

Health and Safety Law Enforcement Plan

Cllr Doug Pullen, Cabinet Member for Regulatory Services, Housing & Wellbeing

Date: 6th February 2018

Agenda Item: Health and Safety Law Enforcement Plan

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Key Decision? **YES- NO (delete as appropriate)**

Local Ward Members N/a



**REGULATORY &
LICENSING
COMMITTEE**

1. Executive Summary

- 1.1. The Health and Safety Law Enforcement Plan (HSLEP) is a statutory document required under the 'Section 18 Standard' set by the Health and Safety Executive (HSE).
- 1.2. Section 18(4) of the Health and Safety at Work etc. Act 1974 (HSW Act) requires that enforcing authorities perform their duties in accordance with guidance issued by the HSE. This guidance is known as the Section 18 Standard and compliance with this Standard is mandatory.
- 1.3. One of the key elements of the Standard is that local authorities must publish an Enforcement Plan. This plan sets out the arrangements to demonstrate how it will comply with Section 18, outlines the work programme for the following two years as well as reflecting on the work carried out during the previous year.
- 1.4. This Report introduces the Health and Safety Law Enforcement Plan for 2018-20 which covers, in detail:
 - the aims and key priorities of the services provided;
 - the organisational structure and the scope of the services provided;
 - the ways in which the service will be delivered and the targets for its delivery;
 - the human and financial resources involved in providing the service;
 - the ways in which the quality of the service will be monitored and improved upon; and
 - the ways in which the service will be reviewed and improved upon.

2. Recommendations

- 2.1. It is recommended that Members approve the Health and Safety Law Enforcement Plan 2018-20 contained in Appendix A.

3. Background

- 1.1. The Health and Safety Law Enforcement Plan 2018-20 is detailed in Appendix A for consideration and approval. The plan highlights areas of work we hope to deliver and improve upon in **2018-20** and includes plans to:-
 - deliver a number of projects focussed on tackling national health and safety priorities;
 - continue to deliver work to tackle local priorities, such as food machinery safety and gas safety in commercial catering premises;
 - investigate and regulate incidents and complaints brought to the attention of the commercial team;
 - introduce new performance indicators to monitor team performance;

- develop our existing 'Primary Authority' relationships and seek further opportunities for partnerships with other businesses

1.2. The Plan reports on previous achievements and sets goals for future ones within the recognised predicted available resources.

Alternative Options	<ol style="list-style-type: none"> 1. The plan is required by Section 18 of the Health and Safety at Work etc. Act 1974. Failure to adopt a plan or provide a Health and Safety service could result in the HSE assuming control of the Councils Health and Safety service. 2. An alternative option would be to submit an amended version of the plan.
Consultation	<ol style="list-style-type: none"> 1. Regular feedback about our service is received from our stakeholders in a number of ways:- <ul style="list-style-type: none"> • through customer satisfaction surveys; • comments during inspections; • comments during investigations; 2. The Plan has been developed with this feedback in mind and is publicised on our website. Comments are welcomed and are considered during the following years planning process.
Financial Implications	<ol style="list-style-type: none"> 1. There are no additional implications. Appropriate financial provision for health and Safety enforcement work is provided within the current Budget for Environmental Health Services.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. The Health and Safety Law Enforcement Plan recognises the Council's own strategic plan and embraces it. The plan details in the Service Aims and Key Priorities section how the service contributes to the Strategic Plan.
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> 1. The Health and Safety Law Enforcement Plan recognises the Councils Equality Statement 2017 and will be submitted to the Equality Impact Assessment process for comment prior to being publicised. Any recommendations made by the assessment panel will be added into the plan.
Crime & Safety Issues	<ol style="list-style-type: none"> 1. By carrying out functions around health and safety we hope to protect the public health of those living in our community and the interests of employees working within the sectors in the district to which the council has enforcement responsibility. 2. The adoption of the Health and Safety Law Enforcement Plan will impact positively on our duty to detect and prevent health and safety within the District. (Section 17 of the Crime and Disorder Act, 1988).

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Early changes introduced by the Health and safety Executive cause priorities to shift	HSE strategy is being monitored and the service is prepared to shift and adapt to ensure it is current as 2020 approaches.	Yellow
B	Significant Outbreaks or large investigations cause shortage in resources resulting in failure to deliver the workplan	The services is continuously looking at ways to improve its efficiency and ensure its resilience. Improvements in cost recovery and the introduction of a back office system will help to reduce the impact of this risk and all flexibility to engage contractors to cover shortfalls caused by demand.	Yellow
C	Staff sickness / absence causing shortage in resources resulting in failure to deliver the workplan	Manage staff shortage / sickness by ensuring compliance with sickness absence policies. Business Continuity plans are in place to provide resilience	Yellow
D	Failure to deliver priorities	Monitoring of targets and performance monthly.	Green
E	Major Incidents involving the council offices	Business Continuity plans are in place to provide resilience	Yellow
F	Demands arising from changes in legislation	Monitor legislative proposals and changes; evaluate impact on service and plan for changes; monitor impact	Yellow

Background documents

1. Appendix A Health and Safety Law Enforcement Plan 2018-20

Relevant web links None