



*Kelham Hall
Newark
Nottinghamshire
NG23 5QX*

Tel: 01636 650000

www.newark-sherwooddc.gov.uk

Chairman: Councillor R.B. Laughton
Vice-Chairman: Councillor G.S. Merry

Members of the Committee:

Councillor R.L. Bradbury
Councillor Mrs B.M. Brooks
Councillor G. Brooks
Councillor Mrs I. Brown
Councillor Mrs T. Gurney

Councillor Mrs S.M. Michael
Councillor J. Middleton
Councillor A.C. Roberts
Councillor D. Thompson
Councillor B. Wells

Substitutes:

Councillor Mrs G.E. Dawn
Councillor J.M. Peck
Councillor Mrs L.M.J. Tift
Councillor I. Walker
Councillor T. Wendels

AGENDA

MEETING: Homes & Communities Committee

DATE: Monday, 23rd March 2015 at 5.30pm

VENUE: Room G21, Kelham Hall

You are hereby requested to attend the above Meeting to be held at the time/place and on the date mentioned above for the purpose of transacting the business on the Agenda as overleaf.

If you have any queries please contact Helen Brandham on 01636 655248.

Refreshments will be served at 5.00pm in the Meeting Room

AGENDA

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CONFIDENTIAL AND EXEMPT ITEMS

None

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **HOMES & COMMUNITIES COMMITTEE** held on Monday, 26th January 2015 in Room G21, Kelham Hall at 5.30pm.

PRESENT: Councillor R.B. Loughton (Chairman)
Councillor G.S. Merry (Vice-Chairman)

Councillors: R.L. Bradbury, Mrs B.M. Brooks, G. Brooks, Mrs I. Brown, Mrs T. Gurney (Opposition Spokesperson), Mrs S.M. Michael, J. Middleton, A.C. Roberts and B. Wells

ALSO IN ATTENDANCE: Councillors: J.E. Hamilton, R. Shillito, Mrs L.M.J. Tift and I. Walker.

31. APOLOGY FOR ABSENCE

An apology for absence was submitted by Councillor D. Thompson

32. DECLARATION OF INTEREST BY MEMBERS AND OFFICERS AND AS TO THE PARTY WHIP

NOTED: that the following Members declared an interest in the items shown below:

<u>Member/Officer</u>	<u>Agenda Item No.</u>
Councillors: Mrs T. Gurney, J. Middleton and B. Wells	Agenda Item No. 5 – Revenue Budget 2015/16 to 2019/20 – Personal Interest – Trustees of CAB Service.
Councillor B. Wells	Agenda Item No. 6 – N&SH Delivery Plan 2015/16 – Personal Interest – Director of N&SH.

33. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

NOTED: that there would be an audio recording of the meeting.

With the agreement of the Committee, the Chairman amended the order of the Agenda to as follows.

34. HOUSING PERFORMANCE FRAMEWORK: TENANTS PANEL

The Committee considered the report of the Director – Safety in relation to the Tenants Panel 2014 Annual Report and the 2014/15 Work Plan in accordance with the housing performance framework established to monitor Newark and Sherwood Homes (N&SH), set against the Management Agreement and the Housing Revenue Account Business Plan.

The report set out the requirements of the housing performance framework and the annual documentation to support this. The report also provided background to the national housing regulation framework introduced in 2012 together with the function and aims of the Tenants Panel and the current complaints procedure. The Chairman and Vice-Chairman of the Tenants' Panel were in attendance at the meeting and presented to the Committee a summary of their report for 2014.

Members queried whether there was any information as to the nature of complaints received by the Tenants' Panel. In response, the Chairman of the Panel advised that they were the third stage in the process for complaints which could not be resolved between N&SH and any tenants. He further advised that the Panel had only received 2 complaints in a 3 year period and that the Panel had not upheld either of these complaints. It was noted that the majority of complaints received by the Company were in relation to incomplete or unsatisfactory repairs and initially these were referred to the Repairs Section. If the matter remained outstanding these were then referred to the Tenants Panel. A Southwell Member, in attendance at the meeting, advised that he had been made aware of a complaint in relation to flooding that appeared not have been referred to the Panel. Members agreed that this matter be raised with N&SH.

A Member of the Committee advised, in order to be transparent in relation to her intended comments, that the Vice-Chairman of the Tenants' Panel and 5 of her own relatives resided within her ward. She stated that during her attendance at various monitoring groups it was apparent that N&SH Officers did not appear to listen to issues raised and also that they did not listen to the Tenants' Federation. She stated that 'walkabouts' were undertaken with relevant parties and that an issue raised some 5 weeks previously remained unresolved. She also referred to damage caused by contractors who carried out works on behalf of N&SH, again repairs of which remained unresolved. In response, the Chairman of the Committee requested that the Member pass the information relating to unresolved issues to the Business Manager – Strategic Housing and that the matter be raised as a priority with N&SH.

The Vice-Chairman of the Tenants' Panel advised that they were currently unable to complete their review in relation to repairs and maintenance as they had not yet been supplied with all the necessary information. It was noted that due to efficiencies there had been changes to key staff within N&SH and that this had resulted in the information being unavoidably delayed but that a meeting with the relevant managers was scheduled for 7th February 2015.

Members raised concerns about repairs being undertaken after tenants had moved in and, in some cases, after they had decorated their properties which sometimes led to damage to those redecorations. They were advised that N&SH's local service standards stipulated that incoming tenants were made aware of proposals to undertake repairs when they took a tenancy of a property. It was acknowledged that tenants were required to view a property and sign for it prior to them moving in so would be aware of its condition. However, one Member commented that it was sometimes difficult to assess the state of a property on such viewings because often the windows of void properties were shuttered which resulted in poor lighting.

Having considered the above comments, the Chairman of the Committee gave an undertaking that he would raise the aforementioned concerns with Senior Officers of both the Council and the Company. He also requested that the Tenants' Panel attend a future meeting of the Committee to present their report into repairs when it was complete.

AGREED (unanimously) that:

- (a) the contents and findings of the Tenants Panel 2014 and Annual Report and Work Plan for 2014/15 be noted;
- (b) the Business Manager – Strategic Housing raise the issue of unresolved repairs with N&SH;
- (c) the Chairman raise the aforementioned concerns with the appropriate Officers; and
- (d) representatives of the Tenants' Panel be invited to present to Committee their report on repairs when complete.

35. HOMES & COMMUNITIES COMMITTEE REVENUE BUDGET 2015/16 – 2019/20

The Committee considered the report presented by Financial Services in relation to the budget and scale of fees and charges for those areas falling under the remit of the Committee for 2015/16 and future years.

The report contained information on the revenue budget proposals and the level of fees and charges that had been considered within the framework set out in the Corporate Charging Policy.

Members raised concerns about the reduction in the level of grants for the Citizens' Advice Bureau stating that in the current economic climate their work was increasingly vital. In response to a suggestion that monies be raised from raising fees for Gaming Licences, Members were informed that this was not permissible as the fees levied could only recover the costs of administering that particular service and could also not be diverted elsewhere. It was reported that when the Ollerton and Newark CABs amalgamated they were given an additional sum within the grant of £30,000 to reflect additional set up costs with the intention that this would be reduced gradually over a period of 4 years until the grant levels were at the previous levels for the two separate CABs, hence the reduction in grant reflected in paragraph 3.5.3 of the report. The Chairman requested that a check be made of the agreement so that the Policy & Finance Committee may have the information when considering the matter.

AGREED (by 6 votes for with 3 against) that:

- (a) the final Committee budget as shown at Appendix A be recommended to the Policy & Finance Committee at its meeting on 25th February 2015 for inclusion in the overall Council budget;

- (b) the scale of fees and charges as shown at Appendix B be recommended to Policy & Finance Committee at its meeting on 25th February 2015 and Council on 10th March 2015; and
- (c) details of the grant agreement for the Ollerton and Newark CAB be forwarded to all Members of the Committee and to the Policy & Finance Committee at its meeting on 25th February 2015.

Councillor Mrs I. Brown left the meeting at this point and took no further part.

36. NEWARK AND SHERWOOD HOMES – DELIVERY PLAN

The Committee considered the report presented by the Director - Safety in relation to the proposal to adopt the Annual Delivery Plan with Newark and Sherwood Homes for the financial year covering 2015/16.

It was reported that the Annual Delivery Plan was one of the requirements of the Management Agreement and that its main purpose was to set and guide the main activities, standards or targets of the company's operations for the financial year, set against the Council's strategic priorities, its housing vision and outcomes and the need to sustain a viable HRA Business Plan. Contained within the proposed Delivery Plan was a progress report for the current year and the key activities for the forthcoming year.

Members referred to the figure quoted for the general needs tenants satisfied with the responsive repairs service being 76% for both the expected outturn and proposed target. They were informed that the way in which the figures were collated required review but that figures for the third quarter were yet to be included. It was suggested that more specific questions might be appropriate e.g. was your repair carried out within the agreed timescale? Members were reminded that it was important that the Committee recognise that it was for the Company's Board to monitor performance at an operational level whilst the remit of the Homes & Communities Committee was to look at matters on a strategic level.

Members queried what, if any, measures could be put in place to encourage tenant engagement. They were informed that N&SH had been requested the previous year to review tenant involvement and that a report into their findings would be reported to their Board and then on to the Council via this Committee.

AGREED that:

- (a) the 2015/16 Annual Delivery Plan for the Council's housing company, Newark and Sherwood Homes, be approved and implemented; and
- (b) the issue of performance on, and tenant satisfaction with, responsive repairs be reviewed further by the Committee as part of its scrutiny of the performance of N&SH when examining the key performance indicators submitted quarterly to the Committee.

37. BUSINESS CONTINUITY POLICY AND STRATEGY – DRAFT

The Committee considered the report presented by the Business Manager – Community Safety in relation to the new Business Continuity Policy and Corporate Plan together with the new processes in place for the management of Business Continuity.

It was reported that the Business Continuity (BC) had been reviewed with a decision being taken to put new systems in place that would now concentrate on what was needed to delivery critical services. The process had also been streamlined and made fit for purpose to ensure that it focussed on strategically and critically important services and to ensure that expectations were realistic. Attached to the report was the proposed draft Business Continuity Policy.

The Committee also thanked the Business Manager – Community Safety for her work in Southwell in helping those affected by flooding to complete their applications for assistance.

AGREED that the Business Continuity Policy and Corporate Plan be approved.

38. NEWARK & SHERWOOD HOUSING MARKET AND NEEDS ASSESSMENT 2014

The Committee considered the report presented by the Business Manager – Strategic Housing in relation to the findings and recommendations of the Newark & Sherwood Housing Market and Needs Assessment 2014 (HMNA) and the accompanying Sub-Area Analysis report.

The report provided information as to how the findings of the assessment would be considered against the Council’s wider strategic priorities and objectives, listing the key corporate strategic documents covering housing, planning and the economy.

Members agreed that the presentation on the findings of the assessment on 7th January 2015 had been extremely useful, highlighting the urgent need for more small units of accommodation mainly 2 bedrooms throughout the district. This would enable older residents to downsize when they no longer required a larger property.

Members agreed that the Scarborough Road, Bilsthorpe development offered quality accommodation to tenants but queried the demographics of who the units were intended for. It was confirmed that the intention was for Nottinghamshire County Council to have nomination rights to 9 units for older persons with extra care needs with the remainder being for use by general needs older people.

It was noted that affordability was a real issue across the District. It was confirmed that the Council would deliver some 100 affordable units over the current 4 year forecast and there were plans currently being assessed to increase this figure significantly.

AGREED that the findings of the Newark & Sherwood Housing Market and Needs Assessment (HMNA) 2014 and accompanying Sub-Area Analysis report be noted and endorsed and be used to inform the Council's key housing, planning and economic strategic document.

The meeting closed at 6.53 pm

Chairman

GENERAL FUND BUDGET PERFORMANCE REPORT TO 31ST JANUARY 2015

1.0 Purpose of Report

- 1.1 This report compares the General Fund Homes & Communities Committee net expenditure for the period ending 31st January 2015 with the profiled budget for the period.

2.0 Background Information

- 2.1 The Council's Constitution states that the Section 151 Officer shall present to the Policy Committee, at least twice in each financial year, budgetary control statements showing performance against the approved estimates of revenue expenditure and income. The appropriate Chief Officer will report on any major variances from planned budget performance.
- 2.2 It also states that budget performance monitoring information shall be provided to the appropriate Committee on a quarterly basis.
- 2.3 Where it appears that the amount included under any head of the approved budget is likely to be exceeded or the budgeted amount of income under any head is unlikely to be reached then budget officers are required to find savings elsewhere in their budget. In circumstances where savings cannot be identified it will be necessary to consult with the Section 151 Officer and ultimately take a report to the Policy Committee.

3.0 Proposals

- 3.1 The attached appendices detail performance against budget for the period to 31st January 2015 for those budgets within the remit of the Homes & Communities Committee. This report considers the costs of providing services rather than 'below the line' costs such as borrowing costs and interest, contributions to and from reserves, government grants and income from Council Tax and retained Non Domestic Rates.
- 3.2 The format of the report identifies direct expenditure, i.e. employee costs and running expenses, both of which can be controlled by the budget officer, however central recharges and capital charges, are not reported as they are largely outside their control. Income is shown separately. The figures do not include recharges for support services (either income or expenditure). A significant number of transactions take place 'below the line', i.e. shown in the General Fund account rather than identified to a particular service. This is in line with the CIPFA Code of Practice and includes such things as transfers to and from reserves.
- 3.3 Under the Accounting Code of Practice Local Authorities are required to show capital charges for the use of their assets based on the current market value. These amounts are included within the estimates to show the true cost of delivering local services however they are reversed 'below the line' in the overall cost of services therefore not impacting on the Council Tax payer. Variations on 'capital charges' are therefore not an area for concern.

- 3.4 The introduction of International Financial Reporting Standards (IFRS) for the financial year 2010/2011 has resulted in a change in the way the Council accounts for grants received from third parties. These changes mean that income and expenditure is charged direct to the service accounts and, at the year end, any under spend is transferred to reserves and any overspend is transferred from reserves.
- 3.5 Support services (e.g. HR, Financial Services) are charged to individual budget heads at the end of the financial year and are reported here for noting only. The direct costs of providing those services are scrutinised as part of the relevant Committee.
- 3.6 Capital charges are applied to accounts at the end of the financial year and are reversed 'below the line' so have no impact on the Council Tax payer. These are reported here for noting only.

4.0 Performance Comments

4.1 The total for direct service net expenditure shows an under spend of £273,970 against the profiled budget for the period to 31st January 2015. All managers are very aware of the current financial environment and challenges facing local government in the future and are ensuring that only essential expenditure is incurred. The detailed performance figures are shown at **Appendix A**.

4.2 Variations from the profiled budget to 31st January 2015 are itemised below:

4.2.1 Employee Costs –

- Staff vacancies have produced savings in the following areas, Strategic Housing (£7.1k), Licencing Admin (£7.2k), Energy and Home Support (£20.9k) – a review of the Energy Service is currently being undertaken, and Anti-Social Behaviour (£11.5k). There is however, an overspend in Customer Services of £11.6k this is due to the temporary staff employed, the additional cost of these staff will be met from the Change Management Reserve.

4.2.2 Supplies and Services –

- Private Sector Speech Call is underspent by £16k; this is a demand led budget. Equipment is purchased by Newark and Sherwood Homes on behalf of the District Council. No equipment has been purchased to date.
- An underspend of £20k in Energy and Home Support relates to a budget that was previously held in a non-conditional grant fund but has been transferred to the revenue budget to spend on "Keeping warm and well in winter". The demand on this budget is reactive to the requests of the public.
- Due to disputed invoices from a major supplier the ICT budget is underspent by £50k.
- An underspend of £20k in Emergency Planning relates to the residual funding from a Government scheme that was previously held in a reserve and is used to support the Council during emergency incidents.
- Underspends amounting to £28k are held within the Housing Options budget. These relate to the delay in the recruitment of two posts that are funded from professional services. The underspend in the Government Grant Expenditure code allows for an element of flexibility to enable the Business Manager to respond to service pressures.
- There are also a large number of smaller underspends across other services reporting to the Homes and Communities Committee.

4.2.3 Income -

- Private Sector Speech Call income is over achieved by £22.k – this is due to insufficient information being available when the budget was set. The information has now been provided that can allow Strategic Housing to realistically estimate the income for 2015-16.
- CCTV income for 2014-15 was reduced as income from Car Parks Business Unit was not going to be received. However, it has been agreed that the contribution will be reinstated hence the over recovery of income. The income budget will increase by £13k for 2015-16.
- ICT income from Newark and Sherwood Homes is under recovered by £13k. This is due to the reduced cost of the ICT Service to 31st December 2014.
- Additional income of £13k has been received from Nottinghamshire County Council (NCC) as Customer Services are currently delivering a number of face to face enquiries on behalf of NCC.

5.0 **RECOMMENDATIONS** that:

- (a) **the overall position of the Homes & Communities Committee net expenditure compared to budget at 31st January 2015 be approved; and**
- (b) **Officers continue to look for additional savings throughout the financial year.**

Reason for Recommendations

To advise Members of the current net expenditure compared to service budgets for the period ending 31st January 2015.

Background Papers

Nil

For further information please contact Robin Clay on Ext 5332.

David Dickinson
Director - Resources

PERFORMANCE REPORT FOR THE PERIOD ENDING 31st January 2015

	<u>Base Budget 2014/15</u>	<u>Profile Budget 31-Jan-15</u>	<u>Actual Expenditure 31-Jan-15</u>	<u>Variance</u>	<u>Budget Officer Comments</u>
EMPLOYEES	1,770,750	1,428,209	1,398,256	(29,953)	Mainly due to vacancies in Strategic Housing (£7.1k), Licensing Admin (£7.2k), Energy and home Support (£20.9k) and Anti Social Behaviour Officer (£11.5k). An overspend in Customer Services (£11.6k) relates to additional staff - this variance will be met from the Change Management Reserve.
PREMISES	31,200	17,417	15,605	(1,812)	
<i>General</i>	29,720	16,184	14,432	(1,752)	
<i>Electricity</i>	650	541	874	333	
<i>Gas</i>	830	691	299	(392)	
TRANSPORT	17,870	15,527	10,414	(5,113)	
SUPPLIES AND SERVICES	1,005,180	899,173	719,478	(179,695)	Private sector speech call equipment is underspent by £16k, this is a demand led budget and NSH purchase the equipment on the District Council's behalf. To date no equipment has been purchased. An underspend of £20k in Energy and Home Support relates to a budget that was previously held in a fund but has been moved to revenue to spend on keeping warm and well in winter. The underspend of £20k in Emergency Planning relates to the residual funding from Government money that was previously held in a reserve and is used to support the Council during emergency incidents. Underspends of £50k in ICT relate to the disputed invoices received from a major supplier regarding unagreed increases in charges. Underspends amounting to £28k show in Housing Options, these relate to a delay in the recruitment of two posts that are funded from professional services and the underspend in government grant expenditure within Housing Options allows for an element of flexibility to enable the Business Manager to respond to service pressures. There are a large number of smaller underspends across other services reporting to Homes and Communities Committee.
TRANSFER PAYMENTS	39,870	0	0	0	
TOTAL EXPENDITURE	2,864,870	2,360,326	2,143,752	(216,573)	
INCOME	(826,330)	(583,285)	(640,682)	(57,397)	
<i>General</i>	(666,250)	(447,792)	(492,106)	(44,314)	Private Sector Speech call income has over achieved by £22k this is due to insufficient information being available when the budget was set. The information has now been provided that can allow Strategic Housing to realistically estimate the income in 2015/16. CCTV income for 2014-15 was reduced as Car Parks were no longer paying towards the cameras. However, it has been agreed that this contribution will be reinstated hence the over recovery of income. The budget for 2015-16 will increase by £13k. The ICT recharge to NSH is under recovered by £13k - this is due to the reduced cost of the ICT Service to 31st December 2014. Additional income of £13k has been received from Nottinghamshire County Council as Customer Services now deliver a number of face to face enquiries on their behalf.
<i>Licensing</i>	(160,080)	(135,493)	(148,576)	(13,083)	
TOTAL INCOME	(826,330)	(583,285)	(640,682)	(57,397)	
NET EXPENDITURE	2,038,540	1,777,041	1,503,071	(273,970)	
MEMORANDUM ITEMS					
<i>Support</i>	719,090	0	0	0	0 Support services are charged to budget heads at the end of the financial year. The direct costs of providing central services are scrutinised in the relevant portfolio.
<i>Capital</i>	405,370	0	0	0	0 Capital charges are applied to accounts at the end of the financial year and reversed 'below the line' so have no impact on the Council Tax payer.
<i>Recharged Support Services</i>	(1,457,470)	0	0	0	
TOTAL PER BUDGET BOOK	1,705,530	1,777,041	1,503,071	(273,970)	

DISABLED FACILITIES GRANT POLICY

1.0 Purpose of Report

- 1.1 To seek Members approval for a standalone policy covering the administration and distribution of Disabled Facilities Grants (DFG).

2.0 Background Information

- 2.1 In the past the Council's policy relating to DFG's has formed part of the Private Sector Renewal Policy. With the withdrawal of funding for private sector renewal this policy has become obsolete and therefore it is considered appropriate that DFGs to have a standalone policy.

3.0 Introduction

- 3.1 Disabled Facilities Grants are the mandatory grants that are designed to provide adaptations to the home to allow a disabled person to continue living in the community. These grants are subject to a means test and some applicants do have to pay a contribution towards the cost of the work. Referrals for these grants come from the Occupational Therapy team of the County Council.
- 3.2 Although there is no legal requirement for a policy in relation to DFGs it is considered prudent and appropriate that such a policy should exist. This provides a transparency of approach to service users and they can clearly see the circumstances that might apply to their need.
- 3.3 The draft DFG Policy is in many ways very similar to the policies that were agreed and applied to DFG's as a consequence of the existing Private Sector Renewal Policy. However, some additional items have been included.
- 3.4 In developing the policy the officers concerned have had discussions with colleagues from other authorities in the county to ensure that wherever possible there is a degree of consistency in approach.
- 3.5 The draft Policy is attached as **Appendix One** to this report. A commentary on the main points contained within the draft policy is provided below.
- 3.6 The Policy provides an overview of the primary DFG legislation and non-statutory guidance including a summary of those works that might be considered for grant (mandatory grant headings), the definition of disability and eligible applicants, plus details on the application, approval and payment procedure. The Policy also details how complaints will be considered and dealt with.
- 3.7 In addition to outlining the mandatory grants procedure the Policy also sets out the limited circumstances under which the Authority might consider using discretionary powers to provide additional grant over and above the mandatory maximum or DFG in circumstances that would fall outside normal grant eligibility.

- 3.8 The mandatory DFG scheme is currently restricted to a maximum award of £30,000. On occasion complex/comprehensive adaptations, generally involving the construction of bedroom/bathroom extensions, can exceed this threshold. In a limited number of cases low income and vulnerable households require additional financial assistance to ensure the essential works can proceed. The policy provides discretion for the Authority to award additional grants in these specific circumstances subject to the availability of sufficient budget.
- 3.9 The Policy also provides discretion for the Council to assist with discretionary assistance in two other particular circumstances. Mandatory grant is limited to providing adaptations at the sole or main residence of the disabled applicant. In the majority of circumstances the determination of sole or main residence is straightforward but for disabled children with separated parents this distinction is often less clear. It is proposed that when residency is split relatively evenly between both parents discretionary grant might be offered to allow adaptations to both properties that the child will reside in.
- 3.10 In relatively rare circumstances it can be concluded that it is not practicable to adapt the property of a potential grant applicant. This may be due to the restrictive structure or layout of the property or excessive costs associated with a scheme. In such cases it is proposed that the applicant be provided with financial assistance to facilitate relocation to a property that can either be adapted more easily or at a more reasonable cost. Any such move would have to demonstrate a financial saving to the grant budget and adaptations to the alternative property would be restricted both in scope and cost.

4.0 Consultation Comments

- 4.1 The draft Policy has been circulated to partners and interested parties for their comments. A list of the consultees is attached as **Appendix Two**.
- 4.2 Only a small number of comments have been received and the Policy has been reviewed in light of these. There have been no major objections to the proposed policy and the majority of received comments related to practical aspects of administering the DFG scheme.
- 4.3 Members will note that the bulk of the proposed policy relates to the administration of mandatory grants and, given the prescriptive nature of grants legislation, is relatively straightforward. The sections of the policy that relate to NSDC providing discretionary assistance are by definition potentially more contentious and a number of issues may require additional Member consideration.
- 4.4 The application of discretionary assistance is proposed in three key areas: Top Up to existing high value mandatory schemes, assistance in cases of dual residency for disabled children, and relocation assistance when adaptation of an existing property is impracticable or excessively expensive.
- 4.5 Comments of particular relevance have been received from other Local Authorities, NSDC Legal Team, and the Society for Mucopolysaccharide Diseases (who have particular interest in dual residency proposals - a copy of their letter is attached as **Appendix Three**). The following points are of issue and have been raised via the consultation process:

- Should discretionary payments be recovered if and when the property is sold irrespective of how long after the grant is paid? The policy currently proposes that if a Top Up or Dual Residency payment is made and the property is subsequently sold the grant payment is repaid in full. There are no time limits proposed and the grant would be recorded as a Land Registry charge. Is it reasonable to require recovery of grant in such circumstances particularly as in the case of children's schemes any mandatory grant is not means tested? It should also be noted that mandatory grants have a recovery condition that expires after 10 years. Such grant recovery could only be applied to those applicants who have an owner's interest in the property.
- Is it reasonable to restrict Dual Residency discretionary assistance to £10,000? It has been suggested that the scope of works dictated by the needs of the disabled child should determine the level of grant and not an arbitrary threshold. There is the potential that a child's needs could be assessed by an Occupational Therapist at both properties but the proposed discretionary assistance will not fully fund the identified adaptations. No such restrictions would apply at the primary residence. It should also be considered that by amending the threshold to mirror, for example, mandatory grant (at £30,000) the Authority could become liable for £60,000 of works for the same client.

4.6 The Policy has also been the subject of an Equality Impact Assessment and no significant issues arose as a result of this review.

5.0 Financing the Policy

5.1 The budget for providing Disabled Facilities Grants has historically been provided by Central Government in the form of an annual allocation. The allocation for 2014/15 is £369,307 and this has been fully committed. However, the actual spend for the current year is likely to be slightly above this, at approximately £431,000, as the budget has been supplemented by additional funds from the repayment of previously awarded grants (normally where the disabled person has sold the adapted property within 10 years of the award).

5.2 The capital funding arrangements for the DFG budget have changed significantly for the 2015/16 financial year as the Better Care Fund (BCF) has now been implemented. This national fund has seen the amalgamation of both NHS and Adult Social Care and Health resources in an effort to better integrate the two services and DFG capital funding has been included within this pot. As such Local Housing Authorities will no longer receive a capital grant direct from central government as BCF resources will be allocated regionally, to be managed and re-directed by the County Council in future years.

5.3 The Council's allocation for 2015/16 has been set for the first operational year of the BCF by central government at £465,000, an increase in comparison to recent years and closer to our actual spend on DFG's. At present the Authority is not aware of the proposed allocation methodology the BCF/Nottinghamshire County Council will utilise for future funding arrangements but the Council retains its statutory duty to provide DFG's within the district and a duty to cascade resources to second tier Councils has been built into the BCF's operating guidance.

6.0 Comments of Director – Resources

- 6.1 Budget for the Disabled Facilities Grants is included within the Capital Programme and is fully funded by grant. This will continue following the introduction of the BCF.
- 6.2 2016/2017 funding from the BCF is currently unknown, but the Capital Programme assumes no changes to the funding levels. If the level of grant reduces, creating a funding gap Policy and Finance Committee will need to consider funding this from the Council's own resources.

7.0 RECOMMENDATIONS that:

- (a) Members are asked to consider the draft Disabled Facilities Grant Policy along with the consultation comments received and to identify any additions, amendments or deletions; and**
- (b) the Disabled Facilities Grants Policy be approved.**

Reason for Recommendations

To ensure that there is a clear and transparent and up to date policy for Disabled Facilities Grants

Background Papers

Nil

For further information please contact Alan Batty Business Manager - Environmental Health on extension 5467.

Karen White
Director – Safety

DISABLED FACILITIES GRANT POLICY DOCUMENT

Author: Senior Environmental Health Officer
Responsible Officer: Environmental Health Business Unit Manager
Date: March 2015
Version: 3.0
Review Date: March 2017

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POLICY INTRODUCTION

This document sets out the way in which Newark and Sherwood District Council will provide both mandatory and discretionary Disabled Facilities Grants (DFGs) for private sector residential adaptations.

This document contains information on eligibility for grant assistance, conditions relating to applications, approval and payment of grant and other relevant conditions and requirements.

PART 1 MANDATORY DISABLED FACILITIES GRANTS

1.0 Introduction

1.1 Newark and Sherwood District Council, in its role as a local housing authority, is under a statutory duty by virtue of the provisions of the Housing Grants, Construction and Regeneration Act 1996 (the Act) to provide Disabled Facilities Grants (DFGs) for private sector residential adaptations where the appropriate legislative conditions are met.

1.2 The purposes for which a DFG may be given are set out in the Act and can be summarised as follows:

- Facilitating Access – grant may be given for works to remove or overcome any obstacles which prevent the disabled person from moving freely into and around the dwelling, access to the garden and enjoying use of the dwelling and facilities or amenities within it.
- Making a Dwelling or Building Safe – grant may be given for certain adaptations to the dwelling or building to make it safe for the disabled person and other persons residing with them. This may include the provision of lighting where safety is an issue or for adaptations designed to minimise the risk of danger where a disabled person has behavioural problems.
- Access to a room usable for sleeping – grant may be given for the provision of a room usable for sleeping where adaptation of an existing room in a dwelling (upstairs or downstairs) or the access to that room is unsuitable. Where the disabled person shares a bedroom with a spouse or partner a grant may be given to provide a room of sufficient size so that normal sleeping arrangements can be maintained.
- Access to a bathroom – grant may be given for the provision of, or access to, a WC, washing, bathing and/or showering facilities.
- Facilitating preparation and cooking of food – grant may be given to re-arrange or enlarge a kitchen to improve the manoeuvrability for a wheelchair and to provide specially modified or designed storage units, work top area etc. Where most of the cooking and preparation of meals is done by another household member, it would not normally be appropriate to carry out full adaptations to the kitchen. However, it might be appropriate to carry out certain adaptations that enable the disabled person to perform minor functions in the kitchen, such as preparing light meals or hot drinks.
- Heating, lighting and power – a grant may be given to provide or improve the existing heating system in the dwelling to meet the disabled person's needs. A grant will not be given to adapt or install heating in rooms which are not normally used by the disabled person. The installation of central heating will only be considered where the well-being and mobility of the disabled person would otherwise be adversely affected. Provision is also made under this section for the adaptation of heating, lighting and power to make them suitable for use by the disabled person.

- Dependant Residents – grant may be given for works to enable a disabled occupant better access around the dwelling in order to care for another disabled person who normally resides there whether or not they are related to the disabled person. Such works could include adaptations to a part of the dwelling to which the disabled person would not normally need access but which is used by the person to whom they are providing care and therefore it is reasonable for such works to be carried out.
- Common parts- grant may be given for works to facilitate access to a dwelling through common parts of a building.

1.3 In order to approve DFGs, officers of the Authority will work primarily with the Occupational Therapy (OT) Service at Nottinghamshire County Council. The Authority cannot refuse to accept a referral from an independent OT, usually employed directly by the prospective grant applicant, but retains its duty to consult with the County Council. In such cases all relevant information will be forwarded to the Nottinghamshire County Council Occupational Therapy service and no decision on grant eligibility will be made until their assessment and recommendations have been made.

1.4 The OT service will make referrals to Newark and Sherwood District Council recommending work to be carried out which is necessary and appropriate to meet the needs of their client. The Authority will approve grants if, amongst other things, it is satisfied that the work is reasonable and practicable to carry out.

1.5 Although the provision of mandatory DFG's is covered by the Act and the Authority must comply with the legislation, this document sets out the policy that will be applied by the Authority in the provision of DFGs with regard to matters not covered by the legislation.

2.0 Amount of Mandatory DFG

2.1 The maximum amount of mandatory grant that the Authority can pay for any single grant application is set by Order and is currently £30,000. This amount is reduced by any contribution assessed as payable by the grant applicant (see section 9.0 on the Test of Resources).

PART 2 DISCRETIONARY DISABLED FACILITIES GRANTS

3.0 Introduction

3.1 In addition to providing mandatory DFG's, the Authority has the power to offer discretionary financial assistance by virtue of the Regulatory Reform (Housing Assistance) (England & Wales) Order 2002. Using these powers, the Authority has agreed to offer discretionary DFG's for private sector residential adaptations in certain specific circumstances.

4.0 Top-Up to Mandatory Schemes

4.1 Although the maximum amount of grant available for a mandatory DFG is currently £30,000 the Authority has agreed through this policy to potentially provide an additional maximum amount of up to £10,000 as a discretionary top-up where circumstances are such that the cost of work exceeds £30,000 (either as a result of unforeseen works or the extent of the original work that is recommended to the Council). This type of assistance will only be offered as a top up for schemes that fall within the mandatory grant headings as previously described.

4.2 When determining any application for discretionary assistance the Authority will consider any agreed Nottinghamshire County Council funding plus the ability of the applicant to self-fund the identified additional costs. Subject to this assessment discretionary award will potentially make up the difference between the maximum grant and the cost of eligible works (up to a maximum £10,000). Any discretionary top-up will be repayable on the eventual sale of the subject property and will be recorded as a Land Registry charge.

4.3 Any discretionary top-up will only be considered having regard to the amount of resources the Authority has at the time. If it does not have sufficient resources left to deal with other referrals that have been passed to the Authority by the Occupational Therapy Service at the time, the Authority reserves the right not to approve any discretionary top-up.

5.0 Dual Residency of a Disabled Child

5.1 In cases where families separate and a court order provides that residency of the subject disabled child is split between the mother and father (or other designated guardian) the Authority may consider the award of discretionary DFG to one property. The proposed adaptations will only be considered for discretionary assistance if they fall within those headings normally applied to mandatory schemes (see section 1.2).

5.2 Mandatory DFG can only be provided to the 'sole or main residence' of the disabled applicant and in circumstances covered by this section it would be assumed that one party would apply for mandatory grant on the basis that the child occupies the subject property as their sole or main residence.

The main residence will be determined by which party receives child benefit. This property may or may not be within the Newark and Sherwood district.

- 5.3 The Authority will consider the details of any court order and specifically the allocation of time spent with each parent in determining eligibility for assistance. No specific percentage split is proposed by this policy as each case will be reviewed on its own merits. Factors to be considered include the specific details of any order, likely time to be spent at each property, whether the child will stay overnight at the subject property and for what period etc.
- 5.4 In determining the works that might be considered as eligible for assistance the Authority will consider the suitability of the subject property for adaptation, the complexity and scope of the adaptations required and any observations or referral made by the Occupational Therapy service. The scope of any works will not necessarily mirror that to be undertaken at the sole or main residence.
- 5.5 Any assistance provided under this heading will be up to a maximum award of £10,000, but will not be subject to any form of means testing. Any award will be repayable to the Authority if and when the subject property is sold. The award amount will be recorded as a Land Registry charge.
- 5.6 Any discretionary award will only be considered having regard to the amount of resources the Authority has at the time. If the Authority does not have sufficient resources left to deal with other mandatory referrals that have been passed to them by the Occupational Therapy Service at the time, the Council reserves the right not to approve any discretionary assistance.

6.0 Relocation Grant

- 6.1 A relocation grant may be available to an applicant who owns or privately rents their property if adaptations to their current home through DFG are determined not to be feasible or reasonable and they are considering relocation to a property they intend to purchase.
- 6.2 Applicants must be 18 or over on the date of application is made and, in the case of a disabled child, the parent(s) would make the application. Any application must be supported by a recommendation from the Nottinghamshire County Council's OT service.
- 6.3 The Authority and the OT must be satisfied that the proposed property already meets the needs of the disabled person without further adaptation or are satisfied that it can be adapted at a reasonable cost.
- 6.4 Applicants must be relocating within the Newark and Sherwood district. Consideration may be given to a move within Nottinghamshire but this would require the approval of the relevant district/borough council, whether or not adaptations are required and the scale of any adaptations before a relocation grant can be considered.

- 6.5 A grant of up to £5000 may be made available towards specific relocation expenses, which includes estate agent fees, legal costs, removal costs and up to a 75% contribution toward cooker and/or fridge if built-in appliances are being left behind and none are, or have been fitted in the new property.
- 6.6 The cost of the relocation grant together with the cost of any adaptations required to the new property must demonstrate value for money, whether the move is within Newark and Sherwood or to another district/borough council in Nottinghamshire. For moves within Newark and Sherwood up to £10,000 may be available towards the cost of any adaptations. Any scheme likely to cost in excess of this figure will be considered on its own merits by the Authority.
- 6.7 Applications must be submitted prior to the relocation, grants cannot be paid retrospectively. Assistance will not be given toward the purchase price of the new property.
- 6.8 The Authority will normally require two quotations from independent contractors that realistically reflect the cost of the works/service provided. In some circumstances, one estimate may be accepted if the Authority is satisfied that the cost is reasonable.
- 6.9 All applicants will be required to complete the move within 12 months from the date of approval of their application. Any payments made will be made either directly to the service/work provider or to the grant applicant. Valid invoices or receipt must be provided prior to payment.
- 6.10 If on sale of the applicant's existing property, a net equity of more than £10,000 is released, the Relocation Grant will only fund the physical removal costs. (Net equity refers to any equity released when the purchase price of the new property is less than the existing property's selling price).
- 6.11 If the move is aborted through the fault of the applicant then costs will not be paid and any costs already paid will be reclaimed from the applicant. If the reason for the move failing is through no fault of the applicant then the Authority will not cover the costs.
- 6.12 The new property must be the disabled person's main residence and no applicant will be awarded a Relocation Grant on more than one occasion.
- 6.13 The Relocation Grant scheme will be subject to the same Test of Resources as the mandatory Disabled Facilities Grant scheme unless the relocation is for a disabled child in which case no test will be applied.
- 6.14 Any Relocation Grant will be recorded as a land registry charge and will mirror those repayment conditions attached to mandatory DFG's that breach a £5000 threshold (see section 12.1).

PART 3 GENERAL REQUIREMENTS & GRANT CONDITIONS

The following general requirements and conditions will apply to both mandatory DFGs and discretionary DFGs.

7.0 APPLICATIONS FOR GRANT

7.1 Definition of disabled person

7.1.1 For the purposes of the legislation relating to DFGs, a person is defined as being disabled if:

- their sight, hearing, or speech is substantially impaired,
- they have a mental disorder or impairment of any kind, or
- they are physically substantially disabled by illness, injury, impairment present since birth or otherwise.

7.1.2 A person aged 18 or over is taken to be disabled if:

- they are registered as a result of any arrangements made under section 29(1) of the National Assistance Act 1948, or
- they are a person for whose welfare arrangements have been made under that section or might be made under it.

7.1.3 A person aged under 18 is taken to be disabled if:

- they are registered in a register of disabled children maintained under the Children Act 1989, or
- in the opinion of the social services authority (Nottinghamshire County Council) they are a disabled child as defined for the purposes of Part III of the Children Act 1989.

7.2 Applicant's criteria

7.2.1 The Authority cannot consider an application for a mandatory or discretionary DFG unless it is satisfied that;

- the applicant has or proposes to acquire, an owner's interest in every parcel of land on which the relevant works are to be carried out, or
- the applicant is a tenant of the dwelling where the relevant works are to be carried out.

Certificate required in case of owner's application

- 7.2.2 An owner's application for a DFG must be accompanied by an owner's certificate which will certify that the applicant has or proposes to acquire an owner's interest and that they intend that the disabled occupant will live in the dwelling as their only or main residence throughout a period of five years following completion of the works.

Certificates required in case of tenant's applications

- 7.2.3 A tenant's application for a DFG must be accompanied by a tenant's certificate which will certify that the application is a tenant's application and that the applicant intends that the disabled occupant (whether that is the applicant or someone in the applicant's household) will live in the dwelling as their only or main residence throughout a period of five years following completion of the works.
- 7.2.4 A tenant's application should be accompanied by an owner's certificate from the person who at the time of the application is the landlord under the tenancy. The Authority can waive this where it is not reasonable in the circumstances to request a certificate.
- 7.2.5 Private tenants must obtain their landlords written permission for the subject works before a DFG can be approved. Where a landlord withholds this permission for the works to be undertaken a grant cannot be approved. Any DFG approved would not normally include any element of reinstatement.

Occupiers and Consent Certificates (houseboats and park homes)

- 7.2.6 Occupiers of houseboats and park homes must provide an 'occupiers certificate' certifying the intention of the disabled occupier to occupy the qualifying houseboat or park home as his only or main residence throughout the grant condition period (5 years from the certified date). Any such certificate must also be accompanied by a 'consent certificate' from each person who owns the mooring or land on which the houseboat or park home is stationed or who owns the houseboat or park home.

8.0 COST OF WORK

- 8.1 The Authority uses public money to fund the provision of both mandatory and discretionary DFGs and as such it must take into account value for money.
- 8.2 When officers schedule the work to be carried out, they will ensure it meets the needs of the applicant but at the same time they will only prepare a basic specification. If grant applicants wish to have a higher or more complex specification that costs more, they will have to pay the difference themselves.
- 8.3 The applicant will be required to obtain two quotes for the cost of work (although the Authority will do this for applicants if they request us to do so- see section 11.0 below).

The grant will usually be approved on the basis of the cheapest quote unless there are extenuating circumstances. Where the applicant wants to use a contractor that will cost more than the quote that is deemed acceptable by the Authority, the applicant will have to pay the difference direct to the contractor. The Authority will notify the contractor that the client will have to make a contribution and advise them of the value of the contribution.

- 8.4 If a grant applicant has a preferred scheme of works that meets their assessed need to the same degree as the scheme proposed by Authority i.e. the provision of a ground floor extension in lieu of a vertical through floor lift installation, the Authority will part fund the preferred scheme to the same degree as the grant eligible works. Any extra over costs associated with the clients preferred scheme, including unforeseen works, architects fees etc., must be met by the grant applicant. Evidence that sufficient funds are in place must be made available prior to works starting. The Occupational Therapy Service will be consulted to ensure that the applicants preferred scheme meets their assessed need in full.

9.0 MEANS TESTED CONTRIBUTIONS/SUCCESSIVE APPLICATIONS

- 9.1 Applicants for DFG's will be required to complete a test of resources form (means test) to determine whether any contribution is to be paid towards the cost of works. The Authority will undertake such means tests in line with the prevailing statutory provisions in force at the point of application. At present parents of disabled children and young persons are not subject to a test of resources. In the majority of cases a Preliminary Test of Resources will be undertaken prior to the provision of an OT referral to provide the prospective applicant with an early indication of their likely contribution. Such preliminary tests will not be applied in urgent cases or where the OT is aware that the client is in receipt of a passport benefit. The recipient of a passport benefit (a number of means tested main street benefits including housing benefit, income support, guaranteed pension credit etc.) will automatically be assessed as having a NIL contribution toward any grant award and will receive full grant.
- 9.2 If an applicant has an assessed contribution toward any application any payment of this contribution is made to the scheme contractor on completion of the works. If the level of contribution is high the Authority may require evidence that the applicants have the resources in place to fund their contribution and that they may wish to seek independent financial advice on how they might raise the necessary funds.
- 9.3 In circumstances where an applicant has a degenerative condition and where it is likely additional adaptations may be required over time it should be noted that there is no restriction on further grant applications at a later date. Any contribution paid by an applicant toward an initial application will be deducted from any future assessed contribution if the second application is made within a prescribed period (10 years for owner occupiers and 5 years for tenants).

9.4 This provision means that it may be in the interest of applicants to proceed with a grant application even if their assessed contribution is higher than the likely cost of works, leading to the award of a 'nil grant' approval. In such circumstances the applicant must proceed to complete the subject works to a satisfactory standard. If a second application is submitted within the prescribed period the cost of the previously completed works will be deducted from any assessed contribution the applicant might have.

10.0 GRANT APPROVAL

10.1 The Authority is required to approve or refuse the grant within 6 months of a valid grant application being made. A valid application is deemed to be made when the following documentation is submitted:

- A completed application form
- The appropriate certification (see 7.2 above) together with proof of ownership or tenancy
- The appropriate evidence of financial resources in order that the Council can undertake the Test of Resources
- The appropriate number of quotes

The Authority is required to consult with and obtain confirmation from the OT Service that the works which are the subject of the application are necessary and appropriate to meet the needs of the disabled occupant.

10.2 Officers from the Authority will work with prospective grant applicants to ensure the appropriate documentation is in place to make a valid application.

10.3 The Authority will not usually approve an application for grant where the relevant work has already begun. It can approve however if it is satisfied that there were good reasons for beginning the works before the application was approved. Any grant offer may be reduced to reflect the works undertaken prior to approval.

10.4 The Authority will not approve an application for a DFG if the relevant works have been completed.

11.0 PAYMENT OF GRANT

11.1 Completion of Work

11.1.1 The legislation requires the Authority to pay the grant on condition that the work has been carried out to its satisfaction. It also states that it is able to pay the contractor direct where it has advised the grant applicant prior to the grant being approved that this would be the method of payment.

- 11.1.2 The Authority has resolved through this policy that other than in exceptional circumstances it will always pay the contractor direct and the grant applicant will be notified of this prior to the grant being approved.
- 11.1.3 The Authority will inspect the works once completed and if in their opinion the work has been done satisfactorily will pay the contractor direct to the value of the grant. Any other payments that the grant applicant is responsible for must be made by the applicant.
- 11.1.4 If there is a dispute between the grant applicant and the contractor and the Authority is satisfied that the work has been completed to a satisfactory standard, payment of any outstanding grant money will be made to the applicant and it will be the responsibility of the applicant to pay the contractor. If the Authority is not satisfied with the standard of work it will retain the grant money until such time as any works issues have been resolved at which point it will pay the contractor or if the applicant is still not satisfied, it will pay the applicant.

11.2 Entitlement to a Grant Ceases

- 11.2.1 Where a grant applicant ceases to be entitled to a grant before completion of the works the legislation states that the Authority cannot pay any grant or any further instalments (as the case may be) after that date. If the grant applicant makes an owner's application he ceases to be entitled to a grant when he ceases to have a qualifying owner's interest or ceases to have the intention specified in the owner's certificate which accompanied the grant application. If the grant applicant makes a tenant's application he ceases to be entitled to a grant when he ceases to be a qualifying tenant of the dwelling or if the landlord ceases to have the intention specified in the owner's certificate submitted with the application.
- 11.2.2 The Authority has the right under the legislation to demand any instalment that has already been paid to be repaid forthwith together with interest from the date on which it was paid until repayment. The Authority will consider each case on its own merits in deciding whether to recover any such payments.

11.3 Changes in Circumstances

- 11.3.1 In some cases there is a change in circumstances after the grant has been approved that affects the payment of grant. These circumstances (which are prescribed in the legislation) are;
- where the works cease to be necessary or appropriate to meet the needs of the disabled occupant;
 - the disabled occupant ceases to occupy the dwelling; or
 - the disabled occupant dies.
- 11.3.2 In such circumstances, the legislation states that the Authority can take such action as appears to be appropriate and may decide:

- that no grant shall be paid or as the case may be, no further instalments shall be paid;
- that the works or some of them should be completed and the grant or an appropriate proportion of it paid; or
- that the application should be redetermined in the light of the new circumstances.

11.3.3 The Authority has the right under the legislation to demand any instalment that has already been paid to be repaid to the Authority forthwith together with interest from the date on which it was paid until repayment. Each case will be considered on its own merits in deciding whether to recover any such payments.

11.4 Cases in which grant may be recalculated, withheld or repaid

11.4.1 The Authority is entitled to refuse to pay grant or any further instalment of grant which remains to be repaid or make a reduction in the amount of grant in the following circumstances:

- The Authority ascertains that the amount of grant was approved on the basis of inaccurate or incomplete information and exceeds that which the grant applicant was entitled,
- The Authority ascertain that without their knowledge the eligible works were started before the application was approved,
- The works are not completed within 12 months,
- The cost of works is less than the estimated expense upon which the grant was calculated,
- The work has been carried out by a contractor who was not one of the contractors who originally quoted for the work.

11.4.2 Where any of the above situations arise, the Authority can demand repayment by the applicant in whole or part, of the grant or any instalment of the grant paid together with interest from the date of payment until repayment. Each case will be considered on its own merits in deciding whether to recover any such payments.

11.5 Repayment in Case of Compensation

11.5.1 It is a condition of the grant that the applicant takes reasonable steps to pursue any relevant claim and to repay the grant so far as appropriate out of the proceeds of such a claim. A claim is:

- (i) an insurance claim or legal claim against another person in respect of damages to the premises to which the grant relates, or
- (ii) a legal claim for damages in which the cost of the works to premises to which the grant relates is a part of the claim, and a claim is a relevant claim to the extent that the works to make good the damage or the cost of which is claimed are works to which the grant relates.

11.5.2 In the event of a breach of this condition the applicant shall on demand pay to the Authority the amount of grant so far as relating to any such works together with compound interest from such date as may be determined, calculated at such reasonable rates as the Authority may determine.

11.5.3 The Authority may determine not to make such a demand or to demand a lesser amount. The assumption is that the amount will be demanded in full however on representations from the applicant, the Authority will consider each case on its own merits.

11.6 General Provisions

11.6.1 Where work has commenced but grant entitlement has ceased and where the Authority has decided that the works or some of them should be completed and the grant or an appropriate proportion of it paid the Authority will arrange to make good the work so that the property is safe, secure and water-tight.

11.6.2 This may not include carrying out such work as finishing internal surfaces and plumbing any new facilities (unless these are the only facilities in the property) for example. Any work over and above making the property safe, secure and water-tight would have to be paid for by the applicant or some other appropriate person.

11.7 Deferring Grant Payment

11.7.1 The Authority has the discretion to defer any payment of an approved grant for a period of up to twelve months from the date of grant approval. Any such decision must be set out within the grant approval notice.

12.0 GRANT CONDITIONS FOLLOWING COMPLETION

12.1 There are certain grant conditions that run for a period of time following the completion of the grant (the grant condition period). These conditions will run from the certified date i.e. the date at which the Authority has certified that the works have been carried out to its satisfaction. The application of such conditions will only apply if the grant applicant has an owner's interest in the subject property and will remain in place for 10 years from the certified date.

12.2 Repayment in cases of disposal of the premises

12.2.1 The Authority has resolved that it will demand repayment by the applicant of such part of the grant that exceeds £5,000 (but will not demand an amount in excess of £10,000 if

–
(i) the grant recipient disposes (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the grant was given within 10 years of the certified date; and

(ii) the Authority having considered –

- (a) the extent to which the grant recipient would suffer financial hardship were they to be required to repay all or any of the grant;
- (b) whether the disposal of the premises is to enable the grant recipient to take up employment or to change the location of their employment;
- (c) whether the disposal is made for reasons connected with the physical or mental health or well being of the grant recipient or of a disabled occupant of the premises; and
- (d) whether the disposal is made to enable the grant recipient to live with, or near, any person who is disabled or infirm and in need of care which the grant recipient is intending to provide or who is intending to provide care of which the grant recipient is in need by reason of disability or infirmity;

is satisfied that it is reasonable in all the circumstances to require the repayment.

12.2.3 If a grant recipient is of the opinion that any of the exemptions may be appropriate then they will be required to submit written representations to the Authority setting out their case in full. The decision on whether to waive either all or a proportion of the grant recovery will be made by the Environmental Health Business Manager.

12.2.4 This condition is a local land charge and is binding on any person who is for the time being an owner of the dwelling or building.

13.0 INSTALLATION OF EQUIPMENT AND MAINTENANCE

13.1 Equipment which can be installed and removed fairly easily with little or no structural modification will not be funded by either a mandatory or discretionary DFG. The cost of supplying such equipment will fall to Nottinghamshire County Council.

13.2 Typically the type of equipment that will be covered by a mandatory DFG includes (this is not an exhaustive list):

- Stair lifts
- Ceiling track hoists (excluding slings)
- Through floor lifts
- Rise and fall showering tables that are electrically powered
- Rise and fall baths that are electrically powered
- Wash and dry toilets

13.3 Where the provision of equipment is funded by a mandatory DFG it is usually the responsibility of the applicant to take out the necessary insurances and maintenance agreements to ensure the equipment is properly maintained. However, the Authority will include within the grant the cost of a supplier's standard maintenance/service agreement to give cover for up to 5 years for stair lifts and through floor lifts only.

- 13.4 If a grant application is made for replacement of defective/obsolete equipment it will not be approved if it can be shown that the equipment can be repaired at a reasonable cost in comparison to renewal. In such cases the costs of the repairs will fall to the householder.

14.0 CONTRACTUAL RELATIONSHIPS

- 14.1 Following the referral from the Occupational Therapy Service at Nottinghamshire County Council, officers from Newark and Sherwood District Council will schedule the works that are required. The scheduled works will form the basis upon which contractors quote. As referred to above at paragraph 8.3 the grant applicant will need to obtain two quotes however officers will source such quotes on behalf of the applicant if requested. The Authority reserves the right to charge a fee for this and associated services i.e. scheme design, producing plans and specification, release of interim payments, assistance with the completion of application forms etc.
- 14.2 Whilst work is being undertaken officers will wherever possible visit the property to ensure that the work is being undertaken as per specification and when the work is completed, the officer will carry out a final inspection to ensure it has been completed satisfactorily (see paragraph 11.1.1 above).
- 14.3 Grant applicants must be aware however that the Authority is in no way responsible for the work of the contractor and that there are no contractual obligations between the contractor and Newark and Sherwood District Council.

The purpose of the final inspection is simply to protect the public purse. All contractual relationships with respect to the carrying out of the work are between the grant applicant and the contractor.

- 14.4 If there is a dispute between the grant applicant and the contractor, the Authority will not be able to get involved unless by some act or default the Authority has caused the issue which has led to the dispute.

15.0 COMPLAINTS

- 15.1 Where Applicants are dissatisfied with the service they have received (including where a grant has been refused), they should contact the Environmental Health Business Manager at the main Council address. If the matter is not resolved to Applicants' satisfaction they can make a formal complaint via the Authority's adopted Customer Comments procedure.
- 15.2 If after receiving the Authority's response the complainant is still dissatisfied, they can write to the Local Government Ombudsman.

16.0 POLICY AMENDMENTS

- 16.1 The Environmental Health Business Manager has delegated authority to make minor policy amendments which do not affect the broad thrust of policy direction. Other changes must be approved by the appropriate Council Committee for Housing Strategy and Regeneration.

List of Consultees

Organisation	Contact name
NCC Occupational Therapy Adults Team	Lynn Ellis Lorraine White Sarah White
NCC Occupational Therapy Children's Team	Katie Marsden Jane Holland Esme Hobbs
NSDC (internal)	Ged Greaves Business Manager Policy and Commissioning
NSDC (internal)	Legal
NSDC (internal)	Rob Main Strategic Housing Manager
NSDC (internal)	Leanne Monger Business Manager – Housing, Options, Energy and Home Support
LHA-ASRA Registered Housing Provider	N/A
Advance Housing Registered Housing Provider	N/A
Guinness Northern Counties Registered Housing Provider	N/A
Nottingham Community Housing Association Registered Housing Provider	N/A
Raglan Housing Association Registered Housing Provider	N/A
Newark and Sherwood Disability Voice and Access Group	Margaret Franklin - Chairman
Ollerton and District New Disability Action Team	Alan Knighton - Chairman
Notts Health Forum membership	All members consulted including representatives from Nottinghamshire County Council Adult Social Care and Health, Clinical Commissioning Groups, Newark and Sherwood Homes, Citizens Advice Bureau, NHS, Notts. Fire and Rescue Service, Newark and Sherwood CVS.
Society for Mucopolysaccharide Diseases	Steve Cotterell

Society for Mucopolysaccharide Diseases
MPS House, Repton Place
White Lion Road, Amersham
Bucks, HP7 9LP

0845 389 9901
mps@mpssociety.org.uk
www.mpssociety.org.uk

25th February 2015

Ref: [REDACTED] [REDACTED]
[REDACTED]

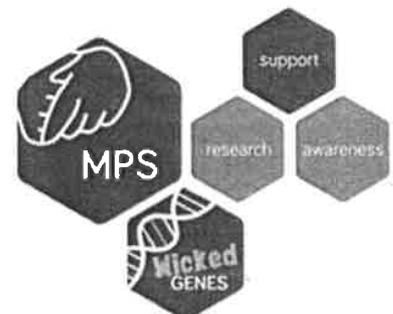
Dear sir/ madam,

My name is Steve Cotterell and I am a Social Work Student working for The Society for Mucopolysaccharide Diseases. I have been asked to contact you in relation to and on behalf of the above named family and their need for housing adaptations to their home.

[REDACTED] is 4 years old and has a very rare degenerative metabolic condition known as Sanfilippo Disease. This condition causes severe physical disabilities and profound learning disabilities; it is progressive and sadly life-limiting. Although [REDACTED] is in the early stages of the disease and exhibits many of the clinical features of the condition that you would expect, in addition to these he is blind and is fully immobile.

I understand that Mr [REDACTED] has been in contact with the Local Authority to request support towards home adaptations for [REDACTED] so that he can carry out his caring role and ensure [REDACTED] safety within the home. I was present when [REDACTED] (OT) visited the above address and I have seen that she has submitted recommendations in respect of [REDACTED] needs. I would agree with this summary as it seems to identify many of the pieces of equipment that is required and acknowledges that there may be additional equipment needed over time.

The main areas of concern for this family are the allocation of and access to an appropriate bedroom space and bathing facilities. However, the purpose of this letter is not to outline the full extent of the required works as I will be able to support [REDACTED] in this respect. It is more to explore further the funding options available to this family in regard of the Disabled Facilities Grant (DFG) and discretionary payments. You will be aware that [REDACTED] parents are separated and that adaptations have been carried out at his mother's property via the DFG process. It has been highlighted to Mr [REDACTED] that the legislation only caters for the main residence of the child to be adapted.



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I understand that Mr [REDACTED] has been in touch directly with you about this and has explained the situation regarding the shared care court order that has been implemented and that you have since devised a draft policy that addresses such situations where there is shared residency for a child.

I have been in consultation with Mr [REDACTED] about this document and the implications and limitations that it imposes. I see that this is a draft document and as such we would like to take this opportunity to feedback and comment on its content.

Firstly we are pleased that such a policy is being considered and hope that our thoughts will be useful in determining a supportive policy that provides access to the necessary Local Authority help that families in this situation require.

As with the legislative guidance that supports the DFG process we believe that the assessment provided by the OT, including supporting information from other relevant professionals should determine level of need and thus the extent of the works. The draft policy states that the maximum discretionary grant will be £10K. We feel that, given the cost of building works and of specialist equipment, that this limit is unrealistic. In Beau's situation the OT has made the recommendation for a height adjustable bath, this piece of equipment alone can cost between £6K - £8K, and when you consider other essential works £10K is not going to be enough. As stated above we believe that the assessment of need should be the determining factor as this will ensure that risk is suitably managed and that the best interests of the child are kept at the fore, whilst also supporting parents in their role as carers and potentially reducing any reliance on more formal care.

The aspect of the policy which states that the grant will in fact be a loan against the property seems unreasonable. Access to services and adaptations for children are not to be means tested. I understand that it is possible for Local Authorities to make a charge for services however a land registry charge against a property just because the family are home owners is unfair. It somehow seems that people are penalised for being home owners. It can be argued that the works required are just that, "required", rather than being explored to increase the value of the property or as a luxury item which is the implication of the land registry charge. Perhaps it would be more equitable to consider the charge if the family were to move within a set timeframe, after which the charge is withdrawn. It is worth mentioning that in the situation for [REDACTED] and his father the property is solely in the name of Mr [REDACTED]'s wife and therefore it is questionable whether this land registry charge can be applied to this property.

The statement about level of local authority resources and how limited resources can be a reason to refuse the works is not acceptable. Whilst due consideration of resources is required, [REDACTED] level of need will remain regardless of the Local Authority budget and therefore the focus should be on meeting that need, it should be noted that the progressive nature of his condition means that [REDACTED] needs will increase over time.

The Chronically Sick and Disabled Persons Act 1970 and Children Act '89/04 identifies that a local authority has a duty to identify and powers to meet those needs, hence the onus on achieving an accurate assessment from the OT involved. This is further supported by The Children Act '89 S17 (1b) which states that a Local Authority has a duty to support the upbringing of children in need by their families. It is clear that without the adaptations [REDACTED] would be at a disadvantage at his father's home and his father would have difficulty managing [REDACTED] care needs. This identifies that Mr [REDACTED] requires support in the upbringing of his child and to fulfil the court order. The OT in [REDACTED]'s case has clearly identified a level of need

and appropriate solutions to meet those needs, it would therefore be reasonable to request that this family are supported to achieve those recommendations.

I hope that these thoughts are helpful to you in establishing an appropriate policy in regard to discretionary grants for housing adaptations and that an agreeable solution can be achieved for [REDACTED] and his father.

I look forward to hearing from you.

Yours faithfully

Steve Cotterell
(Social Work Student)

ALLOCATION SCHEME REVIEW

1.0 Purpose of Report

1.1 The purpose of this report is: to capture feedback from the Council Member Workshop that was held on 13th November, 2014; to consult the Committee on the current position of the Council's review of its Allocations Scheme; and agree a way forward to progress the review.

2.0 Council Member Consultation Workshop - Feedback

2.1 The workshop held on 13th November 2014 was very well received. Members in attendance were:

1. Blaney, Roger	2. Brooks, Betty
3. Brooks, Gordon	4. Brown, Irene
5. Crowe, Rita	6. Dawn, Gill
7. Hamilton, Julian	8. Handley, Paul
9. Laughton, Bruce	10. Merry, Geoff
11. Rose, Christine	12. Roberts, Tony
13. Shaw, Melvyn	14. Shilling, Linda
15. Shillito, Richard	16. Tift, Linda
17. Walker, Ivor	

2.2 A summary is provided below from officers who facilitated group discussions on the five key areas/proposals, as set out in the paper previously circulated on 13th November 2014.

Managing Access – Extending Restrictions

Proposal:

- To extend restrictions for those suitably housed (Band 4)
- To extend restrictions for those who can afford other housing options (within agreed threshold)
- Remove cumulative preference promotion
- Remove concession for awarding extra bedroom for those with access to children and to women from 26 weeks of pregnancy

- 2.3 There was no overall consensus from those attending the workshop on these proposals. However, in the context of Members understanding of the need to manage demand and supply issues and the difficult task posed to officers, there was some agreement to extend the restrictions as set out in the proposal. It is recognised that Members would wish to see further detail on the implementation of any financial assessment and thresholds before progressing these proposals.
- 2.4 A number of Members expressed some concerns about the removal of cumulative preference. However, cumulative preference is a complex area and can create ‘unintended’ consequences. Therefore, it should be noted that the time constraints of the workshop meant that we were unable to allow sufficient time for these issues to be fully developed through discussion.
- 2.5 At the conclusion of the workshop, a significant number of Members agreed with the proposal to remove the current procedure for those with multiple needs (who qualify on two or more criteria within band three) being promoted to a band two and removal of the concession that enables an allocation of a 2 bed property to those applicants with contact rights for children and women who are more than 26 weeks pregnant.

Local Connection

Proposal:

- To keep the current criteria - statistical data supplied does not support the necessary evidence to show that local residents are not being allocated social housing.

- 2.6 Members selected this as their number one priority at the end of the workshop and would like to see local connection strengthened and applied to a ward or village NOT the district; but Members also appreciated this may be difficult to achieve both operationally and because of the limited supply of affordable housing. It is unlikely therefore, that any significant change could be made to the current arrangements due to such matters.
- 2.7 There was a general surprise over the statistics and evidence presented showing that 98% of allocations were being allocated to persons with a local connection to Newark and Sherwood (80% to the Parish). A number of Members advised they receive two to three complaints a year from constituents regarding local allocations. The Chairman of the Committee, in particular, indicated his support for the re-instatement of the Special Cases Panels however, officers recall previous Counsel’s advice, which strongly advised against re-instating such Panels.
- 2.8 The main reasons for Members supporting local connection was due to family connection, travel/bus routes, creating mixed communities and the rural aspect of the District.
- 2.9 There was also a request to strengthen individual resident criteria to three years instead of six months and negative comments were made about the impact of Right to Buy, which reduces the supply and accommodation available.
- 2.10 Some Members expressed the view that it was important to be realistic of the challenges with this issue and felt Members should trust and support officers on this matter.

Penalising Refusals

Proposal:

- To suspend applications for a fixed period if suitable offers of accommodation are refused

- 2.11 There was general consensus of agreement to this proposal. Feedback forms received at the conclusion of the workshop also supported this position.
- 2.12 A number of Members supported two to three refusals and then an appropriate sanction being applied, as suggested in supporting papers previously supplied.

Direct Offers for Homeless

Proposal:

- To introduce a quota system – the Council would receive 1 in 4 vacant properties to facilitate direct offers to statutory homeless households.

- 2.13 Again, there was general agreement on this proposal. A number of Members commented that this was sensible, considering demand pressures and the feedback forms supported this position.
- 2.14 However, some concern was aired around the potential for increased administrative costs, the removal of choice, and homeless households having to move away from family. In discussion afterwards between officers, it was felt that this concern may have arisen due to the fact that officers had drawn attention to costs in the presentation papers, whilst on reflection, the impact upon increased administration costs would be minimal when compared to the benefits this would bring.

Changing Places

Proposal:

- To expand the scheme to include households who wish to downsize from a 2 to 1 bedroom property.

- 2.15 There was general consensus of agreement to this proposal.
- 2.16 When discussing the incentives to support moves, the majority of Members felt that a £300 incentive was either insufficient or inappropriate in some cases and that the scheme and incentives needed reviewing. It was felt that in some cases manual help and assistance could be more of an incentive than just a financial sum being offered.
- 2.17 Further investigation will be made into the extent to which the Council's Housing Company has looked into this and what alternative incentives might be successful.
- 2.18 Comments were also made that elderly residents do not want to move to where the 1 bed stock is located, which is often near younger single/couple households. Lack of overall supply in terms of 1 bed accommodation was also noted.

3.0 Progressing the Review

- 3.1 It is clear that a full review of the Council's Allocations Scheme will necessitate further engagement with Members, (on the back of the workshop already conducted), to thoroughly consider the various options for change. In addition, a full consultation with stakeholders (including applicants) needs to be undertaken, and following any decisions as

to any Scheme changes an assessment will be required as to the resources required (such as computer software changes) to accommodate these. Realistically such a process will take approximately 12 to 18 months. In view of the impending local elections in May 2015 it is suggested that once the new Council administration is in place, further Member consultation (including workshops) will be held to consider any proposed changes to the Allocations Scheme so that a draft new scheme can then be prepared and consultation begun.

- 3.2 However, in the meantime there are some minor operational amendments to the current scheme which need to be expedited in order to address the lack of harmony between the Allocations Scheme and Housing Benefit criteria by amending the Allocations Scheme (section 14 'Suitability of Property Types') to read:

14.2 d) Two dependent children of the same sex and two children under ~~seven~~ ten years of the opposite sex will normally be expected to share a bedroom. Dependent children are defined as children less than 21 years who live with the applicant and where the applicant is the parent or guardian and in receipt of child Benefit or the child is in higher education.

- 3.3 This would address the issue of families registered for housing being given priority for a move into accommodation for which they do not receive the full housing benefit award, which has placed some families into a situation where they cannot afford the rent top up, have fallen into arrears and are at risk of eviction for non-payment of rent. It is proposed that section 14.2 of the Allocations Scheme be amended as suggested.

4.0 Equalities Implications

- 4.1 The original Equality Impact Assessment carried out on the current scheme, which confirmed the scheme is accessible to our customers and communities without discrimination, has been considered to ensure that the proposed minor amendment does not have an impact on any of the protected groups. Officers are satisfied that there are no equalities implications arising from the proposal, which will in fact enhance the scheme for residents.

5.0 Impact on Budget

- 5.1 It is anticipated that the minor operational amendment proposed in paragraph 3.2 of the report can be accommodated within current budgets. As the programme for the full review is considered, attention will have to be given to the budget implications of the review itself and implementing any changes to the scheme.

6.0 RECOMMENDATIONS that:

- a) the contents of the report be noted;
- b) a report be submitted to a future meeting of the Committee, following the elections in May 2015, setting out a project plan for a full review of the Council's Allocation Scheme; and
- c) the minor amendment to section 14.2 as set out in paragraph 3.2 of the report be approved.

Reason for Recommendations

To ensure the Council meets its statutory housing duty and maintains a fit for purpose Housing Allocation Scheme.

Background Papers

Issue 3a Allocation Scheme

For further information please contact Leanne Monger, Business Manager – Housing Options, Energy & Home Support on extension 5545 or Rob Main, Business Manager – Strategic Housing on extension 5930.

Karen White
Director – Safety

HOME ENERGY CONSERVATION ACT (HECA) REPORT

1.0 Purpose of Report

1.1 This report outlines the proposed Home Energy Efficiency Act (HECA) progress report recommended for adoption by the Council and submission to the Secretary Of State, by 31st March 2015 deadline.

2.0 Background Information

2.1 Under the Home Energy Conservation Act 1995, and as reported and approved previously by the Council's former Cabinet on 11th April 2013, English Local Authorities with housing responsibilities have a statutory responsibility to:

- Prepare a report identifying the energy conservation measures that the Authority considers practicable, cost-effective and likely to result in significant improvement in the energy efficiency of residential accommodation in its area (approved report was submitted, as required, by 31st March 2013); and
- Following publication of this, report at two yearly intervals to the Secretary of State on progress in implementing these measures – the first of these is due by 31st March 2015.

3.0 National Agenda

3.1 The HECA guidance recognises that local authorities are uniquely placed to assess the needs of their local residents and areas, and to work with local partners to deliver improvements. The July 2012 guidance particularly focused on how potential investment from the Green Deal, the Energy Company Obligation and support for renewable energy technologies might be used for local economic development, as well as improving residents' homes to make them warmer and more energy efficient.

3.2 The Government recognises that local authority expertise in the targeting and delivery of energy efficiency measures gives them a key role in facilitating delivery of its fuel poverty policies.

3.3 Since the HECA Guidance was published in 2012 there have been various changes to the policy and statutory landscape for fuel poverty. Firstly, the original fuel poverty target, as described in the 2012 HECA Guidance, has been replaced with a new statutory target to "*ensure that as many fuel poor homes in England as is reasonably practicable achieve a minimum energy efficiency rating of Band C by 2030*".

3.4 In addition to the 2030 statutory target, the Government consultation, "*Cutting the cost of keeping warm*" also proposed the following interim milestones:

- As many fuel poor homes in England as is reasonably practicable to Band E by 2020
- As many fuel poor homes in England as is reasonably practicable to Band D by 2025

- 3.5 These targets and milestones reflect the new understanding of fuel poverty, which is based on the low income high cost indicator, developed by Professor Hills in his 2012 independent review of fuel poverty and adopted by the Government in 2013.
- 3.6 A new Fuel Poverty Strategy for England will be published in due course (anticipated Spring 2015) setting out the Department for Energy and Climate Change approach to delivering the target and milestones. However, the Government is keen to stress that the new strategy will not be static. The process of finding new and improved solutions, better support and better ways to deliver that support will be continual and this applies equally to Newark and Sherwood District Council's local activity plans.

4.0 The HECA Report

- 4.1 The attached report (Appendix A) for the committee's approval has been produced in collaboration with the Nottinghamshire & Derbyshire Local Authority Energy Partnership (LAEP) Co-ordinator, Dr Rina Jones.
- 4.2 The report is presented in three sections and provides an update on trends, strategies and initiatives since 2013 as LAEP councils work together to reduce domestic carbon dioxide emissions and fuel poverty:
- I. Baseline information across Nottinghamshire and Derbyshire
 - II. HECA Report 2013-15
 - III. Looking ahead 2015-17

5.0 Equalities Implications

- 5.1 There are no equalities implications arising from this report. The information set out in the progress report demonstrates there is equal access to information, services and any initiatives and funding available.

6.0 Impact on Budget/Policy Framework

- 6.1 There are no additional costs for the Council arising from the HECA progress report.

7.0 RECOMMENDATION

That the Homes & Communities Committee considers the HECA progress report and approves its submission to the Secretary of State by the required deadline of 31st March 2015.

Reason for Recommendation

To ensure the District Council meets its statutory obligation under the Home Energy Conservation Act 1995.

Background Papers

Home Energy Conservation Act Progress Report (March 2015) for Newark & Sherwood District Council.

For further information please contact Leanne Monger, Business Manager – Housing Options, Energy & Home Support on extension 5545.

Matthew Finch
Director – Customers



Home Energy Conservation Act 1995

Progress Report 2013-15 on behalf of the

The Nottingham and Derbyshire

Local Authority Energy Partnership

(LAEP)

and

Newark & Sherwood District Council

March 2015

Leanne Monger
Newark & Sherwood District Council
Business Manager – Housing Options,
Energy & Home Support
01636 655545

Rina Jones
LAEP Manager
01629-536130
rina.jones@derbyshire.gov.uk

Appendix A

Leanne.monger@newark-sherwooddc.gov.uk

Nottinghamshire and Derbyshire Local Authorities' Energy Partnership (LAEP)

The LAEP is a non-statutory partnership of all 20 councils across Nottinghamshire and Derbyshire, established in 1996 and continues to provide an excellent model of how councils can work together for mutual benefit.

This report covers collective activities across the following 14 LAEP housing authorities:

Nottinghamshire

Bassetlaw District Council
Broxtowe Borough Council
Gedling Borough Council
Mansfield District Council
Newark and Sherwood District Council
Rushcliffe Borough Council

Derbyshire

Amber Valley Borough Council
Bolsover District Council
Chesterfield Borough Council
Derbyshire Dales District Council
Erewash Borough Council
High Peak Borough Council
North East Derbyshire District Council
South Derbyshire District Council

Partnership activities are delivered via a membership service and a communications service which are funded through separate subscriptions. Councils benefit from support, information and communication services and collaborate on carbon reduction, affordable warmth and sustainable energy projects, sharing expertise and best practice.

Each council is represented on the Officer Working Group (OWG) which runs the partnership and funds are held by Derbyshire County Council.

LAEP Chair's introduction

The production of this report by our Partnership, which complements the individual reports of our member councils, is an example of how our long-standing collaboration has provided huge benefit and exceptional value to our partners over the years.

In increasingly challenging times for local government, this report provides evidence of how our partnership is striving to maximise the economic, social and environmental benefits to our councils and residents through its work on home energy conservation and affordable warmth.

*Phil Keynes
Team Manager, Energy and Carbon Management
Nottinghamshire County Council*

HECA reporting

The LAEP has a collective ambition to reduce carbon dioxide and fuel poverty across the area and acknowledges the legal requirements for local government to improve the energy efficiency of residential accommodation as outlined in the Climate Change Act 2008.

The LAEP also supports the aims of the 2001 UK Fuel Poverty Strategy to eradicate fuel poverty in England as far as reasonably practicable by 2016 and the new statutory target published in 2012 to “ensure that as many fuel poor homes in England as is reasonably practicable achieve a minimum energy efficiency rating of Band C by 2030”. The LAEP also looks forward to the imminent publication of the new Fuel Poverty Strategy for England which will set out DECC’s approach to delivering the target and milestones.

All LAEP district and borough councils submitted 2013 HECA reports and have links to them on their websites.

This HECA progress report is presented in three sections and provides an update on trends, strategies and initiatives since 2013 as LAEP councils work together to reduce domestic carbon dioxide emissions and fuel poverty:

1. Baseline information across Nottinghamshire and Derbyshire
2. HECA Report 2013-15
3. Looking ahead 2015-17

1. BASELINE INFORMATION

Baseline information on key issues enables local authorities to gauge the impact of collective and individual initiatives

- 1.1 Levels of fuel poverty
- 1.2 Domestic fuel consumption
- 1.3 Domestic carbon dioxide emissions
- 1.4 Energy Company Obligation funded measures
- 1.5 Green Deal measures

The following data has been collated from documents placed on the Department of Energy and Climate Change’s website.

Appendix A

1.1 Levels of fuel poverty

Between 2010 and 2012 a new way of calculating the number of households in fuel poverty was introduced, temporarily running in parallel with the original definition.

In 2010 the **10% definition** was used whereby a household was in fuel poverty if it needed to spend more than 10 per cent of its income on fuel to maintain an adequate level of warmth.

From 2012 a new **Low Income High Cost (LIHC)** definition was applied which considers a household to be in fuel poverty if they have required fuel costs that are above average (the national median level) and, were they to spend that amount, they would be left with a residual income below the official poverty line.

Across Nottinghamshire and Derbyshire between 2010 and 2012 there was a small fall in the number and % of households in fuel poverty in most district and borough areas, using the original 10% definition. (In Newark & Sherwood the actual number of fuel poor households rose by 3%) Using the new Low Income High Cost definition results in **fewer people being categorised as being in fuel poverty** so the total number of and % of households in fuel poverty is shown as much lower. (Newark & Sherwood District is joint-highest in terms of fuel poverty levels across Nottinghamshire.)

The following table shows levels of fuel poverty in all the district and boroughs in Derbyshire and Nottinghamshire in 2010 and 2012 (both definitions used in 2012 for comparison), taken from <https://www.gov.uk/government/collections/fuel-poverty-sub-regional-statistics>

FUEL POOR HOUSEHOLDS	2010	2012	2012	2010	2012	2012
	10% definition		Low Income High Cost definition	10% definition		Low Income High Cost definition
Local Authority	Number of fuel poor households			% Fuel poor households		
Amber Valley	9,918	9,610	7,078	19.1	17.9	13.2
Bolsover	6,564	5,635	4,153	20.6	16.8	12.4
Chesterfield	9,191	8,028	6,217	20.0	16.8	13.0
Derbyshire Dales	7,483	9,314	4,917	24.4	29.6	15.6
Erewash	8,429	7,783	6,287	17.5	15.7	12.6
High Peak	7,027	8,248	5,281	17.8	20.7	13.3
NE Derbyshire	7,876	7,656	5,239	18.6	17.4	11.9
South Derbyshire	5,867	6,077	4,393	15.5	15.3	11.0
Bassetlaw	9,334	9,341	6,193	19.7	19.2	12.7
Broxtowe	7,825	7,260	5,736	16.5	15.2	12.0
Gedling	8,085	7,754	5,522	16.2	15.4	11.0
Mansfield	8,782	7,738	5,796	19.9	16.9	12.6
Newark & Sherwood *	9,221	9,504	6,311	18.9	19.1	12.7
Rushcliffe	6,818	7,471	5,367	14.8	16.0	11.5

Appendix A

* Despite our best efforts, fuel poverty rates in Newark & Sherwood have risen. Fuel Poverty levels are affected by many factors beyond the control of the Council, e.g. the cost of energy, household income and the energy efficiency of the property.

1.2 Domestic fuel consumption

The tables below show domestic gas and electricity consumption figures from 2010 and the most recent available figures from 2013, taken from

<https://www.gov.uk/government/statistical-data-sets/gas-sales-and-numbers-of-customers-by-region-and-local-authority> and

<https://www.gov.uk/government/collections/sub-national-electricity-consumption-data>

DOMESTIC GAS CONSUMPTION	2010		2013	
	Total (GWh)	Average Household (kWh)	Total (GWh)	Average Household (kWh)
Amber Valley	808.3	15,861	742	14,422
Bolsover	773.3	15,482	439	13,788
Chesterfield	607.6	15,312	611	13,107
Derbyshire Dales	469.2	15,218	409	16,026
Erewash	745.8	15,897	653	13,411
High Peak	674.4	14,691	577	15,349
North East Derbyshire	442.5	17,637	620	14,914
South Derbyshire	717.9	14,919	495	13,960
Bassetlaw	779.4	16,544	555	13,658
Broxtowe	629.5	16,971	678	14,270
Gedling	692.1	15,855	714	14,915
Mansfield	674.1	15,852	647	14,230
Newark and Sherwood *	669.4	16,383	622	14,327
Rushcliffe	759.5	17,719	707	16,226

DOMESTIC ELECTRICITY CONSUMPTION	2010		2013	
	Total (GWh)	Average Household (kWh)	Total (GWh)	Average Household (kWh)
Amber Valley	225.2	4,251	215.6	4,025
Bolsover	211.3	3,915	121.9	3,665
Chesterfield	125.4	3,688	161.6	3,425
Derbyshire Dales	188.2	5,078	146.1	4,683
Erewash	168.7	4,049	184.8	3,747
High Peak	155.5	4,215	161.0	4,042
North East Derbyshire	195.1	3,945	162.4	3,725
South Derbyshire	208.8	4,348	163.4	4,058
Bassetlaw	167.8	4,373	198.7	4,086
Broxtowe	168.5	3,813	179.2	3,755
Gedling	217.9	4,212	199.8	3,987
Mansfield	168.4	3,840	163.3	3,588
Newark and Sherwood	205.5	4,452	208.8	4,194
Rushcliffe	167.2	4,322	196.6	4,203

Despite rising fuel poverty levels in the District, average household gas and electricity consumption in Newark & Sherwood has reduced by 12.5% and 5.8% respectively between 2010 and 2013. Considering the Council's

Appendix A

housing growth agenda, it will be important to remain focused on continuing to reduce average household energy consumption in order to minimise the environmental impacts of housing growth.

Appendix A

1.3 Domestic carbon dioxide emissions

The tables below show the domestic carbon dioxide emissions per capita in tonnes CO₂ in 2010 and 2012, the most recent figures available.

All data is taken from <https://www.gov.uk/government/statistics/local-authority-emissions-estimates>

DERBYS	Year	Industry and Commercial	Domestic	Transport	Total
		Per capita tonnes CO ₂			
Amber Valley	2010	3.2	2.6	1.9	7.7
	2012	3.1	2.5	1.8	7.4
Bolsover	2010	6.9	3.1	4.6	14.6
	2012	6.6	2.9	4.5	14.1
Chesterfield	2010	2.3	2.5	1.5	6.4
	2012	2.5	2.4	1.4	6.4
Derbyshire Dales	2010	4.1	2.8	3.4	10.3
	2012	4.1	2.7	3.3	10.1
Erewash	2010	2.1	2.4	2.3	6.8
	2012	1.8	2.3	2.3	6.4
High Peak	2010	26.6	2.5	1.7	31.0
	2012	25.5	2.4	1.7	29.7
NE Derbyshire	2010	2.3	2.6	2.5	7.3
	2012	2.0	2.5	2.4	6.9
South Derbyshire	2010	3.6	2.5	3.3	9.4
	2012	3.3	2.4	3.2	8.9
DERBYS TOTAL	2010	6.1	2.6	2.5	11.2
	2012	5.8	2.5	2.5	10.8

NOTTS	Year	Industry and Commercial	Domestic	Transport	Total
		Per capita tonnes CO ₂			
Bassetlaw	2010	2.9	2.6	3.3	8.9
	2012	3.0	2.4	3.2	8.8
Broxtowe	2010	2.8	2.4	2.7	7.9
	2012	2.1	2.3	2.6	7.1
Gedling	2010	2.2	2.5	1.0	5.7
	2012	2.1	2.4	0.9	5.5
Mansfield	2010	1.7	2.7	1.2	5.6
	2012	1.6	2.7	1.1	5.4
Newark & Sherwood	2010	4.3	2.5	3.5	10.2
	2012	4.0	2.4	3.5	9.8
Rushcliffe	2010	2.0	2.5	2.2	6.9
	2012	1.9	2.4	2.2	6.6
NOTTS TOTAL	2010	2.6	2.6	2.2	7.5
	2012	2.5	2.5	2.2	7.2

Appendix A

In all sectors except for Transport, Newark & Sherwood District's carbon dioxide emissions have reduced between 2010 and 2012.

1.4 Energy Company Obligation funded measures

A new obligation on energy utility companies replaced the previous Carbon Emissions Reduction Target (CERT) at the end of March 2013. The Energy Company Obligation Phase 1 (ECO1) runs from April 2013 to March 2015.

The ECO programme provides funding for energy efficiency measures for households in hard to treat properties and vulnerable or low income households who struggle to achieve affordable warmth.

The data below shows the number of ECO funded measures installed since the beginning of ECO to 30th September 2014 and has been compiled from

<https://www.gov.uk/government/statistics/green-deal-energy-company-obligation-eco-and-insulation-levels-in-great-britain-quarterly-report-to-september-2014> Tables 1.11a) and d).

ECO OBLIGATION measures							
	Carbon Saving Target (CSO)	Carbon Savings Community (CSCO)	Affordable Warmth (HHCRO)	Total no. ECO measures delivered	All households	ECO measures per 1,000 households*	Households in receipt of ECO measures per 1,000
ENGLAND	311,600	175,591	309,600	796,791	22,542,903	35.3	28.7
E MIDLANDS	21,763	10,646	29,080	61,489	1,935,710	31.8	25.1
Derbyshire	3,535	742	4,598	8,875	338,213	26.2	20.6
Amber Valley	457	131	744	1,332	53,573	24.9	19.0
Bolsover	258	166	748	1,172	33,264	35.2	26.9
Chesterfield	831	132	712	1,675	47,180	35.5	28.8
Derbyshire Dales	114	34	169	317	31,197	10.2	7.5
Erewash	575	203	800	1,578	49,330	32.0	24.5
High Peak	270	43	470	783	39,821	19.7	17.2
NE Derbyshire	645	32	541	1,218	43,588	27.9	22.5
South Derbyshire	385	1	414	800	40,260	19.9	14.9
Nottinghamshire	4,408	1,490	5,106	11,004	340,212	32.3	25.2
Bassetlaw	498	271	750	1,519	48,631	31.2	24.4
Broxtowe	410	2	643	1,055	47,724	22.1	16.6
Gedling	671	40	755	1,466	50,096	29.3	22.1
Mansfield	619	543	1,022	2,184	45,520	48.0	36.9
Newark&Sherwood	1,236	266	592	2,094	49,778	42.1	34.9
Rushcliffe	458	2	331	791	46,771	16.9	12.7

* More than one measure installed in some homes

Partnership working with private sector installers has significantly increased the take up of Government-funded measures within Newark & Sherwood District.

Measures installed

Information on which measures have been installed is not available down to local authority level. However, on a national scale government statistics show a marked decline in the rate of loft and cavity wall insulation (from all sources including ECO and Green Deal) coinciding with the switch from CERT to ECO, as illustrated in the table below, taken from <https://www.gov.uk/government/statistics/green-deal-energy-company-obligation-eco-and-insulation-levels-in-great-britain-quarterly-report-to-september-2014>

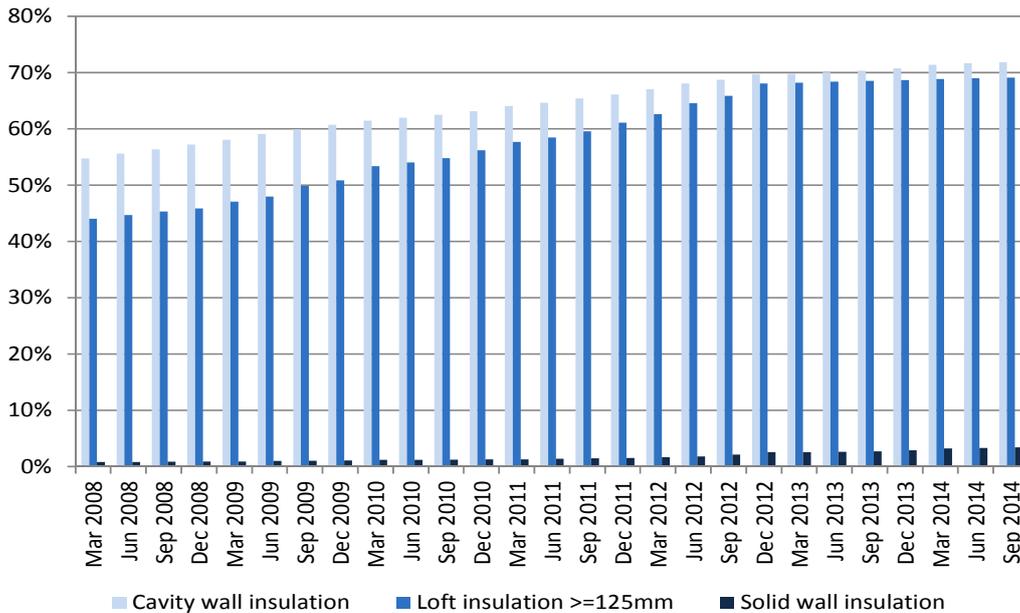


Table: Percentage of properties with insulation in Great Britain, March 2008 to September 2014

1.5 Green Deal measures

Green Deal statistics are currently only available from DECC at a regional level. A breakdown by administrative area should be available for the next quarterly release, due on 19/03/14. Data below taken from <https://www.gov.uk/government/statistics/green-deal-energy-company-obligation-eco-and-insulation-levels-in-great-britain-quarterly-report-to-september-2014> Table 1.7).

	Green Deal Assessments	Households	GD Assessments per 1,000 households
England	288,999	22,542,903	12.8
North East	16,177	1,145,559	14.1
North West	51,658	3,046,753	17.0
Yorkshire and Humber	38,004	2,262,423	16.8
East Midlands	30,067	1,935,710	15.5
West Midlands	44,047	2,332,802	18.9
East	24,657	2,484,620	9.9
London	22,857	3,383,918	6.8
South East	37,077	3,638,436	10.2
South West	24,455	2,312,682	10.6

2.0 HECA REPORT 2013-15

2.1 Boiler replacement scheme (2013)

In December 2012 DECC awarded over £2 million to the LAEP to tackle fuel poverty as part of a nationwide local authority competition. This was the third largest grant awarded, despite stiff competition and a significantly oversubscribed fund, demonstrating the advantage of working in partnership for the benefit of all local residents.

Funding was shared between fourteen district and borough councils across the two counties and was invested in new boilers, heating systems and insulation to help vulnerable residents keep warm and well in winter.

Installations began in January 2013 and were completed by end April 2013, an average of 50 per local authority area. The success of the project was the result of fantastic team work by officers from LAEP councils who worked hard to identify eligible households and deliver measures within the very tight timescales.

"I recently had a new boiler installed after having no heating or hot water for a number of years. For the first time my 18 month old daughter can have a proper hot bath rather than kettles in the sink."

Chesterfield resident

In total the LAEP delivered **729 energy efficiency measures** to households, comprising:

- 511 'G' rated boilers were replaced with 'A' rated boilers
- 143 new heating systems were installed
- 85 properties received loft and/or cavity wall insulation
- Many properties received enabling works
- 36 boilers and heating systems repaired
- 2 renewable energy systems were installed in off gas properties

Measures installed within Newark & Sherwood (top performing District):

- 68 boilers replaced
- 4 new heating systems installed
- 2 lofts & cavity walls insulated
- 2 heating systems repaired

These measures translate into energy bill savings for householders in the region of **£220,000 per year**. This equates to approximately **7,140 tonnes of CO² per year**

2.2 Health and housing research project (2013)

Evaluation of the boiler scheme outlined in 2.1 revealed that around 38% of assisted households included someone suffering from a long term health condition made worse by a living in a cold home. It also found that many fuel poor households were not eligible for the fully funded affordable warmth element of ECO either because they were not on eligible benefits or because the works required on their heating systems were non-standard or extensive.

In an extension to the original boiler replacement project and to further investigate these issues, DECC approved a request from the LAEP to use project underspend to identify and assist fuel poor households with a long term health condition.

"My husband and I had both been in hospital, very poorly, and came out when the snow was bad. It was too cold to stop here; we could only come home once the boiler had been replaced."

Newark resident

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This work was carried out from May to September 2013 across Nottinghamshire and Derbyshire. Evaluation showed that out of 29 households assisted, 25% met the ECO affordable warmth benefits eligibility criteria but were still unable to have energy efficiency improvement works carried out without making a personal contribution of between £1000 and £1500. This is due to the non-standard nature of the works required and the impact this has on the amount of ECO funding available. Non-standard works include:

- Properties with only secondary heating such as coal fires or electric bar heaters
- Solid fuel (coal) back boilers, wood burners or LPG boilers in off gas properties
- Partial and full sets of storage heaters.

The research highlighted the inability of the current ECO affordable warmth programme to fully fund energy efficiency measures for some of the most vulnerable householders, leaving some of them paying up to 30% of their income on fuel bills.

2.3 Derbyshire Healthy Home programme (2014 - ongoing)

The results of the health and housing research project (2.2) have been applied to a new health and affordable warmth programme. Derbyshire Public Health have commissioned the LAEP to develop and deliver the 'Derbyshire Healthy Home' programme across the county, providing **£188k** revenue funding per year for two years.

The programme is combining information on health, housing and income at a household level to target fuel poor householders with long term health conditions made worse by a cold home. The aim is to reduce the incidence of Excess Winter Deaths and the cost to the NHS of the impact of cold related illnesses, particularly 'non-elective' (emergency) admissions to A&E. Due to data protection and patient privacy issues, GP surgeries will write to target households inviting them to contact the LAEP project team for assistance.

Whilst accurate targeting should ensure that most householders assisted are eligible for affordable warmth ECC (HHCRO), some homes will require additional funding to enable improvements to go ahead, as outlined in 2.2. DECC agreed in January 2014 to allow LAEP to carry forward the final balance from the original boiler replacement project funds to top up capital works associated with this project; Derbyshire's share is around £114k.

National Grid has recognised the project's innovative approach with an award of **£40k** to establish a hardship fund to further assist vulnerable householders

The project will assist households from February 2015 to August 2016. Outcomes will be rigorously monitored and evaluated and if successful funding is likely to continue, albeit at a lower level. DECC is very interested in this approach in terms of shaping delivery of fuel poverty and health related support services through local authorities.

2.4 Potential for a health and housing project in Nottinghamshire (2015-17)

The Nottinghamshire LAEP authorities are looking closely at how the Derbyshire Public Health project develops and will invest their share of the underspend referred to in 2.3 (around £90k), to address fuel poverty and health related issues in a similar way.

Exploratory discussions, led by Newark & Sherwood District Council and the LEAP Manager, with Nottinghamshire Public Health and CCGs in the county demonstrate a desire to collaborate on this issue. Provisional project ideas involve working closely

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with CCGs to engage GP Practices in each area who would identify their most resource intensive patients with cold-sensitive long term conditions. Existing resources would enable councils to address the affordable warmth needs of a targeted number of households identified in this way, even if none were HHCRO eligible. Rigorous monitoring by the CCG on the impact of interventions on health outcomes would be needed to justify the release of funding to enable project continuity.

2.5 LAEP Green Deal Pioneer Places (2013-14)

In January 2013, the LAEP successfully bid to DECC to fund a proposal to create demand for the Green Deal across Nottinghamshire and Derbyshire. Four LAEP councils (two in Derbyshire and 2 in Nottinghamshire) received funding to run pilot Green Deal projects each council targeted promotions at different housing types:

- Amber Valley Borough Council: The private rented sector
- Chesterfield Borough Council: Mixed hard-to-treat properties
- Newark and Sherwood District Council: Off gas homes, high council tax
- Rushcliffe Borough Council: Large homes, old boilers, range of finance options

	Green Deal Assessments		Green Deal Plans	
	Target	Completed	Target	Completed
Amber Valley	100	27	50	0
Chesterfield	100	26	50	0
Newark	100	11	50	8
Rushcliffe	100	72	50	50

The project evaluation report was issued in July 2014. In total, 136 properties had a Green Deal Assessment carried out compared with an initial target of 400. The project aimed to convert 50% of assessments into plans and achieved 43% (58 plans). The lower than expected results were influenced by:

- Low levels of public awareness about the Green Deal
- Slow return of assessments to householders leaving no time to offer plans within project time frame
- The Golden Rule not being met due to vague estimates in the Assessments and higher than expected installation costs due to 'other works'.

Keeping customers engaged throughout the complex process proved very difficult; Green Deal Assessors sometimes proved unreliable and this led the project to question the effectiveness of the Green Deal Assessor verification process.

2.6 LAEP ECO scheme development (2013)

In early 2013 the LAEP considered establishing an area wide ECO scheme, to provide residents in private sector housing with a reliable offer from a trustworthy source in a similar way to the Warmstreets scheme that the LAEP set up under CERT. Two comprehensive briefings were produced for managers outlining the opportunities and options available.

One option LAEP considered was to develop a local not-for-profit intermediary or energy agency which would maximise ECO funding drawn into the area. It would be sustained by turning local knowledge, housing data and referral networks into high quality leads for the obligated parties in return for a referral fee. With the utilities under

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pressure to discharge their ECO obligations as cost effectively as possible, the efficiencies resulting from engaging with 14 councils through the LAEP network should also be reflected in a good offer for LAEP residents.

Endorsing or promoting the offer from any utility to residents requires a tendering process to identify a partner. As a first and informal step in this selection process, the seven largest energy utilities were invited to a LAEP meeting in July 2013 to outline what they could offer a two county partnership. British Gas, SSE, EON, Scottish Power and EDF attended and outlined their priorities to the LAEP.

Unfortunately it became clear that the focus of all utility companies at this stage in the first ECO phase was external solid wall insulation in areas of concentrated social housing due to the potential for the largest carbon savings; there was very little on offer in terms of loft and cavity wall insulation or heating installations in the private sector.

Cuts in ECO targets later in 2013 undermined this potential funding stream so the LAEP put these plans on hold.

2.7 LAEP Green Deal Communities bid (2013-14)

DECC launched a new £20m Green Deal Communities scheme for local authorities in late July 2013 to help households benefit from the Green Deal on an area basis; this quadrupled to £80m in the autumn.

Based on its success detailed in 2.1, the LAEP decided to apply for this funding with the understanding that its previous intentions to engage Green Deal and ECO Provider(s) outlined above would be incorporated into these new plans.

The meeting with utilities referred to in 2.6 was also used to help develop a LAEP bid to this fund. As outlined, the utilities' focus was on social housing where they could bank carbon as cheaply as possible through high volumes and high take up. However, there was some potential for a LAEP scheme for private sector 'right to buys' to be incorporated into their broadly social housing schemes. Unfortunately none had a good offer for solid wall insulation (SWI) for one-off private sector homes.

The LAEP submitted a final bid in December 2013 for over £2m on behalf of 14 district councils and Derbyshire and Nottinghamshire County Councils, for a retrofit scheme in each districts to treat a total of 500 properties. In line with DECC guidance the majority of funding was to subsidise the cost of SWI to both attract matched ECO funding from energy utility companies and to ensure that the remaining cost payable by the householder was eligible for Green Deal finance. The key element of the bid was to combine effective community engagement with evidence-based targeting using LAEP's housing and householder database.

"LAEP's bid was ambitious and well designed and would have helped each council to roll out private sector solid wall insulation schemes in their areas."

**Jane Thomas, Private Sector
Housing Manager, Chesterfield**

This involved a very significant commitment of LAEP resources, including extensive efforts to establish a framework of ECO providers/contractors to deliver the scheme through either Efficiency East Midland's existing framework and through a tender placed

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by the LAEP on the public sector procurement platform, Source Derbyshire. The latter proved very difficult to achieve as it was obviously not possible to realistically define, or confirm, the total value of the tender contract prior to receiving funding.

64 proposals were submitted in total and unfortunately the LAEP bid was unsuccessful. Feedback from DECC indicated that in particular they did not have confidence that an ECO provider had been secured to deliver the scheme.

2.8 Measures in Newark & Sherwood to improve home energy efficiency (ongoing)

Private sector

Locally, Newark & Sherwood District Council's Housing Options, Energy and Home Support Business Unit commission a Debt Advice Service through Sherwood and Newark Citizens Advice Bureau. Fuel Poverty is placed within the top six catalysts for household debt. Since 1 April 2014, 3434 clients have approached the service for assistance, 100 of these cited fuel poverty as the main reason for their debt issues.

The Council's in-house Energy service provides an energy efficiency advice and information service, signposting residents and private-sector landlords to appropriate sources of funding/grants; pro-actively targeting vulnerable people living in the poorest housing conditions who are also at risk of fuel poverty.

The assistance available includes:

- Advice via the First Contact service for residents aged over 60 years and vulnerable adults on how to maximise household income and reduce fuel usage/costs. (First Contact is being re-commissioned across Nottinghamshire in Spring 2015.)
- Measures provided by local initiatives, e.g. the Nottinghamshire Warm Homes scheme and via the Handy Person Adaptation Scheme (HPAS) providing services such as draft excluders, free insulation and radiator panels.

Since 1 April 2013, the Energy service has received 1068 enquiries which have resulted in general energy advice and referrals being made to third party installers for cavity wall, loft insulation, boiler repairs/replacements and, latterly, solid wall insulation.

In summer 2014, the Energy service undertook a pilot scheme with private sector provider, Westville, utilising the Government's flagship Green Deal Home Improvement Fund (GDHIF) in the west of the district to target private sector residents who could benefit from solid wall insulation.

The properties identified were amongst the least likely to deliver affordable warmth in the district/emit more than average carbon due to their construction types. Residents in these areas would therefore have higher than average fuel bills and be in the groups most at risk from fuel poverty and the knock-on detrimental effects to health and wellbeing.

The targeted letters resulted in:

- 76 initial site surveys

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- 62 full quotations
- 32 instructions to proceed with insulation improvement works

This pilot scheme saved the 32 householders a combined total of £195,200 in installation costs (£6,100 per property). The Energy Saving Trust estimates each property will save a minimum of £295 per annum on heating costs (£9,440 per annum in total). DECC figures indicate these properties will save 1,152 lifetime carbon tonnes, as each property has improved, on average, by 2 grades on its Energy Performance Certificate (EPC) – generally going from grade E to C – averaging 36 tonnes per property.

The very high initial response rate to this joint promotion clearly indicates that a proactive, partnership approach together with the Council's endorsement/branding is trusted and can significantly increase the level of interest and take up of such offers.

Following on from this pilot, the Energy service secured a deal to offer local home owners or those living in the private rented sector (with the landlord's permission) free cavity wall insulation and/or loft insulation (providing the dwelling has less than 60mm of insulation in the roof space currently). This offer is not means tested or subject to any qualifying benefits.

To date, this joint promotional campaign has resulted in 30 properties receiving free cavity wall insulation, delivering a total capital (installation) cost saving of circa £12,000, estimated fuel cost savings of around £4,200 per annum and a carbon saving of 24,930 Kg. In addition, 34 lofts have been insulated, saving circa £10,200 in installation costs and around £5,100 in annual running costs plus 2,210 KGs of Carbon.

A second joint mailing to coincide with the re-launch of a less generous GDHIF resulted in 22 additional solid wall insulation installations, with an additional total energy saving of at least £6,490 per annum for those 22 householders, capital cost saving of around £134,200 (£6,100/property) and annual carbon savings of an estimated 24,200 KGs.

Supporting Winter Warmth

Under the now defunct 'Winter Warmth 2013-2014' campaign funded by Nottinghamshire County Council, a small budget underspend (£23,100) was carried forward into 2014/15 on the understanding it would be utilised this winter to provide direct help to vulnerable households with inadequate heating or insulation to assist in carrying out immediate repairs/replacement where it is vital to the health of an individual and to assist in the reduction of excess winter deaths and targeting of fuel poverty.

So far this winter has been relatively mild and calls against this fund have been low. (It was decided not to advertise this element of the Winter Warmth offer due to the limited funds available.)

A gas-fired boiler was replaced using this fund in August 2014 at a cost of £1,330. The home-owner supported, although less than 60 years of age, has various long-term, life-limiting health conditions and, although experiencing fuel poverty, was not eligible for support under the HHCRO energy efficiency grant scheme.

In November 2014, the fund was also used to replace an old oil-fired boiler in the home of an elderly couple in their 80's, one of whom had recently suffered a stroke. Again,

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the homeowner did not fit the HHCRO criteria (they were not on Pension Credit and oil-fired boilers were not eligible for grant funding at the time) and had only very limited personal savings. The total installation cost was £3,151.

Both of these cases represented very vulnerable households living in fuel poverty with long-term health conditions likely to worsen due to living in inadequately heated homes. In both cases the homeowners expressed their sincere thanks and gratitude for the support received via Newark & Sherwood District Council and confirmed the increased comfort level within their homes has made a significant improvement to their general health and well-being.

Health & Housing

The home is a wider determinant of our health and wellbeing. An affordable, suitable, warm, safe and secure home is essential to a good quality of life and can prevent the need for costly clinical intervention yet almost 90,000 homes in Nottinghamshire do not meet these criteria.

Affordable warmth and poor housing conditions are, therefore, a key priority within the Delivery Plan for the Housing Chapter of Nottinghamshire's Joint Strategic Needs Assessment (JSNA), endorsed by the Health and Wellbeing Implementation Group (HWIG) on 21st January 2015. Delivery will be taken forward and monitored by the newly-formed Health and Housing Commissioning Group which is now a formal group within the County Health and Wellbeing Strategy umbrella.

Social Housing

The Council's Arms Length Management Company (ALMO), Newark and Sherwood Homes (NSH), has carried out extensive improvements to the energy efficiency of council housing stock over the last few years. The following list of initiatives provides an indication of the strategic investment since the last HECA report:

- 811 heating system/boiler replacements
- 1338 energy efficient external doors fitted
- 11 community centres upgraded with energy efficient/LED lighting
- 2 communal boiler houses replaced with more energy efficient systems
- 424 properties fitted with photo voltaic panels
- 20 air source heat pumps fitted (10 with complimentary solar thermal panels)
- 34 new properties built, 25 to Code 4 Standard

Using Green Deal and Energy Company Obligation funding, NSH has undertaken improvement works to 482 council-owned properties requiring external (solid wall) insulation. In addition (and as part of the same scheme) Westville also installed solid wall insulation to 290 privately-owned properties. (Grant funding attracted by NSH totalled £2,660,000)

2.9 The LAEP Communications Service (ongoing)

The community focused communications service is funded by an optional £1500 p.a. subscription per authority. (Newark & Sherwood District Council pays a reduced annual subscription of £900, which excludes access to the 'Fantastic Home' service outlined below.) The service provides advice and information on energy efficiency, sustainable energy and affordable warmth directly to communities, schools, local authority staff, businesses and the general public on behalf of the LAEP.

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The Communications Service has been collectively procured by Marches Energy Agency (MEA) through Service Level Agreements (SLA) since 2009 and provides a level and quality of delivery that would have been unaffordable for individual councils. Fifteen LAEP authorities participated between 2013 and 2015.

A core service provides:

- **A public facing website** www.everybodys-talking.org providing information on energy efficiency, sustainable energy, affordable warmth and community activity
- **A twitter account** with more than 170 followers
- **Monthly E-Bulletins** sent to more than 300 people representing more than 85 community groups and around 100 public and third sector organisations
- An **'Ask Me a Climate Question' Service** which allows community groups to request up to half a day's desk-based research from MEA. The service received 24 enquiries in 2013-14 and 18 by 6th Feb 2015
- LAEP annual **Eco Open Homes Event** aims to inspire householders to make eco improvements to their homes by visiting others who have already done so. In March 2013, 12 homes and other buildings in the area open their doors to more than 90 visitors; in 2014, 325 people visited 17 properties and the event is planned again for May 2015. The event has its own website: www.everybodys-talking.org/ecohomes

An additional tailored service enables councils to select additional services which best meet their needs; the most



popular is visits by the Fantastic Home, a **mobile energy efficiency**

exhibition, three times during the year to offer energy efficiency advice at community fairs, fetes, festivals, market days and busy shopping areas (see photos). Other activities have included presentations at Landlord Forums, workshops at community conferences, workshops for local authority staff, and briefings for elected members. In 2013-14, 1424 people engaged with the Fantastic Home vehicle.

MEA also seeks funding for other projects in the area and during 2013-14 secured funding totally £28,130 for other energy efficiency focused work in the area.

Supporting Community Groups (ongoing)

The Community Climate Action Network (CCAN) offers a number of free services to climate-change focused community groups in Nottinghamshire and Derbyshire. Currently more than 300 people, representing more than 80 groups, plus a range of third sector organisations, make use of the Network which offers:

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- Free monthly e-bulletins packed full of the latest local and national news on tackling climate change, peak oil and energy issues.
- Facebook and Twitter account: @CCANNetwork
- Factsheets on a variety of climate change/energy related topics
- Free 'Ask Me A Climate Question' Service.

Groups such as Newark Transition are members of CCAN and raise awareness of Peak Oil issues within the local community.

Newark & Sherwood District Council's Energy service, in partnership with MEA, organised two local energy awareness training sessions in November 2014 (one for frontline staff and one for delivery partners) using funding secured under the Big Energy Saving Network initiative.

The well-established Hockerton Housing Project in Newark & Sherwood District continues to invite visitors to see its range of energy efficient homes and renewable energy technologies, promoting sustainability.

3.0 Looking Ahead (2015 – 17)

LAEP plans and aspirations during the next HECA period:

- Deliver, monitor, improve and evaluate Derbyshire Warm Homes programme with a view to secure continued revenue funding for staff beyond the current project time frame of September 2016. The LAEP will further engage with the CCGs in Derbyshire to demonstrate the impacts of affordable warmth interventions on health outcomes and costs, aiming to secure NHS funding in future for preventative support for high risk patients.
- Design, agree and secure funding and support for a Nottinghamshire health and housing programme, working closely with CCG and Public Health colleagues.
- Strive to offer affordable warmth support to a larger proportion of vulnerable fuel poor households - not just those with existing health conditions - through innovative funding and partnership arrangements, building on the success and expertise gained through the health and housing programmes.

In addition to the on-going activities outlined in section 2 of this report, Newark & Sherwood District Council will also:

- Develop a local delivery plan in response to the new Fuel Poverty Strategy for England (anticipated Spring 2015)
- Learn from the Derbyshire Warm Homes programme (and other 'boiler on prescription' type pilots being undertaken around the Country) with a view to selecting and incorporating the best elements into an Ashfield, Mansfield and Newark & Sherwood wide pilot programme to align with the mid Nottinghamshire CCG planning area which has already received support from the newly-formed Newark & Sherwood Health Forum (Jan 2015).
- Build strong working relationships and trusted networks with key local stakeholders such as Newark & Sherwood Clinical Commissioning Group and Nottinghamshire Public Health with a view to developing collaborative joint initiatives that address common goals such as reducing fuel poverty, health inequalities and excess winter deaths
- Investigate possible joint venture opportunities with other potential funding/delivery partners in the public, private and not-for-profit sectors
- In light of the dynamic landscape, continually review the Energy service to ensure it remains fit for purpose.

For further information about the contents of this report, please contact:

Helen Richmond, Newark & Sherwood District Council (helen.richmond@nsdc.info and 01636 655 418) or Rina Jones, LAEP Manager (Rina.jones@derbyshire.gov.uk 01629 536130)

HOMELESS PREVENTION STRATEGY 2013-2018 - ANNUAL UPDATE REPORT

1.0 Purpose of Report

1.1 This report aims to provide an update on the delivery of the Homelessness Prevention Strategy Action Plan, against its core objectives.

2.0 Background Information

2.1 The Homelessness Prevention Strategy 2013-2018, which is a statutory requirement, sets out how the Council will tackle homelessness in Newark and Sherwood by working with a range of partner agencies. The strategy and subsequent action plan has been produced as a result of joint work between a range of agencies in Newark and Sherwood and is the product of the hard work from the Homelessness Interagency Forum and the Councils Housing Options Business Unit.

2.2 The action plan forms the backbone of our strategy and is a working document. It is therefore subject to change to reflect the ever-changing needs of the district and to align with legislation and government agendas. Any amendments made to the action plan are taken to the Homeless Interagency Forum as governance of the strategy and all agreed actions are tracked accordingly.

2.4 The overall aim of the strategy is to prevent homelessness, wherever possible, and to provide skilled help at the point of homelessness by providing an accessible, modern and effective Housing Options response with a wide range of partners and to develop effective partnerships, as a vehicle for providing a complete and holistic service.

2.5 As a result of a comprehensive homelessness review carried out in 2013; there are ten major objectives within the strategy, below gives the overall delivery status for each of these. Pleasingly you will see that all are on target.

OBJECTIVES	RAG STATUS
1. Access to affordable housing in the private rented sector and in social housing is improved	Green
2. The impact of welfare reform is managed so that the risk of homelessness is reduced	Yellow
3. More people approach information and advice services for help at an early stage	Yellow
4. Fewer people become homeless as a result of debt	Green
5. Fewer young people become homeless or remain homeless	Green
6. Fewer people are rough sleeping	Green
7. More people with complex needs are able to access the accommodation and support they need	Green

8. Homeless people access the health services they need	
9. Make best use of existing Temporary Accommodation stock	
10. Improving Inter Agency working	

Green status signifies no issues, progress on target
Amber status signifies some issues but still on target
Red status signifies issues and action not progressing

3.0 Actions to date

3.1 There is a great deal of collaborative work running alongside council and partner activities, which contribute to delivery of the above. Some examples are detailed below:

3.2 RealHome (previously MARS) – Contributing Towards Objective 1

3.2.1 After the successful one year pilot with Mansfield DC to roll out their privately rented access scheme (MARS) into the Newark and Sherwood area, the Housing Options Business Unit have now employed a full time Landlord Liaison Officer to develop the service further. The scheme has been re-branded RealHome and is being re-launched. The scheme will assist the council to prevent homelessness and to allow the discharging of the council's homelessness duty into the private rented sector, with support being provided to both the landlord and tenant (by a new Tenancy Support Officer), to ensure tenancy sustainability. There are currently 9 properties within the scheme; the aim is to have a total of 19 properties by the end of September 2015.

3.3 Debt Advice Project – Contributing Towards Objective 4

3.3.1 The Council and NSH jointly commission a specialist debt service with Sherwood and Newark CAB to provide a community based debt and income maximisation service to support customers and potential customers of the Councils Housing Options service and tenants of NSH to prevent homelessness. To date the CAB has received 183 referrals for the service from varying agencies. 112 households have been assisted to the point that homelessness was prevented, therefore negating the need for a statutory homeless application to be made to the Council as a result of debt. 27 of the homeless preventions recorded could have led to a potential eviction from a NSH tenancy without this independent intervention.

3.4 Severe Weather Emergency Provision – Contributing Towards Objective 6

3.4.1 A large amount of effort has been put into a volunteer recruitment campaign to help run the council's Severe Weather Emergency shelter for rough sleepers in times of severe weather. 28 council volunteers have been recruited to man the shelter on a rota basis. In order to ensure volunteers are adequately trained, a volunteer passport scheme has been created with partners of the Newark and Sherwood Advice Hub. Delivery of relevant training was established by creating five core training modules. Evaluation of this pilot project could provide a basis to determine whether there is scope to develop a local district wide volunteer skills course programme in the future.

- 3.4.2 To date, the shelter has been open 11 nights and used by 5 rough sleepers, 1 of which has been relocated back to their home town of Coventry and thereby prevented from returning to the streets and the other 4 are the subject of multi-agency intervention/actions.
- 3.5 Delivery of Training to Help Homeless People Access the Health Services They Need – Objective 8.
- 3.5.1 Within the Delivery Plan (under Priority 3 – Homelessness and Housing Support) for the Housing Chapter of the Joint Strategic Needs Assessment (which was adopted in Jan 2015), is an action to work in partnership with CCG's and GP surgeries to carry out housing training with front line surgery staff, with a view to targeting homelessness prevention and housing support at hard to reach groups, by December 2015. It is proposed that this is taken forward by the newly formed Housing Commissioning Group, which is now a formal group within the County Health and Wellbeing Strategy umbrella to take forward the Housing Delivery Plan. The Housing Options Business Manager attends this group.
- 3.6 Capital Works to Wellow Green – Contributing Towards Objective 9
- 3.6.1 Improvements are currently being undertaken to the Council's temporary accommodation provision at Wellow Green, Ollerton to bring the units up to an acceptable HHSRS standard. The works commenced in November 2014 and include the renewal of the heating system to a more energy efficient and controllable system with heat provided in all rooms, loft insulation, new kitchens and bathrooms, electrical and fire upgrades and new doors and windows. 8 of the 10 units have been completed; full completion is expected by the end of March.
- 3.6.2 Members consulted in the use of the urgent procedure rules to allow for the decision to be taken to vary the housing capital programme to allow for these works to be carried out were Councillor Blaney, Councillor Lloyd and Councillor Truswell in October 2014.
- 3.7 Joint Homeless Interagency Forum - Contributing Towards Objective 10
- 3.7.1 Due to the stretch on resources and the similarity in outcomes within the Newark and Sherwood and Mansfield DC strategies, the decision was taken to amalgamate the council's two forums and create a joint Homeless Interagency Forum in October 2013. Working groups supporting objectives 4 and 6 have been agreed to carry out profiling, identification of gaps, concerns for the future and recommendations for partner action.
- 3.8 Informing the Strategy - Homeless Watch 2013
- 3.8.1 NSDC have continued to participate for the last ten years to the county wide Homeless Watch Survey, which is highlighted as best practice, to identify patterns and trends in Homelessness, analyse and understand the levels of homelessness and the needs of homeless people in Nottinghamshire to inform policy-making and the development and delivery of services for homeless people.

3.8.2 The main headlines from this year's survey identifies that there is still a high proportion of women presenting as homeless, mental health is the most commonly reported support need, discharges from hospitals as homeless have increased and low numbers of people are receiving support in relation to their needs.

4.0 Monitoring the Outcomes

4.1 It is the responsibility of the Council's Housing Options Business Unit, working with the Homeless Interagency Forum to ensure that we track targets, actions and outcomes and subsequently report effectively to relevant senior managers and committee members. To help in this process, we ensure that those people or agencies that take on lead roles are supported.

4.2 Newark and Sherwood DC and Mansfield DC have also created an additional sub-regional action plan, which identifies commonalities and key areas of joint work, which will be of benefit to the residents of each district and the authorities themselves in terms of delivering efficient and effective services. This action plan is also governed by the joint Homelessness Interagency Forum and the Terms of Reference for this group have been updated.

5.0 Equalities Implications

5.1 To make sure the effects of the policy meet the needs of people in respect of age, disability, gender, race and the wider quality areas. An Equalities Impact Assessment (EIA) was carried out on the Homelessness Prevention Strategy in July 2013.

5.2 The assessment identified a positive or nil impact on all groups, however, measures have been suggested to mitigate potential future inequalities and ensure customers continue to access the service. The actions that have been identified will be incorporated into the action plan which supports the strategy over the next five years.

6.0 Impact on Budget

6.1 There are no additional costs for the Council arising from this progress report.

7.0 RECOMMENDATION

That the Committee consider any comments it may wish to make on the information set out in the report and the delivery of the Council's Homelessness Prevention Strategy and Action Plan 2013-2018.

Background Papers

Homelessness Prevention Strategy and Action Plan 2013-2018

For further information please contact Leanne Monger, Business Manager - Housing Options, Energy and Home Support on extension 5545.

Matthew Finch
Director – Customers.

REVIEW OF NSDC EMERGENCY PLAN

1.0 Purpose of Report

1.1 To update Members regarding the reviewed NSDC Emergency Plan

2.0 Background Information

2.1 The NSDC Emergency Plan has been updated as part of the review procedure and this report outlines to members the changes that have been made, as well as gives a general update on Emergency Planning at the council.

3.0 Emergency Plan

3.1 The NSDC Emergency Plan is an overarching document that outlines roles, responsibilities and actions for management and staff within the council. It supports the Local Resilience Forum Plans that provide information on specific issues, for example Severe Weather Plans and Pandemic Illness Plans.

3.2 Although traditionally the NSDC Emergency Plan was a lengthy document, we have taken steps to reduce the document down into a more useable framework and it is attached at appendix A. The plan is also supported by several appendices that give advice on issues such as setting up the Emergency Control room, how to access the Sky drive for back up information and a communications plan (these have not been attached as these are not externally available documents). This allows people, in an emergency to find the information they need in a more timely manner.

3.3 Along with this, training and reviewing of Emergency procedures has been carried out. During February 2015, a full Rest Centre exercise took place in the Dukeries Leisure centre, with an aim of testing procedures and also training staff. The day involved over 150 members of staff and community members acting as evacuees and ran from 8.30am to 4.00pm and involved many different agencies. The exercise has not been fully de-briefed yet but was well managed and ran well, although some gaps were identified which need to be addressed.

3.4 NSDC Staff have also been trained on an updated emergency logging system (AIM's). The administration staff and call handlers who were trained would be required during an incident to assist CMT and Emergency Planning staff to deal with incidents, taking calls and giving support to the community..

3.5 Emergency Planning staff and some members of CMT have also attended training sessions with the Local Resilience Forum over the past 12 months to ensure they are fully aware of their roles and responsibilities as a category 1 responder. Communications staff has also attended a county wide emergency exercise to gain knowledge of the wider structures and systems around the county.

3.6 NSDC also continues to act as the county lead for District and Boroughs for the Local Resilience Forum. Other district and boroughs support this financially and means that our expertise is recognised and we have the most up to date information at all times.

4.0 Emergency Planning Going Forward

4.1 Over the next 12 months there are a number of projects and reviews that will be taken forward. NSDC, along with Ashfield District Council, have a principle role in Emergency Mortuary Plans for the region and we will be working to set up some forward liaison teams from our current staff to support this. This will involve some additional training to staff identified with the necessary skills and will be carried out with staff from Ashfield and the County Council

4.2 The Emergency Planning team will also be considering any gaps or actions from recent exercises and ensuring that where changes to plans need to be made, this will be done.

4.3 Emergency Planning staff have also been supporting Flood Risk Communities to ensure better resilience in the case of any future flood. This has included, and will continue over the next six months, the administration of the Flood Grant Scheme.

4.4 Additionally the team will be researching new emergency planning software. Although the AIMS system is fit for purpose, the system back up and support has been found to be lacking. This is because the company behind the program lost a major contract and the subsequent reduction in staffing has meant that ICT support for it has been difficult. We are investigating whether alternative systems could be used.

5.0 RECOMMENDATION

That the Committee note the report and the actions taken

Background Papers Nil

For further information please contact Lisa Lancaster on Extn. 5232

Karen White
Director - Safety



Newark and Sherwood District Council Generic Emergency Plan

Author: Emergency Planning Team

Owner: Community Safety

Version: Version 3, February 2014

Approved by: < Insert details once approved >

Review Date: February 2015

Amendments

Date	Amendment and Reason	Section
11/01/2012	Annual Update to include continuing changes in council structure and services	All
05/02/2013	Annual Update to include continuing changes in council structure and services	All

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Section 1 Document Control and Distribution

1.1 Version Control

Please ensure you have the most up-to-date version of this document. Recognised recipients will only be notified of updates by email. Please notify the Emergency Planning Team of any changes to your email address.

The latest version of this document is available online via the Newark and Sherwood District Council website and through the publication scheme.

Any queries regarding this document should be directed to the Emergency Planning Team.

Telephone: 01636 650000

Email: Emergencyplanning@newark-sherwooddc.gov.uk

1.2 Distribution

The following people have access to this plan.

Newark and Sherwood District Council (NSDC)

- Corporate Management Team
 - Chief Executive
 - Deputy Chief Executive
 - Director of Safety
 - Director of Community
 - Director of Customers
 - Director of Resources
- Business Unit Managers
 - Community Safety
- Emergency Planning Team
 - Emergency Planning Officer
 - Safety and Risk Management Officer
 - Emergency Control Room
- Local Authorities
 - Nottinghamshire County Council

Section 2 Introduction

2.1 Overview

Major emergencies seldom happen, however when they do they can often have a big impact. It is therefore essential that we plan and are prepared, enabling us to be ready to respond swiftly and effectively.

In 2001 following the fuel crisis, the foot and mouth epidemic and the floods of 2000, the Government undertook a comprehensive review of the emergency planning function throughout England and Wales.

This resulted in the development of the Civil Contingencies Act (2004). The CCA sets out roles and responsibilities of responding organisations dividing responders into two categories; Newark and Sherwood District Council is a Category 1 responder.

Newark and Sherwood District Council has seven duties in relation to the CCA, these include:

- Undertake risk assessments
- Put in place emergency plans
- Warn and inform the public
- Cooperate with local partner agencies
- Share information with local partner agencies
- Put in place business continuity arrangements
- Business continuity promotion for local businesses.

No two emergency incidents will be exactly alike, therefore Newark and Sherwood District Council's Emergency Plan is designed to be generic, so that it can be used in a variety of situations and where necessary link in with other activated plans.

Newark and Sherwood District Council works in conjunction with the emergency services and other organisations before, during and after a major emergency, through the Local Resilience Forum (LRF).

2.2 Aim

The aim of this plan is to outline the arrangements in place for co-ordinating and managing the response of Newark and Sherwood District Council to an emergency.

2.3 Objectives

- Detail Newark and Sherwood District Council management principles for emergencies
- Outline roles and responsibilities of those with specific duties in managing Newark and Sherwood District Council's overall response
- Outline the activation criteria and alerting procedure for responding staff
- Outline how Newark and Sherwood District Council are preparing for emergencies
- Identify training needs and expectations.

2.4 Links to Other Plans

This plan links to the following plans held by Newark and Sherwood District Council and the Local Resilience Forum:

- Newark and Sherwood District Council Corporate BC Plan
- Newark and Sherwood District Council Communications Plan
- Newark and Sherwood District Council Emergency Control Room Manual
- LRF Nottingham and Nottinghamshire LRF Flood Response Plan
- LRF Newark and Sherwood District Council Local Flood Response Plan

2.5 Additional Information

This plan is one of a number of documents needed when responding to emergencies. As this is a public facing document, confidential information will be distributed as and where necessary in the Emergency Planning and Response Pack.

2.6 Information Governance

Newark and Sherwood District Council is subject to the following legislation:

- The Data Protection Act 1998
- The Freedom of Information Act 2000
- The Equality Act 2010
- Environmental Information Regulations 2004

For more information on Newark and Sherwood District Council's legal responsibilities when responding to an incident, please contact a member of the Emergency Planning Team.

Section 3 Preparing for Emergencies

3.1 Corporate Management Team

Overall responsibility for Newark and Sherwood District Council's preparation and response to emergencies lies with the Corporate Management Team (CMT). The Corporate Management Team supports the planning, preparation and response work of the Emergency Planning Team.

3.2 Business Managers

Business Managers are responsible for ensuring their business continuity plans are up to date and relevant. This includes contact details for their teams, ensuring their staff are aware of the Business Continuity plan.

3.3 Emergency Planning Team

The Emergency Planning Team coordinates emergency planning and business continuity management for Newark and Sherwood District Council. The Emergency Planning Team maintains a list of 24 hour contact numbers for key individuals and business units in Newark and Sherwood District Council. This is available with the Emergency Planning and Response Pack.

3.4 Multi-agency Planning and Preparation

The following paragraphs are a brief guide to the various levels of multi-agency planning in Nottinghamshire. For further information, please see the Local Resilience Forum website, www.nottsprepared.gov.uk

3.4.1 The Local Resilience Forum is the strategic level emergency planning group for Nottinghamshire. It meets on a frequent basis to discuss emergency planning and preparation work that is being undertaken amongst all the responders in the County. This group forms the basis for the strategic coordinating group in an emergency.

3.4.2 The Resilience Working Group is the tactical level emergency planning group for Nottinghamshire. This group meets regularly and considers suitable means of undertaking the emergency planning and preparation work deemed appropriate by the Local Resilience Forum. It then tasks members with carrying out this work. This group forms the basis for the tactical coordinating group in an emergency.

3.4.3 There are numerous operational level groups that undertake work for specific issues. Membership of the operational groups is varied dependent upon the specialisation of the group.

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Section 4 Responding to Emergencies

4.1 Activation Criteria

Initial notification that an incident has occurred will normally come from Nottinghamshire County Council's Emergency Planning Team, who will contact Newark and Sherwood District Council's Emergency Planning Team to make the district aware of the incident. Upon receiving this information, the Community Safety Business Manager or the Emergency Planning Officer will inform the Chief Executive or Deputy.

The Chief Executive will make the decision whether to activate this plan. If the Chief Executive is unavailable, another member of CMT will make this decision. The Emergency Planning Team will initiate the call out to cascade information to necessary staff/business units, arranging for available support staff to assist in the cascade where possible.

Responsibility for notification of relevant individuals or organisations is outlined in Figure 1.

4.2 Activation and Alerting Procedure

4.2.1 Members of the Emergency Planning Team, on initiating the call out, will make clear what staff are required to do. This may include attendance at the Emergency Control Room or it may be to call out and deploy further staff.

4.2.2 It is particularly important to use common terminology during alerting to avoid confusion. The following table indicates what action to take when receiving these alerts:

Alerting	Involves notifying staff that an incident has taken place, but no action is necessary at present.
Standby	Involves notifying staff that it is possible that they will be needed to respond to an incident.
Activate	Involves staff being told that they are required to carry out relevant actions in response to an incident.

4.2.3 It is important to keep a record of which members of staff have been informed and what level of response they are. All staff involved should be advised of the necessity of keeping a personal log of decisions made and of actions taken throughout the incident.

4.3 Emergency Control Room

There is an operational plan for the Emergency Control Room giving details of the arrangements in place for opening and managing the room during an emergency. In addition to this, Newark and Sherwood District Council may send a representative to site to assist with the liaising of information between the two bases.

4.4 Stand Down

4.4.1 The Chief Executive or nominated person will make the decision when to stand down the emergency response and operation of the Emergency Control Room. Although the response phase may have ended, Newark and Sherwood District Council may be involved in the recovery phase for some time. Newark and Sherwood District Council will lead the Recovery Coordinating Group under the guidance of the LRF Recovery Plan, however when an incident affects more than one district/borough council, Nottinghamshire County Council will lead.

4.4.2 Following an incident, the Emergency Planning Team will request that documents and logs relating to the response, be handed in to the team for use in any inquiry or investigation.

4.5 Debrief

Following the activation of an incident, an internal debrief should be held to capture any lessons learned, which should be fed back into the planning process. A multi-agency debrief will also be held to look at the overall response and recovery.

4.6 Staff Welfare

4.6.1 It should be considered that a staggering of shifts would be appropriate for certain roles when responding to an emergency to allow for some continuity of staff. It is vital that staff brought in to assist with the response do not overwork themselves; it is the responsibility of the Incident Manager (or Deputy) to ensure that a shift/rota system is put in place for the duration of the incident.

4.6.2 Staff welfare is of primary importance during an emergency. Responding to an emergency can be a stressful experience and it is important that staff receive the necessary support to enable them to do their job effectively.

4.6.3 Should the need arise, counselling services are available within the Council, however additional services will be utilised as and when required. This is referred to in the Council 'Stress Management Policy'. Following an incident there will be a full incident debrief which will consider staff welfare, and relevant managers will be requested to monitor staff involved in case of any stress related issue caused.

4.7 Mutual Aid

In the event that the emergency situation develops to a scale outside the response capabilities of Newark and Sherwood District Council alone, the Chief Executive or Deputy will request mutual aid from Nottinghamshire County Council. In the event of a wide-scale incident, affecting a number of district/boroughs, Nottinghamshire County Council will take the lead role for the response.

4.8 Recovery of Costs – The Bellwin Scheme

The Bellwin Scheme, designed to provide financial assistance to Local Authorities in emergencies, was established under the Local Government and Housing Act 1989, Section 155. This Section of the Act became effective on 1st April 1990.

The basic principles of the scheme are:

- Expenditure should be on immediate works to safeguard life and property or to prevent suffering or severe inconvenience (rather than long-term repair or reconstruction)
- There is an expenditure threshold up to which Local Authorities are expected to have budgeted
- Above this threshold, the Local Authority has to find a small proportion of the expenditure. Normally insurable expenditure is not covered
- Expenditure will be cumulative for the purpose of the threshold if the Bellwin Scheme is activated more than once per year in any Local Authority area.

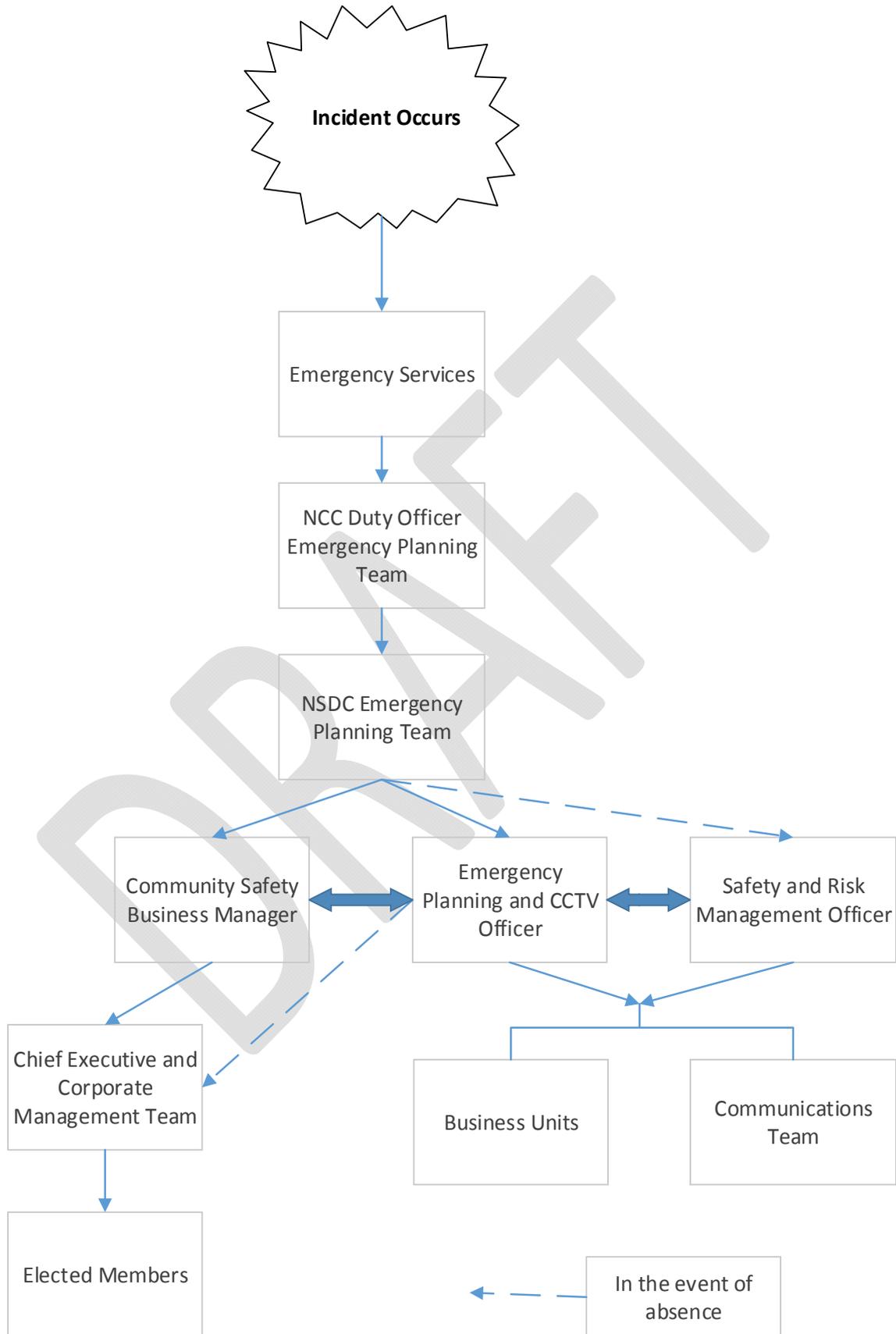
For weather-related emergencies, a decision as to whether to activate the Bellwin Scheme will be based on:

- Weather conditions and damage sustained which were clearly exceptional to local experience
- During an emergency, the Director of Resources would be responsible for initiating the Bellwin Scheme

- A sheet is available for recording any expenditure that could be claimed as a result of an emergency incident.

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Figure 1 – Alerting and Activation Flow Chart



Section 5 Roles and Responsibilities

5.1 Chief Executive

The role of the Chief Executive or Deputy is to provide a link between the Corporate Management Team and the Emergency Planning Team who will be managing the overall response and deployment of resources for Newark and Sherwood District Council to the emergency.

This may involve:

- a. Activating this plan
- b. Calling an extraordinary meeting of the Corporate Management Team
- c. Authorising expenditure and resources over and above day-to-day levels
- d. Formally issuing information to members of staff
- e. Taking a spokesperson role for the media as and when required
- f. Attending the Multi-agency Strategic Coordinating Group meetings as required.
- g. Liaising with Elected Members
- h. Ensuring a record of key decisions and actions is kept.

5.2 Director of Safety

The role of the Director of Safety, or nominated Director, is to lead the work undertaken by the Emergency Planning Team in response to the emergency.

This may involve:

- a. Responding out-of-hours as necessary
- b. Liaising with the Emergency Planning Team
- c. Ensuring that clear aims and objectives are set to give direction and priority to Newark and Sherwood District Council's response to the emergency
- d. Leading the overall response of Newark and Sherwood District Council
- e. Managing/authorising deployment of staff and resources
- f. Ensuring that Newark and Sherwood District Council's critical services continue throughout the emergency response
- g. Initiating the recovery planning process at an early stage of the response
- h. Ensuring a record of key decisions and actions is kept.

5.3 Community Safety Business Manager

The role of the Community Safety Business Manager is to coordinate the response of the Emergency Planning Team and provide guidance and support to chief officers.

This may involve:

- a. Providing one-to-one support to the Chief Executive (or Deputy) attending the Strategic Coordinating Group meetings
- b. Overseeing the role of the Emergency Planning Team
- c. Acting as an advisor and assistant to the Director of Safety or nominated Director
- d. Nominating a Deputy in their absence
- e. Identifying key risks and issues which need to be passed to the Corporate Management Team
- f. Acting as a 'spokesperson' for Newark and Sherwood District Council as required
- g. Ensuring a record of key decisions and actions is kept.

5.4 Emergency Planning Team

The Emergency Planning Team provides support and guidance to Newark and Sherwood District Council during an emergency. During an emergency, the Emergency Planning Team will work closely with internal business units to support the response to the emergency by providing direct advice, guidance and assistance.

This may involve:

- a. Initiating the call out procedure for Newark and Sherwood District Council staff
- b. Maintaining contact with relevant business units and providing advice and guidance as necessary
- c. Providing support to the Newark and Sherwood District Council representative at the Tactical Coordinating Group meetings or acting as the representative if necessary
- d. Attending the scene of the emergency to provide a liaison point
- e. Opening and managing the Emergency Control Room
- f. Coordinating internal business unit resources
- g. Sharing information and cooperating with multi-agency partners
- h. Facilitating the recovery process
- i. Ensuring a record of key decisions and actions is kept.

5.5 Business Managers

- a. Support management of emergency dependent upon incident and coordinated through the Incident Manager and Director, e.g. temporary accommodation, street clean up, Environmental health advice
- b. Critical services activate their Business Continuity Plan
- c. Non critical services release staff to assist with the response where possible
- d. Support in the cascade of information to staff.

5.6 Communications Team

- a. Manage the Council's website, Twitter and Facebook pages
- b. Deal with queries from the media regarding an incident
- c. Participate in multi-agency press officers' meetings.

5.7 Elected Members

The Leader and Deputy Leader will be briefed by the Chief Executive (or designated Deputy) on the emergency situation and the activities initiated by the Council in response. Thereafter they will be kept up to date and informed of developments where appropriate by the Chief Executive.

5.8 Newark and Sherwood District Council's Representative at the Strategic Coordinating Group (SCG)

If a Strategic Coordinating Group is called and the incident has occurred outside our district, it will be necessary for Newark and Sherwood District Council to send a representative. This would normally be the Chief Executive or Deputy, who may be supported by the Community Safety Business Manager.

This may involve:

- a. Attending Strategic Coordinating Group meetings at a multi-agency coordination centre
- b. Making strategic level decisions on behalf of Newark and Sherwood District Council
- c. Briefing the Director of Safety and Community Safety Business Manager on the outcomes of the meetings
- d. Carrying out a handover briefing to another Newark and Sherwood District Council representative for the Strategic Coordinating Group

- e. Ensuring a record is kept of key decisions and actions agreed on behalf of Newark and Sherwood District Council.

5.9 Newark and Sherwood District Council's Representative at the Tactical Coordinating Group (TCG)

Like the Strategic Coordinating Group representative, the Tactical Coordinating Group representative will normally be a Service Director, Community Safety Business Manager or a nominated Business Manager. They may be supported by a member of the Emergency Planning Team.

This may involve:

- a. Attending Tactical Coordinating Group meetings at a multi-agency coordination centre
- b. Making tactical level decisions on behalf of Newark and Sherwood District Council
- c. Briefing Strategic Coordinating Group representative on relevant outcomes and actions (if appropriate)
- d. Carrying out a handover briefing to another Newark and Sherwood District Council representative for the Tactical Coordinating Group
- e. Ensuring a record is kept of the key decisions and actions agreed on behalf of Newark and Sherwood District Council.

5.10 Newark and Sherwood Homes

Newark and Sherwood Homes Ltd is the Council's wholly owned housing company which manages the Council's housing stock. Although the Company is not classed as a Category 1 responder in its own right, there will be times during an emergency when the Company will work closely with Newark and Sherwood District Council in supporting the community. The Council and the Company have an agreed protocol setting out their respective roles during an emergency, engagement between the two bodies and joint working.

This may include:

- a. Supporting tenants who have been made temporarily homeless due to flooding or other emergency situations
- b. Working with the council to support vulnerable tenants during emergency situations such as heat waves or water shortages
- c. Assisting with communication to ensure residents are warned and informed during emergency incidents.

Newark and Sherwood Homes have developed their own emergency plan which outlines their roles and their communication strategy to their tenants during an emergency incident.

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Section 6 Training, Exercising and Maintenance

6.1 Overview

The overall responsibility for the review, testing and exercising of this plan will be held by the Emergency Planning Team. This plan will be reviewed on an annual basis, with a full review every three years.

6.2 Training needs arising from this plan

The following training needs have been identified, for those with specific roles in this plan. These will also apply to Business Unit staff nominated to support the corporate emergency response, although the knowledge required will be less detailed.

- Knowledge of the general principles of emergency planning and business continuity
- Knowledge of the Generic Emergency Plan and specific roles within it
- Knowledge of the emergency planning arrangements in Nottinghamshire
- Knowledge and skills for working in the Multi-agency Tactical and Strategic Coordinating Groups
- Knowledge of the Emergency Control Room Plan
- Skills for using the software and equipment provided in the Emergency Control Room.

The training which will cater for these needs is detailed below.

6.3 Multi-agency training

The following training courses are provided by the Local Resilience Forum:

- General emergency planning awareness
- Tactical and Strategic management of incidents.

Further information regarding this training is available from the Emergency Planning Team.

6.4 Newark and Sherwood District Council Training

The following training courses are provided by the Emergency Planning Team:

- Generic Emergency Plan/Emergency Control Room training
- Training on software packages and equipment used in the Emergency Control Room

- Loggist training.

Nominees for courses are usually arranged through the Emergency Planning Team.

6.5 Exercises

An exercise to test this plan will be carried out before the full review every three years. For further information, contact the Emergency Planning Team.

6.6 Equalities and Impact Assessment

6.6.1 Newark and Sherwood District Council believes it has a leading role to play in promoting equal opportunities and in valuing diversity within our communities, as employers and providers of services to the people throughout the district and its visitors.

6.6.2 The Civil Contingencies Act 2004 states that any emergency planning must have regard to the 'Vulnerable' members of a community (people who are less able to help themselves in an emergency situation and people who are likely to require special assistance in taking appropriate actions). The guidance to the Civil Contingencies Act 2004 suggests that there are three broad categories of those considered vulnerable:

- Those who, for whatever reason, have mobility difficulties, including people with physical disabilities or a medical condition and even pregnant women
- Those with mental health difficulties; and
- Others who are dependent, such as children.

6.6.3 In addition to the requirements of these groups, other needs may arise including faith/cultural requirements, assistance with language barriers and so on.

6.6.4 It is the intention of Newark and Sherwood District Council that all personnel who are responsible for the planning and implementation of emergency plans will have undertaken appropriate Equality and Diversity Awareness training.

6.6.5 With these points in mind, during the preparation of this plan and when considering the roles and responsibilities of all agencies and staff involved,

care has been taken to promote fairness, equality and diversity in the services we deliver.

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Section 7 Information Management

7.1 Logs and Records

7.1.1 It is vital that a proper record of events is established and maintained by colleagues involved in the response to an incident. Accurate information about what has happened will be essential during the recovery phase and for use in any future inquiry.

All information should be logged, including:

- a. Any information concerning the incident
- b. The rotation and working hours of colleagues, attendance logs
- c. Decisions or actions resulting in financial expenditure or incurring costs
- d. Telephone calls, faxes and enquiries and actions taken
- e. Any incidents involving colleagues, evacuees, voluntary workers or others involved in the incident response.

7.1.2 The need for accurate information cannot be over-emphasised. It will be required for interim reports - to allow appropriate actions to be planned, for final reports and debriefing sessions - to consider the lessons learned and necessary changes to the existing procedures. Information may also be required for future public inquiries, which may not take place for several months or years.

7.1.3 All information entered or used during an incident, whether in electronic or hard copy format, should be collated after the incident under the direction of the Corporate Management Team. This information will be filed in a secure location for future reference. These records will normally be held for a period of six years and then disposed of. However, if any issue from the incident is still outstanding, records will be kept until they are no longer required. This process will be under the direction of the Corporate Management Team who will take appropriate advice to determine how long records should be kept.

7.2 Preservation of Documents

7.2.1 In the event of a major incident it is imperative that all documentation, both historic and current, is preserved. Evidence may be required for:

- A judicial enquiry
- A coroner's inquest
- The police

- A civil court hearing compensation claims.

7.2.2 It is vital that a proper record of events is established and maintained by staff involved in the response. Accurate information about what has happened, where and when, will be vital during the recovery phase and for use in any future inquiry. Incident logs must be used to record key conversations, actions, decisions and financial transactions.

7.2.3 Under no circumstances must any document that relates, or may in any way relate, to the incident be destroyed, amended, held back or mislaid. For these purposes 'documents' means not only pieces of paper but also photographs, audio/video tapes and information held in electronic format (e.g. on a hard drive or in an email).

7.2.4 All documents are to be preserved in the condition in which they were used. Steps should be taken to identify and secure all such documents and arrangements made in case these need to be collated and inspected.

7.3 Briefings

7.2.1 The briefing of colleagues is essential to ensure an effective response to any incident. It should be carried out by the Incident Manager or their nominated Deputy. Briefings should take place at the start of the incident, after significant developments, or when it is considered prudent to do so and also at shift changes.

7.2.2 The Corporate Management Team or the Incident Manager will need to decide on the most effective briefing method. This is dependent on how the incident is progressing, which balances the need of the internal business unit representatives to be in contact with their business unit against the need of Emergency Control Room colleagues to come together to share information, create a common understanding, make decisions and agree tasks.

HEALTH & SAFETY – UPDATE REPORT

1.0 Purpose of Report

1.1 To update Members regarding health and safety compliance within the Council.

2.0 Background Information

2.1 Since the last report, there have been a number of reviews and updates to Health and Safety plans and procedures to ensure ongoing compliance. The following are significant items undertaken.

3.0 Health & Safety – Work/Projects/Initiatives

3.1 To ensure that all levels of management have been provided with appropriate training Senior Executive health & safety training has been provided to members of CMT. The purpose of this training was to ensure members of CMT understood their legal duties for Health and Safety compliance within their respective Directorates and that health and safety was suitably managed at a strategic level.

3.2 Additionally 21 employees attended an in house IOSH working safely course. This course was specifically aimed at supervisors and duty managers and required them to attend a one day course and successfully complete an externally marked examination. All 21 delegates were successful and attained the qualification. This will assist Business Managers of higher risk services, who have already undertaken a two week IOSH Managing Safely Course, to ensure compliance with health and safety issues.

3.3 An asbestos management review of the Grove and Dukeries leisure centre, Kelham Hall, the Bridge community centre and the Museum's collection located within the resource centre has been undertaken. In addition to the review local asbestos management plans were subsequently produced for the Grove and Dukeries Leisure centre, Kelham Hall basements and the museum's collection.

3.4 Fire risk management has been reviewed at a number of sites. This has resulted in the production of 4 site specific fire risk assessments and the implementation of a new fire evacuation procedure at Kelham Hall. The implementation of the new fire evacuation procedure required that all nominated fire wardens attended specific training relating to the operation of the newly installed TAG EVAC evacuation system.

3.5 An external audit of the council's legionella management systems is currently being undertaken.

3.6 Elected members Health & Safety guidance has been reviewed and updated. This has now been agreed and included within the Elected Members Handbook.

- 3.7 Visitor/contractor safety procedures have been reviewed and up dated. This update includes improved procedures relating to safety of visitors and contractors, better badging to allow their identification whilst in staffing areas.
- 3.8 The National Civil War Museum is currently coming to the end of its construction phase and staff will soon be taking occupancy prior to its public opening. A significant amount of work has been undertaken to assist in ensuring the building is appropriate for both occupation and for its public opening. To assist managers during this transitional stage guidance for handover and occupation of new buildings has been produced in conjunction with our insurers. A number of further visits to ensure compliance have been planned during the period leading up to becoming operational and then immediately after its public opening.
- 3.9 As required by legislation this councils health & safety policy has been reviewed to ensure it remains appropriate to the councils operations. A copy of this draft review has been appended to this report for consideration by the committee (**Appendix A**). Changes this time are minor but do take into consideration changes to the council committee structure and some minor changes to dealing with Asbestos. It will also be sent to the Joint Consultative Committee for consideration prior to formal adoption.
- 3.10 Further evaluation of Occupational Health provision has been undertaken to supplement the work previously carried out for Waste and Parks. This has been undertaken to ensure that provision is appropriate, consistent and addresses all relevant health hazards.

4.0 Health & Safety Incidents - 1st January 2014 to 31st December 2014

- 4.1 **Non -employee Accidents** - there have been 24 recorded health and safety incidents involving members of the public on our premises for the period. This number does not include issues such as injuries during sporting events, i.e. muscle strains or grazes. One of the recorded incidents has been reportable to the Health and Safety Executive as it involved an individual being taken away from site to hospital for treatment.
- 4.2 As would be expected most of the reported accidents are from Sports and Leisure, and Parks and Grounds business units which is consistent with the services and the activities undertaken by public and their associated risks levels.
- 4.3 **Employee Accidents** - A total of 23 accidents were reported during the above period, 8 of which resulted in time off from work. A total of 252.5 days has been lost due to the 8 lost time accidents. This is likely to increase further as one individual is still off as a result of their accident. Two of the accident within this period hit a trigger which resulted in them being reported to the HSE. In both cases it was the amount of time taken off.
- 4.4 As would be expected most of the reported accidents are from the waste and recycling business units which is consistent with the risks levels within those services.

The table below is a summary of the incidents.

Business Unit	Injury	Details	Days lost	Response
Waste and Recycling	Sprain/strain to foot	Slip,trip,fall on private road whilst collecting domestic wheeled refuse bin. Lost balance, slipped and fell over causing foot to twist.	Nil	SRMO visited site. Road noted in reasonable condition without potholes or other obstructions. No

				obvious defects noted. Operative was wearing suitable boots at time of incident.
ICT	Cut to finger/hand	Fell whilst carrying tray of mugs and glasses. Fell onto broken glass causing lacerations to hand.	8	Area inspected by SRMO. No defect to area noted.
Waste and recycling	Bruising to chest and arm. Time taken off later due to stress.	Caught on bin lifting equipment fitted to rear of refuse collection vehicle (RCV), whilst collecting domestic refuse. Was thrown in to rear hopper of RCV.	22 days	Full investigation undertaken by SRMO and 2 reports presented to JCC. Accident reported to the Health and Safety Executive. Further training and management systems put in place to ensure all staff are aware of different mechanisms on different waste carriers
Waste and Recycling	Lower back pain	Felt pain in lower back whilst lifting truck tyre into low sided skip.	Nil	Injured person re- instructed regarding importance of testing weight of objects prior to lifting and using second person to assist were required.
Waste and Recycling	Grazed leg, elbow and finger	Slipped on moss on public footpath. Was walking from RCV and not pulling wheeled bin at the time of the accident. Operative was wearing boots in good condition at time of the accident.	Nil	Footpath condition reported to NCC.
Waste and Recycling	Graze abrasion to face/eye area	Release latch sprung open unexpectedly whilst opening the rear door to Refuse pick up vehicle. Latch had been damaged earlier in the day but not reported.	Nil	Vehicle taken out of operation and repaired.
Car Parks and Markets	Bruising to left arm	Fell down steps whilst leaving car parks. Carrying tools and ladder at time of incident. Injured person not sure why accident occurred but believes he just missed his footing	Nil	Investigated by SRMO Steps examined by BM no fault or defect noted.
Revenues and Benefits	Severely sprained ankle	Fell whilst climbing main staircase at Kelham Hall. Injured person believes she fell because her ankle gave way.	13	SRMO inspected location and interviewed injured person. No defect noted on staircase.
Waste and Recycling	Suspected ligament damage to ankle	Operative jumped out of moving refuse vehicle and landed in pothole located within public highway.	197+ Still off	SRMO inspected location and interviewed injured person. RIDDOR Accident
Waste and Recycling	Jarred middle/ lower back	Jarred back whilst pulling large 110l wheeled refuse container off kerb by himself.	Nil	Reminded not to pull large wheeled containers off kerbs and to seek assistance of colleague.

Leisure	Cut to head	Leisure attendant was moving a trampoline from the sports hall into the store. Whilst moving the wheels struck door threshold to the store causing a bar from the trampoline to swing round and strike the attendant to the head.	Nil	Re instructed re trampoline dismantling and of need to move apparatus carefully. Not able to remove threshold.
Waste and Recycling	Bruised arm and elbow	Wheeled refuse bin fell off bin lift striking operative on arm. Believed it was struck by a raising bin and possibly one not correctly located on lift.	Nil	Vehicle lift inspected by mechanics. Reminded operative not to stand with danger zone as in accordance with training and code of practice.
CMT	Bruised shin/calf	Slipped on wet floor in toilets. Had recently been mopped by Kelham Hall Ltd. No warning sign displayed	Nil	Discussed accident with KH Ltd and asked not to mop whilst Council meetings are taking place or to place notice if cleaning required.
Waste and Recycling	Bruising to elbow/wrist	Wheeled domestic refuse bin fell off bin lift. Bin struck the floor, bounced and struck operative whilst he attempted to catch it.	1	Vehicle lift inspected by mechanics. Reminded operative not to stand with danger zone as in accordance with training and code of practice. Also not to attempt to catch falling bins.
Waste and Recycling	Abrasion to face and bruising/cuts to arm and knee	Operative tripped over raised kerb and fell forward landing on his face.	0.5	Reminded to pay attention to his environment whilst undertaking duties. Wearing boots in good condition.
Waste and Recycling	Cut to head (just above ear)	Lifting fly tipped concrete post and wire onto rear of vehicle using tail lift. Wire caught whilst lifting and whipped round striking operative to his head.	Nil	Re instructed operative re safe use of lift and need to ensure load is always secure when lifting.
Waste and Recycling	Swollen hand and fingers, bruising to legs and shoulder.	Struck by car travelling at low speed. Failed to notice vehicle travelling towards RCV. Operative claims it was due to him watching bins on the lift as he feared they weren't correctly located and may fall off. Stepped out into live carriage way with refuse bin and was subsequently struck.	6	CCTV footage to rear of the vehicle shows there was no fault with bin as indicated by operative and that operative did not look before attempting to cross highway.
Planning	Cut to finger	Paper cut to finger whilst disposing of files.	Nil	
Leisure	Bruising to knees	Slipped whilst cleaning communal wet side showers.	Nil	Area inspected by SRMO. Tiles in good order with non-slip surface.
Waste and Recycling	Bruising to heel/ ankle	Struck kerb with ankle whilst pulling large wheeled 1100l trade bin. Not paying attention.	5	Operative was wearing boots which were in good condition. Remind to pay attention. RIDDOR accident

Waste and Recycling	Sprained bruised ankle	Fell on black ice within Brunel rive depot. Hard overnight frost had frozen standing water.	Nil	Wearing boots at time of accident. Grit applied to area to prevent re occurrence.
Planning	Swollen thumb	Trapped thumb whilst closing shut secondary glazing. Not paying attention.	Nil	Unit not defective
Waste and Recycling	Lower back	Slipped on ice whilst lifting empty box. Operative had chosen not to wear ice cleats provided to prevent slipping on ice in adverse conditions.	Nil	Reminded to wear ice/snow cleats.
Leisure	Bang to head	Slipped on spillage fell and banged head on floor	Nil	Spillage was being dealt with at time and had been mopped (customer had spilt water from water bottle.) Area was signed.

4.5 Reported violent incidents - 1st January 2014 to 31st December 2014 Total of 4 violent incidents were reported during the above period. The table below gives further details of each.

Business Unit	Type of aggression	Details	Response
Revenues and Benefits	Verbal abuse – face to face and subsequent property damage	Aggressive and abusive language directed at 2 members of staff re matters relating to housing benefit, rent arrears and rent direct debit. Assailant threw items and upturned computer desk and chairs in interview room.	Individual placed onto corporate risk register and written to re unacceptable behaviour. Notified and discussed matter with the Police. Right to enter NSDC premises removed
Housing Options - Seven Hills	Felt threatened due to inappropriate sexual proposal	Indecent proposal by client	Individual written to re incident and banned from entering the complex. Also placed onto corporate risk register.
Housing Options and Customer Services	Verbal abuse - Numerous occasions both direct and over the telephone.	Individual had a long standing issue regarding council housing allocation and did not agree with the advice given. Made numerous telephone calls and visits to Kelham Hall reception and was verbally aggressive at all.	Written to and banned from attending council premises without prior appointment. Entered on to the violent incident risk register.
Leisure Centre	Customer (gym user) assaults another gym user.	Assailant struck another customer on head without warning or provocation. Assailant was attending as part of a group from a disabled care home. Discussed matter with care home manager who decided it would be best if the individual did not attend.	Called the individual who was struck and explained situation. They were happy and thanked for letting her know. Individual entered onto the violent incident risk register.

5.0 Equalities Implications

5.1 As indicated in the Health & Safety Policy, certain protected characteristics' groups attract special considerations under health and safety. These include people with disabilities, younger people and pregnant women. The Council has separate policies in place for these circumstances which Business Managers are aware of.

6.0 RECOMMENDATION

That the Committee note the report

Background Papers Nil

For further information please contact Lisa Lancaster on Ext 5232

Karen White
Director - Safety

NEWARK & SHERWOOD DISTRICT COUNCIL

Health & Safety Policy

Introduction

This policy has been produced in accordance with section 2(3) of the Health and Safety at Work etc. Act 1974.

This policy is the “parent” document in the council’s health and safety management system. This is therefore not a standalone document and further guidance/information may be found within supporting policies.

Section A - General Statement of Intent

Section A outlines in general terms this council's overall philosophy in relation to the management of health and safety at work.

Section B - Policy and Organisation

All employees are responsible for health and safety at work. However some officers will have additional responsibilities and duties because of their seniority or particular role within the organisation.

This section outlines the structure in terms of health and safety management and defines the specific health and safety responsibilities and accountabilities for all involved. Specific roles identified within this policy include:

- Chief Executive
- Elected Members
- Directors
- Business Managers, Officers who appoint or control contracts and/or contractors
- Business Manager - Human Resources
- Business Manager – Community Services
- Safety and Risk Management Officer
- Line Management
- All Employees
- The Competent Person

Persons identified within this policy are specifically responsible for health and safety matters and cannot delegate these responsibilities to others. Nevertheless, it is acceptable to delegate specific tasks to other persons provided the responsible person is satisfied that those tasks are fully and properly completed.

Failure to carry out a task or responsibility specified within the Health and Safety Policy or in any other associated policy, or deliberate or negligent infringement of any part of the Health and Safety Policy, may lead to disciplinary action. Failure to adhere to the above may also lead to possible criminal action against the individual where Health and Safety Executive investigations have identified significant personal negligence.

Section C - Arrangements

The way in which this council shall achieve its policy is explained within the Arrangements section. This section specifies the procedure and actions to be followed and taken when carrying out work activities in order to comply with the relevant legislative requirements/codes of practice, etc. Fundamentally these arrangements dictate how the objectives of the policy will be achieved. Consequently strict adherence is necessary.

Arrangements are included within this policy for the following:

Health and Safety Management Arrangements

- C1 Risk Assessments
- C2 Consultation
- C3 Supervision, Instruction and information
- C4 Health and Safety Training
- C5 Health and Safety Monitoring
- C6 Joint Working - Cooperation and co-ordination with other employers
- C7 Temporary Workers (including agency workers)

General Health and Safety Arrangements

- C8 Accident and Violent Incident Reporting
- C9 Asbestos
- C10 Cemeteries
- C11 Confined Spaces
- C12 Contractors
- C13 Construction based projects
- C14 COSHH General - Control of Hazardous Substances Hazardous to Health
- C15 COSHH – Infectious diseases and Sharps
- C16 Display Screen Equipment
- C17 Electricity

- C18 Events
- C19 Fire
- C20 First Aid
- C21 Health Surveillance
- C22 Highways – working on or near
- C23 Home Working -Occasional
- C24 Housekeeping - Safe Workplaces
- C25 Ill Health
- C26 Latex Gloves
- C27 Legionella
- C28 Lone Working
- C29 Manual Handling
- C30 Mobile Phones
- C31 Noise
- C32 Open spaces
- C33 Playgrounds and Play Equipment
- C34 Personal Protective Equipment and Clothing
- C35 Pregnant Workers
- C36 Stress
- C37 Smoking
- C38 Swimming pool Management
- C39 Travel & Transport
- C40 Vibration - Hand Arm
- C41 Volunteers and Volunteering
- C42 Work Equipment - Provision and Maintenance
- C43 Working at Heights
- C44 Young Persons
- C45 Audit and Review

It is the duty of **ALL** staff to familiarise themselves with the relevant contents of this policy and to be aware of their responsibilities for both themselves and others.

Further advice should be sought from your immediate supervisor or manager if there are any issues relevant to your position that you do not understand.

Section A – General Statement of Intent

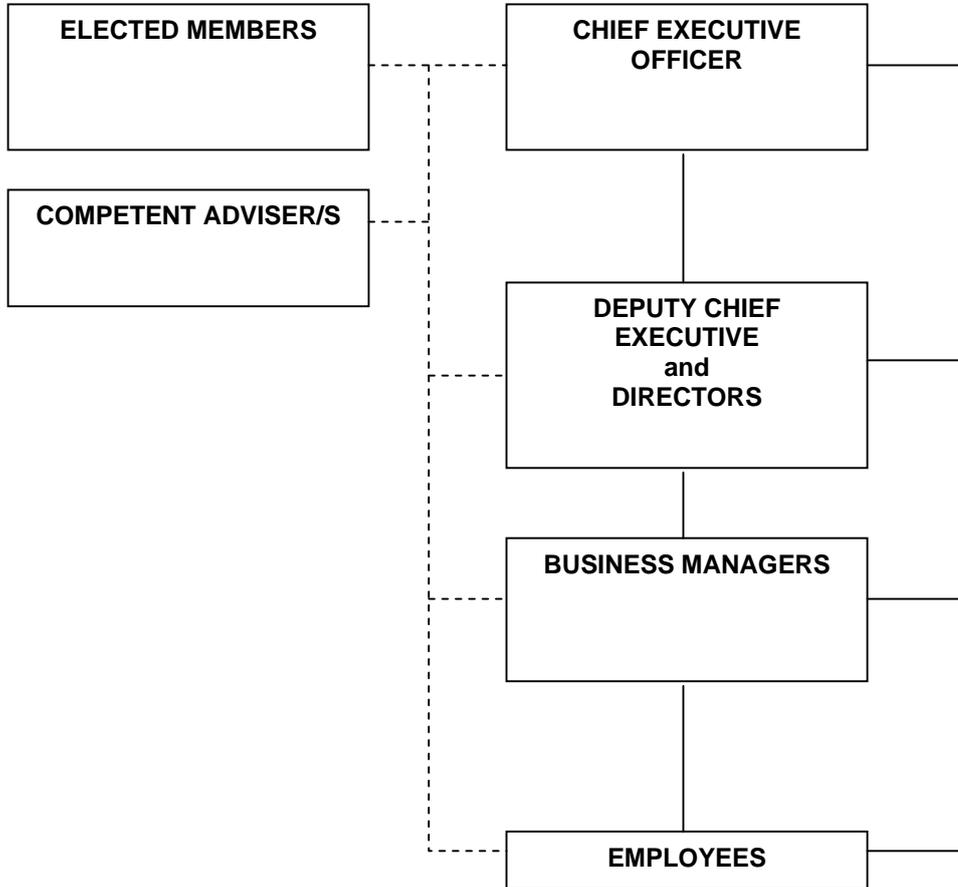
- Newark & Sherwood District Council regards health and safety as a matter of prime importance and will at all times ensure, so far as reasonably practicable, the health, safety and welfare of all employees. The Council shall also ensure so far as reasonably practicable that activities of the Council do not in any way cause detriment to the general public, contractors and other non-employees.
- It is the policy of this council that health and safety is and shall remain a management responsibility equal to that of any other function.
- Newark and Sherwood District Council recognises that a positive health and safety culture can only exist with the full co-operation and commitment of staff. With this in mind, management shall ensure that effective control of health and safety is achieved through ensuring co-operation and communication with all employees within the organisation and by ensuring competence of those employees.
- Health and safety plays a vital role in achieving the commitments of the council. The council also acknowledges the significant benefits accruing from positive and pro-active health and safety management and the input such management can make into achieving quality services.
- This council believes that accidents and occupational ill health incidents are preventable and to this end, using the risk assessment process, shall endeavour to manage risks in order to prevent or at least minimise the occurrence of these incidents. Hazards will be identified and risks shall, where possible, be reduced to a reasonably practicable level.
- It is equally the duty of all employees to exercise responsibility and to do all that is reasonable to prevent injury to themselves and to others that may be affected by their actions or omissions.
- This council will ensure that appropriate consultation with employees and/or their recognised trade unions will take place on matters affecting their safety and or health.
- This council shall provide suitable training, information, instruction and supervision to ensure that all employees are competent to do their tasks safely. It shall also co-operate and provide health and safety information to others including visitors, contractors and on shared work sites.
- This council shall provide and maintain plant and equipment to enable its services to operate, so far as is reasonably practicable, without risk to its employees or others.
- So far as is reasonably practicable, this council will ensure there are arrangements in place to ensure the safe use, handling, storage and transport of articles and substances.
- The council acknowledges its legal responsibilities to appoint competent contractors. All reasonable steps shall be taken to ensure contractor's competency and adequate steps taken to monitor their activities in consideration of health and safety requirements.
- This council shall be prepared and have suitable plans in place to deal with foreseeable emergencies.
- This policy shall be reviewed as and when necessary and at least bi-annually and any amendments shall be brought to the attention of all employees.

Signed
Chief Executive

Date

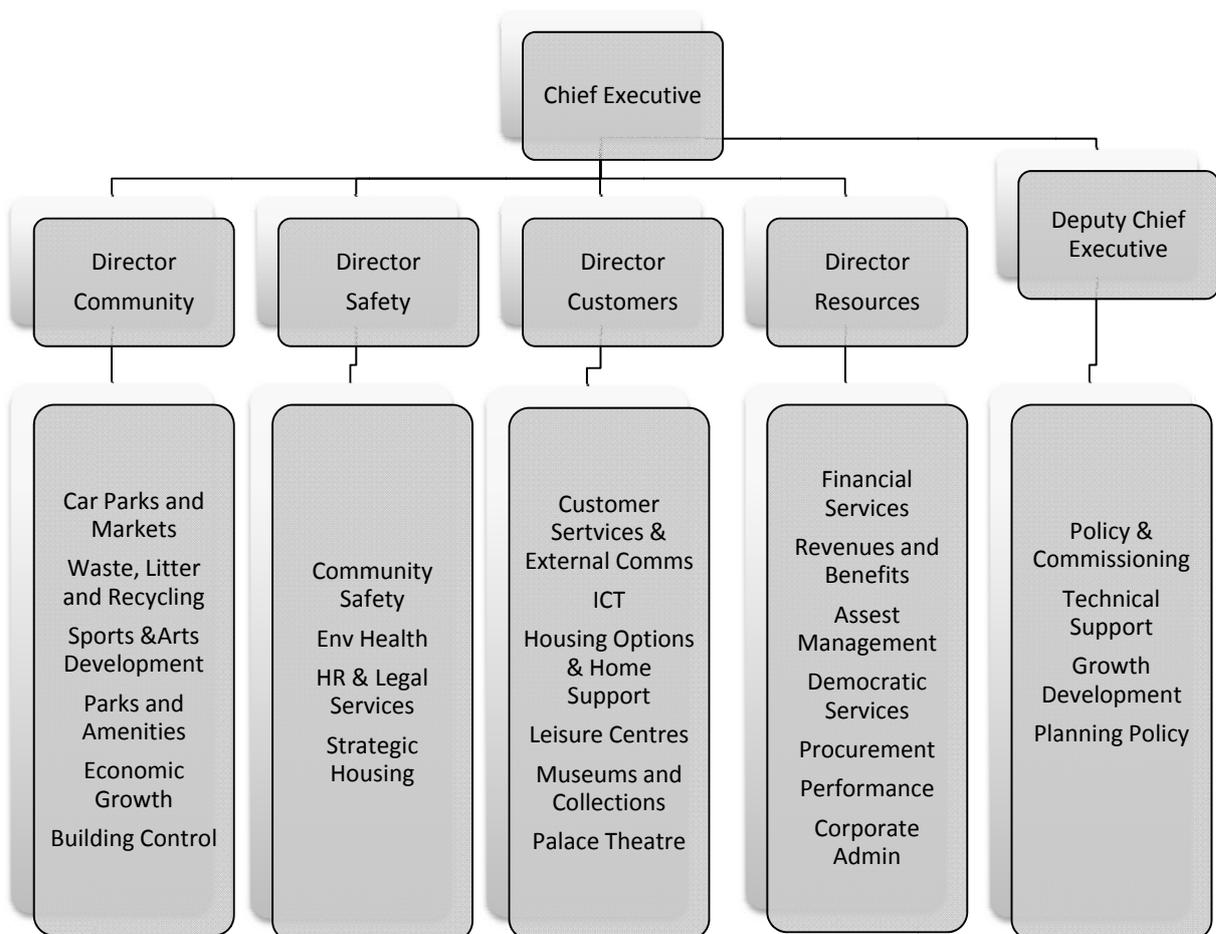
Section B – Responsibilities and Organisation

B1 Corporate Health & Safety Responsibility & Accountability



———— Responsibility
----- Accountability

Senior Management Structure Chart



Detailed specific organisational charts are available directly from each Business Unit.

B2 Responsibilities – Chief Executive

The Chief Executive is responsible for giving overall effect to the council’s Health and Safety Policy and will, as necessary, review the effectiveness of the policy and of the personnel under his/her control to whom various aspects of health and safety have been delegated.

The Chief Executive shall, where possible ensure health and safety issues are always adequately represented and communicated at corporate level.

The Chief Executive shall ensure that:

- a) There are appropriate health & safety arrangements in place to ensure the effective management of health and safety as required by Regulation 5 of the Management of Health & Safety at Work Regulations 1999.
- b) Major/significant issues of health, safety and welfare are discussed and where required, resolved at Corporate Management Board meetings.
- c) Due consideration is given to the health and safety consequences of any policy decision made at Committee.

B3 Responsibilities of the Elected Members

Elected Members' roles will depend on their level of responsibility and area of responsibility, however, all Elected Members have a role to play in ensuring the council meets its legal obligations and that health and safety is effectively managed.

The council's Elected Members, especially the **Leader/Deputy Leader of the Council; Leader of a Political Group, Chairman or Vice-Chairman of the Council** or a committee, provide the council with leadership direction and strategy and determination in the allocation of budgets to enable services to be delivered. Because of their influence on budgets and policy decisions, Elected Members can affect how health and safety is managed. Therefore Elected Members, when carrying out their functions, shall ensure:

- a) The provision of such resources, that are necessary, for securing the health, safety and welfare of the council's employees and anyone else who may be affected by its undertakings.
- b) That the decision making process they employ includes and considers risks to employees and others in the decisions they make.
- c) An Elected Member shall be responsible for the Health and Safety Portfolio.

To enable the above to be achieved, this will include provision of competent officers to direct and manage the affairs of the council. This will include competent advice as required by virtue of Regulation 7 of the Management of Health and Safety at Work Regulations 1999.

Further guidance relating to health and safety and Elected Members can be found within the **Elected Members handbook**.

B4 Responsibilities – Deputy Chief Executive and Directors

The main responsibility for ensuring implementation of the council's Health and Safety Policy within the individual business units rests with Directors.

Directors shall ensure that appropriate resources are available to allow services/work activities within their specific business units to take place without, so far as is reasonably practicable, risk to employees, Elected Members or others. They shall also recommend to the council that at all times there are adequate resources to meet the health and safety requirements of their respective services.

Directors are specifically responsible for ensuring the following within their respective areas:

- a) That systems are in place to monitor and review the effectiveness of safety management and arrangements within their area, including that of the personnel under their control to whom various aspects of health and safety have been delegated.
- b) That specific legal requirements are adhered to and that steps are taken to comply with changes in these requirements. However, it should be noted that the extent of various aspects of health and safety legislation, together with training, administration and the day to day working requirements justify the need for Directors to delegate to personnel under their control.

- c) That Business Managers have suitable and sufficient risk assessments in place dealing with all significant and foreseeable risks arising from their services' work activities.
- d) That all major or significant issues of health, safety and welfare are discussed and where required, resolved at Corporate Management Team meetings.
- e) That health and safety performance for each unit is reviewed, with their respective Business Managers, at least once every 6 months.

B5 Safety Champion- Corporate Management Team

The Director Safety is nominated, within the Corporate Management Team as the "Safety Champion". He/she will ensure, where possible, that significant health and safety issues are always represented and communicated at corporate level.

B6 Responsibilities – Business Managers

Business Managers are responsible for implementing the operational health and safety arrangements within their respective areas. In fulfilling this duty, Business Managers shall ensure that:

1. Risk assessments for all significant and foreseeable risks are produced and reviewed to ensure they are suitable and sufficient in accordance with section C1 of this policy.
2. Arrangements identified within this policy are implemented within their business unit.
3. Good standards of health, safety and welfare are promoted throughout all areas within their control.
4. Resources made available to them, to manage health and safety, are appropriately allocated to ensure compliance with health and safety legislation and this policy.
5. All personnel within their unit, particularly those with specific responsibilities, have read and understood the relevant parts of this policy.
6. Persons identified within the Health and Safety Policy with specific responsibilities are appropriately resourced and are carrying out their duties.
7. All health and safety shortcomings noted are addressed and dealt with accordingly.
8. All activities that pose a risk of serious or imminent danger are stopped and dealt with accordingly.
9. Employees within their control are competent to carry out their tasks without putting themselves or others at risk.
10. Operations within their area conform to current health and safety legislation and that appropriate guidelines, codes of practice, etc are adhered to.

11. Training is identified to enable staff to carry out their tasks safely, either through risk assessment or appraisals, is provided.
12. Appropriate information, instruction and/or supervision is provided where required to manage risk.
13. Frequent monitoring is carried out by Business Managers to ensure adherence to codes of practice, risk assessments, work method statements or other relevant health and safety instructions.
14. Health, safety and welfare is an agenda item on all business unit team meetings
15. Their respective Director is provided with an annual report detailing the health and safety performance of their business unit. Details regarding the content of this report can be found within section C45 of this policy.
16. Employees failing to comply with their health and safety responsibilities are appropriately disciplined.
17. All accidents are investigated and reported in accordance with section C8 of this policy. Where requested, trade union safety representatives should also be informed of serious accidents and assistance provided to help them conduct their own investigation.
18. Persons within their control use all safety devices/control measures provided in the interests of their safety.
19. Areas/buildings for which they have responsibility are kept in a safe condition.
20. There are suitable emergency plans in place within their area of responsibility.
21. Suitable first aid provision is available within their area.
22. Plant and equipment is suitable for the task for which it is required and is suitably maintained in accordance with the manufacturer's recommendations and relevant legislation where appropriate.
23. Appropriate consideration is given to health, safety and welfare issues when procuring significant plant, vehicles or equipment.
24. Suitably manage all Volunteers within their respective units in accordance with section C41 of this policy
25. All statutory examinations required within their section are completed and in date. Also that all actions identified within statutory reports are appropriately dealt with.
26. Suitable measures are taken to ensure the competency of all contractors employed with their unit.
27. Contractors are appropriately managed and their performance reviewed.

28. Individual risk assessments are completed for all persons under the age of 18 years old.
29. Pregnant workers are notified to HR as soon as possible in order for a risk assessment to be completed. The line manager shall also ensure that the findings of this assessment are implemented.
30. A suitable risk assessment is carried out for personnel with known ill health conditions which may affect their safety or that of others and that HR is made aware of this condition.

B7 Responsibilities – Officers of the Council who appoint or Control Contracts and Contractors

Officers who appoint, control or manage contractors have specific responsibilities for ensuring that the council's general and/or specific health & safety duties are not breached.

Business managers shall ensure that employees within their unit who are required to manage or let contracts are suitably trained and competent.

To ensure compliance with this policy and appropriate health and safety legislation, officers who appoint, manage or control contractors shall specifically ensure that:

- a) Health and safety competency considerations are an integral part of procurement decisions.
- b) Suitable resources are allocated to ensure health, safety and welfare.
- c) Reasonable enquiries are made to ensure the competency of potential contractors.
- d) The contractor's health and safety performance is suitably monitored during the term of the contract.
- e) Competent advice is sought when required.
- f) All work is in accordance with this council's procurement policies.

Also, such officers shall ensure that procedures 1 to 6 of section C13 of the Health and Safety Policy are strictly applied to all contracts.

The level and quantity of precautions taken **MUST** always be proportionate to the actual level of risk present.

B8 Responsibilities – Business Manager- Human Resources

The Business Manager - Human Resources is specifically responsible for ensuring that:

- a) There are adequate mechanisms in place for the identification, organisation and implementation of training and instruction of staff at all levels, within the limitations of corporate training budgets.

- b) There is appropriate budget for the provision of corporate health and safety training delivered by external providers.
- c) Management of all personal health and safety records provided to their unit, in particular training records, health surveillance, medical records, Occupational Health referrals, etc.
- d) The effective management of the Occupational Health contract, service provision and all individual cases referred to this service.
- e) Management of the Counselling Service and providing suitable feedback from this service, where possible, to improve health, safety and welfare within the workplace.
- f) There are adequate mechanisms in place for ensuring appropriate health surveillance. This shall include initial health screening prior to commencement of employment for new employees and repeat testing, as required, for other employees as directed by the Occupational Health provider.
- g) Risk assessments are completed, following notification, for all pregnant or new mothers in accordance with the relevant legislation.
- h) Following notification of work related ill health or work related stress, individual risk assessments are undertaken in conjunction with the Safety and Risk Management Officer.

B9 Responsibilities – Business Manager – Community Safety

The general responsibility for providing an appropriate corporate health and safety service has been delegated to the Business Manager – Community Safety. This officer will ensure, with advice from the Safety and Risk Management Officer, that up to date knowledge of legislation, codes of practice and other technical guidance is disseminated within the Authority.

The Business Manager - Community Safety shall ensure, through regular reviews, that the corporate health and safety function remains appropriate to the needs of the council. Where there are concerns these shall be raised with the Director – Safety.

The Business Manager- Community Safety is charged with ensuring that there are suitable resources available for the corporate health and safety function and that budgets for all aspects of health and safety under his/her control are managed.

B10 Responsibilities - Safety and Risk Management Officer

The role of the Safety and Risk Management Officer is to provide management and employees with suitable advice, information and assistance, as appropriate, to ensure that the council fulfils its statutory occupational health and safety duties.

Where the Safety and Risk Management Officer is not satisfied with any health and safety arrangements, be they involved with the works of the council or works of a contractor for the council, he/she may stop the works pending consultation with the appropriate Director or Business Manager.

The Safety and Risk Management Officer is the competent person employed by this council in pursuance of Regulation 7 of the Management of Health & Safety at Work Regulations 1999.

The Safety and Risk Management Officer shall ensure that all major or significant issues of health, safety and welfare are reported to the Joint Consultative Committee and Risk Management Group for information.

B11 Responsibilities – Line Management

Officers with line management responsibility shall ensure that instructions relevant to the council, and their unit, concerning health and safety are practiced and that the necessary information, policy and codes of practice are disseminated to, and affected by, employees for whom they are responsible.

Specifically, line managers shall ensure that:

- a) Good standards of health, safety and welfare are promoted throughout all areas within their control.
- b) Risk assessments are available and communicated to all relevant staff.
- c) All accidents are reported immediately.
- d) Frequent monitoring is carried out to ensure adherence to legislation, policy, codes of practice, risk assessments, work method statements or other relevant health and safety instructions.
- e) Persons within their control use all safety devices/control measures provided in the interests of their safety.
- f) Suitable first aid provision is available within their area.
- g) Employees within their control are competent to carry out their tasks without putting themselves or others at risk.
- h) Appropriate supervision is available where required.
- i) Plant and equipment is suitable for the task for which it is required and is suitably maintained in accordance with the manufacturer's recommendations and relevant legislation where appropriate.
- j) All staff have received necessary training and are competent to undertake their work.
- k) All health & safety shortcomings noted either by the line manager or notified by others are either addressed and dealt with accordingly or passed onto the Business Manager.
- l) All activities that pose a risk of serious or imminent danger are stopped immediately and dealt with accordingly.

B12 Responsibilities – All Employees

Employees are responsible for their own safety and that of any other person who may be affected by their acts or omissions. In addition to any relevant specific duties identified within this policy, all employees shall ensure that they:

- a. Take reasonable care for their own safety and that of others who may be affected by their acts or omissions.
- b. Are fit and able to undertake their duties without causing potential harm to themselves or others when they arrive for work.
- c. Inform their line manager, without delay, of any work situation which might present a serious and imminent danger.
- d. Report all uncontrolled hazards and/or short comings in the council's health and safety arrangements to their line manager.
- e. Make themselves familiar with and conform to all significant findings identified with the relevant risk assessment and/or safety rules applicable to their work.
- f. Correctly use safety equipment, protective equipment/clothing and devices as necessary and follow instructions and advice regarding use of substances.
- g. Report, to their line manager, all accidents and damage and adhere to the Authority's procedure for the reporting of accidents/violent incidents, regardless of whether persons are injured or not.
- h. Comply with instructions given on health and safety matters and adhere to safe systems of work, risk assessments and the Authority's codes of practice for securing safe working arrangements.
- i. Notify their Business Manager of any illness or disability which might affect their own and others health and safety by their acts or omissions.

B13 Competent Person

The Safety and Risk Management Officer is the competent person employed by this council in pursuance of Regulation 7 of the Management of Health & Safety at Work Regulations 1999. Contact details are as follows:

Richard Bates - Safety and Risk Management Officer

 01636 655593 or 07966 488307

Email - richard.bates@nsdc.info

Safety and Risk Management Officer

March 2012

Revised March 2015

Section C – Health and Safety Arrangements

The way in which this council shall achieve its policy is explained within this section.

The arrangements section specifies the procedure and actions to be followed and taken in order to comply with the relevant legislative requirements/codes of practice, locally agreed rules, etc. Fundamentally these arrangements dictate how the objectives of the policy will be achieved. Consequently strict adherence is necessary.

This section is divided into two main groups of arrangements. The first group identify those arrangements required to ensure good health and safety management, whilst the second details the general health and safety arrangements for specific issues/hazards.

Health and Safety Management Arrangements

C1 Risk Assessments

- 1.1 Risk assessment is the foundation of this council's health, safety and risk management arrangements. Without risk assessment we are unable to identify and control our true risks.

In addition to the above, there are various legislative requirements to undertake risk assessments for both general risk where there is a significant and foreseeable risk and for specific higher risk activities.

- 1.2 Directors have overall responsibility for ensuring suitable risk assessments are produced and maintained for all significant and foreseeable risks.
- 1.3 Business Managers are responsible for ensuring that suitable and sufficient risk assessments are completed for all significant and foreseeable risks within their unit and any identified controls are implemented.
- 1.4 Business Managers shall also ensure that those staff required to carry out risk assessments are suitably trained and competent to do so.
- 1.5 Business Managers shall ensure that those delegated to undertake risk assessments identify all hazards and evaluate risks produced by their business unit. Where this assessment highlights a significant risk, the assessor shall record his/her findings using the corporate risk assessment software.
- 1.6 Business Managers **MUST** ensure that all significant findings of their units risk assessments are communicated to **ALL** relevant staff. This may include staff not within their own unit.
- 1.7 Wherever possible, employees and/or Trade Unions shall be consulted during the risk assessment exercise.
- 1.8 Risk assessments must remain live and be accessible to all relevant staff. Business Managers shall therefore ensure that risk assessments are easily accessible, either in electronic or paper copies, to all relevant employees.

1.9 Risk assessments shall be authorised by the relevant Business Manager. Where this is not possible, it is the Business Manager's responsibility to ensure that an authorised officer is nominated to complete the process. It is essential that this officer is competent in undertaking risk assessment. In any case it shall always remain the Business Manager's responsibility to ensure authorised risk assessments are suitable and sufficient.

1.10 Business Managers shall ensure that risk assessments are reviewed and amended as necessary. This review shall be undertaken:

- As directed by the risk assessment review date
- Following an accident
- If there is a significant change in the work activity
- Where employees are under the age of 18 years
- On receiving notification of pregnancy from an employee; and
- When a new/vulnerable employee starts.

1.11 **Risk Assessment Action Plans**

Action plans shall be produced for all outstanding works determined from the risk assessment process. This action plan shall be agreed and signed off only by the Business Manager. Implementation of the action plan is essential to ensure that this council meets its legal obligations.

1.12 **Health and Disability Risk Assessments**

A full assessment of an individual's ill health or infirmity must, where applicable, form part of the risk evaluation process. The issues from any underlying conditions whether of an acute or chronic nature are to be considered, so that the risks to the employee and others who may be affected by the employee's acts or omissions are fully assessed. It is important to note that health and safety requirements take precedence over disability legislation.

1.13 Employees are required to notify their manager of any ill health condition which may affect their safety or the safety of others.

1.14 It is the responsibility of the Business Manager to ensure that an individual risk assessment is undertaken once they have been notified or immediately after they have been made aware of an individual's ill health condition. This should be undertaken in conjunction with the Safety and Risk Management Officer and Human Resources.

C2 Consultation

2.1 Consultation with employees on arrangements for health and safety is a legal requirement in both unionised and non-unionised workplaces. Effective consultation can make a significant contribution to a positive health and safety culture within the workplace. A proactive approach will assist in meeting legal requirements and has the added potential for reducing accidents and increasing efficiency.

- 2.2 The formal organisation for joint consultation of health and safety matters is the Corporate Joint Consultative Committee/Safety Committee. This committee reports to Policy Committee and its role is to advise on the efficient and effective development of health and safety working conditions and practices. As well as monitoring health and safety performance, it will discuss and recommend corrective action if performance appears unsatisfactory.
- 2.3 Significant health and safety issues will be brought to the Joint Consultative Committee for information.
- 2.4 Notwithstanding the above, all employees shall be encouraged to bring to the attention of management any concerns or suggestions regarding health and safety.

C3 Supervision, Instruction and information

- 3.1 The Health and Safety at Work Etc Act 1974 places general duties upon the employer to ensure the provision of such information, instruction, training and/or supervision as necessary as to ensure so far as is reasonably practicable the safety of all staff.
- 3.2 In addition to the above the Management of Health and Safety at Work Regulations 1999 also requires that employers provide relevant and comprehensible information relating to:
 - (a) Risks to health and safety identified within risk assessments;
 - (b) Relevant preventative and protective measures;
 - (c) Details regarding fire safety.
- 3.3 Business Managers shall ensure, so far as is reasonably practicable, that adequate supervision and instruction, appropriate to the level of risk present and the employee's competency, is provided. This shall include:
 - (a) An induction to their working area;
 - (b) Relevant details from the risk assessments;
 - (c) Information relating to measures and/or equipment required to ensure their safety or that of others; and
 - (d) Fire safety procedures.
- 3.4 In order to be able to determine the necessary level of instruction and supervision, Business Managers shall ensure that line managers/officers are competent with regards to the identification and recognition of hazards within their work activities.
- 3.5 Business Managers shall ensure that there are appropriate systems in place to:
 - (a) Ensure all employees are formally instructed of all relevant policies and guidance;
 - (b) Monitor the effectiveness; and
 - (c) Initiate any steps necessary to improve safe working conditions or practices.
- 3.6 Business Managers responsible for premises occupied by council employees shall ensure that an information poster, as required by the Health and Safety Information for Employees Regulations 1989, is posted within a suitable staff area of the building.

- 3.7 Business Managers shall ensure that all pertinent health and safety information is passed on to all relevant employees.

C4 Health and Safety Training

- 4.1 The Health and Safety at Work etc Act 1974 places a general duty on employers to ensure, so far as is reasonably practicable, that employees are provide with suitable training to ensure the health and safety of themselves and of others.

In addition to the above, the Management of Health and Safety at Work Regulations 1999 also requires that every employer ensures that adequate training is provided:

- (a) On recruitment;
 - (b) When exposed to new risks;
 - (c) When there is a change in responsibilities;
 - (d) Upon introduction of new work equipment/technology.
- 4.2 Training is essential to ensure staff acquire the necessary skills, knowledge and attitudes to prove competency and subsequently remove or mitigate risk to an appropriate level. It is also essential to provide appropriate training in order to meet the duties identified above.
- 4.3 Business Managers shall ensure that all new employees are given health and safety induction training when commencing their employment with this council. This shall include an induction in accordance with the corporate induction checklist which shall be completed and returned to Human Resources.
- 4.4 The Business Manager shall also ensure that the induction process identifies those employees whose role requires job specific health and safety training e.g. manual handling, driving, violence at work, working at heights, etc. The Business Manager shall ensure this training is provided as soon as possible after commencement of employment.
- 4.5 Business Managers shall identify health and safety training needs for staff within their unit. This will be completed, where required, in consultation with the Safety and Risk Management Officer and Human Resources.
- 4.6 The need for health and safety training shall be identified within risk assessments and at staff appraisals.
- 4.7 Training needs shall be reassessed by Business Managers at:
- (a) Induction;
 - (b) On an annual basis (Staff appraisals);
 - (c) Following an accident;
 - (d) During an audit;
 - (e) During the production of risk assessments; and
 - (f) When work activity/responsibilities/equipment etc change.

C 5 Health and Safety Monitoring

- 5.1 The Management of Health and Safety at Work Regulations 1999 requires that employers implement appropriate health and safety arrangements to ensure a positive health and safety culture. To fulfil this requirement, employers are required to implement a system to ensure routine monitoring and reviews.

Monitoring includes:

- (a) Proactive inspections i.e. - routine inspections to ensure preventative and protective measures are in place;
- (b) Reactive investigations i.e. incident investigation.

Review includes:

- (a) Review findings of monitoring undertaken;
- (b) Periodically review health and safety arrangements.

This section identifies the roles, responsibilities and techniques used to undertake the monitoring requirement. Details of the reviewing process may be found within section C45 of this policy.

- 5.2 Directors shall implement suitable mechanisms to ensure Business Managers are carrying out adequate routine inspections of their workplace to ensure the health, safety and welfare of all employees and visitors.
- 5.3 Directors shall ensure that health and safety issues are a regular item on the agenda for meetings with their Business Managers. They also shall ensure that Business Managers provide them with a six monthly update detailing the following:
- (a) Current state of risk assessments – i.e. number in operation, number out of date, in need of review and number not authorised.
 - (b) Number of accidents reported within the units specifically identifying those that required reporting to the Health and Safety Executive under the Reporting of Diseases and Dangerous Occurrences Regulations 2013.
 - (c) Significant issues that have arisen in the previous six months and action taken to prevent its reoccurrence.
 - (d) Where appropriate, confirmation that fire risk assessments for buildings within their control have been reviewed in the last 12 months.
 - (e) A review of health and safety has been undertaken by Business Managers for at least one area of their unit.
 - (f) A number of stress risk assessments have been undertaken.
- 5.4 Business Managers shall ensure health and safety is an integral part all team meetings.

C6 Joint Working - Co-operation and co-ordination with other employers

- 6.1 The Management of Health and Safety at Work Regulations 1999 requires that where two or more employers share a workplace, appropriate mechanisms are implemented to ensure co-operation and co-ordination with the other employers on all matters relating to health and safety.

- 6.2 The council, when sharing a workplace (whether on a temporary or permanent basis) shall co-operate with the other employers (and the self-employed) to ensure control of health and safety risks. Coordination of arrangements and co-operation with other employers shall be implemented as necessary.
- 6.3 This will require, where necessary, for the relevant Business Manager to:
- (a) Liaise with the other employer prior to commencement of work to identify and assess the likely hazards associated with the activity;
 - (b) Ensure existing risk assessments are suitable and sufficient;
 - (c) Produce joint safe systems of work;
 - (d) Determine specific responsibilities and where required appoint a person to control the activity;
 - (e) Ensure joint legal requirements are fulfilled – i.e. fire precautions;
 - (f) Provide details to other employers prior to commencement of works of known hazards on site and site specific rules and procedures;
 - (g) Ensure appropriate employee/public liability insurance cover is in place.
- 6.4 Employees must ensure that they have read all relevant risk assessments/safe systems of work identified by management prior to commencement of work with other organisations and are aware who is responsible for controlling the work activity.

C7 Temporary Workers (including agency staff)

- 7.1 Employers are legally required, so far as is reasonably practicable, to ensure that workers are not exposed to risks to their health and safety. This includes temporary workers.
- 7.2 Business Managers shall ensure that suitable enquiries have been undertaken to ensure competency of temporary workers.
- 7.3 It is essential that Business Managers ensure that arrangements are made with agencies providing temporary staff to determine health and safety responsibilities.
- 7.4 All temporary staff shall be inducted to the work place and where required, provided with specific health and safety training and personal protective equipment.
- 7.5 Business Managers shall ensure that temporary workers are provided with all necessary protective measures/controls required to protect their health, safety and welfare. This shall mirror the provision of employees carrying out the same task.
- 7.6 All accidents involving temporary workers shall be notified to the Safety and Risk Management Officer using this council's accident report form.

General Health and Safety Arrangements

C8 Accident & Violent Incident Reporting

- 8.1 Employees are required to report **ALL** accidents involving personal injury and violent incidents, whether or not they result in personal injury, immediately to their line manager. Reports **MUST** be forwarded to the Safety and Risk Management Officer as soon as possible. This shall **NOT** exceed 5 working days.

- 8.2 The Business Manager shall ensure that an adequate investigation is carried out and that suitable details, along with the accident report form, are sent to the Safety and Risk Management Officer. This shall be followed, where necessary, by a full investigation by the Safety and Risk Management Officer, to establish the cause and advise regarding any immediate defects or works to prevent a reoccurrence.
- 8.3 The Safety and Risk Management Officer is responsible for ensuring that all reportable accidents brought to his/her attention are reported to the Health & Safety Executive in accordance with the Reporting of Injuries, Diseases, & Dangerous Occurrences Regulations 2013. The Safety and Risk Management Officer shall also maintain the accident report register.
- 8.4 Summaries of accidents and accident statistics are submitted to the Joint Consultative Committee and Risk Management Group on an annual basis.

C9 Asbestos

- 9.1 All work with asbestos shall be in accordance with the Council's "Managing Asbestos Code of Practice".
- 9.2 Business Managers shall ensure that no asbestos containing products shall be used or stored by this council.
- 9.3 An asbestos register is provided on the intranet to assist with the safe management of all asbestos installations. Managers shall ensure that control measures listed within the asbestos register are implemented to ensure continued safe management.
- 9.4 Business Managers shall ensure that the relevant information from the asbestos register is provided to all relevant staff and/or contractors.
- 9.5 Business Managers shall ensure that all staff within their unit, who are likely to work with or near asbestos, or control contractors who may disturb asbestos receive appropriate asbestos awareness training. Business Managers requiring this training **MUST** liaise with the Safety and Risk Management Officer to establish its suitability.
- 9.6 **ALL** planned asbestos work **MUST** be notified to the Safety and Risk Management Officer prior to appointment of a contractor.
- 9.7 Business Managers shall ensure that all disturbances of asbestos materials leading to exposure of persons to asbestos, especially if it is likely that the exposure exceeds the action levels specified within The Control of Asbestos Regulations 2012, shall be notified to the Safety and Risk Management Officer immediately. Business Managers shall seek guidance from the Safety and Risk Management Officer if there is any doubt regarding a possible exposure.
- 9.8 All construction, maintenance or refurbishment work undertaken within the pool areas or pool roof void at the Grove Leisure Centre shall only be permitted following the submission of a permit to work and its subsequent approval.

9.9 Business Managers shall ensure that either a refurbishment or demolition asbestos survey, as in accordance with HSE's guidance document HSG264 Asbestos: The Survey Guide" is undertaken prior to all refurbishment, upgrading or demolition works. Officers managing any construction which involves the above works shall ensure that the refurbishment/demolition survey report is communicated to all relevant persons, especially the principal contractor for the works.

9.10 Officers undertaking asbestos removal work shall provide all relevant information to the Safety and Risk Management Officer on completion. This information shall be used to update the asbestos register.

9.11 The Business Manager - Human Resources shall maintain all asbestos exposure and medical records in accordance with The Control of Asbestos Regulations.

C10 Cemeteries- Headstones and monuments management

10.1 This council will ensure, so far as is reasonably practicable, that it maintains/manages the stability/safety of all headstones and monuments for which it has a legal duty.

10.2 Business Managers responsible for the upkeep of such areas shall ensure that inspection and monitoring of headstones and monuments will include:

- (a) Regular informal checks to ensure no obvious instability or vandalism.
- (b) Inspection as dictated by the risk assessment; and
- (c) Risk assessment by a competent person.

10.3 All memorials will be managed in accordance with the Ministry of Justice's guidance "Managing the safety of burial grounds memorials. Practical advice for dealing with unstable memorials". A copy of this guidance is available on the council's intranet.

C11 Confined Spaces

11.1 All work within confined spaces shall be in accordance with the Confined Spaces Regulations 1997 and the council's working in confined spaces code of practice.

11.2 Where possible, entry into confined spaces shall not be undertaken.

11.3 Business Managers shall ensure that all relevant staff within their unit are aware of the above code of practice.

C12 Contractors

General Contracts

Only suitable, competent and appropriately qualified contractors shall be engaged. Where a contractor is engaged, the officer responsible for the contract e.g. Business Manager, CDM Coordinator, Contract Administrator or Project Manager shall:

1. Ensure that all reasonable practicable steps have been taken to engage a competent contractor. This will require the contractor to provide adequate evidence to demonstrate their suitability and competence, including:
 - (a) A current Health and Safety Policy;
 - (b) Relevant risk assessments;
 - (c) Details of relevant training received by their employees;
 - (d) Details of previous similar work/references;
 - (e) Details of previous enforcement action;
 - (f) Health and safety performance indicators.
2. Agree, prior to work commencing, client, contractor and sub-contractor responsibilities and duties, including work method statements.
3. **Where possible, a pre-contract meeting should be undertaken.**
4. All relevant health and safety information available and relevant to the contract is given to the contractor/sub-contractor.
5. Their work shall be regularly monitored to ensure safe working methods in accordance with legislation, contract conditions and agreed work method statements.
6. Longer term contracts should be formally reviewed annually.
7. Where hazard substances are to be used the responsible officer has ensured that the contractor has produced a suitable COSHH assessment(s) and has the appropriate hazard data sheets on site.
8. **The responsible officer shall ensure that all contractors are appropriately inducted to all NSDC sites prior to commencement of works.**
9. The responsible officer shall ensure that any area in which contractors have worked is safe prior to re-occupation.

C13 Construction based projects

- 13.1 The Construction (Design and Management) Regulations 2007 apply to **ALL** construction works. The officer managing the contract shall ensure that they are aware of the general requirements of this legislation and that they are applied. Where the officer is not competent to do the above, they shall seek the assistance of the Safety and Risk Management Officer.
- 13.2 In addition to the above, the officer managing the contract shall also ensure that where the project involves construction work which is likely to be notifiable, a competent CDM Coordinator is appointed as soon as possible, but no later than after preliminary design stage.
- 13.3 The officer shall also take reasonable steps to ensure that all persons/organisations appointed to carry out construction works as defined within the above legislation i.e. CDMC, Principal Contractor, contractors and designer are competent.
- 13.4 Where it is agreed that the CDMC role is to be undertaken in house, it shall be provided through Asset Management and the Safety and Risk Management Officer and the council CDMC role pro-forma shall be completed to determine roles and responsibilities.

C14 Control of Hazardous Substances – COSHH

- 14.1 The Control of Substances Hazardous to Health Regulations places duties on the employer to ensure that such substances are handled/stored/used in a manner to reduce risks to all. Hazardous substances incorporated within these regulations include:
- chemicals
 - products containing chemicals
 - fumes
 - dusts
 - vapours
 - mists
 - nanotechnology
 - gases and asphyxiating gases and
 - biological agents.
- 14.2 Where possible, hazardous materials shall be substituted by non-hazardous or less hazardous substances.
- 14.3 Business Managers shall, using the council's COSHH assessment pro-forma, ensure all substances hazardous to health within the workplace are suitably assessed.
- 14.4 Officers using/purchasing hazardous materials shall ensure that where available health and safety data sheets are requested from the manufacturer or supplier of all substances and made available to all relevant staff.

- 14.5 All relevant details shall be made available for employees who shall be instructed to read the information prior to initial use.
- 14.6 Business Managers shall ensure that COSHH risk assessments and hazard data sheets are available at the point at which the substance is being used/present/stored/supplied.
- 14.7 Business Managers shall ensure that there are suitable mechanisms in place in order to review the COSHH risk assessments at least annually, following changes in substances, or after an accident involving hazardous substances.
- 14.8 Business Managers shall ensure that there are appropriate systems in place to make sure all controls identified within the COSHH risk assessment are implemented. This includes all PPE, safe systems of work and health surveillance where required.
- 14.9 Officers responsible for contractors shall ensure that all contractors and their sub-contractors provide, on site, suitable COSHH assessments and appropriate hazard data sheets.

C15 COSHH - Infectious Diseases and Handling Sharps

- 15.1 Where it is identified by risk assessment that an activity includes the risk of infectious disease, then reference to and compliance with the council's Infectious Diseases Policy shall be made.
- 15.2 Work that requires the handling of used hypodermic needles or sharps shall be in accordance with the council's code of practice for the safe handling of hypodermic needles.
- 15.3 Business Managers shall ensure that employees who handle sharps or who are required to work in areas where sharps may present a risk to the employee's safety or health are:
- Provided with a suitable risk assessment
 - Suitably trained
 - Provided with suitable equipment and or personal protective equipment as listed within the risk assessment.
- 15.4 Hepatitis B immunisation will only be offered to employees undertaking high risk duties. All reasonable controls should be implemented to remove the risk of infection before immunisation is considered. These high risk tasks must be detailed within an appropriate risk assessment in order to demonstrate that all that is reasonable has been undertaken to reduce the risk of Hepatitis B.
- 15.5 Where employees have been identified as high risk and have refused the immunisation, or the immunisation has failed to provide adequate protection, Business Managers shall ensure that an individual risk assessment specific to the employee is carried out. This assessment shall determine if the current control measures are adequate to reduce the risk to an acceptable level without the immunisation.

- 15.6 It should be remembered that Hepatitis B immunisation is only there as a failsafe in case all other control measures fail. It **MUST NOT** be relied upon as the first or only means of defence against Hepatitis B. It should also be remembered that it does not protect against the many other forms of hepatitis which may be present when contaminated sharps/bodily fluids are being handled.
- 15.7 Business Managers **MUST** ensure that a suitable COSHH assessment is completed where employees are exposed an infectious disease. The significant findings of this assessment shall be provided to all relevant staff for their information.
- 15.8 Where it is identified by risk assessment that an activity includes the risk of infectious disease then reference to and compliance with the infectious disease policy will be made.
- 15.9 Business Managers shall ensure that all staff exposed to infectious diseases are suitably trained and supplied with adequate and suitable PPE as determined within the relevant risk assessment.
- 15.10 **All** needle stick injuries must be reported to the Business Manager and Safety and Risk Management Officer immediately.

C16 Display Screen Equipment

- 16.1 Display screen equipment users, as defined within the Health & Safety (Display Screen) Regulations 1992 (as amended), shall be provided with suitable equipment and workstations in accordance with legislation.
- 16.2 Business Managers shall ensure that all users of display screen equipment are assessed, using a DSE 1 Pro-forma, to determine whether the employee is a habitual users as defined within the Health & Safety (Display Screen) Regulations 1992. Where this assessment proves the employee to be a habitual user, a full assessment of the equipment, workstation and environment, using a DSE 2 pro-forma, shall be undertaken by the employee's line manager immediately.
- 16.3 Employees are entitled to an initial free eyesight test at the council's approved opticians where the DSE 1 identifies the employee as an habitual user. Further guidance may be found within the DSE code of practice. Further guidance regarding the eye and eye sight test is also available from Human Resources.

C17 Electricity

- 17.1 This council shall ensure that all electrical works are in accordance with the Electricity at Work Regulations 1989.
- 17.2 Appropriate inspection and testing, in accordance with legislation and codes of practice, shall be carried out on all electrical installations and portable electrical equipment owned by this council. This council shall also ensure that only electrical equipment that carries a valid certificate of test is allowed to be brought into council premises and is suitable for the environment in which it is to be used.

- 17.3 The Business Manager – Asset Management is responsible for ensuring:
- (a) A competent contractor is appointed to undertake the testing of all portable electrical equipment owned by the council.
 - (b) that there are suitable systems in place to ensure appropriate examination and testing, by a competent person, of all fixed electrical systems owned/managed by the council.
- 17.4 Business Managers shall ensure that:
- (a) All hazardous/dangerous equipment identified during the combined electrical test are removed from service and dealt with accordingly.
 - (b) They have suitable systems in place to ensure that all equipment brought on site by third parties has been suitably tested.
 - (c) Where appropriate, that staff have received suitable instruction to ensure that they are able to identify electrical hazards. Further guidance to assist with this may be found within the intranet.
 - (d) Only competent persons are authorised to install, inspect, repair, and maintain electrical installations and/or equipment.
 - (e) There are suitable mechanisms in place to ensure that electrical equipment used within their units are appropriate for the environment in which they shall be used.
- 17.5 Officers undertaking construction, maintenance or refurbishment works shall give due consideration to work near overhead or underground electrical cables. All such works shall be undertaken in accordance with the relevant Health and Safety Executive Guidance. Officers managing such works shall ensure that the contractor has received all information held by NSDC relating to such hazards prior to commencement of works.
- 17.6 Where practical, standard 240 volt equipment shall not be used externally. Where this is not possible, external use of 240v equipment shall only be undertaken where a risk assessment has indicated it is safe and appropriate to do so. This assessment will ensure that the equipment is appropriate for the environment, all connections are appropriate for the environment (standard 13amp 3 pins connections are generally not appropriate externally within the working environment), and that a suitable safety device is installed within the circuit.

C18 Events

The relevant Business Manager shall ensure that where necessary the following are implemented for all indoor or outdoor events organised or managed by this council:

- All hazards are identified prior to the event and risk assessments produced to control/minimise them.

- Those managing the event are competent to do so.
- Responsibilities are formally agreed.
- Inspections take place prior to, during and directly after the event.
- Liaison takes place with the appropriate enforcement bodies.
- All events are managed in accordance with the Health & Safety Executive's Guidance HSG 195 "The event safety guide – a guide to health, safety and welfare at music and similar events"
- Event management plan including emergency procedures have been produced and agreed.

C19 Fire

In fulfilling its duties specified within the Regulatory Reform (Fire Safety) Order 2005, this council will ensure the following:

(a) General

Business Managers with responsibilities for premises shall ensure that:

1. A suitable and sufficient fire risk assessment, as required by the Regulatory Reform (Fire Safety) Order 2005, is carried out by a competent person and that all matters requiring attention are undertaken to remove or reduce risk to a minimal and appropriate level. This risk assessment shall be reviewed on a regular basis.
2. Adequate emergency routes and exits as defined by the guidance are provided and kept clear at all times.
3. All firefighting, fire detection equipment and other fire safety equipment provided is suitably inspected and maintained in accordance with relevant current guidance. This shall be documented within the Fire Log Book.
4. Suitable instructions are posted in conspicuous areas informing all users of the building of the action to take in case of a fire.
5. All staff within this building have received appropriate fire safety information, instruction and/or training. This shall be documented.
6. A suitable fire plan has been produced and where applicable Fire wardens are appointed to ensure a rapid and effective evacuation.
7. Fire drills are carried out at least once every 6 months.
8. Special areas of fire risk potential are suitably marked and special procedures formulated.

(b) Kelham Hall Offices

The following have specific responsibility for fire safety within Kelham Hall.

Business Manager – Asset Management

The Business Manager – Asset Management has specific responsibility for ensuring:

- a. Compliance with fire safety regulations for Kelham Hall and that the building meets with current fire legislation.

- b. That all fire detection, fire safety and fire fighting equipment provided within the building is available and maintained in accordance with the Fire Log Book.
- c. That a fire drill occurs every 6 months.
- d. That there is a suitable and sufficient fire risk assessment available for the building, which is reviewed annually and following all significant alterations.

Business Managers

Business Managers with units based within Kelham Hall shall ensure that:

- (a) All staff within their area, based at Kelham Hall, are appropriately trained.
- (b) Their operations do not change/alter the fire risk within the building without prior notification to the Asset Manager.
- (c) Suitable fire evacuation plans are in place to ensure the safe and effective evacuation of their Service area and of surrounding areas if required.

Tenants

The officer responsible for managing the tenancy shall ensure that:

- (a) Tenants adhere to all council policies relating to fire safety within communal areas.
- (b) Tenants are aware of the overall building fire evacuation strategy.
- (c) The main findings of the fire risk assessment are shared with the tenant.
- (d) The tenant carries out a fire risk assessment for areas under their direct control and/or all tasks that may increase the fire risk within common areas.

Safety and Risk Management Officer

The Safety and Risk Management Officer shall provide assistance and advice relating to fire safety issues.

C20 First Aid

20.1 Business Managers shall ensure that:

- (a) Suitable and appropriate first aid equipment and expertise, appropriate to the risk, shall be provided in accordance with legislation and codes of practice to all employees regardless of their work situation.
- (b) Suitable risk assessment is undertaken to establish the required first aid provision for their units.

20.2 The Safety and Risk Management Officer shall provide first aid equipment for designated first aiders located within Kelham Hall. Training shall be funded through Human Resources via the corporate training budget.

20.3 In **ALL** other premises occupied by NSDC staff, the relevant Business Manager **SHALL** ensure that suitable first aid provision including equipment is provided, is replenished as required and training for staff is provided to ensure that adequate first aid cover is maintained at all times. Again training shall be funded via the corporate training budget.

20.4 First Aiders shall keep records of all first aid administered. These records shall be forwarded to the Safety and Risk Management Officer immediately.

20.5 Business Managers shall ensure that the names of all relevant First Aiders are displayed in premises for the information of employees.

C21 Health Surveillance

21.1 The council will provide adequate occupational health provision, in accordance with legislation and/or risk assessments, to identify and control occupational related health risks.

21.2 The occupational health provision is managed by the Business Manager - Human Resources.

21.3 Health surveillance will be provided to those staff where their risk assessments have identified the need due to the above and where:

- (a) There is an identifiable disease or adverse health condition related to the work concerned.
- (b) Valid techniques are available to detect indications of the disease or condition.
- (c) There is a reasonable likelihood that the disease or condition may occur under the particular conditions of work; and
- (d) Surveillance is likely to further the protection of the health and safety of the employees to be covered.

21.4 The appropriate level, frequency and procedure of health surveillance shall be determined by our occupational health provider.

21.5 Business Managers shall ensure that:

- (a) Employees within their unit are provided with appropriate health surveillance as determined by legislation, corporate guidance and/or risk assessments.
- (b) The recruitment and selection process identifies those new employees whose role requires job specific health surveillance.
- (c) All health surveillance measures are identified within their departmental risk assessments where required.

21.6 Business Managers, unsure whether health surveillance is required, shall seek the assistance of the Safety and Risk Management Officer.

C22 Highways - Working on or Near

22.1 Business Managers shall ensure that:

- (a) A suitable and sufficient risk assessment specific to working on or near highways has been completed if any work activity is to be on a highway or within 450mm of the highway.

- (b) All work on highways will be in accordance with the Department for Transport's Traffic Signs Manual Chapter 8 – Traffic safety measures and signs for road works and temporary situations.
- (c) All staff working on the highway or those required to direct traffic/vehicles using road signage or hand signals are appropriately trained to do so.

22.2 Employees working on or within one metre of the highway shall be required to wear a reflective luminous jacket. Under no circumstances shall this jacket be removed while working on the highway.

C 23 Occasional Home Working

23.1 This council allows, at the discretion of the Business Manager, for staff to carry out occasional work from home.

23.2 Prior to commencement of home working, the Business Manager should discuss with the employee any possible health and safety risks, e.g. **ill health conditions**, safe working position, trailing cables, etc. A risk assessment should be completed.

23.3 The employee should be given ample opportunity to discuss any concerns they have.

23.4 It should be remembered that the employer's health and safety duties are applicable in the home of the individual. It is therefore essential that no home working is to be considered if the activity/task cannot be carried out in accordance with this policy or relevant legislation/guidance.

23.5 Further guidance may be found within the Occasional Home Working Policy.

C24 Good Housekeeping within the Workplace

24.1 Good housekeeping is considered, by this council, to be a key issue in accident prevention and an issue everyone must participate in.

24.2 To ensure this is dealt with accordingly, Business Managers shall ensure that:

- (a) There are suitable arrangements for the storage of clothing, equipment, supplies and waste. There shall also be provided and properly maintained clean work areas, washing/toilet/mess rooms.
- (b) All accesses and egresses within the workplace, including corridors, gangways, stairs, thoroughfares, etc. are maintained in a safe and clean manner.
- (c) Work areas remain, so far as is reasonably practicable, free of slip, trip and fall hazards.
- (d) All reasonable measures are taken to ensure suitable temperature, humidity, lighting and space requirements within all working environments and compliance with The Workplace (Health, Safety and Welfare) Regulations 1992 and other relevant legislation.
- (e) Departmental risk assessments include reference to the above.

C25 Ill Health

- 25.1 Employees are required to notify their manager of any condition or illness that may affect their health and safety, or that of others, by their acts and or omissions whilst carrying out their duties.
- 25.2 On notification by the employee of a relevant ill health condition, the Business Manager shall produce an individual risk assessment, with assistance of the Safety and Risk Management Officer and Human Resources, which takes into account the individual's health condition and if it is likely that it may affect their own health and safety or that of others. This assessment will identify the specific hazards relevant; the level of risk; who is at risk and what control measures are required to manage the risk at an acceptable level. Consideration on whether the individual should be referred to Occupational Health must be given during this process. See section C1. The completed assessment shall be provided to Human Resources and the Safety and Risk Management Officer.
- 25.3 Following ill health, and prior to an employee returning back to their full duties, Business Managers shall consider the need for a formal risk assessment during the return to work interview. This should consider whether the individual is fit to resume full duties and if so what additional controls are required until the individual is fully fit to resume all their duties.
- 25.4 Risk assessments must take into account an individual's health. See section C1. The Corporate Absence Policy details further requirements with regard to ill health suffered by employees and the course of action managers and employees should undertake.
- 25.5 This council will also, as resources allow, provide mechanisms to improve the general health of the workforce. This will aim to assist employees to identify their lifestyle related risks provided their co-operation in this is forthcoming. It is intended that these mechanisms shall allow this council to:
- a) Ensure adequate protection to staff whilst at work; and
 - b) Provide tangible encouragement to aid employees to self manage their health.

C26 Use of Latex gloves

- 26.1 Latex exposure can lead to a number of health problems, including:

Irritation - symptoms include redness, soreness, dryness or cracking of the skin in areas exposed to latex. Once the irritant agent, e.g. latex, has been identified and contact with it ceases, the symptoms will disappear and not recur.

Allergic reaction - symptoms include:

- localised or generalised rash (urticaria or hives);
- inflammation of the mucous membranes in the nose (rhinitis);
- red and swollen eyes with discharge (conjunctivitis); and
- asthma-like symptoms.

Most common exposure within our workplace is through the use of latex gloves.

- 26.2 To ensure that individuals do not experience the above reactions, this council has adopted a policy on the use of latex based products. Business Managers should therefore ensure that the use of latex gloves is in accordance with this council's code of practice.

C27 Legionella

- 27.1 This council is required to consider the risks from legionella that may affect either its employees or members of the public and take suitable precautions to protect them all. As an employer and as an organisation in control of premises (e.g. a landlord), we must:

- **Identify** and assess sources of risk
- **Prepare** a management plan for preventing or controlling the risk at each water system
- **Implement** a suitable management programme and appoint a person to be responsible, sometimes referred to as the 'responsible person'
- **Keep records** and check that what has been done is effective.

- 27.2 Further guidance regarding the specific responsibilities and arrangements may be found within the Legionella Code of Practice.

C28 Lone Working

- 28.1 Lone workers are those who work by themselves without close or direct supervision.

- 28.2 Although there is no general legal prohibition on working alone, the broad duties of the Health and Safety at Work Etc Act 1974 and the Management of Health and Safety at Work Regulations 1999 still apply. These general duties require the identification of hazards at work, assessing the risks involved and putting measures in place to avoid or control the risks. Therefore where lone working is required, the Business Manager shall ensure that a suitable risk assessment is carried out to establish the hazards associated with the task and the necessary control measures required to eliminate the risk, or reduce it to a reasonably practicable level.

There are **NO** absolute restrictions on working alone; it will depend on the findings of the risk assessment.

- 28.3 Business Managers shall identify all situations where staff are at significant risk due to the requirement for them to work alone.

- 28.4 It should be remembered that violence is not the only significant hazard associated with lone working. Business Managers should also consider tasks where there is a significant risk to the lone worker due to other hazards, i.e. using hazardous machinery/substances, working at heights, confined space entry, inability to summon emergency assistance, etc.

28.5 Where a risk assessment has identified that an individual is at significant risk due to lone working, the Business Manager shall ensure that suitable systems are introduced to suitably control the hazard. This will include monitoring systems and escalation procedures. Business Managers shall also ensure that any systems/procedures adopted are appropriate for all times that employees are at work. Particular attention should be paid to ensuring the efficacy of systems where employees are required to work outside of normal office hours.

28.6 Further guidance may be found within the Managing Violence Booklet.

C29 Manual Handling

29.1 This council shall ensure that all manual handling activities with a significant risk of injury are suitably assessed in accordance with the Manual Handling Regulations 1992.

29.2 Manual handling relates to the moving of items either by lifting, lowering, carrying, pushing or pulling. The Manual Handling Regulations 1992 place specific duties on employers regarding these operations.

The above regulations establish a clear hierarchy of control measures. These are:

AVOID, so far as is reasonably practicable, hazardous manual handling operations

RISK ASSESS those operations where hazardous manual handling may not be avoided

REDUCE, so far as is reasonably practicable, the risk of injury from the hazardous manual handling operations.

29.3 Business Managers shall ensure that:

- (a) A risk assessment is carried out for all activities, where there is a likelihood of significant injury, using this council's manual handling assessment pro-forma and that all control measures identified during this process are appropriately implemented.
- (b) The above assessment should attempt to avoid hazardous manual handling operations as far as reasonably practicable, if there is possibility of a significant injury. If this cannot be done then steps must be taken to reduce the risk of injury as far as is reasonably practicable.
- (c) All staff within their respective units who undertake handling, lifting, pushing or pulling operations which presents a significant risk of injury are suitably trained.
- (d) Individuals who have notified of a significant ill health issue, which may affect their ability to lift significant loads safely, are suitably assessed before allowing them to recommence manual handling of significant loads. Advice should be sought from the Safety and Risk Management Officer where there is any doubt regarding this assessment.

C30 Use of Mobile Phones whilst Driving

- 30.1 Many drivers are required to carry mobile phones to ensure their safety and to assist with their service provision. These drivers **MUST** ensure that they do not answer any call (unless hands-free) or text whilst their vehicle is in motion or the engine is running. Prior to answering any call they shall ensure, unless they are operating a hands-free system, that their vehicle is stationary, the engine is off and they are parked in a safe location.
- 30.2 Drivers are advised to ensure that when driving, the phone's messaging facility is activated. Calls should then be checked and returned only when safe to do so.
- 30.3 Business Managers shall assess the need for such equipment and where appropriate, provide a dedicated hands free system where it is envisaged that the employee may be required to operate a mobile phone whilst driving. These systems shall, however, only be provided if it is **essential** for the operation of the service that the driver is required to answer calls whilst driving.

C31 Noise

- 31.1 The Control of Noise at Work Regulations 2005 are applicable to all workplaces. The aim of these regulations is to ensure that workers' hearing is protected from excessive noise at their workplace, which could cause them to lose their hearing and/or suffer from tinnitus.
- 31.2 Business Managers shall ensure that suitable and appropriate measures, in accordance with the Noise at Work Regulations 2005 and codes of practice, shall be taken to ensure the hearing of all employees and visitors within their respective units.
- 31.3 Business Managers shall ensure that a suitable noise risk assessment is in place for all activities that produce or may develop noise levels that exceed the first action level 80d(B)A as defined within the Noise at Work Regulations 2005. To ensure that a suitable assessment is undertaken, Business Managers should liaise with the Safety and Risk Management Officer.
- 31.4 Where this assessment proves the noise levels exceed the first action level, 80d(B)A, the Business Manager will ensure that:
- (a) Hearing protection is made available to employee;
 - (b) Exposed employees are provided with appropriate training and information is provided;
 - (c) Audiometric screening is made available via the occupational health provision.
- 31.5 Where the assessment exceeds the second action level, 85 d(B)A, the Business Manager shall ensure that:
- (a) Hearing protection is provided and is worn by all;
 - (b) Warning signs are posted within the noise area;

- (c) Exposed employees are provided with appropriate training and information is provided;
- (d) Exposed staff receive audiometric testing.

31.6 Occupational Health shall assess all new employees who are to work with equipment that exceeds the first action level prior to commencement of employment.

C32 Open Spaces

32.1 The council will ensure, so far as is reasonably practicable, that all open spaces managed or owned by Newark & Sherwood District Council are maintained appropriately to ensure the safety of all users. This will include all open water, footpaths, trees and furniture fitted in these areas.

32.2 Business Managers responsible for these areas will ensure a full risk assessment is completed identifying possible significant hazards and detailing the control measures for ensuring the above.

32.3 Further details regarding the adequate management of trees may be found within the Community Facilities policy relating to tree management.

C33 Playgrounds and Play Equipment

33.1 This council will ensure, so far as is reasonably practicable, by inspection, monitoring, maintenance and repair that all playgrounds and play equipment owned or managed by Newark and Sherwood District Council remain safe for users.

33.2 Inspection and monitoring of these sites will include:

- Routine inspections (frequency determined by risk assessment) - visual checks, using agreed checklist and trained operatives, to ensure no obvious faults/vandalism;
- Responsive inspections – carried out following the notification of damage/faults to equipment, furniture, flooring, etc;
- Annual detailed inspection and risk assessment by a competent person.

33.3 All new equipment will be examined/inspected, by a competent person prior to use, to ensure it has been suitably installed and conforms to current standards. This inspection will be suitably documented.

33.4 For further details please refer to the guidance document for the maintenance and inspection for play areas.

C34 Personal Protective Equipment & Clothing

34.1 Employers have basic duties concerning the provision and use of personal protective equipment (PPE) at work. These duties are detailed within the Personal Protective Equipment at Work Regulations 1992.

The main requirements of the above regulations are that PPE is:

- (a) Properly assessed before use to ensure it is suitable;
- (b) Maintained and stored correctly;
- (c) Users are provided with appropriate instruction on its use;
- (d) It is used correctly by all relevant employees.

34.2 To ensure compliance with the above regulations, Business Managers shall ensure:

- (a) All reasonably practicable measures, as identified within the hierarchy of control listed within The Management of Health and Safety at Work Regulations 1999, shall initially be undertaken to remove the hazard. Only if the hazard remains after this shall PPE be issued. PPE shall always be the last resort.
- (b) That suitable personal protective equipment and/or clothing (PPE & PPC) shall be supplied where a risk assessment has identified a need.
- (c) That where PPE/PPC is required, an assessment has been carried out to ensure the correct type has been purchased and that it fits all employees correctly.
- (d) That PPE is worn where required. Refusal by an employee to wear the correct PPE shall be treated seriously and disciplinary procedures may be considered.
- (e) That all equipment provided is CE marked and is suitable for the hazards present.

34.3 Employees shall **NOT** be charged for the basic provision of PPE/PPC where this has been identified within a risk assessment.

34.4 Where employees wish to request PPE/PPC which exceeds the basic standard provision identified within the relevant risk assessment, they may be requested to pay for the additional costs incurred above the cost of the basic provision. In all cases this may only be undertaken for PPE/PPC that is identified within a relevant risk assessment, that meets the standards as defined within the risk assessment and only after seeking agreement from the Business Manager.

C35 Pregnant Workers/ Nursing Mothers

35.1 The Management of Health and Safety at Work Regulations 1999 requires that employers assess the risk to new or expectant mothers once they have been notified. These regulations also prohibit certain prescribed tasks which place the mother or her baby at increased risk.

35.2 When advised of pregnancy, Business Managers shall immediately notify Human Resources who will arrange for a risk assessment of the pregnant worker's/ nursing mother's post to be carried out as soon as possible. This risk assessment shall be carried out by the Human Resources Unit, in conjunction with the immediate line manager of the pregnant worker or nursing mother.

35.3 It is essential that the Business Manager ensures all controls identified within this risk assessment are implemented and that the individual is monitored during the period of their pregnancy or for up to 6 months after the birth if a nursing mother, to ensure it remains applicable. If circumstances change, the Business Manager shall ensure Human Resources are notified immediately to ensure the risk assessment can be reviewed.

C36 Stress

36.1 It is the policy of Newark and Sherwood District Council to ensure, so far as is reasonably practicable, that no employee is subjected to a level of stress due to work, which is detrimental to his or her health. The council aims to create an environment where workplace stress can be dealt with openly and fairly and expects all managers to apply this policy and guidance in a consistent and timely manner. The council also commits itself to investigating all claims of ill health due to workplace stress to ensure appropriate action is taken to prevent any recurrence of the situation.

36.2 The council will take seriously and investigate report(s) from employees about causes of workplace stress and will take preventative and protective measures to reduce the risk.

36.3 Where stress at work is identified an individual stress risk assessment shall be undertaken to identify the likely stressors and to implement appropriate controls to reduce the level of risk to the individual to a reasonable level. This assessment will be completed by the individual's Business Manager, Human Resources and the Safety and Risk Management Officer. The findings of this assessment will be shared with the individual.

36.4 Workplace stress is recognised as a Health and Safety issue. The main legislation, which is relevant to this subject, is the Management of Health and Safety at Work Regulations 1999 and the Health and Safety at Work Etc Act 1974.

36.5 Further guidance may be found within the Stress Policy.

C 37 Smoking

37.1 This council operates a smoking policy for all employees in any council building or council vehicle.

37.2 It is the Business Manager's responsibility to ensure that the above policy is adhered to within their own unit.

37.3 Further guidance regarding this may be found within the Smoking Policy.

C38 Swimming Pool Management

38.1 All swimming pools managed by this council shall be operated in accordance with the Health and Safety Executives' guidance document "Managing health and safety in swimming pools HSG179".

38.2 Details specific to the operation of swimming pools is detailed within the council's Swimming Pool Health and Safety Policy.

This policy shall include:

- (a) the names of key individuals and their responsibilities for health and safety;
- (b) arrangements for providing the instruction, training and supervision to ensure that safe systems of work are always adopted and adhered to;
- (c) arrangements to ensure that employees follow the rules and precautions;
- (d) Specific bathing loads;
- (e) It is the responsibility of the Business Manager – Leisure Centres to ensure the above policy is relevant and kept up to date.

38.3 The centre manager at each swimming pool site shall also ensure that there are suitable normal operating procedures and emergency action plans to ensure safe systems of work/precautions for avoiding them and for dealing with injury, fire and other emergencies.

C 39 Travel and Transport

39.1 Integral to service delivery of the council is the need for travel of employees and transportation of goods and materials. Such activity will include adequate consideration of health and safety to ensure safety of employees and non-employees.

39.2 All transport activities related to workplace travel shall be in accordance with the Workplace Transport Policy and be suitably risk assessed. This includes the use of private vehicles, motorcycles and bicycles.

39.3 Business Managers shall ensure that they have appropriate systems in place to ensure that all employees driving on council business have the appropriate licence to do so, their vehicle has business cover insurance, their vehicle is taxed and MOT'd.

39.4 Business Managers shall also ensure that the above policy is implemented within their relevant units.

39.5 Further guidance may be found within the Workplace Transport Policy and the Driver's Handbook.

C40 Vibration - Hand-Arm

40.1 The Control of Vibration at Work Regulations 2005 requires that employers assess and identify measures to eliminate or reduce risks from exposure to hand-arm vibration to protect employees from risks to their health. They also place restrictions regarding the amount of exposure an employee may have to vibration.

40.2 It is this council's aim to ensure that vibrating equipment provided does not expose individuals to vibration levels exceeding the current exposure action value of $2.5 \text{ m/s}^2 \text{ A(8)}$. Where this is not possible, Business Managers will ensure that risk assessments are completed, that all relevant requirements of the above regulations are implemented and exposure to individuals is frequently monitored and documented. Under **NO** circumstances should Business Managers allow staff to use equipment which allows them to exceed the exposure limit value of $5.0 \text{ m/s}^2 \text{ A(8)}$.

- 40.3 Business Managers shall ensure that a suitable risk assessment has been undertaken for all tasks which expose staff to vibration at work.
- 40.4 Further guidance identifying how this council will ensure compliance with the above legislation may be found within the Hand-arm Vibration Policy.

C41 Volunteers and Volunteering

- 41.1 This council offers many opportunities to take part as a volunteer, ranging from dedicated national volunteer schemes to site or service specific.
- 41.2 As an employer the council has a legal duty to ensure, so far as is reasonably practicable, the safety of all persons who may be affected by our acts or omissions and to assess the risks to the health and safety of our employees and others including volunteers. We also have a duty to implement suitable control measures.
- 41.3 The same health and safety standards should be applied to volunteers as for employees exposed to the same risks.
- 41.4 Where volunteers are utilised to undertake tasks/functions on behalf of the council, it is the responsibility of the Business Manager for the appointing service area to ensure that there are appropriate systems in place to ensure the continued safety of volunteers.
- 41.5 To ensure the safety of volunteers, and compliance with relevant legislation, Business Managers shall ensure that:
- (a) Volunteers are assessed prior to commencement to ensure they are suitable for the intended tasks and are able to carry them out safely.
 - (b) Working arrangements (e.g. hours of work) and health and safety responsibilities are agreed upon and confirmed prior to training or employment commencing.
 - (c) Where required, suitable and sufficient assessments are produced for the work to be undertaken by the volunteer and results of the assessment recorded.
 - (d) Where risk assessment identifies significant or specific risks, these must be addressed and volunteers be provided with adequate information about the hazards present in the area(s) in the workplace and that measures are in place to reduce the risk.
 - (e) The volunteer is clear about the tasks that they are expected to do and what not to do.
 - (f) They know how to report defective or damaged equipment and to whom, where to obtain replacements, and what maintenance is necessary.
 - (g) Volunteers are provided with an induction and receive appropriate information prior to commencement.
 - (h) Volunteers are appropriately trained, especially where they are to carry out higher risk activities.
 - (i) Appropriate supervision is provided.
 - (j) Volunteers are aware of this Councils procedure for reporting accidents.
 - (k) Volunteers understand their duties as specified below.

41.6 Duties of Volunteers

Volunteers have a responsibility to comply with this Health and Safety Policy and local safe systems of work. To ensure their safety and the safety of others, volunteers must:

- (a) Follow any safety arrangements implemented for their protection, including attending training sessions, complying with control measures, etc.
- (b) Not act in a manner that adversely affects their own health and safety or the health and safety of anyone else.
- (c) Only use equipment that they are trained and authorised to use. Report all accidents.
- (d) Report any perceived or real shortcomings in their health and safety protection.

C42 Work Equipment – Provision and Use

42.1 The Provision and Use of Work Equipment Regulations 1998 place duties on employers who own/operate work equipment. Work equipment is any machine, appliance, tool or installation for use at work. This includes equipment which employees have provided for their own use.

These regulations require that equipment provided for use at work is:

- (a) Suitable for its intended use;
- (b) Maintained in a safe condition and appropriately inspected;
- (c) Used only by trained/competent employees;
- (d) Accompanied by suitable health and safety measures, i.e. PPE, safety guards, emergency stops, etc;
- (e) Used in accordance with specific health and safety requirements.

42.2 It is the policy of this council to provide a safe working environment in relation to work equipment safety and to ensure all employees receive appropriate safety information and training in their work equipment.

42.3 Business Managers are responsible for ensuring that:

- (a) all equipment used by employees at work is suitable for its intended use;
- (b) each employee has received adequate information, instruction and training;
- (c) a risk assessment has been completed for equipment which poses a significant risk;
- (d) suitable personal protective clothing is worn at all times when necessary for the safe operation of work equipment;
- (e) if appropriate, all work equipment is regularly maintained and inspected;
- (f) that the work equipment is suitably guarded;
- (g) All relevant equipment is provided with an appropriate emergency stop, signage, or other necessary safety device.

42.4 Those purchasing work equipment shall ensure that it conforms to the relevant standards and is CE marked. They shall also have consideration for hazards produced by the equipment (i.e. noise, vibration, dust, fumes, etc) and where possible and reasonable practicable purchase lower risk equipment.

Work Equipment – Maintenance/inspection

- 42.5 This council will ensure that all plant and equipment (e.g. lift trucks, vehicles, gas appliances, machinery guarding, ladders, electrical equipment, lifting equipment, air receivers, ventilation plant) that requires maintenance (e.g. pre-start checks, servicing, thorough examinations) is identified and that the maintenance is completed.
- 42.6 Maintenance of such plant and equipment is the responsibility of Business Managers. Business Managers will ensure:
- That the Insurance Officer is notified of all equipment requiring statutory examination.
 - Regular examination and testing, by a competent person, of all plant and equipment in accordance with statutory provisions, codes of practice and risk assessments;
 - The recording of all such tests, examinations and remedial action taken. Records of the engineers report and all other relevant documentation shall be maintained on site for at least 3 years.
 - The withdrawal and isolation of all defective plant, equipment and installations until remedial work is effective.
 - The Insurance Officer is notified of all new equipment provided which requires statutory examinations.
- 42.7 The insurance Officer is responsible for ensuring that all equipment bought to his/her attention, being identified as requiring a statutory examination, is included within the insurer's examination schedule.
- 42.8 The Insurance Officer shall ensure that all defects identified within the subsequent report are brought to the attention of the relevant Business Manager. The Business Manager is responsible for ensuring that all required works/defects identified within the statutory are dealt with accordingly and that the Insurance Officer is notified that the works have been suitably addressed.

Work Equipment – Lifting Equipment Use and Operations

- 42.9 The Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) places duties on employers who own, operate or have control of lifting equipment.

These regulations require that all lifting equipment and its associated accessories (i.e. slings, chains, harnesses, ropes etc) are:

- (a) Fit for purpose;
- (b) Appropriate for the task;
- (c) Suitable marked; and
- (d) Inspected.

42.10 In addition to the above requirements the LOLER Regulations also place duties on the person undertaking a lifting operation. These include:

- (a) The lift operation must be properly planned;
- (a) People involved must be suitably competent;
- (b) The operation must be suitable supervised; and
- (c) It should be carried out in a safe manner.

42.11 To ensure compliance with the above, the Business Manager shall ensure that:

- (a) All lifting equipment used within their unit is suitable and appropriate for its intended use;
- (b) has an appropriate lift examination certificate;
- (c) if owned by the council it is appropriately maintained;
- (d) is only operated by competent persons;
- (e) all lifting operations utilising mechanical lifting equipment is appropriately planned and subsequently supervised. For significant lifting operations a risk assessment and work method statement shall be produced and evaluated by the Safety and Risk Management Officer;
- (f) the Insurance Officer is made aware of all lifting equipment owned by the council so that they may ensure the equipment is subject to the necessary statutory examinations;
- (g) That all faults identified within the statutory examination or during normal inspection or prior to use are dealt with accordingly;
- (h) Lifting equipment is appropriately isolated and stored when not in use.

C43 Working at Heights

43.1 The Work at Height Regulations 2005 apply to all work at height where there is a risk of a fall which is likely to cause personal injury. These regulations place duties on employers, the self-employed and any person who controls the work of others (e.g. facilities managers or building owners who may contract others to work at height) to the extent they control the work.

43.2 The regulations set out a simple hierarchy for managing and selecting equipment for work at height.

43.3 The regulations require duty holders to ensure:

- All work at height is properly planned and organised;
- All work at height takes account of weather conditions that could endanger health and safety;
- Those involved in work at height are trained and competent;
- The place where work at height is done is safe;
- Equipment for work at height is appropriately inspected;
- The risks from fragile surfaces are properly controlled; and
- The risks from falling objects are properly controlled;
- Where they cannot eliminate the risk of a fall, use work equipment or other measures to minimise the distance and consequences of a fall should one occur.

- Use work equipment or other measures to prevent falls where they cannot avoid working at height; and
- Avoid work at height where they can.

43.4 Business Managers shall ensure that all work undertaken by employees at height is in accordance with the above regulations and relevant HSE guidance.

43.5 Business Managers and/or persons controlling work at heights or contractors are responsible for ensuring the above duties are complied with.

Where such work is being undertaken by contractors, the above person shall make reasonable enquiries to ensure the contractor and their sub-contractors are using appropriate methods of access when working at heights. Persons controlling such works should therefore request copies of relevant risk assessments and work method statements for evaluation.

43.6 Business Managers shall ensure that there are suitable risk assessments for all significant works at height, i.e. those tasks where it is foreseeable for persons to be significantly injured.

43.7 Business Managers shall ensure that all staff required to work at height or manage others, including contractors, who work at height have received appropriate instruction and training.

C44 Young Persons – (under 18 years old)

44.1 A suitable risk assessment, using this council's agreed pro-forma, shall be carried out for all young persons aged between 13 and under the age of 18 when either employed by this Authority or on work experience.

44.2 The Business Manager responsible for this young person must carry out this assessment prior to employment or work experience.

The assessment must:

- Take into account their inexperience, lack of awareness of existing or potential risks, and immaturity;
- Address specific factors within the risk assessment;
- Identify working time/working pattern restrictions;
- Provide information to parents of school age children about the risk and the control measures introduced;
- Take account of the risk assessment in determining whether the young person should be prohibited from certain activities.

44.3 Copies of this assessment should be supplied to the school or legal guardian for their information.

C45 Audit and Review

45.1 This policy will be formally reviewed at least every 2 years and at any other times when activities, staff structure, accidents occur or when there are significant changes to legislation.

Safety and Risk Management Officer
November 2014

Reviewed Nov 2009
Reviewed March 2012
Reviewed March 2015

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