

TEESDALE DISTRICT COUNCIL

**Report To: EXECUTIVE COMMITTEE
16 June 2008**

**By: Lead Member for Health and Safer Communities, Councillor
KW Stansfield**

Ward Member: ALL

Subject: Corporate Manslaughter and Corporate Homicide Act 2007

1.0 SUMMARY

1.1 This report provides details of the Corporate Manslaughter and Corporate Homicide Act 2007.

2.0 RECOMMENDATIONS

2.1 It is recommended that:

2.1.1 The Executive Committee note the report.

2.1.2 The Council's Health and Safety Policy be updated.

2.1.3 An Action Plan be prepared for the Committee's future consideration.

2.1.4 Risk assessments be updated by Service Heads with the guidance of the Health and Safety Manager with Stockton Borough Council with whom we have a Service Level Agreement.

2.1.5 Appropriate training sessions for employees be held.

3.0 LINK TO CORPORATE OBJECTIVES/KEY PRIORITIES

3.1 **Objective:** To ensure effective corporate leadership and ensure the safety of our workforce.

3.2 **Ambition:** Continuously improve the delivery of our services and protect employees.

3.3 **Outcome:** To ensure that employees have a safe working environment and to discharge the Council's statutory responsibilities.

4.0 BACKGROUND

4.1 The Council has established a Service Level Agreement with Stockton Borough Council to undertake various aspects of our Health and Safety obligations. The report attached as Appendix 1 was considered by the Corporate Management Team on 12 May 2008 when it was decided that this should be considered by the Executive Committee.

- 4.2 This is clearly a very important issue for the Council and the responsibilities are necessarily onerous and penalties therefore are serious. It is imperative that the Council responds fully to the requirements of the Act.

5.0 Implications

5.1 Risk:

Risk	Category	Implications
That the Council does not deliver its obligations under the Act.	Service delivery and duty of care.	Employees are placed at unnecessary and unjustifiable risk and that the Council is prosecuted and is penalised.

5.2 **Equality and Diversity:** There are no particular issues.

7.3 **Human Resources:** Maintenance and improvement of training and development opportunities for employees.

7.4 **Community Safety:** None

7.5 **Legal Issues:** Failure to comply with the Act could result in prosecution

7.6 **Financial Issues:** The financial requirements are difficult to quantify but it is not expected that there will be significant costs above budgets.

Background papers: **None**

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