

## MINUTES OF A MEETING OF THE EXECUTIVE SCRUTINY COMMITTEE HELD AT COUNTY HALL, CHELMSFORD ON 26 FEBRUARY 2013

### Present

G Butland (Vice-Chairman)	M Page
W J C Dick	J Pike
N Edey	Mrs I Pummell
A Hedley	J Roberts
M Mackrory (Chairman)	Mrs A Turrell
Mrs V Metcalfe	J A Young (Vice-Chairman)
G Mitchinson	

County Councillor K Twitchen was also in attendance.

The following officers were present in support of the meeting:

Robert Fox	Governance Officer
Graham Hughes	Committee Officer

### 1. Apologies for Absence and Substitutions

The Committee Officer reported apologies for absence from Councillor S Mayzes.

### 2. Declarations of Interest

During the discussion on fire sprinkler systems within Item 4(vi) below, Cllr Hedley declared a personal interest as he was in receipt of a pension from a company which produced fire sprinkler systems. No other declarations of interest were made.

### 3. Minutes and Matters Arising

The minutes of the meeting held on 29 January 2013 were approved as a correct record and signed by the Chairman.

Matters Arising:

Minute 6: Miscellaneous: Councillor Finch reported that the subsidised sewing classes advertised recently had been scheduled to raise awareness of repairing and reuse of old clothing and to seek further volunteers as part of the Waste Reduction and Awareness Programme. As a result he believed that the cost of running these classes was consistent with corporate objectives and policy.

Minute 6: Employees: Councillor Finch reported that the ECC workforce in May 2009 had been 8,424 FTE and at December 2012 had been 6,713 FTE.

### 4. Health and Safety

Councillor David Finch, Deputy Leader of the Council and Cabinet Member for Finance and Transformation and Cabinet Member with responsibility for Health and Safety, was joined by Sanjay Dhir, Interim Head of Health and Safety, who introduced a report (ES/07/13) on the Performance Dashboard and, via an overhead presentation, outlined the health and safety information and guidance available on the County Council's intranet site, including risk assessment templates, which demonstrated the County Council's commitment to provide clear leadership in promoting a health and safety orientated work culture.

(i) Introduction

Mr Dhir outlined the management structure and reporting lines. A monthly Corporate Health and Safety Board, chaired by the Deputy Chief Executive, reported into the Corporate Leadership Team. Directorate Health and Safety Committees/Forums met regularly to oversee local processes and risk assessments.

(ii) Health and Safety Executive

Two recent health and safety incidents which had led to the Health and Safety Executive issuing formal action against the Council were outlined

One incident, which resulted in the Council being prosecuted, related to insufficient guidance, training and supervision, around a school swimming pool. Comprehensive guidance and risk assessments had now been produced and on-site health and safety training was being provided to County Council controlled schools with their own swimming pools. A chargeable advisory service was also provided to academies. During this discussion it was confirmed that accountability for health and safety in schools remained with the school.

The second incident related to an Improvement Notice against a children's residential home. Procedures, risk assessments and training had been improved and the improvement notice was lifted shortly afterwards.

(iii) Performance Dashboard 2012/13

The statistics showed that schools were reporting the majority of accidents with most of the injuries reported occurring during play, PE and slips, trips and falls. The statistics also showed that the majority of incidents were reported as violence. Health and safety reporting by the County Council only related to County Council controlled schools and academies were excluded from the analysis.

Incidents of reported violence and aggression were predominantly from social care and schools although it was stressed that the statistics would include verbal abuse as well as physical threats. Learning and Development offered courses for staff in how to deal with aggressive behaviour.

It was confirmed that the Corporate Health and Safety Board and Corporate Governance Steering Board received further breakdowns of the Performance

Dashboard such as by school, by cause, by directorate and by month, which were fed into the senior management team.

The County Council was also required to report serious workplace accidents, occupational diseases and specified dangerous occurrences (near misses) under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995).

(iv) Training

An E-learning training module would be launched in April 2013. The Corporate Health and Safety Board had agreed that the module would be mandatory for all staff and Members, including contract and agency staff as appropriate. Completion of the module would be incorporated into the Personal Development (My Performance) Contract for each employee. Members stressed that the training module needed to include an assessment of how much the participant knew at the end of the session. The module had been designed to be engaging and participants would only obtain certification upon completion of the module.

Departmental management were required to monitor training attendance by their team. In addition, local health and safety committees and forums were required to oversee such monitoring and receive employee feedback on the training courses.

The health and safety training courses that were available were listed on the Intranet and were outlined by Mr Dhir. Training courses were an essential element of employee engagement. A Health and Safety Handbook, which included basic guidance, risk information and checklists, had been developed for new staff and Members. Refresher training for Head Teachers and Governors in County Council controlled schools was being completed.

The County Council also provided chargeable advisory services to school academies at minimal cost.

The Corporate Governance Steering Board had agreed to run a health and safety training programme for new Members after the May elections. The Governance Officer was instructed to ensure that this was added to the Scrutiny Board agenda so that it was incorporated into future member training and development.

(v) School Closures

Members raised the issue of winter school closures. Mr Dhir stressed that a decision to close a school was the responsibility of the school governors, after an appropriate consideration and risk assessment, and not the County Council. The County Council gave training to school management on risk management not risk aversion and the Health and Safety Executive endorsed this type of approach. It was acknowledged that sometimes a school would actually be closed because insufficient members of staff could reach the school in adverse weather conditions.

(vi) Fixed fire sprinkler systems

Members discussed the viability of schools installing fixed sprinkler systems in their buildings. There was no County Council or legislative requirement to fix such sprinkler systems. Instead, it was acknowledged that the fire prevention, fire precautions and systems required in schools would be determined by the fire risk assessment undertaken by the Fire Service and that any specific requirement for a fixed sprinkler system was more likely to come from the school's insurer rather than the Fire Service. Despite this, and officers recommending a proportional approach towards further changes to fire systems at schools already built, some Members were still keen that the County Council explored further the possibility of installing fixed sprinkler systems in County Council controlled schools. Anecdotal evidence from Members suggested that the cost of implementing a fixed sprinkler system may only be about 2% of the overall cost of building a school although other Members suggested it could be at a level that was more prohibitive.

(vii) Home workers

It was confirmed that the County Council retained some responsibility for the health and safety of home workers and provided training and equipment to facilitate a safe home working environment, although no home inspection was undertaken. The individual home worker also had to take some responsibility for their own working environment.

(viii) Union engagement

It was confirmed that there was considerable engagement with union representatives as part of the health and safety governance process. In particular, union representatives were members of directorate level health and safety committees and forums and participated in health and safety related workshops. In addition, the frequency of a dedicated health and safety meeting held with union representatives had increased to three a year.

(ix) Best in class aspiration

The County Council was aspiring to be a leading council on good health and safety governance and practices and, in time, would be seeking third party validation of this aspiration.

(x) Conclusion

It was acknowledged that significant work on health and safety processes had been undertaken in recent months and it was **agreed** that the Committee should receive a further update in due course. The Chairman thanked Councillor Finch and Mr Dhir for their presentation and they then left the meeting.

## 5. Forward Look

The Committee considered and **Agreed** the Forward Look (ES/08/13). Members were concerned that the item on Developing the Localism Agenda had again been deferred and **agreed** that representations be made to the Cabinet Member and the Scrutiny Board emphasising the importance of an early opportunity to scrutinise the proposals.

#### **6. Dates of Future Meetings 2013**

The next meeting of the Committee would be at 10am on Tuesday 26 March 2013 in Committee Room 2.

There being no urgent business the meeting closed at 11.07 am.

Chairman  
26 March 2013