HUMAN RESOURCES & COUNCIL TAX COMMITTEE
28 July 2025

REPORT OF CORPORATE DIRECTOR – FINANCE & IT & ASSISTANT DIRECTOR - PEOPLE

A.1 VIBRATION GUIDANCE – BEST PRACTICE FOR MANAGERS

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT
This report presents the proposed Vibration Guidance – Best Practice for Managers, which aims to support managers in identifying, assessing, and mitigating the risks of employee exposure to vibration in the workplace. The guidance aligns with statutory health and safety obligations and promotes a proactive approach to employee wellbeing. The Human Resources and Council Tax Committee is asked to approve the implementation of this guidance as a standard of best practice across relevant service areas, in support of the Council's continued commitment to maintaining a safe working environment.

EXECUTIVE SUMMARY
The Council's current procedures are fully compliant with the Control of Vibration at Work Regulations 2005, reflecting its ongoing commitment to safeguarding employee health and wellbeing. These regulations require employers to assess and monitor vibration exposure, implement effective control measures, and provide health surveillance where risks are identified. This report introduces the Vibration Guidance – Best Practice for Managers, a new document developed to further support managers in effectively identifying, assessing, and mitigating the risks associated with employee exposure to vibration in the workplace. The guidance reflects current best practice and has been developed in collaboration with Human Resources, Unison, and relevant service leads. Within certain areas of the Council's operations, particularly in services such as Horticulture and Engineering, employees may be exposed to vibration through the use of percussive handheld tools or by operating machinery such as mowers and other vehicles. Regular and prolonged exposure to vibration can result in serious and permanent health conditions, including Hand-Arm Vibration Syndrome (HAVS) and Carpal Tunnel Syndrome (CTS), which can significantly affect an employee's ability to work and overall wellbeing. To support compliance, employees in higher-risk roles benefit from annual health surveillance assessments carried out by an external provider. This proactive approach enables early detection of any symptoms and reinforces the Council's commitment to maintaining a safe and healthy working environment. In addition, all equipment is routinely inspected and maintained in line with the Provision and Use of Work Equipment Regulations 1998 (PUWER), ensuring it remains safe and fit for purpose. Where a case of HAVS is identified, it is promptly reported to the Health and Safety Executive (HSE) under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR), following a thorough investigation by the Council's Health and Safety Team. The introduction of the Vibration Guidance – Best Practice for Managers, while not a statutory requirement, reflects best practice by providing managers with clear and practical advice on conducting risk assessments, monitoring and recording exposure, implementing control measures, delivering appropriate training, and ensuring timely health surveillance and reporting. Developed in line with recommendations from the HSE, this guidance is designed to enhance the Council's existing procedures by embedding a consistent and proactive approach to vibration risk management across all relevant service areas.

The Human Resources and Council Tax Committee is asked to approve the implementation of this guidance, in support of the Council's continued commitment to maintaining a safe working environment and promoting best practice in vibration risk management, noting that the Council is already fully compliant with its statutory obligations in this area.

RECOMMENDATION(S)

It is recommended that the Human Resources and Council Tax Committee:

a) acknowledges that the Council remains fully compliant with all relevant statutory obligations in relation to vibration-related risks and approves and adopts the Council's Vibration Guidance – Best Practice for Managers to support the consistent and proactive management of such risks across relevant service areas.

b) requests that officers report back to the Committee 12 months following implementation to provide an update on how the guidance has operated in practice, including any lessons learned and proposed refinements.

REASON(S) FOR THE RECOMMENDATION(S)

Under the Control of Vibration at Work Regulations 2005, the Council has a legal duty to assess and manage the risks associated with employee exposure to vibration. This includes identifying tasks and equipment that may expose employees to harmful levels of vibration, conducting appropriate risk assessments, and implementing control measures to reduce exposure to as low a level as is reasonably practicable.

The Council is currently meeting its statutory obligations through regular equipment assessments, adherence to maintenance schedules in line with the Provision and Use of Work Equipment Regulations 1998 (PUWER), and the provision of annual health surveillance for employees in higher-risk roles. These measures ensure that staff are working in a safe environment and that any potential health risks are identified and managed promptly.

The Vibration Guidance – Best Practice for Managers has been developed to further support managers in fulfilling these responsibilities. While not a statutory requirement, the guidance provides clear and practical advice on assessing vibration risks, monitoring and recording exposure, implementing control measures, delivering training, and ensuring timely health surveillance and reporting. It reflects current best practice and aligns with HSE recommendations.

The Corporate Health and Safety Team will continue to undertake regular reviews of the Council's Hand-Arm Vibration Syndrome (HAVS) management arrangements and will recommend updates to the guidance as necessary to reflect changes in legislation, best practice, or operational learning. Any breaches of protocol or areas of concern identified through these reviews will be escalated to senior management via established assurance and reporting mechanisms.

ALTERNATIVE OPTIONS CONSIDERED

That the Human Resources and Council Tax Committee notes the development of the Vibration Guidance – Best Practice for Managers and considers its adoption. However, while implementation is not a statutory requirement, choosing not to adopt the guidance may limit the Council's ability to demonstrate a proactive and consistent approach to managing vibration-related risks, and could result in missed opportunities to strengthen employee wellbeing and compliance with Health and Safety Executive (HSE) expectations.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES
A revised Corporate Plan and Vision was approved by Full Council at its meeting on 28 November 2023. One of the six included themes is Financial Sustainability and Openness, with a commitment to continue to deliver effective services and get things done whilst looking after the public purse; that means carefully planning what we do, managing capacity and prioritising what we focus our time, money and assets on. The development and implementation of the Vibration Guidance – Best Practice for Managers also aligns with Tendring District Council's Corporate Plan 2024–2028 themes of "working with partners to improve quality of life" and "raising aspirations and creating opportunities." By supporting our employees—many of whom are also residents—we contribute positively to both workforce wellbeing and the wider community.
LEGAL REQUIREMENTS (including legislation & constitutional powers)
The Council has a statutory duty to comply with the Health and Safety at Work etc. Act 1974, the Management of Health and Safety at Work Regulations 1999, and the Control of Vibration at Work Regulations 2005. These regulations collectively require employers to assess and manage risks to employee health and safety, including those arising from exposure to vibration in the workplace. Under the Control of Vibration Regulations 2005, the Council must identify tasks and equipment that may expose employees to vibration, assess the level of exposure, implement appropriate control measures, and provide health surveillance where necessary. Failure to comply with these legal duties may result in enforcement action by the Health and Safety Executive (HSE). This could include the issuance of an improvement notice, a formal caution, financial penalties, or, in cases of serious non-compliance, prosecution. The Human Resources & Council Tax Committee has responsibility for the discharge of Part II – miscellaneous functions as set out in Schedule 1 to the Local Authorities (*Functions and Responsibilities)* (*England*) Regulations 2000 (*as amended*) and as detailed in Appendix 1 to Part 3 of the Constitution; including the '*decision-making on key Human Resource and Personnel issues not reserved by the Council or delegated to officers'*. This extends to the agreement on key personnel policies. Corporate Health and Safety is an Executive Function and falls within the remit of the Portfolio Holder for Corporate Finance and Governance. As such, the implementation of this guidance will be undertaken in consultation with the Portfolio Holder, in line with his Executive responsibilities. The Health and Safety Team will be responsible for overseeing the implementation of the guidance, including its ongoing monitoring and review. Following the 12-month review, to be undertaken by the Human Resources and Council Tax Committee, any subsequent updates to the guidance, whether arising from changes in statutory obligations or the identification of best practice, will be made under the delegated authority of the Assistant Director of People, in consultation with the Head of Paid Service and the Portfolio Holder for Corporate Finance and Governance. Progress and any emerging issues will continue to be reported to the Committee through the established Workforce Update Reports.
FINANCE AND OTHER RESOURCE IMPLICATIONS
Failure to comply with the Health and Safety at Work etc. Act 1974, the Management of Health and Safety at Work Regulations 1999, or the Control of Vibration at Work Regulations 2005 may result in enforcement action by the Health and Safety Executive (HSE). This could include significant financial penalties or prosecution, depending on the severity of the breach.

Such enforcement action poses both a financial and reputational risk to the Council. For example, in a recent case, another Council was fined approximately £65,000 following breaches related to hand-arm vibration exposure, highlighting the potential cost of non-compliance.

By adopting and implementing the Vibration Guidance – Best Practice for Managers, the Council strengthens its ability to demonstrate due diligence and proactive risk management, thereby reducing the likelihood of enforcement action and associated financial liabilities.

USE OF RESOURCES AND VALUE FOR MONEY

The Best Value Duty relates to the statutory requirement for local authorities and other public bodies defined as best value authorities in Part 1 of the Local Government Act 1999 ("the 1999 Act") to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". In practice, this covers issues such as how authorities exercise their functions to deliver a balanced budget (Part 1 of the Local Government Finance Act 1992), provide statutory services and secure value for money in all spending decisions.

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	To support financial sustainability, the Council manages resources efficiently to ensure safe, effective service delivery. The Vibration Guidance – Best Practice for Managers supports this by helping prevent work-related ill-health, reducing enforcement risks, and avoiding costs such as fines, claims, and service disruption—protecting both workforce wellbeing and long-term resilience.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including and	The Council ensures strong governance through informed decision-making, effective risk management, and alignment with legal requirements. The Vibration Guidance – Best Practice for Managers reinforces this by providing a clear framework for managing vibration risks and supporting compliance. Ongoing monitoring and reporting by the Health and Safety Team further enhances oversight and accountability.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	The Council uses data and performance insights to enhance service delivery. The Vibration Guidance – Best Practice for Managers supports this by reducing costs linked to work-related ill-health, improving risk management, and promoting safe, efficient, and sustainable operations. It enables consistent practices and continuous improvement in workforce health and safety.

MILESTONES AND DELIVERY

The adoption and rollout of the Vibration Guidance – Best Practice for Managers will follow the timeline below:

- Consultation with Management Team – 1 July 2025
- Human Resources and Council Tax Committee – 28 July 2025
- Officer Decision – 29 July 2025
- Publication to TDC Intranet – 29 July 2025
- Circulation to Relevant Services – 29 July 2025
- Ongoing Monitoring by Corporate Health and Safety Team – Continuous

Following formal approval, the guidance will be shared across the organisation to promote a consistent, Council-wide approach to managing vibration risks within service areas. The Corporate Health and

Safety Team will work closely with managers to support the implementation of the guidance, provide clarification where needed, and ensure that best practice is embedded into day-to-day operations.

ASSOCIATED RISKS AND MITIGATION

This report proposes the introduction of the Vibration Guidance – Best Practice for Managers to strengthen the Authority's approach to managing vibration-related risks. This guidance is intended to complement existing operational practices outlined elsewhere in the report, and forms part of a broader strategy to ensure legal compliance and protect employee wellbeing.

The guidance has been developed as a proactive measure to support compliance with health and safety legislation—specifically the Control of Vibration at Work Regulations 2005—and to mitigate the risk of legal action, financial penalties, and reputational harm.

Without a consistent and structured approach, there is a risk of inconsistent application of vibration control measures across services, which could increase employee exposure and reduce operational efficiency. The proposed guidance addresses this by providing a clear, standardised framework for managers, supported by training and advice from the Corporate Health and Safety Team.

Recognising that resource limitations in high-risk areas may delay implementation, the Council will also prioritise high-risk roles and adopt a phased approach, working closely with service leads and HR to ensure timely and effective delivery.

OUTCOME OF CONSULTATION AND ENGAGEMENT

While formal consultation was not required for this guidance, engagement was undertaken with key stakeholders during its development. Input was sought from service areas involved in vibration-related activities, as well as from Unison and Human Resources, to ensure the guidance is practical, relevant, and aligned with operational needs.

EQUALITIES

Section 149 of the Equality Act 2010 establishes the Public Sector Equality Duty (PSED), which requires public authorities, including the Council, to have due regard to the need to:

(a) Eliminate unlawful discrimination, harassment, victimisation, and other conduct prohibited by the Act
(b) Advance equality of opportunity between people who share a protected characteristic and those who do not
(c) Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding

The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Marriage and civil partnership is also a protected characteristic, but it is only relevant to the duty to eliminate unlawful discrimination (aim a).

The Council is committed to being an inclusive and supportive employer in all its people policies and practices.

The implementation of a clear policy to promote a consistent, Council-wide approach to managing vibration risks within service areas will help ensure non-discriminatory and consistent practices are adopted, in accordance with the Council's Diversity and Equality Policies.

An Equality Impact Assessment has been completed and indicates that the proposals in this report will not have a disproportionately adverse impact on individuals with any protected characteristic.

SOCIAL VALUE CONSIDERATIONS

Social Value is defined under the Public Services (Social Value) Act 2012, which requires public sector organisations and their suppliers to consider how the services they commission and procure can improve the economic, social, and environmental wellbeing of their communities.

The introduction of the Vibration Guidance – Best Practice for Managers contributes to this duty by promoting a safer and healthier working environment for Tendring District Council (TDC) staff. By clearly outlining expectations and responsibilities, the guidance ensures that employees feel supported in managing their health and wellbeing, and that the Council is actively fulfilling its responsibility to identify and mitigate vibration-related risks.

The document provides staff with a clear understanding of how to monitor their own exposure to vibration and the process for reporting any concerns. It also sets out managers' responsibilities in responding to potential breaches and outlines the procedures for addressing such matters. This proactive approach not only supports individual wellbeing but also reinforces the Council's commitment to delivering services in a socially responsible and sustainable manner.

IMPLICATIONS RELATED TO DEVOLUTION AND/OR LOCAL GOVERNMENT REORGANISATION

There is no direct impact on the Council's implementation of devolution or the ongoing local government reorganisation in Greater Essex arising from the adoption of the Vibration Guidance – Best Practice for Managers. However, by taking proactive steps to ensure full compliance with health and safety legislation, the Council strengthens its operational readiness and legal assurance. This approach supports a safe and compliant transition in the event of transfer to a future Unitary Authority structure.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2050

Consideration has been given to the Councils aim to be net zero by 2050, there is no direct implication related to the content of this report.

OTHER RELEVANT IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder	Not applicable
Health Inequalities	The Council supports staff wellbeing by conducting annual HAVS assessments for at-risk employees, enabling early identification of health issues and targeted preventative action.
Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance)	This proposal does not involve the provision of financial assistance or confer any economic advantage to external organisations; therefore, subsidy control considerations are not applicable in this instance.
Area or Ward affected	Not Applicable.

ANY OTHER RELEVANT INFORMATION

None.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The Council is legally required to comply with the Health and Safety at Work etc. Act 1974, the Management of Health and Safety at Work Regulations 1999, and more specifically, the Control of Vibration at Work Regulations 2005. These regulations place a duty on employers to assess and manage the risks associated with exposure to vibration in the workplace, including both hand-arm and whole-body vibration. The Vibration Guidance – Best Practice for Managers has been developed to support the Council's compliance with these duties and aligns with recommendations issued by the Health and Safety Executive (HSE) for effective vibration risk management.

The Council has maintained a strong record in managing vibration risks, with long-standing arrangements in place for the identification and monitoring of hand-arm and whole-body vibration. This includes annual health surveillance delivered by an external provider and overseen by the Corporate Health and Safety Team. In addition, all relevant equipment and machinery are regularly assessed in accordance with the Provision and Use of Work Equipment Regulations 1998 (PUWER) and the Council's internal maintenance procedures, ensuring they operate within safe vibration thresholds.

The introduction of the Vibration Guidance – Best Practice for Managers formalises and standardises these practices across the organisation. It provides a clear, Council-wide process for both managers and staff to follow in the identification, monitoring, and management of vibration risks. The guidance also outlines the actions required where procedures are not followed, reinforcing accountability and supporting a consistent approach to health and safety across all service areas.

PREVIOUS RELEVANT DECISIONS TAKEN BY COUNCIL/CABINET/COMMITTEE ETC.

None.

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

There are no background papers or published reference material associated with this report other than the HSE guidance for vibration management.

APPENDICES

Appendix A – Vibration Guidance – Best Practice for Managers
Appendix B – HSE guide to HAVS

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