

**Meeting:** Overview and Scrutiny Board **Date:** 10<sup>th</sup> July 2024

**Wards affected:** All

**Report Title:** SWISCo Green Space Management and Engagement - Update

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## 1. Purpose of Report

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- 1.1 This report provides details of engagement between SWISCo and Friends Groups over the last 12 months and the steps taken to identify issues and challenges and put in place solutions to improve the working relationship

## 2. Introduction

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- 2.1 There are 8 formal Friends Groups currently active across Torbay and several loose alliances of volunteers. They range in scale and size both in terms of membership, site and work carried out.
- 2.2 Friends Groups provide a useful link into local communities and significant resource which deliver added value to the appearance and environmental quality of the sites on which they operate and look after.
- 2.3 Over several years the relationship between TOR 2 and then SWISCo and the Friends Groups had broken down and there was a lack of trust and respect, communication and joined up thinking.
- 2.4 Until 2023 SWISCo employed an Engagement Officer who left role due to the short-term Section 106 funding for the role coming to an end.

### 3. Health and Safety

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- 3.1 SWISCo and Torbay Council have an absolute liability to ensure that the Friends Groups operating on Council land are doing so in a way that is compliant with Health and Safety legislation and importantly also hold a duty of care to ensure their safety and welfare. In several examples, it was clear that this was not the case as on occasions some Groups were operating in a manner not compliant with relevant risk assessments and safe working practices. While the issues of health and safety are not universally understood by individuals and groups who may have no or limited experience the Council cannot allow people to be exposed to unnecessary risks.
- 3.2 The sites upon which the Friends Groups operate are all public open space, as such SWISCo and Torbay Council have a duty to ensure that users of the open space are not exposed to risk as a result of works

### 4. Engagement

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- 4.1 Following the departure of the Engagement Officer SWISCo undertook a series of workshops and meetings with Friends Groups to understand the issues they were facing in terms of working with SWISCo and what needed to be put in place to improve this relationship.
- 4.2 All known contacts were sent open invites to 4 engagement sessions held at Aspen Way where SWISCo's vision and determination to reset the relationship between SWISCo and the Friends Groups was explained, an overview of the need to recognise safe working practices was given and constructive critical feedback was invited.
- 4.3 One of the major areas of issues was the need for improved communication from SWISCo. As a result site visits were offered to all groups and the MD offered himself as short term point of contact to the groups, This was a short term measure to instil confidence and ensure that at the highest level of the business and understanding was obtained as to the issue facing the groups and where their frustrations were occurring.
- 4.4 The offer of site visits was well received and as a result much progress was made in overcoming long standing issues, improving working relationships and putting short term work programmes and plans in place.
- 4.5 As a result of the engagement SWISCo made available free public liability insurance to all groups, provided generic risk assessment templates with the offer of further assistance if required and undertook several significant outstanding tasks relating to sites supporting a Friends Group.

- 4.6 SWISCo confirmed their commitment to the South West in Bloom competition and their support for the entries made by the Friends Groups.

## 5. Friends of Charter

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- 5.1 As an action from the engagement session it was suggested that the issues identified were pulled together in a charter between SWISCo and the Friends Groups to guide the positive partnership working that was deemed necessary to develop the significant added value provided by the Groups. A copy of the draft Charter can be found as appendix 1. The Charter will be shared with the Groups week commencing 01<sup>st</sup> July as a draft for comment to ensure that the final version is as fit for purpose as possible and fully endorsed by all involved.

### **Friends Groups Charter**

Friends Groups add significant value to the green spaces of Torbay and are made up of local people who value them and want to make a positive difference. As well as working towards improving local greenspaces, Friends Groups act as a social connection for like-minded individuals and provide a valuable link into local communities.

SWISCo are responsible for the management and development of green spaces on behalf of Torbay Council and also to be responsible for the relationship with Friends Groups. SWISCo aim to work in partnership and offer support and guidance to Friends Groups

SWISCo will work in collaboration with Friends Groups to develop clear aims and objectives for their green spaces and local environments by listening to ideas from those who regularly use and enjoy them.

SWISCo will not dictate or restrict Friends Groups with unnecessary bureaucracy or rules but must ensure that the groups operate safely and within mutually agreed parameters. The Friends Groups Charter was developed following engagement and feedback from the Groups and aims to provide a framework to guide an ongoing positive relationship between the Friends Groups and SWISCo and how we will work together to deliver maximum benefit for the green spaces in the Bay.

#### **Respect, Honesty and Integrity**

We will treat everyone fairly and with respect.

We will always be honest and trustworthy in all that we do and not deliberately mislead, whether by withholding or distorting information.

We will ensure that we do not allow bias, conflict of interest or the undue influence of others to override their judgments and obligations or their duty to adhere to best practice.

If we are unsure whether an activity or project will fall outside the agreed upon parameters, we will seek to discuss and agree a way forward.

Criticism and disagreements will be dealt with through respectful and positive communication with each other and not via the public arena, incl. social media channels

## **Competence**

Volunteers must be aware of the limits of their competence and not work beyond these, only committing to what they can safely deliver.

Volunteers must work in accordance with all relevant standards and codes of practice, as agreed with SWISCo.

Volunteers must always act with due care and diligence when carrying out their activities.

Volunteers must take all reasonable care to avoid damaging the environment or creating any danger of death, injury or ill-health to any person or damage to property.

Where appropriate, volunteers must have the correct Personal Protective Equipment for the activity they are doing.

SWISCo will provide all relevant Personal Protective Equipment if requested to do so.

SWISCo will provide advice and guidance on suitable training, delivering it through in house staff wherever possible and offering opportunities to Groups when they are available.

## **Communication**

We will always be courteous, open and transparent in our communications.

SWISCo will commit to meet with each Friends Group individually, on site a minimum of twice per year to agree work programmes and responsibilities for delivering them. The work programmes will provide a framework for everyone to work against and as such communication should be kept to a minimum

We will share contact details with each other at an appropriate level and will respect the person we are contacting by doing so politely, considering their workload and priorities.

SWISCo will provide a specific contact point for Friends Groups –

[FreindsGroups@Swisco.co.uk](mailto:FreindsGroups@Swisco.co.uk) which can be used to access the services provided by SWISCo.

Emails to this address will be answered within 48hrs, by a named member of staff who if they are unable to provide an answer will direct the query to someone that can in a shared email to provide visibility of progress and ownership of the enquiry.

## Health and Safety

In relation to health and safety law, SWISCo, as Torbay Council's assignee, need to ensure that it treats volunteers carrying out tasks and projects on Torbay Council's land, as if they were employees. This means that we are legally bound to apply the duties covered within the Health and Safety at Work etc Act 1974, (HSWA) section 2, the general duties of employers, to their employees which is as follows:

***It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety, and welfare at work of all his employees, which includes you as volunteers.***

To ensure that SWISCo fulfils this legal duty, we must include volunteers in our risk assessment to identify significant risks and implement effective control measures. In so doing we are duty bound to provide the same level of protection to volunteers, where they carry out similar activities and are exposed to the same level of risk, as our employees.

If your group intends to undertake practical tasks and hold events, then you will require public liability insurance. Basic public liability insurance for volunteers is provided by SWISCo although Groups may wish to source additional insurance for tools and storage facilities.

The insurance provided by SWISCo will cover volunteers undertaking work on Council owned land that is managed/maintained by SWISCo and will apply to the following list of tasks, if SWISCo are provided with a completed generic Risk Assessment

- Pruning with secateurs and loppers if required
- Small scale fund raising events not requiring any applications to others, e.g. road closures, licences etc...
- Weeding with a hoe, or hand pulling of small vegetation
- Vegetation removal only by hand and following discussion with **SWISCo**
- Litter picking, with a handheld litter picker
- Cleaning of benches, and signage, with non-harmful products
- Irrigation as and when required
- Planting (shrubs/trees/herbaceous/perennials/annual plants & bulbs) – following discussion with **SWISCo** on plant species. Pot sizes no larger than a 10L pot size
- Bed preparation only with a fork and spade
- Mulching – woodchip on beds/borders and possible woodland paths. Wheelbarrow and shovels only

Green Waste Removal – dumpy bags should only be half full dependent upon the green waste and weight and left in the specified area for collection, following discussion with **SWISCo**

With training, assessment of the equipment and suitable and sufficient risk assessment, the following tasks/operations can be added to the schedule:

- The use of hand-held power tools, strimmers, blowers, hedge cutters, or pedestrian mowing equipment, or similar motor and electrically powered equipment, this specifically excludes chainsaws.

Where any young persons, under 18, are involved they must either be accompanied by a parent/guardian, or there has to be a safeguarding plan including DBS clearance.

Additional and more complex tasks can be covered subject to the inclusion of them in the risk assessment and the correct level of training and or qualification being held by the users.