

PLEASE NOTE VENUE

PERFORMANCE MANAGEMENT PORTFOLIO (HEALTH & SAFETY CONSULTATIVE GROUP) DECISION SCHEDULE



Monday 29th January 2007

**at 10.00 am or immediately following Performance Management Portfolio
being held at 9.00 am**

**at Conference Room 3, Belle Vue Community,
Sports and Youth Centre, Kendal Road, Hartlepool**

Councillor Peter Jackson, Cabinet Member responsible for Performance Management, Councillor Sutheran and Councillor Rayner will consider the following items:-

1. KEY DECISIONS

None

2. OTHER ITEMS REQUIRING DECISION

- 2.1 Departmental Health and Safety Committee Activities – *Chief Personnel Officer*
- 2.2 Prevention of Violence and Aggression to Employees – *Chief Personnel Officer*
- 2.3 Health and Safety Performance Statistics – *Chief Personnel Officer*
- 2.4 Health and Safety Partnership Agreement – First Annual Joint Review – *Chief Personnel Officer and the Secretary to the Hartlepool Joint Trades Union Council*
- 2.5 Workers Memorial Day Service and Wreath Laying Ceremony 2007 – Update on Arrangements – *Secretary to the Hartlepool Joint Trades Union Council*

3. REPORTS FROM OVERVIEW OF SCRUTINY FORUMS

None

PERFORMANCE MANAGEMENT PORTFOLIO (HEALTH AND SAFETY CONSULTATIVE GROUP)

Report to Portfolio Holder
29th January 2007



Report of: Chief Personnel Officer

Subject: DEPARTMENTAL HEALTH AND SAFETY
COMMITTEE ACTIVITIES

SUMMARY

1. PURPOSE OF REPORT

To present information on the activities of the health and safety committees that function within the departments of the Council, so as to strengthen the links and communication between these committees and the Health and Safety Consultative Group.

2. SUMMARY OF CONTENTS

The report outlines the existing safety committee structure and, by recording the activities of the departmental safety and health committees that have taken place during the last quarter and providing a brief commentary on these, it addresses one of the findings of the recent review of the Hartlepool Borough Council and Hartlepool Joint Trade Unions Committee Health and Safety Partnership Agreement.

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

To note the report.

Report of: Chief Personnel Officer

Subject: DEPARTMENTAL HEALTH AND SAFETY
COMMITTEE ACTIVITIES

1. PURPOSE OF REPORT

- 1.1 To present information on the activities of the health and safety committees that function within the departments of the Council, so as to strengthen the links and communication between these committees and the Health and Safety Consultative Group.

2. BACKGROUND

- 2.1 Legislation on occupational health and safety makes provision for consultation of employees on health and safety matters. This provision includes the operation of one or more health and safety committees within a company or other type of organisation. The members of these committees must consist of both employee and management representatives. The number of management representatives should not exceed those of employees but, apart from that, the regulations concerned and the accompanying approved code of practice are not prescriptive and leave it the good sense of those directly concerned to agree how safety committees should be structured and operated within their organisation.
- 2.2 The Hartlepool Borough Council and Hartlepool Joint Trades Union Committee Health and Safety Partnership Agreement (the Agreement) formalised the committee element employee consultation procedures, with arrangements for a three-level structure of health and safety committees. Three levels is a more complex structure than most commercial organisations of comparable size would have but, as not just a large but also a very diverse organisation, it is appropriate to HBC.
- 2.3 The top level of the HBC structure is the Health and Safety Consultative Group, which is in effect the corporate health and safety committee. The Agreement requires each of the Council's departments to operate a single committee at department level and, if required, subsidiary committees for divisions or sections of the department, as appropriate and as agreed locally.
- 2.4 The effect of this is that the Chief Executive's and the Regeneration and Planning Departments each have one committee only, at department level. While the other three departments each have department level committees plus a number of subsidiary division or section committees. Children's Services has two of these, Adult and Community Services four and, because of its size and complexity, Neighbourhood Services have eight. These division or section committees allow employees and managers of defined

types of services to discuss together the hazards and other safety and health issues that are specific to their types of work.

- 2.5 Outside the scope of the Agreement, employee consultation also takes place via safety committees in schools and some other workplaces. These less formal local arrangements can also provide a valuable additional contribution to safety, by dealing with safety issues specific to the particular workplaces and providing a further means of communication on safety matters.

3. THE NEED FOR LINKS BETWEEN COMMITTEES

- 3.1 The Partnership Agreement sets out, for at all three levels, the specific aims of the committees. Overall, these aims are intended to enhance safety performance throughout the Council's operations. To be effective, each one of these aims demands good communications, within and between committees and the flow of information in both directions, up to corporate level concerning hazards, local initiatives and feedback on draft policies and procedures issued for consultation, as well as the dissemination safety information and requests for comments down to department, section or division level committees.
- 3.2 The first annual review of the content and operation of the Agreement (which is the subject of another report to this meeting) considered, among many other issues, the provision of information to employees. While noting that the flow had improved generally, concern was expressed as to how effectively information on safety was being disseminated to safety representatives and to the wider employee groups. A further review of this aspect of the joint arrangements for safety was suggested, with action to follow as required.

4. REINFORCING THE LINKS BETWEEN COMMITTEES AT ALL LEVELS

- 4.1 Ahead of a more detailed review of the flow of safety information, some immediate actions have been taken in relation to the flow of information via safety committees:
- Discussion of the Decision Record from the preceding Health and Safety Consultative Group Meeting is being added to the agenda of each department and section or division safety committee meeting.
 - The full minutes of each department and section or division safety committee has been made available electronically to elected members and employees via the HBC intranet (Staff Info, Health and Safety, Safety Committee Minutes).

and, a report summarising the activities of department and section or division safety committees will be provided for each meeting of the Health and Safety Consultative Group, this being the first such report.

5.0 HEALTH AND SAFETY COMMITTEES MEETINGS HELD

- 5.1 All except one of the 19 department and section or division safety committees met during the third quarter of 2006/7, as follows:

Departmental Committees	
Department	Date of Meeting
Chief Executive's	17 th October
Regeneration and Planning	27 th November
Adult and Community Services	6 th December
Children's Services	No meeting held

Section or Division Committees		
Department	Committee Name	Date of Meeting
A&CS	Site Based Services	3 rd October
A&CS	Home Visiting	10 th October
NS	Client Services	13 th October
NS	Public Protection, Housing & Environment	13 th October
NS	Construction Services	19 th October
NS	Building, Civil Engineering, Design & Construction	25 th October
NS	Environment	26 th October
NS	Catering	31 st October
NS	Office Based	1 st November
NS	Highways, Transportation & Depot	2 nd November
A&CS	Office Based Working	2 nd November
CS	Offices & Outreach	15 th November
A&CS	Swinburne House	5 th December
CS	Schools & Services	12 th December

6.0 AGENDA ITEMS AND OTHER BUSINESS DISCUSSED

6.1 Recurring Agenda Items

A number of standard items appear on the agenda of each committee at every meeting. In relation to the workplaces covered by the meeting concerned, these usually include accident and safety incident reports, new or revised safety legislation or official guidance, safety inspections that have been carried and reports of any contacts with the Health and Safety Executive.

Amongst the minutes of the safety committee meetings held during the last quarter, it was notable that mention was made of the need to remind some employees that incidents of violence, aggression (or threats of either) must be treated as safety incidents and reported on Safety Incident Report Forms (SIRFs). (Such reports will become even more important with the introduction the Red Flagging system mentioned below.)

The changes in legislation and guidance discussed during the period were the recent changes to the regulations on fire precautions and asbestos management and, for those committees concerned with construction work, the forthcoming significant changes to the Construction (Design and Management) Regulations.

6.2 Other Topics Discussed

Other notable safety issues raised and discussed at the recent committee meetings included:

- **Red flagging** – at more than one committee, the need to complete and implement a system that will forewarn employees who have to meet with potentially violent or aggressive customers was discussed. (Progress on this system is the subject of a separate report to this meeting.)
- **Safety Inspection Bookings** – problems with making and carrying out safety inspections were discussed at one committee and managers were requested not to ask for changes to agreed dates, unless this is essential.
- **Personal Protective Equipment** – various issues regarding PPE were discussed, including concerns regarding the cost of disposable items and the provision of appropriate high visibility clothing.
- **Management of Workplace Stress** – some committees reported on their provision of comments on stress, as part of a recent consultation exercise – concern was also expressed that abuses may sometimes occur when stress is falsely used to obtain sick notes.
- **Safety Assessments of Contractors** – the importance of assessments of contractors, as part of the corporate procurement procedures, was emphasised and arrangements for safety officers to carry out these assessments were discussed.
- **Work at height** – some of the committees discussed work at height (although the subject is of concern throughout the authority – the suitability of particular types of ladders and other access equipment and the need for user checks to be made and recorded was also emphasised, along the need for specific risk assessments if work at height cannot be avoided and access equipment has to be used.

The full minutes of each of these meetings is available on the HBC intranet, as indicated in 4.1 above.

7.0 RECOMMENDATION

To note the report.

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

Report to Portfolio Holder
29th January 2007



Report of: Chief Personnel Officer

Subject: PREVENTION OF VIOLENCE AND AGGRESSION TO
EMPLOYEES

SUMMARY

1. PURPOSE OF REPORT

To provide information on progress towards the completion of corporate procedures for the protection of employees from violence or aggression or threats of such actions.

2. SUMMARY OF CONTENTS

The report recapitulates on the adoption and implementation of a corporate policy on violence and aggression and provides an update on the development of a system of *red-flagging* of difficult-to-deal-with individuals and premises that should be subject to additional control measures. The report also provides initial information on the widening of the existing and planned procedures to deal with risks of violence and aggression at public meetings.

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

To note the report.

Report of: Chief Personnel Services Officer

Subject: PREVENTION OF VIOLENCE AND AGGRESSION
TO EMPLOYEES

1.0 PURPOSE OF REPORT

- 1.1 To provide information on progress towards the completion of corporate procedures for the protection of employees from violence or aggression or threats of such actions.

2.0 BACKGROUND

- 2.1 A corporate policy on violence and aggression to employees was adopted during 2006. In order to complement and fully implement this policy, a system of recording and advising Council officers about difficult-to-deal-with customers and any premises with which they are associated, often referred to as *red-flagging*, is also being developed.
- 2.2 Consideration of aggression and violence to staff was not a new matter when the present corporate policy was being developed. Previously, where relevant, these types of risks were already being included in risk assessments for the tasks carried out by the officers from the departments or divisions concerned. Appropriate control measures were then adopted for the groups of employees exposed to identified and assessed violence and aggression risks.
- 2.3 However, there was perceived to be a need for a more corporate approach. This was because a more consistent approach, to assessments, controls and employee support mechanisms in the event of incidents was required, across the authority. Also because customers who are difficult-to-deal-with (i.e. potentially violent or aggressive) may well have contact with a number of different employees from more than one department or division, although some of these employees could remain in ignorance of the potential risks involved.
- 2.4 The response to this perceived corporate need was for two working groups to be formed, with representatives from each of the Council's departments, as well the participation of the Health and Safety Adviser.
- 2.5 One of these working groups developed the corporate policy, which was completed and adopted last year. The other working group is developing the remaining element of the corporate arrangements for minimising violence and aggression risks to employees. This is the information sharing facility

that is commonly referred to as *red-flagging* and will be known throughout the Council as the *Employee Protection Register*.

- 2.6 Once these elements are in place, it will also be possible to draft a guidance document for employees on the application and use of both of them.

3.0 THE PROPOSED SYSTEM

- 3.1 *The Employee Protection Register* will be an information technology based system, with the aim of providing a register with a list of people and addresses where an incident or event has been recorded and categorised in terms of seriousness and potential risk to staff members. An incident would be any occurrence which may compromise the health and safety of an employee e.g. actual or threat of physical violence or verbal abuse, hazardous places, dangerous animals etc. It will facilitate employees in reporting on their experiences with difficult-to-deal-with individuals and the making of this information available to other employees whose work also involves contact with the individuals concerned or the premises with which they are associated. Because of its sensitive nature and the requirements of data protection legislation, legal input is required in the development of this system, as well as information technology expertise and the participation of officers from sections that provide services directly to customers.
- 3.2 In practice, decisions on adding to the register will be made by a line manager and then reviewed regularly. There will be a group set up to monitor, review additions, deletions from the register. All entries on the system will be classified in accordance with categories A to C in accordance with the seriousness of the incident. The register will be maintained by the system administrator, a designated health and safety officer. The full details of individuals and the events that have led to them being *red-flagged* will of course not be generally accessible.

4.0 PROGRESS TO DATE

- 4.1 The current position is that a system is being developed by a consultancy company, Oriel Magdalen, in consultation with Paul Cook, Project Manager for Northgate. The consultancy company will develop the programme free to the Council, provided there are enough public authorities interested in the programme and are willing to have HBC pilot the scheme. It is hoped that the project will be available to pilot by mid February 2007, with a date yet to be set for roll out and implementation of the system. For a system that will integrate with existing systems and allow multiple access etc, there will be a cost to HBC to host on Northgate system. This specification will be reviewed by the e-Government Team.
- 4.2 It should be appreciated however that the effectiveness of the system will be dependant upon information on difficult-to-deal-with customers being reported by employees, loaded onto its database and periodically updated.

It will therefore take some time for the information to be as comprehensive and current as it will need to be. However, the initial implementation of the system will allow the planned guidance document to be produced and published.

5.0 A FURTHER ASPECT OF VIOLENCE AND AGGRESSION

- 5.1 The main rationale of the corporate policy on violence and aggression is concern for the safety of employees who meet customers on a one-to-one basis, perhaps in Council premises or other public buildings but sometimes in a customer's own home. However, experience now indicates that there is also need for concern for the safety of employees who are required to conduct public meetings, this despite the fact that, by definition, many other non-aggressive members of the public will probably be present at such events.
- 5.2 In response to the need for action on employee safety at public meetings, the Director of Neighbourhood Services has rapidly led on the development of a risk assessment tool and a guidance document on the conduct of public meetings. At present these are supplementary to and not integrated with the corporate policy on violence and aggression but, in due course it may be desirable bring them together. The planned guidance on the policy and *red-flagging*, having not yet been written, can be made to encompass public meetings however. The *red-flagging* system may be immediately applicable to public meetings in some instances. Although, because who may turn up will usually not be known beforehand and those that do attend will not normally identify themselves by name on entry, a thorough risk assessment and implementation of suitable control measures, concerning the premises to be used, the number of staff in attendance, stewarding arrangements and means of emergency communication seem likely to prove the most effective means of protecting the employees present.

6.0 RECOMMENDATION

To note the report.

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

Report to Portfolio Holder
29th January 2007



Report of: Chief Personnel Officer

Subject: HEALTH AND SAFETY PERFORMANCE
STATISTICS

SUMMARY

1. PURPOSE OF REPORT

To present the data obtained for the second quarter of 2006/7, to identify possible trends and provide a brief commentary on these.

2. SUMMARY OF CONTENTS

The report recapitulates on the bases of the standard measures of safety performance that are used. A brief commentary is also provided on emerging trends in the statistics.

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

To note the report and provide comments on the statistics presented.

Report of: Chief Personnel Services Officer

Subject: HEALTH AND SAFETY PERFORMANCE
STATISTICS

1.0 PURPOSE OF REPORT

- 1.1 To present the data obtained for the second quarter of 2006/7, to identify possible trends and provide a brief commentary on these.

2.0 BACKGROUND

- 2.2 The statistics appended to this report cover the sixth quarter in which this data has been compiled. After some initial problems, mainly with the omission or mis-allocation of safety incident information to the appropriate quarters, methodology and the figures themselves are felt now to be more robust. The severity rates, initially included in the statistics but then omitted, are still absent however, as they were found to be unreliable. This was due to the way in which the duration of employees' sick leave, following an accident, occupational ill-health or other safety incident, was reported to the Employee Wellbeing Team. Severity rates will continue to be omitted, pending implementation of revised sick leave data collection arrangements.

3.0 THE STANDARD DATA BASED MEASURES OF SAFETY PERFORMANCE

- 3.1 The two standard data based measures of safety performance that continue to appear in the appendices to these reports are:-

- incidence rate; and
- frequency rate.

Incidence Rate

The formula for calculating an annual incidence rate, as used by the Health and Safety Executive and also adopted for our purposes, is:

$$\frac{\text{Number of reportable injuries in financial year}}{\text{Average number employed during year}} \times 100,000$$

This gives the rate of RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) reportable injuries rate per 100,000 employees, per year. The formula makes no allowances for variations in part-time employment or overtime. And because it is an annual calculation and the figures need to be adjusted pro-rata if they cover a shorter period.

Because the statistics reported here are quarterly, such a pro rata adjustment is made. This being the case, it is also important to ensure that reported accidents and other safety incidents are correctly attributed to the quarter in which they occurred.

Frequency Rate

Frequency rates provide a more sophisticated analysis than do incidence rates. This is because, by counting the hours worked, rather than the number of employees, distortions are avoided that may otherwise be caused in the incidence rate calculations by part and full time working of employees and by overtime. Frequency rates can be calculated for any time period.

The calculation used for frequency rates in our statistics is:

$$\frac{\text{Number of injuries in the period}}{\text{Total hours worked during the period}} \times 100,000$$

(Some organisations use a multiplying factor one million, rather than one hundred thousand but with a factor of ten, confusion when comparing performance between organisations is unlikely because of this difference.)

4.0 THE STATISTICAL REPORT APPENDED

- 4.1 The statistical report for the first two quarters of 2006/7 forms the appendix to this report. As for previous quarters, both incidence and frequency rates are analysed to show separate figures for the four divisions of the Chief Executive's Department, the combined Chief Executive's Department, the Children's Services Department and separately the schools, the three remaining departments, and finally for the whole authority.
- 4.2 It is intended in future to continue to present the statistics largely in this manner, although some improvement in their actual presentation and layout may be in future possible to make the key points more clear.
- 4.3 As was indicated in an earlier quarterly report, the compilation of statistics is now being delayed until shortly prior to Health and Safety Consultative Group meetings. This ensures greater accuracy in the statistical measures used, by ensuring that all of the accidents and other safety incidents are included and that their outcomes, in terms of being reportable or not under RIDDOR, properly reflected.

5.0 COMMENTARY ON THE STATISTICS

- 5.1 The caution advised in earlier reports, concerning attempts to identify trends over a short period still applies and is worthy of further repetition here. As is the observation that, when producing statistics for fairly small groups of employees, such as the separate divisions of the Chief Executive's Department, a very small number of accidents could have a disproportionate effect on the recorded incidence and frequency rates.
- 5.2 Trends for the whole authority should provide more reliable indications though. In this instance, if the whole authority is considered, it will be seen that during the second quarter of 2006/7 there were only two RIDDOR reportable incidents, as against six in the preceding quarter. This gives an incidence rate of 2.41 and a frequency rate of 6.41, compared with 7.23 and 19.54 for the previous quarter. The incidence and frequency rates for the second quarter of 2005/6 were 3.61 and 9.75 respectively and for the whole of that year they were 6.61 and 17.87.
- 5.3 On the face of these figures, there appears to be a welcome improving trend in safety incident reduction. Still no firm conclusions should be drawn though, but it does begin to establish benchmarks against which future safety performance can be assessed.
- 5.4 As has also been pointed out more than once in previous reports, it is the parts of the authority in which higher risk operations are carried out (typically involving the use of vehicles, machinery and work at height) where reportable incidents are more likely to occur, and do occur. Overall this is probably a permanent and an inescapable reality but it does continue to indicate where the greatest effort and resources need to be expended in order to have the biggest impact on overall safety performance.
- 5.5 This is not to say however that the apparently lower risk areas of the Council's operation can be ignored. Risks of violence and aggression, habitual use of display screens and other factors affecting the wellbeing of employees must continue to receive adequate attention, as well as must the protection of employees from traumatic injury.

6.0 RECOMMENDATION

To note the report and provide comments on the statistics presented.

		BASEDATA 2006-2007		No of Quarters		2								
No.	Ref	Definition	Annual Target	ACE	CFO	CS	CPSO	CEX Overall	DACS	DChS	Schools	DNS	DRP	Whole Council
1		Number of HSE reportable occurrences involving employees												
		Apr - Jun	N/A	0	0	0	0	0	1	0	3	3	0	7
		Jul - Sep		0	0	0	0	0	0	0	0	3	0	3
		Oct - Dec		0	0	0	0	0	1	0	3	1	0	5
		Jan - Mar		0	0	0	0	0	1	1	2	2	1	7
		Apr - Sept		0	0	0	0	0	1	0	3	6	0	10
		Apr - Dec		0	0	0	0	0	2	0	6	7	0	15
		Apr - Mar		0	0	0	0	0	3	1	8	9	1	22
2		Number of HSE non reportable occurrences involving employees												
		Apr - Jun		4	0	0	0	4	43	0	20	10	2	79
		Jul - Sep		6	3	0	0	9	20	8	18	10	5	70
		Oct - Dec		1	2	0	0	3	47	0	33	9	6	98
		Jan - Mar		2	0	0	0	2	41	5	32	7	5	92
		Apr - Sept		10	3	0	0	13	63	8	38	20	7	149
		Apr - Dec		11	5	0	0	16	110	8	71	29	13	247
		Apr - Mar		13	5	0	0	18	151	13	103	36	18	339
3		Number of HSE reportable and non reportable occurrences involving employees												
		Apr - Jun		4	0	0	0	4	44	0	23	13	2	86
		Jul - Sep		6	3	0	0	9	20	8	18	13	5	73
		Oct - Dec		1	2	0	0	3	48	0	36	10	6	103
		Jan - Mar		2	0	0	0	2	42	6	34	9	6	99
		Apr - Sept		10	3	0	0	13	64	8	41	26	7	159
		Apr - Dec		11	5	0	0	16	112	8	77	36	13	262
		Apr - Mar		13	5	0	0	18	154	14	111	45	19	361

		CALCULATIONS												
4	H&S 1a	Annual Equivalent Incidence rate:HSE reportable occurrences per 1,000 FTE employees												
		Apr - Jun	N/A	0.00	0.00	0.00	0.00	0.00	14.57	0.00	54.31	9.18	0.00	8.40
		Jul - Sept		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9.18	0.00	3.60
		Oct - Dec		0.00	0.00	0.00	0.00	0.00	14.57	0.00	54.31	3.06	0.00	6.00
		Jan - Mar		0.00	0.00	0.00	0.00	0.00	14.57	33.33	36.21	6.12	5.72	8.40
		Apr - Sept		0.00	0.00	0.00	0.00	0.00	7.28	0.00	27.16	9.18	0.00	6.00
		Apr - Dec		0.00	0.00	0.00	0.00	0.00	9.71	0.00	36.21	7.14	0.00	6.00
		Apr - Mar		0.00	0.00	0.00	0.00	0.00	10.93	8.33	36.21	6.89	1.43	6.60
5	H&S 1b	Annual Equivalent Incidence rate:HSE non reportable occurrences per 1,000 FTE employees												
		Apr - Jun	N/A	501.72	0.00	0.00	0.00	58.35	626.48	0.00	362.09	30.60	11.44	94.75
		Jul - Sept		752.59	78.08	0.00	0.00	131.28	291.39	266.64	325.88	30.60	28.60	83.95
		Oct - Dec		125.43	52.05	0.00	0.00	43.76	684.76	0.00	597.45	27.54	34.32	117.53
		Jan - Mar		250.86	0.00	0.00	0.00	29.17	597.34	166.65	579.34	21.42	28.60	110.34
		Apr - Sept		627.16	39.04	0.00	0.00	94.81	458.93	133.32	343.98	30.60	20.02	89.35
		Apr - Dec		459.91	43.38	0.00	0.00	77.80	534.21	88.88	428.47	29.58	24.79	98.74
		Apr - Mar		407.65	32.53	0.00	0.00	65.64	549.99	108.32	466.19	27.54	25.74	101.64
6	H&S 1c	Annual equivalent Incidence rate:HSE reportable and non reportable occurrences per 1,000 FTE employees												
		Apr - Jun	N/A	501.72	0.00	0.00	0.00	58.35	641.05	0.00	416.40	39.78	11.44	103.14
		Jul - Sept	N/A	752.59	78.08	0.00	0.00	131.28	291.39	266.64	325.88	39.78	28.60	87.55
		Oct - Dec		125.43	52.05	0.00	0.00	43.76	699.33	0.00	651.76	30.60	34.32	123.53
		Jan - Mar		250.86	0.00	0.00	0.00	29.17	611.91	199.98	615.55	27.54	34.32	118.73
		Apr - Sept		627.16	39.04	0.00	0.00	94.81	466.22	133.32	371.14	39.78	20.02	95.35
		Apr - Dec		459.91	43.38	0.00	0.00	77.80	543.92	88.88	464.68	36.72	24.79	104.74
		Apr - Mar		407.65	32.53	0.00	0.00	65.64	560.92	116.66	502.40	34.43	27.17	108.24

7	H&S 2a	Annual Equivalent Frequency rate:HSE reportable occurrences per 100,000 hours worked	N/A											
		Apr - Jun		0.00	0.00	0.00	0.00	0.00	39.38	0.00	146.79	24.81	0.00	22.69
		Jul - Sept		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	24.81	0.00	9.72
		Oct - Dec		0.00	0.00	0.00	0.00	0.00	39.38	0.00	146.79	8.27	0.00	16.21
		Jan - Mar		0.00	0.00	0.00	0.00	0.00	39.38	90.08	97.86	16.54	15.46	22.69
		Apr - Sept		0.00	0.00	0.00	0.00	0.00	19.69	0.00	73.40	24.81	0.00	16.21
		Apr - Dec		0.00	0.00	0.00	0.00	0.00	26.25	0.00	97.86	19.30	0.00	16.21
		Apr - Mar		0.00	0.00	0.00	0.00	0.00	29.53	22.52	97.86	18.61	3.86	17.83
8	H&S 2b	Annual Equivalent Frequency rate:HSE non reportable occurrences per 100,000 hours worked	N/A											
		Apr - Jun		1356.01	0.00	0.00	0.00	157.70	1693.19	0.00	978.62	82.71	30.92	256.07
		Jul - Sept		2034.02	211.03	0.00	0.00	354.81	787.53	720.66	880.76	82.71	77.30	226.90
		Oct - Dec		339.00	140.68	0.00	0.00	118.27	1850.69	0.00	1614.72	74.44	92.75	317.66
		Jan - Mar		678.01	0.00	0.00	0.00	78.85	1614.44	450.41	1565.79	57.90	77.30	298.21
		Apr - Sept		1695.02	105.51	0.00	0.00	256.26	1240.36	360.33	929.69	82.71	54.11	241.48
		Apr - Dec		1243.01	117.24	0.00	0.00	210.26	1443.80	240.22	1158.03	79.95	66.99	266.87
		Apr - Mar		1101.76	87.93	0.00	0.00	177.41	1486.46	292.77	1259.97	74.44	69.57	274.71
9	H&S 2c	Annual Equivalent Frequency rate:HSE reportable and non reportable occurrences per 100,000 hours worked	N/A											
		Apr - Jun		1356.01	0.00	0.00	0.00	157.70	1732.56	0.00	1125.41	107.52	30.92	278.76
		Jul - Sept		2034.02	211.03	0.00	0.00	354.81	787.53	720.66	880.76	107.52	77.30	236.62
		Oct - Dec		339.00	140.68	0.00	0.00	118.27	1890.07	0.00	1761.52	82.71	92.75	333.86
		Jan - Mar		678.01	0.00	0.00	0.00	78.85	1653.81	540.50	1663.65	74.44	92.75	320.90
		Apr - Sept		1695.02	105.51	0.00	0.00	256.26	1260.05	360.33	1003.09	107.52	54.11	257.69
		Apr - Dec		1243.01	117.24	0.00	0.00	210.26	1470.06	240.22	1255.90	99.25	66.99	283.08
		Apr - Mar		1101.76	87.93	0.00	0.00	177.41	1515.99	315.29	1357.83	93.05	73.43	292.54

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

Report to Portfolio Holder
29th January 2007



Joint Report of: Chief Personnel Services Officer and the Secretary to the
Hartlepool Joint Trades Union Committee

Subject: HEALTH AND SAFETY PARTNERSHIP AGREEMENT – FIRST
ANNUAL JOINT REVIEW

SUMMARY

1. PURPOSE OF REPORT

To present the findings of a review of the Hartlepool Borough Council and Hartlepool Joint Trades Union Committee Health and Safety Partnership Agreement, which has been carried out by representatives of the two parties to the agreement.

2. SUMMARY OF CONTENTS

The report outlines the review process, which considered each of the seven sections of the agreement and assessed how well the requirements of each has been met and what changes in the agreement might be necessary. Where changes or other action were agreed to be necessary, these are also outlined.

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

To note the report and comment and to comment on the findings of the review and proposed actions arising from these.

Joint Report of: Chief Personnel Services Officer and the Secretary to the Hartlepool Joint Trades Union Committee

Subject: HEALTH AND SAFETY PARTNERSHIP AGREEMENT – FIRST ANNUAL JOINT REVIEW

1.0 PURPOSE OF REPORT

- 1.1 To present the findings of a review of the Hartlepool Borough Council and Hartlepool Joint Trades Union Committee Health and Safety Partnership Agreement, which has been carried out by representatives of the two parties to the agreement.

2.0 BACKGROUND

- 2.1 At the instigation of the HJTUC, and with the full support of HBC, the Health and Safety Partnership Agreement (the Agreement) was drawn up and came into effect during November 2005. The Agreement document contains a requirement for its periodic review, this to be carried out jointly and normally annually.
- 2.2 The completion of the Agreement formalised and strengthened pre-existing arrangements for consultation and collaborative working on health and safety matters within the authority. The former arrangements were good and of long-standing but less structured and not so wide ranging as those facilitated by the new agreement.
- 2.3 With the Agreement in place, it became possible to move forward jointly with the promotion of health and safety and to do so against measurable aims. This was to be made possible by the annual review that formed a part of the Agreement, the review being required to cover both its functioning and its content.

The text of the Agreement forms an appendix to this report.

3.0 THE REVIEW METHODOLOGY

- 3.1 A review meeting was held on 4th January 2007. The Health and Safety Adviser, represented HBC, the Secretary to the HJTUC and two colleagues represented the HJTUC. The content and operation of each of the seven sections of the Agreement was considered, using the questions that appear in 4.0 below. The findings of the review, as summarised in 4.0 below, were made and agreed at the review meeting and subsequently, together with proposed actions outlined in 5.0 below.

4.0 THE FINDINGS OF THE JOINT REVIEW

- 4.1 The findings of the review were generally positive, although it was acknowledged that more time is required in order to fully implement every aspect of the Agreement. It was agreed that a good start had been made in its first full year of operation and that there is still considerable potential for the HBC and the HJTUC to jointly contribute to the achievement of further improved standards of health, safety and employee well-being and for this to be reflected in actual safety performance figures.

The full text of the joint review document forms an appendix to this report.

5.0 PROPOSED ACTIONS ARISING FROM THE REVIEW

5.1 Dissemination of Safety Information

Concern that dissemination of information on safety has still to be improved will be addressed in the first instance in three ways, each of which is intended to disseminate more widely information on health, safety and wellbeing matters and to link together more fully the three tiers of the safety consultation structure that are a core element of the Agreement.

- The minutes of every department, division or section safety committee meeting will be posted on the staff info section of the HBC intranet. This will make a record of the deliberations of safety committees available to a much wider section of the workforce and also facilitate elected members in this respect, who have previously had access to these minutes only via hard copies placed in the members' library.
- Discussion of the Decision Record of each immediately preceding Health and Safety Consultative Group meeting will also be added to the agenda of every department and division or section safety committee meeting. This will ensure that the lower tier committees remain informed of activities at corporate level meetings and of the reports that are received each quarter by the Consultative Group.
- Each meeting of the Health and Safety Consultative Group will receive a report on meetings of committees of the two lower tiers that have been held during the preceding quarter, including a synopsis of the business that has been transacted. This will ensure that safety concerns, actions taken, consultation responses and ideas that are generated in the lower tiers are also considered at corporate level. Further that, via the Consultative Group's Decision Records, the lower tier committees will be able to see that their work is being noted and has influence on deliberations at the corporate level.

5.2 Requirement for a Register of Safety Representatives

In preparation for the review meeting, the HJTUC representatives were requested to provide a current list of all of the safety representatives appointed by each of the unions, together with their dates of appointment, dates of when their training as safety representatives was completed, or of future training dates that have been arranged for them.

It was found that this information is not held by HJTUC, only by the separate unions in relation to their own safety representatives. It also was found that the Human Resources Division of HBC holds a list of all of the appointments, made by each of the unions and that this list includes safety representatives.

However, on comparing the Human Resources list with that held by two of the HJTUC's unions, it was seen that there were significant discrepancies in the numbers of safety representatives recorded.

It was agreed that a comprehensive and frequently updated, register of current safety representatives is a basic requirement, necessary for the proper and effective operation of the Agreement. The Health and Safety Adviser and the HJTUC Secretary undertook to work together to achieve the objective of creating and maintaining such a register.

5.3 Recruitment of Additional Safety Representatives

Although the number of trade union appointed safety representatives currently appointed could not be established precisely during the review, there was agreement that there is an insufficient number to cover all of the Council's workplaces and employees. It was therefore agreed that the HJTUC should conduct a recruitment campaign. It was felt that this must be organised and led by the trade unions but that it should be visibly supported and encouraged by HBC.

5.4 Amendment to Section 6 of the Partnership Agreement

The Health and Safety Adviser undertook to ensure that a minor amendment to section 6 of the Agreement is made and that the document is re-published as required. The amendment was agreed so as to ensure that the role of safety representatives is properly represented in the text of the Agreement, as being distinct from actions required to be taken by managers in dealing with identified hazards.

5.5 Safety Representatives' Participation in Safety Inspections

One of the functions that safety representatives may exercise is to participate in safety inspections. The review found little evidence of this occurring however, at least in relation to the programme of regular inspections carried out by the Council's safety officers. It was agreed that, as an interim measure, the Health and Safety Adviser should investigate the possibility of requiring managers to confirm that they have invited safety

representatives to join inspections (where they have been appointed for the workplace concerned). (In the longer term, when a comprehensive and up-to-date register is available, safety representatives can be invited directly to join inspections, at the time of bookings being confirmed.)

5.6 Facilities for Safety Representatives

The review concluded that, in general, safety representatives are being provided with the facility entitlements required to carry out their roles. The exception to this, in some cases, is internet access, which may be required for research work, for example in relation to inspections or investigations. It was agreed that the Health and Safety Adviser and the HJTUC Secretary should collaborate in seeking to have arrangements made for newly appointed safety representatives, who do not have internet access at work, to be provided with an HBC IT identity and, if they require it, basic training on the use of the internet.

5.7 Annual Joint Review

It was agreed that the joint reviews of the agreement should continue to be carried out annually.

6.0 RECOMMENDATION

- 6.1 To note the report and comment and to comment on the findings of the review and proposed actions arising from these.

Hartlepool Borough Council

And

Hartlepool Joint Trades Union Committee

Health & Safety Partnership Agreement

1. Introduction

Hartlepool Borough Council (HBC) and its recognised trade unions, through the Hartlepool Joint Trades Union Committee (HJTUC), agree to work in partnership in order to further improve the health and safety performance of the authority. HBC and HJTUC will work together to implement the provisions of Section 2(2c) of the Health and Safety at Work Act 1974, the Management of Safety at Work Regulations 1999, the Safety Representatives and Safety Committee Regulations 1977 and all other relevant legislation. Moreover they will reflect the strategic direction of both the Government and the Health and Safety Executive to encourage employers and trade unions to work in partnership on health and safety issues.

There are six guiding principles that provide a framework for this co-operation:

- Commitment to build a better working environment alongside a better business environment;
- Recognising and respecting the legitimate interests of the partners to this agreement and to develop co-operation at all levels of the authority;
- Commitment to reducing absence from work and the need for dismissals on grounds of occupationally related ill health or injury, encompassing the principles of prevention of harm, early referral and rehabilitation;
- Focus on the quality of the working environment covering welfare, occupational health, job design, and safety in the workplace;
- Openness and transparency on all relevant health and safety matters, with genuine consultation in good time and a commitment to work together to jointly develop solutions in a timely manner;
- Adding value and realising goals so that these arrangements deliver more than just words on paper.

An improved health and safety performance, consistent throughout the organisation, is the objective of this partnership agreement.

2. Information for Employees

Section 2(2c) of the Health and Safety at Work Act 1974 requires that employers should provide such information, as well as instruction, training and supervision, to ensure, so far as is reasonably practicable, the health and safety of employees. The duty is made more explicit in The Management of Health and Safety at Work Regulations 1999.

The information provided should include not only bringing to the notice of employee the written statement of general policy for health and safety and the organisation and

arrangements that affect them but also a range of other information, especially for health and safety representatives, including information:

- About plans and performance and any changes affecting health and safety;
- Of a technical nature about hazards and the precautions to be taken;
- Concerning injury accidents, dangerous occurrences and other near misses;
- On measurements and monitoring undertaken to check the effectiveness of health and safety arrangements;
- On the occupational health programme.

3. Health and Safety Consultative Arrangements

The arrangements set out in this section of the agreement deal with the establishment of health and safety committees, at corporate, departmental and divisional or section levels. Apart from the implementation of the Safety Representatives and Safety Committees Regulations 1977, the arrangements will also take into account of the Advisory, Conciliation and Arbitration Service code of practice on Time Off for Trade Union Duties and Activities and the Guide to the Health and Safety (Consultation with Employees) Regulations 1996.

HBC is committed to full and open consultation on health, safety and welfare matters that relate to its employees. The aims of these consultative arrangements are to:

- Promote the highest standards of health, safety and welfare within HBC's operations and in relation to its emissions;
- Promote co-operation between management and trades unions to implement effective health and safety management systems;
- Facilitate consultation, at the appropriate level, in respect of proposed changes to working practices, procedures and risk assessments;
- Provide appropriate opportunities for the discussion of health, safety and welfare matters in a spirit of partnership.

The aims of the arrangements at corporate, departmental and division or section levels are principally concerned with:

- Development and implementation of policies and procedures;
- Monitoring;
- Consultation;
- Communication.

While most discussion will centre on HBC employees, where appropriate consideration will be given to matters relating to contractors and members of the public.

Under the four heading above, the following matters will be considered.

Development and Implementation:

- Health and safety policies, procedures, rules and guidance etc. for the authority as a whole;
- Training programmes for health and safety representatives and other employees;
- Advice on safety communication and publicity throughout the authority;
- Providing a link with other outside organisation on good practice.

Monitoring:

- Accident, safety incident and health trends and statistics;

- Perceived deficiencies in practice, procedures or planning.

Consultation:

- Responses to requests for comments on draft policies, procedures etc.;
- Procedures, risk assessments or guidance on new equipment or work methods;
- Training for managers and health and safety representatives.

Communication:

- Discussion of health and safety matters of mutual interest;
- Dissemination of the business matters and decisions of the committee to the employees represented;
- Promotion of good health and safety standards for the employees represented.

4. Membership of Health and Safety Committees

To ensure that health and safety matters are fully discussed and properly dealt with, membership will include the relevant senior managers responsible for the health and safety of employees, health & safety officers and Health and Safety Representatives appointed by the trade unions. All such Health and Safety Representatives will be recognised as equals by HBC and be afforded the same facilities and rights.

A broad outline of the consultative structure, membership and attendance, at each level is as follows:

Level	Trades Union	HBC	Chair
corporate committee (this function undertaken by the Portfolio Holder's Health and Safety Consultative Group)	3 x HJTUC representatives 3 x Health and Safety Representatives with specific expertise national or regional officers, as required (with advisory status)	Portfolio Holder 2 x other elected members Chief Personnel Services Officer Health and Safety Adviser and/or other safety officers Other officers as required by business	2 x joint chairs (1 each nominated from amongst the HBC and trades union members)
departmental committees	Health and Safety Representatives from each division, section etc. committee	Director and other senior officers Health and Safety Adviser and/or other safety officers other department officers as required by business	2 x joint chairs (1 each nominated from amongst the HBC and trades union members)
division, section etc. committees of departments	Health and Safety Representatives for the workplaces covered	Division, section etc. manager/s others department officers as appropriate safety officer/s as required	2 x joint chairs (1 each nominated from amongst the HBC and trades union members)

National and regional full time officers of recognised trades unions and other HBC officers or external specialists with required expertise may also attend the meetings, by agreement as appropriate and in a co-optee or observer capacity.

Membership of departmental and of division, section etc. committees may be varied by agreement within the committee.

5. Terms of Reference

Health and Safety Consultative Group (the corporate committee):

- The group will normally meet quarterly;
- The authority and the trades unions will each appoint a chair and the chairing of the meetings will be undertaken in rotation;
- The authority and the trade unions will each appoint a joint secretary;
- The joint secretaries and the joint chairs will agree the agenda and minutes of meetings;
- The group may decide to establish sub-groups or working parties, as and when the need arises;
- Agenda items must be in conformity with the aims of the group, below.

The aims of the group will be to:

- Promote the highest standards of health and safety throughout the authority and to a consistent level;
- Assess the health and safety performance of the authority as a whole and, where possible, make comparison with other relevant organisations;
- Consult on the development of corporate health and safety policies, processes, procedures and guidance;
- Consider the best strategic approach to health and safety management, performance improvement and the authority's duty of care to its employees;
- Consider and assess health and safety developments outside the authority, including best practice, new legislation or Health and Safety Executive initiatives.

Items for agendas may be referred to the joint secretaries, by the authority's management, trade unions, and departmental and division, section etc. health and safety committees.

Departmental Health and Safety Committees

- These committees will normally meet quarterly;
- The authority and the trade unions will each appoint a chair and the chairing of the meetings will be undertaken in rotation;
- The authority and the trades unions will each appoint a joint secretary;
- The joint secretaries and the joint chairs will agree the agenda and minutes of meetings;
- Agenda items must be in conformity with the aims of the committee, as below.

The aims of these committees will be to:

- Promote the highest standards of health and safety throughout their department and to a consistent level;
- Consider and encourage co-operation in all matters relating to the health and safety at work of all employees working in their department and any other persons who may be affected by its activities, including contractors and members of the public;
- Consider matters arising from new health and safety legislation or new procedures, rules, guidance referred internally from a corporate level;
- Contribute to the development of new internal procedures, rules, guidance etc. by responding to consultation requests;

- Contribute to the prevention of work related accidents, incidents and ill health by regular monitoring the health and safety performance of their department, and making recommendations to the Health and Safety Consultative Group of any remedial actions;
- Review the health and safety training needs and resource implications of Health and Safety Representatives, managers and employees generally and to make recommendations to the Health and Safety Consultative Group as appropriate.

Agenda items may be referred by management, trade unions, Health and Safety Representatives and the Health and Safety Consultative Group.

Division, Section etc. Health and Safety Committees

- These committees will normally meet at least four times a year;
- The authority and the trades unions will each appoint a chair and the chairing of meetings will be undertaken in rotation;
- The authority and the trades unions will each appoint a joint secretary;
- The joint secretaries will agree the agenda and minutes of meetings;
- Agenda items must be in conformity with the aims of the committee, as below.

The aims of these committees will be to:

- Consider and discuss health and safety issues of local concern, so as to promote a common purpose, strengthening local ownership of these matters;
- Act as a focus for ideas and to develop initiatives to improve health and safety performance and for the resolution of health and safety issues;
- Receive reports on and discuss local accidents, facilitate inspections and make appropriate recommendations to management;
- Assist in the communication of information and consultation with employees on health and safety matters relating to the work group concerned.

Agenda items may be referred by management, trades unions, Health and Safety Representatives, the departmental health and safety committee and the Health and Safety Consultative Group.

6. The Roles Health and Safety Representatives and Their Appointment

The arrangements set out below for Health and Safety Representatives aim to implement the Safety Representatives and Safety Committees Regulations 1977 as amended by the Management of Health and Safety at Work Regulations 1999. The functions and rights of Health and Safety Representatives are adequately set out in the regulations and their accompanying Approved Code of Practice and guidance and these should be referred to if required.

Within the authority, Health and Safety Representatives have both consultative and representational roles and functions that include, workplace inspection, accident and safety incident investigation and the provision of advice and information.

Health and Safety Representatives are an integral part of HBC's strategy for the management of health and safety and, together with the locally based managers, it is recognised that they can have a material beneficial effect on the health and safety standards that exist in workplaces.

Election of Health and Safety Representatives

Health and Safety Representatives must be appointed by one or more of the recognised trades unions. Each division, section etc. Health and Safety Committee will agree the number of health and safety constituencies relevant to its circumstances. It should also agree the numbers of Health and Safety Representatives per constituency and the extent of their coverage. The trades unions will notify HBC of all Health and Safety Representatives appointed and the joint secretaries of the Departmental and Division, Section etc. Health and Safety Committees will compile and maintain a register of accredited Health and Safety Representatives.

All appointed Health and Safety Representatives will agree to undergo a trades union recognised course of training within one year of appointment, and maintain their knowledge through ongoing development. Until properly trained, all Health and Safety Representatives will carry out their functions in conjunction with another representative who has undergone the training.

Workplace Inspections

Health and Safety Representatives will, once trained, make regular, (normally quarterly), inspections of the workplaces within their constituencies. At least annually a joint inspection should be done along with the relevant manager responsible for health and safety.

Arising from a workplace inspection, Health and Safety Representatives should complete a Workplace Inspection Report Form, and hand this to the relevant manager. This inspection report should identify all areas of concern arising from the inspection. In response the manager will be expected to consider the issues raised and, if necessary, to discuss them directly with the Health and Safety Representative. The manager will make a written response to the Health and Safety Representative rep within a reasonable time (normally within ten working days) with the details of the remedial actions to be taken. (Where a hazard has been identified that requires urgent attention, the Health and Safety Representative together with the manager responsible will take the necessary actions to make the workplace safe.)

Access to Information for Monitoring Purposes

Health and Safety Representatives will be given an appropriate level of access to the authority's systems, consistent with the extent and coverage of their functions. Members of the Health and Safety Consultative Group will be afforded access to statistics for the whole of the authority.

Accident and Incident Investigations

Health and Safety Representatives will be informed of accidents and incidents that occur in their constituencies. Once they have received appropriate training, time off with pay will be granted to the Health and Safety Representatives to allow them to investigate the cause of the accidents and other safety incidents and full access will be given to the relevant employees, witnesses and records. This will normally be carried out on a joint basis with the management appointed accident investigator.

It is recognised and accepted that in cases involving death, serious injury or illness, the Health and Safety Representatives may need to compile an independent report on behalf of the trades unions.

Facilities for Health and Safety Representatives

Health and Safety Representatives will be provided with the appropriate facilities to enable them to carry out their role. These will normally include:

- Paid time off for performance of function outlined above;
- Secure storage space for files;
- Access to a telephone, fax e-mail and internet/intranet link;
- Attendance at approved health and safety training courses, without financial detriment.

7. Review of Partnership Agreement

HBC and HJTUC will periodically carry out joint reviews of the content and functioning of this agreement. These reviews will normally be carried out annually and any changes to the agreement that may jointly be agreed will be made and published.

Joanne Machers
Chief Personnel Services Officer
HBC

Edwin Jeffries
Secretary
HJTUC

HBC & HJTUC H&S Partnership Agreement

First Annual Joint Review

A review meeting was held on 4th January 2007, attended by David Quainton, Health and Safety Adviser, representing HBC, with Edwin Jeffries, Malcolm Sullivan and Garry Moyle representing the HJTUC

The content and operation of each of the seven sections of the agreement was considered, using the following questions. The notes made are intended to fairly represent the consensus of views of the participants in the meeting.

1. Introduction

a. To what extent have the six guiding principles been observed and implemented by the parties?

- Respect for the parties' separate interests is working acceptably well.
- Commitment to reducing absence is strong but slowness in occupational health referrals sometimes inhibits effectiveness.
- Regarding quality of the working environment, improvements in stress management were noted.
- There is a good level of openness and transparency regarding health and safety.
- There is a good level of commitment to adding value and realising goals and a noted improvement in achievement in all areas.
- Regarding the overall agreement objective, of improved safety, it was noted that the introduction during 2005 of quarterly statistical performance data now provides a means of measuring and comparing performance.

b. Are any changes to these principles required?

- No changes are required to the text of the agreement.

2. Information for Employees

a. To what extent has the information required been made available and effectively disseminated?

- The flow of information has been improved but a further review is required to assess how well it is disseminated throughout the authority, to safety representatives and the wider employee groups. It is expected that some improvements are required in this respect.

b. If necessary, what improvements should be made to improve the flow of information and its use to improve health and safety arrangements?

- A review of the effectiveness of dissemination of information should be carried out via safety committees and further action taken as required.

3. Health and Safety Consultative Arrangements

a. To what extent have the aims of the consultative arrangements been met?

- Subject to the shortage of safety representatives (referred to in 6. below) and while a considerable amount remains to be achieved, a good start has been made on putting into place the consultative arrangements called for in the agreement.

b. Are any changes or additions required to the matters that were to be considered under the consultative arrangements?

- No changes are required to the text of the agreement.

4. Membership of Health and Safety Committees

a. Have meetings of all safety committees been attended with reasonable consistency by the relevant senior managers, health and safety officers and safety representatives appointed by trade unions?

- The corporate committee (H&S Consultative Group) meeting are well attended by all the parties concerned.
- The present arrangement negates the partnership agreement's requirement for joint chairing of the meetings as, being a Portfolio Holder's meeting, it cannot really be chaired by a trades union representative.
- An analysis produced by the Health and Safety Team of the activities of departmental and division or section health and safety committees operating within the Council's five departments was used at the meeting to facilitate the review of these two lower tiers of committees.
- From this analysis it appeared that, while the lower tier meetings are held reasonably regularly, there is a wide divergence in the effectiveness of the operations of these safety committees.
- Some are well attended by both management and employee representatives, some clearly are not.
- In some cases there is confusion as to whether particular officers attend as management or as employee representatives (they can't be both).
- In some cases there is inadequate attendance by trade union appointed safety representatives (see 6. below) but employee representation is often provided by other suitable officers, although not union appointed.

- Insufficient trade union representation at some departmental, division and section committees has meant that the joint chairing of these committees has generally not taken place but is undertaken by a management representative.
- Attendance of lower tier meetings by safety officers, in a professional support capacity, appears to be provided consistently to each committee.

b. If not, which committees have not been properly attended, what has prevented this and how could improvements in attendance be secured?

- The analysis of committee meetings produced by the Health and Safety Team was to be sent to the HJTUC representatives' additional comments and correction of any inaccuracies of which they could identify.

c. To what extent has the facility for meetings to be attended, as co-optees or observers, by union officers and others been used?

- This has not yet been used in any of the three tiers of the committee structure but it is felt to be an important and valuable facility, which should be retained for possible future use.

5. Terms of Reference

a. Are the terms of reference for the three levels of committees still appropriate?

- Yes, these are still felt to be appropriate.

b. Are any changes or additions required to the terms of reference?

- No changes or additions are felt to be required.

c. Are appropriate agenda items submitted from all of the possible sources identified?

- At corporate level, agenda items are usually agreed between the Chief Personnel Services Officer, Health and Safety Adviser and HJTUC Secretary, which in practical terms is effective but does not satisfy the letter of agreement's terms of reference.
- It is felt that, in most cases at the lower tier committee levels also, agenda setting probably does not happen as required by the agreement.
- However, there was no strongly expressed desire to take any action on this point.

6. The Roles of Health and Safety Representatives and Their Appointment

a. Are a suitable number of appropriate appointments of safety representatives made to cover the whole of the authority's operations?

- Not in all cases.

b. If not, what has prevented this and how could improvements in appointments and retention be made?

- The difficulty of persuading officers to take up the role.
- A new recruitment campaign should be mounted by the trades unions, visibly assisted and encouraged by HBC.

c. Are arrangements in place which ensure that safety representatives undergo the required training, within a year of their appointment?

- Yes.

d. If training is not being carried out in accordance with the agreement, how can this be rectified?

- Question not applicable

e. To what extent have safety representatives carried out their functions, in relation to inspections and investigations?

- Not extensively – there is room and need for much greater involvement.
- A minor amendment to the text was agreed in relation to inspections, so as to ensure that the role of a safety representative involves only functions and not duties, in accordance with the Safety Representatives and Safety Committees Regulations 1977. The amendment is in section 6, to the last sentence of second of the paragraphs that are headed Workplace Inspections. It should now read “(Where a hazard has been identified that requires urgent attention, in consultation with the safety representative, the manager responsible will take the necessary actions to make the workplace safe.)”.

f. What further improvements could be made to facilitate such inspections and investigations?

- Safety representatives should be advised of inspections as bookings are made.
- Consideration should be given to amending the Safety Incident Report Form, to include a requirement for the manager or supervisor concerned to indicate that they have informed the relevant safety representative and to name that person as verification of this - or, where there is no safety representative, the manager is to indicate this on the SIRF.
- The Health and Safety Adviser undertook to investigate making these changes and to report back to the HJTUC Secretary on progress made.

g. Are safety representatives generally given access to information for monitoring purposes in accordance with the agreement?

- Generally yes but see 6i. below.

h. If not, what has prevented this and how could provision of such information be secured?

- Question not applicable.

i. Are safety representatives normally provided with the facilities outlined in the agreement, with which to carry out their role?

- Generally yes, except for some of those who do not usually have internet access at work.

j. If not, what has prevented this and how could provision of these facilities be secured?

- Where they do not normally have internet access at work, safety representatives should be provided on appointment with an IT identity and (if they require it) basic training on the use of the internet.

7. Review of Partnership Agreement

a. Should joint reviews of the agreement continue annually?

- Yes, though it must be recognised that full implementation of the Partnership Agreement has to be worked towards operationally. Good progress has been made in its first year of operation and an annual review of further progress should continue to be a feature of it.

b. If not, what frequency would be more appropriate?

- Question not applicable.

Hartlepool Trades Union Council

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Workers Memorial Day Service & Wreath Laying Ceremony 2007 Update on arrangements.

The service will take place on Saturday 28th April 2007, 12.30pm, Christchurch TIC & Art Gallery, Church Square, Hartlepool and the laying of the wreaths will follow at the International Workers Memorial in Church Square, Hartlepool.

The honoured guests include:-

Rodney Bickerstaffe (ex General Secretary, UNISON)
Cllr C Richardson, Chairman, Hartlepool Borough Council
Barbara Kinnell, Hartlepool and District Asbestos Support Group
NTUC speaker on 'Occupational Cancers'.
Iain Wright MP
Cleveland Fire Brigade – representatives.
Industrial Chaplain to officiate.
Bereaved family members.

The themes for the 2007 International Workers Memorial Day under the banner of 'Unionised Workplaces – Safer Workplaces' include 'Occupational Cancers'.

Remember the Dead:-

Those workers who have lost their lives through Industrial Accident or Disease are not publicly remembered on any other day

Fight for the Living

Campaigning for better Health & Safety so workers don't die or get maimed or killed by occupational accident, illnesses or disease.

HTUC are looking at ways of publicizing the event with Alan Wright, Media Consultant and Reverend Michael Gilbertson, Churches Together.

Edwin Jeffries
President
HTUC.

NB:- History of International Workers Memorial Day attached.

April 28th - Workers Memorial Day

Dead, but not forgotten

"The Westray story is a story of incompetence, of mismanagement, of bureaucratic bungling, of deceit, of ruthlessness, of cover-up, of apathy, of expediency and of cynical indifference". Mr Justice K. Peter Richard, Commissioner, Westray Mine Public Inquiry.

Above all else, the Westray story is a story of preventable tragedy. Most occupational injuries, diseases, and deaths are preventable. Unfortunately in many workplaces throughout the world a commitment to prevention remains less of a priority than other corporate goals.

Nowhere was this more evident than at Westray. On May 9th 1992, 26 miners employed at Westray mine in Pictou County, Nova Scotia were killed as a result of a methane gas explosion.

A two-year public inquiry into the disaster, headed by Justice K. Peter Richard, found many disturbing facts. In his findings Justice Richard wrote: "The evidence before this inquiry compels but one conclusion – the Westray operation defied the fundamental rules and principles of safe mining practice. Management failed to adopt and effectively promote a safety ethic underground. Instead, management, through its actions and attitudes, sent a different message – Westray was to produce coal at the expense of worker safety".

As many are aware, this is not a unique story. The International Confederation of Free Trade unions (ICFTU) estimates more than 1.2 million workers die each year from unsustainable forms of production. This amounts to 3,300 per day. Approximately 335,000 of these deaths result from occupational accidents, 12,000 of which claim the lives of children. 325,000 are due to occupational diseases most of which result from exposure to hazardous substances. Another 300,000 cases per year are unaccounted for. In addition over 160 million new cases continue to be reported each year about workers who are injured or get work related diseases.

Although no country can lay claim to not having anyone die, countries where trade union rights are least respected tend to be those where workplace death and injuries are highest. In 1998 alone, 123 trade unionists were murdered, 1,650 attacked or injured, 3,660 arrested, and a massive 21,427 sacked for trade union activities.

This is the tip of the iceberg. Studies related to the documenting and reporting of accidents or injuries show a great proportion of cases that never reported. For each reported case about another ten are not. A doubling or tripling of official fatality or injury estimates might more accurately reflect the real situation.

Responding to this epidemic, Canadian trade unionists established a day of remembrance for all victims of work related injuries, diseases and fatalities. The Canadian Labour Congress (CLC) first declared April 28th, Canada's National day of Mourning, in 1984.

It was on this day in 1914 that the Ontario Legislature enacted Canada's first comprehensive Workers Compensation Act. The Day of Mourning has now been officially recognised by the federal government, each province and by thousands of municipalities across the country. This

day is increasingly recognised by trade unions, social justice groups and concerned citizens around the world. In fact events are now held in communities in more than 90 countries.

The way we mark this day is evolving. Sponsored by District Labour Councils and trade councils across Canada, Day of Mourning events initially consisted of simple ceremonies where workers and their families gathered at a prominent location in the community such as City Hall or Municipal Park. Individuals spoke about the meaning of the day and a moment of silence observed.

Through efforts of an increasing number of committed activists, surviving family members, friends, neighbours, students and other concerned citizens, commemoration continues, but now in many different ways. Each April 28th, church bells ring, candles are lit, black armbands worn, wreaths are laid, trees are planted, flags hang at half-staff and workers put down their tools to remember and recommit.

Mourning the dead is an important part of this day. Fighting for the living, however, is also of utmost importance. For many, this day marks the beginning of a new year in which they will initiate actions in their workplaces and communities aimed at ending the preventable tragedies and suffering.

Throughout the year, workers, unions and social justice groups are initiating public education campaigns. These efforts often focus on issues like occupational disease and the ongoing contamination of our communities by the same toxins to which workers are exposed in the workplace. These campaigns have fuelled public interest. As events grow and the community gets more involved local media has increased their coverage of the Day of Mourning events. This translates into even greater public awareness.

Although not a new practice, health and safety activists, surviving family members and other concerned citizens have also undertaken campaigns to raise funds in order to erect monuments in prominent locations within their communities. Once erected, these monuments become the focal point for Day of Mourning events. Equally important they become educational tools for the entire community throughout the year.

Whether a monument is an anonymous tribute to fallen workers or memorialises a specific tragic event is of less significance than the general message it attempts to convey. It is a message of remembrance and sadness but also of hope. Hope that we can achieve safer and healthier workplaces and communities.

Bloodshed in the workplace

How should we look at the carnage in the workplace?

Well, we could say that if 1.2 million workers who were slaughtered in the workplace in a year were to hold hands, they would form a human chain many miles long. Of course we know that the dead don't hold hands, so we can't use this form of measurement.

However, the blood that has been shed in the workplace can be measured by something we can all understand. For example an average worker's body holds 10 pints of blood. Then based on the statistics, the 1.2 million workers killed in one year spilled an amount of blood equal to 12 million pints.

2.5

How can we determine how much blood that really is? Well, in Canada, for instance, the Canadian Blood Services (Red Cross) uses 500,000 pints of blood a year. So, if we take the 12 million pints of blood that has been shed in the workplace and divide by 500,000, it would equal enough blood to stock Canada's blood bank for the next 24 years.

Another way to calculate how much blood that has been needlessly spilled is to figure out how many lives it could save. For example, one pint of blood can save up to four lives. Therefore 12 million pints would have the potential of saving 48 million lives. That amounts to enough blood to save 17 million more people than the total population of Canada. However this blood will not save one life, it is gone forever.

THINK ABOUT IT! The madness has got to stop.

History behind International Workers Memorial Day

The Canadian Union of Public Employees became pioneers in 1984 when their National President, Jeff Rose announced at CUPE's National health and Safety Conference in Vancouver the establishment of a Day of Mourning for workers who had been killed or injured on the job.

Delegates at the 1986 Canadian Labour Congress Convention followed suit and passed a resolution calling for the recognition of April 28th for the Day of Mourning. This particular day was chosen because it was on that day in 1914 that the province of Ontario passed the first Workers Compensation Legislation in Canada.

In the later part of 1990, New Democratic Party MP Rod Murphy (Churchill) introduced a private member's Bill calling for the government of Canada to recognise April 28th. After receiving full party support, Murphy's bill was passed into law with Royal Assent on February 1st, 1991.

History was made; Canada officially became the first country in the world to recognise April 28th as the Day of Mourning. As we enter into the year 2000, Canadian workers should be pleased to know that the Day of Mourning is now practiced by trade unionists in over 80 countries worldwide.

(above extracts taken from Dead, But Not Forgotten - Morts, mais pas oubliés by Ed Thomas)