

## MINUTES OF A MEETING OF THE CORPORATE COMMITTEE

TUESDAY, 10TH JULY, 2018

- Councillors Present:** Councillor Jessica Webb in the Chair  
Cllr Katie Hanson, Cllr Vincent Stops,  
Cllr Mete Coban, Cllr M Can Ozsen,  
Cllr Polly Billington, Cllr Ajay Chauhan,  
Cllr Margaret Gordon and Cllr Peter Snell
- Apologies:** Councillor Susan Fajana-Thomas and Councillor Brian Bell
- Officers in Attendance:** Dan Paul (Head of HR, OD and Elections) and Gerry McCarthy (Head of Community Safety, Enforcement and Business Regulations, Neighbourhoods and Housing)

### 1 Apologies for Absence

- 1.1 Apologies for absence were received from Councillors Fajana-Thomas and Bell.

### 2 Declarations of Interest - Members to Declare As Appropriate

- 2.1 There were no declarations of interest.

### 3 Consideration of Minutes Of The Previous Meetings

- 3.1 The minutes of the meetings held on 27 March 2018 and 23 May 2018 were agreed as a correct record.

### 4 HR Policy: Bereavement Leave

4.1 Dan Paul introduced the report on the revised bereavement policy, which would provide additional paid leave to employees who had experienced a bereavement or were responsible for making funeral arrangements and dealing with the estate of the deceased. Mr Paul advised that following a benchmark exercise Hackney Council had proposed to increase bereavement leave to reflect other London Councils and ACAS guidance. In 2017/18 900 days of bereavement leave was taken and the revised policy intended to offer more support to bereaved employees and provide guidance to both managers and employees concerning bereavement.

4.2 Councillor Stops asked whether 'close relative' could be defined. Mr Paul replied that an immediate relative had been defined at paragraph 3.2 of the policy however, managers also needed the flexibility to grant leave for the death of grandparents and in-laws.

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4.3 Councillor Chauhan asked whether it would be feasible for an employee to phone their manager three days after taking bereavement leave as required by the current policy, whether an informal return to work interview could be undertaken in order to identify and support the employee and if HR could monitor the impact of the revised policy on reducing leave. Mr Paul clarified that a bereaved employee would be entitled to leave from 1 up to 10 days depending on their circumstances. The requirement to make an employee call in after three days was unnecessary as this was already done in practice and the manager and employee also maintained regular dialogue during the leave. Mr Paul stated that a return to work interview would not be appropriate in all cases and that the revised policy enabled a phased return to work. The Council would also support the employee by funding counselling sessions. It was emphasised that this policy provided guidance for managers however, the process would be employee led. Mr Paul confirmed that HR would monitor the impact of the revised policy and report the findings to Committee after a year.

**Action:** An update on the bereavement leave policy be included in the work programme for 2019/20

**RESOLVED:**

**To approve the following changes to the Bereavement Leave policy:**

- 1. Number of days leave for the death of a close relative increases from up to 3 days to up to 10 days**
- 2. Number of days leave for the death of a person who is not a close relative increases from 1 day to up to 3 days**
- 3. Number of days leave for the death of a person who is not a close relative where the employee has responsibility for arranging the funeral and dealing with the estate increases from up to 3 days to up to 5 days**

**The policy has also been updated with other information to reflect best practice and ACAS guidance.**

## **5 Business Regulation Service Delivery Plans 2018/19**

5.1 Gerry McCarthy introduced the report on the Business Regulation Services Delivery Plans 2018/19 for Environmental Health Service-Food Safety, Environmental Health Service-Occupational Health & Safety and Trading Standards.

5.2 Mr McCarthy highlighted the key achievements as follows:

- **Food Safety:** The service had inspected 100% of high risk category A premises within 28 days, 100% of new premises had been inspected within 28 days excluding those not yet trading, premises broadly compliant in food hygiene outperformed the target achieving 86%, 95% of service requests and consumer complaints relating to food and other businesses had been actioned within 10 working days. The service had provided training for small businesses in relation to food hygiene.
- **Occupational Health and Safety:** The Council had been fulfilling its regulatory responsibility as outlined within the Local Authority Enforcement Code. The service had issued ten prohibition notices during its inspections of 12 butchers in Ridley Road.

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The area for health and safety inspections were determined annually and were based on risk and the number of incidents that had occurred. The inspections in 2018/19 would focus on transport related health and safety.

- Trading Standards provided support to all members of the community and played a vital role in public health and safety such as seizing illegal cigarettes, knives etc. The service had successfully prosecuted a trader for the illegal sale of beauty products which had resulted in a fine of £50k.

5.3 Mr McCarthy highlighted the key priorities for the next three years for Health and Safety, Trading Standards and Food Safety Services, maximising the use of resources, effective partnership working and Health and Wellbeing. The Service would be focusing on the highest risk premises, categorised as Upper and Upper Medium inspections. Mr McCarthy reported that the Food Standards Agency audit in October 2017 identified the back log of inspections in Category C and D premises as a concern. As of 1<sup>st</sup> April 2018 the following overdue food hygiene inspections were: 340 category C inspections; 730 category D inspections; and 394 category E. During the first quarter of 2018 the following inspections had been undertaken: 71 category C inspections; 24 category D inspections and category E premises would be dealt with under the Alternative Enforcement Strategy. Furthermore, additional agency staff had been employed to tackle the backlog of inspections in relation to category C and D premises and this backlog should be completed by March 2019.

5.4 In response to a question from Councillor Stops, Mr McCarthy provided examples of low risk Category E premises which included shops and chemists.

5.5 The Chair asked whether it was necessary to undertake 100% of the food inspections due. Mr McCarthy stated that the inspections had been based on risk and the service was required to carry out 100% of due inspections. However, the Council could undertake 10% of low and medium inspections after using the Alternative Enforcement Strategy. Mr McCarthy added that the borough had a high turnover of new premises including new premises that never operated, which had adversely impacted on the Council's broadly compliant score.

5.6 Councillor Chauhan sought further clarification regarding agency staff. Mr McCarthy confirmed that agency staff had been employed for a full year to tackle the backlog and that their pay was the same as Hackney Council staff.

5.7 Councillor Coban asked how the Council had supported and educated small businesses on food hygiene. Mr McCarthy explained that Council officers had provided small businesses with support and guidance during their inspections and as a member of the Small Businesses Forum the Council had engaged with small businesses to promote food hygiene but this had been a challenge as small owners had higher priorities in their business.

5.8 Councillor Snell expressed concern at air pollution within the borough especially the air pollution emanating from food premises. Mr McCarthy replied that the issue of air pollution had been addressed within Public Realm and that the enforcement team could take action for pollution coming from extraction systems at food premises. Mr McCarthy stated that the Council had received no complaints in relation to air pollution emanating from kebab shops in the Dalston area and that any specific concerns could be discussed following the meeting. Mr McCarthy added that the service was under resourced and the lack of sufficient resources would make it a challenge to deliver the Health and Safety plan.

5.9 The Chair requested that the designated high risk of the service plan not being approved at page 39 of the report should be deleted as this was inaccurate and misleading. Mr McCarthy confirmed that this risk would be deleted.

**RESOLVED to:**

- 1. Approve the Food Law Enforcement Service Plan for 2018/19**
- 2. Approve the level and scope of work being carried out to meet the requirements of the plan.**
- 3. Note the level and scope of work being carried out to meet the requirements of the Occupational Health and Safety and Trading Standards Service Delivery Plans.**

**6. Enforcement Service Delivery Plan 2018/19**

6.1 Gerry McCarthy introduced the report outlining the Enforcement Service Delivery Plan 2018/19, which set out the objectives for the Service and demonstrated how they linked into the Mayor's Priorities and Hackney's Sustainable Community Strategy. It also set out the level and scope of work being carried out to meet the requirements of the plan and key areas of the service including Environmental Enforcement, addressing anti-social behaviour including from the Night Time Economy, statutory nuisance, management arrangements and key targets.

6.2 Mr McCarthy briefly outlined the team's structure, resources, the Service's functions and activities including tackling and preventing environmental waste such as fly tipping, highway obstructions and littering through intelligence based tasking and patrolling. It also focused on dealing with unauthorised waste disposal, anti-social behaviour, ingrained noise problems and removal of pirate radio aerials as set out in a Service Level Agreement (SLA) between Enforcement Service and other Council services such as the Housing. It also held joint operations with the police and partners on targeted issues such as kerb crawling, the night time economy, localised noise and anti-social behaviour. The service also undertook highways licensing enforcement and patrolled areas in the borough that were suspected to have highway obstructions. Enforcement officers were also embedded within the Waste Team and had issued fixed penalty notices for fly tipping and business waste outside authorised times.

6.3 Councillor Snell noted that the Enforcement Team structure chart was inaccurate and it needed to reflect the staffing level as set out in the report and enquired about the large scale of unauthorised waste. Mr McCarthy confirmed that the chart would be updated and advised that the increase in unauthorised waste had been the direct result of the growing number of residents in the area which had generated more rubbish as a consequence.

6.4 A Councillor referred to the Service's resources and Mr McCarthy advised that the recruitment and retention turnover was high in this service and this had been due to various factors including staff having to work late shifts and religious beliefs.

6.5 Councillor Gordon asked how the new service intended to measure customer satisfaction and queried whether an Equality Impact Assessment (EIA) should have been completed in the report. Mr McCarthy advised that the service planned to

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conduct a public satisfaction survey and that Enforcement Officers would be engaging with the public at Ward Forum and Police Panel meetings to address any issues or concerns about the service. Another measure service satisfaction would include the monitoring of the number of complaints resolved at stage 1 of the complaints process. Mr McCarthy indicated that he sought and was advised that it was not necessary to complete the EIA section of the report. Councillor Webb asked if Legal Services could provide advice on whether it was necessary to complete the EIA section of the report.

Action: Legal Services to provide guidance on EIA.

6.5 Councillor Stops enquired about the waste activity and enforcement action in relation to the illegal use of tables and chairs causing an obstruction on the public highway and the outcome of the meeting held with TfL regarding A-boards on Kingsland High Street. Mr McCarthy explained that Market Services was responsible for the enforcement of street furniture on the public highway and would refer the Committee's concern to them. Mr McCarthy advised that a meeting had been arranged with TfL to discuss whether it could delegate authority to Hackney Council for the enforcement of A- boards and also provide resources for the additional work.

6.6 The Chair asked about the contract expiry date for the licensed free-standing advertising boards on pavements. Councillor Stops stated that he had been advised that the contract would expire in August 2021 and the Council would not renew the contract.

**RESOLVED:**

**To note the level and scope of work being carried out to meet the requirements of the plan.**

**7 Draft Work Programme 2018/19**

7.1 Members considered the Committee's draft work programme for 2018/19.

**RESOLVED:**

**To note the draft work programme for 2018/19.**

**8 Any Other Business Which In The Opinion Of The Chair Is Urgent**

8.1 There was no other urgent business.

**Duration of the meeting:** 6.30- 7.55pm

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