

Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Service Plan for Health and Safety Regulation

Meeting/Date: Licensing and Protection Committee – 29 June 2022

Executive Portfolio: Executive Councillor for Customer Services – Cllr S Ferguson

Report by: Claudia Deeth – Interim Community Service Manager

Ward(s) affected: All

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 11).

Recommendation(s):

The Committee is requested to:

- 1. Comment on, and if in agreement approve the “Service Plan for Health and Safety Regulation 2022-2023” (Appendix 1) in accordance with the Council’s Constitution.**
- 2. If in agreement with the approval of the Service Plan, delegate to the Interim Community Services Manager the ability to update the 2021-2022 performance data within the Service Plan prior to publication, if required.**
- 3. Request quarterly reporting figures on progress against the annual “Service Plan for Health and Safety Regulation 2022-2023”.**

1. PURPOSE OF THE REPORT

- 1.1 The report formally presents the Service Plan for Health and Safety Enforcement 2022-2023 to 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.
- 1.2 The health and safety enforcement function is one of the services provided by specialist officers within the Community service area. Community is currently operating an interim structure and the officers undertaking the work covered by this service plan currently report to the Environmental Health Team Leader. The officers providing the service also deliver the statutory functions for food safety and hygiene and infectious disease control. The team aims to support business to comply with the legislation by using a range of enforcement tools including advice, training, promotional campaigns and social media.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 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 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 11).

3. OPTIONS CONSIDERED/ANALYSIS

- 3.1 The Service has considered the National Enforcement Code, the Corporate Plan 2018-22 and the predicted 2022-2023 workload based upon commitments, resources and work delivered since 1 April 2021. It is noted that the Covid-19 pandemic has had a significant impact on workload in 2021-22 with severe restrictions on working practices and an increase in health and safety and Covid-19 related service requests.
- 3.2 The workplan priorities are guided by the content of Local Authority Circular 67/2 (rev 11), the National Local Authority Enforcement Code and the Corporate Plan 2018-22. 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 Key priorities for the coming year include:
 - Integration and continued implementation of the new Environment Health and Licensing management system.
 - Health and Safety advice will continue to be provided to organisations through engagement with the Event Safety Advisory Group.

- A risk-based approach to complaint handling and HSE’s incident selection criteria will continue to select relevant incidents and complaints for investigation.
- Working with colleagues and businesses on certain specified Local Authority projects, as outlined in Annex A of LAC 67/2 (Revision 11), such as:
 - Inflatable amusement devices.
 - Electrical safety in hospitality settings.
 - Preventing injury to members of the public from accessing large commercial waste and recycling bins.
- Vigilance will be maintained around the ongoing uncertainties with Covid-19 to ensure advice or enforcement in such matters will be a high priority in any resurgence, based on the risk identified.

4. KEY IMPACTS / RISKS

- 4.1 The failure to monitor the delivery of the approved Service Plans could invite criticism from the HSE in their capacity as the National Regulator for Health and Safety. This in turn could result in contact from the HSE’s Local Authority Unit. The plan must be resourced and should only target proactive inspections or interventions, identified for specific Local Authority projects, as outlined in Annex A of LAC 67/2 (Revision 11); and at those premises identified within the highest priority sectors, known as the list (Annex B LAC 67/2 (Revision 11)).
- 4.2 The integration and implementation of the new Environmental Health and Licensing management system is continuing and has created challenges impacting on efficiency which are being worked through.

5. TIMETABLE FOR IMPLEMENTATION

- 5.1 The Service Plan will be delivered during the 2022-2023 financial year.

6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES

- 6.1 The Service Plan supports the Council’s Corporate Plan 2018-22 and is appended to the overarching Service Plan for the Council’s Community service area.

7. CONSULTATION

- 7.1 No consultations required as part of this report.

8. LEGAL IMPLICATIONS

- 8.1 The HSE has a key role as the National Regulator in overseeing Health and Safety regulation undertaken by Local Authorities.

8.2 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.

8.3 This Service Plan replaces the Health and Safety Service Plan for 2021-2022 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.

9. RESOURCE IMPLICATIONS

9.1 The budget for 2023-23 is slightly increased and reflects that the service is now fully staffed and the 2% annual pay award.

10. OTHER IMPLICATIONS

10.1 The HSE, as the National Regulator, expects Local Authorities to carry out regulatory activity in an effective, risk based, proportionate and consistent way. The production, publication and delivery of the Service Plan will set out how we meet those expectations.

11. REASONS FOR THE RECOMMENDED DECISIONS

11.1 Huntingdonshire District Council is required to produce and approve a Health and Safety Service Plan. This Provisional Plan gives the Committee an opportunity to comment on the priorities identified and shape delivery of the service within approved resources

12. LIST OF APPENDICES INCLUDED

Appendix 1 – Draft Service Plan for Health & Safety Regulation 2022-23

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