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Hinckley & Bosworth
Borough Council

Bill Cullen MBA (ISM), BA(Hons) MRTPI
Chief Executive

Date: 23 August 2021

To: **Members of the Ethical Governance and
Personnel Committee**

Cllr R Webber-Jones (Chairman)
Cllr SL Bray (Vice-Chairman)
Cllr RG Allen
Cllr DC Bill MBE
Cllr MB Cartwright

Cllr MA Cook
Cllr A Furlong
Cllr L Hodgkins
Cllr LJP O'Shea

Copy to all other Members of the Council

(other recipients for information)

Dear member,

There will be a meeting of the **ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE** in the De Montfort Suite, Hinckley Hub on **WEDNESDAY, 1 SEPTEMBER 2021** at **6.30 pm** and your attendance is required.

The agenda for the meeting is set out overleaf.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Owen'.

Rebecca Owen
Democratic Services Manager

Fire Evacuation Procedures

- On hearing the fire alarm, leave the building **at once** quickly and calmly by the nearest escape route (indicated by green signs).
- *There are two escape routes from the Council Chamber – at the side and rear. Leave via the door closest to you.*
- Proceed to **Willowbank Road car park**, accessed from Rugby Road then Willowbank Road.
- **Do not** use the lifts.
- **Do not** stop to collect belongings.

Recording of meetings

At HBBC we are open and transparent about how we make decisions. We allow recording, filming and photography at all public meetings including Council, the Executive and Planning Committee as long as doing so does not disturb or disrupt the proceedings. There may occasionally be some reports that are discussed in private session where legislation requires this to happen, but this is infrequent.

We also allow the use of social media during meetings, which helps to bring the issues discussed to a wider audience.

Members of the public, members of the press and councillors are hereby informed that, in attending the meeting, you may be captured on film. If you have a particular problem with this, please contact us so we can discuss how we may accommodate you at the meeting.

Use of mobile phones

To minimise disturbance to others attending the meeting, please switch off your phone or other mobile device or turn it onto silent or vibrate mode.

Thank you

A G E N D A

1. APOLOGIES AND SUBSTITUTIONS
2. MINUTES OF PREVIOUS MEETING (Pages 1 - 2)
To confirm the minutes of the previous meeting.
3. ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES
To be advised of any additional items of business which the Chairman decides by reason of special circumstances shall be taken as matters of urgency at this meeting.
4. DECLARATIONS OF INTEREST
To receive verbally from members any disclosures which they are required to make in accordance with the Council's code of conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. **This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the agenda.**
5. QUESTIONS
To hear any questions received in accordance with Council Procedure Rule 12.
6. STATUTORY SAFETY COMMITTEE MINUTES (Pages 3 - 14)
Minutes of the meetings held on 2 December 2020, 23 February 2021 and 18 May 2021.
7. ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIRMAN DECIDES HAVE TO BE DEALT WITH AS MATTERS OF URGENCY
8. MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED
To consider the passing of a resolution under Section 100A(4) of the Local Government Act 1972 excluding the public from the undermentioned item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 10 of Schedule 12A of the 1972 Act.
9. COMPLAINTS UPDATE
Members will be updated on complaints in progress.
10. COMPLAINT 2021/17 (Pages 15 - 54)
Initial complaint report.

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HINCKLEY AND BOSWORTH BOROUGH COUNCIL

ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE

30 JUNE 2021 AT 6.30 PM

PRESENT: Cllr R Webber-Jones - Chairman
Cllr SL Bray – Vice-Chairman
Cllr MB Cartwright, Cllr RG Allen, Cllr MA Cook, Cllr MJ Crooks (for Cllr DC Bill MBE), Cllr A Furlong and Cllr L Hodgkins

Officers in attendance: Julie Kenny, Rebecca Owen and Julie Stay

63 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Bill and O'Shea, with the substitution of Councillor J Crooks for Councillor Bill authorised in accordance with council procedure rule 10.

64 MINUTES OF PREVIOUS MEETING

It was moved by Councillor Cartwright, seconded by Councillor Allen and

RESOLVED – the minutes of the meeting held on 24 March be confirmed as a correct record.

65 DECLARATIONS OF INTEREST

No interests were declared

66 FIRE RISK MANAGEMENT POLICY

The updated Fire Risk Management Policy was presented to members. During discussion, it was requested that information on fire risk management for block C of the Crescent and the leisure centre be sent to members. Fire risk in council housing was also discussed and members were asked to pass any concerns to the tenancy management team. It was moved by Councillor Bray, seconded by Councillor Cartwright and

RESOLVED – the Fire Risk Management Policy be approved.

67 UPDATED EMPLOYEE CODE OF CONDUCT

Consideration was given to the updated code of conduct for employees. It was noted that the document had been through extensive consultation with trade unions and that training would be provided for staff. Discussion ensued on the following points:

- The importance of equalities and treating members and the public respectfully
- The possibility of making reference to the volunteering policy within the code of conduct – it was agreed that this would be included following on from the section on secondary employment

- Other specific policies and processes which governed staff behaviour, for example the disciplinary and grievance policy, which meant that the code of conduct was a high level umbrella document
- The right to a private life of staff which meant that declaring personal relationships could not be made mandatory
- The need for a review of the code of conduct every two years.

The completion of a register of interests for officers was queried and, in response, it was noted that there was no legal requirement for this as there was with elected members, but that staff would be expected to discuss possible conflicts of interest with managers and agree ways of working to avoid a conflict of interest.

It was moved by Councillor Allen, seconded by Councillor Bray and

RESOLVED –

- (i) The code of conduct for employees be approved subject to inclusion of reference to the volunteering policy;
- (ii) A review of the document be undertaken every two years.

68 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Councillor Webber-Jones seconded by Councillor Cartwright, it was

RESOLVED – in accordance with section 100A(4) of the Local Government Act 1972, the public be excluded from the following item of business on the grounds that it involves the disclosure of exempt information as defined in paragraphs 1 and 10 of Part I of Schedule 12A of that Act.

69 COMPLAINTS UPDATE

Members were updated on progress in relation to ongoing and recently closed complaints.

A discussion on use of Independent Persons ensued and it was agreed that every attempt would be made to invite them on a rota basis.

(The Meeting closed at 7.24 pm)

CHAIRMAN

Statutory Safety Committee

Wednesday 2 December 2020

Present: Julie Kenny (JK), Sarah Marriner (SM), Julie Stay (JS), Rachel Burgess (RB), Darren Moore (DM), Sophia Hands (SH), Marc Lee (ML), Ian Pinfold (IP), Caroline Roffey (CR), Ged Hickey (GH)

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|----|---|
| 1. | Apologies Received from Dena Abbot (DA), Jo Baggott (JB) and Lisa Kirby (LK). |
| 2. | Minutes of previous meeting - 2 September 2020 The minutes were agreed as accurate. Matters Arising: <ul style="list-style-type: none">• JK said that the Health & Safety Welfare Management System was approved at Ethical Governance Committee and has now been formerly adopted.• SH has done the stats for the next set of reports.• The Covid Risk Assessment has been published.• SH confirmed that she had picked up the RIDDOR reportable accidents with SM outside of the meeting. |
| 3. | Health & Safety Management Review July to September 2020 SH gave a presentation on this and JK said that SH has done a considerable amount of work on this. Areas covered on the presentation included: <ul style="list-style-type: none">• Reporting of accidents/incidents - this is now available on the Intranet and when clicking on the link, you now have an explanation of what the form is used for to ensure that the right form is being used. SH reported that due to the nature of the work they undertake, that SSS and Housing Repairs saws the highest number of incidents but that this figure is overall down on the previous year.• Significant incidents were reported with two that were outside of the review. This has been rectified by SH so that she is aware as soon as an incident is reported.• There was a reportable injury on 15 October and SH explained the process of the investigation and mitigation in using a causation tree on her presentation. SH will be speaking with DM's team shortly to look at how they work and giving further guidance.• SH said that 12 incidents have been reported to the Community Safety Team on unacceptable behaviour. RB said that this figure is due to some of the reports being intelligence based and not necessarily an incident. JK asked SH if this could be broken down |

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| | <p>further so as not to distort the figures. [SH]</p> <ul style="list-style-type: none"> • SH said that the Risk Register had been updated. • SH has done a Health & Safety Plan to cover the next 18 months and briefly set out some of the work to be done. • SH said that there has been 68% compliance from staff on doing the exercises on the Learning Academy. • SH said that KPIs have been put in place and listed some of the key indicators RB queried the use of DSE Assessments as many people are now working from home. JK said that additional equipment requests were being supported based upon the completion of a DSE assessment and that staff are able to take equipment home as long as they inform their manager, to aid with working at home. |
| 4. | <p>Face Mask Consultation</p> <p>JS said that the consultation has now concluded regarding the use of face masks in vehicles at the Depot. The overall feedback from staff is their preference is that the use of masks is advisory not mandatory. SH confirmed that there were additional control measures added in the consultation letter which are currently in place.</p> <p>Management confirmed that this was the proposal given the consultation feedback, SM said that she will discuss this with Unison safety reps and come back to SH by the end of the week as Unison believe that there is a higher risk of spreading the virus whilst in a confined cab. DM said that there is balance between the amount of time spent in a vehicle and that concern was raised by staff about making it mandatory which isn't practical. Emphasising the point that the process of putting on and taking off a mask throughout the working day also presents an increase risk in contamination.</p> <p>SH confirmed that high risk staff have already been stood down or carrying out other duties, and so do not work on crews for their own safety.</p> <p>CR said that the Street Scene Winter Plan advised for all staff to wear face coverings in vehicles. The main advice for all staff is to not attend work if displaying symptoms and this had recently been tested with one crew. SM asked if those staff were tested and JK confirmed that unless you are showing symptoms, you are not advised to take a test.</p> <p>ME said that there has been new Government Guidance that has come through today which needs to be reviewed. JK said that it may be necessary to convene a further meeting before the next scheduled meeting if guidance is changing.</p> |
| 5. | <p>Covid update</p> <p>JS said that the data for both waves of the pandemic is now available. There is more specific data available for the second wave and how it is recorded compared to the first wave. SH said that the first wave recorded no positive cases but the second wave did. However, these cases were not caught</p> |

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| | within the workplace which was backed up by JK who said the daily figures received by SLT reflected that most transmission is within the home environment. |
| 6. | Any other business SM thanked SH for the data that she is supplying and said that this has been very well received. |
| 7. | Next Meeting 2021 meetings as follows: <ul style="list-style-type: none">• 23 February at 10am• 25 May at 10am• 24 August at 10am• 16 November at 10am |

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Statutory Safety Committee

Tuesday 23 February 2021

Present: Julie Kenny (JK), Julie Stay (JS), Darren Moore (DM), Sophia Hands (SH), Marc Lee (ML), Ian Pinfold (IP), Caroline Roffey (CR), Ged Hickey (GH), Dena Abbot (DA)

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| 1. | Apologies Received from Sarah Marriner (SM), Malcolm Evans (ME) |
| 2. | Minutes of previous meeting - 2 December 2020 The minutes were agreed as accurate. Matters Arising: <ul style="list-style-type: none">• Breakdown of unacceptable behaviour to include intelligence received. This has been completed and is shown within the Dashboard report Section 9. |
| 3. | Health & Safety Management Review October to December 2020 JS presented the quarterly report drafted by the Corporate Health and Safety Officer. Areas covered within the presentation included: <ul style="list-style-type: none">• JS referred to the Dashboard at Appendix 1. JS advised that the report indicates that 11 accidents were reported for that period. JS highlighted the discrepancy between the dashboard which states 18 accidents, and clarified that 7 of those related to verbal abuse. JS proposed that the reporting of verbal abuse be taken out of the main accident statistics to avoid confusion going forwards as it is reported in another section of the dashboard report.• JS indicated that near miss reporting statistics are still low and below the performance indicator set. It is suggested that Covid restrictions may have been the distraction as the focus is elsewhere. SH will encourage an increase of reporting in this area over the next few months• JS reported that there was 1 RIDDOR reportable accident involving a member of staff being hit by the rear of a tipper van. This was a serious accident resulting in member of staff being hospitalised, due to a head injury. The employee has now recovered and currently back in work on light duties. SH has now completed the |

investigation, working with safety reps and managers, and the report was submitted to the HSE and as yet no further comments have been received from the HSE. JS advised that the recommended actions are currently being implemented and that a copy of the report is available to committee members on request.

- JS mentioned that SH had identified that there was a pattern emerging in regard to accidents with loaders and identified the need to raise more awareness for current staff and new starters. SH and Natalie Moore had developed an induction video for loaders and JS urged committee members to follow the link and view the video as it was an effective and practical way of getting key messages across. Thanks were given to SH and NM for putting this together.
- JS advised that SH has developed a council training matrix which identifies minimum requirement of training for staff across the council and focuses on the working environment and the job role. That's being worked up and will be submitted to the committee at a later date.
- JS indicated that SH will be sending reminders to all staff regarding the mandatory online learning:

1. Introduction to H&S online training (82% completed to date)
2. DSE (70% completed to date).

JD advised that SH will implement the recommendation that this training is mandatory for new starters in the probation period. It was agreed that if training take-up had not increased, a further push may be needed via managers.

- JS made committee members aware that SH will be launching further mandatory training for all staff in the coming months:
 1. Fire safety
 2. Manual handling
- JS advised that planned face to face training, such as First Aid and Maintenance of fire doors had been delayed due to Covid; however as easing of lockdown continues this will be should hopefully be re-booked.
- JS highlighted to the committee to the number of actions set out at Appendix 2 which have arisen due to the number of Investigations, inspections and audits that have taken place. JS reminded members of the committee that their role is to review the actions and take the opportunity to ask questions/scrutinise.

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| | <ul style="list-style-type: none"> • JS updated the group regarding another piece of work that SH had introduced ensuring that we have effective health surveillance in place. Employers are required to provide employees with health surveillance to ensure their protection and risk assessments will identify the circumstances where health surveillance is required. As a general rule, health surveillance is appropriate where: <ul style="list-style-type: none"> ✓ there is an identifiable disease or adverse health condition directly related to the work ✓ there are valid techniques available to measure indications of the disease or condition – such as questionnaires or OH referral ✓ there is a good chance that the disease or condition will occur under the particular conditions of work • JS advised that SH had carried out fire risk assessments at 3 community houses with the resultant actions set out at Appendix 3. SH is working closely with the Housing Managers to progress those actions. <p>Questions: GH queried what training provision will be in place for those working in the field with no access to a computer. JS and SH advised that this type of training should be picked up via toolbox talks. JS assured GH that SH will be working closely with service managers to roll out the training matrix to identify the training needs of their teams, any gaps identified and the method of delivery.</p> |
| 4. | <p>Covid update</p> <p>JS provided an overview of Covid related activity for the last quarter and current quarter. 13 positive cases were reported in period Oct – Dec, and for January to date another 13 cases have been reported. It is noted that no cases have been contracted at work. All Covid risk assessments are being reviewed where appropriate, and HBBC policy and practices appear to be working, these include</p> <ul style="list-style-type: none"> • ongoing encouragement for staff to work from home, where their job permits • Covid secure workplace • Wearing face covering when travelling around council buildings - introduced early Jan • encouraging increased ventilation in cabs • Emergency appointments only at the Hub <p>Questions: DA questioned whether those managing contractors should notify HR/Health and Safety if a contractor reported a positive test within its own</p> |

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| | <p>workforce. SH confirmed that this is the same as having an accident on a HBBC site so yes, we should be notified. SH advised that we would then use our HBBC track and trace to notify residents if necessary. DA confirmed that the contractors are also completing lateral flow testing.</p> |
| 5. | <p>Any other business</p> <p>There was no other questions or other business raised.</p> |
| 6. | <p>Next Meeting</p> <p>2021 meetings as follows:</p> <ul style="list-style-type: none">• 25 May at 10am• 24 August at 10am• 16 November at 10am |

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Statutory Safety Committee

Tuesday 23 February 2021

Present: Julie Kenny (JK), Julie Stay (JS), Darren Moore (DM), Sophia Hands (SH), Marc Lee (ML), Ian Pinfold (IP), Caroline Roffey (CR), Ged Hickey (GH), Dena Abbot (DA), Malcolm Evans (ME), Lisa Kirby (LK), Sonia Timmington (ST)

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|----|--|
| 1. | <p>Apologies</p> <p>Received from Jo Baggott (JB), Sarah Marriner (SM) and Rachel Burgess (RB)</p> |
| 2. | <p>Minutes of previous meeting – 23 February 2021</p> <p>The minutes were agreed as accurate with no actions outstanding.</p> |
| 3. | <p>Health & Safety Management Review January to March 2021</p> <p>JS presented the quarterly report drafted by the Corporate Health and Safety Officer.</p> <p>Areas covered within the presentation included:</p> <ul style="list-style-type: none">• Accident reporting<ul style="list-style-type: none">○ 4 accidents and 8 near misses were reported in the last quarter (increase in the latter from last year).○ No RIDDOR reports this quarter but the October 2020 incident is still being investigated by HSE. DM, CR, SH have done a lot of work on this.○ There has been one dog attack and 6 reports of unacceptable behaviour in the last quarter.○ More data is being received which helps with stats to have a year's comparison. Highlights a large reduction in accidents which could be COVID related but this needs to be looked at.• Covid reporting - During the last quarter, there were 8 members of staff off with COVID, which was in line with the national spike and has now tailed off.• Training<ul style="list-style-type: none">○ A lot of mandatory training has taken place in past year and getting a 87% completion rate on DSE assessments and 71% on the Introduction to H&S. All to encourage to complete this. [ALL]○ Face to face training will be restarting this month and work will be done to increase confidence in staff to do this.○ Other mandatory courses being rolled out and SH will be sending out training on these for staff to complete. [SH] |

- Training Policy Matrix to pick up specialised H&S training needs has been put together by SH and taken to SLT recently for consideration and has been approved. This will be used to rollout further training with teams. This will help to build up evidence on a training log,
- SH has done a lot of work and good practice captured with managers using outside contractors for work. This will be updated at the next quarter.
- **Inspections and Risk Assessments** – fire risk assessment and H&S assessments have taken place this quarter.

ME asked about how managers can find out which staff have completed to enable them to target and encourage staff to complete the courses. SH said that managers can come to SH or Daniel Brookes in HR to access staff records to get a report on what has been completed. SH can raise with Learning Pool on how managers to easily check on what the completion rate is for their staff. [SH]

SH said that people will be notified of training requirements this month and JS said that a report (mark on those outstanding and who needs to do a refresher) can go out to managers to show what has been completed in their teams so they can encourage them to complete. [SH]

CR asked for a review of the Toolbox Talks and how they will be completed. SH said that this is delivered by line managers and can help to put one together. To record those who have completed it, you can scan their sheet with signature to go alongside their personnel record.

JK asked about Toolbox Talks on the guidance for managers in the office environment (as set out on the spreadsheet) to give a talk to remain consistent on various elements (hygiene, public, stress awareness, etc.) so they know what to pick up. SH said risk training between office based and public facing staff is a little different. Training Academy pick up office based and Toolbox Talks is generally public facing and can be done face to face or online. SH to give more clarification on the information sheet. JK/SH to discuss further outside of meeting.

[JK/SH]

Feedback regarding the HSE investigation was discussed – in particular the interviews that have taken place and tone of those meetings. CR to pick up with other LAs which have had similar incidents and the outcomes from that and report back. [CR]

JK said that there were some outstanding actions linked to the Fire Risk Assessments particularly for Sheltered Schemes and asked GH to ask CT for an update on what is happening with those actions.

[GH]

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| 4. | <p>Fire Risk Management Policy</p> <p>JS said that this policy has been refreshed by SH. The main aim of the policy is to ensure that all council owned premises have adequate fire safety systems and procedures so that in the event of a fire (through fire risk assessment) the occupants are able to reach a place of ultimate safety, whilst also reducing the risk of the spread of the fire. This policy will be refreshed every three years.</p> <p>Key evidence base is fire safety records. SH has been liaising with managers mentioned in the document. Feedback included risk assessments which is not the manager's responsibility to conduct, however, it is their responsibility to have a Fire Risk Safety assessment carried out which can be done with support from SH and ML. Feedback from this committee is important along with Unison on this document which will go to a Member committee to seek approval. DA asked for timescales to be agreed so consultation with Unison can be done. Agreed consultation to take place over next two weeks.</p> <p style="text-align: center;">[DA]</p> <p>JS said that it would be good to have more staff representation on this committee to get more feedback. CR said that Paul Reeves would be a good rep. GH said that Dan Warren could also be approached. DA to approach. [DA]</p> |
| 5. | <p>Any other business</p> <p>Simon Owens is to replace GH at all future meetings and the Committee thanked GH for his work over the years. ST to update the membership list. [ST]</p> |
| 6. | <p>Next Meeting</p> <p>2021 meetings as follows:</p> <ul style="list-style-type: none"> • 24 August at 10am • 16 November at 10am |

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