



Breckland Council

Environmental Health

Health and Safety Enforcement Team Service Plan

2007/2008

Contents

	Page
Glossary	
1.0 Aims and Objectives	1
1.1. Aims	1
1.2 Council Priorities	1
1.3 Input to Council Priorities	1
2.0 Background to Service	2
2.1 Profile of Breckland	2
2.2 The Health and Safety Team	2
2.3 Events Affecting the Team's Work in 2007/2008	3
2.4 Demands on the Health and Safety Service	3
2.5 Service Delivery Points	4
2.6 Enforcement Policy	4
3.0 Service Delivery	4
3.1 Pro-active Work	4
3.2 Re-active Work	7
3.3 Other Areas of Health and Safety Team's Work	9
4.0 Summary of Health and Safety Team's Performance 2006/2007	12

Glossary of Terms

CIEH – Chartered Institute of Environmental Health

CPD – Continuing Professional Development

EHO – Environmental Health Officer

ELO – Enforcement Liaison Officer

FIT3 – Fit for Work, Fit for Life, Fit for Tomorrow

LA – Local Authority

LACORS – Local Authority Co-ordinators of Regulatory Services

LAU – Local Authority Unit

HELA – HSE/LA Liaison Group

HSC – Health and Safety Commission

HSE – Health and Safety Executive

1. Aims and Objectives

1.1 Aims

- to prevent and reduce accidents and ill health associated with the workplace.
- to prevent time lost from work and support local businesses.
- to support local businesses in complying with health and safety law.

Objectives

- to make adequate arrangements for the enforcement of relevant statutory provisions in line with mandatory Section 18 Guidance issued by the Health and Safety Commission (HSC).
- to contribute to the Environment Portfolio Annual Delivery Plan and Service Team Plan by assisting the Council to achieve its priorities, through the principles of performance, partnership and participation.

1.2 Council Priorities

A well planned place to live which encourages vibrant communities.

- Ensure an appropriate range of social, cultural and public services and activities with balanced 'decent' homes;
- Engage more young people to encourage involvement;
- Strongly co-ordinated local access and transport solutions;

A safe and healthy environment.

- Develop a realistic awareness of crime;
- Help those most in need to be safer;
- Reduce accidents;
- Targeted public protection services;
- Promote healthy lifestyles;

A prosperous place to live and work.

- Keep existing businesses to sustain jobs and encourage new businesses;
- Focus on increasing skills levels;

Performance, Partnership and Participation

These are the core values that underpin everything that the Council does.

1.3 Input to Council Priorities

Whilst the occupational health and safety service has to meet statutory obligations, it will also contribute to meeting the Council priorities particularly with regard to a 'safe and healthy environment' and a 'prosperous place to live and work'.

Key service aims have therefore been adopted and incorporated within this service plan.

These include:

- Raising awareness of occupational health and safety amongst small firms;
- Developing a strategy for targeting priority areas within workplace transport and the handling of bulky goods;
- Developing a strategy to raise awareness of asbestos in the workplace; and
- Raising awareness of HELA priority topic areas.
- Raising awareness of issues contained in HSE's Fit3 programme.

2. Background to Service

2.1 Profile of Breckland

Breckland district covers an area of 1,305 square kilometres and it is one of the largest rural districts in England. Nestled just on the Norfolk/Suffolk border Breckland is centred around the five main market towns of Attleborough, Dereham, Swaffham, Thetford and Watton. There are also 107 parishes in Breckland but the majority of the population is centred around these five market towns.

Much of the area is given over to agriculture and with large open spaces of heath land, known as The Brecks, from which the district gets its name. The distinctive landscapes of natural habitat are of national and international importance. The semi-continental weather combined with its sandy soil with chalk and flint supports outstanding wildlife and plants. The area encompasses ancient heath lands and lowland, pine forest, most of which have open access. With its natural beauty, its wealth of history and many other attractions.

Breckland attracts an estimated 1.5 million visitors each year. Research carried out by the East of England Tourist Board estimates that in 2003 there were 4,914,000 staying visitors in Norfolk. The total number of day visitors was estimated at 46,324,853. Local public attractions consist of the zoo at Banham, the National Trust historic Oxborough Hall near Swaffham, and the Neolithic flint mines at Grimes Graves controlled by the Department of the Environment near Weeting. Just outside Dereham is the Gressenhall Farm and Workhouse Museum and some 16 kilometers east of Thetford, just off the A11 trunk road is where the Snetterton Motor Racing Circuit is located which hosts major sporting events throughout the year.

2.2 The Health and Safety Team

The Health and Safety Team is responsible for all aspects of health and safety allocated to them under the Health and Safety (Enforcing Authority) Regulations 1998. In general terms, this work relates to the service industries covering retail, wholesale, catering, leisure, office work, provision of residential accommodation, consumer services and cultural activities. Enforcement of occupational health and safety standards in other industries is carried out by the Health and Safety Executive (HSE), a central government department. A separate team carries out food safety inspections, but liaison takes place with regard to common issues such as the Flare computerised database, inspection frequencies and legal action.

The service will play a significant role in helping to achieve the government's targets for:

- reducing the number of working days lost per hundred thousand, from work related injury and ill health by 30% by 2010,
- reducing fatal and major injury accidents by 10% by 2010, and
- reducing cases of work related ill health by 20% by 2010.

2.3 **Events Affecting the Team's Work in 2007/2008**

Smoke-Free Premises

The Health Act 2006 introduces a smoking ban in virtually all workplaces and vehicles. The Health and Safety Team will take the lead in implementing this legislation in over 4000 premises with the support of a temporary Smoking Prevention Officer. Enforcement after 1 July 2007 is planned to be by all Environmental Health Teams whilst in the course of their normal duties. Any requests for help before July and complaints after the introduction are expected to create a significant workload for the team.

Licensing Act 2003

The Health and Safety Team acts as a Responsible Authority for new/variation applications for licences under the Licensing Act 2003 and Gambling Act 2005. A Senior Environmental Health Officer is consulted on all such applications and responds on health and safety and noise issues thus reducing duplication of work for the department.

Corporate Health and Safety

Implementation of the new Corporate Health and Safety Policy occurred in 2006/2007 and Senior Managers were trained in their legal responsibilities. Throughout 2007/2008 all Operations Managers/Service Managers have to produce risk assessments and these will be audited by the Health and Safety Officer who is part of this team. This is a new area of work for which the team will have an advisory and supporting responsibility. These changes include cultural change, with education and training of all staff up to and including senior management.

2.4 **Demands on the Health and Safety Service**

On 1 April 2007 there were 2008 premises for which Breckland are the enforcing authority. It should be noted that we will be responsible for well over 4000 premises with respect to the smoking ban. The team enforces health and safety in a wide range of business premises that are typically classified into the following categories:

- Retail shops
- Wholesale shops warehouses (including fuel storage depots)
- Offices
- Catering, restaurants and bars
- Hotels, campsites, B&Bs, hostels etc
- Residential Care Homes
- Leisure and cultural services
- Consumer services (e.g. hairdressers, tyre and exhaust centres etc)
- Other premises (not classified above)

The rural nature and large size of the district necessitates much time and expense in travelling, even with good time management. Most businesses within the local authority sector are very small employers and there is a large turnover each year (approx 10%), which places increased demands on the team.

2.5 **Service Delivery Points**

The Health and Safety Team is based at the Dereham office which is open from 09.00 am to 5.00 pm Monday to Thursday and 09.00 am to 4.30 pm Friday. Out of hours availability is on a voluntary basis through the Flagship Housing Association 24-hour call centre to which the Council are linked.

The Health and Safety Team is connected to the Chartered Institute of Environmental Health's (CIEH) intranet service (EHCnet) and is accessible via e-mail. The team is fully committed to the development of the Breckland Council website for communication with businesses and the public.

We aim to review and improve the health and safety advice sections of the Council's website in 2007/2008 as part of our e-government improvements.

2.6 **Enforcement Policy**

Enforcement action is carried out in accordance with the Environmental Health Enforcement Policy, which complies with the Enforcement Concordat and the Home Office Code of Practice for Crown Prosecutors. The Council has approved the Enforcement Policy and the full policy as well as a summary are available on the Council's web-site. It is publicised to businesses in our letters when formal action is considered.

3. **Service Delivery**

3.1 **Pro-active Work**

3.1.1 **Occupational Health and Safety Premises Inspections**

Breckland's policy in relation to occupational health and safety premises inspection is to operate a risk based priority planning system that takes account of Health and Safety Commission's (HSC) strategic plan. This is to ensure that all premises are inspected at an appropriate minimum frequency determined by risk. A priority planning system based on risk assessment enables resources to be targeted at those employers and activities which pose the greatest risk to health and safety. Where circumstances prevent 100% of inspections in accordance with the frequencies, priority is given to higher-risk band premises. A five-year inspection cycle is currently in operation with low risk 'C' band premises not subject to inspection. These premises are still contacted and assessed by other means, such as questionnaires, audits, mail shots etc.

Occupational health and safety inspections are carried out in accordance with departmental protocols, which meet current guidance issued by the HSC.

In carrying out our inspection programme we currently aim to give priority to topics identified in HSE's Fit3 programme. These include:

- slips and trips
- workplace transport/moving goods safely
- musculoskeletal disorders
- occupational health issues such as asbestos, stress and dermatitis
- falls from height

In 2007/2008 in addition to raising such issues on routine inspections, resources will be allocated to pro-active enforcement initiatives based on these priority areas.

3.1.2 Premises profile

The number of premises identified by risk band is shown in the table below.

Risk Band (Based on HELA 67/1 rev)	Inspection Frequency (Months)	Number of premises 2006/2007	Number of premises 2006/2007
A	12	24	19
B1	24	107	105
B2	24	190	230
B3	36	325	310
B4	36	580	505
C	60	620	673
Unrated/New Premises	(First rated within 12 months)	142	166
Total		1988	2008

3.1.3 Inspections 2007/8

In 2007/2008, 596 premises will be due a health and safety inspection.

The inspections due include:

- Band A 19
- Band B1 33
- Band B2 95
- Band B3 114
- Band B4 169
- Band C 0
- Unrated 166

166 new or unrated premises identified by recent surveys or other means will need a first inspection.

Additional inspections may be required during the year due to change of ownership, new business startups, following requests for help, complaints or accidents.

There are also 33 premises (e.g. private members clubs) that have limited obligations under Health and Safety Legislation as there is no employment. These premises do fall to Breckland for enforcement but are not subject to routine inspection and are visited only following complaints or accidents.

Revisits to Ensure Compliance

Approximately 15%-20% of planned pro-active inspections require subsequent revisit(s) by officers to secure compliance with issues raised. In 2007/2008 this may mean approximately 115 revisits are required.

3.1.4 Performance Indicators and Targets for 2006/7

In 2007/2008 the indicators and targets for the health and safety team will read as:

- To achieve 100% of inspections due or overdue with priority given to those in higher risk bands and new business start ups.
- To maintain and update the register of businesses that fall to Breckland for enforcement.
- To improve the standard of each business inspected to its optimum risk level.
- To provide advice and help to new businesses on key health and safety issues.
- Review inspection forms and letters, standard phrases and working procedures to improve effectiveness, consistency and transparency of enforcement.
- Ensure all actions are compliant with the Enforcement Policy.
- Wherever possible to work in partnership with other local authorities and Health and Safety Executive and to target HSE's Fit3 topics.

3.1.5 Resource Implications

The Health and Safety Team currently consists of one Senior Environmental Health Officer, one EHO and one Technical Officer and they are managed by a PEHO who also has responsibility for the Council's Licensing Team and Corporate Health and Safety function.

A Support Officer is allocated to the team but is likely to be fully occupied in 2007/2008 with helping the implementation of the smoking ban and inspecting licensed animal establishments on behalf of the team.

Full staffing is anticipated (except see below) in 2007/2008 but the following issues are material concerns:

- Introduction of the smoking ban in over 4000 premises and work vehicles will have a major impact on this team.
- Continued secondment of SEHO until June 2007.
- The Team's Technical Admin Officer post is only funded until June 2007. The post is currently vacant and permission to recruit is being sought. Without this post the ability to meet targets and maintain effective administration within both Health and Safety and Licensing Teams will be affected.
- The impact of acting as a Responsible Authority for the Licensing Act 2003 is significant.
- Responsibility for Corporate Health and Safety. Resources will be needed to introduce a cultural change within the organisation.
- The continued use of contractors for low risk health and safety inspections will be essential.

3.2 Re-active Work

3.2.1 Health and Safety Complaints

HSC requires that local authorities allocate sufficient resources, including competent inspectors to deal with complaints, service requests and accidents/dangerous occurrences. All will be investigated, and HSE's Fit3 priorities will be targeted.

	2005/2006	2006/2007	Estimate 2007/2008
Total complaints	58	115	115

It is believed that the true number of complaints dealt with is higher but the intermittent lack of the Technical Admin Officer post means some work carried out by the team is never recorded on our database.

3.2.2 Health and Safety Service Requests

Breckland aims to provide advice and support to all businesses, voluntary groups, charities and the public. Advice and support is provided by:

- Verbal advice;
- Health and safety leaflets;
- Written advice;
- Consultation visits when requested;
- Use of mailshots, newsletters and the website.

	2005/2006	2006/2007	2007/2008
Total requests	130	161	175

3.2.3 Health and Safety Team as a Responsible Authority (RA)

The team are a RA for applications received under the Licensing Act 2003. These require a priority response within strict legislative timescales.

Responsible Authority Requests	2006/2007	2007/2008 Estimate
Total requests	45	60

3.2.4 Corporate Health and Safety Requests/Complaints

Corporate H&S Requests/Complaints	2006/2007	2007/2008 Estimate
Total requests	63	90

As awareness of health and safety in the organisation grow we expect more requests for advice and/or complaints than in previous years.

3.2.5 Reported Accidents, Dangerous Occurrences and Occupational Ill-Health

Breckland follows mandatory guidance issued by the HSC which requires sufficient allocation of time and resources and a competent inspectorate. The extent of investigations depends on factors contained in the Norfolk Health and Safety Group's Accident Investigation Criteria and is influenced by HSE's Fit3 priorities.

	2004/2005	2005/2006	2006/2007	Estimate 2007/2008
Total accidents reported under RIDDOR	124	139	137	150

Increase due to more awareness of reporting duties after inspections.

3.2.6 Other Re-active Work

Breckland Council receives small numbers of reports/notifications on other specialist issues that each require considerable expertise and input from officers such as:

	Estimated number of requests in 2007/2008
Defective lift/hoist reports	15
Asbestos removal notifications	7
Working time complaints	5
Cooling tower registration	10

3.2.7 Performance Indicators and Targets for 2006/7

All health and safety complaints, service requests and reported accidents, dangerous occurrences and occupational ill health will be investigated in accordance with HELA priorities, Breckland's Enforcement Policy and other local/national guidelines.

Health and Safety Complaints (Enforcement and Corporate)

To respond to 90% of complaints within 3 working days. Officers will use discretion and deal with the most urgent complaints where the public's or employee's health and safety is at imminent risk more quickly, as appropriate.

Health and Safety Service Requests (Enforcement and Corporate)

To respond to 90% of service requests within 3 working days.

Health and Safety Responsible Authority Requests

To respond to all RA requests made under Licensing Act 2003 within 28 day statutory response time.

Reported Accidents, Dangerous Occurrences and Occupational Health

- To respond to 90% of reported accidents within 3 working days. Officers will use discretion and deal with the most urgent complaints where the public's or employee's health and safety is at imminent risk more quickly, as appropriate, e.g. fatal or major accidents, dangerous occurrences etc).
- To investigate accidents in accordance with Norfolk Health and Safety Group Criteria and HELA Guidance.
- To investigate all dangerous occurrences and cases of occupational ill health.

3.3 Other Areas of Health and Safety Team's Work

3.3.1 Health and Safety Training

Breckland are registered with the Chartered Institute of Environmental Health (CIEH) as an approved training centre and will offer training courses in occupational health and safety (subject to demand) giving opportunities to gain sufficient knowledge to achieve high standards of occupational health and safety at work and prevent accidents.

Experience has indicated that demand for training is limited and consequently our aim is to ensure that where few requests are received they are directed to alternative providers.

We do, however, accept invitations to present talks to relevant bodies on an ad-hoc basis and in recent times this has included presentations to Business Link, Pub Watch, Norfolk Village Halls Association etc.

3.3.2 Health and Safety Training (Corporate)

The team have facilitated training for Breckland staff throughout 2006/2007. This included Induction Training for new staff, Risk Assessment Training and a Safety for Senior Executives course. We will continue to facilitate training as required.

3.3.3 Lead Authority Partnerships

Breckland as a Lead Authority

Breckland supports the Lead Authority Partnership Scheme (LAPS) implemented by HELA.

Breckland Council is the national Lead Authority Partner for Hughes Electrical Ltd. Hughes Electrical Ltd is a major regional employer. They employ approximately 80 people at four sites in Breckland's area and a total of over 500 in the wider Anglia region.

Liaison with Lead Authorities

In line with mandatory guidance issued by HSE, contact and if necessary, liaison with the relevant Lead Authority must be undertaken with regard to enforcement activities, especially where these may be of Regional or National significance.

3.3.4 Liaison with Other Organisations

Breckland will liaise with other agencies and local authorities to ensure consistency of enforcement and the sharing of best practice. Liaison will be carried out as follows:

- Breckland will play a full part in the Norfolk Chief Officers Health and Safety Group, the CIEH Eastern Centre Health and Safety Liaison Group and the G16 Best Value Group. It will also liaise with other local authorities through the CIEH intranet service.
- Breckland is committed to taking the advice of HSE Local Authority Unit (LAU) when there is doubt with regard to consistency and takes account of advice issued by HSC, HSE LAU, and HELA.
- The Health and Safety Team liaises with other council departments in Breckland and provides services to the public that aim to ensure consistency of approach.
- Liaison with new business premises is carried out by checking planning application lists, and by receiving notifications of new occupiers of council owned premises.
- The team has established links with Business Link and MESH to ensure early contact with new businesses starting up in Breckland.
- Breckland is committed to the process of inter-authority auditing and in comparing standards with other authorities.

3.3.5 Occupational Health and Safety Promotion

Breckland is committed to occupational health and safety promotional work with a view to making interventions which will raise awareness of health and safety issues in relation to work practices and which will influence and inform decisions about occupational health and safety.

In line with the principles behind Fit3 and partnership working with HSE and other Local Authorities we try to concentrate significant inspector resources on planned pro-active initiatives. These are in addition to our inspection regime but focus on specific topics of concern in target premises types.

Our plans for significant initiatives in 2007/2008 include the following:

2007/2008 Quarter	Planned Health and Safety Initiative
First	Roll cage and tail lift safety in major retailers in partnership with HSE and Norfolk local authorities
Second	Implementation of the smoking ban
Third	Introduction of 'cosmetic piercing' registration subject to Department of Health Byelaws being adopted.
Fourth	Slips and trips in catering premises in partnership with HSE and Breckland's Food Team

In addition to the above all our pro-active and re-active work will focus on the Fit3 priorities, where appropriate, e.g:

- Slips and trips
- Workplace transport/moving goods safely
- Musculoskeletal disorders
- Occupational health including stress, asbestos and dermatitis
- Falls from height

This will involve much planning and officer time but will be targeted at significant health and safety hazards relevant to Breckland's employers and employees.

All pro-active activities will be carried out in accordance with the departmental protocol, which includes full evaluation of every project carried out.

3.3.6 Targets for 2007/2008

- To review and update the health and safety advice content of Breckland's website.
- To ensure all pro-active/re-active work of the team adequately reflects HELA priority topics and Fit3 priorities.
- Continue acting as Hughes Electrical Limited's Lead Authority Partnership.
- Be an active participant in partnership working with HSE and other Norfolk local authorities.
- Plan and deliver one targeted health and safety initiative in each quarter (see 3.3.5).

4.0 Summary of Health and Safety Team's Performance in 2006/2007

In 2006/2007 the Health and Safety Team:

Inspections

- Carried out 483 planned health and safety inspections.
- Carried out 28 Fit3 initiative inspections in partnership with HSE and other Norfolk local authorities.
- Carried out 140 revisits to assess compliance.

Re-active work

- Responded to 177 health and safety service requests (95.5% within three working day response target).
- Responded to 110 health and safety complaints (93.6% within three working day response target).
- Responded to 64 corporate health and safety requests/complaints (98.5% within three working day response target).
- Responded to 45 Licensing Act 2003 Responsible Authority requests (100% within 28 day statutory response target).

Accidents

- Received notifications of 137 reportable accidents (95% with a first response within 3 working days)

Letters/Formal Notices

- Served 122 Informal Notices (letters detailing contraventions of the law) and 466 advisory letters following inspections/interventions.
- 510 of 588 (88.1%) letters following a visit were sent within 10 working days.
- Served 20 Health and Safety at Work etc Act 1974 **Improvement Notices** to protect public and employee safety.
- Served 7 Health and Safety at Work etc Act 1974 **Prohibition Notices** to protect public and employee safety.