

Meeting of the Staffing Committee
Castlemorton Parish Hall
Thursday 1 July 2021 7.00pm

Members: Mr D Baldwin, Mr R Bartholomew, Mr M Davies, Mrs H I'Anson, Ms S Rouse, (non-voting), Mrs C Palmer, Prof J Raine, Mrs G Rees.

1. Apologies for absence
2. Chair's announcements
3. Declaration of Interests
4. Public comments
5. Matters arising from previous meeting not otherwise on agenda

Recruitment

Going through job descriptions

Revision of Abusive, Persistent or Vexatious Complainants Policy and Bullying and Harassment Policy

6. Update on Health and Safety Issues Paper A
7. Review of Health and Safety Policy Paper B
8. Review Safeguarding policy Paper C
9. Urgent Business
10. Date of next meeting 7 October 2021

We are required to comply with Covid-19 regulations when holding meetings. Each venue is risk assessed and has a maximum attendance capacity. Once the capacity for the venue has been reached, in order to remain Covid compliant, no further people will be admitted.

Anyone who is NOT a member of the Committee who wishes to attend **must** apply in writing to cindy@malvern hills.org.uk (or write to Mrs L Parish at the Trust's office), giving their name, E-mail address and contact number, which are required for track and trace. Places will be allocated on a first come first served basis. Cindy will confirm whether there is a place available.

If you turn up at the meeting without pre-booking you risk not being admitted.

Staffing Committee
Health and Safety Report
1st July 2021

1 Health and Safety Incidents

Reported Accidents in the period 18/03/21 to 21/06/21 None

Notifiable Accidents in last 12 months: None

Reported Accidents in last 12 months: 3

2 First Aid Training

Training provision for field staff is to be increased to allow more team members to upgrade from Emergency First Aid qualification to full First Aid at Work qualification, or with additional Forestry First Aid supplementary qualification.

3 Covid precautions.

Current precautions and measures for visitors accessing Manor House are to remain in place. Measures for Covid secure working for staff in the offices and buildings are also still in place. These will be reviewed in light of any changes to Government advice or restrictions in the run up to July 19th.

Duncan Bridges
CEO
21/06/2021

Staffing Committee

Revision of Health and Safety Policy

1 July 2021

The current policy was approved in 2018 and is due for review. It was sent to the Trust's Health and Safety consultant for his comments and he has made some minor recommendations none of which impact on the legal requirements.

Recommendation

The Committee is asked to review the revised draft, consider any further proposals for amendment and send an approved draft to the Board for adoption.

Duncan Bridges
CEO
21 June 2021



GENERAL STATEMENT OF SAFETY POLICY

NB Amendments are shown in red

- The MALVERN HILLS TRUST (MHT) takes all practicable steps to safeguard the health, safety and **wellbeing** of all employees and other persons arising from work activities.
- MHT will provide **appropriate** and proper facilities to safeguard the health and safety of employees and will maintain close co-operation with contractors, suppliers and other persons as appropriate to reduce inherent risks to an absolute minimum.
- Employees will be encouraged to co-operate with MHT in the promotion of the Safety Policy and implementation of all relevant procedures
- Each employee is reminded that they have a legal responsibility not to endanger themselves or others by their acts or omissions whilst at work.
- MHT shall endeavour to meet all responsibilities for the provision of safety training.
- MHT will consult on all matters appertaining to health and safety, with such safety representatives as are required by current or future legislation.
- All MHT employees and contractors will be required to abide by any standing health and safety policies, procedures and risk assessment, and to use all PPE or safety equipment appropriately where provided. Contractors will be required to ensure that any sub-contractors they **engage to carry out work** on MHT property **are approved by MHT prior to engagement and** are similarly compliant with standing policies, procedures and assessments.
- It is of particular importance that all employees involve themselves in matters relating to health and safety and in situations which appear to present a potential risk, reasoned reporting of those issues to their line manager is strongly encouraged. This active involvement refers to equipment, tools, working practices and conditions. All constructive suggestions will be actioned in recognition of our commitment to Health & Safety.
- **All employees and all contractors are responsible for ensuring that all accidents are reported to the Manor House Office and that details are entered in the Statutory Accident Book that day or as soon as practical the following working day. (See Reporting of Accidents below)**

(For the avoidance of doubt in this document the term 'employee' herein includes paid staff and volunteers of the Trust (**save for reporting under RIDDOR as below**) and the term 'premises' includes buildings, car parks and built structures but excludes open countryside)

RESPONSIBILITIES FOR HEALTH AND SAFETY

- The Board has overall and final responsibility for the organisation, including health and safety matters.
- The Staffing Committee has responsibility for oversight of the Health and Safety Policy, receiving reports on health and safety matters and recommending adoption/amendment of procedures and policies in light of current regulations or guidelines to the Board.
- The Chief Executive Officer has overall responsibility for the day-to-day implementation of health and safety policy and procedures within the organisation.
- Managers have day to day responsibility for ensuring this policy and any relevant procedures are put into practice with their respective staff and volunteer teams.

| Statement | Responsibility of: | Actions |
|---|------------------------|--|
| Prevent accidents and cases of work-related ill health by managing the health and safety risks in the workplace. | Staffing Committee | Setting of Health and Safety Policy and procedures. |
| | C.E.O. | Implement Health & Safety policy and procedures (including ensuring that risk assessments, site audits, registers and reporting procedures are in place and complied with). Recommend amendments to policy and procedures in light of any changes in relevant regulations or best practice. |
| Provide clear instructions and information and adequate training, to ensure employees are competent to do their work. | C.E.O. All Managers | <p>Ensure all staff are given necessary health and safety information and induction and are provided with appropriate training and personal protective equipment relevant to their area of work.</p> <p>Maintain logs of training and competencies of staff.</p> <p>Ensure that suitable arrangements are in place to ensure the safety of employees working alone.</p> <p>Ensure contractors are given appropriate health and safety information and that they abide by any standing health and safety policies, procedures and risk assessment</p> |

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|--|---|---|
| <p>Engage and consult with employees on day-to-day health and safety conditions.</p> | <p>CEO All managers</p> | <p>Staff to be regularly consulted and informed on health and safety matters as they arise through staff meetings and / or written memos. Maintain a culture where employees are encouraged to raise issues which they identify</p> |
| <p>Establish emergency procedures – evacuation in case of fire or other significant incident.</p> | <p>CEO Sec. to Board. Ops Manager.</p> | <p>Ensuring emergency lighting, access routes and signage are in place. Undertake regular fire system checks and drills.</p> |
| <p>Maintain safe and healthy working conditions, provide and maintain plant, equipment and machinery, and ensure safe storage/use of substances.</p> | <p>CEO Ops Manager. Estate. Supervisor.</p> | <p>Undertake and regularly update Risk Assessments for all areas of work operations. Compile and maintain a COSHH register and PPE provisions. Ensure any substances or materials are stored and handled appropriately. Ensure machinery is fit for purpose and systems are in place for routine inspections and testing of all machinery and equipment in accordance with PUWER, CVWR ⁽¹⁾ and other regulations. Ensure actions are promptly taken to address any defects.</p> |
| <p>Implement and adhere to health and safety working practices</p> | <p>All Staff</p> | <p>Undertake to use or apply all procedures equipment and safeguards provided. Undertake to raise any health and safety issues they become aware of with line manager and to report any near miss events</p> |

1 – PUWER = Provision and Use of Work Equipment Regulations 1998
CVWR = Control of Vibration at Work Regulations 2006

REPORTING OF ACCIDENTS.

All accidents should be reported by a member of staff to their line manager and entered into the Accident Book as soon as possible after the incident (normally no later than 24 hours). This includes accidents to members of the public while on MHT premises.

Examples of events that would trigger a report being made include:

When first aid is given by a member of staff or volunteer to any person.

Where an activity is halted so that a member of staff or volunteer can assist in dealing with an incident involving other staff or volunteers.

*When an incident, even minor, occurs where a member of the public (not staff or volunteer) **may** have received an injury or harm (however minor) while on Trust premises.*

Although not a statutory requirement, the reporting of 'near miss events' is actively encouraged from all staff. Staff should report such events to their line manager/CEO.

| | |
|---|---|
| The Accident Book is located at: | Reception Area, Manor House, Grange Road. |
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Any accident notifiable under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrence Regulations) shall be made by the CEO, or in his/her absence any other Manager, to the HSE immediately. See below for RIDDOR notifiable accidents

INFORMATION AND NOTICES

| | |
|----------------------------------|---|
| Health and Safety Posters | Main Hall, Manor House Workshop, Top Shed |
| Notice Board | Main Hall, Manor House Workshop, Top Shed |
| First Aid boxes | Reception Area, Manor House, Grange Road Crew Room, Top Shed, Wyche Quarry Workshops |

RIDDOR 2013.

Recording and reporting accidents and ill health at work is a legal requirement under The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR). RIDDOR places a legal duty on:

- employers
- self-employed people
- people in control of premises.

These 'responsible persons' must record and report certain incidents, injuries, diseases and dangerous occurrences involving employees, self-employed workers and members of the public. **For the purposes of RIDDOR only, volunteers are to be reported as per "member of the public" not as "worker".**

1 What do responsible persons have to do?

Details of all reportable incidents, injuries, diseases and dangerous occurrences must be recorded, including:

- the date when the report is made
- the method of reporting
- the date, time and place of the event
- personal details of those involved
- a brief description of the nature of the event or disease.

Records can be kept in any form but must conform to data protection requirements.

2 Types of reportable injury

Deaths

All deaths to workers and non-workers must be reported if they arise from a work-related accident, including an act of physical violence to a worker. Suicides are not reportable, as the death does not result from a work-related accident.

Specified injuries to workers

The list of 'specified injuries' in RIDDOR 2013 (regulation 4) includes:

- a fracture, other than to fingers, thumbs and toes
- amputation of an arm, hand, finger, thumb, leg, foot or toe
- permanent loss of sight or reduction of sight
- crush injuries leading to internal organ damage;
- serious burns (covering more than 10 % of the body, or damaging the eyes, respiratory system or other vital organs);
- scalping's (separation of skin from the head) which require hospital treatment
- unconsciousness caused by head injury or asphyxia;
- any other injury arising from working in an enclosed space, which leads to hypothermia, heat-induced illness or requires resuscitation or admittance to hospital for more than 24 hours.

Over-seven-day injuries to workers

This is where an **employee, or self-employed person, is away from work or unable to perform their normal work duties for more than seven consecutive days** (not counting the day of the accident).

Injuries to non-workers

Work-related accidents involving members of the public or people who are not at work must be reported if a person is injured, and is taken from the scene of the accident to hospital for treatment to that injury. There is no requirement to establish what hospital treatment was actually provided, and no need to report incidents where people are taken to hospital purely as a precaution when no injury is apparent.

Reportable occupational diseases

Employers and self-employed people must report diagnoses of certain occupational diseases, where these are likely to have been caused or made worse by their work. These diseases include (regulations 8 and 9):

- carpal tunnel syndrome;
- severe cramp of the hand or forearm;
- occupational dermatitis;
- hand-arm vibration syndrome;
- occupational asthma;
- tendonitis or tenosynovitis of the hand or forearm;
- any occupational cancer;
- any disease attributed to an occupational exposure to a biological agent.

Reportable dangerous occurrences

Dangerous occurrences are certain, specified 'near-miss' events (incidents with the potential to cause harm). Not all such events require reporting. There are 27 categories of dangerous occurrences that are relevant to most workplaces. For example:

- the collapse, overturning or failure of load-bearing parts of lifts and lifting equipment;
- plant or equipment coming into contact with overhead power lines;
- explosions or fires causing work to be stopped for more than 24 hours.
- Certain additional categories of dangerous occurrences apply to mines, quarries, offshore workplaces and certain transport systems (railways etc). For a full, detailed list, refer to the online guidance at: www.hse.gov.uk/riddor.

Staffing Committee
Revision of Safeguarding Policy
1 July 2021

The current policy was last reviewed in 2020 and is due for review again.

The attached draft shows some minor changes.

Trustees should note that:

There is a common law duty of care upon trustees to take steps to safeguard vulnerable people who may come into contact with their organisation. The level of any safeguarding approach should be determined by and be proportionate to the level of risk. MHT does not aim to hold events where a vulnerable person is likely to be present without a carer, responsible adult or parent. Nevertheless such circumstances could arise and the Trust's Safeguarding Policy and accompanying documents aim to ensure that staff know what to do should such a situation arise.

The Trust is not required to appoint a Safeguarding Officer/Designated Safeguarding Lead as it does not work regularly with children or vulnerable people.

Recommendation

The Committee is asked to review the revised draft, consider any further proposals for amendment and send an approved draft to the Board for adoption.

Duncan Bridges
CEO
21 June 2021

Malvern Hills Trust

Safeguarding policy

12 March 2020

Malvern Hills Trust (MHT) is committed to promoting the well-being and enjoyment of all those who take part in the charity's activities, and protecting their health, safety and welfare. MHT values young people and adults at risk (together referred to in this policy as vulnerable people). This policy sets out MHT's approach to safeguarding vulnerable people and to protecting MHT, its staff and volunteers from accusations of misconduct. It will be implemented through best practice guidelines.

MHT does not currently run events and activities where vulnerable people might be generally be expected to attend without a parent or responsible adult. If this practice changes, this policy will be reviewed as a matter of urgency.

For the purpose of this policy, young people are defined as those under 18. However, 16 and 17 year olds will not be considered vulnerable if they are on work placement with MHT **that is approved and organised through** their school or parent/guardian, unless they have been identified as such.

Adults at risk are defined (as per Charity Commission Guidance) as anyone aged 18 or over who:

- has needs for care and support (whether or not the local authority is meeting any of those needs) and
- is experiencing, or is at risk of, abuse or neglect
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect

MHT will:

- strive to keep all its volunteers, staff and the public engaged on trust activities safe from abuse or any kind of harm as a result of their contact with the organisation and makes this policy to demonstrate its commitment to this aim.
- encourage a culture which is vigilant and aware of the issues surrounding safeguarding, particularly the protection of vulnerable people, and where suspicions can be raised in good faith without fear of reprisals.
- protect individual staff and volunteers from **unwarranted** accusations of misconduct.
- recruit staff and volunteers safely, and ensure all necessary checks are made.
- ensure that good practice guidelines are known and understood by staff and volunteers and provide effective management, support and training.

- ensure that all events and activities are appropriately planned and responsibly supervised.
- value and listen to all those engaged with the charity, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity
- take all suspicions and allegations of abuse and poor practice seriously and respond to them swiftly and appropriately
- have a clear process for reporting and addressing any concerns
- where appropriate share information about concerns with any vulnerable person's parents, carers or other appropriate agency/ies
- ensure any information collected or held in the delivery of this safeguarding policy is compliant with GDPR and any data retention policy

Recruitment of staff and volunteers

MHT will take all reasonable steps to ensure that unsuitable people are prevented from coming into contact with vulnerable people by the following recruitment process:

- All job applicants and volunteers should be made aware of the recruitment process at the outset
- Where appropriate job applicants and volunteers should complete an application form which will ask for information about the applicant's past history and self-disclosure of any criminal record
- Where it is appropriate to the post, applicants should provide a referee who is in a position to comment on their suitability to engage with vulnerable people
- References will be taken up
- Evidence of identity will be required
- All new employees and volunteers who **might be expected to** come into contact with vulnerable people **as part of their normal work with the Trust** will be required to undergo a Disclosure and Barring Service check at commencement of engagement. This will be repeated every five years
- Training and guidance will be given to all staff and volunteers on appointment and as required thereafter to make them aware of their responsibilities to vulnerable people

This policy will be reviewed

- annually,
- if significant changes are made to the legislation which affects the policy,

- if MHT makes a change to the nature of its events programme or the activities it runs
- or
- if any serious incident occurs which affects the content of this policy.