



CHELTENHAM  
BOROUGH COUNCIL

# **HEALTH & SAFETY SERVICE DELIVERY PLAN 2012–2013**

## **Service Obligations**

The Council has a statutory duty to enforce the provisions of the Health and Safety at Work etc Act 1974, and associated regulations in all premises for which it has enforcement duties under the Health and Safety (Enforcing Authority) Regulations 1998. It also has a duty to adequately discharge its function in accordance with mandatory guidance from the Health and Safety Executive – section 18 standard.

This Service Plan sets out how Cheltenham Borough Council (CBC) will fulfil its statutory duty within the financial year 2012-2013 and details the priorities, aims and objectives for the enforcement of health and safety along with the mechanisms and arrangements for ensuring the effective delivery of the service.

## **Section 18 Standard**

Section 18 of the Health and Safety at Work etc Act 1974 (HSWA) puts a duty on the Health and Safety Executive (HSE) and Local Authorities (LAs) to make adequate arrangements for enforcement. The Standard sets out the arrangements that LAs should put in place to meet this duty.

In complying with their duties under Section 18, Enforcing Authorities (EAs) are required to follow the HSE Enforcement Policy Statement (EPS) on the purpose, method and principles of enforcement.

The Section 18 Standard adds to the EPS, setting out the broader requirements for EAs when complying with their duty to make 'adequate arrangements for enforcement'.

Full compliance with the standard was mandatory from 1<sup>st</sup> April 2011. This was achieved in Cheltenham by working in partnership with neighbouring authorities and the HSE in the delivery of Work Well Gloucestershire project.

## **Service Aims and Priorities**

Overall **Aim** of the Service

“To work with others to protect people's health and safety by ensuring risks in the changing workplace are managed properly.”

Our **key priorities** are:

- To manage the risk in high risk, poor performing and/or rogue trader businesses - a targeted approach to risk in line with the Better Regulation agenda
- Investigating major injury incidents and fatalities
- To ensure enforcement decisions are consistent with our Enforcement Policy, the HSE's Enforcement Policy Statement and the Enforcement Management Model - ensures proportionate, consistent, transparent and accountable enforcement
- Train and develop our staff to ensure competence - encourages staff retention/recruitment and ensures credibility with local businesses

## **Links to Council Strategy**

The Council strategy sets out three community objectives:

- Enhancing and protecting our environment;
- Strengthening our economy; and
- Strengthening our communities.

Our health and safety service contributes to all of these in the overall improvement in the wellbeing of those who live, visit and work in Cheltenham.

A key driver is that we provide value for money services that effectively meet the needs of our customers.

## **Scope of the Service**

The Health and Safety (Enforcing Authority) Regulations 1998 determine which businesses are enforced by the Council and which are enforced by the Health and Safety Executive (HSE). The Council aims to provide a full range of services offering a balanced approach between education and enforcement for all work places within our enforcement remit. This Service does not cover Health and Safety for the Council itself which is enforced by HSE and does not form part of this plan.

The majority of commercial premises in the Borough are small or medium sized enterprises (SMEs) employing less than 50 staff with retail and office premises accounting for a high percentage. These businesses have fewer resources to carry out in-house monitoring and do not have access to the support and training provided by multi-national companies. Health and Safety Officers may, therefore, find themselves spending a disproportionate amount of time working with smaller businesses than they would with much larger companies.

National, regional and local statistics provide evidence that the topics identified as priorities are those that cause injury and ill health at work and the aim is to concentrate time and effort on these areas where an impact on the reduction of work related accidents and ill health can be shown. The national aim is to deliver a 3% reduction in the incidence of work-related fatal and major injuries, a 6% reduction in the incidence rate of cases of work related ill health and a 9% reduction in the incidence rate of days lost due to work related injuries and ill health nationally.

The estimated economic cost of health and safety ill health incidents (accidents and ill health) in Cheltenham is between £24.7 million and £37.8 million. The estimated cost for accidents in Cheltenham is between £7.6 million and £13.8 million.

## **Service Delivery**

The Health and Safety function is delivered by Public Protection within the Wellbeing and Culture division which includes two FTEs dedicated to H&S regulation.

Competence is an essential aspect of service delivery and must comply with the Section 18 standard. All regulators undertake the RDNA (regulators development needs analysis tool) which is mirrored in the Council's Learning Gateway which captures their development needs as part of the annual appraisal process.

Officers delivering the service are responsible for the following work areas:

- health and safety regulation, including inspections and requests for service
- investigation of reported accidents, dangerous occurrences and cases of occupational ill health
- advisory and promotional activities
- investigation of complaints relating to premises, practices and procedures
- the responsible authority in relation to public safety for licensing applications

We will deliver our H&S service in accordance with recently reviewed Advice/Guidance to Local Authorities on Targeting Interventions <http://www.hse.gov.uk/lau/lacs/67-2.htm> . This guidance gives national priorities for both proactive and reactive intervention. A proactive intervention of continuing significance for Cheltenham is asbestos management.

## **Investigation of Complaints**

Complaints received about workplace activities we regulate are dealt with in accordance with the criteria of the Section 18 standard. A complaint is a concern, originating from outside CBC, in relation to a work activity for which we are the enforcing authority, that is sufficiently specific to enable identification of the issue and the dutyholder and/or location and that either:

- has caused or has potential to cause significant harm, or alleges the denial of basic employee welfare facilities, or
- appears to constitute a significant breach of law for which we are the enforcing authority

## **Investigation of Injuries, Diseases and Dangerous Occurrences at Work**

Over 100 accidents, work related ill health or dangerous occurrences at work are reported to CBC each year under the Reporting of Injuries and Dangerous Occurrences Regulations 1995 (RIDDOR). Reported accidents and incidents are investigated in accordance with LAC 22/13 – Incident Selection Criteria Guidance <http://www.hse.gov.uk/lau/lacs/22-13.htm>

## **Liaison with other organisations**

The Health and Safety Service actively participates in liaison arrangements with a number of other local authorities, agencies and professional organisations in order to facilitate consistent enforcement, share good practice and reduce duplication of effort.

The service represents and actively participates in the Gloucestershire Health and Safety Group, comprising of peer representatives from each of the six District and Borough Councils in the County and also a local representative from the Health and Safety Executive.

## Service Performance Review

The following table summarises the interventions undertaken in 2011-2012:

<b>Intervention</b>	<b>Number of businesses reached</b>
Dermatitis	22
Smokefree England	12
Duty to manage asbestos interventions	46
Other interventions eg electrical safety, slips and trips, ladder safety	22
Reactive complaint investigations	20
RIDDOR accident investigations	12