

**SAFETY ADVISORY GROUP
(Report of the Advisory Group)**

1. INTRODUCTION

- 1.1 The Advisory Group met on 12th September 2007 when Councillors J W Davies, A Hansard and L M Simpson were present.
- 1.2 Also in attendance were Messrs P Corley, J Craig, P J Duerden, S Howell, Ms C Deller, Ms M Draper, Ms D Ingram-Hall and Mrs C D Rowland.
- 1.3 The Staff Side were represented by Messrs K Lawson, C Sneesby and Mrs S McKerral.
- 1.4 Apologies for absence from the meeting were submitted on behalf of Councillors Mrs P Jordan and K Reynolds and from Mrs G Smith.
- 1.5 Councillor K Reynolds was elected Chairman and Mr K Lawson appointed Vice-Chairman of the Advisory Group for the remainder of the Municipal Year. In the absence of Councillor Reynolds, Mr Lawson took the Chair for the duration of the meeting.
- 1.6 The report of the meeting of the Advisory Group held on 13th June 2007 was received and noted.
- 1.7 No declarations of interest were received.

2. CORPORATE MANSLAUGHTER AND CORPORATE HOMICIDE ACT 2007

- 2.1 By way of a report by the Head of HR and Payroll Services, the Advisory Group was informed that the Corporate Manslaughter and Corporate Homicide Act 2007 had received royal assent in July 2007 and would come into force on 6th April 2008. The Act had introduced a new offence for prosecuting companies and other organisations where there had been a gross failing throughout the organisation in the management of health and safety with fatal consequences. The Act would place greater emphasis on the corporate safety culture and management of an organisation and its ability to demonstrate that it had appropriate systems in place to safeguard the health and safety of its employees which were rigorously enforced. The Advisory Group were informed that, following a review of current practices, a further report would be submitted on the potential impact of the legislation on the Council in terms of its effect on management structures, health and safety policies and procedures. It was noted that the role of Health and Safety Co-ordinators would be involved in this process.
- 2.2 In response to questions, the Health and Safety Adviser confirmed that senior Councillors could be held to account for a breach of a duty of care by the organisation but only to the extent of the knowledge or advice they had been given by the Council to assist them during their decision-making process. Following discussion, it was acknowledged that further guidance/awareness in this respect would be required by senior managers and Members and the Health & Safety Adviser undertook to seek legal advice to clarify the position.
- 2.3 Similarly, the Council owed a duty of care to members of the public undertaking activities on council property.

- 2.4 In terms of the use of pool cars, the Health and Safety Adviser assured the Advisory Group that the Council would be expected to demonstrate that it had taken reasonable care to advise employees of good practice e.g. through the availability of driving assessment courses and the policy for managing occupational road risk.
- 2.5 It was assumed that, in the event of breach of this legislation, the Police and Crown Prosecution Service would undertake an investigation involving other agencies as appropriate.

3. AD-HOC SAFETY INSPECTION

- 3.1 The Advisory Group received an account of the observations recorded during an ad-hoc safety inspection which had taken place on 23rd July 2007 at the Paxton Pits Nature Reserve and Visitor's Centre.
- 3.2 The inspection had demonstrated that the service offered by staff at Paxton Pits was excellent and that their capacity to manage, supervise and protect visitors and volunteers was exemplary. Members requested the Health and Safety Adviser to convey their appreciation to the staff involved.
- 3.3 Having noted that the number of schools engaged in pond dipping appeared to have fallen due to health and safety concerns, the Health and Safety Adviser undertook to verify the scale of the problem and to consider ways to allay fears and encourage schools to take up the activity again. A report on this issue would be submitted to a future meeting.

4. ACCIDENT/INCIDENT REPORTS

4.1 District Council Employees

The Group received and noted a report by the Head of HR and Payroll Services giving details of 19 accidents involving employees and 9 accidents involving non-employees, predominantly at the country parks, that had occurred since the last meeting.

- 4.2 Having regard to reference numbers 2043 and 2051, the newly appointed Health and Safety Co-ordinator for the Operations Division undertook to ensure that, in future, accident details were reported accurately using specific terminology, that employees responded appropriately to the injuries incurred and that the accident reports make reference to whether the wound had been self treated/cleaned.

4.3 Leisure Centres Accident Report

The Group also received a report by the Leisure Centres Health and Safety Co-ordinator detailing accidents which had been reported at the Leisure Centres since the last meeting noting in particular that one accident had been reported under the requirements of the RIDDOR Regulations.

5. HEALTH AND SAFETY TRAINING

- 5.1 Details of Health and Safety Training Courses held since the previous meeting of the Group were submitted in a report by the Head of HR and Payroll Services.

5.2 In response to comments received from the Advisory Group, the Health and Safety Adviser undertook to amend the format of the report to reflect the number of courses held over the quarter and the number of employees attending courses and identified for training.

6. SAFETY INSPECTION AND NEXT MEETING

6.1 The Advisory Group noted arrangements made for the next ad-hoc safety inspection and for their scheduled meeting on 14th November 2007.

Vice-Chairman
Mr K Lawson