

**Cheltenham Borough Council**  
**Cabinet– 18 June 2013**  
**Health & Safety Service Plan**

<b>Accountable member</b>	<b>Councillor Peter Jeffries, Cabinet Deputy Housing and Community Safety</b>
<b>Accountable officer</b>	<b>Sarah Clark, Public &amp; Environmental Health Team Leader</b>
<b>Accountable scrutiny committee</b>	<b>Overview and Scrutiny</b>
<b>Ward(s) affected</b>	<b>All</b>
<b>Key Decision</b>	<b>No</b>
<b>Executive summary</b>	<p>The Health &amp; Safety at Work etc Act 1974 requires the Council to produce a Health &amp; Safety Service Plan.</p> <p>The Health &amp; 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 &amp; safety regulatory functions. It is an operational plan falling within the Public Protection service delivery under Grahame Lewis as Executive Director.</p>
<b>Recommendations</b>	<b>I therefore recommend that Cabinet approve the attached service plan for 2013-14.</b>

<b>Financial implications</b>	<p>There are no financial implications arising from this report. The Plan will be delivered within existing budgetary resources.</p> <p><b>Contact officer: Sarah Didcote</b>  <b>sarah.didcote@cheltenham.gov.uk, 01242 262125</b></p>
<b>Legal implications</b>	<p>It is a statutory requirement to produce this plan on an annual basis.</p> <p><b>Contact officer: Sarah Farooqi</b>  <b>sarah.farooqi@tewkesbury.gov.uk, 01684 272693</b></p>
<b>HR implications (including learning and organisational development)</b>	<p>There are no HR implications arising from this report.</p> <p><b>Contact officer: Donna Sheffield</b>  <b>donna.sheffield@cheltenham.gov.uk, 01242 774972</b></p>
<b>Environmental and climate change implications</b>	None
<b>Property/Asset Implications</b>	<p>None</p> <p><b>Contact officer: David Roberts@cheltenham.gov.uk</b></p>

<b>Key risks</b>	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.
<b>Corporate and community plan Implications</b>	<p>The Health &amp; Safety Service Plan supports the council's community objectives:</p> <ul style="list-style-type: none"> <li>• Enhancing and protecting our environment;</li> <li>• Strengthening our economy; and</li> <li>• Strengthening our communities.</li> </ul> <p>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.</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:
  - ⑥ focus debate on key delivery issues;
  - ⑥ provide an essential link with financial planning;
  - ⑥ set objectives for the future, and identify major issues that cross service boundaries; and
  - ⑥ 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 is required to be submitted to Members for approval.

## 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.

## 3. Alternative options considered

- 3.1 No alternative options are available due to the statutory nature of this service.

#### **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 available on the Council website

#### **5. Performance management –monitoring and review**

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

<b>Report author</b>	<b>Contact officer: Sarah Clark , Public &amp; Environmental Health Team Leader sarah.clark@cheltenham.gov.uk, 01242 77 5002</b>
<b>Appendices</b>	Risk Assessment
<b>Background information</b>	Health & Safety Service Plan 2013-14

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	SC	04.06.13	1	1	1	A	N/A - accept				
2	Any environmental risks	SC	04.06.13	1	1	1	A	N/A - accept				
3	Lack of staff resource due to vacant post/s or staff illness resulting in failure to investigate fatalities/accidents/health and safety related incidents and deliver interventions	SC	06.06.13	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 most risky activities	In place	SC	Already on dept risk register	
4	Lack of short term resource due to major emergency or incident resulting in failure to deliver statutory function and protect employees and the public from risk of injury	SC	06.06.13	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	In place	SC	Yes - dept	

	or illness							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			
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)	SC	06.06.13	4	4	16	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 and internet data to produce skeleton plans for interventions d) Idox consultant booked regarding statutory returns such as LAE1 do not work from Uniform (visit cannot take place until current stability issues resolved by ICT/Idox – June 2013 hopefully)	Determined by ICT	SC	Yes – dept but also flagged on business continuity etc for past 18 months approx

6	Further change of direction in guidance from central Government or HSE eg priority planned inspections or poor performers	SC	06.06.13	2	2	4	A	Accept risk as must follow statutory guidance. Risk score of 4 as new HSE guidance has been released this month to inform local authority work and no more changes indicated for this FY. Interim guidance if released would have an implementation period.	In place	SC	On dept risk register
---	---	----	----------	---	---	---	---	---	----------	----	-----------------------

**Explanatory notes**

**Impact** – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)

**Likelihood** – how likely is it that the risk will occur on a scale of 1-6

(1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)

**Control** - Either: Reduce / Accept / Transfer to 3rd party / Close