

# STIRLING COUNCIL

## MINUTES of MEETING of the HEALTH AND SAFETY PANEL held in the COUNCIL CHAMBER, MUNICIPAL BUILDINGS, STIRLING on MONDAY 27 April 2015 at 2.00 pm

### Present

Councillor Callum CAMPBELL (in the Chair)

Councillor Graham HOUSTON

Councillor Corrie MCCHORD

Councillor Christine SIMPSON

### Trade Union Representatives

Richard Barron, UNISON  
Abigail Robertson, UNISON  
Brian Wilson, GMB  
Lorraine Thomson, UNISON

### Officers

Michael Boyle, Education Business Support Manager, Children, Young People & Education  
David Bright, Resilience & Risk Manager, Corporate Operations  
Elaine Brown, Substance Development Officer, Communities and Partnerships  
Colin Duncan, Insurance Team Leader, Corporate Operations  
Kristine Johnson, Chief HR Officer, Corporate Operations  
Kirsty Leishman, Trainee HR Adviser, Corporate Operations  
Susan Lyon, Health & Safety Support Officer, Social Services  
Amie McIntyre, HR Intern, Corporate Operations  
Norman McLeod, Health & Safety Officer, Housing and Environment  
John McMillan, Housing Property Manager, Housing and Environment  
Linda Melville, Service Manager, Social Services  
Nick Sabo, Corporate Health & Safety Adviser, Corporate Operations  
Seonaid Scott, HR Adviser, Corporate Operations  
Margaret Wallace, Communities Manager, Communities and Partnerships  
Gregor White, Communications, Marketing & Events, Chief Executive's Office  
Helen Geddes, Corporate Operations (Clerk)

### HS111 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillor Fergus Wood.

### HS112 DECLARATIONS OF INTEREST

There were no declarations of interest.

### HS112 URGENT BUSINESS BROUGHT FORWARD BY THE CHAIR

There were no items of urgent business.

### **HS113 MINUTES – 26 January 2015**

The Minutes of the Meeting of the Health & Safety Panel held on 26 January 2015 were submitted for approval.

It was noted that Richard Barron had been listed under Officers of the Council but that he attended the Panel in his capacity of UNISON representative.

#### **Decision**

The Minutes of the previous meeting held on 26 January 2015 were approved as a correct record of proceedings, subject to the above noted change.

### **HS114 EMPLOYERS LIABILITY CLAIMS FROM 01 APRIL 2009 TO 31 March 2015**

A report by the Director of Corporate Operations provided a summary of Employers' Liability Claims against Stirling Council from 01 April 2009 to 31 March 2015, summarised by type in Appendix 1 and by Service in Appendix 2. Claims still open were listed in Appendix 3.

No Employers' Liability Claims had been received since the report to the Health and Safety Panel on 26 January 2015.

#### **Decision**

The Health and Safety Panel noted the contents of the report.

(Reference: Report by Director of Corporate Operations, dated 8 April 2015, submitted)

### **HS115 HEALTH AND SAFETY UPDATE – SERVICE AREA UPDATES**

This report by the Directors and the Chief Executive provided the Panel with an update on key health and safety activities, initiatives and improvements across the Council since the last Panel meeting on 26 April 2015.

#### **Chief Executive's Office**

A written report having been circulated, no further issues or questions were raised.

#### **Children, Young People & Education**

A written report having been circulated, the Education Business Support Manager, advised that the Service had been working within schools to improve recording/reporting of incidents, in particular incidents which occur on school property outwith school hours or on excursions.

## **Communities & Partnership**

A written report having been circulated, it was reported that the service review continued and that a Health & Safety Group had been formed. The Group would undertake a review of health and safety arrangements across the service and would report the findings to the Panel at the meeting scheduled for 17 August 2015.

## **Corporate Operations**

A written report having been previously circulated, the Resilience & Risk Manager undertook to gather additional information on the crossing patrol incidents involving traffic as mentioned therein.

It was reported that the safety screen at the Municipal Buildings reception area would be installed, with work scheduled to take place late May/June.

## **Housing & Environment**

A written report having been previously circulated, the Panel was advised that consolidation under the new directorate had revealed variances on health and safety reporting formats and systems. Work was ongoing to bring more streamlined practices/standardisation to the service under a new business management system.

In response to a question raised by UNISON, the Panel was advised that Waste Services workers from Clackmannanshire Council working at weekends operated to Clacks health and safety practices but Stirling Council site rules applied. Induction training takes place. It was agreed that the Insurance Team would check out which Local Authority's insurance would apply.

UNISON had noted that a number of lone working systems were in operation. The Panel was advised that consolidation of service contracts with the various providers was being investigated. Services without a system were being needs assessed.

## **Social Services**

A written report having been previously circulated, the Panel was advised that Assured Healthcare (Scotland) Ltd were the new providers of lifting equipment.

Cllr Simpson congratulated the Service on achieving a reduction in falls. She asked about situation in private homes. The Service undertook to report back on the roll out of the falls pathway and intervention tool to the private sector.

## **Decision**

The Panel noted the content of the Report, endorsed the progress to date and supported a continued focus on Health and Safety and employee welfare issues across the Council.

(Reference: Report by all Directors and the Chief Executive, dated 17 April 2015, submitted)

## HS116 **QUARTERLY REPORT ON HEALTH & SAFETY INCIDENTS**

This report by the Director of Corporate Operations provided quarterly comparison data regarding Council Health & Safety Incidents for the period January – March 2015. There would be no quarterly comparisons until January – March 2016 due to changes and mergers within Services.

The quarterly report on accidents was set out in Appendix 1 and detailed each Service area. One column was for employee accidents (E) and the other column was for accidents to members of the public (P). The table had also been separated into five areas: RIDDOR, Accidents, Dangerous Occurrences, Near Misses and Incidents.

It was noted that Chief Executive's was the only service without reported incidents.

In response to a question raised by UNISON, the Panel was advised that stress recording was recorded within the National & Local Developments and also the Occupational Health Reports.

In response to a question raised by GMB, the Panel was advised that it was normal to have more near misses than incidents. The Housing & Environment Health & Safety suggested that there was a need to be proactive in reporting near misses. The Social Services Health & Safety Officer advised that posters within the Municipal Buildings encouraged reporting near misses.

Cllr Houston expressed concern that there were still accidents happening. The Corporate Health & Safety Officer suggested that the increased reflected increased reporting rather than more accidents.

In response to a question raised by the Housing & Environment Health & Safety Officer, the Corporate Health & Safety Officer advised that the "Incident" column in the appendix covered both verbal as well as actual abuse incidents.

### **Decision**

The Health and Safety Panel noted the information contained in this report, in conjunction with Service updates.

(Reference: Report by Director of Corporate Operations, dated April 2015, submitted)

## HS117 **NATIONAL AND LOCAL HEALTH & SAFETY DEVELOPMENTS**

This report by the Director of Corporate Operations provided a summary of National and Local Health & Safety developments for consideration by the Health and Safety Panel, together with the Health & Safety Bulletins issued in the last quarter to each Service for cascade to employees.

### **National Developments**

#### Construction, Design and Management Regulations 2015

It was noted that Corporate Operations (Infrastructure Delivery) were working on a new policy and guidance to ensure Stirling Council complies operationally with this

major new legislation, designed to reduce the bureaucratic nature of the 2007 regulations.

#### Health & Safety Advisor jailed for trench death

The Panel was advised that a health and safety consultant who allowed labourers to flout his safe methods of work had been jailed after one of the workers was crushed to death while excavating a basement. The consultant was sentenced to nine months for breaching Section 7 of the Health & Safety at Work Act.

It was noted that where Stirling Council had safe practices in place, these must be monitored to ensure they work correctly and are complied with. Managers, Safety Advisors, officers and those giving advice in critical situations must ensure work practices were followed and must not let bad practice creep in. Site inspections could not be on the lenient side.

#### **Local Health and Safety Developments**

##### Indoor air quality – Teith House

An indoor air quality assessment had been undertaken within Teith House offices on 19 February 2015 following complaints from staff of sore glands, coughing, itchy eyes and respiratory problems.

During the monitoring assessment the results concluded that levels of monitored gases such as carbon dioxide and others: temperature, humidity and airborne concentrations of yeasts, moulds and bacteria.

These factors indicated poor general ventilation at Teith House.

All bacterial and fungal counts were found to be below any guidance limits.

Work had been planned by Corporate Operations to improve the ventilation within Teith House to increase fresh air and heated air in winter. Windows were being reviewed so that they could be opened in a way that avoided draughts.

##### Scotland Bill puts Health and Safety devolution on hold

The Panel was advised that health and safety enforcement would not be devolved under the Scotland 2015 Bill. The Commission established by the UK Government concluded that the Scottish and UK Government should work together to review the functions and operations of the Health & Safety Executive in Scotland.

##### Health and Safety Bulletins

The Health & Safety bulletins noted at Appendices 1a, 1b and 1c had been issued since the last meeting, these were:

- February 2015 –Violence at work
- March 2015 – Electricity at work
- April 2015 – Construction, Design and Management Regulations

### Health & Safety Training

Display screen assessment briefings were held during February and March 2015.

### Health & Safety Policies

It was noted that a draft policy on E-cigarettes and tobacco products would be presented to the next Panel meeting.

Guidance on sharps injuries was appended to the National and Local Health & Safety Report.

### Employee Stress Assessments

Six stress assessments had been undertaken within the Council since the last Panel meeting.

During discussion it was noted that individuals cannot be coerced into having follow up assessments. A report on the initial assessment is sent to the staff member's Manager and to HR.

The Chief HR Officer advised that it would be possible for HR to follow up on those who have been assessed.

UNISON members were of the view that there was a need to be aware of all staff who have stress related symptoms (including those attending Occupation Health) and not to rely only on figures for referrals through management.

The Corporate Health & Safety Advisor told the Panel that stress is not reportable under RIDDOR but where there were clusters, this should be reported. He continued by adding that stress assessments can give an insight into management areas or locations of those clusters.

The Chair said there was also a need to be that stress was wide than work, eg home, relationships etc but that individuals were good at covering up.

It was agreed that HR would provide a report to the next Panel on work related stress, identifying hotspot areas.

### Health and Safety Executive visits and contacts in the last session

No visits reported during last session.

### Central Scotland Fire and Rescue Service visits and contacts in the last session

No visits reported during last session.

### **Decision**

The Health and Safety Panel noted the content of the report.

(Reference: Report by Director of Corporate Operations, as submitted)

## **HS118 NEEDLE INCIDENT RECORDING SCHEME**

This report by the Director of Communities and Partnerships provided the Panel with an update on the collection of discarded needles in the Stirling area, by the Safer Communities Team and Land Services, and a summary of actions taken as a result.

It was noted that this item had been taken earlier in the Panel meeting.

### **Decision**

The Health and Safety Panel noted the content of the report.

(Reference: Report by Director of Communities and Partnerships, as submitted)

## **HS119 OCCUPATIONAL HEALTH ACTIVITY REPORT**

This report by the Director of Corporate Operations outlined the progress of the Council's Occupational Health and Health Surveillance programmes.

The report covers the period April 2014 to March 2015.

The Panel noted that there had been an increase in cancellations and non attendance for appointments. HR advised that Healthy Working Lives strive to ensure appointments are kept but occasionally the problem is that management fails to pass on the appointment details to the individual member of staff.

### **Decision**

The Health and Safety Panel noted the Occupational Health appointments and Health Surveillance undertaken from April 2015 to March 2015.

(Reference: Report by Director of Corporate Operations, dated 9 April 2015, submitted)

## **HS120 TRADE UNION/WORKFORCE ISSUES – UPDATE**

- UNISON (Richard Barron) reminded the Panel that it had been agreed at the previous Panel meeting that Corporate Health & Safety would put together information on how health and safety was being delivered within the newly formed Services.
- UNISON (Richard Barron) highlighted that the area at Teith House (back exit) displayed an explosive warning sticker and that fire exit route took staff into a hazardous area. The Corporate Health & Safety Advisor thought that it was a gas box but agreed to investigate and arrange an assessment of the risk if required.
- UNISON (Richard Barron) pointed out that pool car packs now included tyre depth gauges. He was of the opinion that this was something that should be

checked corporately before cars were made available to staff.

Cllr Houston asked who would be responsible if the tyres on a pool car were faulty and was advised that it was likely to be the driver since the driver should check the roadworthiness of any vehicle before driving it.

HR agreed to discuss a more practical way of maintaining car roadworthiness with Fleet.

- UNISON (Richard Barron) asked, in light of recent bin lorry crashes where the fatal accident enquiry was likely to focus on the capability and health of the driver, if Stirling Council intended to take any preventative action.

The Chief HR Officer advised that every HGV licence holder was re-assessed every 5 years up to the age of 60. Supported attendance and return to work interviews would be used to monitor the health of drivers.

- GMB (Brian Wilson) stated that there was a need for all pool car pick up points to have supplies of screen wash. The Chief HR Officer undertook to check the current arrangements.

He also expressed concern that pool car packs were left unattended at Municipal Buildings reception.

The Chair declared the meeting closed at 3.20 pm