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## Joint Staff Advisory Committee 10 July 2023





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Time and venue:

2:30pm in Room 209/210 on the Second Floor, The Marine Workshops, Railway Quay, Newhaven, East Sussex, BN9 0ER

Membership:

Councillors Chris Collier, Penny di Cara, Stephen Gauntlett, Stephen Holt, Wendy Maples and Colin Swansborough (Reserves: Councillors Jane Lamb and Robin Maxted)

UNISON Representatives: Joshua Cooper, Abbey Dunn and Jed Murray

Staff side: Linda Farley and Hilary Mitchell

Published: Friday, 30 June 2023

## Agenda

#### 1 Election of Chair

To elect a Chair of the Joint Staff Advisory Committee for the remainder of the 2023/2024 municipal year.

The Chair will be appointed at the first meeting of each municipal year. It will be normal practice for the chairmanship of the Committee to rotate between Authorities and a Staff Representative (e.g. year 1 - Eastbourne Borough Councillor, year 2 - Lewes District Councillor, year 3 - Staff Representative).

#### 2 Election of Deputy-Chair

To elect a Deputy-Chair of the Joint Staff Advisory Committee for the remainder of the 2023/2024 municipal year.

A Deputy-Chair will be appointed at the first meeting of each municipal year from any constituent group.

#### 3 Minutes (Pages 5 - 8)

To confirm and sign the minutes of the previous meeting held on 1 March 2023 (attached herewith).

#### 4 Apologies for absence/Declaration of substitute members

#### 5 Declarations of interest

Disclosure by Councillors of personal interests in matters on the agenda, the nature of any interest and whether the Councillor regards the interest as prejudicial under the terms of the Code of Conduct.

#### 6 Urgent items

Items not on the agenda which the Chair of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances as defined in Section 100B(4)(b) of the Local Government Act 1972.

#### 7 Verbal update from Director of Tourism, Culture and Organisational Development

#### 8 Staff Domestic Abuse Policy (Pages 9 - 32)

Report of Senior Specialist Advisor: Domestic Abuse

#### **9** Annual review of the Councils' Health and Safety Policy (Pages 33 - 54)

Report of Health and Safety Manager

#### 10 Exclusion of the public and press

To consider, under Section 100(A) of the Local Government Act 1972 (as amended), excluding the public and press from the meeting during the discussion of Items 11, 12, 13 and 14 on this agenda as there are likely to be disclosures of exempt information as defined in paragraphs 1, 2 and 4 of Part 1 of Schedule 12A of the Act.

#### 11 4th Quarter 2022/23 Accident Statistics (Pages 55 - 70)

Report of Health and Safety Manager

#### 12 Sickness Absence Quarter 4 2022/23 (Pages 71 - 82)

Report of Head of HR

#### 13 Consideration of matters raised by the employees' side

To consider any matters raised by the employees' side in respect of the items on this agenda.

#### 14 Consideration of health and safety matters raised by the employees' side

To consider any matters raised by the employees' side in respect of health and safety.

#### 15 Date of next meeting

To note that the next meeting of the Joint Staff Advisory Committee is scheduled to commence at 2:30pm on Wednesday, 13 September 2023, in the Court Room, Eastbourne Town Hall, Grove Road, Eastbourne, East Sussex, BN21 4UG.

## Information for Councillors and attendees

**Disclosure of interests:** Members should declare their interest in a matter at the beginning of the meeting.

In the case of a disclosable pecuniary interest (DPI), if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

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#### Joint Staff Advisory Committee

Lewes District Council

Minutes of the meeting held in the Court Room, Eastbourne Town Hall, Grove Road, Eastbourne, BN21 4UG on 1 March 2023 at 2:30pm

Present:

Staff Group Representative: Linda Farley (Chair)

**Councillors:** Isabelle Linington (Vice-Chair), Penny di Cara, Stephen Holt, James MacCleary and Colin Swansborough

Staff side: Abbey Dunn (UNISON) and Hilary Mitchell (Staff Group Representative)

#### Officers in attendance:

Becky Cooke (Director of Organisational Development and Director of Devonshire Quarter), Rob Cottrill (Chief Executive), Becky Holloway (Specialist Advisor, Health and Safety), Helen Knight (Head of Human Resources), Bryn Mabey (Communications Lead) and Jennifer Norman (Committee Officer, Democratic Services)

#### 13 Minutes

The minutes of the meeting held on 13 June 2022 were submitted and approved, and the Chair was authorised to sign them as a correct record.

#### 14 Apologies for absence/Declaration of substitute members

Apologies for absence were received from Lewes District Councillor Chris Collier and Staff Side Representatives Joshua Cooper (UNISON) and Lynda Walker (UNISON).

#### **15** Declarations of interest

There were none.

#### 16 Urgent items

There were none.

## 17 Verbal update from Director of Organisational Development and Director of Devonshire Quarter/Head of HR

The Committee received a verbal update from the Director of Organisational Development and Director of Devonshire Quarter and Head of HR in respect of various initiatives across Lewes District and Eastbourne Borough Councils. Officers highlighted the cost of living crisis and its impact on staff, noting that HR was working hard with the Corporate Management Team (CMT) to maximize non-financial benefits for staff.

Discussions included current challenges in the recruitment market, the Employee Assistance Program, office accommodation and training across both organisations.

Resolved: That the verbal update be noted.

#### 18 Update on Safer Driving campaign

The Committee received the report which provided an update on the Councils' Safer Driving Campaign.

The Communications Lead (CL) summarised the outcomes of the Councils' Safer Driving Campaign, whose primary focus was to raise awareness amongst residents around dangerous and anti-social driving near Environment First Waste Operatives.

The CL highlighted that working on the Campaign had been a positive collaborative experience between the Communications and Operation Development teams. He further highlighted that the Campaign was so well-received by both staff and local residents, Officers proposed that rather than ending the Campaign, the Councils imbed it alongside ongoing key waste communications activity such as collection dates, recycling advice and promotion of additional waste services.

The Committee expressed its gratitude to Officers for their work on the Campaign and reiterated its support of staff from Environment First. Officers noted that staff from Environment First were grateful that Members had been actively taking their safety into account.

#### **Resolved:**

- 1. That the report be noted; and
- 2. That the Safer Driving Campaign be incorporated as part of the Councils' ongoing communications output.

#### **19** Exclusion of the public and press

#### **Resolved:**

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the public and press be excluded from the meeting during the discussion of items 8, 9, 10, 11 and 12 on the agenda as there was likely to be disclosures of exempt information as defined in paragraphs 1, 2 and 4 of Part 1 of Schedule 12A of the Act.

#### 20 Review of Lewes and Eastbourne Councils' Corporate Health and Safety Management System

The Committee received the report which provided an update on the review of the Corporate Health and Safety Management System.

The Specialist Advisor, Health and Safety (SAHS), highlighted that the purpose of the review was due to of the implementation of the Plan, Do, Check, Act approach to the Councils' management of health and safety, as set out in the Health and Safety Executive's document HSG65, *Managing for Health and Safety*.

The SAHS summarised the review of the Corporate Health and Safety Management System, noting the health and safety monitoring activities, results of the staff survey and various health and safety training initiatives across the organisations.

The Chief Executive thanked Officers for their excellent work in relation to the review of the Corporate Health and Safety Management System and reiterated the Directors' commitment to reinforce the messages in respect of health and safety across the organisations.

**Resolved:** That the report and draft action plan be noted.

#### 21 1st to 3rd Quarter Accident Statistics

The Committee received a presentation in respect of key aspects of health and safety matters across both authorities.

**Resolved:** That the presentation be noted.

#### 22 Sickness Absence Quarter 3 2022/23

The Committee received the Officer's report which provided an update regarding the Councils' sickness figures for the period Quarter 3 (1 October to 31 December 2022) and outlined the way in which the figures were presented for both Lewes District Council and Eastbourne Borough Council.

#### **Resolved:**

That the Quarter 3 (1 October to 31 December 2022) sickness figures and the way in which the figures were presented for both Lewes District Council and Eastbourne Borough Council, be noted.

#### 23 Consideration of matters raised by the employees' side

There were no additional matters raised by the employees' side over and above those which had been recorded in the minutes of the meeting.

#### 24 Consideration of health and safety matters raised by the employees' side

There were no additional health and safety matters raised by the employees' side over and above those which had been recorded in the minutes of the meeting.

#### 25 Date of next meeting

It was noted that the next meeting of the Joint Staff Advisory Committee which was scheduled to commence at 2:30pm on Monday, 19 June 2023, will take place at a location to be confirmed (TBC).

The meeting ended at 3:05pm.

Linda Farley (Chair)

## Agenda Item 8

Report to:	Joint Staff Advisory Committee	
Date:	10 <sup>th</sup> July 2023	
Title:	Staff Domestic Abuse Policy	
Report of:	Senior Specialist Advisor: Domestic Abuse	
Ward(s):	All	
Purpose of report:	To inform the Joint Staff Advisory Committee regarding the development of Lewes District and Eastbourne Borough Councils' Staff Domestic Abuse Policy.	
Officer recommendation(s):	<ol> <li>That the report be noted; and</li> <li>That the Head of HR be recommended to approve and implement the Staff Domestic Abuse Policy, as set out in Appendix 1.</li> </ol>	
Reasons for recommendations:	To ensure that the Councils have a Domestic Abuse Policy for Staff. This will safeguard our employees and ensure that as an organisation we are fully committed to support those who have experienced or are experiencing domestic abuse. It supports the Councils' ability to achieve the DAHA accreditation.	
Contact Officer(s):	Name: Ray Brickley Post title: Senior Specialist Advisor: Domestic Abuse Email address: <u>ray.brickley@lewes-eastbourne.gov.uk</u> Telephone: 01323 415393	

#### 1 Introduction

1.1 Eastbourne Borough and Lewes District Councils believe that no person should live in fear of violence or abuse. We commit to treating all reports of domestic abuse seriously. We will create a safe workplace and send out a strong message that domestic abuse is unacceptable.

> We must however acknowledge that it is statistically likely that we will have members of staff who may have experienced or may be experiencing domestic abuse. This policy sets out our approach to supporting our employees who are experiencing or have experienced domestic abuse and how they can safely disclose this to a member of staff. The policy also covers the approach we will take if there are concerns that an employee may be the perpetrator of domestic abuse.

Eastbourne Borough Council and Lewes District Council are working towards achieving the Domestic Abuse Housing Alliance (DAHA) Accreditation. This

accreditation will allow for the improvement of our services and offer the best possible outcomes for those suffering with domestic abuse.

DAHA's mission is to improve the housing sector's response to domestic abuse through the introduction and adoption of an established set of standards including the creation of domestic abuse policies for our customers and staff. DAHA embeds the best practice and is the first domestic abuse accreditation for housing providers. To demonstrate our commitment, we have employed a Senior Specialist advisor to lead on our project and implement the necessary improvements to achieve the accreditation.

We understand that there are many barriers to reporting domestic abuse but hope our improvements will encourage employees to seek support with the assurance we will treat any disclosures confidentially and with empathy.

1.2 This is a new policy and does not significantly impact upon existing staff related policies. The policy works in conjunction with current guidance and policies namely the Councils Annual Leave/Time Off Guidance and the Staff Safeguarding Policy.

#### 2 Information

- 2.1 This policy will be implemented by publication on the Council intranet known as 'The Hub' following approval, with communication to all staff both on The Hub and also via The Watercooler (The Councils' in house social media hub). Guidance will be issued to managers.
- 2.2 Unison has been consulted on the new policy and we are awaiting feedback from them. They were sent copies of the policy on **21/02/2023** and **24/04/2023**.

#### 3 Resource Implications

3.1 The implementation of this revised policy should have no financial impact.

#### 4 Conclusion

4.1 The members of Joint Staff Advisory Committee are asked to note this report.

#### 5 Financial appraisal

5.1 There are no financial implications.

#### 6 Legal implications

6.1 There are no legal implications arising directly from this report.

#### 7 Equality Analysis

7.1 The policy sets out a range of measures and processes which will ultimately improve and enhance the Councils' response to and ability to support staff who are experiencing domestic abuse.

The policy is likely to impact female staff more than male staff given that DA is predominantly a gender-based crime (more so in incidences of (so-called Honour Based Violence, FGM and adult child-maternal abuse). The policy acknowledges the intersectionality of DA and recognises that an individual's identity may impact their own experience of abuse. Staff will be trained to understand how different groups may be impacted in different ways. – Seanne Sweeney – Community Services Lead.

#### 8 Appendices

- 8.1 Appendix 1 Eastbourne Borough Council and Lewes District Council Staff Domestic Abuse Policy
- 8.2 Appendix 2 Types of Domestic Abuse for Policies

#### 9 Background papers

9.1 None.

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#### Appendix 1: Types of Domestic Abuse

Domestic Abuse – is not just about physical abuse – it also includes emotional and psychological, coercive control and isolating people.

Most victim-survivors do not believe or feel they are a victim until sometime after they no longer have control of their life and have become isolated. Remember though you are not to blame, you are not weak, and you are not alone. There is help available and you (and your children) can escape.

The list below highlights examples of the type of abuse that victims-survivors suffer.

NB: We acknowledge that Domestic Abuse can encompass but is not limited to the different types of abuse listed below.

#### The Government definition of domestic abuse is:

Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence, or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality.

This can encompass but is not limited to the following types of abuse:

- psychological
- physical
- sexual
- economic/financial
- emotional

**Controlling Behaviour** is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

**<u>Coercive Behaviour</u>** is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim."

**Psychological/Emotional:** Psychological abuse involves the regular and deliberate use of a range of words and non-physical actions used with the purpose to manipulate, hurt, weaken or frighten a person mentally and emotionally; and/or distort, confuse or influence a person's thoughts and actions within their everyday lives, changing their sense. (from <u>SafeLives</u>)

**Economic/Financial:** Controlling finances, stealing money, coercing someone into debt, restricting/ exploit/sabotaging their partner's access to money and other resources, such as food, clothing, transportation, and a place to live. (from <u>Surviving</u> <u>Economic Abuse</u>)

It can happen to any person, no matter what background, age, job, race, or sexuality.





#### Examples of Physical Abuse include:

• Being kicked, punched, pinched, slapped, dragged, scratched, choked, bitten, pushed, stabbed

- Use or threats of use of 'weapons' including knives and irons
- Being scalded, burnt or poisoned
- Objects being thrown including food, drinks, cutlery
- Violence against family members or pets
- Causing you physical harm by denying access to medical aids or equipment
- Harming you whilst performing 'care' duties (especially relevant for disabled victims) including force feeding, withdrawal of medicine or over-medication

#### Examples of Isolation:

- Limiting outside involvement such as family, friends and work colleagues
- Not allowing any activity outside the home that does not include her or him
- Constant checking up on your whereabouts

#### Examples of Verbal Abuse:

- Constant yelling and shouting
- Verbal humiliation either in private or in company
- · Constantly being laughed at and being made fun of
- Blaming you for their own failures;
- Insults and threats; and
- Mocking someone about their disability, gender, sexual orientation, physical appearance etc.

• Mocking your "sexual performance" including in front of friends, work colleagues and on social media

#### **Examples of Threatening Behaviour:**

- The threat of violence
- The threat of use of 'weapons' including knives and irons
- The threat of use of violence against family members or pets
- Threatening to use extended family members to attack you
- Destroying your personal and treasured items
- Threatening to tell the police that you are the person committing the domestic abuse, committing sexual abuse including against your children

• Threatening to remove your children, that you will never see them again or that they will take them abroad without your permission





#### Examples of Emotional and Psychological Abuse:

- Intimidation
- Withholding affection and giving you the silent treatment
- Turning your children and friends against you
- Being stopped from seeing friends or relatives
- Constantly being insulted, including in front of others
- Repeatedly being belittled
- Keeping you awake/stopping you sleeping sleep deprivation
- Excessive contact, for example stalking
- Using social media sites to intimidate you (such as Facebook and Twitter)

• Wilfully stopping fathers from seeing their children by breaching court orders (Child Arrangement Orders)

- Manipulating your anxieties or beliefs
- Telling you that you are to blame for the abuse and injuries
- Persuading you to doubt your own sanity or mind (including "Gaslighting" read more <u>here</u>)
- Denying the abuse committed against you ever happened or trying to minimise it
- Telling you, your bruises, cuts and injuries are not serious
- Accusing you falsely of having affairs and/or constantly looking at other women
- Mocking your "sexual performance" including in front of friends, work colleagues and on social media

#### Examples of Coercive and Controlling Behaviour:

Such behaviours might include:

- isolating you from your friends and family.
- depriving you of your basic needs.
- monitoring your time.
- monitoring your online communication tools or using spyware.
- taking control over aspects of your everyday life, such as where you can go, who you can see, what to wear and when you can sleep.
- depriving you access to support services, such as specialist support or medical services.
- repeatedly putting you down such as telling you that you are worthless.
- enforcing rules and activity which humiliate, degrade, or dehumanise you
- forcing you to take part in criminal activity such as shoplifting, neglect or abuse of children to encourage self-blame and prevent disclosure to authorities.
- financial abuse including control of finances, such as only allowing you a punitive allowance.
- threats to hurt or kill.
- threats to a child.





- threats to reveal or publish private information (e.g., threatening to 'out' someone).
- assault.
- criminal damage (such as destruction of household goods);
- rape.
- preventing you from having access to transport or from working
- controlling or monitoring your daily activities, including making you account for your time, dictating what you can wear, when you can eat.
- isolating you from family and friends, intercepting messages or phone calls or refusing to interpret
- intentional undermining your role as a partner, spouse, or parent
- preventing you from taking medication or over-medicating you, or preventing you from accessing health or social care (especially relevant for victims with disabilities or long-term health conditions)
- using substances to control you through dependency.
- using children to control you threatening to take the children away or manipulating professionals to increase the risk of children being removed into care.
- parental alienation, including preventing children from spending time with your or their grandparents, from visiting friends' houses and from participating in extracurricular activities.
- threats to expose sensitive information (e.g., sexual activity) or make false allegations to family members, religious or local community including via photos or the internet.
- preventing you from learning a language or making friends outside of their ethnic/ or cultural background.
- threatening precarious immigration status against you, withholding documents, and giving false information to a victim about your visa or visa application.
- threats of institutionalisation

#### Examples of economic abuse and financial abuse:

- Totally controlling the family income
- Not allowing you to spend any money unless 'permitted'
- Making you account for every pound you spend
- Running up huge bills such as credit/store cards in your name including without you know.
- Purposely defaulting on payments
- Setting up false companies, accounts or credit cards
- Deliberately forcing you to go back to the family courts as a means of costing you additional legal fees
- Refusing to contribute to household income;
- Interfering with or preventing you from regularising your immigration status so you are economically dependent on the perpetrator;





• Preventing you from claiming welfare benefits, force someone to commit benefit fraud or misappropriating such benefits;

- Interfering with your education, training, or employment;
- Not allowing you access to mobile phone/car/utilities;
- Damaging your property.
- Denying you food or only allowing you to eat a particular type of food

Further information on the types of economic and financial abuse can be found in this <u>leaflet</u>.

#### Examples of sexual abuse:

- Sexual harassment/pressure, or sexual acts, including with other people
- Forcing sex after physical assaults
- Sexually degrading language
- Rape
- Forcing you to have sex (or commit a sexual act) against your will
- Unwanted sexual contact and demands
- Forced involvement into making or watching pornography
- Deliberately being hurt during sex
- Being pressurised or being tricked into having unsafe sex

• Your partner telling you they are taking contraception (The Pill) when they are deliberately not

#### Examples of false allegations:

• Telling the police (or threatening to) that you are the one committing the domestic abuse when it is the other way around

- Telling friends, families, your employer and others (or threatening to) such as sports clubs that you are the one committing the domestic abuse
- False allegations of another 'crime' such as abusing children

#### Examples of being stalked:

Stalkers will often use multiple and differing methods to harass their victims. Stalking can consist of any type of behaviour such as:

- following you to and from work
- checking your email and phone calls
- regularly sending gifts
- making unwanted or malicious communication
- damaging property or clothes
- physical or sexual assault

**Examples of digital and social media abuse** (often this can be with former partners):





- stalking you
- placing false and malicious information about you on your or others' social media
- being trolled
- having no control on your content or not allowed to have access
- revenge porn
- monitoring or controlling your email and phone calls (including work email and calls)
- Image-based abuse for example the non-consensual distribution of private sexual photographs and films with the intent to cause you distress
- Hacking into, monitoring, or controlling email accounts, social media profiles and phone calls
- Blocking you from using online accounts, responding in the victim's place or creating false online accounts.
- Use of spyware or GPS locators on items such as phones, computers, wearable technology, cars, motorbikes, and pets
- Hacking internet enabled devices such as PlayStations or iPads to gain access to accounts or trace information such as your location
- Using personal devices such as smart watches or smart home devices (such as Amazon Alexa, Google Home Hubs, etc) to monitor, control or frighten you
- Use of hidden cameras.

Although predominantly experienced within an intimate partner relationship, Domestic Abuse can also be experienced in the following additional scenarios:

#### Child-to-Parent Abuse:

- Child to Parent Abuse is complex and misunderstood partly because it has historically been largely ignored in favour of a focus on intimate partner abuse, partly because it is drastically under-reported, and because there are lots of misconceptions around the subject.
- This could be experienced by parents of younger or teenage children or elderly parents whose children may have taken on a caring capacity where abuse can also take place. Some parents may not recognise what is happening to them as abuse – but the behaviours they are experiencing are abuse, and they are not okay.

# STRONGER together



Lewes District Council



#### Eastbourne and Lewes Councils Staff Domestic Abuse Policy 2023

#### **Policy Summary:**

Eastbourne Borough and Lewes District Councils believe that no person should live in fear of violence or abuse. This policy sets out our approach to supporting employees who are experiencing or have experienced domestic abuse. The policy also covers the approach we will take if there are concerns that an employee may be the perpetrator of domestic abuse.

We commit to treating all reports of domestic abuse seriously. We will create a safe workplace and send out a strong message that domestic abuse is unacceptable.

We understand that there are many barriers to reporting domestic abuse, but encourage employees affected to raise the issue in the knowledge that we will treat the matter empathetically and confidentially. You can report domestic abuse or seek support from your line manager, a colleague, a member of the Human Resources Team, a Mental Health First Aider, or a union representative. We also have a network of Domestic Abuse Champions, who understand domestic abuse and can offer you support.

If you have any queries about this policy or our approach to domestic abuse, you should contact the Senior Specialist Advisor – Domestic Abuse or Safeguarding Lead. They oversee our response to domestic abuse with support from other employees.

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**Lewes District Council** 



Working in partnership with Eastbourne Homes

Document name:	Domestic Abuse Staff Policy
Document type:	Policy

Authority(ies) Covered:	Aligned
Responsible (Executive Lead):	
Accountable (Operational Lead):	Liz Martin
Version (e.g. first draft, final report):	8 <sup>th</sup> Draft
Approved by:	
Date of publication:	
Revision due:	
Equality and Fairness Analysis (EaFA) report approved by:	

#### 1. Introduction

- 1.1 Eastbourne Borough and Lewes District Councils have a zero-tolerance approach to violence or abuse towards our employees, including domestic abuse. We ensure the provision of non-judgemental support for those who suffer it. We recognise that developing a life free from abuse is a process, not an event. We will provide ongoing support for employees who disclose abuse.
- 1.2 Where we use "you" or "your" we mean members of staff. The terms 'we', 'our' and 'us' means Eastbourne and Lewes Councils.
- 1.3 Every case of domestic abuse will be taken seriously, and everyone will be given access to the support they need. All victims/survivors will be able to access appropriate support.
- 1.4 We recognise domestic abuse can happen to anyone, and may be experienced differently due to, and compounded by, social background, disability, age, gender, religion, culture, class, mental health, sexuality, or ethnicity. We will recognise this intersectionality and understand that certain individuals may face multiple and intersecting forms of discrimination
- 1.5 Whilst both men and women may experience incidents of inter-personal violence and abuse, women are considerably more likely to experience repeated and severe forms of abuse, including sexual violence. They are also more likely to have experienced sustained physical, psychological, or emotional abuse, or violence which results in injury or death. We will consider the individual needs of each survivor when tailoring our approach. We acknowledge that abuse can be perpetrated by partners, ex-partners, and family members, including children under the age of 18, adult children or siblings.
- 1.6 This policy applies to all Eastbourne Borough and Lewes District Council employees, as well as to agency employees. We have a separate Domestic Abuse Policy for tenants/residents who may be experiencing domestic abuse. We continue to be committed to supporting:
  - employee health
  - wellbeing
  - safety at work
- 1.7 We recognise that you may be affected by domestic abuse as:
  - a survivor of domestic abuse
  - an individual living with domestic abuse
  - impacted upon by domestic abuse
  - a perpetrator of domestic abuse
- 1.8 Our policy covers how we will support:
  - individuals experiencing or impacted by domestic abuse
  - where there are concerns that an employee is abusing others
  - employees seeking help if affected by domestic abuse

- 1.9 We recognise that domestic abuse is an equalities issue. We will not discriminate against anyone subjected to domestic abuse in terms of employment or future development.
- 1.10 If you are experiencing any form of domestic abuse, we encourage you to seek support from your line manager. You can also contact Human Resources (HR) the Safeguarding Lead, a <u>Safeguarding Contact</u>, a Domestic Abuse Champion and/or a designated <u>Mental Health First Aider</u>.

#### 2. Principles

- 2.1 If you are a victims/survivor of domestic abuse you can feel confident to disclose domestic abuse to staff at the Councils. Your disclosure will always be taken seriously, and you will be supported to identify any support you would like following this.
- 2.2 You can speak to your line manager about concerns regarding colleagues in confidence.
- 2.3 We will ensure for employees who disclose any experience of domestic abuse that the information they provide is confidential. We will not ordinarily share this with other members of staff without their permission. Exceptions to this may occur when:
  - there are safeguarding concerns about children or vulnerable adults
  - we need to act to directly protect the safety of any employee
- 2.4 We will treat any disclosure, of a domestic abuse-related offence on a case-by-case basis. We aim to reduce risk and support healthy change for our employees.

#### 3. Definitions of Domestic Abuse

- 3.1 Within the <u>Domestic Abuse Act 2021</u> and this policy, domestic abuse is defined as any of the following:
  - physical or sexual abuse.
  - violent or threatening behaviour.
  - controlling or coercive behaviour.
  - economic abuse.
  - psychological, emotional, or other abuse.
  - this definition includes modern day slavery, coercive control, honour-based violence, forced marriage and female genital mutilation.
- 3.3 It does not matter whether the behaviour consists of a single incident or part of an ongoing pattern of behaviour.
- 3.4 For the definition and policy to apply, both people must be aged 16 or over and personally connected
- 3.5 Personally, connected is defined in the act as people who:
  - are married to each other.
  - are civil partners of each other.
  - have agreed to marry one another (whether or not the agreement is still in place);

- have entered into a civil partnership agreement (whether or not the agreement is still in place);
- are, or have been, in an intimate personal relationship with each other.
- are, or have been, parents of the same child or children
- are relatives.
- 3.6 Please See **Appendix 1** for more detailed definitions of types of abuse that fall under Domestic Abuse.
- 3.7 If you are experiencing or have experienced domestic abuse please remember that you are not alone and are not to blame. You can refer to any of the support services detailed in this policy and on our website. Our Employee Assistance Programme and Occupational Heath support services are also available. More detailed information can be found below:

#### 3.7.1 Employee Assistance Programme.

#### 4. Support if you are experiencing domestic abuse

- 4.1 We recognise that living a life free from abuse is a process not an event, and we will provide ongoing support for those who disclose abuse. We will respond sympathetically, confidentially, and effectively to our employees who disclose they are experiencing domestic abuse.
- 4.2 We will always try to maintain a secure environment for you at work. We may need to inform colleagues about potential risks and refer to appropriate agencies, always with your consent. These agencies will explore further options with you.
- 4.3 We employ staff who are trained to deal with reports of domestic abuse. Our lead member of staff on domestic abuse is the Senior Specialist Advisor Domestic Abuse who, with support from other employees, oversees our response to domestic abuse.
- 4.4 The person offering support will not counsel you but will offer information, workplace support, and signpost you to relevant support within and outside the Councils. You can also seek advice from the Employee Assistance Programme. (EAP).
- 4.5 We will prioritise your safety if we know that you are experiencing domestic abuse. We will encourage you to contact a specialist support agency or suitably trained employees. With your consent, they will work with you, your manager, and other agencies to identify what actions we can take to increase your personal safety. They will also address any risks there may be to other colleagues. This may include discussions around safeguarding, in line with our <u>Safeguarding Policy</u>.

#### 5. Adjustments to your working arrangements

- 5.1 Line managers will consider incidents such as violence in the workplace, abusive phone calls, intimidation, or harassment by the perpetrator, and will address this in any safety planning that is required. Safety planning could involve a broad range of support, which may include but is not limited to:
  - temporary or permanent changes to your working times and patterns changes to specific duties, for example, to avoid potential contact with an abuser.
  - agreeing with you what to tell colleagues and how they should respond if the perpetrator makes contact.

- contacting you regularly if you are working from home.
- discussing redeployment.
- measures to ensure a safe working environment, for example, changing your telephone number to avoid harassing phone calls.
- using other existing policies, including <u>Councils Annual Leave and Time Off</u> <u>Guidance</u>.
- 5.2 We recognise if you are experiencing domestic abuse you may need to take time off work to attend:
  - counselling sessions
  - legal appointments
  - domestic abuse support appointments
  - make alternative living arrangements
- 5.3 We will make every effort to assist you if you need to be absent from work. Within the <u>Councils Annual Leave and Time Off Guidance</u> there is an acknowledgment that the we understand that there may be times when you need time to resolve problems outside of work. Circumstances may arise where it is appropriate to grant you special leave of up to 5 working days, in addition to your annual leave entitlement.
- 5.4 We will consider requests for special leave sympathetically in the light of individual circumstances. For longer term situations it may be necessary for other solutions to be considered as per the guidance e.g. annual leave, flexi leave, unpaid leave, reduced working hours.
- 5.5 Line managers can use the Councils <u>Safeguarding Policy</u> for additional guidance when dealing with disclosures about domestic abuse. They can also contact a designated Safeguarding Contact. A list of these contacts can be found at <u>here.</u>
- 5.6 This will allow them to determine the most appropriate course of action and response for you. Your manager may also contact the Senior Specialist Advisor Domestic Abuse or Safeguarding Lead who will be able to offer further advice and guidance on the next steps to support you, this may include completing a safeguarding referral.
- 5.7 The Safeguarding Contact or suitably trained employee should, with your consent, complete a Domestic Abuse, Stalking and Honour-based Abuse (DASH) risk assessment <u>www.dashriskchecklist.co.uk</u>. The risk assessment will help them to determine the most appropriate course of action and response. If you decline to complete a DASH risk assessment this should be kept under review and may be re.
- 5.8 Domestic abuse policy will occasionally overlap with safeguarding policy. In line with the <u>Safeguarding Policy</u>, if an adult is experiencing abuse or neglect and has care & support needs and/ or lacks mental capacity, a safeguarding report should be made to Health and Social Care Connect (HSCC).
- 5.9 However, there will be some cases where the best route to support is through domestic abuse specialist services, and not a referral to HSCC. Each case will need to be considered. If managers are unsure of next steps and how best to support you, they will

contact either a Safeguarding Contact or the Council's Safeguarding Lead for further guidance.

- 5.10 We will respect your right to make your own decisions at every stage while supporting you. It is important that individuals who have experienced domestic abuse are supported to access and consider their options.
- 5.11 We will continue to:
  - speak to you to around your options around reporting the abuse and the potential need to inform the police
  - provide details of specialist domestic abuse services
- 5.12 If we are aware that there are children involved (whether living with the abused or abuser) they will contact the Single Point of Advice SPOA (Children's Services) at East Sussex County Council on 01424 724120.

#### 5. Reviewing an employee's circumstances

5.1 Many workplace actions and safeguards are temporary. Your manager should discuss safety and review changes in circumstances with you at regular intervals.

#### 6. Confidentiality and your right to privacy

- 6.1 We respect your right to privacy. We will never force you to share any information you do not want to.
- 6.2 All disclosures regarding domestic abuse will be treated as confidential, however there may be occasions where we will be required to raise our concerns with the appropriate agencies for example cases involving the safety of children or where the individual is in danger of immediate harm. We will only do this after careful consideration and taking specialist advice. In these circumstances, a manager will discuss this with you to explain why we are doing so. We will always seek your agreement where possible.
- 6.3 We will contact the police if we believe you:
  - are at imminent high risk of significant harm or death
  - and, a crime has been committed
- 6.4 Agencies such as the police may request personal data about our employees as part of their own investigations. In these cases, the Senior Specialist Advisor Domestic Abuse and Head of Human Resources will assess these requests.
- 6.5 When working with partners we may need to share some information about the case and the individual. We will only share information with your permission, unless there is a risk to the safeguarding of children, or a vulnerable adult and it is a duty of care.
- 6.6 We keep all records concerning domestic abuse strictly confidential. We will only share this information on a need-to-know basis. We will take any breach of confidentiality by an employee seriously and may take disciplinary action.
- 6.7 We will always take care to avoid the double disclosure of confidential information.

# 7. When someone may need help – Information for Managers and Colleagues.

- 7.1 A colleague experiencing domestic abuse may not feel able to tell people at work of their situation or approach their manager and/or Human Resources (HR). We will take this into account when considering how to approach the member of staff and try to support them.
- 7.2 We acknowledge that the types of and impact of domestic abuse may be different for each victim/survivor. We will ensure we do not rush to form a judgement or conclusion. Signs that a colleague is experiencing domestic abuse may include:
  - coming to work repeatedly with injuries and the reason for them does not line up with the injury
  - using heavy make-up to cover injuries
  - an unusual number of calls from home and strong reactions to the calls
  - being late for work and needing to leave early
  - not wanting to go home
  - relying on their partner to bring them to work and take them home
  - being secretive about home life
  - being unable to mix with colleagues outside of office hours or for social events
  - frequent absenteeism
  - a drop in the level of their performance or productivity
  - emotional reactions such as tearful, angry, depressed, nervous, confused
  - their partner, ex-partner or other family member exerts an unusual amount of control over their life
  - being extremely passive or aggressive
  - seeming chronically depressed or depressed in cycles
  - isolating themselves at work
- 7.3 A key sign is that an employee may begin to behave in an unusual way for them.

#### 8. Support when working at home

- 8.1 We may be in the best possible position as colleagues and managers to check in with someone who is isolated and may be at risk. Domestic abuse signs that may have been spotted by work colleagues will not be as noticeable when working from home.
- 8.2 Many staff members experiencing domestic abuse will have used their work environment as a safe space to access specialist support. If you are working from home, you will need an alternative. For example, you may need information about:
  - available online support
  - technical security tips, such as how to hide browser history
- 8.3 A colleague may see indicators of domestic abuse such as visible injuries, broken objects, or damage to the home. However, domestic abuse is so much more than physical abuse. Other things to consider might include:
  - changes in behaviour, acting in an unusual way or out of character for them
  - withdrawing from previous sources of support (for example, team chat threads or catchups)
  - wariness or anxiety about their partner or a family member coming into the room while you are speaking with them.

- reluctance to talk about their home situation or avoiding answering questions about it.
- signs of tension, audible conflict in the home, shouting at children or others
- 8.4 None of these things specifically indicate that a colleague is experiencing domestic abuse. However, they may suggest that they are struggling with something and may require help with that issue. It is essential that you explore it with them and identify appropriate support.
- 8.5 Managers should have sufficient structured contact with all their team members, including any absent due to sickness. Contact with a colleague or manager may be an opportunity for someone who is still living with their abuser to have a positive link to the outside world.
- 8.6 Working from home increases the proximity of those in an abusive relationship. If we can offer office space to an employee, it will alleviate some of the household's pressure. It can reduce the risk and hopefully allow us to provide support to a colleague.

#### 9. If both the victim/survivor and perpetrator work for us

- 9.1 Where both the victim/survivor and perpetrator both work for us, we will consider appropriate action. We may include taking steps to protect the victim and perpetrator from:
  - working together
  - coming into contact in the workplace
  - · having access to information about each other in the workplace

#### 10. Perpetrators of DA who are our employees

- 10.1 We do not condone domestic abuse perpetrated by our employees under any circumstances. We will not treat it as a purely private matter. We recognise that we have a role in encouraging and supporting employees to address abusive behaviour.
- 10.2 We will treat any allegation, disclosure, or conviction of a domestic-abuse-related offence on a case-by-case basis, aiming to reduce risk and support change.
- 10.3 We encourage and support employees to address violent and abusive behaviour of all kinds.
- 10.4 We view the use of violence and abusive behaviour by employees, wherever this occurs, as a breach of our <u>Code of Conduct</u> and our <u>Disciplinary Policy</u>. This includes if an individual becomes the subject of a Police investigation, or receives a caution or conviction.
- 10.5 If you approach management about your abusive behaviour, we will provide information about services available to you.
- 10.6 We will inform our employees about how to report any concerns confidently and sensitively, such as through our <u>Whistleblowing (Confidential Reporting) Policy</u>. Should they have concerns about a colleague perpetrating domestic abuse.
- 10.7 If you are found to be assisting abusers in perpetrating abuse (for example, giving access to facilities) you may be subject to disciplinary action. If we find that an employee has made malicious allegations about colleagues perpetrating abuse, we will treat it as a disciplinary offence.

#### 11. Notification to Human Resources

11.1 We will liaise with Human Resources (HR) to discuss any allegation of Domestic Abuse involving an employee. HR will advise managers whether it is appropriate to contact the Disclosure and Barring Service (DBS). It is usually the case where there is an offence against a child or vulnerable adult. The DBS has the power to bar individuals from working with specific groups. Any such restrictions could have an impact on an employee's continued employment with us.

#### 12. Equalities considerations

- 12.1 We have completed an equality impact assessment for this policy.
- 12.2 We will provide a variety of ways that employees can talk about domestic abuse to people they feel comfortable with.
- 12.3 We recognise that your experience of domestic abuse may in part be defined by your background, for example, economic status, gender, sexual orientation, ability, age, religion, ethnic group, immigration status. We will recognise this intersectionality and understand that certain individuals may face multiple and intersecting forms of discrimination. We will consider the individual needs of each survivor when tailoring our approach.
- 12.4 Although domestic abuse can affect anyone, certain people may be disproportionately affected or particularly vulnerable and some groups are affected by specific forms of domestic abuse. We also understand there are cultural and other barriers to reporting domestic abuse. We will take all of this into account in the support we provide.
- 12.5 We will train colleagues to understand how domestic abuse differently affects individuals and work in partnership with specialist providers to act and make sure you get the right support. We will partner with and support local organisations with all relevant experience and understanding to better support survivors' needs.

#### 13. Policy consultation, approval, and review

13.1 We have involved employees from our Staff Experience Group and Management Experience Group in development of this policy. The policy as also undergone review from Unison and has been available for review by staff. This policy will be reviewed every three years, or as relevant legislation changes.

### Appendix A: Domestic Abuse Support Agencies

Organisation	Description of Service	Website	Contact Details
Change, Grow, Live East Sussex (CGL)	CGL offer support to anyone aged 16+ who has been affected by domestic abuse and violence.	https://www.changegrowlive.org/domestic- abuse-service-east-sussex/info	
Refuge from Domestic Abuse	Clarion Housing Association provides safe refuge accommodation for women and children fleeing domestic violence across East Sussex.	https://www.myclarionhousing.com/help- and-guidance/personal- wellbeing/domestic-abuse-or-violence	referrals.eastsussex@clarionhg.com 0808 2000 247
Safe Space Sussex	Provides an online directory of local victim and witness specialist support services. It also has information about what happens at each stage of the criminal justice system	https://www.safespacesussex.org.uk/	
Survivors Network	The Survivors Network provide the specialist rape and sexual violence abuse service for Sussex	https://survivorsnetwork.org.uk/	01273 203 380
Veritas Justice	Specialist stalking advocacy services for Sussex	https://veritas-justice.co.uk/	01273 234 773
The Suzy Lamplugh Trust	The Suzy Lamplugh Trust is the UK's pioneering personal safety charity and leading stalking authority	The Suzy Lamplugh Trust	0808 802 0300 (National Stalking Helpline) https://www.suzylamplugh.org/forms/national-
			stalking-helpline-enquiry-form
The Alice Ruggles Trust	The Alice Ruggles Trust exists to raise awareness of stalking (including coercive control	The Alice Ruggles Trust	https://alicerugglestrust.org/contact
The Hollie Gazzard Trust	The aim of the Hollie Gazzard Trust is to work to save lives by building individual and community resilience to domestic abuse.	The Hollie Gazzard Trust	https://holliegazzard.org/contact-us/ 07538 575229
Paladin: National Stalking Advocacy Service	Assisting high risk victims of stalking in England and Wales.	https://www.paladinservice.co.uk/	+440203 8664107
Hestia	Hestia provides domestic abuse support services in London and the south east, including domestic abuse refuges and community-based support.	Hestia	+44 (0) 20 7378 3100
			<u>ແມ່ນອີມຊະຫລາດເມີ່າດີເປັນເມື່ອມານມີຊີ</u>
Forced Marriage Unit	Information on how to protect, advise and support victims of forced marriage, including information and practice guidelines for professionals	www.gov.uk/guidance/forced-marriage	020 7008 0151
Galop [LGBTQ+]	Galop has decades of experience in supporting LGBT+ people who are victims of domestic abuse.	www.galop.org.uk	0300 999 5428

Switchboard Brighton [LGBTQ+]	Domestic Abuse service is for LGBTQ people affected by domestic abuse. Switchboard provides support to survivors through its Independent Domestic Violence Advisors (IDVAs)	https://www.switchboard.org.uk/what-we- do/domestic-abuse/	01273 359042 helpline@switchboard.org.uk
Friends, Families and Travellers	Supporting individuals and families with the issues and addressing inequalities faced by Gypsy, Roma and Traveller people.	https://www.gypsy-traveller.org/	01273 234 777
Hersana	Working with Black femmes affected by or at risk of experiencing gender-based violence across England and Wales	https://www.hersana.org/about-us	fft@gypsy-traveller.org 0333 016 9610 https://www.hersana.org/contact-us
Karma Nirvana	Working to end Honour Based Abuse in the UK	www.karmanirvana.org.uk	0800 5999 247
Respect: Men's Advice Line	The Helpline for male victims of domestic abuse	www.mensadviceline.org.uk	0808 801 0327
Deepest Derretreter	Interventions to support perpetrators in the early		info@mensadviceline.org.uk
Respect: Perpetrator Interventions	stages of abuse, and those using high harm behaviours.	https://www.respect.uk.net/	
Men's Aid Charity	Help to provide practical advice and support to men who have been abused	https://www.mensaid.co.uk/	0333 567 0556
Rape Crisis	Provides specialist information and support to all those affected by rape, sexual assault, sexual harassment and all other forms of sexual violence and abuse in England and Wales	www.rapecrisis.org.uk	0808 500 2222
Samaritans	Whatever you're going through, a Samaritan will face it with you. Available for contact 24 hours a day, 365 days a year	www.samaritans.org	116123
			jo@samaritans.org
Shelter	Advice and support services offer one-to-one, personalised help with housing issues and homelessness	www.shelter.org.uk	0808 800 4444
Crime Stoppers	Give crime information anonymously	https://crimestoppers-uk.org/	0800 555 111

There are also a variety of apps to download which can help to safeguard a person, such as:

- Bright Sky allows users to journal incidents safely, get information on other services available for support
- Hollie Guard can track you, tell friends and family you are in danger and record incidents safely

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## Agenda Item 9

Report to:	Joint Staff Advisory Committee
Date:	10 <sup>th</sup> July 2023
Title:	Annual review of the Councils' Health and Safety Policy
Report of:	Health and Safety Manager
Ward(s):	All
Purpose of report:	To ensure compliance with the Councils' statutory duty under the Health and Safety at Work etc Act 1974.
Officer recommendation(s):	(1) That the Committee consider and comment on the revised Health and Safety Policy as set out in Appendix 1, which will be recommended for approval in its final form by the Chief Executive and Leaders of each Council.
Reasons for recommendations:	To ensure the Councils meet their statutory duty under section 2(3) of the Health and Safety at Work etc Act 1974 and enable the Chief Executive and Corporate Management Team to present the final report to the Leader of Lewes District Council and the Leader of Eastbourne Borough Council for adoption.
Contact Officer(s):	Name: Becky Holloway Post title: Health and Safety Manager E-mail: <u>becky.holloway@lewes-eastbourne.gov.uk</u> Telephone number: 01273 085824

#### 1 Introduction

- 1.1 Section 2(3) of the Health and Safety at Work etc Act states that all employers must prepare a written statement of their general policy with respect to the health and safety at work of his employees and the organisation and arrangements for carrying out that policy. Section 2(3) also requires employers to revise their policy "as often as may be appropriate". The Councils' approach is to review their policy annually.
- 1.2 The Health and Safety Policy set out in Appendix 1 demonstrates the Councils' commitment to protecting the health, safety and welfare of all its employees and others affected by its activities, for example residents, visitors and contractors.

#### 2 Additions and amendments

2.1 In the 2023 review, a number of changes have been made to update the policy in line with the current ways of working.

- HR responsibilities have been added, as HR look after policies and activities that protect the wellbeing and health of the Councils' employees.
- Corporate Landlord responsibilities have been added as they monitor the compliance of the Council owned buildings.
- An organisational chart has been added to demonstrate how the responsibilities for health and safety are delegated.
- An index of guidance that demonstrate the Councils' guidance and policies for managing the various areas covered by health and safety regulations. These are all available on the intranet or by request.
- The corporate action plan has been added as an appendix to the policy.

#### 3 Financial Implications

- 3.1 There are no direct financial implications from the recommendation(s) within this report. Where appropriate, analysis of the incidents and resultant improvements to prevent reoccurrences can reduce the financial exposure of the council.
- 3.2 The Council's revenue budget makes appropriate provisions for professional advice and guidance to be provided by the Council's Health and Safety Team and for relevant training to be provided. An effective health and safety management policy, in which risks are identified and either eliminated or reduced will result in a reduction in costs to the Councils.

#### 4 Legal implications

4.1 This report and draft policy, with its recommendation for referral to CMT and subsequent adoption by the Chief Executive and the LDC and EBC Leaders is consistent with the obligation placed on the Councils by section 2(3) of the Health and Safety at Work etc Act 1974.

Keeping the policy fully up to date is a significant element of the Councils' duty of care to its employees.

Legal advice provided 24.05.23

Legal ref: 012094-JOINT-OD

#### 5 Risk management implications

5.1 Strategic, departmental, operational, project

The Health and Safety policy is a strategic document designed to demonstrate the Councils commitment to managing health and safety risks within the organisation. It sets out what the Council will do to manage these risks and how responsibilities for safety risk management will be delegated. It also provides an index for documents that provide guidance on how to manage specific health and safety risks.

Failure to act in accordance with the policy could put staff, departments and projects at risk.

#### Financial

Failure to comply with the policy could cause damage to property, injury or disruption to services resulting in claims and loss of financial resource.

#### People/customer

Accidents and poor safety management can result in injuries that can leave people unable to work. Customers, service users and contractors may also be affected.

#### Regulatory

Failure to have a policy and failure to implement the policy is a breach of section 2.3 of the Health and Safety at work act.

#### Reputational

Poor safety management, injuries, damage and service disruption can affect the reputation of the council both as an authority, business and an employer.

#### 6 Equality analysis

6.1 No specific implications with regard to equalities but the Councils continue to their moral and legal obligations around safety and wellbeing.

#### 7 Environmental sustainability implications

7.1 No implications.

#### 8 Appendices

8.1 Appendix 1 - Draft Health and Safety Policy

#### 9 Background papers

9.1 None.

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# STRONGER together



**Lewes District Council** 



Working in partnership with **Eastbourne Homes** 

Document name:	Corporate Health and Safety Policy
Document type:	Policy

Authority(ies) covered:	Aligned
Responsible	Robert Cottrill
(Executive Lead):	Chief Executive Officer
Accountable	Becky Cooke
(Operational Lead):	Director of Organisational
	Development and DQ Director
Version (e.g. first draft, final report):	Final
Approved by:	CMT & Council Leaders
Date of publication:	June 2023
Revision due:	June 2024
Final Equality and Fairness Analysis (EaFA) report	
approved by:	
Date final EaFA report approved:	

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# Corporate Health and Safety Policy

#### **1 General Statement**

- 1.1 We, the Chief Executive Officer and Leaders of Lewes District and Eastbourne Borough Councils (referred to as 'the Councils' or 'LEC') are responsible for ensuring the highest standards of health, safety and welfare for all employees and others who may be affected by our activities.
- 1.2 Our Corporate Management Team (CMT) will lead the development, implementation and monitoring of a system that encourages a good safety culture. To achieve this, the Councils will adopt the HSE's safety management system 'HSG65' and the 'plan, do, check, act' cycle of continuous improvement.
- 1.3 Health and safety impacts will be considered alongside other business risks. Services and projects will be planned and designed to minimise the risks to the health and safety of employees and others who may be affected by our undertaking.
- 1.4 At LEC we fully recognise that people are our most valuable resource and therefore our moral obligation to create a safe and healthy working environment for our employees, contractors and those who interact with our services. We also recognise the financial benefits that good management of health and safety can bring to the Organisation, together with our legal obligations under the Health and Safety at Work Act and its associated legislation as a minimum standard of achievement.
- 1.5 Employees are empowered to bring health and safety concerns to the attention of managers who will take action to eliminate, minimise, or control them, as far as is reasonably practicable.
- 1.6 In order to meet our commitments, we will ensure that we will:
  - Plan work and projects that are compliant with legislation and approved codes of practice as a minimum standard.
  - Provide and maintain safe places of work where standards are regularly monitored by a system of planned inspections and where required remedial actions are implemented.
  - Make suitable and sufficient assessment of the risks posed by our activities and services and implement practical, robust, controls and safe working procedures to prevent harm.
  - Ensure the selection of safe equipment that is suitable for the work being carried out and implement a schedule of planned inspection and maintenance.
  - Ensure all accidents are thoroughly investigated and remedial actions identified and implemented.

- Monitor accidents for trends and patterns that might signal a gap in safe working systems and controls.
- Ensure suitable and appropriate levels of communication and consultation with our employees about matters that affect their safety and wellbeing.
- Ensure systems are in place to provide suitable and sufficient information, instruction, training, and supervision.
- Provide employees with the personal protective equipment necessary for their roles free of charge.
- Ensure employees are competent to carry out delegated tasks by identifying training needs from risk assessments, providing training to an appropriate standard and ensure that training is refreshed regularly.
- Employ competent employees to assist us in meeting our duty of care including, where appropriate, specialists from outside the organisation.
- Ensure that health and safety is monitored by a system of inspections, checks, audits, and reports. Where gaps in compliance are identified an action plan will be put in place and monitored.
- Put processes in place for responsible contractor selection, engagement, management, and monitoring.
- Job roles will have clear health and safety responsibilities and through the recruitment process we will ensure the competence of those we employ. Where gaps in competence are identified we will arrange for appropriate training, supervision, and mentoring.
- 1.7 A report reviewing the health and safety management system will be presented to CMT on an annual basis, which will include information on any weaknesses identified during monitoring activities and an action plan for continual improvement that will be adopted and monitored by CMT.
- 1.8 This Policy will be regularly monitored through inspections, CMT reports and the Joint Safety Forum to ensure that the objectives are achieved. It will be reviewed and, if necessary, revised in the light of legislative or organisational changes. This Policy will be communicated to all persons working for, or on behalf of, Lewes District and Eastbourne Borough Councils, and made available to the public upon request.
- 1.9 A copy of this Statement will be displayed in suitable areas. The Policy will be reviewed on an annual basis and amended or added to as appropriate.
- 1.10 This Policy will cover all employees and will also apply to Councillors, agency employees, consultants, contractors, volunteers, and those working on behalf of the Councils.
- 1.11 This Policy takes immediate effect and replaces all previous versions. It will be reviewed annually, or more frequently if there is any change in the risk environment for the Councils, or in relevant legislation.

Signed:	Name and Role:	Date:
	Robert Cottrill Chief Executive	
	Cllr xxx Leader of EBC	
	Cllr xxx Leader of LDC	

## 2 Organisation and responsibilities

Lewes District and Eastbourne Borough Councils are committed to defining the roles of all staff, in order to help them meet their responsibilities within the health and safety management system effectively; and to adequately assess, control and monitor health and safety within the Councils.

The following responsibilities have been assigned for health and safety management within the LEC Health and Safety Management System. An outline of the organisational structure can be seen in Appendix 1. Detailed structure charts showing line management responsibilities can be found on The Hub or via the 'LEC Org Chart' desktop and Teams app.

#### 2.1 Corporate Management Team

CMT is responsible for establishing strategies to implement policy and integrating these into the general activities of the Organisation, providing leadership to ensure the health, safety and welfare of all employees and other people affected by the Councils' activities. CMT will:

- Ensure the ongoing development, implementation, monitoring and review of the Lewes District and Eastbourne Borough Councils' Health and Safety Management System.
- Ensure there is a clear management structure with clearly defined responsibilities for implementing the Health and Safety Management System.
- Provide appropriate resources to ensure the ongoing development and implementation of the Health and Safety Management System.

- Set and agree corporate level plans for the delivery of the Health and Safety Management System.
- Review and further develop the General Statement of Health and Safety Policy and ancillary policies/guidance.
- Ensure health and safety performance is regularly reviewed and monitor the health and safety performance of their directorates.
- Integrate the health and safety policies and guidance into the general activities of the organisation.
- Ensure there are formal arrangements for the dissemination of appropriate health and safety information.
- Ensure there are arrangements to confirm the health and safety competency of all employees and contractors.
- Ensure the establishment of a proactive risk assessment system and the development and implementation of required risk control systems.
- Keep informed regarding relevant changes in health and safety legislation, standards, and good practice.

#### 2.2 Senior Managers/Heads of Service

Senior Managers and Heads of Services are responsible for the strategic implementation of the relevant health and safety policies and procedures within their service area, developing them to fit the risks unique to their services where necessary. They will:

- Implement, monitor and review LEC's Health and Safety Management System in their individual services.
- Ensure the appointment of competent managers and team members to their services.
- Manage budgets to ensure resources are available for the management of health and safety and the protection of people from harm.
- Implement corporate level action plans in their individual services.
- Develop a risk profile for their service to maintain oversight of significant risks to health and safety.
- Ensure risk assessments are conducted, appropriate preventions are put in place, and that all who work under their remit are aware of the findings of any risk assessments and safe working procedures.
- Monitor managers and support them to implement the corporate procedures and processes within their areas of work.

#### 2.3 Line Managers/Team Leaders

Line managers and team leaders are responsible for the implementation of all relevant health and safety policies and procedures, and the provision of the necessary resources and information to enable tasks to be carried out with risks being as low as reasonably practicable. They will:

- Ensure risks arising from the workplace are assessed in consultation with their teams. Significant risks should be identified, recorded, and controlled.
- Comply with health and safety audits, and implement planned workplace inspections, risk assessment reviews and accident investigation activities.
- Work with the Property and Asset Management team to ensure that specific responsibilities in terms of building management and maintenance are implemented.
- Co-operate with the Health and Safety Manager and Joint Safety Forum in the implementation of assigned functions and activities.
- Ensure the active participation of their employees and relevant others in health and safety activities.
- Ensure employees (and contractors) are competent to carry out their assigned duties in a safe manner.
- Implement planned workplace inspections, risk assessment, COSHH assessment and safe systems of work reviews, and accident investigation activities.
- Report accidents, investigate causes and identify actions to prevent recurrence.

#### 2.4 All Employees

All employees must take reasonable care of the health and safety of themselves and other people who may foreseeably be affected by their acts or omissions at work. They must:

- Co-operate with managers and relevant others to ensure duties and requirements are complied with to the required standard.
- Follow the mitigation actions in risk assessments, and safe working procedures together with instructions from their manager or team leader.
- Not intentionally, or recklessly, interfere with or misuse anything provided for the purpose of health, safety, and welfare.
- Use machinery, equipment, substances, transport, or other work equipment or safety device, in line with policies, instructions, training and supervision.
- To report accidents, near misses, dangerous occurrences, and verbal/physical assault incidents as soon as possible, and co-operate in their investigation in order to prevent a recurrence.
- Notify management of any work situation which has, or develops, the potential for serious danger to people.
- Report any building, equipment, or Personal Protective Equipment (PPE) defects as soon as possible to the relevant person (i.e. Property & Asset Management, Facilities or Manager).

#### 2.5 Health and Safety Team

The Health and Safety team provides specialist advice (including interpretation of the law with implications for the Councils); and leads the coordination of health and safety across the Councils, working closely with managers to ensure compliance with all relevant legislation and policies. The team:

- Provides specialist support and advice to managers and teams.
- Supports CMT to develop corporate level health and safety policies and procedures.
- Monitors accident reports and carries out high level accident investigations where serious injury or a near miss has occurred.
- Responds to health and safety concerns from both internal and external sources and those who raise concerns about Council services.
- Reviews performance throughout the Health and Safety Management System through inspections, audit, and the reviewing of policies and guidance.
- Reports monitoring outcomes to the Joint Safety Forum and CMT.
- Develops corporate health and safety guidance, resources, and training materials.
- Creates the annual health and safety report and action plan to present to CMT and the Joint Staff Advisory Committee for adoption.

#### 2.6 Human Resources

HR provide advice and support on employee wellbeing, working closely with managers to ensure that the wellbeing and health of staff is looked after. They are responsible for:

- Co-ordination of the occupational health contract and referrals
- Monitoring staff attendance and presenting management reports to CMT and the Joint Staff Advisory Committee
- Development and implementation of attendance management policy and procedures.
- Maintaining the Mental Health First Aider database and co-ordinating training.
- Co-ordination of the drug and alcohol policy and testing programme within it.

#### 2.7 **Property and Asset Management**

The Property and Asset Management team is responsible for the property compliance of Council operational buildings (excluding residential properties falling under the control of Homes First and vacant properties under Neighbourhood First). The PAM team:

- Ensures a regular programme of testing and maintenance including water hygiene, EICR, fire safety equipment including alarms, and EML.
- Co-ordinates and communicates with building 'responsible persons' on safety compliance matters.
- Where issues are found they develop and monitor an action plan for improvements.
- Develops and updates corporate policies relating to property compliance management.
- Monitors and manages asbestos management plans for relevant Council property.
- Arranges fire risk assessments and programmes remedial actions

#### 2.8 Joint Safety Forum

The Joint Safety Forum is the Councils' consultative forum for health and safety. The Forum:

- Shares best practice and lessons learned from across the services to support continual improvement
- Reviews and monitors accident statistics
- Monitors the corporate action plan

#### 2.9 Health and Safety Representatives

Unison is the Councils' recognised union; they may appoint or elect health and safety representatives to provide additional support and consultative functions with staff. Union-appointed safety representatives must be employees and will be given reasonable time and facilities to carry out their duties, which are:

- Attendance at the Joint Safety Forum
- Acting on behalf of all members and other employees during consultations on health and safety matters.
- Represent staffing when HSE or local authorities consult them
- Investigating accidents, near misses, and other potential hazards in the workplace.
- Investigating complaints made by an employee about health, safety, or welfare in the workplace
- Presenting the findings of the investigation to managers, the Health and Safety team or CMT.
- Inspect the workplace
- Supporting managers and the Health and Safety team with accident investigations, inspections, and other monitoring activities.
- Attending union-arranged training courses (for which they will be given paid time off to attend).

• Supporting staff during interviews for accident investigations

#### 2.10 Representatives of Employee Safety

Non-union safety representatives who are elected by the workforce to represent them on health and safety matters. RES will be given training by the Councils to enable them to carry out their duties, which are:

- Representing staff on general health and safety matters, potential hazards, and dangers.
- Meeting with health and safety inspectors from the HSE or the local authority.
- Attending training courses to support them in their duties
- Supporting managers and the Health and Safety team with accident investigations, inspections, and other monitoring activities.

#### 2.11 Joint Staff Advisory Committee (JSAC)

The JSAC is made up of Councillors, staff and union representatives whose purpose is to act as an internal advisory committee. The Committee:

- Considers and comments on policies relating to the application of new legislation and equality issues.
- Considers matters of health, safety and welfare of staff which are referred to the Committee for comment.
- Makes recommendations to Full Council, Cabinet, or Chief Executive Officer.

### **3** Arrangements for health and safety

General arrangements for health and safety can be found in the guidance available on <u>Health and Safety Central</u> in Teams and also <u>The Hub</u>. Individual services are to use this guidance to inform their service-specific arrangements for safety. An index of guidance and polices are listed below.

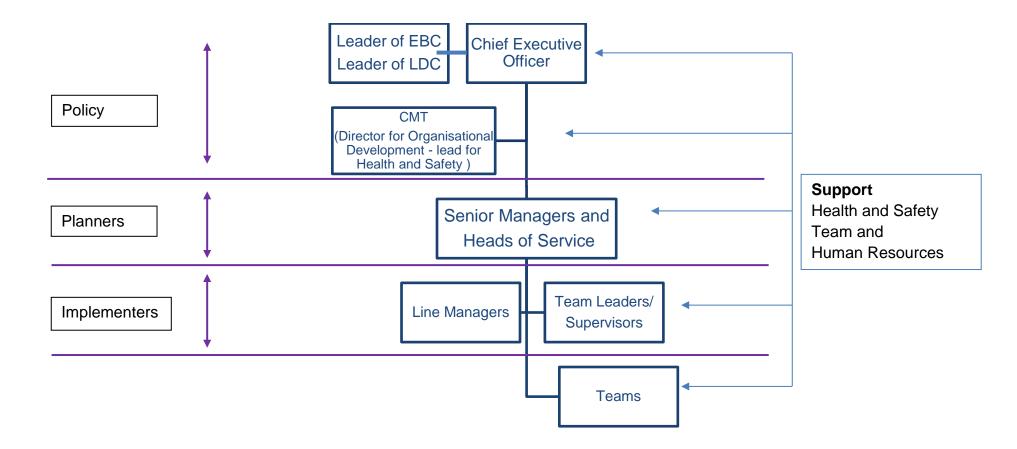
For advice on any of the information contained in this policy document, or to raise safety concerns, please contact <u>health&safety@lewes-</u> <u>eastbourne.gov.uk</u>

# Index of policy and guidance documents

Торіс	Туре	Owner	Location
Accident Reporting	Guidance	Health and Safety	H&S
			Central
Incident Investigation	Guidance	Health and Safety	H&S
			Central
Asbestos Management	Policy	Property & Asset	The Hub
	,	Management	
Biological Hazards	Guidance	Health and Safety	H&S
			Central
Hazardous Substances	Guidance	Health and Safety	H&S
		5	Central
Display Screen Equipment	Guidance	Health and Safety	H&S
		,	Central
Driving for Work	Guidance	Health and Safety	H&S
5		5	Central
Drugs and Alcohol	Policy	Human Resources	The Hub
Electrical Testing	Policy	Property & Asset	The Hub
g		Management	
Fire	Policy	Property & Asset	The Hub
		Management	
First Aid at Work	Guidance	Health and Safety	H&S
			Central
Control of Legionella	Guidance	Health and Safety	H&S
		,	Central
Lone Working	Guidance	Health and Safety	H&S
5		5	Central
Manual Handling	Guidance	Health and Safety	H&S
3		,	Central
Noise	Guidance	Health and Safety	H&S
		5	Central
Personal Protective Equipment	Guidance	Health and Safety	H&S
			Central
Risk Assessment	Guidance	Health and Safety	H&S
			Central
Slips, Trips, and Falls	Guidance	Health and Safety	H&S
_ · · · ·			Central
Stress Management	Guidance	Health and Safety	H&S
			Central
Work Equipment	Guidance	Health and Safety	H&S
			Central
Working at Height	Guidance	Health and Safety	H&S
			Central
Workplace Welfare	Guidance	Health and Safety	H&S
			Central

#### Appendix 1

#### Appendix 1: Organisational arrangements for health and safety



	Issue	Action	Owner	Timeline	Updates
1	Leadership				
1.1	Health and safety in the organisation has a low profile. 40% of staff did not think that it was a priority for the organisation.	<ul> <li>Detailed review of the Health and Safety Policy to ensure it is meaningful and relevant: <ul> <li>Clearly set out responsibilities of upper tiers of the organisation</li> <li>Clearly highlight the Joint Safety Forum (JSF) in the Policy and its function</li> <li>Index detailing all the arrangements for health and safety.</li> </ul> </li> </ul>	Health & Safety Manager (HSM) CMT: Becky Cooke (BC)	June 2023 – pushed back due to elections and possible changes in leadership. Draft to go to CMT in April and JSF in May for comment ahead of Joint Staff Advisory Committee 10 June.	07/02/23: Review in progress for approval after elections. 17/03/23: updated timeline agreed.
1.2		Develop a process for producing Health & Safety Policy and documentation: - Contributors - Sign off - Distribution - Training	Health & Safety Manager CMT: BC		17/03/23: Decide on what is policy and what is guidance to enable process/plan to be developed.
1.3		Produce a manager's handbook for low-medium risk areas to disseminate the information in the policy in an easy to read format.	Health & Safety Manager CMT: BC	April 2023	<ul> <li>7/02/23: In progress</li> <li>Plan to release to managers.</li> <li>17/03/23: Handbook sent to BC - communications plan to be agreed.</li> </ul>
1.4	<ul> <li>Staff did not know:</li> <li>Which member of CMT is the lead for health and safety</li> <li>How to contact the H&amp;S team</li> </ul>	Create Sharepoint Site/team to include all Health and Safety Information. Include: - How to report health and safety concerns - Information on H&S Team and CMT lead	Health & Safety Manager CMT: BC	January 2023	22/12/22: Site created and populated with resources – launch in January 2023 03/02/23: Launched -

	Issue	Action	Owner	Timeline	Updates
	<ul> <li>Where to find H&amp;S information</li> </ul>				Announcement in next Hub news.
					Completed
1.5		Develop a communication sharing procedure for health and safety information: - Channels - Checks	Health & Safety Manager CMT: BC		17/03/23: Communications plan to be agreed.
1.6		<ul> <li>Write and send out a bulletin introducing corporate health and safety functions: <ul> <li>CMT lead</li> <li>H&amp;S team</li> <li>How to report concerns</li> <li>How to find information</li> </ul> </li> </ul>	Health & Safety Manager CMT: BC	January 2023	22/12/22: In progress – on schedule for launch in January. 03/02/23: to appear in next Hub news. <b>Completed</b>
1.7	Lack of oversight/strategic management	Develop an annual health and safety report.	Health & Safety Manager CMT: BC	October 2023	
1.8	CMT not fully aware of risks	Create a register of health and safety risks for each service area.	Heads of Service CMT: All	October 2023	Also reviewing how actions are presented to CMT and monitored.
1.9	Joint Safety Forum is management heavy	Nominated representatives for each service area (or elected if enough interest)	Heads of Service, supported by HSM and Joint Safety Forum CMT: BC	May 2023	17/03/23: Set up meeting for BC/BH/SA to discuss membership and objectives of JSF.

	Issue	Action	Owner	Timeline	Updates
1.10		Safety Forum to set objectives for health and safety management and be involved in: - Developing and signing off H&S guidance - Monitoring activities and analysing the results of monitoring	Joint Safety Forum supported by HSM CMT: BC	October 2023	17/03/23: As above
1.11	Demands on staff and their workloads are not adequately controlled	CMT and Senior Managers' Forum to review controls	CMT Senior Managers		Action plan from staff survey
1.12	The outcomes of change management are not adequately communicated or understood by staff.	CMT and Senior Managers' Forum to review process	CMT Senior Managers		17/03/2023: Internal comms strategy to be agreed.
2	Management of Health and Safety				
2.1	<ul> <li>Managers not sharing corporate information with teams</li> <li>Managers/Senior Managers not fully aware of their H&amp;S responsibilities</li> <li>Not all hazards fully assessed</li> <li>Not all necessary documentation in place</li> </ul>	Create a checklist for managers to use to ensure they have covered all the essential H&S requirements with their teams Manager's handbook	Health & Safety Manager CMT: BC	January 2023 April 2023 launch	22/12/22: In progress for completion in January. 7/2/23: Completed – launch through Senior Managers' Forum (SMF) in April.

	Issue	Action	Owner	Timeline	Updates
2.2		<ul> <li>Training on managers responsibilities</li> <li>Risk Assessment: <ul> <li>Training needs to be highlighted</li> <li>in risk assessments</li> <li>Add training section to template</li> </ul> </li> </ul>	Health & Safety Manager to develop Senior Managers to monitor CMT: All	January/February 2023	22/12/22: Training for Tourism managers completed. Second session due in January. Wash up session completed in March. OLLE training to be rolled out
2.3	Monitoring is reactive not proactive	<ul> <li>Encourage more proactive monitoring activities</li> <li>Safety tours</li> <li>Inspections by managers/supervisors</li> <li>Staff surveys to be conducted regularly to gauge what is filtering down.</li> </ul>	Health & Safety Manager to promote with support from Senior Managers and CMT CMT: All	June 2023	17/03/23: Aim for CMT to visit sites a couple of times a year.
2.4	Roles and responsibilities of different departments are not always understood by others. This often occurs in the management of buildings with grey areas between operational management, Facilities, and corporate landlord.	CMT and Senior Managers to identify ways to improve clarity in roles and responsibilities.	CMT and Senior Manager's Forum		17/03/23: Interdepartmental communications were also identified as an issue in the recent peer review.
3	Competence				

	Issue	Action	Owner	Timeline	Updates
3.1	<ul> <li>Training is not refreshed regularly</li> <li>Managers do not keep a record of staff training</li> </ul>	New Health and Safety package for OLLE	Health & Safety team to roll out with support of Managers	2023	New/updated courses to be released on a rolling basis
3.2		Review the corporate training guidance document - make managers responsibilities clear.	Health & Safety and HR	June 2023	17/03/23: BC will discuss with Helen Knight
3.3		Review the induction process to ensure health and safety information is adequate.	Health & Safety and HR	June 2023	17/03/23: BC will discuss with Helen Knight
3.4		Managers training and education on importance of keeping records of training and organising regular refresher training.	Senior Managers	July 2023	Included in Manager's handbook
3.5		Training for different job roles should be identified and used in recruitment and performance management/development of those roles.	Senior Managers CMT: All		
3.6		Share the outcomes of accident investigations – where appropriate with the wider organisation.	Health & Safety Team through Joint Safety Forum	Ongoing	Now included in H&S report and accident report for JSAC. Completed
4	Consultation and involvement				
4.1	Teams may not be provided with up to date information on procedures and safe ways of working	Improve the way health and safety information is shared and made accessible. On a service level, managers should	Health & Safety Team with the support of JSF and Managers	May 2023	Health and Safety Central launched
		ensure procedures are reviewed	CMT: All	December 2023	

	Issue	Action	Owner	Timeline	Updates
		regularly and teams updated when there are changes.			
4.2	With the exception of Waste and Recycling, there are no representatives of employee safety or union- appointed safety representatives	Devise a system to monitor centrally? Encourage each service to nominate a staff representative of employee safety	Joint Safety Forum	May 2023	
4.3	Nearly half of staff said that health and safety was not a regular topic of discussion at team meetings.	Encourage managers to include health and safety as a standing item on meeting agendas. Educate managers to see welfare issues as health and safety related.	Senior Managers	May 2023	In Manager's handbook. Bulletin went out in February Hub news reminding managers of their responsibilities.

# Agenda Item 11

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

# Agenda Item 12

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

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