

Approved at Full Town Council					
Weston-super-Mare Town Council Charges for the year 2026 / 2027 (proposed)					
TOWN COUNCIL FACILITY		2025 / 2026 Proposed Charges (@10.% CPI increase except where complete review has taken place (all charges are rounded figures and are exclusive of VAT unless indicated otherwise)	2025 / 2026 Proposed Charges (@10. % CPI increase except where complete review has taken place (all charges are rounded figures and are exclusive of VAT unless indicated otherwise)	2026 / 2027 Proposed Charges (@10.% CPI increase except where complete review has taken place (all charges are rounded figures and are exclusive of VAT unless indicated otherwise)	2026 / 2027 Proposed Charges (@10. % CPI increase except where complete review has taken place (all charges are rounded figures and are exclusive of VAT unless indicated otherwise)
		WSM Resident- Discounted Charge	NON WSM Resident - Full Charge	WSM Resident- Discounted Charge	NON WSM Resident - Full Charge
<u>Allotments</u>					
Full size plot (one year notice required to raise charges)		Allotment Agreement signed 02.10.2025 set by Club Cost compared to other providers in the area in 2022 and adjusted accordingly		TBC - as per Allotment Agreement 07.12.16 set by Club Cost compared to other providers in the area in 2022 and adjusted accordingly	
<u>Milton Road Cemetery- Burial Fees (see Finance Office for VAT)</u>		WSM Resident- Discounted Charge	NON WSM Resident - Full Charge	WSM Resident- Discounted Charge	NON WSM Resident - Full Charge
<u>Internment Fees</u>					
Child < 5 Years					
Child 5 - 16 years		£ 308	£ 616	£ 339	£ 678
Adult 16 + years (single depth)		£ 880	£ 1,760	£ 968	£ 1,936
Adult (double depth)		£ 1,045	£ 2,090	£ 1,150	£ 2,299
Adult (triple depth)					
Use of cemetery Chapel - internment in Cemetery		£ 61	£ 121	£ 67	£ 133
Use of cemetery Chapel - internment elsewhere		£ 83	£ 165	£ 91	£ 182
<u>Exclusive right to Burial</u>					
Child		£ 297	£ 594	£ 327	£ 653
Adult		£ 1,089	£ 2,178	£ 1,198	£ 2,396
Ex-common graves (as per P&F resolution 15.06.15 charged at 75% of normal charge) to single depth only		£ 825	£ 1,650	£ 908	£ 1,815
<u>Cremated Remains</u>					
Child < 5 years					
Child 5 - 16 years		£ 204	£ 407	£ 224	£ 448
Adult 16 + years		£ 165	£ 330	£ 182	£ 363
Internment of Ashes (without casket Adult)		£ 110	£ 220	£ 121	£ 242
<u>Cemetery Memorials (Historically only charged single fee)</u>					
Flat Stone		£ 220	£ 440	£ 242	£ 484

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TOWN COUNCIL FACILITY					
Headstone	£	220	£	440	£ 242 £ 484
Vase	£	94	£	187	£ 103 £ 206
2nd Inscription	£	75	£	150	£ 75 £ 150
Kerb Set	£	220	£	440	£ 242 £ 484
Tablet & Plaque (Desk style for use in Cremated Remains plot (not Mem Garden) only)	£	209	£	418	£ 230 £ 460
<i>Cremated Remains Plots - within Cemetery (not Memorial Garden)</i>					
Exclusive right to burial in a cremated remains plot (80 years) Plot only from 01.04.19	£	693	£	1,386	£ 762 £ 1,525
Plots for cremated remains are available at various sections throughout the cemetery	£	715	£	1,430	£ 787 £ 1,573
<i>Cremated Remains Plots - Memorial Garden only)</i>					
Memorial Garden plot Package (Inc. VAT) All deeds now 80 Years from 01.04.19	£	1,520	£	3,040	£ 1,520 £ 3,040
<i>Children's Memorial Garden (new facilities available)</i>					
Memorial Garden Plot (Private plot for ashes etc.)	£	88	£	176	£ 97 £ 194
Memorial Garden Plot small coffin (under 5)	£	424	£	847	£ 466 £ 932
Scattering of Ashes (child up to age of 16yrs)	£	50	£	100	£ 50 £ 100
Name Plaque on Memorial wall		TBC		TBC	TBC
<i>Miscellaneous Charges</i>					
Transfer of Ownership of Grave	£	88	£	88	£ 97 £ 97
For a copy of deed Grant	£	33	£	33	£ 36 £ 36
Register Search	£	55	£	55	£ 61 £ 61
Copy of Register Entry	£	33	£	33	£ 36 £ 36
Exhumations		cost +10%		cost + 10%	cost +10% cost + 10%
Permission for Everlasting Candles	£	11	£	11	£ 12 £ 12
Memorial Benches	£	1,023	£	1,023	£ 1,125 £ 1,125
Extra letters for Memorial inscriptions	£	2	£	2	£ 2 £ 2
Memorial Trees (Methodology of spend approved P & F 20.02.17)					
Purchase of Tree plus 50% town council charge					
Plus £25 for Ground Preparation fee , Plus cost of Plaque					
Waterpark (fees shown include VAT - chargeable)					
Admission Fee - Child aged 1 - 16 years	£	3	£	3	£ 3 £ 3
(Hours between 9:30am - 5.00pm - 7 days per week)					
Seasonal charge to be applied ((Good Friday) - 1st September (new term date NSC)					

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Weston-super-Mare Town Council Charges for the year 2026 / 2027 (proposed)					
TOWN COUNCIL FACILITY					
Tourism Charges (fees shown are exclusive of VAT- chargeable)					
Website Packages					
Bronze					
Silver					
Gold					
Platinum					
Special Offer Food and Beverage					
Special Offer Year 1					
3 Month Seasonal Package					
Home Page Hero Banner (at top of page & whole width)					
We recommend Banner					
Section Banner (small at bottom of page)					
Visit Weston Website Packages for 2026/2027					
Package A - Full webpage					
Package B - Dual web page					
Advertorial package (through Google Ad manager with dashboard)					
Silica package - business listing					
Notice board package A (Prime seafront location) per month charge					
Notice board package B (Secondary location) per month charge					
Notice board package C (Town location) per month charge					
Museum (fees show VAT added -except Learning & Education charges which are exempt)					
Room Hire					
Learning Space ROOM HIRE (inclusive of VAT)					
Room hire - 1 hour (day) *					
Room hire - 1 hour (eve)*					
Upstairs Function Suite					

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Room hire - 1 hour (day) *		£	25		£ 25
Room hire - 1 hour (eve)*		£	30		£ 30
Courtyard - Evening Hire only					
(Access to the Galleries is available upon request - please note there may be an additional charge for this- at the discretion of the Museum Manager)					
COURTYARD HIRE (plus VAT)					
Room hire - 1 hour (eve)			Price on asking		Price on asking
Function Charges					
Children's Party Package					
1 Activity			Price on asking		Price on asking
Room Hire Charge for 2 x hours			Price on asking		Price on asking
Catering as per catering menu chosen			Price on asking		Price onasking
Note: Adult supervision is required.					
Function packages can be tailored to request					
prices as per room hire and current café prices to include overhead charge where applicable)			Price on Asking		Price on Asking
Conference delegate packages					
Dining Packages					
Community Groups					
Private Parties					
Live Music					
Vedding Packages					
Prices will be tailored on asking)			Price on Asking		Price on Asking
minimum charge £2,000 for exclusive use of museum)					
Offers and prices available for:					
Catering					
Bar requirements					
Dressing of room (Chair covers, feature items)					

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TOWN COUNCIL FACILITY					
Café Refreshments Packages - only available with hourly hires above* (Inc. VAT)					
Air pot for hot refreshments to include tea and Coffee will serve up tp 10 people					
Drinks Package - Room Hire not included (min 20 people - max 80 people)					
Price per person to include: £5.50 per person					
1 x drink (house wine / juice) on arrival					
Nibbles (crisp / nuts olives)					
Biscuit selection (based on 10 people) £5					
Pastry Selection 85p per person - available on request					
Fruit Selection 85p per person - available on request					
Finger Buffet & Drinks Package - Room Hire not included					
Costs available upon request					
Additional charged at normal bar rates.					
Education Charges					
Short session (x 1)					
Small Group (SEN) 1 x session					
Half Day Session					
Double Session					
Twilight session per child					
Home School Education session per child					
Home School Education additional child per session					
Rusty Club - Child					
Rusty Club 6 month advance payment					
Handling Box or similar resource hire on tailored topic (for 2 week hire)					
Introductory topic talks or assembly					
Class Museum (school Lead projects)					
Sessions for more than 100 pupils (small schools i.e.)					
Outreach tailored session to school (ADDED TO NORMAL SESSION RATE)					
Out Of WSM - Outreach tailored session to school (ADDED TO NORMAL SESSION RATE)					
Teacher Inset training sessions					
Any Session held at an alternative location i.e. YMCA will have the same charge applied as above plus the hire fee of the location.					

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Family and Adult Learning Events (new for 2026/2027)					Price on asking
Exhibition Hire - Courtyard					
Hire Charge T & C apply					
Courtyard Exhibition (on display boards) - 14 day hire including get in set up and removal				Price on asking	Price on asking
32 Waterloo Street (Fees show VAT included)					
CHAMBER ROOM HIRE (inclusive of VAT)					
Room hire - 1 hour (day) *			£ -	£ 30	
Room hire - 1 hour (eve)*			£ -	£ 35	
Noting first use by any community organiasation is free of charge (1 per year) but subsequent use is charged (excluding refreshments)					
Refreshments Packages - only available with hourly hires above* (Inc. VAT)					
Air pot for hot refreshments to incude tea and Coffee will serve up to 10 people			N/A	£ 2	
Old Town Quarry (for the period 31/01/2025 - 31/01/2026 as agreed by CEO/Town Clerk)					
Learning Hub hire charges (VAT exempt)					
Education (hourly rate)				£ 15	
Education (half day 9am - 1pm)				£ 60	
Education (half day 1pm - 5pm)				£ 60	
Education full day (9am - 5pm)				£ 120	
Education full day (9am - 9pm)				£ 180	
Education reoccurring bookings (minimum 6 weeks)				Price on asking	
Refundable damage deposit				£ 20	
Learning Hub hire charges (including VAT)					

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Finance and General Purposes Committee 15th December 2025

CCTV provision at the Old Town Quarry

Report from the Senior Development Officer

1. Purpose and Background of Report

To provide resolution regarding the CCTV works required at the Old Town Quarry.

The Old Town Quarry Refurbishment Project concluded in September 2025. During the build and closure period, when access was prohibited, it became evident that there was a strong health and safety risk which required monitoring. At this time, a member of North Somerset Council's CCTV team visited the site to provide guidance on the requirements. The following was recommended:

Description:

- Supply and install 6M rooted lighting column and BDP60 cabinet
- Supply and install Tandemvu camera with associated bracketry
- Supply and install wireless link between camera location and network hub location
- Align and test
- Configure camera, and commission onto NSC CCTV system

Total (ex VAT): £5,390.51

After installation, the ongoing monitoring of the site would be done by North Somerset Council. At this point, there was no budget identified for the works, and as such the risk continued to be monitored.

With the final account for the building works returned, it has become evident that there was an underspend on the capital works, and therefore a budget surplus. This currently (there are some smaller invoices pending payment) sits at a value of £11,548.48.

It is recommended that the surplus identified is used for the installation of CCTV.

2. Options for Council

1. Approve the use of budget surplus for the installation of CCTV at the Quarry
2. Do nothing – noting that this leaves an element of risk.

3. Reason for Recommendation

To allocate budget provision for the installation of CCTV at the Old Town Quarry.



4. Expected Benefits

Greater oversight of the Quarry, with monitoring coming under North Somerset Council.

5. Implications

5.1. Legal

Town councils have a legal duty under Section 17 of the Crime and Disorder Act 1998 to consider the impact of all their activities on crime and disorder and to take all reasonable steps to prevent it.

We also have a legal responsibility when managing a public site to ensure the health and safety of employees, volunteers, contractors, and members of the public using those buildings. This duty is primarily established by the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999.

5.2. Risks

The site is sizeable and requires additional support to monitor risk. The CCTV proposal has been specifically tailored to the site, and will be stationed at such a height that will see above the barn building roof and onto the public highway.

5.3. Financial Implications

The budget available has been identified as a surplus, and has been earmarked specifically for capital works at the Quarry, of which this qualifies.

5.4. Timescales

If agreed, this will be managed by North Somerset Council CCTV team who will be asked to provide a project timeline.

5.5. Stakeholders

Quarry artists, café team and visiting members of the public

5.6. Contractors

The quote for installation has been provided by Select Electrics Ltd, North Somerset Council's chosen supplier.

5.7. Crime & Disorder (councils have a legal duty to consider impact)

Town councils have a legal duty under Section 17 of the Crime and Disorder Act 1998 to consider the impact of all their activities on crime and disorder and to take all reasonable steps to prevent it.



5.8. Biodiversity (councils have a legal duty to consider impact)

n/a

5.9. Privacy Impact (consider Privacy Impact assessment)

A Data Protection Impact Assessment, formerly known as a Privacy Impact Assessment, is a mandatory legal requirement for a Town Council before installing CCTV, as this type of systematic monitoring of public spaces is likely to result in a high risk to individuals' rights and freedoms. Failure to conduct a DPIA could result in enforcement action by the Information Commissioner's Office.

If agreed, this would be carried out by North Somerset Council.

5.10. Equality & Diversity (councils have a legal duty to consider impact)

n/a

6. Appendices

n/a

7. Members are recommended to:

Approve the use of capital budget surplus for the installation of CCTV at the Old Town Quarry.

Molly Matthews

Senior Development Officer

Drafted 1st December 2025



WESTON-SUPER-MARE TOWN COUNCIL

Health and Safety Policy

worknest
H&S

Date	Version	Author	Origin of change e.g. change in legislation	Changed by
December 2024	V2	Town Clerk/CEO		RFO

This policy applies to Weston-super-Mare Town Council

Date policy adopted	December 2025
Approved by	Finance & General Purposes Committee (15.12.2025)
Review cycle	Annually
Review date	December 2026

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1. INTRODUCTION

This Health and Safety manual has been prepared by WorkNest on our behalf and with our involvement. It contains our Health and Safety Policy as required by the Health and Safety at Work Act 1974 and it defines the way we manage the health and safety hazards and risks associated with our business, premises and activities.

Weston Town Council are committed to managing health and safety effectively to protect our employees and other persons with whom we interact because we recognise that we have not only a moral and legal duty but also that our employees are our greatest asset.

Our Health and Safety Policy Statement sets out our commitment and the objectives we aspire to in managing health and safety. It is signed by the most senior person in our organisation to demonstrate that our commitment is led from the top.

Our approach to managing health and safety will be pragmatic and proportionate and will be prioritised according to risk with the objective of maintaining continuous improvement. We accept that we cannot eliminate risk from everything we do but we can manage risk in such a way that exposure to hazards is controlled as far as is reasonably practical.

We recognise that improvement in health and safety will not happen by chance and that planning to manage using a systematic approach through risk assessment is a necessary first step and an ongoing process. In moving forwards we will wherever possible eliminate risk through selection and design of buildings, facilities, equipment and processes. Where risks cannot be eliminated they will be minimised by the use of physical controls or, as a last resort, through systems of work and personal protection.

Our success in managing health and safety will be measurable and we look to establish performance standards against which we can monitor our progress to identify future actions to go into our improvement programme.

Based on our performance measurement in the form of accident monitoring, internal monitoring and external audits we will review our health and safety arrangements periodically and at least annually. The results of our measurement will be recorded and presented to the Board in our Annual Report.

This Policy has been created by the named consultant from WorkNest with the co-operation of our staff. They have signed the Policy to confirm that at the time of creation it is suitable, sufficient and relevant to our circumstances and operations. Our nominated responsible person has signed the Policy to confirm that it is a true reflection of the activities and operations that we undertake and the circumstances in which the council operates.

Creation Date	Signed on behalf of WorkNest	Confirmed
Sept 2019	L Tanner	

POLICY REVIEW

This Health and Safety Policy will be reviewed annually by WorkNest Ltd in conjunction with our nominated responsible person.

As each review is completed it will be signed off by the consultant from WorkNest and confirmed by our nominated responsible person.

Review Date	Signed on behalf of WorkNest	Confirmed
September 2020	L Tanner	
July 2021	L Tanner	

September 2022	L Tanner	
September 2023	L Tanner	
05.11.2024	Kofi Antwi	

DOCUMENT CONTROL

The electronic copy of the Health and Safety Policy provided by WorkNest will remain the controlled copy. Where further controlled copies are required then these should be issued accordingly and added to a register of controlled copies. Any amendments made to the policy will be provided for each of the controlled copies to ensure all controlled copies in circulation remain up to date.

If uncontrolled copies of the policy are printed either in whole or part, or if uncontrolled electronic copies are issued, then these will be clearly marked as an 'UNCONTROLLED COPY'.

Register

Copy Number or Reference	Location kept

AMENDMENT RECORD

Any amendments made to the Health and Safety Policy will be recorded below with information on changes made.

Where significant changes are to be made which could impact on the business or our clients, we will consider the reasons for change, potential problems and how it will be implemented.

Date	Section	Ref /Title	Details of amendment made	Change made by
July 21			Included Pandemic into Infection control in both the Handbook and Policy	L Tanner
Nov 24			Periodic review	Kofi Antwi

LEGISLATION

Extracts of relevant legislation are provided for ease of reference on the WorkNest webpage. Full copies of relevant legislation are available on the Office of Public Sector Information web page (www.opsi.gov.uk) and the National Archives (www.legislation.gov.uk)

GUIDANCE

Guidance on a number of health and safety issues can be accessed by logging onto the WorkNest webpage which we hope you will find useful as a quick reference source.

Should you require further advice or assistance not available here then remember that advice on any health and safety issue is available from the **WorkNest** advice line - **Tel: 0345 226 8393**

FORMS

Relevant forms and templates that may be utilised can be accessed by logging onto the WorkNest webpage.

2. HEALTH AND SAFETY POLICY STATEMENT

The management of Weston Town Council recognises that it has a legal duty of care towards protecting the health and safety of its employees and others who may be affected by the council's activities, and that managing health and safety is a business critical function.

In order to discharge its responsibilities the management will:

- bring this Policy Statement to the attention of all employees
- carry out and regularly review risk assessments to identify proportionate and pragmatic solutions to reducing risk
- communicate and consult with our employees on matters affecting their health and safety
- comply fully with all relevant legal requirements, codes of practice and regulations at International, National and Local levels
- eliminate risks to health and safety, where possible, through selection and design of materials, buildings, facilities, equipment and processes
- encourage staff to identify and report hazards so that we can all contribute towards improving safety
- ensure that emergency procedures are in place at all locations for dealing with health and safety issues
- maintain our premises, provide and maintain safe plant and equipment
- only engage contractors who are able to demonstrate due regard to health & safety matters
- provide adequate resources to control the health and safety risks arising from our work activities
- provide adequate training and ensure that all employees are competent to do their tasks
- provide an organisational structure that defines the responsibilities for health and safety
- provide information, instruction and supervision for employees
- regularly monitor performance and revise policies and procedures to pursue a programme of continuous improvement.

This Health and Safety Policy will be reviewed at least annually and revised as necessary to reflect changes to the business activities and any changes to legislation. Any changes to the Policy will be brought to the attention of all employees.

Signed:

Dated:

Name: Town Clerk

Position: Sarah Pearse

3. ORGANISATION FOR HEALTH AND SAFETY

The overall responsibility for health and safety rests at the highest management level. However, it is the responsibility of every employee to co-operate in providing and maintaining a safe place of work.

This part of our policy allocates responsibilities to line managers to provide a clear understanding of individuals' areas of accountability in controlling factors that could lead to ill health, injury or loss. Managers are required to provide clear direction and accept responsibility to create a positive attitude and culture towards health and safety.

The following positions have been identified as having key responsibilities for the implementation of our health and safety arrangements:

Council
Town Clerk
Health and Safety Lead
Managers
Fire Wardens

4. HEALTH AND SAFETY RESPONSIBILITIES

Council

The Council has the ultimate responsibility for the health and safety of Weston Town Council but discharges this responsibility through the collective down to individual managers and employees.

The Council will ensure that:

- they provide a lead in developing a positive health and safety culture throughout the organisation
- all its decisions reflect its health and safety intentions
- adequate resources are made available for the implementation of health and safety
- they will promote the active participation of employees in improving health and safety performance
- they will review the health and safety performance of the council on an annual basis.

Town Clerk

The Town Clerk has overall responsibility for ensuring our compliance with Health and Safety legislation but delegates the responsibility for implementation to the Health and Safety Lead.

The Town Clerk will ensure that:

- our Health and Safety Policy is implemented, monitored, developed, communicated effectively, reviewed and amended as required
- a health and safety plan of continuous improvement is created and senior management monitor progress against agreed targets
- suitable and sufficient funds, people, materials and equipment are provided to meet all health and safety requirements
- senior management designated with health and safety responsibilities are provided with support to enable health and safety objectives to be met
- a positive health and safety culture is promoted and that senior management develop a pro-active safety culture which will permeate into all activities undertaken and reach all personnel
- a system of communication and consultation with employees is established
- effective training programmes have been put in to place
- an annual report on the safety performance is presented to the Council.

Health and Safety Lead

The Health and Safety Lead will ensure that in their areas of control:

- they actively lead the implementation of our Health and Safety Policy
- they supervise their staff to ensure that they work safely, providing increased supervision for new and young workers
- safe systems of work are developed and implemented
- risk assessments are completed, recorded and regularly reviewed
- accidents, ill health and 'near miss' incidents at work are investigated, recorded and reported
- they communicate and consult with staff on health and safety issues
- they encourage staff to report hazards and raise health and safety concerns
- safety training for staff is identified, undertaken and recorded to ensure staff are competent to carry out their work in a safe manner
- issues concerning safety raised by anyone are thoroughly investigated and, when necessary, further effective controls implemented
- premises, plant and work equipment are maintained in a safe condition
- statutory examinations are planned, completed and recorded
- personal protective equipment is provided, staff instructed in its use and that records are kept
- adequate arrangements for fire and first aid are established
- any safety issues that cannot be dealt with are referred to the Town Clerk for action
- welfare facilities provided are maintained in a satisfactory state
- hazardous substances are stored, transported, handled and used in a safe manner according to manufacturers' instructions and established rules and procedures
- health surveillance is carried out and records are kept
- contractors engaged are reputable, can demonstrate a good health and safety record and are made aware of relevant local health and safety rules and procedures
- health and safety notices are displayed
- agreed safety standards are maintained particularly those relating to housekeeping
- health and safety rules are followed by all.

Managers

The Managers will ensure that in their areas of control:

- they implement our Health and Safety Policy
- they supervise their staff to ensure that they work safely, providing increased supervision for new and young workers
- they communicate and consult with staff on health and safety issues
- health and safety rules are followed by all
- they encourage staff to report hazards and raise health and safety concerns
- issues concerning safety raised by anyone are thoroughly investigated and, when necessary, further effective controls implemented and communicated to staff
- any safety issues that cannot be dealt with are referred to a senior manager for action
- safety training for staff is identified, undertaken and recorded to ensure they are competent to carry out their work in a safe manner
- safe systems of work are developed and implemented
- accidents, ill health and 'near miss' incidents at work are recorded, investigated and reported
- personal protective equipment is readily available and maintained, and relevant staff are aware of the correct use of this and the procedures for replacement
- hazardous substances are stored, transported, handled and used in a safe manner according to manufacturers' instructions and established rules and procedures.

Fire Wardens

Fire Wardens will ensure that in their designated area of responsibility they:

- monitor the general fire safety of the area that they have been allocated to
- check corridors and walkways to ensure combustible materials are not stored there
- monitor escape routes to see they are kept free of obstructions
- check that fire doors are not tied, propped or wedged open
- check that final exit doors are not obstructed
- check that extinguishers are where they should be and no obvious misuse or defect has occurred.

When the fire alarm sounds, Fire Wardens must:

- without putting themselves at risk, sweep through their allocated area and verbally encourage staff to leave via the nearest fire escape route. Fire Wardens should aim to finish their sweep at a fire exit and should not delay their own escape unduly
- check all accessible rooms including toilets and offices to make sure staff have evacuated the area or in case someone is waiting for assistance to evacuate. If there are signs of fire in a room (e.g. smoke coming out around the door), they should note the fact but should not enter or open the door
- if there is no immediate danger, ensure that all windows and doors are closed en-route to the fire exit
- report to the senior manager at the fire assembly point to report any signs of fire in their area, to report if anyone is at risk and to advise if their area is clear
- take part in any post-alarm de-briefing to identify any shortcomings in the fire evacuation procedures.

Fire Wardens are not expected to unnecessarily delay their own exit from the building or to jeopardize their own safety at any time. Fire Marshals are not expected to fight a fire or to use a fire extinguisher except to aid their own escape. However, if the fire is in their area of responsibility and they are trained and competent to do so, Fire Wardens may attempt to tackle a small fire if it is safe to do so and using the appropriate extinguisher.

Employees

All employees must:

- take reasonable care of their own safety
- take reasonable care of the safety of others affected by their actions
- observe the safety rules
- comply with the Health and Safety Policy
- conform to all written or verbal instructions given to them to ensure their personal safety and the safety of others
- dress sensibly and safely for their particular working environment or occupation
- conduct themselves in an orderly manner in the workplace and refrain from any antics or pranks
- use all equipment, safety equipment, devices and protective clothing as directed
- avoid any improvisations of any form which could create an unnecessary risk to their personal safety and the safety of others
- maintain all equipment in good condition and report defects to their supervisor
- report any safety hazard or malfunction of any item of plant or equipment to their supervisor
- report all accidents to their supervisor whether an injury is sustained or not
- attend as requested any health and safety training course
- observe all laid down procedures for processes, materials and substances used
- observe the fire evacuation procedure and the position of all fire equipment and fire exit routes.

Contractors

All contractors must:

- take reasonable care of their own safety
- take reasonable care of the safety of others affected by their actions
- observe the safety rules
- submit their health and safety policy and relevant risk assessments to us for approval
- comply with and accept our health and safety policy, if they do not have one
- conform to all written or verbal instructions given to them to ensure their personal safety and the safety of others
- dress sensibly and safely for their particular working environment or occupation
- conduct themselves in an orderly manner in the work place and refrain from any antics or pranks
- use all equipment, safety equipment, devices and protective clothing as directed
- avoid any improvisations of any form which could create an unnecessary risk to their personal safety and the safety of others
- maintain all equipment in good condition and report defects to their supervisor
- report any safety hazard or malfunction of any item of plant or equipment to their supervisor
- report all incidents to their supervisor and to us whether an injury is sustained or not
- attend as requested any health and safety training course
- observe all laid down procedures for processes, materials and substances used
- observe the fire evacuation procedure and the position of all fire equipment and fire exit routes.

WorkNest

WorkNest, in agreement with management, provides us with the following services:

- development of our documentation throughout the period of our contract and keeping it updated for:
 - changes in Health and Safety legislation relevant to us
 - organisational changes which affect our management system.
- a general risk assessment in the first part of the contract that forms the basis of our risk management programme and helps us plan our future actions to reduce risk.
- a consultant visit to train senior managers and to support our implementation of this Policy by:
 - assisting us to complete specific risk assessments
 - providing further training, as agreed, on relevant agreed topics
 - reviewing and auditing our health and safety procedures and legal compliance
 - providing advice on implementing changes and system procedures.

WorkNest is also contracted to:

- fulfil the role of 'Competent Person', providing advice and assistance on Health and Safety issues
- provide for us a telephone advisory service - available 24 hours per day, 365 days of the year
- provide crisis help if we have a serious accident or incident involving the Enforcement Authorities
- provide legal fees insurance, the terms of which are defined in our insurance policy document
- provide briefings to help keep us up to date with new and forthcoming legislation.

Health and Safety Internal Manager Meeting (Monthly)

The Health and Safety Internal Meeting responsibility is to facilitate communication and consultation on health and safety issues across the organisation.

They are responsible for ensuring that:

- there is regular communication and consultation with staff on health and safety issues
- health and safety issues raised by employees are discussed and considered for action
- health and safety standards within departments are monitored
- trends in accident statistics across the council are identified and making recommendations for action
- health and safety is promoted and new initiatives are considered to progressively improve standards in all areas
- employees are aware of significant changes to our health and safety policy documentation.
- all actions and minutes are reported to the councils Finance & General Purposes Committee for formal noting by council.

5. HEALTH AND SAFETY RULES

This section of our Health and Safety Policy specifies the rules laid down for the attention of all employees. These rules are prepared in accordance with legal requirements and acknowledged safe working practices. In addition to the legal duty imposed upon employees to comply with these rules, failure to observe them will be considered to be a breach of the contract of employment and will result in disciplinary action being taken.

Employees are reminded that a breach of health and safety legislation by an employee is a criminal offence and action taken by an Enforcing Officer against an individual may result in heavy penalties.

Safety rules may vary depending upon the nature of work and the circumstances therefore the overriding requirement is that employees are expected to act in a sensible manner and adhere to verbal instructions given by Management.

General

- It is the duty of all employees to co-operate with management in fulfilling our legal obligations in relation to health and safety.
- Employees must not intentionally or recklessly interfere with anything provided in the interests of health, safety or welfare.
- Employees are required to notify to management of any unsafe activity, item or situation.

Working Practices

- Employees must not operate any item of plant or equipment unless they have been trained and authorised.
- Employees must make full and proper use of all equipment guarding.
- Employees must not clean any moving item of plant or equipment.
- Employees under the age of 18 years must not operate any item of plant or equipment unless they have received sufficient training or are under adequate supervision.
- Employees must not make any repairs or carry out maintenance work of any description unless authorised to do so.
- Employees must use all substances, chemicals, liquids etc, in accordance with all written instructions.
- Employees must not smoke except in prescribed areas.

Hazard / Warning Signs and Notices

- Employees must comply with all hazard/warning signs and notices displayed on the premises.

Working Conditions / Environment

- Employees must make proper use of all equipment and facilities provided to control working conditions/ environment.
- Employees must keep stairways, passageways and work areas clear and in a clean and tidy condition.

- Employees must dispose of all rubbish, scrap and waste materials within the working area, using the facilities provided.
- Employees must clear up any spillage or liquids within the work area in the prescribed manner.
- Employees must deposit all waste materials and substances at the correct disposal points and in the prescribed manner.

Protective Clothing and Equipment

- Employees must use all items of protective clothing/equipment provided as instructed.
- Employees must store and maintain protective clothing/equipment in the approved manner.
- Employees must report any damage, loss, fault or unsuitability of protective clothing/equipment to their supervisor.

Fire Precautions

- Employees must comply with all laid down emergency procedures.
- Employees must not obstruct any fire escape route, fire equipment or fire doors.
- Employees must not misuse any fire-fighting equipment provided.
- Employees must report any use of fire-fighting equipment to their supervisor.

Accidents

- Employees must seek medical treatment for work related injuries they receive by contacting a designated first aider. Upon returning from treatment they must report the incident to their supervisor.
- Employees must ensure that any accident or injury treatment is properly recorded in the Accident Book.
- Employees must notify management of any incident in which damage is caused to property.

Health

- Employees must report to management any medical condition or medication which could affect the safety of themselves or others.
- Employees must co-operate with the management on the implementation of the medical and occupational health provisions.

Employer's Transport

- Employees must carry out prescribed checks of council vehicles prior to use and in conjunction with the laid down checking procedure.
- Employees must not drive or operate any vehicles for which they do not hold the appropriate driving licence or permit.
- Employees must not carry unauthorised passengers or unauthorised loads.

- Employees must not use vehicles for unauthorised purposes.
- Employees must not load vehicles above the stated capacity.
- Employees must not drive or operate vehicles whilst suffering from a medical condition or illness that may affect their driving or operating ability.

Rules Covering Gross Misconduct

An employee will be liable to summary dismissal if they are found to have acted in any of the following ways:

- A serious or wilful breach of Safety Rules.
- Unauthorised removal or interference with any guard or protective device.
- Unauthorised operation of any item of plant or equipment.
- Unauthorised removal of any item of first aid equipment.
- Wilful damage to, misuse of or interference with any item provided in the interests of Health and Safety or welfare at work.
- Unauthorised removal or defacing of any label, sign or warning device.
- Horseplay or practical jokes which could cause accidents.
- Making false statements or in any way deliberately interfering with evidence following an accident or dangerous occurrence.
- Misuse of any item of equipment, utensil, fitting/ fixture, vehicle or electrical equipment.
- Deliberately disobeying an authorised instruction.

6. ARRANGEMENTS

Accident, Incident and Ill-Health Recording, Reporting and Investigation

This policy sets out the procedures that are to be followed when any employee, visitor or contractor has an accident, near miss or dangerous occurrence on the council's premises during the course of their employment.

This will also apply to visitors who are members of the public and are therefore not at work. In addition employees who develop a work-related illness must also report via these procedures.

Definitions:

An **accident** is an unplanned event that causes injury to persons, damage to property or a combination of both.

A **near miss** is an unplanned event that does not cause injury or damage but could do so.

A **work-related illness** is a prescribed illness that is obtained by an employee through the course of work or from a non-employee as a result of activities carried out by the council.

The Accident Book

All accidents resulting in personal injury must be recorded in the council's Accident Book.

The Accident Book will comply with the requirements of the Data Protection Act.

The Accident Book will be reviewed regularly by senior management to ascertain the nature of incidents that have occurred in the workplace. This review will be in addition to any investigation of the circumstances surrounding each incident.

All near misses must also be reported to management as soon as possible so that action can be taken to investigate the causes and to prevent recurrence.

Employees must ensure that they are aware of the location of the accident book.

Reporting Requirements

Certain accidents causing injury, both fatal and non-fatal, certain occupational diseases and certain dangerous occurrences are reportable to the Enforcing Authority under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).

The following events must be reported to the Health and Safety Executive:

- A death
- A specified injury to an employee as detailed in regulation 4
- An injury to a non-employee where that person is taken directly to hospital for treatment as a result of their injury
- Any dangerous occurrence
- Any employee diagnosed by a qualified medical practitioner as suffering from a disease specified in the Regulations
- Any employee diagnosed with a cancer caused by work-related exposure to a known carcinogen or mutagen.

Injuries that lead to a worker being incapacitated for **more than seven consecutive days** as the result of an occupational accident or injury (not counting the day of the accident but including weekends and rest days) must also be reported within 15 working days using the Health and Safety Executive (HSE) website.

You **must** also keep a record of an accident if the worker has been incapacitated for **more than three consecutive days**. If you are an employer, who must keep an accident book under the Social Security (Claims and Payments) Regulations 1979, that record can be treated as a record for the purposes of RIDDOR.

Contact details for the Health and Safety Executive are:

Tel: 0345 300 9923 (Monday to Friday 8:30am to 5:00pm)

Website: www.hse.gov.uk

For further advice on injuries, diseases or dangerous occurrences requiring notification please contact the WorkNest Advice Line. (Tel: 0345 226 8393)

The completed report form sent back by the HSE should be kept with the other accident records and documents; this will confirm the notification has been made.

Accident report, completed notification form and investigation notes, witness statements and photographs are to be kept on file to advise the insurers of a potential claim and to present to the Enforcing Authority in the event of an investigation.

Records are to be kept for 3 years from the date of the incident.

Investigation

All injury related accidents that are either notified to the Enforcing Authority or where a serious injury has occurred will be investigated:

- to ensure that all necessary information in respect of the accident or incident is collated
- to understand the sequence of events that led to the accident or incident
- to identify the unsafe acts and conditions that contributed to the cause of the accident or incident
- to identify the underlying causes that may have contributed to the accident or incident
- to ensure that effective remedial actions are taken to prevent any recurrence
- to enable a full and comprehensive report of the accident or incident to be prepared and circulated to all interested parties
- to enable all statutory requirements to be adhered to.

The investigation will include obtaining signed witness statements, photographs and drawings as appropriate.

Asbestos

The council will protect employees and other persons potentially exposed to asbestos as far as is reasonably practicable. Everyone who needs to know about the presence of asbestos will be alerted. No one will be allowed to start any work that could disturb asbestos unless the correct procedures are to be employed.

This will be achieved by minimising exposure through:

- the management of asbestos-containing materials in the workplace premises by
 - **Assessment** - The premises will be surveyed to determine whether asbestos-containing materials are present. It will be presumed that materials contain asbestos unless there is strong evidence to the contrary.
 - The amount and condition of the asbestos-containing material will be assessed and measures will be identified to ensure that airborne asbestos fibres are not present or formed in the workplace.
 - **A Written Plan** - A written plan or register that sets out the location of the asbestos-containing material and how the risk from this material will be managed will be prepared and steps will be taken to put the plan into action. The plan or register will be made available and the arrangements will be reviewed at regular intervals or when there has been a significant change to the organisation or personnel.
 - **Access to Asbestos-containing Materials** - Access to asbestos-containing materials in the premises will be controlled so as to prevent inadvertent disturbance of the material and the release of asbestos fibres. Systems will be put in place to ensure that anyone liable to disturb asbestos-containing materials is made aware of their location.
 - **Monitoring and Maintenance** - The condition of all asbestos-containing materials or materials suspected of containing asbestos will be inspected at agreed intervals to ascertain that there has been no damage or deterioration. Where damage or deterioration is found the asbestos-containing material will be reassessed and repaired or removed as appropriate.

Asbestos-related Emergencies

Procedures to deal with asbestos-related incidents will be in place (including the provision of information and warning systems) unless there is only a slight risk to the health of employees.

Arrangements for Controlling Work on Asbestos

Any work on, or removal of, asbestos-containing materials will be controlled to ensure that adequate precautions are taken to prevent the release of asbestos fibres.

Work with asbestos and asbestos-containing materials is to be carried out by a licensed contractor (licensed by the HSE) unless the work is exempted from the requirement for licensing.

Selection and Control of Contractors to Work on Asbestos-containing Materials

When contractors are engaged to work on the premises, adequate steps will be taken to ensure the contractors are competent and have sufficient skills and knowledge to do the job safely and without risks to health.

Only contractors licensed by the HSE will be used for the removal of asbestos-containing materials, unless the work involves the removal of materials in which:

- asbestos fibres are firmly linked in a matrix

- the exposure during the removal process is likely to be sporadic or of low intensity.

Contractors hired to carry out building or allied trade work that will involve minor work with asbestos must comply with the Control of Asbestos Regulations.

Procedures for Dealing with Health and Safety Issues

Where an employee raises a health and safety problem related to work with asbestos, the council will:

- take all necessary steps to investigate the circumstances
- take corrective measures where appropriate
- advise the employee of actions taken.

Where a problem arises relating to the condition of, or during work on, asbestos-containing material, the employee must:

- inform a responsible person immediately, usually a supervisor or manager
- in the case of an accident or emergency, respond quickly to ensure effective treatment.

Communication and Consultation

It is a legal requirement for the council to establish arrangements to communicate and consult with employees on issues affecting their health and safety and to take account of their views.

To achieve this objective we will:

- establish effective lines of communication
- involve and consult with employees through:
 - individual conversations
 - notice boards
 - internal publications
 - staff meetings
 - health and safety meetings.
- display the 'Health and Safety Law – What You Need To Know' poster
- consult with employees when changes to processes, equipment, work methods etc. are to be introduced that may affect their health and safety.

Where it is not practical to consult with all employees directly and it would be more appropriate to communicate and consult through employee representatives, we will arrange for representatives of employee safety to be elected.

The council will allow all representatives an appropriate amount of time away from their normal duties in order to complete their duties as representatives. We will not hinder representatives in the execution of their normal functions as defined by law.

Contractors

When working on our premises it is considered that contractors are joint occupiers for that period and therefore we have both joint liabilities in “common areas”. In order to meet our legal obligations with regard to contractors we will ensure that prior to engaging any contractor they are competent and that any works are carried out safely.

The following factors will be considered as part of our procedures for vetting contractors:

- sight of the contractor's own safety policy, risk assessments, method statements, permits to work, etc as applicable
- clarification of the responsibility for provision of first aid and fire extinguishing equipment
- details of articles and hazardous substances intended to be brought to site, including any arrangements for safe transportation, handling, use, storage and disposal
- details of plant and equipment to be brought onto site, including arrangements for storage, use, maintenance and inspection
- clarification for supervision and regular communication during work including arrangements for reporting problems or stopping work in cases where there is a serious risk of personal injury
- confirmation that all workers are suitably qualified and competent for the work (including a requirement for sight of evidence where relevant)
- evidence showing that appropriate Employers and Public Liability Insurance is in place.

Clearly, it will not be necessary to go to such elaborate lengths if the contract is very short and will not create hazards of any significance. The complexity of the arrangements will be directly proportional to the risks and consequences of failure.

Similarly, we have a parallel duty to the contractor and must ensure that the contractor is not put at risk by our own activities for the duration of the contract.

We will stop contractors working immediately if their work appears unsafe. Staff should report any concerns to a manager immediately.

Construction work and the Construction (Design and Management) Regulations 2015

Where any construction work is carried out, to fulfil our legal duties as a “client” under the Construction (Design and Management) Regulations 2015 we will:

- make suitable arrangements for the management of the project and review those arrangements throughout the project to ensure that they are still relevant
- ensure that all duty holders that we appoint have the necessary skills, knowledge, training and experience to carry out their roles safely.
- appoint in writing the Principal Designer and Principal Contractor sufficiently early in the project to allow them to carry out their duties properly.
- notify the HSE in writing for projects that require it
- ensure that relevant pre-construction information is passed to all designers and contractors
- ensure that the Principal Designer and Principal Contractor carry out their duties

- ensure that adequate welfare facilities are provided for the contractors
- ensure that no construction commences until an adequate health and safety plan and construction phase plan covering the work has been prepared
- ensure that any health and safety file passed to us is kept securely and readily available for inspection by anyone who requires it to fulfil their legal duties, and , if we choose to dispose of the building, to pass the file to any person or council who acquires the building.
- cooperate fully with all other duty holders and provide all relevant information and instruction promptly and clearly.

Disabled Persons

The council will give full and proper consideration to the needs of disabled employees and visitors.

To achieve this, the council will:

- treat all disabled employees and visitors with respect and dignity, both in the provision of a safe working environment and in equal access to the organisation's facilities
- ensure that risk assessments are undertaken of the special needs of the disabled and carry out reasonable adjustments to the premises and/or employment arrangements
- encourage employees with special needs to suggest any premises or task improvements to their line managers
- discipline any employees found treating their disabled colleagues with less than the expected standards of respect and dignity
- in an emergency evacuation, ensure suitable plans are in place which will assist disabled people to leave the premises swiftly.

Display Screen Equipment

All reasonable steps will be taken by the council to secure the health and safety of employees who work with display screen equipment.

To achieve this objective the council will:

- carry out an assessment of each user's workstation
- implement necessary measures to remedy any risks found as a result of the assessment
- provide adequate information and training to persons working with display screen equipment
- endeavour to incorporate changes of task within the working day, to prevent intensive periods of on-screen activity
- review software to ensure that it is suitable for the task and is not unnecessarily complicated
- arrange for the provision of free eye tests when requested, at regular intervals thereafter and where a visual problem is experienced
- arrange for the supply, at a subsidised cost up to a maximum limit of ££70, for any corrective appliances (glasses or contact lenses) where these are required specifically for working with display screen equipment

- advise existing employees, and all persons applying for work with display screen equipment, of the risks to health and how these are to be avoided
- investigate any discomfort or ill-health believed to be associated with the use of display screen equipment and take appropriate remedial action
- make special arrangements for individuals with health conditions that could be adversely affected by working with display screen equipment.

Employees must:

- comply with the instructions and training given regarding safe workstation set-up and use, including the need for regular changes of activity or breaks and the use of the equipment provided
- inform their departmental supervisor/line manager of any disability or health condition which may affect their ability to work using display screen equipment or be affected by working with DSE (this information will be treated confidentially)
- report to their departmental supervisor/line manager any discomfort or health concern believed to be associated with the use of DSE (this information will be treated confidentially).

Driving for Work

Driving is an integral part to some roles within the council and as such requires driving on council business. Driving has inherent risks associated with it which drivers should be made aware of.

The council is committed to reducing the risks its staff face or create when driving at work and therefore will:

- ensure risk assessments are completed and that journeys are planned
- not put unreasonable time constraints on travel
- ensure those driving for business are competent (and where required, authorised) and fit
- provide any additional training that may be deemed necessary to reduce driving related occupational risks
- provide sufficient information and guidance for managers and drivers to enable them to understand the additional occupational risks involved in driving
- establish a travel plan which will limit the requirement for travel and make provisions for long journeys
- require drivers to annually submit copies of their insurance, the MOT certificate or evidence of the MOT exemption for their vehicle and their current driving licence.

When providing council vehicles the council will:

- maintain them to the required legal standard and ensure they are suitable for their purpose
- provide and maintain additional tools and equipment necessary for the purposes of the journey
- provide them with regard to safety and the environment i.e. higher ENCAP ratings, lower emissions, better fuel consumption
- provide access to breakdown support and recovery

- provide no smoking signs for inside the vehicle.

Implementation

The council asks its entire staff to play their part, whether they use a council vehicle, their own or a hire vehicle.

Drivers

Drivers will remain responsible for their safety and others and must comply with the Highway Code and Road Traffic Act.

It is the responsibility of drivers to inform their manager of:

- anything that could affect their driving e.g. health conditions or injuries, use of prescribed medication
- changes to licence such as; limitations, offences recorded, period bans
- vehicle defects that affect ability / safety to drive
- any accidents / incidents that occurred whilst driving on behalf of the council.

Before driving, drivers must

- review the need to travel
- have a valid licence for the vehicle they are driving and for any overseas travel if required
- ensure valid insurance for business use
- carry out a pre-use vehicle check
- allow sufficient time to drive allowing for traffic, poor weather and rest breaks
- ensure sufficient rest
- be physically fit, with zero alcohol level and not under the influence of drugs that may affect the ability to drive
- have had an eye test in last 2 years and be using any required corrective appliance
- adjust their driving position, head restraints and mirrors to ensure maximum comfort and safety.

Whilst driving, drivers must

- drive in accordance with the applicable law and with consideration for the safety of passengers and other road users
- take regular rest breaks every 2-3 hours or at first signs of tiredness
- remain in control of the vehicle at all times
- not smoke in a council vehicle
- never use any hand held electronic device e.g. mobile phone, satellite navigation, mp3 player

- never receive or make calls.
- follow all safety instructions when taking their vehicle on board ferries, trains or other vehicle-carrying craft, including parking and leaving their vehicle on a vehicle deck and travelling in a designated passenger area while the craft is underway.

Managers

Managers should ensure that the driving protocol contained within the Employee Handbook is brought to the attention of drivers and they will:

- lead by example, both in the way they drive and by not tolerating poor driving practices amongst colleagues
- challenge unsafe attitudes and behaviours and encourage staff to drive safely
- monitor compliance with the driving policy at team meetings, staff appraisals and periodic checks
- not expect staff to answer calls when they are driving.

Drugs and Alcohol

Alcohol

Employees must not drink alcohol on the council's premises or the premises of its customers or clients without express permission from a senior manager or director.

Any employee who is found consuming alcohol on the council's premises or the premises of its customers and clients without permission or is found to be intoxicated at work will normally face disciplinary action on the ground of gross misconduct under the council's disciplinary procedure.

Drugs and medication

The possession, use or distribution of drugs for non-medical purposes on the council's premises is strictly forbidden and a gross misconduct offence.

If you are prescribed drugs by your doctor which may affect your ability to perform your work you should discuss the problem with your manager or supervisor.

If the council suspects there has been a breach of this policy or your work performance or conduct has been impaired through substance abuse, the council reserves the right to require you to undergo a medical examination to determine the cause of the problem.

Medical Examination

Existing and prospective employees may be asked to undergo a medical examination, which will seek to determine whether he/she has taken a controlled drug or has an alcohol abuse problem.

A refusal to give consent to such an examination or a refusal to undergo the screening will result in the immediate withdrawal of any offer made to prospective employees and will normally be treated as gross misconduct for employees.

If, having undergone a medical examination, it is confirmed that you have been positively tested for a controlled drug, or you admit there is a problem, the council reserves the right to suspend you from your employment (with or without pay) to allow the council to decide whether to deal with the matter under the terms of the council's disciplinary procedure and/or to require you to undergo treatment and rehabilitation.

Reasonable Grounds

The council reserves the right to search you or any of your property held on council premises at any time if there are reasonable grounds to believe that this policy is being or has been infringed or for any other reason. If you refuse to comply with these search procedures, your refusal will normally be treated as gross misconduct.

The council reserves the right to inform the police of any suspicions it may have with regard to the use of controlled drugs by its employees on the council's premises.

Electricity

All reasonable steps will be taken to secure the health and safety of employees who use, operate or maintain electrical equipment.

To ensure this objective the council will:

- ensure electrical installations and equipment are installed in accordance with the Wiring Regulations (BS 7671) published by the Institution of Engineering and Technology (IET)
- maintain the fixed installation in a safe condition by carrying out routine safety tests
- inspect and test portable and transportable equipment as often as required to ensure safety
- promote and implement a safe system of work for maintenance, inspection and testing
- forbid live working unless absolutely necessary, in which case a permit to work system must be used
- ensure employees who carry out electrical work are competent to do so
- maintain detailed records.

Employees must:

- visually check electrical equipment for damage before use
- report any defects found to their line manager/supervisor
- not use defective electrical equipment
- not carry out any repair to any electrical item unless qualified to do so
- switch off non-essential equipment from the mains when left unattended for long periods
- not bring any electrical item onto the council premises until it has been tested and a record of such a test has been included in the appropriate record
- not leave electric cables in such a position that they will cause a tripping hazard or be subject to mechanical damage.

Fire

All reasonable steps will be taken to prevent a fire occurring. In the event of fire, the safety of life will override all other considerations, such as saving property and extinguishing the fire.

In order to prevent fire and to minimise the likelihood of injury in the event of a fire the council will:

- assess the risk from fire at our premises and implement appropriate control measures
- ensure good housekeeping standards are maintained to minimise the risk of fire
- provide and maintain safe means of escape from the premises
- develop a fire evacuation procedure for all buildings
- provide and maintain appropriate fire-fighting equipment
- regularly stage fire evacuation drills, inspect the means of escape and test and inspect fire-fighting equipment, emergency lighting and any fire warning systems
- provide adequate fire safety training to employees, plus specialist training to those with special responsibilities
- make arrangements for the safe evacuation of deaf or otherwise disabled persons
- make arrangements for ensuring all visitors are made aware of the fire evacuation procedures
- display fire action notices
- keep fire safety records.

The council does not require persons to attempt to extinguish a fire but extinguishing action may be taken if it is safe to do so.

Immediate evacuation of the building must take place as soon as the evacuate signal is given. All occupants, on evacuation, should report to the pre-determined assembly points.

Re-entry of the building is strictly prohibited until the fire brigade officer or a senior person present declares it is safe to do so.

Employees are encouraged to report any concerns regarding fire procedures so the organisation can investigate and take remedial action if necessary.

First Aid

The council is committed to providing sufficient provision for first aid to deal with accidents and injuries that arise at work.

To achieve this objective the council will:

1. appoint and train a suitable number of first aid personnel to cover all work patterns
2. display first aid notices with details of first aid provision
3. provide and maintain suitable and sufficient first aid facilities including first aid boxes
4. provide any additional first aid training that may be required to deal with specific first aid hazards.

The minimum first aid provision at all sites is an adequately stocked first aid box and an Appointed Person to take charge of the first aid arrangements.

Appointed Person

The Appointed Person duties include:

- taking charge when someone falls ill or is injured, including calling an ambulance if required
- looking after and maintaining the first aid box and contents.

The Appointed Person will not be required to provide treatment for which they have not been trained.

First Aiders

First aiders are qualified personnel who have received training and passed an examination in accordance with HSE requirements.

The numbers of first aid personnel at each location will be determined by individual circumstances, the level of risk and in line with current government guidance.

First aid personnel will be provided with refresher training at regular intervals to keep their skills up to date.

First Aid Boxes

First aid boxes will be provided within the workplace to ensure there are adequate supplies for the nature of the hazards involved. All boxes will contain at least the minimum supplies suggested by L74: First Aid at Work Approved Code of Practice. Only specified first aid supplies will be kept. No creams, lotions or drugs, however seemingly mild, will be kept.

Portable First Aid Kits

Portable first aid kits will be available for staff members required to work away from the normal workplace, where access to facilities may be restricted, such as:

- staff travelling in vehicles on a regular basis
staff whose work takes them to isolated or remote locations

Gas Installations and Appliances

The council will ensure that all work carried out on gas fittings and appliances are in accordance with the requirements of the regulations and the Safety in the Installation and Use of Gas Systems and Appliances Manual.

The council is committed to achieving high standards of health and safety for all staff, visitors, customers and others. For these reasons employing, training, and arranging the assessments of operatives that are competent to work on gas installations and appliances – servicing, repairing or installing, is highly significant to supporting these aims.

The council supports the aims of:

- reducing the waste of fuel and material
- increasing operational efficiency
- eliminating unnecessary emission of atmospheric pollutants
- reducing the risk to death, injury and distress to members of the public, staff and others who may be affected
- increasing confidence, amongst users, in the safe use of fossil fuels and fossil fuel burning appliances.

The Gas Safe Register (GSR) is the governing body approved by the Health and Safety Executive to register and monitor the activities of gas installation and use. Gas fitting operatives carrying out work on behalf of the council will be registered with the GSR.

No person shall interfere with any gas appliance or gas fitting or pipe work unless qualified and competent to do so.

Hazardous Substances (COSHH)

All reasonable steps will be taken to ensure all exposure of employees to substances hazardous to health is prevented or at least controlled to within statutory limits.

The council will implement the following:

- maintain an inventory of all substances hazardous to health kept or present on site and retain copies of relevant hazard data sheets
- competent persons will be appointed to carry out risk assessments of the exposure to substances hazardous to health and advise on their control
- all operations which involve, or may involve, exposure to substances hazardous to health will be assessed and appropriate control measures will be taken if elimination or substitution of the substance is not possible
- engineering controls will be properly maintained by planned preventive maintenance and annual performance monitoring to ensure continued effectiveness
- systems of work will be reviewed at suitable intervals and revised if necessary
- all employees and others who may work in the affected areas will be informed of the purpose and safe operation of all engineering controls
- personal protective equipment (PPE) will only be used as a last resort or as a back-up measure during testing or modification of other controls

- the type and use of PPE will be carefully assessed and maintained according to manufacturers' instructions
- assessments will be reviewed periodically or if changes to the operation or any hazardous substances used
- qualified professionals, where necessary, will carry out health surveillance
- employee health records of all exposures to substances hazardous to health will be kept for a minimum of 40 years
- all employees will be provided with understandable information and appropriate training on the nature of the hazardous substances they work with. Employees will be informed about any monitoring and health surveillance results
- all changes to control measures and changes of PPE will be properly assessed and no new substances will be introduced into the workplace without prior assessment.

Information and Training

The council will give sufficient information and training to ensure full understanding of the hazards to health posed by substances in the workplace and the importance of the control measures provided. Information will also be given to others who may be affected such as contractors, temporary staff and visitors where appropriate.

Managers and supervisors of areas which use substances hazardous to health will be given additional training to ensure the proper management of the risks.

Health, Safety and Welfare

The council is committed to providing suitable health, safety and welfare facilities in line with current legislation, in particular the provision of:

- adequate maintenance of workplace and equipment
- appropriate ventilation, temperature control and lighting
- suitable cleanliness and housekeeping standards
- adequate workspace allocation
- properly designed workstations
- well maintained traffic routes and floors
- appropriate fall protection
- suitable glazing
- safe access and egress (well-maintained exits and entrances)
- appropriate sanitary and washing facilities
- separate toilet facilities for men and women
- plentiful wholesome drinking water supply and cups
- seating with an incorporated back rest
- accommodation for keeping clothing clean and dry
- facilities for changing, rest periods, hot drinks and meals preparation
- showering facilities if the nature of an employees work requires this
- appropriate first aid provision
- appropriate emergency, fire and evacuation equipment and procedures.

The council recognises these responsibilities are required for any work whether on a remote work site, at their usual workplace or head office.

Health Surveillance

Health surveillance is the early detection of adverse health risks associated with a work activity. It allows staff at increased risk to be identified and additional precautions to be taken as necessary. It is also a means of checking the effectiveness of the existing control measures.

To ensure adequate health surveillance is implemented the council will:

- carry out risk assessments to identify those activities, processes or materials that are likely to give rise to a health risk
- ensure that adequate control measures are put in place to reduce risks as far as possible
- seek advice on risk reduction from our safety advisor, occupational hygienist or other relevant person as necessary
- seek the advice of relevant people on the need for health surveillance where it is thought that a residual health risk remains following the implementation of control measures
- advise employees of the health risks and the signs of ill health
- ensure employees co-operate with health surveillance procedures provided
- discuss with the relevant people any health concern brought to their attention by an employee.

Format of Health Surveillance

If a reliable test can be carried out, the format of health surveillance may include the use of questionnaires to determine symptoms and may also involve clinical examination or measurements, such as lung function testing, hearing tests or biological sampling.

Frequency of Health Surveillance

The level of risk will determine the frequency of health surveillance programmes. Where the risk is thought to be low, only baseline data will be required and staff should report to the team leader if any problems are experienced. Baseline data will usually be gathered at the employment interview.

If the risk is thought to be more significant, periodic health surveillance for all exposed staff will take place. In most cases this will be annual; however in some high-risk areas a more frequent programme may be agreed. More frequent surveillance may be required where a person's medical history suggests a particular vulnerability. The responsible person or occupational health nurse will make this decision and manage the recall process.

If health problems are identified following health surveillance, control measures will be reviewed and where necessary enhanced.

The occupational health nurse or doctor will advise on any specific actions to take with regard to the affected employee, e.g.:

- reducing the length of exposure
- restricting work activities which cause exposure
- re-deploying the affected employee
- advising on additional personal protective equipment (PPE).

Record Keeping

The responsible person or occupational health nurse will, with the support of team leaders, ensure employees requiring health surveillance are identified and recalled at appropriate intervals.

Health records will be kept for a minimum of 40 years.

Employees will be allowed reasonable access to their health records and a copy offered to individuals when they leave the council.

Home Working

Home workers are subject to the same health and safety requirements as workers based on council premises and their health and safety will be managed accordingly.

To achieve this objective we will:

- ensure that appropriate risk assessments are completed
- ensure that risk assessments are reviewed annually
- ensure home workers are provided with suitable induction training on commencement of employment
- ensure appropriate equipment is provided for the home worker's health, safety and welfare
- ensure all equipment that is provided for use in the employees' homes is properly installed and tested
- arrange for the maintenance of all electrical equipment supplied for use in employees' homes (The hard wired electrical sockets and ring mains supplies are the employee's own responsibility)
- provide, where practicable, scope for varying work patterns and to allow employee input in how the work is carried out to ensure home workers take periodic breaks during the working day
- ensure that managers and home workers have the opportunity to be kept informed of what is going on within the council; recognising and satisfying the need for social interaction will reduce stress
- encourage home workers to 'network' with colleagues
- make the home worker aware of their duty to report any incidents or accidents that occur as a result of work related activities to the council using the council accident procedure
- ensure home workers are aware of the need to monitor their own working conditions and report any problems to their line manager.

Training

All home workers will be fully trained in the tasks that they are employed to do and the equipment they will be using.

Home workers will be trained in emergency procedures in case of an accident in the home.

Supervisors/management of home workers will be trained in how to deal with employees working off site e.g. prearranged regular contact, how to recognise signs of stress in home workers.

Infection Control

For some work activities, staff may be at risk of infection or of spreading infection. Exposure to infections may arise at work from a number of situations, including:

- injuries arising from needles / sharps (e.g. Tetanus, Hepatitis B or C, HIV)

The council aims to prevent the spread of infection through work-based activities by adopting suitable control measures.

The council will:

- undertake assessments to identify tasks or situations that may expose individuals or groups to potential infection
- identify, plan and implement controls and safe systems of work to prevent transmission of infection
- provided information, instruction and training to those identified at risk
- where required, provide personal protective equipment (PPE) and monitor its use and maintenance
- organise for the safe cleaning of equipment and where appropriate disinfection and thorough, cleaning of the premises
- arrange for safe disposal of any infected materials
- adopt good hygiene practices.

Vaccination

The risk assessment will also identify whether the staff involved in a particular task should be offered vaccinations against Hepatitis B and Tetanus.

Where this is identified, vaccinations shall be offered to individuals without charge.

Training and Information

Training and information will be provided to all employees who are identified from the risk assessment as being potentially exposed to infections.

Training will be given for any tasks they are employed to do, the equipment they will be using and any safe procedures to adopt.

Staff Illness and Reporting

It is important to remember that infection can also be passed onto people from staff. Staff should notify their manager if they develop any infectious disease that may affect work or people around them, for example:

- skin infections or exposed areas of infestation
- severe respiratory infection (e.g. pneumonia, TB)
- severe diarrhoea
- jaundice
- hepatitis
- Chicken Pox, Measles, Mumps, Rubella
- norovirus

- gastroenteritis

Managers will need to discuss with the individual suitable controls. In some cases, employees may need to be referred to an Occupational Health Practitioner or their GP for advice.

Staff should also report any illness or disease which has been contracted through work. In some circumstances if a staff member contracts a disease whilst at work, this is reportable under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations). Certain diseases including Leptospirosis, Hepatitis, TB, and Tetanus are specifically required to be reported.

Confidentiality

Confidentiality will be maintained at all times in relation to an employee who is known to have any infectious disease.

No health information will be disclosed without the written consent of the employee concerned and any breach of such confidentiality, either inside or outside the organisation, will be regarded as a disciplinary offence and may result in disciplinary action.

Pandemics and Epidemics

When notified that the country is experiencing a pandemic or epidemic, the company will aim to prevent the spread of infection through work-based activities by adopting suitable control measures.

The company will:

- follow guidance given by government agencies and close work sites if instructed to or if employees or any person is put at risk,
- undertake risk assessments to identify tasks or situations that may expose individuals or groups to potential risks,
- monitor any changes to government guidance,
- manage the risk posed by contractors and visitors visiting the workplace,
- develop and implement an emergency action plan to deal with any potential outbreaks,
- allow employees to take part in any government testing,
- identify, plan and implement controls and safe systems of work to prevent transmission,
- provide information, instruction and training to those identified at risk,
- where required, provide personal protective equipment (PPE) and monitor its use and maintenance,
- organise for the safe cleaning of equipment and, where appropriate, disinfection and thorough cleaning,
- arrange for safe disposal of any infected materials, and
- adopt good hygiene practices.

Legionnaires Disease

All reasonable steps will be taken to identify potential legionellosis hazards and to prevent or minimise the risk of exposure.

At risk systems include the hot and cold water storage and distribution system.

To achieve control of legionella bacteria the council will implement the following:

- **Avoidance of Conditions Favouring Growth of Organisms**

As far as practicable, water systems will be operated at temperatures that do not favour the growth of legionella. The recommended temperature for hot water is 60°C and either above 50°C or below 20°C for distribution, as care must be taken to protect people from exposure to very hot water.

The use of materials that may provide nutrients for microbial growth will be avoided. Corrosion, scale deposition and build-up of bio films and sediments will be controlled and tanks will be lidded.

- **Avoidance of Stagnation**

Dead-legs, which occur when water services leading from the main circulation water system to taps or appliances, are used only intermittently and other parts of systems which may provide a reservoir for infection will be identified and where possible eliminated.

- **System Maintenance**

Water systems will be disinfected by an effective means before being taken into service and after shut downs of five or more days. Plant will be regularly inspected and maintained (e.g. by monthly visits from a water treatment specialist). Plant will be disinfected periodically (normally twice yearly) by chlorination or by temporarily raising water temperatures. Biocides may be used to control microbial growth. Maintenance personnel must wear appropriate protective clothing.

- **Sampling**

Sampling for legionella will not normally be necessary, unless in the case of an outbreak or to monitor the effectiveness of precautionary measures. Weekly monitoring of chemical and microbiological water quality will be carried out to give a useful indication of the state of the system.

- **Record Keeping**

Records will be kept of all maintenance, temperature monitoring and sampling carried out.

Selection, Training and Competence of Staff

Persons carrying out control measures will receive appropriate training and supervision so they are able to perform their duties competently.

Action in the Event of an Outbreak

A contingency plan in case of an outbreak of legionellosis will be prepared. This will include the:

- identification of people who may have been exposed
- involvement of public health authorities

- dissemination of information to employees and other interested parties as to the nature of the risks.

Lifting Operations and Equipment

All reasonable steps will be taken to ensure lifting operations and equipment are suitably managed with regards to health and safety.

Definition

Lifting equipment includes any equipment used at work for lifting or lowering loads, including attachments used for anchoring, fixing or supporting it.

Implementation

The council will ensure that

- lifting equipment is suitable for the intended use with adequate strength and stability, including whatever guards are necessary to prevent:
 - persons or equipment falling from the lift
 - the lift falling from its restraints
 - persons or equipment being trapped, crushed or struck by objects when using the lifting equipment.
- an examination scheme is drawn up by a competent person
- lifting operations will be properly planned by a competent person, appropriately supervised and carried out in a safe manner
- lifting equipment is maintained in a safe condition and examined/inspected by competent persons annually (or every six months if lifting people) to ensure correct installation and safe operation
- lifting equipment will be re-examined following relocation or conditions that may cause deterioration
- safe working load (SWL) is clearly displayed on all lifting equipment
- suitable training, instruction and information is provided for operators and supervisors.

Records

All thorough examination reports will be kept for as long as the equipment is being used except for lifting accessories reports and reports carried out due to deterioration in condition, which must be kept for 2 years.

Lifts

All reasonable steps will be taken to maintain all lifts throughout the council premises.

Implementation

The council will ensure that:

- an examination scheme is drawn up by a competent person for each lift
- all lifts are fitted with appropriate barriers and interlocking gates to prevent passengers or cargo from falling from the lift, coming into contact with the lift machinery or entering/exiting the lift when it is not at a designated landing
- suitable equipment and mechanisms are installed to prevent the lift from:
 - leaving its landing when the doors are unlocked and/or open
 - falling (including its maximum working load) in the event of a failure in the lifting mechanism
 - overrunning its furthest intended point of travel
 - being operated from more than one position at any one time
 - being overloaded or exceeding its maximum number of passengers.
- lifts are maintained in a safe condition and examined/inspected by competent persons (annually for goods lifts and every six months if lifting people)
- the safe working load (SWL) is clearly displayed inside each lift
- notices are posted adjacent to each lift opening advising against the use of a lift in the event of a fire
- arrangements are made for the emergency evacuation of persons in the event of lift failure
- lift motor rooms are kept locked and entry kept restricted to authorised persons.

Records

All thorough examination reports will be kept for a minimum of 2 years.

Lone Working

The council will ensure, so far as is reasonably practicable, that employees and self-employed contractors who are required to work alone or unsupervised for significant periods of time are protected from risks to their health and safety.

The council will determine, by risk assessment, those activities where work can actually be done safely by one unaccompanied person. This will include the identification of hazards from means of access and/or egress, plant, machinery, goods, substances, environment and atmosphere, etc.

Particular consideration will be given to:

- the remoteness or isolation of workplaces
- any problems of communication
- the possibility of interference, such as violence or criminal activity from other persons
- the nature of injury or damage to health and anticipated "worst case" scenario.

Information and Training

Employees and others will be given all necessary information, instruction, training and supervision to enable them to recognise the hazards and appreciate the risks involved with working alone.

Employees will be required to follow the safe working procedures devised including:

- when working alone, e.g. in an isolated area of a building with all doors closed, ensure that someone is aware of your presence
- check that work being done has been subject to risk assessment and check the assessment yourself – some work may have been identified as requiring the assistance of a second person
- if possible and arranged beforehand, keep in regular contact with someone else, e.g. use a mobile phone to call into the office or a designated buddy/contact every couple of hours indicating your movements
- do not put yourself at risk; if you do not feel safe discuss the situation with your immediate manager
- report all accidents, injuries, near-misses and dangerous occurrences to your immediate manager.

Manual Handling

To prevent injuries and long term ill-health from manual handling the council will ensure that operations which involve manual handling are eliminated, so far as is reasonably practicable. Where it is not practical the council will carry out a manual handling risk assessment to determine what control measures are required to reduce the risk to an acceptable level.

To implement this policy the organisation will ensure that:

- manual handling risk assessments are carried out where relevant and records are kept
- employees are properly supervised
- adequate information and training is provided to persons carrying out manual handling activities including details of the approximate weights of loads to be handled and objects with an uneven weight distribution
- any injuries or incidents relating to manual handling are investigated, with remedial action taken
- employees adhere to safe systems of work
- safety arrangements for manual handling operations are monitored and reviewed
- where relevant, employees undertaking manual handling activities are suitably screened for reasons of health and safety, before doing the work
- special arrangements are made for individuals with health conditions which could be adversely affected by manual handling operations.

Reducing the risk of injury

In considering the most appropriate controls, an ergonomic approach to designing the manual handling operation will optimise the health, safety and productivity associated with the task.

Techniques of risk reduction will include:

- mechanical assistance
- redesigning the task
- reducing risk factors arising from the load
- improvements in the work environment
- employee selection.

No employee will be required to lift any item that they do not feel confident of doing without risking personal injury.

New and Expectant Mothers

The council recognises that the general precautions taken to protect the health and safety of the workforce as a whole may not in all cases protect new and expectant mothers and there may be occasions when, due to their condition, different and/or additional measures will be necessary.

To implement effective measures for new and expectant mothers the council will ensure that:

- employees are instructed at induction to inform their relevant manager of their condition at the earliest possible opportunity and that the highest level of confidentiality is maintained at all times
- risk assessments are carried out for all work activities undertaken by new and expectant mothers and associated records and documentation maintained
- necessary control measures identified by the risk assessment are implemented, followed, monitored, reviewed and, if necessary, revised
- new and expectant mothers are informed of any risks to them and/or their child and the controls measures taken to protect them
- any adverse incidents are immediately reported and investigated
- appropriate training etc is provided where suitable alternative work is offered and accepted
- provision is made to support new and expectant mothers who need to take time off work for medical reasons associated with their condition
- where relevant a suitable rest area is provided to enable the new or expectant mother to rest in a degree of privacy and calm
- where risks cannot be eliminated or reduced to an acceptable level then consideration will be given to adjusting working conditions and/or hours or if necessary providing suitable alternative work or suspension with pay.

Noise

The council will take all reasonable steps necessary to ensure that the risk of hearing damage to employees who work with noisy equipment or in a noisy environment is reduced to a minimum.

Noise Risk Assessments

The council will carry out regular noise exposure risk assessments of noisy areas, processes and/or equipment as appropriate. Assessments will be used as the basis for formulating action plans for remedial measures when necessary. Assessments will be recorded and updated regularly, particularly when changes in work practice cause changes in noise exposure levels of employees.

Reduction of Noise Exposure Levels

The council will, as far as is reasonably practicable, take all steps to reduce noise exposure levels of employees by means other than the use of personal protection. The council accepts that the use of ear protectors is a last resort, and is committed to continuing to seek and introduce alternative methods for reducing noise exposure levels whenever possible in the future.

Provision of Ear Protectors

The council will provide suitable and effective ear protection to employees working in high noise levels, as indicated as necessary by the results of noise exposure assessments. It will also provide for the maintenance and repair or renewal of the protective equipment, provide training in the selection and fitting of protectors and provide details of the circumstances in which they should be used.

Hearing Protection Zones

The council will designate and mark out hearing protection zones, which may include particular areas, operations or pieces of equipment. All personnel entering these zones will be required to wear ear protectors.

Use and Maintenance of Noise Control Equipment and Procedures

The council will maintain all equipment and monitor all procedures introduced for the purpose of reducing noise exposure of employees, including enclosures, silencers and machine covers.

All personnel will be required to

- use these procedures and equipment correctly
- promptly report any defects or deficiencies through the appropriate channels.

Provision of Training

The council will provide adequate training to employees as part of its hearing conservation and noise control policy.

All employees who are subject to high levels of noise will be provided with:

- information, instruction and training about the harmful effects of noise
- information and training on what they must do in order to protect themselves and meet the requirements of the law and of the organisation's policy.

Managers and supervisors responsible for formulating and carrying out the organisation's noise policy will also be given appropriate training.

Where a problem arises as a result of noise in the workplace, the employee must inform a responsible person immediately.

Audiometric Testing

Where employees are exposed to risk from high noise levels, the council will adopt a programme to monitor the hearing of employees subject to high levels of noise ensuring the organisation's noise control policy is effective and that employees' hearing is not being adversely affected. This will involve regular audiometric tests carried out by properly trained personnel and pre-employment audiometric tests for new employees.

Outdoor and Peripatetic Working

The council will ensure, so far as is reasonably practicable, that employees who work outdoors or away from their normal base are not put at any additional risk to their health and safety.

The council will:

- where work is being undertaken on a site under the control of another party, review any risk assessments and agree an appropriate safe system of work
- ensure outdoor activities are planned and risk assessed prior to undertaking the work. This will include visiting of the site(s) to identify potential hazards
- establish safe systems of work from the risk assessments, and provide staff training and instruction in these
- ensure suitable personal protective clothing is made available to staff either from the council or from the third party in control of the site
- ensure suitable arrangements are in place for emergencies, including adequate first aid.

Implementation

Staff working outdoors, or away from base, are responsible for ensuring that:

- if working on a third party site, they report to a responsible person to ensure familiarisation with safety precautions relating to the particular site
- they report any problems or shortcomings to their manager or supervisor as soon as possible. If, during work, the conditions change or any aspect of the task changes in such a way to increase the risk, work should stop, unless doing so presents a greater risk
- the appropriate personal protective equipment provided is worn correctly and when required to do so. Any defects must be reported to their manager or supervisor
- they are familiar with the emergency arrangements and that these are in place prior to starting work
- all accidents and incidents are reported to their manager and in line with any local arrangements for the site.

Permits to Work

Non-routine work, such as maintenance, cleaning, equipment installation and refurbishment, can produce health and safety risks over and above those normally encountered in our day to day activities. Permits to work are designed to check that all eventualities have been considered when planning and organising this type of work and are an important means of minimising any risks involved.

Employees, contractors and visitors are all expected to comply with the requirements of any permits that are in force.

Employees working off site, i.e. on another organisation's premises, are expected to abide by all permits to work operated on that site.

Should employees experience any problems with the operation of permit-to-work systems, they should immediately inform a responsible person (usually a manager or supervisor) so the organisation can investigate and rectify the situation.

Permits to work exist to cover tasks carried out under certain circumstances and over limited time periods. They will therefore be displayed while the work specified is under way but will cease to operate when the tasks have been completed.

Information and Training

The council will provide the necessary information and appropriate training to ensure that appropriate employees, supervisors, contractors and visitors are fully aware of the permits in use and are competent to undertake the tasks and tests prescribed in the permits.

Personal Protective Equipment

The council provides personal protective equipment (PPE) when the risk presented by a work activity cannot be eliminated or adequately controlled by other means. When it is provided, it is because health and safety hazards have been identified that require the use of PPE and it is therefore necessary to use it in order to reduce risks to a minimum.

To effectively implement its arrangements for the use of PPE the council will:

- ensure that PPE requirements are identified when carrying out risk assessments
- use the most effective means of controlling risks without the need for PPE whenever possible and only provide PPE where it is necessary
- carry out an assessment to identify suitable PPE
- ensure that if two (or more) items of PPE are used simultaneously, they are compatible and are as effective used together as they are separately
- ensure that PPE is sourced appropriately and bears the “CE” certification mark
- ensure PPE is available to all staff who need to use it
- provide adequate accommodation for correct storage of PPE
- provide adequate maintenance, cleaning and repair of PPE
- inform staff of the risks their work involves and why PPE is required
- instruct and train staff in the safe use and maintenance of PPE
- make arrangements for replacing worn or defective PPE
- review assessments and reassess the need for PPE and its suitability whenever there are significant changes or at least annually.

Employees provided with PPE for their own personal use at work will be required to sign to confirm its receipt.

Pressure Systems

Due to the high pressures at which they operate and the steam that is generated they are subject to numerous legal requirements. Pressure systems include some mechanism for regulating the pressure of steam that builds up internally; normally steam is released to maintain a constant working pressure. Severe corrosion and/or failure of pressure-regulating and other safety valves could lead to an explosion.

The council will ensure that all pressure vessels and pressurised equipment used by the council meet the requirements of the Pressure Systems Safety Regulations 2000 and the Pressure Equipment Regulations 1999.

To ensure the safety and mechanical integrity of the pressure systems used and to meet the requirements of the legislation the council will:

- ensure that the equipment is thoroughly examined by a competent person before it is put into service
- ensure that the equipment is of sound construction, suitable quality, made from suitable materials and free from any obvious defects before it becomes operational
- ensure that each item of equipment is clearly and uniquely marked so that it can be readily identified
- establish the safe operating limits of the equipment and display them on the equipment, and not allow the equipment to exceed those limits except where tests carried out by a competent specialist require it
- provide adequate training and instructions to ensure the equipment is operated safely, including instructions for procedures to be followed in case of emergency
- fit and calibrate suitable protective and warning devices to the equipment to deal with emergencies or mechanical malfunctions, and ensure that any devices such as safety valves or bursting discs will be able to discharge safely
- ensure that the equipment is properly maintained
- have a suitable written scheme drawn up or certified by a competent person for the examination, at appropriate and regular intervals, of the equipment
- arrange to have examinations carried out by a competent person at the intervals set down in the scheme and whenever the equipment is transferred to a new location
- keep adequate records of the most recent examination
- ensure that equipment identified as being in need of repairs is not used until repairs are carried out and, wherever possible, depressurise the equipment before the repair work begins
- pass all pertinent records on to the new owner if we choose to dispose of the pressure equipment and ensure that we receive written confirmation of the transfer of records.

The examination normally takes place each year in various.

Records of examinations are kept in the various locations and a copy of the last inspection must be taken with the equipment when it is transferred to a new location.

Risk Assessment

Risk assessment is a systematic examination of what within our business can cause harm to people and it helps us determine whether we are doing enough or further actions are required to reduce the likelihood of injury or ill health.

Our policy is to complete a general risk assessment of all our known and reasonably foreseeable health and safety hazards covering all our premises, equipment and activities in order to plan and prioritise the implementation of the identified control measures.

More detailed specific risk assessments will also be carried out as determined by the general assessment to address those premises, equipment, people or activities to comply with specific legislation or to proactively manage health and safety risks.

We will ensure that:

- assessments are carried out and records are kept
- control measures introduced as a result of assessments are implemented and followed
- employees are informed of the relevant results and provided with necessary training
- any injuries or incidents lead to a review of relevant assessments
- assessments are regularly monitored and reviewed
- suitable information, instruction and training will be provided to all persons involved in the risk assessment process.

We may be controlling risks in various ways, determining the effectiveness of those controls is part of our risk assessment process.

Smoking

Exposure to second-hand smoke, also known as passive smoking, increases the risk of lung cancer, heart disease and other illnesses. Ventilation or separating smokers and non-smokers within the same airspace does not stop potentially dangerous exposure.

It is the policy of the council that all of its workplaces are smoke-free and that all employees have a right to work in a smoke-free environment.

Smoking is prohibited throughout the entire workplace and this includes the use of all artificial smoking aids (electronic or otherwise) with no exceptions. This includes council vehicles that are used by more than one employee. If you have a council car that is designated for your sole use and that is never used by other employees then you can smoke in it if you wish – but the council recommends that you do not do so. This policy applies to all employees, customers and visitors.

Implementation

All staff are obliged to adhere to and facilitate the implementation of the policy.

The council will ensure that all employees and contractors are aware of the policy on smoking. They will also ensure that all new personnel are given a copy of the policy on recruitment or induction.

Appropriate 'no smoking' signs will be clearly displayed at or near the entrances to the premises. Signs will also be displayed in council vehicles that are covered by the law.

Stress

The Health and Safety Executive define stress as “the adverse reaction people have to excessive pressure or other types of demand placed on them”. This makes an important distinction between pressure, which can be a positive state if managed correctly, and stress which can be detrimental to health.

Stress at work can come about for a variety of reasons. It may be excessive workload, unreasonable expectations, or overly-demanding work colleagues. As a reasonable council, we try to ensure that you are in a pleasant working environment and that you are as free from stress as possible.

We will:

- work to identify all workplace stressors and conduct risk assessments to eliminate stress or control the risks from stress
- regularly review risk assessments
- consult with Safety Representatives on issues relating to the prevention of work-related stress
- provide access to confidential counselling for employees affected by stress caused either by work or external factors
- provide training for all managers and supervisory staff in good management practices
- provide adequate resources to enable managers to implement the council's agreed stress management strategy.

Employees who experience unreasonable stress which they think may be caused by work should raise their concerns with their Manager or through the council's grievance procedure.

Following action to reduce the risks, they shall be reassessed. If the risks remain unsustainable by the employee concerned, efforts shall be made to reassign that person to other work for which the risks are assessed as tolerable.

Temporary Employees

The council will take the necessary measures to ensure the health and safety of any temporary and casual staff in its employment.

To achieve this, the council will provide temporary employees with the following information prior to starting work:

- details of the qualifications and skills are required to do the work safely
- the health surveillance to be provided under statutory provisions
- any risks to health and safety identified by workplace risk assessments
- the preventive measures to be taken
- safe working procedures
- the action to be taken in the event of an emergency.

The competence of temporary workers will be assessed to ensure they are capable of working safely.

Training

Training in health and safety is a legal requirement and also helps create competent employees at all levels within the council to enable them make a far more effective contribution to health and safety, whether as individuals, teams or groups.

Competence of individuals through training helps individuals acquire the necessary skills, knowledge and attitude which will be promoted by managers and supervisors throughout the organisation.

Our training objectives will cover three areas, that of the organisation, the job and individuals.

All employees will need to know about:

- the health and safety policy
- the structure and system for delivering this policy.

Employees will need to know which parts of the system are relevant to them, to understand the major risks in our activities and how they are controlled. All employees will be provided with the council Health and Safety Handbook.

Managers and supervisors training needs will include:

- leadership and communication skills
- safety management techniques
- skills on training and instruction
- risk assessment
- health and safety legislation
- knowledge of our planning, measuring, review and audit arrangements.

All our employees training needs will include:

- relevant health and safety hazards and risk
- the health and safety arrangements relevant to them
- communication lines to enable problem solving.

All employees will receive **induction training**. Such training will cover:

fire procedures, warning systems, actions to be taken on receiving warning, locations of exits/escape routes, evacuation and assembly procedures, first aid/injury reporting procedures, names of first aiders/appointed persons, instruction on any prohibition areas (i.e. no smoking), issue of protective clothing/equipment and its use, instruction under COSHH, mandatory protection areas, thorough instruction applicable to their particular duties at work etc.

Training needs will be reviewed as a result of job changes, promotion, new activities or new technology, following an accident/incident and performance appraisal.

Records of training will be kept for all employees.

Employees must:

- participate in the induction training activities they have been required to attend or carry out
- work according to the contents of any training they receive
- ask for clarification of any points they do not fully understand
- not operate hazardous plant or equipment, use hazardous chemicals or carry out any hazardous activity unless they have been appropriately trained and instructed.

Vibration

Regular exposure to continuous vibration from a work process has the potential to cause long term ill health including a range of occupational diseases collectively known as hand-arm vibration syndrome (HAVS) or whole body vibration (WBV).

To minimise the risk from vibration the organisation will:

- assess the risks to health from exposure to continuous levels of vibration and determine the control measures needed
- introduce effective control measures to ensure levels of exposure to hand-arm vibration and whole body vibration are eliminated or reduced as far as is reasonably practicable
- record the assessments and review them periodically or when changes occur
- ensure that the most appropriate equipment is used for the job, that the equipment is sourced from appropriate suppliers and that it bears the “CE” certification mark
- ensure that those persons responsible for managing work likely to result in exposure to hand arm vibration and whole body vibration are adequately trained and competent
- inform, instruct and train employees about the risks and the precautions to be taken to protect themselves from the harmful effects of continuous exposure to vibration
- ensure no new equipment or processes are introduced into the work activities where there is a foreseeable risk of hand-arm or whole body vibration without a risk assessment and approval of a designated manager
- maintain an inventory of all vibration equipment used that is likely to cause hand-arm vibration and whole body vibration
- monitor exposure of hand-arm vibration and whole body vibration and undertake appropriate health surveillance, where necessary
- maintain tools to the manufacturer’s specifications to avoid worsening vibration.

Violence

The council recognises that in certain situations violent behaviour towards staff may occur and therefore will take all reasonable measures to protect staff from violence and aggression.

We define violence and aggression as:

- actual or threatened physical assaults on staff
- psychological abuse of staff
- verbal abuse which includes shouting, swearing and gestures
- threats against employees.

To achieve this objective we will:

- carry out risk assessments of potential conflict situations to determine the control measures necessary to protect staff
- ensure that premises are kept secure
- inform all employees of the procedure following a violent or challenging behaviour incident
- not tolerate violence or challenging behaviour towards our employees
- train our employees who may be exposed to violence or challenging behaviour situations
- support the employees involved in any incident
- support their decisions regarding the pressing of criminal charges
- provide any counselling or post-incident assistance required by the employees
- keep records of all incidents of violence and aggression and review the control measures with a view to continual improvement in employee safety.

Visitors

In the interest of safety and security, the council will take the necessary measures to protect staff and visitors from any accidents or incidents that may occur during visiting.

Employees hosting visitors must ensure that:

- they are authorised to enter the premises or accompanied
- they adhere to applicable health and safety instructions and rules during their visit
- adequate information is passed to ensure their safety including emergency information
- any protective clothing required is provided and worn
- any accidents / incidents involving visitors are reported through the accident reporting arrangements.

Employees aware of people on the premises who may be unauthorised should report these to their manager for action.

Emergency Action

In the event of the fire alarm sounding, all visitors should be escorted to the assembly point by their host. Visitors should not leave the area before notifying the senior person present.

Waste Management

The council will instigate a waste management plan for any work carried out when required to by legislation and in order to do so will identify the:

- client
- Principal Contractor
- person with overall responsibility for the waste management plan
- location of the site where the work will be carried out
- estimated cost of the project.

In carrying out any site work the council will adhere to the following hierarchy for processing of waste materials:

- re-use (on or off site)
- recycle (on or off site)
- send off site for recovery
- send for incineration
- as a last resort send to land fill.

The waste management plan will:

- describe each type of expected to be produced
- estimate the quantities of each type of waste
- describe the waste management action for each type of waste (e.g. re-use, recycle).

The waste management plan will comply with the duty of care and ensure materials will be handled efficiently and waste managed appropriately. All waste materials which leave site will be processed through licensed contractors.

Additional duties:

- ensure co-operation between all contractors involved on the project during the construction phase
- discuss waste management with every site worker through induction, training and tool box talks
- ensure that waste is reused, recycled or recovered, where practicable to do so.

Work At Height

The council will take all reasonable steps to provide a safe working environment for all employees who may be affected by work at height activities.

The council will ensure that:

- all work activities that involve work at height are identified and assessed
- the need to undertake work at height will be eliminated whenever it is reasonably practicable to do so

- adequate and secure working platforms with guard rails and toe boards will be used in preference to ladders which will be used for light, short duration work only and secured to prevent displacement
- when necessary, only scaffolds and scaffold towers that have been erected by a competent person will be used
- roof lights and other fragile surfaces will be protected to prevent falls
- fall arrest equipment will be used if other means of prevention (safety nets, harnesses with running lines, etc.) are not practical or justified
- risks associated with those activities where work at height cannot be eliminated are evaluated and steps are taken to control them
- all the necessary equipment to allow safe access to and egress from the place of work is provided
- all the necessary equipment to ensure adequate lighting and protection from adverse weather conditions is provided
- suitable plant is provided to enable the materials used or created in the course of the work are safely lifted to and from the workplace and stored there if necessary
- any working platform and its supporting structures are selected and/or designed in accordance with current standards
- regular inspections of all equipment required for working at height are undertaken
- competent persons are appointed to be responsible for the supervision of all work at height and associated activities
- any contractors from whom they procure services comply with this policy.

Information and Training

The council shall provide any information, instruction and training required to work in a safe manner when working at height.

Work Equipment

The council will provide a safe working environment in relation to work equipment safety and ensure all employees receive appropriate safety information and training in their work equipment.

To achieve this objective the council will:

- provide work equipment that is suitable for the purpose and compliant with the requirements of the Provision and Use of Work Equipment Regulations
- retain and make available the manufacturer's instruction manual for each item of equipment, where relevant
- before using any item of work equipment, ensure that a risk assessment is carried out and brought to the attention of relevant employees
- inspect all equipment at installation and prior to first use

- regularly inspect work equipment in accordance with the manufacturer's recommendations
- maintain work equipment in accordance with the manufacturer's recommendations
- keep records of all inspections and maintenance
- provide adequate instruction, information and training to employees to enable the work equipment to be used and maintained safely
- provide refresher training as appropriate and as determined necessary by workplace inspections.

Young Persons

Whilst precautions taken to protect the health and safety of the workforce as a whole will, in many cases, also protect young persons, there are occasions when different and/or additional measures will be necessary due to their lack of experience, knowledge or absence of awareness of potential risks.

A 'young person' is defined as one who is below the age of 18 years.

To ensure the safety of young persons the organisation will:

- carry out risk assessments to cover the activities of young persons
- implement the actions determined by the risk assessment process
- inform the young persons of any risks associated with their work and the control measures taken to protect them
- provide a copy of the risk assessment to the parent/guardian of any young person below the school leaving age
- provide additional appropriate information, instruction, supervision and training, etc as determined by the risk assessment.

7. RISK ASSESSMENT

Risk Assessment

Risk Assessment involves identifying the hazards present in the work place or arising out of any work activity and evaluating the extent of the risks involved to employees and others, taking into account existing precautions and their effectiveness.

A **hazard** is something with a potential to cause harm and can include articles, substances, plant or machines, methods of work and the work environment.

Risk is the likelihood of harm from that hazard being realised. Risk increases with the number of people exposed to the hazard and also with the potential severity of the harm i.e. the resultant injury or ill health effect. If there are no hazards there are no risks.

The regulations require that risk assessments are '**suitable and sufficient**' in that they should identify all the significant hazards present within the business and its activities and that they should be proportionate to the risk. The assessment should cover all risks that are reasonably foreseeable.

The risk assessment must identify all those people who may be affected by the hazard, whether they are workers or others, such as members of the public.

We may be controlling risks in various ways, determining the effectiveness of those controls is part of the risk assessment process.

Health and safety law does not demand absolute safety when considering what safety controls are required but measures taken should go as far as is '**reasonably practicable**'; a balance between risk and costs, the greater the risk the greater the need to commit resources in terms of time and money to remove or control the risk.

It is a legal requirement that the significant findings of our risk assessments are brought to the attention of our employees.

Carrying out risk assessments

Those who are involved in risk assessments should:

- be competent
- have knowledge and experience of working procedures in practice, potential dangers and strengths and weaknesses of existing precautions
- have knowledge and experience of how to solve problems identified by the assessment
- be in a position to give the commitment, co-operation and resources required to implement the assessment results.

It is important that the person carrying out the risk assessment is competent. This means that the person must have the necessary skills and knowledge gained through experience and training and may have qualifications that enable them to make sound judgments.

The five stages of risk assessment

STEP 1 - IDENTIFY THE HAZARDS

Look for hazards by walking around the workplace. List the hazards that could reasonably be expected to cause harm. Ask for the opinion of employees as they may have noticed things that are not immediately obvious.

Examples of hazards include:

- cables trailing over floors
- fire
- chemicals
- work benches which are too high or too low
- electricity
- loads which have to be moved manually
- work equipment
- working environment e.g. ventilation, lighting, heating.

STEP 2 - IDENTIFY WHO MAY BE HARMED AND HOW

List groups of people and individuals who may be affected by the hazards e.g.:

- staff
- members of the public
- contractors on the premises.

Pay particular attention to vulnerable persons, e.g. those with disabilities, visitors, female employees who are pregnant or who have recently returned to work after having a baby, inexperienced employees or young persons.

STEP 3 - EVALUATE AND CONTROL THE RISK

Evaluate the risks arising from the hazards and decide whether existing precautions are adequate or if more should be done. When evaluating the extent of the risk, account should be taken of the chance of some harm occurring (likelihood), the likely severity of this, and the number of people who could be affected. The formula:

Severity x Likelihood = Risk

Is used on the risk forms within this policy manual

Even after all precautions have been taken some risk may remain. Ensure the precautions in place meet standards set by legal requirements comply with a recognised standard, represent good practice and reduce the risk as far as is reasonably practicable.

Where additional controls or further action are necessary to reduce the risk, decide what more could reasonably be done by adopting the following principles:

- avoid the risk completely
- evaluate risks which cannot be avoided
- combat risks at source
- adapt work to the individual
- make use of technical progress
- replace the dangerous with none or less dangerous
- develop an overall prevention policy
- give priority to measures which protect the greatest number of people

- give appropriate instructions to employees.

IMPLEMENTING AN ACTION PLAN

Once the level of risk has been determined and the control measures needed to reduce or eliminate the risk established, an action plan should be drawn up with timescales for implementation of the control measures.

STEP 4 - RECORD YOUR FINDINGS

The significant findings of the assessment must be recorded since these provide evidence that something has been done, it is also a legal requirement. Keep any written assessments for future reference and ensure that employees are informed of the findings and control measures, either existing or additional, that have to be observed and used. In some circumstances the findings of the risk assessment should also be given to others who could be affected, for example agency workers, contractors etc.

Hazards and example controls

Hazard	Example control measures
Manual handling	Mechanical aids, hoists, getting assistance, breaking loads into smaller units, training
Hazardous substances	Substitution for less hazardous alternatives, extract ventilation, personal protective equipment, training
Work equipment (machinery, tools, etc.)	Guarding, demarcation of danger zones, restricted operation and use planned preventative maintenance, training
Ladders	Avoid working at height. correct type of ladder/stepladders, maintained, training
Electricity	Insulated tools, residual circuit breakers, fuses, earthing, inspection and testing of systems and appliances
Stairs, etc	Good lighting, handrails, non-slip surfaces, slightly raised/highlighted front edges
Fire	Detection/warning systems, fire drills, extinguishers, signs, suitable storage facilities for substances and goods, fire retardant furniture and fittings
Noise	Reduction at source, isolation, ear protection, demarcation of danger zones
Stress	Reduce/increase workload, more control over work, work suitable for the individual, avoidance of monotonous repetitive work
Work environment	Good lighting, ventilation, redesign layout of area, heaters/coolers

STEP 5 - MONITOR AND REVIEW THE ASSESSMENT

It is important that the control measures are monitored and that records are kept. A regular review of the assessments should be made to take into account any changes to the methods or systems of work. You should also review the assessment following an accident, where there has been a significant change to the work, if new information comes to light, or if there is any other reason to believe that it may no longer be valid. Following the review, additional control measures should be implemented if required. Even if there are no significant changes since the original risk assessment, it should be regularly reviewed to confirm that it is still relevant and valid.

Fire Risk Assessment

A fire risk assessment is an organised and methodical look at the premises, the activities carried on there and the likelihood that a fire could start and cause harm to those in and around the premises.

The aims of the fire risk assessment are:

- to identify the fire hazards
- to reduce the risk of those hazards causing harm to as low as reasonably practicable
- to decide what physical fire precautions and management arrangements are
- necessary to ensure the safety of people in your premises if a fire does start.

The significant findings of the fire risk assessment, the actions to be taken as a result of the assessment and details of anyone especially at risk must be recorded.

It is important that the fire risk assessment is carried out in a practical and systematic way and that enough time is allocated to do a proper job. It must take the whole of your premises into account, including outdoor locations and any rooms and areas that are rarely used. Small premises may be able to assess as a whole, in larger premises you may find it helpful to divide them into rooms or a series of assessment areas using natural boundaries, e.g. process areas, offices, stores, as well as corridors, stairways and external routes.

Risk assessments must take account of other users of the buildings and co-operation and communication of hazard and risk must be shared between businesses to ensure a co-ordinated response is prepared and implemented.

You need to appoint one or more competent persons to carry out any of the preventive and protective measures needed to comply with the legislation. This person could be you, or an appropriately trained, employee or, where appropriate, a third party.

Your fire risk assessment should demonstrate that, as far as is reasonable, you have considered the needs of all relevant persons, including disabled people.

Six Steps to Fire Risk Assessment

1. Identify the hazards

- Sources of ignition
- Sources of fuel
- Sources of oxygen.

2. Identify people at risk

- Employees
- People in and around the premises
- Vulnerable persons, disabled etc.

3. Evaluate, remove, reduce and protect from risk

- Evaluate the risk of fire occurring
- Evaluate the risk to people from fire
- Remove or reduce the fire hazards
- Remove or reduce the risks to people.

4. Consider:

- Detection and warning
- Fire fighting
- Escape routes and travel distances
- Lighting
- Signs and notices
- Maintenance.

5. Record, plan, inform, instruct and train

- Record the significant findings and action taken
- Prepare an emergency plan
- Inform and instruct relevant people; co-operate and co-ordinate with other businesses
- Provide training.

6. Review

- Keep assessment under review
- Revise where necessary.

8. MONITORING OF HEALTH AND SAFETY

Measurement is essential to maintain and improve our health and safety performance to identify how effectively we are controlling risks and how well we are developing a positive health and safety culture.

There are two types of performance monitoring, active and reactive.

Active monitoring

Monitoring is a line manager's responsibility and each of the key management positions are expected to play their part in monitoring achievement against relevant health and safety standards. Managers will be expected to provide evidence that they have carried out monitoring within their areas of responsibility and they are reinforcing their commitment to health and safety objectives in general and helping to develop a health and safety culture.

This approach to proactive monitoring gives the council feedback on its performance before an accident, incident or case of ill health.

Managers and supervisors with defined health and safety responsibilities must monitor in detail the areas for which they have day to day control. Much of this checking will be informal and not recorded but formalised, structured checks are also essential to ensure all areas are covered and to demonstrate compliance to senior managers who must in turn seek assurance that first line monitoring is taking place.

Employees who take a proactive interest or represent groups for health and safety can also be involved with monitoring and may take the format of a health and safety tour or if more formally via a devised checklist.

Reactive monitoring

Reactive monitoring of events including accidents, incidents, cases of ill health or property damage provide an opportunity to check performance and learn from mistakes and improve control measures.

Trends and common features arising from accident and incident investigation can identify jobs or activities where future health and safety initiatives would be most beneficial. Investigations may also provide valuable information in the event of legal action or an employee claim.

9. LEGAL EXPENSES INSURANCE

For a copy of WorkNest's master legal expenses insurance policy please see . Please refer to your <https://worknest.com/protection-against-prosecution-health-safety/> contract with WorkNest for the type of cover (if any) that is applicable to your organisation – i.e. employment dispute insurance or health & safety prosecution insurance or both – and the relevant provisions of the master policy document will then apply accordingly.

Please contact us if you require a hard copy of the policy.



Finance & General Purposes Committee 15th December 2025

Allotments Non Resident Plot Holders

(Statutory Compliance, Governance Failures, Public Concerns and Legal Options)

Report from the CEO/ Town Clerk

1. Purpose and Background of Report

This report provides Members with a full update on:

- The history that led to the current position,
- The Council's statutory duties under the Allotments Acts 1908–1950,
- Legal advice from the Avon Local Councils' Association (ALCA), including the interpretation that non-resident tenancies may lawfully continue if formally resolved,
- Governance failings within the Allotment Club (AC) under the Management Agreement,
- The Council's previous issuance of 12-month statutory notices to non-resident tenants,
- Significant public concern and FOI activity following these actions,
- The expectations of long-waiting parish residents,
- A set of lawful options for Members to consider that align with ALCA's advice.

1.1 History and Context

WSMTC is the statutory allotment authority. Delegated management to the Allotment Club did not transfer statutory responsibility.

The Management Agreement requires all allotment plots to be allocated only to parish residents.

Over many years, the AC issued and renewed tenancies to non-residents without a lawful basis often with multi plot allocation to one tenant.

Approx 155 +200 parish residents remain on a waiting list, some for several years.

In June 2025, Council instructed the AC to enforce residency rules. The AC refused, breaching the Agreement.

In Autumn 2025, WSMTC issued 12-month statutory notices to all non-resident tenants. This action was confirmed lawful by ALCA.

This corresponds to Step B of ALCA's recommended process and has already been completed.



Since the appointment of the current CEO/Town Clerk the review of governance and agreements with the AC has been proactive and the council has been helping to improve websites and administration. Prior to this it must be noted there was little to no action to meet request to do so by the AC by the Town Council which has been area of frustration for a considerable period of time for them.

1.2 Legal Position and Advice from ALCA

ALCA confirms:

- All actions taken by the Council to date are lawful.
- The AC acted as an agent and was required to comply with legislation and Council policy.
- Multiple breaches by the AC occurred, including refusal to act, inaccurate data, governance failures and GDPR non-compliance.

1.2.1 Interpretation of Law:

- ALCA confirms the Allotments Acts do NOT prohibit councils from granting tenancies to non-residents, provided a formal Council resolution is recorded.
- However, continuing non-resident tenancies without policy amendment would breach the current Management Agreement.

1.2.2 ALCA's Governance suggested Action Plan:

Full details in Appendix D

- Issue a Final Notice of Remedial Action to the AC.
- Provide a 14–28 day window for compliance.
- If unmet, withdraw delegated management by 31 March 2026.
- Prepare for transition to direct management by WSMTC.

2.0 Public Concern

Public responses have included:

- Non-resident tenants distressed by receiving notices,
- FOI requests attracting significant public engagement,
- Parish residents expressing strong views having waited years for plots,
- Concerns regarding transparency, fairness and wellbeing.

Clear communication and lawful process are essential to restoring confidence.

3.0 ALCA Suggested Stepped Approach (for Current Position)

Step A – Acknowledge the legacy issue (still required).



Step B – Issue statutory notices (already completed by the Council).

Step C – Provide consistent and transparent communication (ongoing).

Step D – Align and strengthen the Management Agreement and governance responsibilities (to be implemented).

2. Options for Council (Lawful Options Only)

Option 1

Continue the 12-month notice process and complete the transition.

Pros: Legally robust, fair to long-waiting residents, consistent with ALCA advice.

Cons: Distressing to non-residents.

Option 2

Pause implementation temporarily during governance remediation.

Pros: Proportionate and compassionate.

Cons: Delays fairness and resolution.

Option 3

Formally permit a limited number of non-resident tenancies.

Pros: Allowed by law if formally resolved; compassionate.

Cons: Reduces availability for parish residents.

Option 4

Rescind existing notices and reissue after adoption of a revised policy.

Pros: Maximum fairness and clarity.

Cons: Significant delay for parish residents.

Option 5 – Ongoing Allotment Management for consideration



To be read in conjunction with 1.2.2 above

The council may wish to consider its options with regard to how its Allotments are managed as such it should review the current agreement and all other options. ALCA has offered to provide support with this area should the council deem it necessary following on from the issues that have arisen.

As example: Withdraw delegated management and move to direct Council management (if AC fails final remedial stage).

Pros: Clear governance, easier compliance.

Cons: Increased administrative responsibility for the Council.

3. Reason for Recommendation

To enable response to non – resident allotment plot holders, and ensure the council remains working with the law and has strengthened its governance procedures.

4. Expected Benefits

- Restored legal compliance,
- Stronger governance,
- Fairness for long-waiting parish residents,
- Transparent and consistent process,
- Reduced risk of complaint or challenge.

5. Implications

5.1. Legal

- Allotments Acts 1908–1950

Recommendations and steps included in this report, ensures statutory compliance; ALCA framework reduces legal risk.

5.2. Risks

Potential reputational risk without a structured approach.

5.3. Financial Implications

Minimal direct cost; possible legal support required.



5.4. Timescales

Governance actions to be completed by early 2026.

5.5. Stakeholders

Tenants, parish residents, Allotment Club, wider public.

5.6. Contractors

N/A

5.7. Crime & Disorder (councils have a legal duty to consider impact)

No direct implications.

5.8. Biodiversity (councils have a legal duty to consider impact)

Allotments provide environmental benefit; changes must maintain this.

5.9. Privacy Impact (consider Privacy Impact assessment)

FOI responses confirmed personal data must not be disclosed.

5.10. Equality & Diversity (councils have a legal duty to consider impact)

A consistent, proportionate approach ensures fairness for all.

6. Appendices

- A. General enquiry update letter (Nov 2025)
- B. Non-resident update letter (Nov 2025)
- C. ALCA Email Summary (04.11.25)
- D. Recommended Remedial Action Requirements for the Allotment Club based on advice from ALCA

7. Members are recommended to:

1. Consider and adopt ALCA's stepped approach (section 3.0), acknowledging Step B is already complete.
2. Consider Options provided 1- 4 with regard to Non- resident plot holders and agree next steps to allow further action and communication with Non-resident Plot holders.



3. Consider Option 5 and provide direction with regard to the Allotment Management (allowing time for necessary robust review of options using current internal resource allocation to be able to do so within an agreed timeframe).
4. Instruct the CEO/Town Clerk to proceed with the AC remediation process (Detailed in Appendix D) and report back to the Amenities Committee with outcomes and confirmation of compliance.

Sarah Pearse

CEO/Town Clerk

03.12.25



APPENDIX A – Summary of ALCA Legal & Governance Advice (04 November 2025)

This appendix summarises the two emails received from the Avon Local Councils' Association (ALCA) on **4 November 2025**, providing legal interpretation of the Allotments Acts and governance advice regarding the Allotment Club (AC) under the Devolved Management Agreement.

1. Summary of ALCA's Legislative Interpretation

1.1 Statutory Position

ALCA confirms that:

- Weston-super-Mare Town Council (WSMTC) is the **statutory allotment authority** under the Allotments Acts 1908–1950.
- Delegation of day-to-day management to the AC **does not** transfer statutory responsibility.
- The Council therefore retains all legal accountability for the lawful administration of allotments.

1.2 Residency Rules and Legal Interpretation

ALCA provided clarification that:

“The Act does not prohibit the council from continuing to grant tenancies to non-residents if it chooses to do so.”

However:

- The **current Management Agreement requires** that allotments are let **only to residents of the parish**.
- Continuing to allocate or retain non-residents without amending the Agreement would create an **administrative breach**.

Thus, the Council *may* choose to allow certain non-resident tenancies, but only if:

1. A **formal Council resolution** is made; and



2. The **Agreement is amended** to reflect this.

This establishes a key distinction between:

- **What the law permits**, versus
- **What the Council's own contract requires.**

1.3 Confirmation of Lawfulness of Council Actions

ALCA states clearly:

- The Council's actions to date — including issuing 12-month statutory notices — are **lawful**.
- These actions align with both national legislation and the Devolved Management Agreement.

2. Summary of Governance Failings Identified by ALCA

ALCA identified multiple contractual breaches by the Allotment Club (AC), including:

2.1 Failure to Enforce Residency Rules

- The AC continued allocating plots to non-residents for several years, despite written rules and Council direction.
- This breached Clauses **2.2** and **2.4** of the Agreement.

2.2 Refusal to Follow Council Instruction (June 2025)

- The AC's refusal to issue notices constituted a breach of Clauses **1.5**, **5.1**, and **5.2**.
- This represents a fundamental breakdown of delegated authority.

2.3 Poor Record Keeping

- Incomplete or inaccurate waiting lists and tenancy data were discovered in October 2025.
- This breached Clauses **4.1**, **4.2**, and **4.4**.

2.4 Non-submission of AGM Papers and Accounts

- Failure to submit required governance documents breached Clause **7.1**.



2.5 Public Criticism of the Council

- Public statements made by the AC alleging “unfair evictions” and encouraging opposition to the Town Council’s decision created reputational risk and fell outside their delegated authority.
- This breached Clauses **5.1** and **6.5** and created reputational risk.

2.7 Failure to Provide a Remedial Plan

- Despite requests, the AC did not submit a plan to correct governance failings.
- This meets the threshold for escalation under Clause **5.2**.

3. ALCA’s Recommended Remedial Action Process

ALCA advises the following structured approach:

3.1 Step 1 – Issue a Formal Notice to Remedy

This must include:

1. Statement that the AC is in breach of named clauses;
2. Requirement to provide within **14–28 days**:
 - up-to-date tenant and waiting-list registers with residency status;
 - a Residency Enforcement Plan;
 - evidence of insurance;
 - a governance improvement plan;
 - commitment to cease unauthorised public communication.

3.2 Step 2 – If the AC Fails to Remedy

ALCA advises:

- Withdrawal of delegated management under Clauses **5.2** and **5.4**;
- Effective **31 March 2026** to allow for managed transition;
- Requirement to return all keys, data, records and funds (Clause **5.5**);
- Council resumes direct management or implements a new governance model.



ALCA emphasises that this process:

- protects the Council from challenge,
- ensures fairness to the AC,
- and provides an essential audit trail demonstrating due diligence.

4. ALCA's Stepped Compliance Framework (Residency Issue)

ALCA also recommended a parallel four-step approach regarding residency compliance:

1. **Formally acknowledge legacy non-compliance.**
2. **Adopt a clear policy of managed attrition** (12-month notices when governance is corrected).
3. **Ensure transparent and consistent communication.**
4. **Align the Management Agreement with legislation and policy.**

The Council has already completed Step 2 (issuing statutory notices).

5. Key Points for Councillors

- The Council's actions **to date** have been lawful and appropriate.
- The AC has committed multiple significant breaches of the Management Agreement.
- A formal Notice to Remedy is the **next required legal step**.
- The Council retains full discretion to adopt a more flexible approach to non-resident tenants — **if formally resolved and contractually amended**.
- ALCA strongly recommends proceeding with the governance escalation pathway, regardless of the residency policy chosen.

APPENDIX B



Recommended Remedial Action Requirements for the Allotment Club based on advice from ALCA

Purpose of Appendix

This appendix sets out clearly the expectations placed upon the Allotment Club (AC) under ALCA's legal advice, and the exact actions the Town Council requires as part of the formal Notice to Remedy process. It ensures transparency for Members, tenants and the public about the steps the AC must take, the timeframe, and the consequences of non-compliance.

1. Nature of the Notice

ALCA has confirmed that the Council should issue a formal Notice to Remedy, not a general warning. This is a contractual and procedural requirement under the Management Agreement before any withdrawal of delegated authority can occur. It is a final opportunity for the AC to correct identified governance breaches.

2. Required Actions from the Allotment Club

The Council will require the AC to complete all of the following actions within 14–28 days of the Notice:

A. Provide a complete and accurate tenancy and waiting-list register:

- Full names of tenants and applicants
- Home addresses
- Clear identification of in-parish or out-of-parish status
- Dates of application and plot allocation
- Plot numbers linked to tenants

This addresses failures in record-keeping and breaches of Clauses 4.1–4.4.

B. Provide a written Residency Enforcement Plan:

- Residency verification process
- Process for verifying new applicants



- Annual renewal checks
- Consistent communication of eligibility rules
- Prevention of repeated misapplication of rules

Addresses breaches of Clauses 2.2, 2.4 and the June 2025 Council instruction.

C. Provide evidence of valid and current insurance:

Required under the Agreement to protect both AC and WSMTC.

D. Provide a Governance and Communications Assurance Statement:

- Agreement to refrain from unauthorised public statements
- Confirmation all public communication will flow through WSMTC
- Assurance of professional communication practices

Addresses breaches of Clauses 5.1 and 6.5.

E. Provide a Governance Improvement Plan:

- GDPR-compliant systems
- Proper use of official email accounts
- Secure digital storage of records
- Submission of AGM minutes and accounts
- Future monitoring and audit arrangements

Addresses breaches across Clauses 4.3–4.5 and 7.1.

3. Deadline for Compliance



The AC must provide all required information within 14–28 days of receiving the Notice to Remedy. This timeframe is recommended by ALCA to ensure fairness and provide a clear audit trail.

4. Consequences of Non-Compliance

If the AC does not meet all remedial requirements within the deadline, ALCA advises the Council to:

- Withdraw delegated management under Clauses 5.2 and 5.4 of the Agreement
- Make withdrawal effective 31 March 2026 to allow for orderly transition
- Require the return of all records, keys, funds, digital data and accounts (Clause 5.5)
- Resume direct management of the allotments or implement a new governance model
- Communicate clearly that this is an administrative correction, not a punitive measure

ALCA confirms the AC's existing breaches already meet the threshold for this action.

5. Why This Step Is Required

ALCA recommends the Notice to Remedy because it:

- Ensures procedural fairness
 - Protects the Council from legal challenge
 - Creates a clear record that the AC was given a reasonable opportunity to comply
 - Is the necessary legal precursor to any governance change
 - Reassures the public that the Council is acting transparently and proportionately
- enquiry update letter (Nov 2025)

APPENDIX C General enquiry update letter (Nov 2025)

10th November 2025



Dear,

Re: Allotment Tenancy and Parish Residency Requirements

Thank you for your communication regarding the recent notices issued to certain allotment tenants. We appreciate that there has been significant public interest in this matter and want to clarify the background and current position.

Under national legislation, specifically the Allotments Acts 1908–1950 allotments provided by a parish or town council must be prioritised for the use of residents within that parish. This is a statutory duty placed on the Council, not a local policy choice, it is not something that has been recently introduced and the Council is legally accountable for ensuring compliance.

While the Town Council holds this legal accountability, the day-to-day management of the allotments including the allocation and renewal of tenancies has, since the early 2000s, been carried out by the Weston-super-Mare Allotment Club under a management agreement. The Club has therefore been responsible for administering tenancies and applying eligibility requirements on the Council's behalf.

It is now clear that, over a number of years and across many different management arrangements, the residency requirement has not been consistently applied. This has resulted in some tenancies being held by individuals living outside the parish boundary. The Council acknowledges this historic oversight, but it is important to stress that responsibility for tenancy management and the application of eligibility rules is still required.

As the accountable body under law, the Council cannot ignore its statutory duties. Following a governance review earlier this year, the Council issued 12-month notices to tenants who live outside the parish and removed non-parish residents from the waiting list. These actions are necessary to bring the service back into legal compliance and ensure fairness for the more than 250 Weston-super-Mare residents currently waiting for a plot, many of whom also have very strong views about this.

We are aware that this will have caused concern to individual tenant and as such we recognise that the same legal and management issues apply to all non-resident tenants. The Council has issued a further consistent written update to everyone affected. It would not be fair or appropriate to provide individual updates until after the Council has received and considered further legal advice at its Finance & General Purposes Committee meeting in December 2025.



The Council and the Allotment Club are working together constructively to explore any lawful options that might help mitigate the impact on existing tenants. The outcome of this work and the legal advice received will be made public following consideration by the Committee.

The Council remains committed to:

- Upholding the law while ensuring fairness and transparency;
- Supporting affected tenants, including by signposting to neighbouring parish allotment opportunities; and
- Ensuring fairness for Weston-super-Mare residents who have been waiting for plots.

We value the contribution of all allotment tenants and the Allotment Club to the community and are approaching this matter with fairness, compassion, and a clear commitment to our legal duties.

Yours

sincerely,

APPENDIX D Non-resident update letter (Nov 2025)

Dear [Name],

Re: Allotment Tenancy and Parish Residency Requirements

Thank you for your communication with regard to your allotment tenancy and the notice issued to tenants who live outside the Weston-super-Mare parish boundary.

We recognise that this situation has caused concern, and we want to explain the background and current position clearly.

We know that many individual plot holders have contacted us here at the Council requesting a personalised response about their specific circumstances. As the same legal and management issues apply to all non-resident tenants, this letter is being sent as a consistent update to everyone affected.

Until the Council has received and considered further legal advice at its Finance & General Purposes Committee meeting in December 2025, it would not be appropriate or fair to provide individual updates or make case-by-case decisions. We hope you understand that this approach ensures transparency and equality for all tenants during this period of review.



WESTON-SUPER-MARE TOWN COUNCIL

Under national legislation, specifically the Allotments Acts 1908–1950 allotments provided by a town or parish council must be prioritised for residents who live within that parish. This is a statutory duty, not a local policy choice and it is not something that the council have recently introduced. The Town Council must therefore ensure that its allotment provision complies fully with the law.

Although the Council holds the legal responsibility for compliance, the day-to-day management of the allotments including the allocation and renewal of tenancies has, since the early 2000s, been carried out by the Weston-super-Mare Allotment Club under a management agreement. The Club has therefore been responsible for administering the tenancies and applying eligibility requirements on the Council's behalf having full regard for the Allotment Act.

Having met with the Allotment Club for further discussions, it is now clear that, over a number of years and across many different management arrangements, the residency requirement has not been consistently applied. This has resulted in a number of tenancies being held by individuals who do not live within the parish. The Council acknowledges this historic oversight, but it is important to stress that the responsibility for managing tenancies and maintaining compliance with residency rules has been there for many years.

As the accountable body under law, the Council cannot ignore its statutory duties. Following a governance review earlier this year, the Council therefore issued 12-month notices to tenants who live outside the parish and removed non-parish residents from the waiting list, to bring the service back into legal compliance and ensure fairness for the more than 250 Weston-super-Mare parish residents currently waiting for a plot many of whom also feel strongly about this situation.

We understand that this has caused real worry for some tenants. The Council is now working constructively with the Allotment Club to explore whether there are any lawful options available that might help mitigate the impact on existing tenants. Legal advice is being sought, and the findings will be considered by the Finance & General Purposes Committee in December 2025.

The Council remains committed to:

- Upholding the law while ensuring fairness and transparency;
- Supporting affected tenants, including by signposting to allotment opportunities in neighbouring parishes; and
- Ensuring that Weston-super-Mare residents who have been waiting for plots are treated fairly.



We value the contribution of all allotment tenants and the Allotment Club to the local community and will continue to manage this process with respect, compassion, and in accordance with the law to all.

We will send out further correspondence to anyone directly affected by this situation following the Finance and General Purposes committee held on the 15th December 2025.