCS A17 Telescopic Handler (Experienced Worker)

CPCS A17 Telescopic Handler (Test Only)

CPCS A21 Wheeled Loading Shovel (Novice Course)

CPCS A21 Wheeled Loading Shovel (Experienced Worker)

CPCS A21 Wheeled Loading Shovel (Test Only)

CPCS A23 Skid Steer Loader

CPCS A31 Ride on Roller (Novice Course)

CPCS A31 Ride on Roller (Experienced Worker)

CPCS A31 Ride on Roller (Test Only)

CPCS A40A Slinger Signaller - All Duties (Novice Course)

CPCS A40A Slinger Signaller - All Duties (Experienced Worker)

CPCS A40A Slinger Signaller - All Duties (Test Only)

CPCS A40B Slinger Signaller - Static Duties (Novice Course)

CPCS A40B Slinger Signaller - Static Duties (Experienced Worker)

CPCS A40B Slinger Signaller - Static Duties (Test Only)

CPCS A56B Rear Tipping Articulated Dump Truck (Novice Course)

CPCS A56B Rear Tipping Articulated Dump Truck (Experienced Worker)

CPCS A56B Rear Tipping Articulated Dump Truck (Test Only)

CPCS A58 Excavator 360 below 10 tonnes (Novice Course)

CPCS A58 Excavator 360 below 10 tonnes (Experienced Worker)

CPCS A58 Excavator 360 below 10 tonnes (Test Only)

CPCS A59A 360 Excavator above 10 tonnes (Novice Course)

CPCS A59A 360 Excavator above 10 tonnes (Experienced Worker)

CPCS A59A 360 Excavator above 10 tonnes (Test Only)

CPCS A59B 360 Excavator above 10 tonnes (Novice Course)

CPCS A59B 360 Excavator above 10 tonnes (Experienced Worker)

CPCS A59B 360 Excavator above 10 tonnes (Test Only)

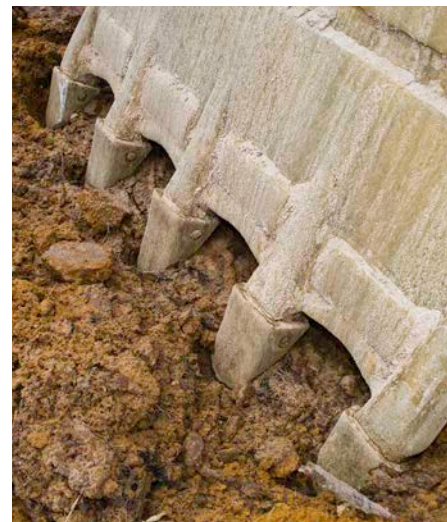
CPCS A61 Appointed Person (Lifting Operations)

CPCS A62 Crane Supervisor (Novice Course)

CPCS A62 Crane Supervisor (Test Only)

CPCS A63 Pedestrian Operated Tower Crane (Novice Course)

CPCS A63 Pedestrian Operated Tower Crane (Test Only)



FINANCE AND POLICY COMMITTEE

14 January 2019



Report of: Assistant Director, Corporate Services

Subject: HEALTH AND SAFETY POLICY

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non-Key Decision.

2. PURPOSE OF REPORT

- 2.1 The purpose of this report is to provide Finance and Policy Committee with the revised Health and Safety Policy, for agreement.

3. BACKGROUND

- 3.1 It is a legal requirement to have in place a written Health and Safety Policy, detailing the Statement of Intent, organisation and arrangements for health and safety management throughout the Council and for this to be routinely reviewed.
- 3.2 The current Health and Safety Policy has been in place since September 2015. The updated HBC Health and Safety Policy attached as Appendix 1 has been refreshed and takes account of changes in the arrangements for the management of health and safety in HBC such as the introduction of the Corporate Health and Safety Committee. The final version of the policy has been considered by the Trade Unions and CMT.

4. RISK IMPLICATIONS

- 4.1 Having in place an up to date Health and Safety Policy reduces risks within the workplace.

5. FINANCIAL CONSIDERATIONS

- 5.1 None.

6. LEGAL CONSIDERATIONS

- 6.1 It is a legal requirement to have in place a Health and Safety Policy under the Health and Safety at Work Act (1974).

7. CONSULTATION

- 7.1 Full consultation has been carried out with senior officers of the Council and the Trade Unions.

8. CHILD AND FAMILY POVERTY (IMPACT ASSESSMENT FORM TO BE COMPLETED AS APPROPRIATE.)

None.

9. EQUALITY AND DIVERSITY CONSIDERATIONS (IMPACT ASSESSMENT FORM TO BE COMPLETED AS APPROPRIATE.)

None.

10. STAFF CONSIDERATIONS

None.

11. ASSET MANAGEMENT CONSIDERATIONS

None.

12. RECOMMENDATIONS

- 12.1 It is recommended that Finance and Policy Committee agree the revised HBC Health and Safety Policy 2019.

13. REASONS FOR RECOMMENDATIONS

- 13.1 To ensure political oversight of a key policy document for the Council.

14. BACKGROUND PAPERS

None.

15. CONTACT OFFICERS

Claire McLaren
Assistant Director, Corporate Services
claire.mclaren@hartlepool.gov.uk
01429 523002/3



**HARTLEPOOL BOROUGH COUNCIL
HEALTH AND SAFETY POLICY 2019**

CONTENTS

1. STATEMENT OF INTENT

2. ORGANISATION

3. ARRANGEMENTS

4. SUPPORTING INFORMATION

1. Statement of Intent

Hartlepool is a vibrant and energetic town with growing prospects. As an authority we want to make Hartlepool the best it possibly can be and want dedicated, driven and committed staff to help us achieve that. Our priority is to make Hartlepool an ambitious, healthy, respectful, inclusive, thriving and outward-looking community, in an attractive and safe environment, where everyone can realise their potential.

Hartlepool Borough Council acknowledges and accepts its moral, financial and legal responsibilities, along with its statutory duties to ensure, so far as reasonably practicable, the health, safety and welfare of its employees and those who may be affected by its work activities, as defined in the Health and Safety at Work (etc) Act 1974.

In order to help fulfil these duties, the Council and its officers aim to continually improve its health and safety performance by encouraging Elected Members and officers to develop a culture which promotes a safe and healthy working environment for ourselves and others, whether working on HBC premises or undertaking work elsewhere.

To ensure compliance with the Health and Safety at Work (etc) Act 1974, the Council will ensure, so far as reasonably practicable:

- Safe plant, equipment and systems of work that are safe, without risks to health and which are adequately supervised.
- Safe arrangements for the use, handling, storage and transportation of articles and substances that ensure the absence of risk.
- The provision of information, instruction, training and supervision as is necessary to ensure the health and safety of its employees whilst at work.
- Work environments, including access to and egress from them, are maintained in a condition that is safe and without risks to health.
- Adequate facilities and welfare arrangements.
- The health and safety of other people not employed by the Council, but who may be affected by its activities.

The Director of Finance and Policy is the nominated officer to undertake the lead role for Health and Safety on behalf of the Chief Executive and will ensure that Elected Members, Chief Executive and Directors are informed of any significant health and safety issues and will keep the Council informed of the implications of relevant changes to best practice and legislation. The Director of Finance and Policy will also ensure that the Council and its officers are provided with competent technical advice, and that regular reports are produced on performance management of health and safety for CMT.

The Council:

- Accepts the principal that work-related accidents, injuries, dangerous occurrences and ill-health conditions can be prevented and that all significant risks will therefore be prioritised accordingly, properly assessed, and control measures implemented.
- Recognises the collective commitment of Elected Members' responsibility to ensure the health, safety and wellbeing of its employees through political governance.
- Recognises the importance of the continued commitment of all its employees to the highest standards of health and safety, and to provide them with the necessary skills and support to achieve this.
- Encourages and promotes employee and elected member participation and co-operation in establishing and maintaining measures to improve health and safety within the Council.
- Provides adequate facilities and arrangements to enable effective communication, co-operation and consultation with recognised trade unions and employee representatives.

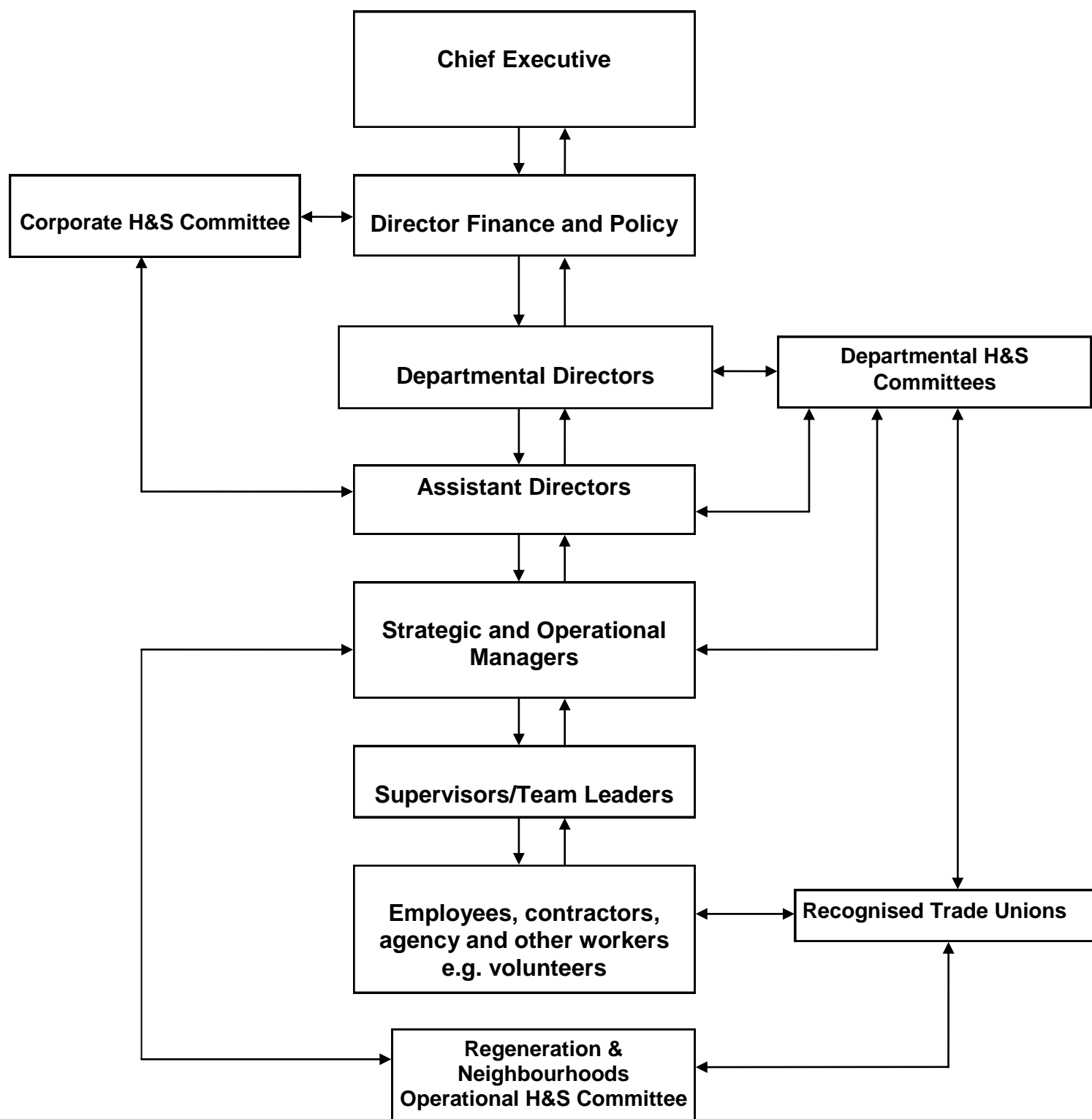
- Ensures systematic risk assessment programmes are embedded to identify, eliminate, reduce and adequately control risks associated with the Council's activities.
- Provides sufficient finance and resources to successfully achieve its health and safety commitments.
- Acknowledges that effective management and monitoring of health and safety within the Council can reduce overall financial and resource losses.
- Requires all those undertaking work on behalf of, or in partnership with the Council, to apply health and safety standards which are consistent with Hartlepool Borough Council policy and procedures.

The Council recognises that the management of health and safety must be fully integrated into its activities and treated with at least equal status as that of any other area of work. The Council will actively monitor health and safety performance and review policies and procedures appropriately to ensure the achievement of best practice in all aspects of health and safety management.

2. Organisation

This section identifies the organisational arrangements for the management of health and safety. It explains how the Council manages the effective planning, organisation, control, monitoring, review and auditing of its health and safety control measures, and the roles and responsibilities of individuals.

Health and Safety Hierarchy



2.1 RESPONSIBILITIES FOR HEALTH AND SAFETY

Elected Members

It is the responsibility of Elected Members to give due regard to health and safety in their decisions, and to ensure policies promote high standards in health, safety and welfare throughout the Council.

Chief Executive

The Chief Executive has overall and ultimate responsibility for health and safety compliance in the delivery of the Council's undertakings, whether delivered directly or via external contractors. The Chief Executive is responsible for:

1. Ensuring health, safety and fire statutory requirements are met.
2. Taking appropriate action regarding significant health and safety risks and failures.
3. Ensuring sufficient resources are provided to enable this policy to be implemented appropriately.
4. Ensuring health and safety performance is reviewed and remedial action taken where significant risks have been identified.
5. Ensuring the health and safety framework is reviewed, at least biennially and that it is amended and promoted to maintain its effectiveness.
6. Support the Health, Safety and Risk Team to facilitate a positive health and safety culture.

Director of Finance and Policy

The Director of Finance and Policy has responsibility for the health and safety performance within the Council and is specifically responsible for:

1. Ensuring that a health and safety management system is in place and operating effectively to ensure compliance with statutory duties,
2. Chairing and leading the Corporate Health and Safety Committee meetings to enable health and safety objectives to be agreed and monitored.
3. Acting as conduit to the Chief Executive and CMT to ensure that safety is considered in all strategic decisions.
4. Allocating or re-allocating resources as necessary to ensure that strategic health and safety priorities are met.
5. Monitoring the implementation of the health and safety policy and management system and periodically reviewing it to ensure it remains valid and fit for purpose in all spheres of operation.
6. Ensuring quarterly and annual health and safety reports are submitted for CMT consideration.
7. Ensuring delivery of an effective health, safety and risk service.

Directors

Directors have responsibility to ensure the HBC Health and Safety Policy is effectively embedded within their departments. They are specifically responsible for:

1. Leading in the implementation and monitoring of the health and safety policy arrangements within their departments, taking appropriate corrective actions where necessary.
2. Escalating problems or constraints in meeting duties and responsibilities which cannot be resolved locally to the attention of the Chief Executive and/or the Director of Finance & Policy without delay.
3. Facilitating effective consultation arrangements with employees via the departmental Health and Safety Committees to ensure:
 - a. Appropriate information is shared at departmental level to enable a consistent and joint approach to health and safety.
 - b. Safety performance is monitored, and health and safety arrangements remain effective and relevant to the work activities and level of risk.
 - c. Consultation with recognised trade unions is enabled.
4. Ensuring health and safety performance is monitored, audited and incorporated as an equal consideration in operational planning.
5. Facilitating the provision of adequate resources, training, instruction and supervision to enable this policy to be implemented at departmental level.
6. Informing the Health Safety and Risk Manager as soon as practicable of any enforcement actions or visits by the Health and Safety Executive (HSE) or other regulatory bodies.
7. Ensuring arrangements are in place to ensure the safety of premises under their control or partial control, in relation to the management of asbestos, control of legionella, fire safety, use and maintenance of gas appliances and any other relevant matters;
8. Facilitating safety inspections/audits by the Health, Safety and Risk Team, Health and Safety Executive, fire authority, safety representatives and members of health and safety committees or other relevant agencies.
9. Leading by example in developing and encouraging a positive health and safety culture within their departments.
10. Ensuring departmental duty holders under the Construction Design and Management (CDM) Regulations are identified and competent to undertake their relevant duties.

Assistant Directors

Assistant Directors have responsibility to ensure high standards of health and safety performance are embedded in their areas of control and are specifically responsible for:

1. Monitoring health and safety performance of their services, taking appropriate corrective actions where necessary.
2. Ensuring employees, supervisors and managers are competent and have sufficient resources allocated to discharge their health and safety duties.

3. Ensuring suitable and sufficient assessments of risks are undertaken, and written records maintained.
4. Ensuring adequate arrangements for communicating control measures and safe systems of work to employees and that they are understood and implemented.
5. Ensuring that organisations and persons engaged to carry out work for or deliver services on behalf of the council as contractors, partners or otherwise, are commissioned/contracted in compliance with statutory obligations and the Council's commissioning and procurement procedures.
6. Informing senior management of safety concerns arising out of inspections or risk assessments or lack of resources and of any enforcement actions or visits by the HSE or Fire Authority.
7. Ensuring appropriate health and safety training needs analysis is undertaken for all employees and activities and incorporating key health and safety responsibilities into individual job descriptions.

Strategic and Operational Managers

Strategic and Operational Managers are responsible for implementing this policy within their areas of control and specifically responsible for:

1. Maintaining an awareness of statutory requirements, industry standards and principles of best practice for health, safety and welfare relevant to the departmental activities and services under their control.
2. Ensuring suitable and sufficient assessments of risks in relation to activities and services under their control are undertaken, communicated and understood and that safe systems of work implemented.
3. Escalating problems or constraints in meeting required health and safety standards to the attention of the Departmental Director/Assistant Director without delay.
4. Ensuring health and safety performance is monitored, audited and incorporated as an equal consideration in operational planning.
5. Ensuring training plans identify adequate training and instruction needs, and ensuring the relevant training is provided and health surveillance appointments attended.
6. Ensuring that organisations and persons engaged to carry out work for or deliver services on behalf of the council as contractors, partners or otherwise, are commissioned/contracted in compliance with statutory obligations, the Council's commissioning and procurement procedures.
7. Implementing the Council's Incident Reporting and Investigation Procedures.

Team Leaders/Supervisors

Team leaders/supervisors are responsible for ensuring compliance and implementation of the Corporate Health and Safety Policy within their areas of responsibility.

Specifically, responsible for:

1. Assisting Strategic and Operational Managers with the undertaking and implementation of health and safety risk assessments and safe systems of work.
2. Embedding a positive health and safety culture, and challenging unsafe behaviour appropriately.
3. Ensuring adequate communication of control measures and safe systems of work to employees and that they are understood and implemented.
4. Ensuring plant and equipment used is fit for purpose, adequately tested and maintained, and that comprehensive records of statutory tests and inspections are maintained.
5. Monitoring the health and safety performance of areas and employees under their control, taking appropriate remedial action where required.
6. Implementing the Council's Incident Reporting and Investigation Procedures.
7. Taking immediate remedial actions where there is a risk of serious or imminent danger identified, reporting to senior management and the Council Health, Safety and Risk Team without delay.

All Employees (including agency workers, volunteers, work experience etc)

All employees are responsible for observing and following the HBC Health and Safety Policy.

Specifically, all employees have a responsibility to:

1. Take reasonable care of themselves and others who may be affected by their actions or inaction.
2. Work safely and report any hazard, defect, malfunction or faulty equipment to their line manager and take appropriate steps to warn others who may be affected.
3. Report any accident or near miss to their line manager and inform the health and safety section.
4. Adhere to established safe systems of work and avoid taking actions that could be hazardous.
5. Familiarise themselves with fire evacuation procedures and the position of fire equipment, alarms, evacuation routes and assembly points as appropriate to their places of work.
6. Seek the advice of their line manager or supervisor before carrying out any work where they do not feel competent and safe.
7. Refrain from interfering with or misusing anything provided in the interests of health and safety.
8. Refrain from any type of irresponsible behaviour which could give rise to a hazard.

9. Never carry out unauthorised work or attempt to access any unauthorised area.
10. Attend any necessary health surveillance appointments associated to their work activities.

Health, Safety and Risk Manager and Health, Safety and Risk Team

The Health, Safety and Risk Manager and Team provides a competent source of advice, guidance and support to the Council to enable it to fulfil its statutory health and safety duties, and is specifically responsible for:

1. Maintaining up-to-date knowledge and awareness of relevant legislation and best practice.
2. Assisting in the development of the health and safety management system, and to actively and reactively monitor the standard of the system.
3. Providing accurate and comprehensible advice for management, staff and any other persons who may be affected by the HBC's activities, on all matters pertaining to health and safety.
4. Monitoring performance of the HBC against internal procedures and legislative requirements, through a system of audit and investigation.
5. Liaising with HBC management, staff, trade unions representatives and other stakeholders on all matters pertaining to health and safety within the HBC.
6. Assessing training needs and arranging adequate health and safety information, instruction and training for staff.
7. Advising the Chief Executive and Directors, where necessary, of any serious health and safety concerns.
8. Assisting management where necessary in carrying out risk assessments on work activities, and in the development of plans for the implementation of the health and safety management system.
9. Taking the lead role in communications and consultations with any relevant enforcing authorities such as the HSE and fire authorities.
10. Taking action to prohibit work activities where there is serious or imminent risk of injury or a significant breach of statutory requirements, and to immediately inform the Chief Executive, Departmental Director and other relevant officers of such action and the recommended remedial actions necessary to allow the work activities to recommence.
11. Developing and leading on Health and Safety partnership arrangements and service level agreements.

Trade Union and Employee Health and 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 reasonable time off work to undertake these duties.

Specifically, Trade Union and Employee Health and Safety Representatives are responsible for:

1. Contributing to the identification, elimination or control of possible risks to employees' health, safety and welfare.
2. Working 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. Taking an active part in health and safety meetings and disseminating relevant information, health and safety procedures and updates to their members.
4. Representing the views of employees in discussions with the Health and Safety Executive and other enforcement agencies and receive information from those agencies.
5. Promoting safe working practices and undertaking joint safety inspections with representatives of the Authority to assist in the provision of a safe working environment.

School Governors

In local authority controlled schools, the Board of Governors role is to ensure clarity of vision, ethos and strategic direction. The Board of Governors may have control of the premises both during and outside the school day and may oversee a delegated budget for some maintenance activities.

An increasing number of Boards of Governors are also trustees of the charity that runs the school, and/or directors of the company responsible for the school. If this is the case, their role is identical to that set out for the employer*.

Head Teachers

Head teachers and the school management team/ manager have considerable autonomy in the day-to-day running of their schools. It is important that head teachers exercise this autonomy in line with their employer's policies, procedures and standards. Head Teachers are specifically responsible for:

1. Ensuring that the school is following the employer's health and safety policy and having effective arrangements for managing the real health and safety risks at the school.
2. Maintaining effective communications with employers, governors, and the school workforce, and giving clear information to pupils and visitors, including contractors, regarding the significant risks on site.
3. Making sure staff have the appropriate training and competencies to deal with risks in their areas of responsibility.
4. Consulting and working with recognised TU safety representatives/employee representatives and safety committees.
5. Making sure that staff understand their responsibilities and know how to access support and advice to help them manage risks responsibly.
6. Ensuring the full implementation of the Hartlepool Local Education Authority's procedures in relation to all educational visits.
7. Ensuring organisations and persons engaged to carry out work for, or delivering 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.

8. Co-operating in the undertaking of safety inspections by the Health, Safety and Risk Team, Health and Safety Executive, Fire Authority or other appropriate agencies and act appropriately on the findings and recommendations.
9. Ensuring the Council's accident and safety incident reporting procedure is followed, and that accidents, incidents and near misses are reported and investigated appropriately.
10. Monitoring the performance of their employees in terms of safety, encouraging excellence, taking effective remedial action where required and setting a personal example of good safety practices.

** The Local Authority has health and safety responsibilities for community schools, community special schools, maintained nursery schools, pupil referral units and the statutory youth service and this policy applies to those establishments. However, in foundation or voluntary aided schools, although Hartlepool Borough Council may have some legal responsibilities for the building, premises and safety of the staff and pupils at the school, the School Governors and Head teachers, are the employers of teachers and support staff and their employer responsibilities should therefore be reflected in the schools' own health and safety policies and arrangements.*

3. Arrangements

As part of the Council's health and safety management system, a series of Health and Safety Procedures and guidance documents have been developed which detail the specific arrangements in place to assist managers to manage health and safety effectively.

These procedures are designed to satisfy the requirements under statutory legislation, Approved Codes of Practice, guidance documents, industry standards and best practice in relation to health and safety.

Implementing these procedures will assist managers to fulfil their health and safety responsibilities within their service areas.

Some examples of procedures available are:

- Risk Assessment
- Fire Safety
- Violence at Work
- Display Screen Equipment
- Hand Arm Vibration
- Incident Reporting
- First Aid
- Procuring or Commissioning Services
- Electrical Safety
- Asbestos

The above list is not exhaustive, and all the procedures can be accessed via the Health, Safety pages on the Council Intranet. The procedures will be developed, reviewed or superseded as legislative requirements, best practice or organisational changes occur.

Advice and guidance of the implementation of the procedures and standards to be applied can be obtained from the Health, Safety and Risk Team.

The Health, Safety and Risk Team will regularly audit and monitor the health and safety performance of service areas both proactively and reactively. Significant findings and recommendations from audits will be recorded on CoValent, the Council's Performance Management System and any trends reported to CMT. Relevant officers will be required to update the system confirming the recommended actions have been implemented. Recommendations not implemented will be brought to the attention of CMT via the quarterly health and safety reports.

4. Supporting Information

What is the health and safety policy about?

The Health and Safety at Work (etc) Act 1974 imposes general duties on employers and states specifically that every employer shall prepare a written statement of his general policy with respect to:

- The health and safety at work of his employees; and
- The organisation and arrangements in place for carrying out that policy, and to bring the statement and any revision of it to the notice of all employees.

The main aim of the policy is to fulfil the Council's obligation under the Health and Safety at Work (etc) Act 1974, demonstrate that the Council acknowledges and understands its legal obligations at the highest corporate level, and to provide performance criteria that will assist the Council in demonstrating its compliance with relevant statutory health and safety requirements.

Who does the policy apply to?

The Health and Safety Policy applies to all Elected Members and every employee (including agency workers, volunteers, casual staff, works experience etc). This policy can also be adopted and adapted as good practice by other groups associated with Council such as faith schools and academies with Health and Safety Service Level Agreements with the Council's Health Safety and Risk Team.

Responsibility

Hartlepool Borough Council has overall responsibility for ensuring the health safety and wellbeing, so far as is reasonably practicable, of its employees and others affected by its activities.

Monitoring

The Health Safety and Risk Manager will monitor relevant health and safety legislation and make recommendations for review accordingly.

Support

The Council's Health, Safety and Risk team will provide relevant health and safety support to assist service areas apply this policy effectively.

Abuse of the policy

Hartlepool Borough Council view false or misleading accusations about the implementation and application of this policy seriously and employees who attempt to abuse the policy may face disciplinary action. This, of course, will not include ill-founded allegations which were made in good faith.

Distribution of the policy

A copy of this policy is available on the Health and Safety pages of the intranet. However, copies are available to key personnel within the Services with the expectation that they will bring the policy to the attention of all employees for which they are responsible.

Date of Next Review: January 2022