



# COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE

## *Committee Report*

**Public**

**Date of Meeting:** 29 July 2008

**Title:** Health & Safety Service Plan

**Report of:** Director of Community Services

**Report reference:** CS 48/07

### **Summary:**

Section 18 of the Health and Safety at Work etc Act 1974 requires Local Authorities to perform their duties in accordance with guidance issued by the Health & Safety Commission.

One requirement is that the Authority produces an annual Health & Safety Service Plan that is agreed by Members

**Questions for / input required from Scrutiny:** Members are asked to review and comment on Health & Safety performance for 2007/8 and the work plan for 2008/9.

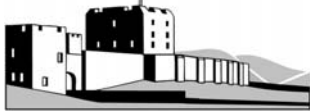
### **Recommendations:**

That the Overview and Scrutiny Committee review the Occupational Health & Safety for 2008/9.

**Contact Officer:** Ruth Harland

**Ext:** 7334

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: CS 39/08



# REPORT TO EXECUTIVE

## PORTFOLIO AREA: Environment & Infrastructure

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Date of Meeting: 30th June 2008

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Public

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Key Decision: Yes

Recorded in Forward Plan:

Yes

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Inside/Outside Policy Framework

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**Title:** HEALTH AND SAFETY SERVICE PLAN

**Report of:** Director of Community Services

**Report reference:** CS 39/08

**Summary:** Section 18 of the Health and Safety at Work etc Act 1974 requires local authorities to perform their duties in accordance with guidance issued by the Health & Safety Commission.

One current requirement is that the Authority produces an annual Occupational Health & Safety Service Plan that is agreed by Members.

**Recommendations:** It is RECOMMENDED that:-

- 1) The Executive considers the draft Health & Safety Service Plan for 2008-9
- 2) This report is referred to Community Overview and Scrutiny meeting on 17<sup>th</sup> July 2008 and feedback is reported back to the Executive meeting on 28 July.

**Contact Officer:** Ruth Harland, Food Health and  
Safety Manager

**Ext:** 7334

**Note:** in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

## **1. BACKGROUND INFORMATION AND OPTIONS**

- 1.1 The Health and Safety Commission (HSC) has an Enforcement Policy Statement and has issued guidance to local authorities under Section 18 of the Health and Safety at Work etc Act 1974. This guidance is mandatory and sets out the broad principles and framework in which local authorities should operate.
- 1.2 Local Authorities are required to make adequate arrangements for the enforcement of health and safety law.  
Section 18 of the Health and Safety at Work etc Act 1974 requires local authorities to produce and make available an annual health and safety service plan which is agreed by Members and shows the arrangements for contributing to HSC priorities. The plan should also take into account local needs & identify both reactive and proactive work, planned promotional and educational activity.  
The Service Plan for 2008-9 has been drawn up taking full account of the Cumbria Health and Safety Liaison Groups (H&SLG) work plan

HSC has recently issued new guidance on s18 which has suggested that, in future years, the service plan may be agreed by the relevant Corporate Director and Portfolio Holder without reference to Executive

## **2. CONSULTATION**

- 2.1 Consultation to Date. None required
- 2.2 Consultation proposed. Community Overview and Scrutiny 17<sup>th</sup> July 2008

## **3. RECOMMENDATIONS**

- (1) The Executive considers the draft Health & Safety Service Plan for 2008-9
- (2) This report is referred to Community Overview and Scrutiny meeting on 17<sup>th</sup> July 2008 and the feedback is reported back to the Executive meeting on 28 July

## **4. REASONS FOR RECOMMENDATIONS**

The Service Plan has been produced in accordance with current HSE guidance. It sets out how the Health and Safety service will be delivered during the year & identifies targets for 2008-9

The Health and Safety Commission's mandatory guidance has stated that Members must approve the Plan. However, guidance issued very recently states that the plan may be agreed by a relevant Corporate Director and Portfolio Holder in future years

## 5. IMPLICATIONS

- Staffing– It is intended that all matters referred to in the attached Plan will be met within existing resources.
- Financial - a successful budget bid has been made which has secured funding for additional H&S resource within the Team for 3 years
- Legal – S 18 Guidance is mandatory therefore the Council has a duty to comply with its requirements
- Corporate – The Rogers Review has identified ‘the improvement of health in the workplace’ as a major enforcement priority for all LA’s. The reason for this decision is that 4% workers in LA enforced sectors experience illness caused by or exacerbated by their occupation

All LA’s will be required to report on the new National Indicator (NI 182 “Satisfaction of businesses with local regulatory services”) as from April 2008 and the Food Health and Safety Team will be required to contribute to this along with teams in other Directorates that also carry out regulatory functions. This indicator will contribute to the Authorities overall performance assessment

The Plan indicates how the Team will deliver the Authorities statutory duties and also contributes to the Corporate priority of a ‘Clean, Green and Safe’ Carlisle

- Risk Management – An increase in notifiable incident/accident investigation work could disrupt other statutory work  
Risks are incorporated in the Councils risk register
- Equality Issues – Nil
- Impact on Customers – Failure to deliver an effective Health and Safety service may result in deteriorating standards across Carlisle, which may impact on the business community and the City Councils reputation
- Environmental – Nil
- Crime and Disorder – Health and Safety legislation can be used to deal with some aspects of crime and disorder in retail and entertainment sectors

# Carlisle City Council

HEALTH & SAFETY

SERVICE PLAN

2008-9

# **Carlisle City Council**

## **HEALTH & SAFETY SERVICE PLAN**

**2008-9**

### **1.0 Introduction**

The service plan describes how we will protect and promote health and safety in the workplaces for which we have enforcement responsibility in the Carlisle area. It links with the Community Services Directorate Plan, our Health and Safety Enforcement Policy, our Accident Investigation Policy and with the City Council priority of 'Clean, Green and Safe'. The plan provides information on the service provided, the means by which the service is provided and information regarding performance targets and how they will be achieved.

Enforcement of health and safety is divided between the Health and Safety Executive (HSE) and Local Authority.

### **2.0 Service Plan**

Health and Safety enforcement is a mandatory function carried out by the Food, Health & Safety Team, which forms part of Environmental Services within the Community Services Directorate.

The Rogers Review identified the improvement of health in the workplace as a major enforcement priority for LA's.

The service involves

- carrying out a programme of planned, risk based inspections/interventions of workplaces where we have enforcement responsibility
- investigating workplace accidents and occupational ill health
- investigating complaints
- providing advice and information to businesses
- promoting a consistent approach to enforcement outcomes for communities in these important frontline council services.

### **3.0 Objectives of the Service**

- 3.1 To improve workplace safety & health through a programme of risk based workplace inspections & interventions.

- 3.2 To make available a comprehensive range of health and safety information & advice for businesses.
- 3.3 To contribute on a local and national level to the Health and Safety Executive/Local Authority Enforcement Liaison Committee (HELA) Strategic Plan in order to reduce injury and ill health associated with work activities.
- 3.4 To comply with the mandatory Section 18 standard on enforcement of health and safety law issued by the Health and Safety Commission (HSC).

#### **4.0 Background Information**

- 4.1 The total number of premises that the Council has enforcement responsibility for is approximately 3000.
- 4.2 Each year approximately 150 reportable accidents/incidents are received
- 4.3 The total number of requests for health and safety service in 2007-8 was 56 which represents a 100% increase on the previous year.
- 4.4 The number of complaints made against the service was 0.

## 5.0 Performance Targets

This table details the proposed health and safety performance targets for 2008-9 & indicates performance for 2007-8

Target for 2007-8	Achievement 2007-8	Target for 2008-9	Resources Needed*
Inspect premises in accordance with HSE requirements Target 60%	A total of 172 inspections were carried out (see para 6.1 )	Achieve 60% of inspection targets for health and safety premises rated A, B1 & B2.	To be done within existing resources
Address the outstanding requirements of the action plan in order to improve our score from 2 to the minimum required by HSE of 3	Target partially met  New database purchased but not yet implemented Funding for additional staff resource secured	Complete full implementation of new database to allow an accurate work programme to be drawn up  Appoint additional H&S officer	To be done within existing resources
To contribute to the HSE FIT3 agenda	See Section 7	In conjunction with Cumbria HSLG to carry out work in its Work Plan for 2008-9 (see app 2)	To be done within existing resources
To investigate all notifiable accidents in accordance with City Council policy	100%	100%	To be done within existing resources
Respond to 100% requests for service in specified time	100%	Respond to 100% of requests for service within 5 days	To be done within existing resources

## 6.0 Review of Performance in 2007-8

### 6.1 Health and Safety Inspections

The inspection target of 60% of planned inspections cannot be said to have been met. A total of 172 inspections were carried out over the year, but due to continuing problems of accuracy with the Teams database, it is still not possible to say which were scheduled to be done in the year. Priority continues to be given to inspecting those businesses thought to represent the highest health and safety risk. (This targeted inspection approach is in line with the Better Regulation agenda)

The Council identified capital funding in 2006-7 for the purchase of an 'off the shelf' database which has now been purchased and will be implemented this year – this will allow for closer & more accurate management of the service in the future.



A significant amount of work has been carried out to ensure that information held on the current database accurately reflects the numbers and types of businesses that we have enforcement responsibility for.

## 6.2 Requests for Service

The performance in responding to requests for service within 5 working days in health and safety matters was 100%

The number of such requests increased by 100% from the previous year – this can in part be put down to an increase in enforcement activity raising the profile of the service.

## 6.3 Accident Investigations

All accidents warranting investigation (in accordance with the Teams Accident Investigation procedure) were followed up either by letter or by a site visit. 64 visits were made to investigate accidents.

## 6.4 Compliance with Section 18 Standard for H&S enforcement

Members will recall that health and safety enforcement management was subject to an inter-authority audit in 2005. Following receipt of the audit report an action plan was drawn up & implemented.

The Auditors made a follow-up visit in March 2007. The Authority was deemed to have achieved Level 2 compliance. (The minimum being Level 3)

This was due to the ongoing problems of accuracy with the Teams database, which meant that an accurate programme of inspections could not be drawn up. A significant amount of work has been done and continues to be done to ensure the new database referred to in paragraph 6.1 contains up-to-date comprehensive, risk rated information for all those businesses that the Council is responsible for.

The Audit also identified that staff resources were below the level that was needed to adequately address statutory duties and requirements. A bench marking exercise of other Cumbrian LA's and similar LA's across the country confirmed this.

A budget bid was made and additional H&S officer post has been created for a period of 3 years. An appointment has not yet been made.

## 6.5 Involvement with HSE Enforcement Initiatives

The Cumbrian Health & Safety Liaison Group (HSLG) continues to be involved in enforcement initiatives (in accordance with guidance from the HSE) - including slips and trips, occupational asthma & falls from height.

In 2007-8 Carlisle was able to contribute fully for the first time to these initiatives as detailed in App 1

## 6.6 Other H&S related activity

### North Lakes Tattoo Convention

Members will be aware that the North Lakes Tattoo Convention took place in early April 2008 in Carlisle. This involved several officers in unplanned work in the lead up to the event. A total of 20 officer hours were spent in 2007-8 on this event.

### Best Bar None

This initiative is a partnership between Carlisle City Council, Eden District Council and Cumbria Police to develop and promote social responsibility and customer safety in licensed premises

2 members of the Team undertook training and examinations in 2007-8 & were successful in achieving the British Institute of Innkeepers' 'Award of Assessment of Licensed Premises' and are now competent assessors for Best Bar None award.

Assessments of participating premises will be made in 2008-9.

It is anticipated that additional assessors from the Team will be trained in the future as necessary

### Customer Satisfaction

A new National Indicator (NI 182 "Satisfaction of businesses with local regulatory services") has been introduced for all LA's from April 2008.

The Team will be required to contribute to this along with teams in other Directorates that also carry out regulatory functions.

This indicator will contribute to the Authorities overall performance assessment

## 7.0 **Cumbria Health & Safety Liaison Group Plan of Work 2008-9**

Cumbria HSLG has drawn up a work plan for 2008-9, which demonstrates the anticipated LA contributions to HSE 'Fit 3' initiatives. All 6 Cumbrian LA's are asked to agree and participate in this plan. Doing so will ensure that Carlisle City Council demonstrates its commitment to its statutory obligations and is a follow on from the Authority signing the 'Working Together in Partnership' document with the HSE in Autumn 2005.

Full participation in this Plan of Work is one of the Teams targets for 2008-9 but at the time of drafting further guidance from the HSE is awaited regarding anticipated Local Authority involvement in some Fit 3 topics

If requested a full report of all work undertaken within the terms of this work plan will be made to members in 2009

## App. 2 **CARLISLE'S CONTRIBUTION to CUMBRIA H&SLG FIT 3\* TARGETS FOR 2007- 8**

<b>HSE FIT 3 TOPIC</b>	<b>ACTIVITY</b>	<b>TARGET (per LA)</b>	<b>CARLISLE contribution</b>
<b>Safety &amp; Health Awareness Day</b>	To cover a variety of FIT 3 issues by presentation/display	100 Cumbrian businesses to attend	Held in February 2008 – 70 Cumbrian businesses attended Carlisle staff contributed to presentations/discussions
<b>Slips/Trips (largest cause of accidents in Cumbria)</b>	Specific details of HSE Campaign not yet known	Min of 5 targeted visits in early 2008	22 targeted visits made A large DIY supermarket was targeted following 3 significant 'slip' accidents over a 10 day period As a result the premises completely refurbished its entrance
<b>Workplace Transport</b>	To be discussed during relevant inspections	Proactive interventions made as required	3 targeted visits made to golf club, steel stockholder and builders merchant Issues around vehicle servicing, capability & segregation of vehicles and pedestrians discussed
<b>Better Backs</b>	Focus on manual handling & push/pull activities	Min of 5 targeted visits	12 advice packs distributed to businesses with identified issues Carlisle and Eden DC & the HSE worked in partnership to host a ½ day 'Better Backs' training event for relevant businesses Excellent feedback was received from attendees
<b>Falls from Height</b>	Ladder Safety Campaign (June/July)	Min of 5 targeted visits	5 interventions made – as a result of which 8 defective ladders were identified and removed from service
<b>Asbestos</b>	Raise awareness with relevant workers	Proactive interventions made as required	3 interventions were made In particular a significant amount of time was spent with a large city centre retailer who had failed to manage the removal of asbestos adequately

<b>Contact Dermatitis</b>	Raise awareness with Catering workers	Min of 10 targeted visits	This has not been identified as an issue locally
<b>Occupational Asthma</b>	Produce an information pack for relevant occupations	Proactive interventions made as required	3 interventions were made A 'spray tan ' salon was advised regarding inadequate ventilation in the spray booths Nail bars were also provided with information packs regarding ventilation requirements to deal with potentially harmful chemicals
<b>Moving Goods Safely</b>	Focus on high risk builders merchants & steel stockholders	Proactive interventions made as required	5 interventions made Focussed on movement of building materials & white goods at local branches of national companies
<b>Noise at Work</b>	Raise awareness of new regulations due April 2008	Proactive interventions made as required	+40 local pubs & clubs were specifically targeted and sent information packs & offered advice This will be an ongoing issue in 2008-9

\* 'Fit 3' is an ongoing campaign for both the HSE and LA's aimed at reducing the incidence of injury and ill health at work. The 'Fit for work, fit for life, fit for tomorrow' campaign sees health and safety officers working with local businesses to improve safety and reduce stress, ill health and absence among staff.

