

**Cheltenham Borough Council
Cabinet – 16th September 2014
Health and Safety Service Plan**

Accountable member	Councillor Andrew McKinlay, Cabinet Member for Development & Safety
Accountable officer	Head of Public Protection (Barbara Exley/Yvonne Hope)
Ward(s) affected	All
Key Decision	No
Executive summary	<p>The Food Standards Act 1999 and The Health & Safety at Work etc Act 1974 requires the Council to produce a Health & Safety Service Plan.</p> <p>The Health & Safety Service Plan is the Council's expression of commitment to the delivery of an improving cost effective and efficient regulatory service.</p> <p>This service plan is an annual plan detailing how Cheltenham is going to undertake its statutory health & safety regulatory functions. It is an operational plan falling within the Public Protection service delivery under the Director of Environmental and Regulatory Services.</p>
Recommendations	I therefore recommend that Cabinet approve the attached Health and Safety Service Plan service plan for 2014-15.

Financial implications	<p>There are no financial implications arising from this report. The Health & Safety plan will be met within the financial resources detailed in the plan.</p> <p>Contact officer: Sarah Didcote, Sarah.Didcote @cheltenham.gov.uk, 01242 775154</p>
Legal implications	<p>It is a statutory requirement to produce this plan on an annual basis.</p> <p>Contact officer: Vikki Fennell, vikki.fennell@teWKesbury.gov.uk, 01684 272015242</p>
HR implications (including learning and organisational development)	<p>There are no HR implications arising from this report.</p> <p>Contact officer: Richard Hall, Richard.hall@cheltenham.gov.uk, 01594 812634</p>

Key risks	<ul style="list-style-type: none"> • Impact of service transformation/shared service progression – currently being managed through REST project. Likely impact could include reduction in resource, and re-prioritisation of services. • Reactive regulatory services will given their inherent nature always contain the potential for an element of risk. An unplanned event (e.g. a serious injury or fatality) will require the diversion of resources away from scheduled plans. However, this is and will remain the essence of the service we deliver and will be tolerated and monitored throughout the plan with priority given to the appropriate control of high risk issues.
Corporate and community plan Implications	<p>The Health & Safety Service Plan supports the following of the council's priority outcomes:</p> <ul style="list-style-type: none"> • Cheltenham has a strong and sustainable economy • Communities feel safe and are safe. • People are able to lead healthy lifestyles. <p>The Health & Safety Service's outcomes include topic based interventions in risk areas such as legionella, large scale events, warehouse and distribution premises, falls from height, cutting machinery, lifting equipment, gas safety in commercial premises, the beauty sector, radon, workplace health and wellbeing, duty to manage asbestos, and violence at work.</p>
Environmental and climate change implications	<p>None</p>
Property/Asset Implications	<p>None</p> <p>Contact officer: David Roberts, David.Roberts@cheltenham.gov.uk, 01242 264151</p>

1. Background

- 1.1 Section 18 of the Health and Safety at Work etc Act 1974 (HSWA) puts a duty on Local Authorities (LAs) to make adequate arrangements for enforcement.
- 1.2 The Section 18 Standard sets out the broader requirements for Enforcing Authorities (EAs) when complying with this duty.
- 1.3 Full compliance with this standard is mandatory for all EAs from 31 March 2011. This was achieved here in Cheltenham by the successful introduction of flexible warranting as part of a County wide project.
- 1.4 Service plans are seen to be an important part of the process to ensure national priorities and standards are addressed and delivered locally. Service plans also:
 - focus debate on key delivery issues;
 - provide an essential link with financial planning;
 - set objectives for the future, and identify major issues that cross service boundaries; and
 - provide a means of managing performance and making performance comparisons
 - Implement national statutory guidance, such as the recently released National Local Authority Enforcement Code.
- 1.5 The plan follows a standard format provided by the Health and Safety Executive and is required to be submitted to Members for approval. Whilst overdue, the Council has received a dispensation allowing late submission.

2. Reasons for recommendations

- 2.1 It is a statutory requirement for Local Authorities to make adequate arrangements for enforcement under the Health and Safety at Work Act 1974.
- 2.2 Planning improves performance of operational services.

3. Alternative options considered

- 3.1 No other alternatives are available as this plan relates to the delivery of a statutory function.

4. Consultation and feedback

- 4.1 County and regional initiatives and priorities are discussed with HSE and other LAs in the South West region. There is a Gloucestershire workplan for occupational health and safety as well as Cheltenham Borough Council specific plan.
- 4.2 A copy of the plan is made available on the Council website

5. Performance management – monitoring and review

- 5.1 Performance against the Health & Safety Service Plan takes place on a monthly basis with the production of an annual statutory data return.

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Appendices	<ol style="list-style-type: none">1. Risk Assessment2. Health & Safety Service Plan
Background information	<ol style="list-style-type: none">1. Health & Safety Service Plan

Risk Assessment

Appendix 1

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
1	Any risks associated with equality impact	Head of Public Protection	11.08.14	1	1	1	A	N/A – acceptable risk		SC	
2	Any environmental risks	Head of Public Protection	11.08.14	1	1	1	A	N/A – acceptable risk		SC	
3	If insufficient staffing resources are available to investigate fatalities/accidents/health and safety related incidents and deliver interventions (e.g. as a result of illness or competing service priorities), there is a risk of not achieving targets set out in the plan, resulting in a poor annual return and increased risk of investigation and intervention by the Health and Safety Commission. This would result in an adverse impact on the Council's reputation.	Head of Public Protection	11.08.14	4	2	8	R	Contingency plan: a) re-deployment of dual-competency staff to cover short-term resource issues (eg from EP, Food Safety or management) b) temporary contract with agency staff (as they will be suitably qualified and competent) c) use of resource from neighbouring district short term (mutual aid) d) request authorisation to recruit into vacant post if situation occurs e) re-prioritisation of work plan to focus on	In place	SC	Already on dept risk register

								most risky activities			
4	Lack of resource due to major emergency or food/infection related incident resulting in failure to deliver statutory function and protect employees and the public from risk of injury or illness	Head of Public Protection	11.08.14	3	3	6	R	Likely to be short-term if risk is realised so can reduce risk with mitigation: a) mutual aid from neighbouring districts to cover high risk notifications or complaint investigation (arrangement through Glos H&S Liaison Group) b) notification to HSE of incident and possible impact on performance c) use of agency contract staff to backfill if necessary	In place	SC	Yes - dept
5	Loss of Idox Uni-Form as a stable case management system (ie risk data relating to any business in Cheltenham cannot be accessed, complaint information cannot be retrieved and priority based interventions cannot be planned)	Head of Public Protection	11.08.14	5	2	10	R	Reduce risk by: a) reporting all issues to ICT and user group rep b) have now produced paper versions of inspection forms and Legal Notices etc c) reliance on paper files d) ICT have planned to	Determined by ICT	SC	Yes – dept but also flagged on business continuity etc for past 2-3 years as this is an

								invest heavily in infrastructure including virtual hosting of Uni-Form			ongoing issue.
6	Further change of direction in guidance from central Government or HSE e.g. priority planned inspections or poor performers	Head of Public Protection	11.08.14	2	2	4	A	Accept risk as must follow statutory guidance. National re-prioritisation of 'high risk' is followed at district level through Work Well Gloucestershire	In place	SC	On dept register