



AGENDA

HEALTH AND SAFETY COMMITTEE

Date: MONDAY, 29 JANUARY 2018 at 6.00 pm

**Committee Rooms 3
Civic Suite
Catford Road
London SE6 4RU**

**Enquiries to: Clare Weaser
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COUNCILLORS

Councillor David Britton (Chair)
Councillor Alan Till (Vice Chair)
Councillor Helen Klier
Councillor Paul Bell
Councillor David Michael
Councillor Carl Handley

Unions

Gary Cummins UNITE
Mark Fennell GMB
Kim Knappett NEU ATL SECTION
Eileen Walker UNISON
Lea Bonnell NUT

Directorate Representatives

Genevieve Macklin, Head of Strategic
Housing
Petra Der Man, Principal Lawyer
David Austin, Head of Corporate Resources
Liz Dart, Head of Culture and Community
Development
Kate Bond CYP

Health & Safety Advisors

David Austin, Head of Corporate Resources
Beatrice Aciro Health and Safety Advisor

Members are summoned to attend this meeting

Janet Senior
Acting Chief Executive
Catford Road
Catford
London SE6 4RU
Date: Thursday, 18 January 2018



INVESTOR IN PEOPLE

The public are welcome to attend our committee meetings, however occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

ORDER OF BUSINESS – PART 1 AGENDA

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Agenda Item 1

HEALTH AND SAFETY COMMITTEE			
Report Title	MINUTES		
Key Decision			Item No. 1
Ward			
Contributors	CHIEF EXECUTIVE		
Class	Part 1	Date: 29 JANUARY 2018	

Recommendation

To agree the Minutes of the meeting of the Committee, which was open to the press and public, held on 30 October 2017 (copies previously circulated).

Agenda Item 2

HEALTH AND SAFETY COMMITTEE		
Report Title	DECLARATIONS OF INTEREST	
Key Decision		Item No. 2
Ward		
Contributors	CHIEF EXECUTIVE	
Class	Part 1	Date: 29 January 2018

Declaration of interests

Members are asked to declare any personal interest they have in any item on the agenda.

1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.

- (f) Corporate tenancies – any tenancy, where to the member’s knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-
- (a) that body to the member’s knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes , or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members’ Interests (for example a matter concerning the closure of a school at which a Member’s child attends).

(5) Declaration and Impact of interest on member’s participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

Agenda Item 3

HEALTH AND SAFETY COMMITTEE		
Report Title	CORPORATE HEALTH AND SAFETY TEAM UPDATE	
Key decision	No	Item no 3
Ward	All	
Contributors	Head of Corporate Resources	
Class	Part 1	Date 29 January 2018

1 PURPOSE

- 1.1 This report updates the Health and Safety (H&S) Committee on H&S matters in the last period in line with the terms of reference for the Committee. It reports on issues raised at the H&S Board, incidents statistics, and actions raised at the previous meeting.

2 EXECUTIVE SUMMARY

- 2.1 The H&S Board has met as planned, both officers and with the Unions. The review of the Town Hall Chambers and Laurence House works were undertaken and will be kept under review.
- 2.2 The H&S incidents reported on a rolling year basis to December 2017 are reported for Members to note. Overall there has been a fall of 313 incidents or -12% driven mainly by the schools numbers.
- 2.3 The Wearside incident with a member of the public has concluded. The Council was found to have been at fault and received a fine of £150k and costs of £65k. As previously reported, all the recommendations made at the time by the Health & Safety Executive (HSE) have been addressed and the improvement notices lifted.

3 RECOMMENDATIONS

- 3.1 Members are asked to note the report.

4 H&S BOARD - NON EMPLOYEES

- 4.1 The H&S Board meeting took place 13 Oct. 2017 where progress on an inspection of the Theatre and Town Hall Chambers with the Mayor and Unions and also the refurbishment of Laurence Reception were discussed.
- 4.2 The next H&S Board will take place on 26 Jan. 2018. Any new matters other than the above, if brought and discussed will be highlighted at the following Committee meeting paper update.
- 4.3 At the H&S Committee which took place on 30 Oct. 2017 members requested clarity on the reasons for the slight increase in slips/trips/falls and manual handling incident categories in Customer Services Directorate. In review of the raw data, the increase is not significant to establish real reasons for the increase. However, this will be monitored and obvious trends reported on accordingly.

4.4 For this quarter, the following updates are provided:

- Accident/Incident Statistics; and
- Wearside incident update.

5 INCIDENTS

5.1 The numbers of incidents in the last period are presented in the table below as part of a rolling twelve month view.

5.2 In addition to the summary in the table above, the graphical analysis at **Appendix A** provides a more detailed view of the types of incident by Directorate. Identified trends and anomalies are discussed at individual Directorate H&S Joint Consultative Committees (JCCs).

Directorate	Jan – Dec 2017	Jan – Dec 2016	Variation number	Variation %
Community services	97	127	(30)	-24%
Customer services	187	141	46	33%
Children & Young People – Non Schools	10	54	(44)	-81%
Children & Young People – Schools	1,953	2,229	(276)	-12%
Resources & Regeneration	13	22	(9)	-12%
Total	2,260	2,573	-313	-12%

5.3 In terms of the more serious cases reported in the last quarter (**October - December 2017**) there were **84 incidents** (compared with 84 for the same period in 2016) that required reporting to the HSE under the Reporting of Injuries Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013. These are presented in the table below.

RIDDOR reporting	COM	CUS	C&YP non-Sch	C&YP Sch	R&R
Dangerous Occurrence	2			2	
Major Injury or Condition				26	
Member of Public taken to hospital				5	
Over seven day absence				3	
Pupil taken straight to hospital				46	
Prescribed Disease					
Total	2	0	0	82	0

5.4 The legal process following the serious incident at Wearside in 2012 when a Member of the Public (MoP) fell into one of the servicing trenches and had to be hospitalised has concluded. The Council was found to have been at fault and

received a fine of £150k and costs of £65k. As previously reported, all the recommendations made at the time by the Health & Safety Executive were addressed and the improvement notices lifted in 2013.

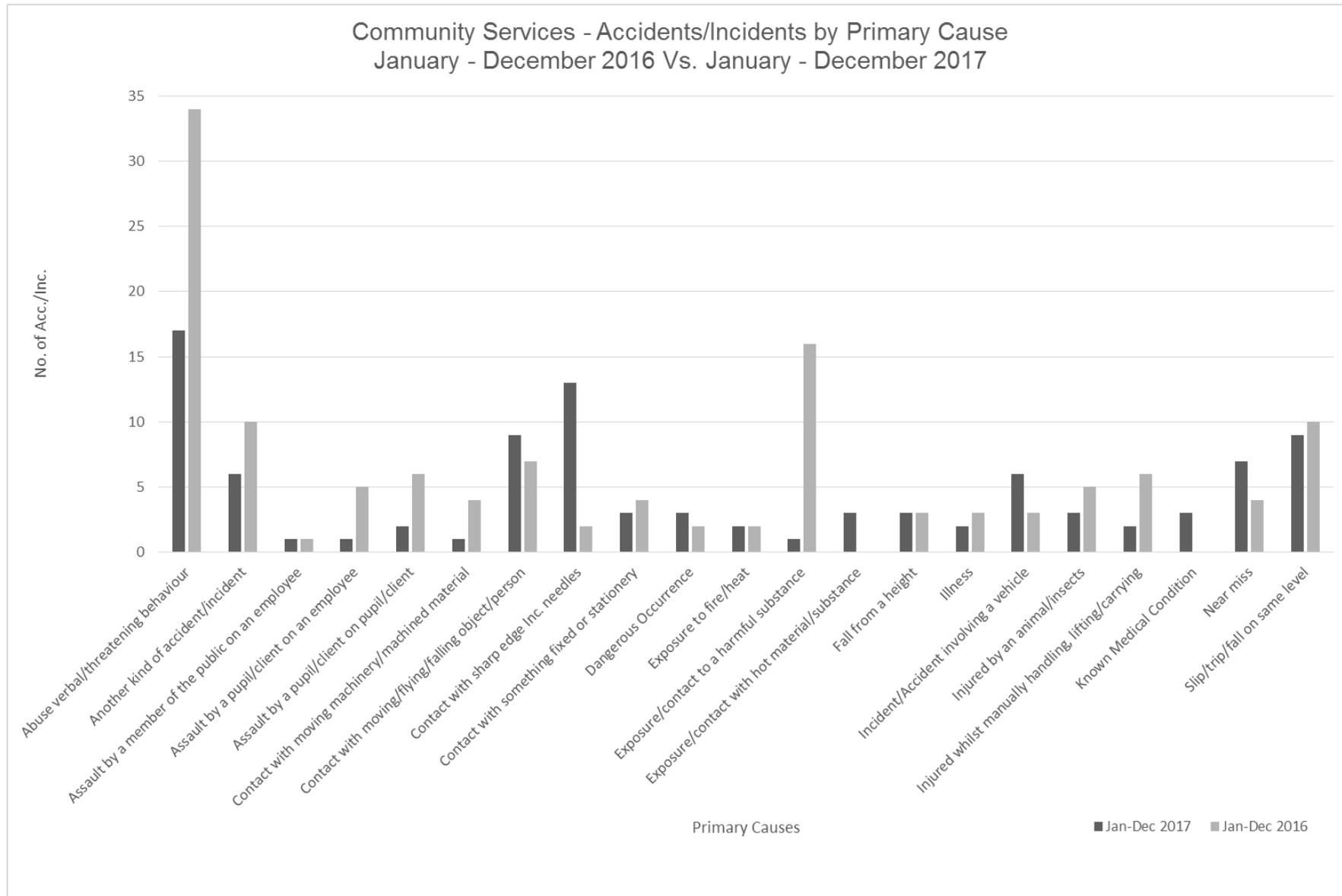
- 5.5 Whilst sentencing the Judge said in open Court that, to his mind, this was definitely not the most serious of cases. The Council had successfully demonstrated to him that the practices used to temporarily cover working pits using parked vehicles, was both adequate and importantly, the industry norm. In this instance however, for just that single day, the vehicles parked over the working pit were not long enough. Leaving a gap.
- 5.6 He also said that everyone knew the risks, except it seems the MoP, but he was satisfied they had been sufficiently warned. He then said that Lewisham had satisfied him that they have a good H&S record.

For any further information on the content of this report please contact:

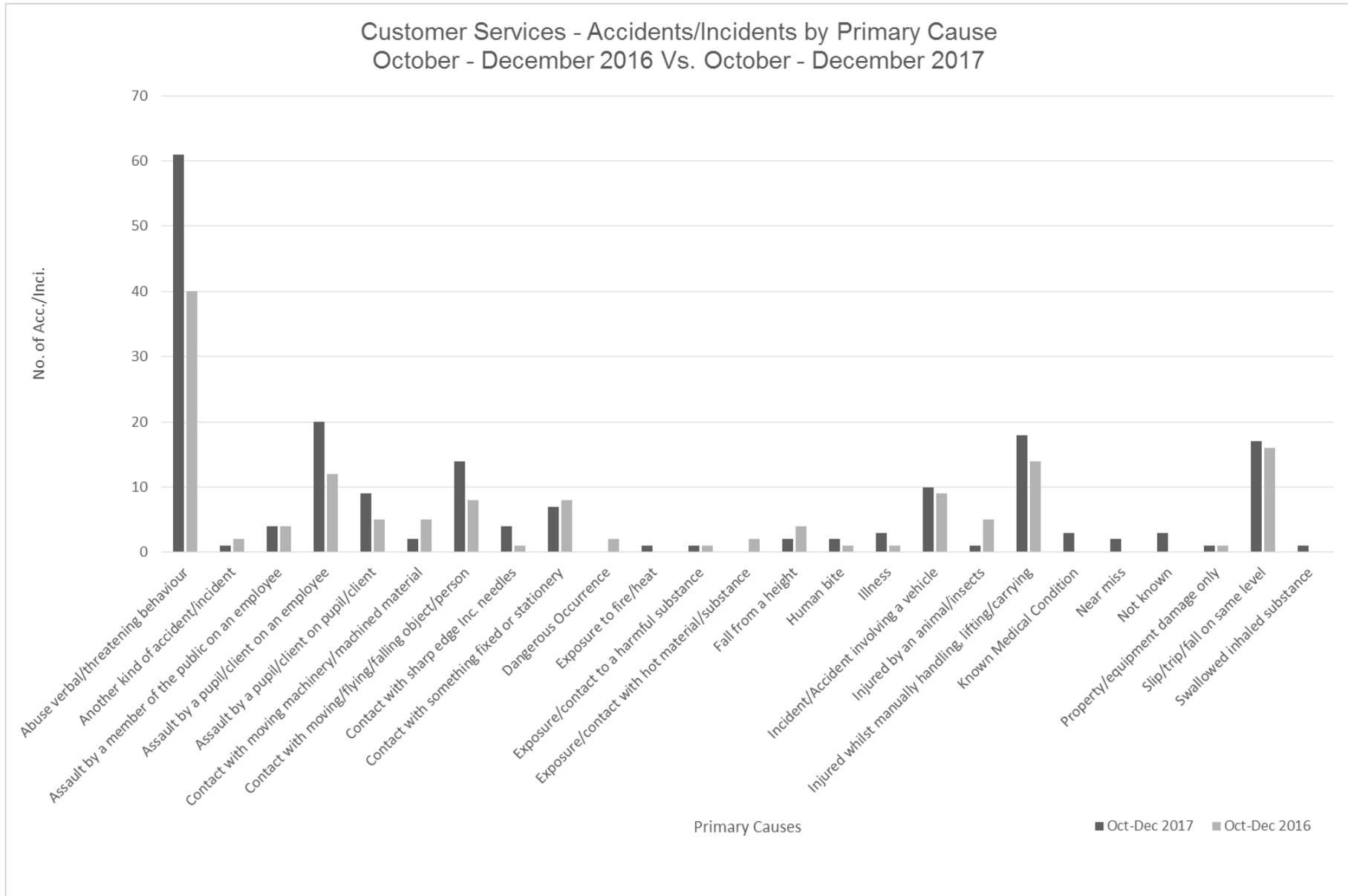
David Austin, Head of Corporate Resources on 020 8314 9114, or

Beatrice Aciro, Senior H&S Advisor on 020 8314 6481.

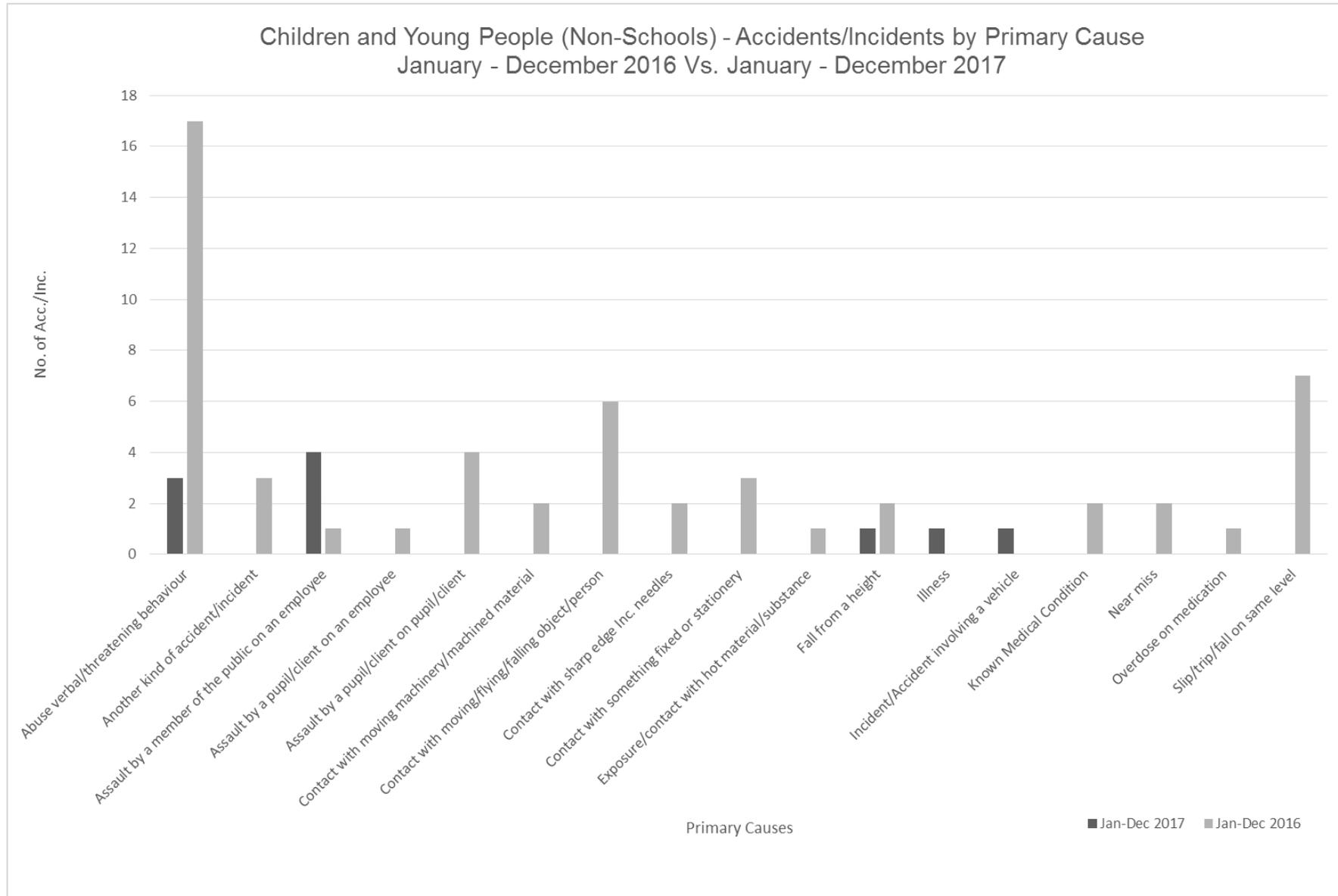
Appendix A – Rolling 12 month summary of reported H&S incidents by category by Directorate compared to prior year



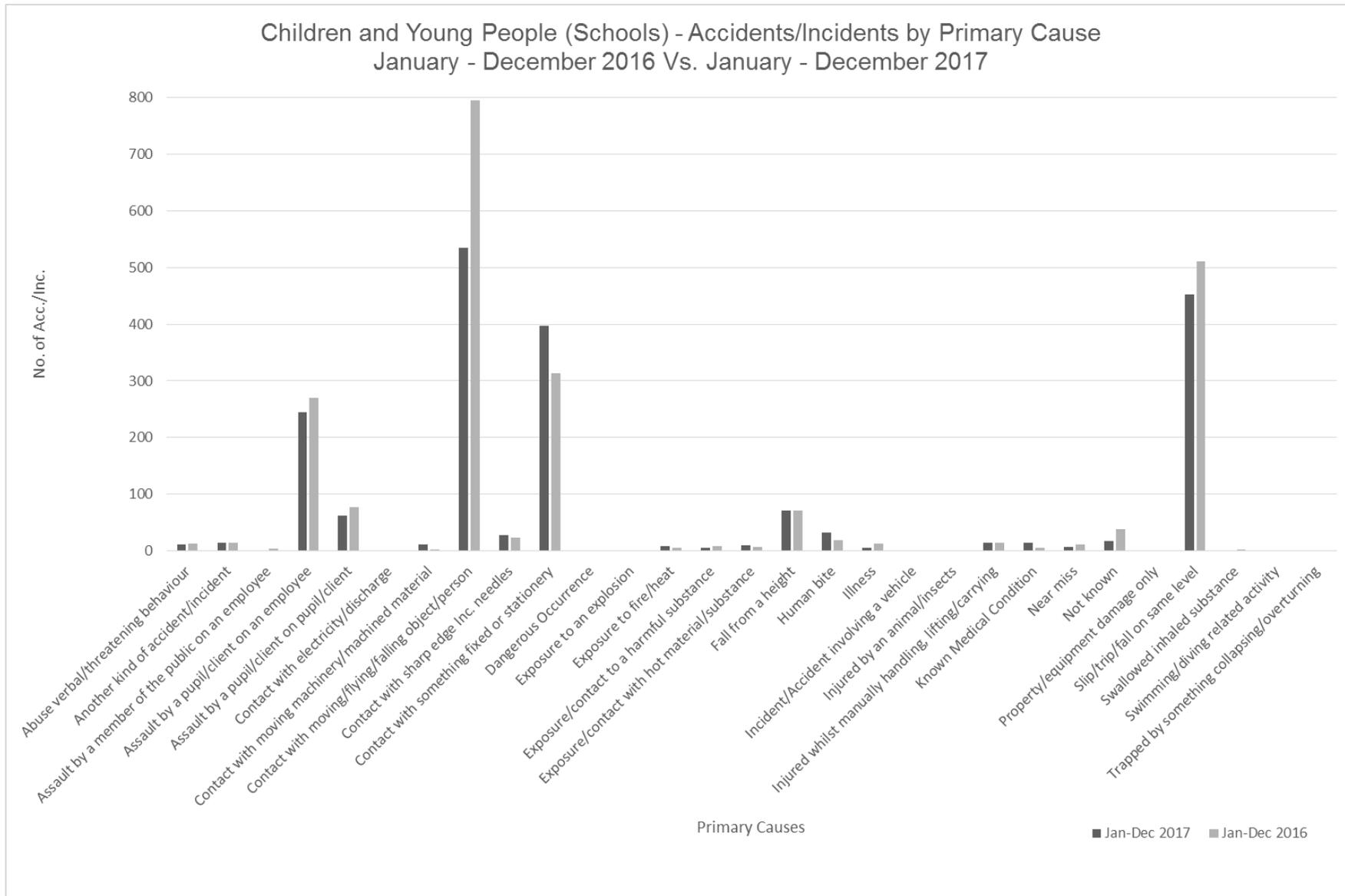
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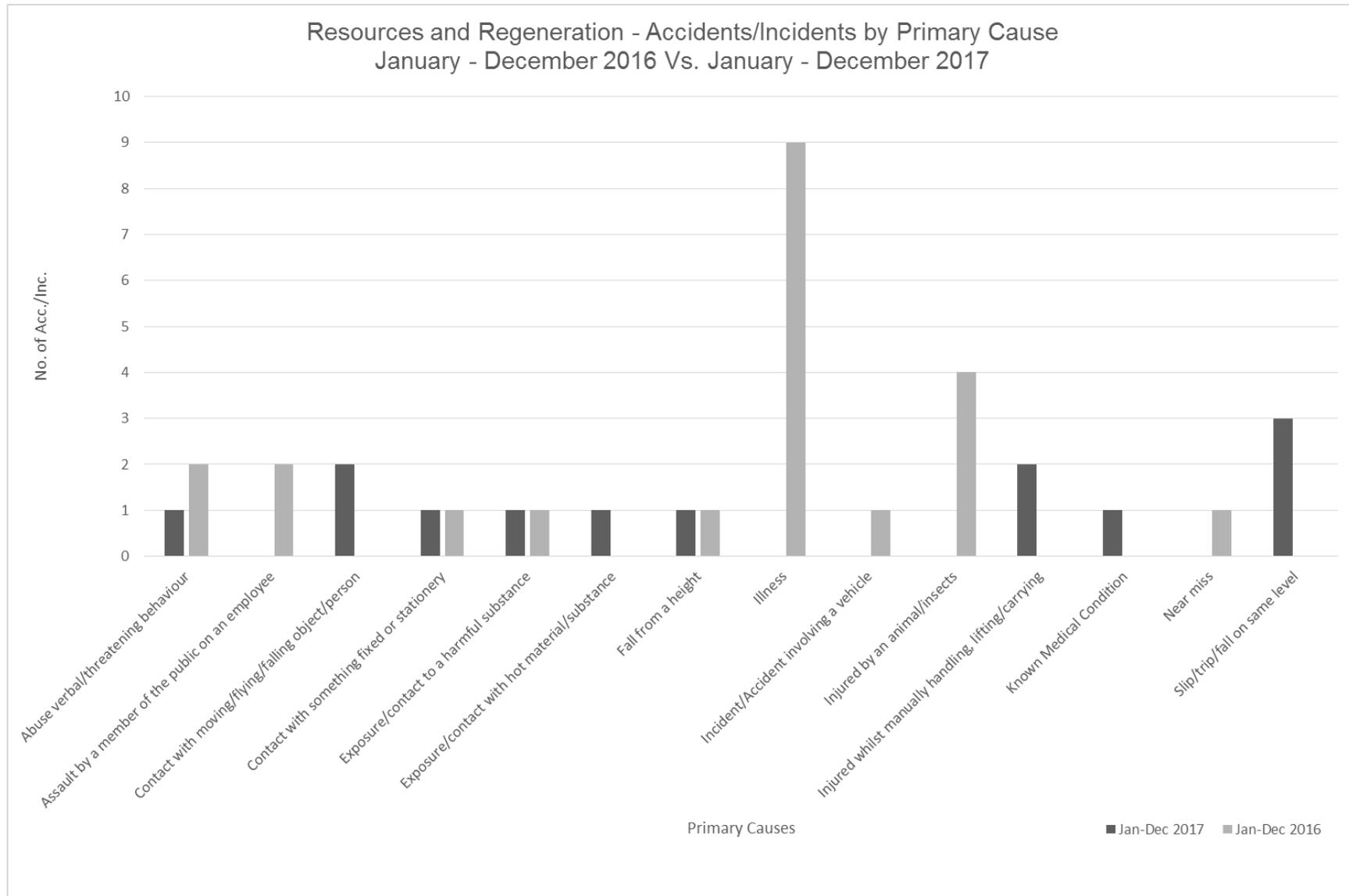
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Agenda Item 4

HEALTH AND SAFETY COMMITTEE		
Report Title	Universal Credit – Health & safety update January 2018	
Key decision	No	Item No 4
Ward	All	
Contributors	Customer Services	
Class	Part 1	Date 29 January 2018

1. Purpose of the Report

At the last meeting of this Committee on 30 October 2017, members asked for information on the Council's universal credit roll out as far as it has gone, and its implications from a Health and Safety point of view.

2. Recommendation

Members are asked to note the report.

3. Introduction

3.1 Universal Credit (UC) is a payment to help with both living and housing costs and replaces the main out-of work benefits - Child Tax Credit, Housing Benefit, Income Support, Jobseeker's Allowance, Employment and Support Allowance and Working Tax Credit.

3.2 The key features of UC are:

- A single monthly payment (similar to a salary);
- Payment to only one person in household;
- First payment made 35 days after claim received.

3.3 The DWP has issued schedules of when each JC+ office in the country will go live for all new claimant types. The Lewisham JC+ is scheduled to take all new claimant types from July 2018. Existing cases will move onto UC at the point they have a significant change in their circumstances and any still remaining with the Council will all migrate to UC by 2022.

4. Caseload

Lewisham's current caseload is 34,430 (Housing Benefit and Council Tax Reduction). Of the 34,430 there are 8,297 are from elderly claimants who will not be exposed to UC. The working age caseload that will be exposed to UC is 26,133.

5. Issues

5.1 There are a number of issues emerging from the staged national roll out of the new system which are set out below;

- Rent arrears increasing, largely due to the initial 6 week delay in making a payment and payment being made directly to the claimant, not the landlord. This will increase homelessness or reliance on emergency, temporary accommodation;
- Increased administration for the Authority. There is no access to UC information or processing centres and significant amounts of UC related information being received;
- Need for provision of support for residents migrating to UC.

5.2 In the recent budget, there were a number of references to these issues confirming that they are now being addressed by the government including the following;

Abolishing waiting days, removing the 7 day waiting period for new UC claimants and reducing the length of time they may wait for their initial payment;

Increasing advances, UC claimants can get a 50% advance of their first month's payment which is recovered over the next 6 months. From January 2018 they will be offered an advance of 100% of their initial payment which will be recoverable over the next 2 months;

Support with housing costs. Most vulnerable claimants will be in receipt of housing benefit, new claimants will receive a transitional payment – an extra 2 weeks housing benefit – when moving to UC and which will not be recovered from them;

Alternative Payment Arrangements for Landlords, all private-rented sector claimants will be offered the option of having their benefit paid to their landlord.

6. The Council's Approach to Supporting Residents

6.1 Lewisham has been and continues to work closely with Relationship managers within Jobcentre+ to jointly ensure a smooth transition to UC. The key areas being focused on are;

- Training – Preparing and delivering training to all staff and stakeholders across and beyond the Council;
- Developing a “trusted partner” on-line portal that will provide the Council with adequate access to UC information to enable them to deliver other services where UC information is needed eg means tested services including council tax reduction and adult social-care financial assessments and also access for front-line staff who may be required to provide UC support to migrating residents.

6.2 Ensuring a smooth transition to UC will certainly impact on the potential risks associated with such a significant change in resident's income and circumstances.

7. Health and safety

7.1 The Council has delivered front-facing services for many years and is very much used to dealing with difficult and challenging customers. Robust arrangements already exist for dealing with face-to-face and telephone customers and has a good track record in managing these services with minimal incident. The arrangements include panic alarms at all desks and interview booths, CCTV, on-site security guards and staff trained in managing difficult and challenging customers.

7.2 All front-facing services are now delivered from the Laurence House reception area making the provision of secure services easier to deliver. In addition, any contact from customers in receipt of UC is likely to be seen as our providing positive support and is therefore less likely to escalate into an incident where our staff are exposed to risk.

8. Conclusion

8.1 Migration to UC is a significant change for both residents and the Council. Failing to manage this correctly will have significant and long-term ramifications which may result in aggressive, challenging or violent behaviour against Council staff and partners. The changes proposed in (3) above alleviate some of the issues but the impact from the changes remains untested.

8.2 The Council will continue to work closely with the Jobcentre+ to try and ensure a smooth and efficient migration for those falling to UC and will also undertake some specific activities around communication and training as in (4) above that will negate any negative impact.

Background Papers

None reported

For any further information on the content of this report please contact:

Mick Lear Customer Services 0208 314 6034