

**HUNTINGDONSHIRE DISTRICT COUNCIL**

**Title:** Service Plan for Health and Safety Regulation  
2019-20

**Meeting/Date:** Licensing and Protection Committee – 13 March 2019

**Executive Portfolio:** Executive Councillor for Regulation and Operations –  
Councillor M L Beuttell

**Report by:** Head of Community – Chris Stopford

**Ward(s) affected:** All

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**Executive Summary:**

Huntingdonshire District Council is a health and safety enforcing authority. The Health and Safety Executive (HSE) is the national regulator for health and safety and requires every local authority to outline how it will fulfil its duty “to make adequate arrangements for the enforcement of the relevant statutory provisions within its area”. This requirement is supported by the National Local Authority Enforcement Code and Local Authority Circular (LAC) 67/2 (Revision 8).

**Recommendations:**

**Members are requested to:-**

1. **Comment on, and if in agreement approve the ‘Service Plan for Health and Safety Regulation 2019-20’ in accordance with the Council’s Constitution;**
2. **If in agreement with the approval of the Service Plan, delegate to the Head of Community the ability to update the 2018/19 performance data within the Service Plan prior to publication**

## **1. PURPOSE OF THE REPORT**

- 1.1. The report formally presents the Service Plan for Health & Safety Enforcement 2019-20 to the members of the Licensing and Protection Committee. It invites their comments and their approval of the plan. This enables the Council to discharge its duty as an enforcing authority for health and safety regulation.

## **2. WHY IS THIS REPORT NECESSARY?**

- 2.1 Huntingdonshire District Council is a health and safety enforcing authority. The Health and Safety Executive (HSE) is the national regulator for health and safety and it requires every local authority to outline how it will fulfil its duty “to make adequate arrangements for the enforcement of the relevant statutory provisions within its area”. The requirement is supported by the National Local Authority Enforcement Code and the Local Authority Circular (LAC) 67/2 (revision 8).
- 2.2 The council's role as a health and safety regulator is delivered by the Business Team of the Community Division and the purpose of the Service Plan is to explain how that service will be delivered. It also details the resources required to deliver the service, together with a review of the previous year's performance.
- 2.3 The Business Team is a part of the Community Division delivering regulatory advice and support to business within the local area.

## **3. OPTIONS CONSIDERED/ANALYSIS**

- 3.1 The service has considered the National Enforcement Code, the Corporate Plan 2018-22 and the predicted 2019-20 workload based upon commitments, resources and work delivered since 1 April 2018. The plan highlights that accidents and complaints are still being received by the service and that they are being responded to in an appropriate manner. Enforcement and investigation of a small number of incidents are taking officer time to resolve, however once these have been dealt with proactive inspection of local businesses that are carrying out higher risk activities will be undertaken in accordance with national and/or local priorities.
- 3.2 The work plan priorities are guided by the content of Local Authority Circular 67/2 (rev 8), the National Local Authority Enforcement Code and the HSE's Helping Britain Work Well Strategy. Whilst the primary responsibility for managing health and safety risks lies with the business that creates the risk, regulators have an important role in ensuring the effective and proportionate management of risks, supporting business, protecting communities and contributing to the wider public health agenda.
- 3.3 Priorities identified for 2019-20 include:-
  - i. Ensuring the new information management system for environmental health meets the needs of the health and safety service for the collection, monitoring, capturing and sharing of health and safety intervention, enforcement and prosecution activity. Resource will need to be allocated to mapping process flows and data requirements to ensure the product specification is robust and once in place the modification of standard operating procedures to reflect the new system will be required, this project may span more than this work period, continuing into 2020-21.

ii. The Corporate Plan 2018-22 places a commitment to support people to improve their health and well-being through the facilitation of cultural and leisure activities. Working in collaboration with the Safety Advisory Group we will ensure that health and safety advice is disseminated to event organisers and where appropriate proactively inspect large scale public gatherings to ensure risks from crowd management, fireworks and inflatables are controlled effectively.

iii. The HSE's risk based approach to complaint handling and incident selection criteria will be adopted to select relevant incidents and complaints for investigation so that resources can be targeted effectively.

iv. The drive to simplify regulation and ensure that employers are aware of their responsibility is a continuing thread of government policy. As part of this initiative we have expressed an interest through the Better Business for All partnership in collaborating on a project with HSE to hold an advice event for small businesses. The aim would be to demystify aspects of the law and give businesses a better grasp of what "good enough to meet compliance obligations" looks like. Whilst promoting revised HSE guidance on securing competent advice, emphasis will be placed on how smaller, lower risk businesses can "do" health and safety for themselves. Such an event will look to target 80-100 small and micro businesses for a half day event.

#### **4. KEY IMPACTS/RISKS**

- 4.1 A failure to produce an appropriate Service Plan could invite criticism from the HSE which, as the national regulator oversees local authorities. This in turn could result in contact from the HSE's Local Authority Unit. The plan must be resourced and should only target proactive inspection at those premises identified within the highest priority sectors, known as the list (Annex B LAC67/2(revision 8)).

#### **5. TIMETABLE FOR IMPLEMENTATION**

- 5.1 The Service Plan will be constantly monitored and reviewed over the coming year as resources become available.
- 5.2 The Service Plan will be delivered alongside the Business Team's other core functions of food safety and licensing.

#### **6. LINK TO THE CORPORATE PLAN**

- 6.1 Service Plans support the Council's Corporate Plan and contribute to the strategic priorities therein. Targeted health and safety enforcement assists in the delivery of:
- *Create, protect and enhance our safe built environment* – dealing with significant breaches of legislation which have the potential to put the public at risk
  - *Support people to improve their health and wellbeing* – the Helping Britain work well approach aims to influence and improve the approach to health and safety, so employees are encouraged to be aware of their own safety and go home healthy.
  - *Accelerate business growth and remove barriers to growth* – provision of compliance advice and signposting to business to help them get it right first time.

## **7. LEGAL IMPLICATIONS**

- 7.1 The HSE has a key role as the national regulator in overseeing health and safety regulation undertaken by local authorities.
- 7.2 The HSE's National Local Enforcement Code recognises that service plans are an important part of the process to ensure that national priorities and standards are addressed and delivered locally.
- 7.3 This plan replaces the Service Plan for 2018-19 and identifies the priorities for Huntingdonshire District Council in delivering this statutory function. Service Plans must include a review of performance in order to consider any variances from meeting the requirements of the service plan and to identify areas for improvement.

## **8. RESOURCE IMPLICATIONS**

- 8.1 The overall budget for 2019-20 is the same as last year apart from a 1% increase in salary allocation.

## **9. OTHER IMPLICATIONS**

- 9.1 The HSE expects local authorities to carry out their regulatory activities in an effective, risk-based, proportionate and consistent way. The production, publication and delivery of the Service Plan setting out our approach will help to meet those expectations.

## **10. REASONS FOR THE RECOMMENDED DECISIONS**

- 10.1 Huntingdonshire District Council is required to produce and approve a Health and Safety Service Plan which considers resources and current guidance.

## **LIST OF APPENDICES INCLUDED**

Appendix 1 –Draft Service Plan for Health and Safety Regulation 2019-20.

## **CONTACT OFFICERS**

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