

**EMPLOYEES' CONSULTATIVE FORUM
(SPECIAL)**

8 SEPTEMBER 2008

- Chairman: * Ms L Ahmad
- Councillors: * Mrs Camilla Bath * Julia Merison (3)
 * Bob Currie * Phillip O'Dell
 * Keith Ferry (2) * Paul Osborn
 * Susan Hall
- Representatives of HTCC: (Currently no appointees)
- Representatives of UNISON: * Mr D Butterfield * Mr G Martin
 * Ms M Cawley * Mr R Thomas
 Ms A Jackson
- Representative of GMB: † Mr J Dunbar

* Denotes Member present/Employee Representative present
 (2) and (3) Denote category of Reserve Member
 † Denotes apologies received

PART I - RECOMMENDATIONS - NIL

PART II - MINUTES

125. **Attendance by Reserve Members:**

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Members:-

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor David Ashton	Councillor Julia Merison
Councillor Graham Henson	Councillor Keith Ferry

126. **Declarations of Interest:**

RESOLVED: To note that the following interests were declared:

<u>Agenda Item</u>	<u>Member</u>	<u>Nature of Interest</u>
5. Asbestos - Recommendations from Health and Safety meeting	Councillor Currie	Personal interest as his son was an employee and he was a member of Commercial Workers Union.
5. Asbestos - Recommendations from Health and Safety meeting	Councillor Ferry	Personal interest as a member of GMB Union.

127. **Arrangement of Agenda:**

RESOLVED: That all items be considered with the press and public present with the exception of the following item for the reasons set out below:

<u>Item</u>	<u>Reason</u>
5. Asbestos – Recommendations from Health & Safety meeting	Exempt information under paragraph 5 of Part II Schedule 12A of the Local Government Act 1972, as the report contains information relating to legal professional privilege.

128. **Deputations:**

RESOLVED: To note that no deputations were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution).

129. **Asbestos - Recommendations from Health & Safety meeting:**

Prior to the consideration of the item and upon being put to a vote, it was agreed by majority vote that a DVD from the Health and Safety Executive in respect of Asbestos Health and Safety handling be shown. However, upon commencing playback the DVD did not operate correctly and therefore could not be shown.

Further to the request at the Forum held on the 31 July 2008, the Forum received a report from the Service Manager (Asset Management and Facilities) responding to six recommendations which arose from a meeting between Councillors, officers and trade union representatives, held on 11 April 2008, which considered health and safety issues relating to asbestos. The Service Manager explained that with regard to recommendation 5 that the Council would not support the course of action proposed following the advice gained from various sources including legal, occupational health, risk management, human resources departments.

The Forum discussed the background to the recommendation and circumstances that had led to the request with the Union side members submitting their arguments concerning the veracity of the previous record keeping process and importance of ensuring that employees of the Council were fully protected through their personnel records.

The officers responded that the process had been subject to examination by the Health & Safety Executive (HSE) who had cleared the processes utilized in asbestos removal. It was therefore considered that the recommendation 5 was unnecessary and inappropriate. As officers were confident there was no risk associated with the Council's asbestos removal practices.

Members raised several questions relating to timelines, legal advice etc and noted the view of the Union members that new evidence should again be referred to the HSE.

At the end of the discussion the Forum noted the advice that should the Union personally wish to revisit the matter with the HSE it was entitled to do so under its own cognisance.

RESOLVED: That in respect of the recommendations arising from the Health & Safety meeting held on 11 April 2008 that:

- (1) the action taken and officers response to recommendations 1 – 4 be noted;
- (2) the request of UNISON in respect of recommendation 5 be not agreed;
- (3) the officers response to recommendation 6 be noted.

(Note: The meeting having commenced at 6.30 pm, closed at 7.55 pm)

(Signed) MS L AHMAD
Chairman