

Title of Report:	Polices and Procedures for Asbestos, Legionella and Arson
Report to be considered by:	Personnel
Date of Meeting:	2 nd July 2010

Purpose of Report: To set out policies and procedures for the management of asbestos, legionella and arson to support the role of the Responsible Person.

Recommended Action: Approve the policies and procedures.

Reason for decision to be taken: To improve the arrangements for ensuring the safety and health of staff and customers of the Council.

Other options considered:

Key background documentation:

<p>The proposals will also help achieve the following Council Plan Themes:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> CPT13 - Value for Money <input checked="" type="checkbox"/> CPT14 - Effective People <input checked="" type="checkbox"/> CPT15 - Putting Customers First <input checked="" type="checkbox"/> CPT16 - Excellent Performance Management <p>The proposals contained in this report will help to achieve the above Council Plan Priorities and Themes by: Improving the arrangements for ensuring the safety and health of staff and customers of the Council</p>

Portfolio Member Details	
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Date Portfolio Member agreed report:	01 March 2010

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Implications

Policy:	The policies outlined in this report support the Council's Health and Safety Policy by providing detailed procedures for the management of risk posed by Asbestos, Legionella and Arson
Financial:	None
Personnel:	The policies and procedures outlined in this report are designed to safeguard staff of the Council.
Legal/Procurement:	none
Property:	The Arson policy should help to safeguard the Council's property portfolio by reducing the risk of arson.
Risk Management:	These policies and procedures are designed to reduce risks to staff customers and premises.
Equalities Impact Assessment:	Equalities impact assessment indicates that there are no implications arising from these policies. In particular these policies are tailored to reflect the needs of for example disabled in terms of evacuation of buildings.
Corporate Board's View:	Corporate Board welcomed the procedures as they would help Responsible Persons manage the risks outlined in these procedures. Corporate Board were concerned that some of the more junior RP's might struggle with the requirements set out in the procedures and have asked Ian Priestley to bring an update back to Corporate Board once the fourth quarter reporting from RPs has been received and analysed.

Executive Summary

1. Introduction

- 1.1 The report sets out three procedures that provide guidance on how the Council will manage the risks posed by Arson – Legionella and Asbestos.
- 1.2 The main purpose of these procedures is to provide guidance to the Responsible Persons in managing these risks as the Council rolls out the new monitoring and reporting arrangements for H&S.

2. Proposals

- 2.1 The key point is that the procedures need to be made available quickly to the RP's and that they will need to be kept under constant review by the H&S Team and amended as required as they are applied.
- 2.2 In the case of the Arson Policy it is intended as a template that the RP will need to amend and tailor to the premises they are responsible for. It forms a key part of the Council's Fire Policy and it is a requirement in the event of an inspection by the Fire Service.
- 2.3 The approval process of these procedures needs to be considered. The recommended route is through the Personnel Committee rather than the Executive, as all of the H&S procedures have staff implications. The Head of HR is presently preparing a report to seek approval to amend the terms of reference for this committee to include H&S issues.
- 2.4 Pending formal approval all procedures will be issued in draft once they have been signed off by Corporate Board.

3. Conclusion

- 3.1 The procedures will be reviewed and amended on an ongoing basis. It is proposed that any such minor amendments are not subject to formal approval, but are agreed by the Chief Executive.

Executive Report

1. Introduction

- 1.1 This report outlines three policies and procedures that are designed to support the role of the Responsible Person in managing the Health and Safety of staff and customers within Council operated properties.
- 1.2 The intention is that these will be applied in all non school Council buildings and that they will also be made available to schools and recommended for local adoption.
- 1.3 The policies cover Legionella, Asbestos and Arson.

2. Format & purpose

- 2.1 Each of the three documents is set out with:
 - (1) A policy statement
 - (2) An outline of roles and responsibilities
 - (3) Detailed procedures / guidelines with contact details for support
- 2.2 The documents are intended to provide guidance to RPs and Competent Persons. They represent the first stage in a process of providing supporting documentation to RPs and should help with the role out of the new reporting arrangements for RPs.
- 2.3 The documents will form part of the Council's Safety Management System and will sit on the intranet.

3. Technical considerations / issues

- 3.1 The documents have been drawn up by the H&S team in consultation with Property Services. What is apparent from the documents is that the duties required of the Responsible Person and Competent Person(s) are quite considerable, particularly given the risks associated with failure to perform the specific tasks properly. Examples include testing water temperatures and de-scaling shower heads.
- 3.2 This issue is compounded by the wide variety of premises that the Council uses and the lack of clarity around the availability of support from qualified staff from Property Services. For example the main corporate buildings will be covered by Property Services (Facilities Team). Libraries however, will need to organise their own support, or arrange for their own staff, designated Responsible / Competent Persons to perform these checks.
- 3.3 As an alternative Corporate Board may wish to consider giving the technical work to Property Services to perform. Although there are likely to be financial implications from such a decision there will be assurance that the checks are being properly performed.
- 3.4 The Arson Policy is designed as a template for RPs to use and amend to suit local circumstances.

4. Approval process

- 4.1 The intention is that these documents will be made available immediately to RPs. They will go to the Personnel Committee for approval, and once approved will be maintained by the H&S team.
- 4.2 Minor ongoing amendments will be approved by the Chief Executive.

Appendices

Appendix A – Asbestos Policy and Procedure
Appendix B – Legionella Policy and Procedure
Appendix C – Arson Policy and Procedure

Consultees

Local Stakeholders:

Officers Consulted: Maintenance Manager (Andy Green)
Head of HR (Rob O'Reilly)

Trade Union: Via JCP once signed off by Corporate Board