

**The Highland Council**

Minutes of Meeting of the **Central Safety Committee** held in Committee Room 1, Council Headquarters, Glenurquhart Road, Inverness/remotely on Wednesday, 25 September 2024 at 2.00pm.

**Present:**

**Employer's Representatives:**

Mr R Gale  
Mr S Kennedy (substitute)  
Mr D Louden  
Mr P Oldham

**Staff Side Representatives:**

Ms S Purdie, RCN  
Mr M Smith, Unite/Ucatt

**In attendance:**

Ms E Barrie, Head of People  
Mr D Cowie (**DC**), Occupational, Health, Safety & Wellbeing Manager  
Mr F Macdonald (**FM**), Chief Officer – Property & Assets  
Mrs A MacPherson, Education & Learning, Health & Safety Wellbeing Co-ordinator  
Mr T Murdison, Service Lead, Corporate Property Management  
Mr I Kyle, (substitute) Health & Social Care, Health & Safety Wellbeing Co-ordinator  
Mr A McKinnie (substitute), Communities & Place, Health & Safety Wellbeing Co-ordinator  
Ms D Sutherland, Corporate Health & Safety Wellbeing Co-ordinator  
Ms T Urry, Infrastructure & Environment Health & Safety Co-ordinator  
Ms D Ferguson, Ross, Skye & Lochaber Area  
Ms H Ross, Caithness, Sutherland & Easter Ross Area  
Ms A Macrae, Senior Committee Officer

<b>Item No.</b>	<b>Subject/Decision</b>	<b>Action</b>
<b>1.</b>	<b>Appointment of Chair and Vice Chair</b>  Members were advised that, in terms of the remit of the Committee, following an election of councillors, and annually thereafter, the Committee shall appoint from amongst their members a Chair and Vice Chair. If the Chair appointed be one of the Employer's representatives, the Vice-Chair shall be one of the Staff Side representatives and vice versa.  Mr R Gale seconded by Mr P Oldham moved that Mr D Louden be appointed as Chair. There being no other nominations, Mr D Louden was duly appointed and took the Chair.  The Committee <b>AGREED</b> to defer the appointment of a Vice-Chair from the Staff Side to the next meeting to allow more Staff Side representatives to be in attendance.	
<b>2.</b>	<b>Apologies for Absence</b>  Apologies for absence were intimated on behalf of Mr B Lobban and Mr C Munro of the Employer's Side, Mr D Griffiths, GMB, Mr A Bell, LNCT and Ms E Mackay, Unison of the Staff Side, Mr W Munro, Inverness, Nairn, Badenoch & Strathspey Area.	
<b>3.</b>	<b>Declarations of Interest/Transparency Statement</b>  There were no declarations of interest/transparency statements.	

#### 4. Minutes of Last Meeting

There had been circulated for confirmation, Minutes of the last meeting of the Committee held on 12 June 2024, the terms of which were **Approved**.

#### 5. Matters Arising from the Minutes

i. EVOLVE – an update was provided on the outcome of the short term working group and ongoing work to share information and link with head teachers at area meetings and representative groups.

ii. Workplace inspection restart – the intention was to issue a formal communication encouraging staff to come forward as health and safety representatives, once the pay dispute was settled nationally

iii. Portable Appliance Testing (PAT) – it was reported the recruitment of two posts to carry out PAT Testing was in progress. An update was also provided on the backlog and approach to testing being undertaken across the Council's estate within the current available resource.

iv. Woodwork machinery training – a tender package had been submitted to the Procurement Team for approval. Information on companies identified as being suitable to undertake the training had also been provided to the Team.

v. Solar Panels – confirmation that a future update would be provided on progress with the work to switch all solar panels back on. **FM**

vi. Emergency Call Facilities in Public Toilets across the Estate - this matter was being progressed in conjunction with ICT Services to scope the technical requirements and costs of installing this facility across the infrastructure.

vii. Council Depots – an update was sought and provided on progress with Council depots including the Nairn, Diriebught and Carr's Corner depots. An update was also provided on the preparatory work being undertaken in terms of delivering the improvements to the Council depots estate as contained in the Highland Investment Plan.

viii. Reinforced Autoclaved Aerated Concrete (RAAC) (HAC) – the six sites affected were all subject to regular surveys by suitably qualified structural engineers and there would inevitably be remedial works until such time these buildings were removed from the estate. An update was also provided on the current position in relation to HAC at Thurso High School.

ix. Recording of pupil/staff incidents – a report had been provided to the Trade Unions on all incidents and there was a commitment as a major part of the Service's work plan to work with teachers and teaching unions to consider how to reduce the number of incidents.

x. Staff using their own power tools - Housing Managers had advised staff not to use their own power tools and the Service was working with the Procurement Team on standardising equipment. Staff had to be mindful when using battery equipment that they did not compromise fire exits when charging equipment.

xi. RPOs – a review was to be undertaken on the RPO role, title and responsibilities, and the training required to support staff and thereafter a report submitted to the Corporate Management Team. Options for responding to out of hours calls would also be considered.

## 6. Minutes of Area Health and Safety Groups and Service Trade Union Health and Safety Liaison Groups

There had been circulated, for information, the Minutes of:-

### Area Health and Safety Groups

- (i) Ross, Skye and Lochaber – 4 September, 2024
- (ii) Inverness, Nairn, Badenoch & Strathspey – 4 September, 2024
- (iii) Caithness, Sutherland and Easter Ross – 29 August, 2024.

### Service Trade Union Health and Safety Liaison Groups

- (iv) Health & Social Care – 12 August, 2024
- (v) Education – 5 September, 2024
- (vi) Infrastructure & Environment – 16 August, 2024
- (v) Corporate – 20 June, 2024.

The Committee **Noted** the Area Health and Safety Groups and Service Trade Union Health and Safety Liaison Groups Minutes.

Arising from the Minutes the following matters were raised:-

#### Ross, Skye and Lochaber –

- Item 4 – clarification was sought and provided that due to the listed status of the building, openable windows could not be installed. In addition, an update was provided on progress with works to improve the resilience of the panic alarm.

#### Caithness, Sutherland & Easter Ross –

Item 5 – highlighting escalating issues with violence and aggression towards staff. It was suggested a press release be issued to highlight that such behaviour is unacceptable and asking the public to be mindful as to how they interacted with staff. It was proposed this matter be taken forward with the Communications Team.

D Cowie advised he was to undertake work with all services to assess the scale and nature of this issue across the Council and areas of most challenge and he would feedback to the next Committee on this matter.

DC

In view of the above, it was suggested this work should be completed prior to a press communication being issued.

Further points raised included that:

- the protocols in place around the welfare of staff be reinforced to ensure they were safe in all environments;
- a system was being explored that recorded information about member/s of the public who had been violent/aggressive so this could be shared with other services;
- a new violence and aggression form on the Azure system was to be launched across the Council. It was critical staff be encouraged to record incidents on the system;

- the need to consider the risks around sharing information between services in terms of General Data Protection Regulation and subject access requests by members of the public.

### Health & Social Care

A letter had been sent to the Director of Public Health, regarding the Pertussis vaccination for health and social care staff. A response had yet to be received and this matter was being pursued.

In relation to the issues raised around the Dochfour Huts, an assurance was provided that there was a provisional move date and a communication on this matter was to be issued to staff in the near future.

### Infrastructure & Environment

- HQ, Block B – the Assistant Chief Executive - Place had requested that the Property Service scope the replacement of the air conditioning system and general upgrade;
- Workshop and Store, Portree – the roofing work and rewiring had now been priced. A further update would be provided to T Urry outwith the meeting;
- In house Bus Service, Cromwell Street, Inverness - a health and safety reinspection had reported favourably in regard to the number of actions addressed and improvements made;
- Drug and Alcohol Policy - the policy and guidance had been drafted, however sign off was being held up due to the fact the same level of service for testing could not be met across all areas given the geography of the Highlands.

### Education

It was reported that a number of items detailed in the minute had already been covered in the meeting. Specific updates were provided on progress to create a SharePoint site with risk assessment templates and development of Traineasy modules to assist Head Teachers, and in relation to the cleaning of CDT classrooms.

### Corporate

It was highlighted that all the actions detailed in the minutes were shown as being completed.

## **7. Education Service Annual Health & Safety Report**

There was circulated Report No. CSC/7/24 by the Head of Education Resources.

Following a summary of the report, the following main points were raised:

- highlighting the other staff training being undertaken over and above the online health and safety related courses on “Traineasy”;
- confirmation was sought and provided that a more detailed breakdown on the statistics for ‘falls from height, including stairs’ would be shared with the Committee;

**DC**

The Committee **noted** the content of the report.

## 8. Update on Occupational Health, Safety and Wellbeing Issues and activities

There had been circulated Report No. CSC/8/24 by the Head of People.

Following a summary of the report, a point was raised on the potential for accident and other information to be broken down by service to allow it to be considered by the relevant management teams and patterns observed.

It was explained a SharePoint site was being set up which included quarterly accident statistics by service area and which could be accessed and downloaded by individual services.

Thereafter it was confirmed that other information from the Occupational Health provider was included in the papers for the Committee but a separate report specific to the Corporate Service would be provided. **DC**

In response to a query, it was explained that going forward the plan was to provide yearly comparisons for the accident data to show progress month by month. It was noted that while a general reduction was being observed, there were occasional spikes which required further investigation.

The Committee **noted** the updated information on health, safety and wellbeing issues and developments contained in the report.

## 9. Update on Occupational Health (OH) and Employee Assistance Programme (EAP) Services

There had been circulated Report No. CSC/9/24 by the Head of People.

In discussion, concern was expressed at the number of employees who did not attend their occupational health appointments on the basis it was considered many of the reasons given for non-attendance and impact on the budget were not acceptable. It was confirmed that employees were provided with call and text reminders of appointments and that information on the numbers involved by service areas, and if possible locations, would be provided to the Committee **DC**

Thereafter, it was reported that following the resignation of the previous postholder, People Asset Management Group (PAM) had confirmed the appointment of a new full time OH nurse with a start date of 14 October 2024. To allow the postholder time to settle into the post, the current interim arrangements would continue and support provided to deal with any backlog. This would be at no additional cost to the Council.

The Committee **NOTED**:-

- i. the updated position in reference to the occupational health contract; and
- ii. the usage of the Employee Assistance Programme for the period April 2024 to end June 2024.

## 10. Property Related Health and Safety Issues

There had been circulated Report No. CSC/10/24 by the Assistant Chief Executive – Place.

Arising from the report, concern was expressed in relation to the potential for gulls to cause injury to persons, particularly children, and repeated complaints Members were receiving in regard to gull management.

In relation to the above, reference was made to NatureScot's risk assessment process and the fact it had not issued the Council with any gull management licences. Previously the focus had been on the prevention of a hazard, however currently licences were only issued when there was an actual hazard.

During further discussion, reference was made to the potential to escalate this matter through COSLA on behalf of the northern local authorities who were most affected and for invite NatureScot to be invited to have discussions with the Council on this matter.

Thereafter, reference was made to the lack of an escape route for staff to the rear of the Carr's Corner depot in the event any issues arose with fuel and gas components located to the front and it was confirmed this matter would be further investigated. **DC**

In conclusion, it was highlighted that specialist pesticides inspectors from the HSE would be visiting the Council the following day. **DC**

The Committee **noted** the property related risks arising and overall progress being made in regard to improving and maintaining statutory compliance across the built estate.

The meeting concluded at 3.45pm.

**The Highland Council Staff Partnership Forum –  
Elected Members/Staff Side Group**

Minutes of Meeting of The Highland Council Staff Partnership Forum held in Council Headquarters, Inverness on Thursday 7 November 2024 at 2.00 p.m.

**Present:**

**Employer’s Representatives:**

Mr D Fraser (remote)  
Mr K Gowans

Mr B Lobban  
Mr G Mackenzie

**Staff Side Representatives:**

Mr J Gibson, UNISON  
Ms C A Stewart (GMB)  
Ms L A MacAskill, GMB

Mr R Boyle (UNITE)  
Mr M Smith, (UNITE/UCATT) (remote)

**In attendance:**

Mrs K Lackie, Assistant Chief Executive - People  
Mr A Gunn (**AG**), Assistant Chief Executive - Corporate  
Mr M MacLeod, Assistant Chief Executive – Place (remote)  
Ms E Barrie (**EB**), Head of People, Corporate  
Ms J Sikkema, Senior HR Business Partner, Corporate  
Mr A MacInnes (**AMCI**), Senior Committee Officer, Corporate

**Mr B Lobban in the Chair**

**SUBJECT/DECISION**

**ACTION**

**1. Apologies for Absence**

Apologies for absence were intimated on behalf of Mr R Bremner, Mr J Finlayson from the Employer’s Side and Ms L MacKay, Mr A Bell from the Staff Side.

**2. Declarations of Interest/Transparency Statement**

**Transparency Statement** – Mr K Gowans declared a transparency statement with the items on the agenda as a member of the EIS trade union and a family member was an employee of the Council, however, having applied the objective test, reviewed his position in relation to the items and his personal connection, he did not consider that he had an interest to declare.

It would be checked if Staff Side representatives were required to make declarations of interest/transparency statements.

**AMCI**

**3. Minutes of Last Meeting**

There had been circulated the minutes of the last meeting of the Forum held on 21 August, 2024, the terms of which were **Approved**.

#### **4. Matters Arising from Minutes**

The following updates on actions from the last meeting were provided:-

i Access to corporate systems. A training package and poster with details on how to access Myview had been issued to trade union representatives. A further meeting with trade union representatives to explain how staff access Myview would be arranged.

**EB  
complete**

ii all staff who were not office based, were to have a Council e-mail address so that they could access Corporate systems. An update on progress with this project and timeline for completion would be provided at the next meeting.

**AG**

#### **5. Staff Side Items**

i Trade Union Facility Release Time - significant barriers being experienced regarding agreed trade union facility time being put in place, which is negatively impacting GMB's effective voice, participation and the effective representation of GMB members within Highland Council.

It was advised that progress had been made in resolving this issue and details would soon be confirmed with the individuals involved. The Staff Side welcomed that progress had been made but expressed concern on the length of time taken it had taken to be resolved. This had impacted on trade union representatives ability to represent their members. Issues experienced by representatives in relation to time of to attend meetings and transport to undertake trade union duties were also raised. The Council would work with trade unions to recruit more trade union representatives in order to relieve trade union work pressures on representatives.

ii Highland Council Grievance Policy Concerns - concerns regarding access to grievances being heard, both in terms of timescales and appropriate case handling managers being allocated. Employees raising grievances felt they were being failed given the length of time it takes to resolve grievances. To resolve this, there needed to be greater adherence to timescales in the grievance process. Information should be shared with trade unions on the number of current grievances and timescales to know how long they were taking to resolve.

Also, the Council decision not to have Elected Members hear the final stage of the grievance process was to be reviewed after a period to time. The Staff Side were of the view that a final stage appeal to Elected Members should be reinstated as there was no accountability for grievances taking to long to resolve. It was advised that grievances would be dealt with as quickly as possible. In the People cluster, the Service was increasing the number of officers trained to investigate/hear grievances and disciplinary action in order to adhere to the timescales. If there were specific queries on grievances, Louise McGunnigle, HR Manager should be contacted.



It was **Agreed** that high level statistics on the number of grievances and how long they took to complete would be submitted to future meetings of the Forum.

**AG**

## **6. Service Trade Union Liaison Meetings**

There were circulated the following Service Trade Union Liaison Minutes of Meetings, the terms of which were **Noted**:-

- i. Infrastructure & Environment – 16 August 2024;
- ii. Health & Social Care – 11 October 2024;
- iii. Corporate – 30 October 2024;
- iv. Education – 4 September 2024

## **7. HR Payroll/Pension Project - update**

The Head of People provided an overview of the HR Payroll and Pension project that was focused on improving data and corporate processes to assist the organisation including management decisions. The project team were continuing to undertake business analysis work reviewing the current detailed 'As Is' processes for HR and Payroll. A further update would be provided for Corporate Resources Committee on 5 December, 2024 and regular updates were provided to trade unions.

In relation to the Altair Pensions system, it would be checked if members of the Pension scheme had electronic access to their pension information on this new system.

**EB  
complete**

Information had been issued to staff regarding the pay awards including universal credit.

The Forum **noted** the position on the HR Payroll and Pension project.

## **8. Delivery Plan and Workforce for the Future**

An update was provided in relation to progress being made on projects within the delivery plan. In terms of the future operating model, changes had been made to the organisation structure with the clusters having been implemented. Posts below Chief Officer level continued to be reviewed. There was an aim to reduce variation in service management and align management to geographical areas to deliver local services. Further, work to develop an integrated operating model by bringing Services and activities together for joined up delivery of services was highlighted. Hybrid working was linked to the future operating model and there would be a review of policy and guidance on this, to support service delivery. Trade unions would be consulted on the review of policy/guidance on Hybrid working.

An update was also provided on the workforce for the future project. A Skills Project Manager, Project Officer and Data Analyst were to be recruited and would work cross portfolio. This project had close links

with the future operating model portfolio (hybrid working) and the person-centred solution portfolio (growing our future workforce for Health and Social Care). There would be a focus on expanding the modern apprenticeship programme and employment; investing in the current workforce by strengthening the growing our own pathways; and providing development opportunities for staff retention. Key stakeholders in the project were the clusters; the Talent Manager; the people and development team and the internal modern apprenticeship centre.

An update on the workforce for the future portfolio had been provided at the last Education staff partnership forum meeting and trade unions had been invited to be involved in this project. The ambition was to make Highland Council an employer of choice for people looking for work. This would help fill vacancies and retain staff and compete with other public sector and private sector employers for staff. Also, the workforce was changing with young people more likely to change jobs more often. The ability to support employees in the organisation, providing skills and training to do different jobs would be looked at and this would also support the organisation to fill skills gaps. The modern apprenticeship programme within the Council had been very successful and the workforce for the future portfolio would provide opportunities to expand this programme.

The Forum **Noted** the position.

## **9. Staff Roadshows**

Staff roadshows had commenced and would be held Highland wide over the next few months. Staff were encouraged to attend and there had been excellent attendance at events held so far. Topics being discussed included the budget strategy, operational delivery plan, Highland investment plan and the Highland housing challenge.

The Forum **Noted** the position.

## **10. Investors in People**

Investors in people was a recognition that an organisation looks to improve performance and realise objectives through the management and development of its people. This would increase engagement and staff retention, drive innovation and inspire ambition amongst the workforce. It would also have benefits of employee engagement and wellbeing, raising performances and standards in the workforce and making the organisation a better place to work. There was funding for a dedicated post to drive investors in people in the Council and it was proposed to introduce this initiative as a pilot project in the corporate cluster.

In response to a query, there were currently no plans to undertake a corporate staff survey. However, there were targeted surveys on specific areas of activity for example ICT, violence in schools.

## 11. Dates for Meetings 2025

The undernoted dates of meetings of the Staff Partnership Forum in 2025 were **Approved**:-

Thursday, 20 February – 10.30 am

Thursday, 15 May – 10.30 am

Tuesday, 12 August – 3.00 pm

Tuesday, 11 November – 3.00 pm

The meeting was concluded at 3.10 pm.

**The Highland Council  
Non-Domestic Rates Appeals Committee**

Minute of Meeting of the **Non-Domestic Rates Appeals Committee** held in Council Headquarters, Inverness on Friday 22 November 2024 at 10.00 a.m.

**Present:**

Mr S Kennedy  
Mr D Louden

Mr P Oldham (substitute)  
Ms T Robertson

**In Attendance:**

Mr M Whillans, Solicitor (Litigation & Advice), Corporate (Adviser to the Committee)  
Ms O Khusainova, Solicitor, Corporate (Revenue's Side)  
Ms R Wheeler, Principal Revenues Officer, Corporate (Revenue's Side)  
The Appellant's Side  
Ms R MacLennan, Solicitor, (Revenue's Side, Observer)  
Mr A MacInnes, Senior Committee Officer, Corporate (Clerk to the Committee)  
Ms G MacPherson, Committee Officer, Corporate

**Mr D Louden in the Chair**

**1. Apologies for Absence**

Apologies for absence were intimated on behalf of Mr G MacKenzie and Mr C Munro.

**2. Declarations of Interest/Transparency Statement**

There were no declarations of interest/transparency statements.

**3. Exclusion of the Public**

The Committee **RESOLVED** that under Section 50A(4) of the Local Government (Scotland) Act 1973 the public be excluded from the meeting for this item on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 6 of Part I of Schedule 7A of the Act.

**4. Non Domestic Rates Appeal – Rating Liability**

There had been circulated a written Statement of Case prepared by the Revenue's Side, a written Statement of Case prepared by the Appellant's Side and a copy of the Code of Practice for Non-Domestic Rates Appeals.

The Chairman welcomed both parties to the Hearing.

In accordance with the Code of Practice, the Revenue's Side presented their case to the Committee. Thereafter, the Appellant's Side presented their case.

Following questioning and after the Revenue's Side, and the Appellant's Side, had summed up their respective cases, both parties withdrew to allow the Committee to deliberate in private.

Following consideration, the Committee **AGREED** the appeal be not upheld. During the period 3rd October 2022 until 9th July 2024, the Committee found the Appellant to be liable for the non-domestic rates.

The decision of Supreme Court in Hurstwood Properties (A) Limited and others (Respondents) v Rossendale Borough Council and another (Appellants) UKSC 2021 16 on Appeal from 2019 [EWCA] Civ 364 was preferred over that of Glasgow Corporation v Perrydale Limited 1963 S.C. 512.

The meeting ended at 1.30pm.