

To: Members of the Special Sub-Group

Councillors D Clews, Jordan, Hayfield, Jenns, Parsons and Morson

For the information of the other Members of the Council

For general enquiries please contact Democratic Services on 01827 719221 or via email – democraticservices@northwarks.gov.uk

For enquiries about specific reports please contact the officer named in the reports.

This document can be made available in large print and electronic accessible formats if requested.

SPECIAL SUB-GROUP

1 NOVEMBER 2022

The Special Sub-Group will meet on Tuesday, 1 November 2022 at 6.30pm in the Council Chamber at The Council House, South Street, Atherstone, Warwickshire.

The Meeting can also be viewed on the Council's YouTube channel at: [NorthWarks - YouTube](#)

AGENDA

- 1 Evacuation Procedure**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Disclosable Pecuniary and Non-Pecuniary Interests**

4 **Public Participation**

Up to twenty minutes will be set aside for members of the public to put questions to elected Members. Questions should be submitted by 9.30am two working days prior to the meeting. A period of five minutes will be allowed for each question to be answered.

Members of the public wishing to address the Board must register their intention to do so by 9:30am two working days prior to the meeting. Participants are restricted to five minutes each.

If you wish to put a question to the meeting, please register by email to democraticservices@northwarks.gov.uk or telephone 01827 719221/719226/719237.

Once registered to speak, the person asking the question has the option to either:

- (a) attend the meeting in person at the Council Chamber;
- (b) attend remotely via Teams; or
- (c) request that the Chair reads out their written question.

If attending in person, precautions will be in place in the Council Chamber to protect those who are present however this will limit the number of people who can be accommodated so it may be more convenient to attend remotely.

If attending remotely an invitation will be sent to join the Teams video conferencing for this meeting. Those registered to speak should dial the telephone number and ID number (provided on their invitation) when joining the meeting to ask their question. However, whilst waiting they will be able to hear what is being said at the meeting. They will also be able to view the meeting using the YouTube link provided (if so, they made need to mute the sound on YouTube when they speak on the phone to prevent feedback).

5 **Update Report on Human Resource Issues** – Report of the Corporate Director – Resources

Summary

This report summarises work done by the Human Resources team in 2022/23. It provides details of the sickness levels for the period of April 2022 to September 2022 and provides some further information on action taken in managing absence.

The Contact Officer for this report is Kerry Drakeley (719300).

6 **Risk Assessment Policy** – Report of the Corporate Director - Resources

Summary

This report advises members of the background to the revised policy on Risk Assessment and recommends the adoption of the revised policy for the Council. The trade unions have been consulted on the revised policy.

The Contact Officer for this report is Kerry Drakeley (719300).

STEVE MAXEY
Chief Executive

Agenda Item No 5

Special Sub-Group

1 November 2022

Report of the
Corporate Director - Resources

Update Report on Human
Resources Issues

1 Summary

- 1.1 This report summarises work done by the Human Resources team in 2022/23. It provides details of the sickness levels for the period of April 2022 to September 2022 and provides some further information on action taken in managing absence.

Recommendation to the Board

That the report be noted.

2 Introduction

- 2.1 This report provides an update on Human Resources issues and the position on sickness for 2022/23.

3 Summary of Sickness Absence 2022/23 (April 2022 – September 2022)

- 3.1 Absence Management is recorded for all employees and is then analysed into short and long-term absence. Comparing the same time period in 2021/22 to 2022/23 there is an increase, 0.71 days in short term sickness absence per full time equivalent (FTE), and an increase, 0.20 days in long term sickness. The position is summarised in the table below, with additional detail given at Appendix A.

Type	2021/22	2022/23
Short Term	1.94 days per FTE	2.65 days per FTE
Long Term	3.86 days per FTE	4.06 days per FTE
Total	5.80 days per FTE	6.71 days per FTE

- 3.2 The long-term sickness absence is being managed either by getting staff back to work or them exiting the organisation either on ill-health retirement, dismissal or by resignation. Those with significant long-term absence equates to 11 employees having lost a total of 767 days. 4 of these employees have successfully returned to work, 5 are still absent and 2 left the Council (1 dismissal and 1 ill health retirement).

- ...
- 3.3 Appendix B shows the reasons for the number of days lost per FTE. The main reasons for absence relate to Mental Ill Health, Stomach and Muscular-Skeletal.
- 3.4 There are a number of cases currently being dealt with under the Attendance Management Policy, and the current status of these cases are as follows:
- 4 employees are having management/formal reviews
 - 21 employees are at Stage 1
 - 3 employees are at Stage 2
- 3.5 Before the end of the financial year, the Council intends to review its Occupational Health Provider. Whilst the Council has been content with the services of the current provider for a number of years, it would be beneficial to review the available providers in the market to ensure that a cost effective, efficient service is delivered.

4 Recruitment, Retention and Selection

- 4.1 There were a number of starters and leavers between April 2022 to September 2022. There were 38 new starters. There were 21 leavers, including 2 dismissals due to ill health, 2 Retirements and 17 resignations. This equates to a labour turnover of 7.82% (7.08% voluntary leavers).
- 4.2 The Council has continued with the strategy of reviewing all posts that become vacant. Those posts that need to be filled are recruited to internally where possible. During the current year, 23 posts have been filled internally; this supports the Council's ability in succession planning.
- 4.3 The HR team's new Health & Safety Officer started with the Council on 14th March 2022 and has settled in well in the role. Several recruitment campaigns have been undertaken to fill a HR Officer vacancy within the team, which has been vacant since January 2022. However, the campaigns have not been successful, and the position is still currently vacant.

5 Employee Relations

- 5.1 The HR team provides advice and support to managers on all HR issues. The HR Manager and the HR Officers provide support to managers and lead, where appropriate on investigations and disciplinary, grievance, and capability matters. There were 2 disciplinary investigations and one grievance case commenced/undertaken between April 2022 and September 2022.
- 5.2 The HR Manager and HR Officers also provide considerable support in the actions up to and including hearing and appeals (if required). Out of the 2 investigations, one investigation resulted in a written warning and one investigation is ongoing. In addition, one investigation ongoing from 2021/22 was concluded and resulted in a final written warning.

- 5.3 The HR team is co-ordinating the Staff Survey 2022, which will be sent to all employees in November 2022. The HR team will encourage responses to the survey to facilitate a high response rate, which in turn, ensures a more representative result base. It is planned that the results will be available by the end of December 2022/early January 2023.

6 Pay & Benefits

- 6.1 The pay award for 2021/22 was agreed as 1.75% in February 2022. The Pay Policy statement was updated for 2022/23 and published on the Council's website.
- 6.2 No pay award has yet been agreed for 1 April 2022 onwards. Negotiations have been taking place between the National Employers and the Unions during the year. The National Employers have made a one year pay offer of an increase of £1,925 on all NJC pay points 1 and above. The Unions are currently balloting their members and the outcome is expected to be announced towards the end of October / early November 2022.

7 Learning, Training and Development

- 7.1 The HR team are arranging the training courses as agreed in the corporate training plan for 2022/23. During the 2022/23 training year, the Council is running in house courses including Investigation Skills, Mental Health First Aid / Awareness, and Health and Safety courses (e.g., Risk Assessment, Personal Safety, First Aid, Fire Marshall and Legionella Awareness).
- 7.2 Our E learning programme covers Health & Safety, Fraud Awareness, Fire Awareness, Equality & Diversity, Customer Service, Data Protection, GDPR & Cyber Awareness, Freedom of Information, Bribery Act 2010, Staff Reviews (Appraisals). The mandatory E learning modules should be refreshed every 3 years, and the HR Manager is currently working with the Administrator of the E learning platform, Staffordshire County Council (SCC) to facilitate the refresher program.
- 7.3 During the 2022/23 training year, Extended Management Team and Team Leaders/Supervisors will receive a 360-degree appraisal with the HR section managing the process and producing the analysis in house. An external consultant will provide the feedback to the delegates and produce a report of the overall findings.
- 7.4 The apprenticeship levy came into effect from 6 April 2017. The HR team have assisted Divisions with the consideration of apprenticeships, where appropriate. During 2022/23, the Council will be recruiting the following apprentices: Mechanic, Plumber, Electrician and Property Maintenance Operative and will be able to utilise the apprenticeship levy allowance to cover the training costs for these posts.

8 Safety Management

- 8.1 Managers undertake risk assessments, safe systems of work and safety audits in their work areas. The new Health and Safety Officer began work with Managers and Directors in all the service areas of the Council, to provide health and safety advice and support. Duties have included a high-level audit of the Council's work generally and risk assessments in particular. In addition, there are a number of health and safety policies, that the Health and Safety Officer will review.

9 Policies Procedures and Processes

- 9.1 The HR work plan for 2022/23 included an updated timetable for policy review. Progress has been somewhat delayed due to the staffing vacancy in the team, however the 2022/23 timetable is still expected to be achieved.

10 Areas to be taken forward in 2022/23

- 10.1 The HR work plan for 2022/23 includes actions such as a review of the Council's Corporate Workforce Plan and the Human Resources Strategy.

11 Report Implications

11.1 Finance and Value for Money Implications

- 11.1.1 There are costs associated with the use of additional staffing resources to cover periods of absence. Most short-term absence is absorbed within sections. However, if sickness is long term, and the service could potentially fail as a result of staff shortages, then there would be additional costs to maintain services, either through buying in extra resources or acting up arrangements.

- 11.1.2 The financial strategy included provision for a pay award of 2% for 2022/23. The pay award offered exceeds the provision included by around £556,000, so is a significant added pressure on the financial position of the Council.

11.2 Human Resources Implications

- 11.2.1 As detailed in the report.

11.3 Equality Implications

- 11.3.1 Under the Equality Act there are specific responsibilities specified under the public sector equality duty to ensure that local authorities meet the general equality duty. In terms of Human Resources there are specific codes of practice for employment and for equal pay.

11.4 Links to Council's Priorities

11.4.1 Effective recruitment and management of the workforce contributes to the Council's priority of making the best use of our resources.

The Contact Officer for this report is Kerry Drakeley (719300)

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

APPENDIX A

ALL SICKNESS

	2021/22	2022/23	2021/22	2022/23	2021/22	2022/23
Division	Average FTE per Division	Average FTE per Division	Days Lost by FTE	Days Lost by FTE	Sickness per FTE	Sickness per FTE
Assistant Chief Exec	28.42	29.77	108.00	137.22	3.80	4.61
Corporate Services	23.07	16.65	45.41	18.14	1.97	1.09
Streetscape	72.90	69.41	687.94	883.58	9.44	12.73
Leisure & Comm Dev	46.20	38.61	451.03	195.39	9.76	5.06
Community Services	32.16	31.34	117.47	154.91	3.65	4.94
Finance,HR & Audit	15.03	15.13	79.00	20.68	5.26	1.37
Housing	69.28	60.59	205.88	391.21	2.97	6.46
Chief Exec	6.70	6.90	9.60	0.00	1.43	0.00
Total	293.74	268.38	1,704.33	1,801.13	5.80	6.71

SHORT TERM SICKNESS

	2021/22	2022/23	2021/22	2022/23	2021/22	2022/23
Division	Average FTE per Division	Average FTE per Division	Days Lost by FTE	Days Lost by FTE	Sickness per FTE	Sickness per FTE
Assistant Chief Exec	28.42	29.77	13.00	52.25	0.46	1.76
Corporate Services	23.07	16.65	45.41	18.14	1.97	1.09
Streetscape	72.90	69.41	222.11	316.80	3.05	4.56
Leisure & Comm Dev	46.20	38.61	113.18	94.80	2.45	2.46
Community Services	32.16	31.34	45.27	53.41	1.41	1.70
Finance & HR	15.03	15.13	2.00	20.68	0.13	1.37
Housing	69.28	60.59	120.38	155.85	1.74	2.57
Chief Exec	6.70	6.90	9.60	0.00	1.43	0.00
Total	293.74	268.38	570.95	711.93	1.94	2.65

LONG TERM SICKNESS

	2021/22	2022/23	2021/22	2022/23	2021/22	2022/23
Division	Average FTE per Division	Average FTE per Division	Days Lost by FTE	Days Lost by FTE	Sickness per FTE	Sickness per FTE
Assistant Chief Exec	28.42	29.77	95.00	84.97	3.34	2.85
Corporate Services	23.07	16.65	0.00	0.00	0.00	0.00
Streetscape	72.90	69.41	465.82	566.79	6.39	8.17
Leisure & Comm Dev	46.20	38.61	337.85	100.59	7.31	2.61
Community Services	32.16	31.34	72.20	101.50	2.25	3.24
Finance & HR	15.03	15.13	77.00	0.00	5.12	0.00
Housing	69.28	60.59	85.50	235.37	1.23	3.88
Chief Exec	6.70	6.90	0.00	0.00	0.00	0.00
Total	293.74	268.38	1,133.37	1,089.22	3.86	4.06

Reasons for Sickness

APPENDIX B

	Accident at Work	Back/ Neck	Chest	Cold/ Flu/ Infections	ENT / Mouth	Endocrine	Geni-Urin	Heart	Mental Ill Health	Muscular/ Skeletal	Neurological	Pregnancy	Skin Conditions	Stomach	Coronavirus	Total
NWBC 2022/23	0.00	140.81	33.21	61.79	114.18	3.09	24.32	182.65	422.40	285.52	80.53	1.28	9.26	288.18	153.90	1,801.13

<u>Sickness Code</u>	<u>Description</u>
Accident at Work	Accident at Work (Accident Form must be completed)
Back / Neck	Back & Neck problems
Chest	Chest / Respiratory: to include Chest infections
Cold / Flu / infections	Cold / Flu symptoms / Infections (<u>not</u> chest)
ENT / Mouth	Ear / Eye / Nose / Mouth including dental and sinusitis
Endocrine	Thyroid / Diabetes and other Endocrine related conditions
Genito-Urinary	Genito-urinary: including menstrual conditions
Heart	Heart / Blood pressure & circulation
Mental Ill Health	Anxiety, Depression / Stress / Mental Fatigue
Muscular-Skeletal	Musculo-Skeletal Problems
Neurological	Neurological; including headaches and migraine
Pregnancy	Pregnancy related
Skin Conditions	Skin Related Conditions
Stomach	Stomach, Liver, Kidney & Digestion; to include gastro-enteritis

Agenda Item No 6

Special Sub-Group

1 November 2022

**Report of the
Corporate Director - Resources**

Risk Assessment Policy

1 Summary

- 1.1 This report advises members of the background to the revised policy on Risk Assessment and recommends the adoption of the revised policy for the Council. The trade unions have been consulted on the revised policy.

Recommendation to the Special Sub-Group

To adopt the revised Risk Assessment Policy

2 Introduction

- 2.1 North Warwickshire Borough Council adopted a Risk Assessment Policy in 2010. The Policy states that the identification of hazards and the assessment of risks are key elements of the Council's policy for safety and that risk assessment will be carried out on an on-going basis.

3 Policy Revision

- 3.1 The Health and Safety Officer joined the Council in March 2022 and initial duties have included a high-level audit of the Council's work generally and risk assessments in particular. In addition, there are a number of health and safety policies that the Health and Safety Officer is reviewing. As part of that work, the Risk Assessment Policy has been revised.

- 3.2 The Council has the moral and legal responsibility to assess and eliminate risk for all of its activities. If hazards cannot be removed, responsible staff must, as far as reasonably practicable, provide safe systems of work and/or equipment which can ensure the safety of our staff, the public, visitors and contractors. The revised Policy is detailed at Appendix A.

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4 Report Implications

4.1 Equality Implications

4.1.1 As detailed in the report.

4.2 Links to Council's Priorities

4.2.1 Effective management of the workforce contributes to the Council's priority of making the best use of our resources.

The Contact Officer for this report is Kerry Drakeley (719300)

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date



North Warwickshire
Borough Council

Risk Assessment Policy

November 2022

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Risk Assessment Policy Statement

Risk Assessments are fundamental building blocks upon which safe and efficient environments are created.

North Warwickshire Borough Council (NWBC) has the moral and legal responsibility to assess and eliminate risk for all of its activities. If hazards cannot be removed, responsible staff must, as far as reasonably practicable, provide safe systems of work and/or equipment which can ensure the safety of our staff, the public, visitors and contractors.

NWBC will do its utmost to ensure staff are sufficiently educated and supported in the creation, management, and development of risk assessments.

All staff are expected to support in risk assessment processes, follow procedures put in place for the safety of themselves and others and report to responsible officers (openly and honestly) if hazards have not been considered in their workplace.

Why do we use Risk Assessments

Risk assessments are an important step for the protection of NWBC staff and all those who make use of our facilities and services. Risk assessments help to identify, eliminate and/or control risks with the potential to cause harm (significant risks).

Often the simplest and most direct method is the most appropriate for controlling risks, e.g. trailing cables secured safely away from walkways to prevent trips or spilt liquids mopped up to prevent someone from slipping. In some cases more complex controls are required to make sure everyone remains safe, e.g. reactive chemicals stored safely and processes in place for protecting those who handle them such as personal protective equipment and manual handling aids.

The Management of Health and Safety at Work Regulations 1999 identifies the legal requirement for risk assessments, regulation 3 states:

“Risk assessment

3.—(1) Every employer shall make a suitable and sufficient assessment of—
(a) the risks to the health and safety of his employees to which they are exposed whilst they are at work; and
(b) the risks to the health and safety of persons not in his employment arising out of or in connection with the conduct by him of his undertaking”

Simplified this means risks to the health and safety of employees and everyone else caused by a work activity, must be risk assessed. Due to the number of employees NWBC has, risk assessments must be documented

In addition to the legal requirements there are other positive reasons to use risk assessments including;

- Reduce accidents, injuries, ill health and fatalities
- Increase quality standards, efficiency and productivity
- Potential to save money in the short and/or long term
- Involve the workforce with their health and safety systems

How to Complete a Risk Assessment

Risk Assessment Team

Responsible Officers (Appendix 1) are responsible for ensuring Risk Assessments are completed. Risk Assessments should be completed using the Risk Assessment Form (Appendix 2) and should involve at least a Manager/Supervisor and employee. Although, it is recommended to discuss risk assessments with as many employees as practical to ensure that all hazards have been considered and controlled.

Identify Hazards

Hazards are anything which has the potential to cause harm. Hazards can be direct threats such as fire or falling from height but may be less obvious in many cases e.g. using a computer for long periods of time which can take years to cause upper limb issues.

Who may be Harmed and How?

Next you must consider who this hazard can hurt, and importantly how. This does not need to be a register of all staff names on site, a single word "staff" is more appropriate. Some hazards have obvious ways to hurt people "fire can lead to serious injury or fatality from smoke inhalation and/or burns." However, the example of dust is a less direct hazard "Short term effects such as eye irritation or induced asthma attack, chronic long term respiratory conditions caused by the inhalation of dust particles over time or if inhaled in large volumes."

Take time to consider the effects of hazards, do not be afraid to take some time to research into the subject, there will invariably be literature available online or from professional bodies.

Control Measures, In Place & Required

Control measures are what you have in place, or need to put in place, to ensure that hazards do not harm people in the ways you have considered. This can involve removing or replacing a system of work entirely or in some cases be as simple as putting a warning label on a spray bottle to point out that the chemical inside may irritate skin.

Make sure to attribute at least one responsible officer to any new control measures required. Try to put a specific date on the 'to do by date' section.

Monitoring & Review

Risk assessments should be a living document, as the Council or processes change they require updating and reconsidering. If new guidelines or machines come onto the market they may directly affect several risk assessments. Finally if nothing changes over the year you should, as a minimum, review and update all risk assessments annually.

All completed risk assessments must be provided to the Health and Safety Officer, to be reviewed and stored centrally.

Best Practices

Risk assessments can feel like a laborious process, but if carried out the correct way they are not a huge demand on time and can help to improve the safety and efficiency of your work processes.

Below are some tips and advice which should be followed when completing or reviewing risk assessments:

- Carrying out and reviewing risk assessments should be a group activity
 - Involve at least a manager/supervisor and employee
- Always involve those at risk and those in control
- Reduce risk to a level which is as low as reasonably practicable (ALARP)
 - Consider the time, costs and practicality of control measures before applying them, are they practicable?
- Risk assessments should be living documents, they are an ongoing process with the goal of reducing risk
- Review the risk assessment
 - At least annually
 - If an incident, accident or near miss occurs
 - If processes, methods or locations change
 - If new individuals are involved in a task
- Make sure that any actions clearly identify who will lead on the action and when it should be completed
- Carry out regular checks to make sure staff are aware of practices identified in risk assessment and that they are being followed

Risk assessments do take time to complete, the time is worth the outcome but it should be noted that no one is expected to deal with everything at once:

- Create a plan of action, make a list of what needs doing
 - List your hazards
 - Consider temporary controls if long term solutions will take time to implement
 - Plan training for your staff if any risks remain, make sure everyone knows how hazards are controlled
- Prioritise the most hazardous/important risk assessments
 - If there is a real chance of death or serious ill health from a hazard, work on this first
 - Consider national statistics, if there is a trend of high accident statistics, work on this as a priority
 - As you finish an assessment tick it off your list

Staff Training

NWBC prioritises having knowledgeable well-trained staff, providing external and in house training to facilitate this. If specific training is identified during the risk assessment process, please discuss with Managers, Directors, Corporate Directors or Human Resources as required.

Legislation

Below is a list of relevant legislation regarding risk assessments, each regulation provides useful information which should be considered when working on risk assessments. Please remember this list is not exhaustive, additional legislation may apply to specific risk assessments.

Health and Safety at Work Act 1974

The Management of Health and Safety at Work Regulations 1999

Regulatory Reform (Fire Safety) Order 2005

Fire Safety Act 2021 (Amendments to Regulatory Reform (Fire Safety) Order)

Control of Substances Hazardous to Health (COSHH) 2002

The Control of Asbestos Regulations 2012

The Manual Handling Operations Regulations 1992

Control of Noise at Work Regulations 2005

The Health and Safety (Young Persons) Regulations 1997

The Health and Safety (Display Screen Equipment) Regulations 1992

The Personal Protective Equipment at Work Regulations 1992

The Ionising Radiations Regulations 2017

Policy Written **September 2022**

Policy Revisions

Revision Date	Summary of changes

Risk Assessment Responsible Officers

NWBC Chief Executive Steve Maxey holds overall responsibility for the council's health and safety systems, he delegates identification and management of departmental responsible officers to the Corporate Directors, Directors.

Chief Executive

Chief Executive Steve Maxey identifies responsible officers:

- Head of Legal Services Clive Tobin
- Acting Environmental Health Manager Sharon Gallagher
- Head of Development Control Jeff Brown
- Head of Corporate Services Gary Hancock

Streetscape

Corporate Director Richard Dobbs identifies responsible officers:

- Waste and Transport Manager John Rhodes
- Facilities Manager Chris Jones
- Grounds and Operations Manager Lorna Palmer

Resources

Corporate Director Sue Garner identifies responsible officers:

- Assistant Customer Contact Manager Teresa Anderson
- Accountancy Assistant Paul Pratley
- Revenues and Benefits Shared Services Manager Rachael Dobson
- Senior Auditor Sukhdev Sharma
- Human Resources Manager Kerry Drakeley
- Health and Safety Officer Chris Gidlow

Housing

Director Angela Coates identifies responsible officers:

- Responsive Repairs Maintenance Manager Roy Morning
- Housing Services Manager Helen Parton

Leisure and Community Development

Director Simon Powell identifies responsible officers:

- Leisure Facilities Manager Russell Simkiss
- Community Development Manager Becky Evans

NWBC Risk Assessment Form

Description of activity being assessed:			
Site:			
Assessors:			
Assessment Date:		Review Date:	

What are the hazards	Who Might be harmed and how?	What control measures are already in place?	Further action required to control the risk?	Action by who?	Action by when?	Done

Assessor Name		Signed		Date	
Assessor Name		Signed		Date	
Manager Name		Signed		Date	